Chemical Reporting Using New Federal Hazard Categories

AS OF 2018, INVENTORY IN CERS MUST REFERENCE 24 NEW FEDERAL HAZARD CATEGORIES

US EPA asked individual states to make the 24 new categories available to business users **by January 1, 2018.**
Facilities subject to Tier II EPCRA chemical inventory reporting must submit in CERS by March 1, 2018.

Federal Hazard Categories Adopted by U.S. EPA (40 CFR part 370.66)			
Existing Categories (CERS Data Fields 216a-216e)		**NEW Categories** (New CERS Data Fields 216f-216cc)	
PHYSICAL	*HEALTH HAZARD*	*PHYSICAL*	*HEALTH HAZARD*
Fire	Acute (Immediate)	Flammable (gases, aerosols, liquids, or solids)	Carcinogenicity
Reactive	Chronic (Delayed)	Gas under pressure (compressed gas)	Acute toxicity (any route of exposure)
Sudden release of pressure		Explosive	Reproductive toxicity
		Self-heating	Skin corrosion or irritation
		Pyrophoric (liquid or solid)	Respiratory or skin sensitization
		Oxidizer (liquid, solid or gas)	Serious eye damage or eye irritation
		Organic peroxide	Specific target organ toxicity (single or repeated exposure)
		Self-reactive	Aspiration Hazard
		Pyrophoric gas	Germ cell mutagenicity
		Corrosive to metal	Simple asphyxiant
		In contact with water emits flammable gas	Hazard Not Otherwise Classified (HNOC)
		Combustible dust	
		Hazard Not Otherwise Classified (HNOC)	

WHAT CHANGED AT THE FEDERAL LEVEL?

In 2016, US EPA amended the hazardous chemical reporting regulations to incorporate Fed OSHA's Global Harmonizing System (GHS) for chemical classification.

WHAT CHANGED IN CERS INVENTORY?

Replaced 5 existing federal hazard categories for chemical reporting with 24 NEW Physical and Health categories.

WHAT IS THE BENEFIT?

- Greater clarification and consistency for emergency planning and response.
- Eliminates duplicate reporting when the EPCRA reporting requirements apply.

SUPPORTING DOCUMENTATION:

Background (CalEPA)

CERS Central Business Guidance

I HAVE A CURRENT HMBP IN CERS, HOW DO I REVISE/UPDATE IT AND RESUBMIT IN CERS?

QUICK STEPS: PREPARE A DRAFT SUBMITTAL & RESUBMIT WITH REVISED INVENTORY

- Log into CERS Business Portal & click [Start / Edit Submittal] → [Create All HMBP Submittal Elements] → [Confirm]
- Click the Back button on your browser -or- click on "Draft Submittal" Home » Draft Submittal » Submittal Summary
- Click on Hazardous Material Inventory
- For each of the items in your inventory, click [Edit] and follow the steps below. After they're all updated, click [Done]
- Click any of the [Submit] buttons. Make sure you're including 3 sections if you're re-certifying your HMBP.
- If you've added/removed inventory or documents, click [Add Comment To Regulator] to indicate what changed for faster processing.
- Click [Submit Selected Elements] Print a copy or save a pdf to keep on site. HMBPs & Plans need to be available for inspection & emergencies.

HOW TO REVIEW & UPDATE CHEMICAL HAZARD CLASSIFICATION SECTION FOR EACH INVENTORY ITEM

❶ DESELECT OBSOLETE CATEGORIES

Federal Hazard Categories
- ☑ → ☐ Fire (Obsolete)
- ☐ ☐ Reactive (Obsolete)
- ☑ → ☐ Pressure Release (Obsolete)
- ☐ ☐ Acute Health (Obsolete)
- ☐ ☐ Chronic Health (Obsolete)

❷ USE SDS TO DETERMINE NEW FEDERAL HAZARD CATEGORIES

Section 2. Hazards identification

OSHA/HCS status : This material is considered hazardous by the OSHA Hazard Comm (29 CFR 1910.1200).

Classification of the substance or mixture : FLAMMABLE GASES - Category 1 GASES UNDER PRESSURE - Liquefied gas

GHS label elements
Hazard pictograms :

Signal word : Danger
Hazard statements : Extremely flammable gas.
Contains gas under pressure; may explode if heated.
May cause frostbite.
May form explosive mixtures in Air.
May displace oxygen and cause rapid suffocation.

❸ CHECK ALL THAT APPLY HERE

Federal Hazard Categories
- ☐ → ☑ PHYSICAL: Flammable
- ☐ → ☑ PHYSICAL: Gas Under Pressure
- ☐ → ☑ PHYSICAL: Explosive
- ☐ ☐ PHYSICAL: Self-heating
- ☐ ☐ PHYSICAL: Pyrophoric
- ☐ ☐ PHYSICAL: Oxidizer
- ☐ ☐ PHYSICAL: Organic Peroxide
- ☐ ☐ PHYSICAL: Self-reactive
- ☐ ☐ PHYSICAL: Pyrophoric Gas
- ☐ ☐ PHYSICAL: Corrosive to Metal
- ☐ ☐ PHYSICAL: In Contact with Water Emits Flammable Gas
- ☐ ☐ PHYSICAL: Combustible Dust
- ☐ ☐ PHYSICAL: Hazard Not Otherwise Classified (HNOC)
- ☐ ☐ HEALTH: Carcinogenicity
- ☐ ☐ HEALTH: Acute Toxicity
- ☐ ☐ HEALTH: Reproductive Toxicity
- ☐ ☐ HEALTH: Skin Corrosion or Irritation
- ☐ ☐ HEALTH: Respiratory or Skin Sensitization
- ☐ ☐ HEALTH: Serious Eye Damage or Eye Irritation
- ☐ ☐ HEALTH: Specific Target Organ Toxicity
- ☐ ☐ HEALTH: Aspiration Hazard
- ☐ ☐ HEALTH: Germ Cell Mutagenicity
- ☐ → ☑ HEALTH: Simple Asphyxiant
- ☐ ☐ HEALTH: Hazard Not Otherwise Classified (HNOC)

❹ [Save]

HAZARDOUS MATERIALS
- Review section 2 of the SDS for physical/ health hazards listed, statements, or corresponding pictograms

HAZARDOUS WASTE
- What are the hazardous characteristics of the waste stream being reported?
- What contaminants are in the waste?
- Is there a similar SDS?
- Is it a RCRA listed waste?
- What are the hazards associated with the waste code?

SHARPS/RED BAG/MEDICAL WASTE
- ☑ HEALTH: Hazard Not Otherwise Classified (HNOC)

For additional CERS assistance contact the CERS Help Desk (858) 505-6990

FREQUENTLY ASKED QUESTIONS (FAQ) REGARDING THIS NEW REQUIREMENT

FAQ: DOES EVERY BUSINESS NEED TO REPORT IN CERS BY MARCH 1, 2018?

No. **Only Facilities subject to federal EPCRA** reporting are required to complete their annual reporting by March 1st of every year. In California, CERS is used to comply with the federal EPCRA chemical reporting regulation. Click to see US EPA EPCRA Fact Sheet

FAQ: WHEN IS MY ANNUAL HMBP CERTIFICATION DUE?

It varies. Facilities that store/handle hazardous materials/wastes at or above threshold amounts (55 gal / 500 lbs / 200 ft³) are required to submit a Hazardous Materials Business Plan (HMBP) in CERS and re-certify it **within 12 months of the last time all three sections of the HMBP were submitted**.

Full HMBPs must include the following three sections in CERS:
1) Facility Information, 2) Hazardous Materials Inventory (w/site map(s)), and 3) Emergency Response & Training Plans.

- ***Scenario 1: CA-regulated only***. My facility is not regulated under federal EPCRA reporting because the chemicals I store are below 10,000 pounds and I store no extremely hazardous substances. I last submitted my Facility Information and Inventory sections in CERS on 5/10/17, but the Emergency Contingency Plans section was last submitted on 2/8/17. ***Answer**: Submit a full HMBP in CERS by 2/7/18.*
- ***Scenario 2: CA-regulated only.*** My facility is not regulated under federal EPCRA reporting; only has chemicals below 10,000 pounds and no extremely hazardous substance. I last submitted the HMBP on May 10, 2017. ***Answer**: Make revisions and submit in CERS by May 9, 2018 to annually certify all the HMBP information.*
- ***Scenario 3: Federally-regulated under EPCRA***. My facility is subject to EPCRA because some of my chemical inventory exceeds 10,000 pounds or I store extremely hazardous substances. ***Answer**: Submit a full HMBP in CERS by March 1, 2018*.
  Click here to see CalEPA Guidance on Inventory Reporting Timing

FAQ: CAN A VIOLATION BE CITED IF THE HMBP IS NOT CERTIFED AS COMPLETE AND ACCURATE IN CERS BY THE ANNIVERSAY (DUE DATE) OR BY MARCH 1ST FOR EPCRA-REGULATED FACILITIES?

After the HMBP anniversary due date, or if an EPCRA regulated facility, failure to submit the required information in CERS may result in a violation being issued during a CUPA inspection.

FAQ: WILL I BE NOTIFIED IF MY INVENTORY DOES NOT COMPLY WITH NEW FEDERAL HAZARD CATEGORIES?

When reviewing inventory, CERS users should **see warning messages** alerting them that an obsolete federal hazard category is included in their inventory submittal. A guidance message will appear for each obsolete category checked on each item.
The example below is for obsolete category "Acute Health" for item "Waste Antifreeze" with a location listed as "see site map".

CERS users in the County of San Diego may see a message like the following **if they included obsolete federal hazard categories in the CERS chemical inventory submittal**:
> *"This submittal is **provisionally accepted** at this time; however, please be advised your CERS hazardous materials inventory contains obsolete federal hazardous categories and must be revised and re-submitted in CERS within 90 calendar days. If you need help with the revision, feel free to call the CERS Help Desk at (858)505-6990."*

FAQ: WHAT IS THE STATUS OF THE CERS CHEMICAL LIBRARY?

The **most commonly reported hazardous materials** in the CERS Chemical Library are currently **being revised** by CalEPA to reference the applicable federal hazard categories. Hazardous materials will be restored to the CERS Chemical Library as the new classifications are updated. If the new federal hazard category is not referenced for an existing chemical in the CERS Chemical Library, reference a current SDS for help in selecting the most appropriate new set of federal hazard categories.

FAQ: HAVE THE SITE MAP SYMBOLS CHANGED AS WELL?

Not at this time. For HMBP site maps, please continue using existing standardized symbols adopted by the County of San Diego to indicate location of hazardous materials and waste items included in your inventory. Click here for HMBP Site Map Guidance

FAQ: HOW CAN I GET ONE-ON-ONE ASSISTANCE?

If you need general assistance with CERS, call the San Diego County **CERS Help Desk at (858) 505-6990** M-F 8am-3pm. CERS technicians can help you over the phone, or you can make an appointment online. If you need more specific guidance determining a hazard category, contact your designated CUPA Inspector as listed in your last inspection report. Inspectors also often write their contact information in the comments section when they review your CERS submittals, those comments can be accessed by viewing a previous submittal in CERS. If you're unsure, call the CERS Help Desk.

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