

Are Remote Unstaffed Facilities Exempt from Reporting?

Are Remote Unstaffed Facilities Exempt from Electronic Reporting?

Answer: No. A remote unstaffed facility meeting the exemption criteria listed in HSC Chapter 6.95, Section 25507.2 (see below) is required to make a **one-time** electronic Hazardous Materials Business Plan (HMBP) submittal to CERS or a local portal capable of exchanging data with CERS. In CERS, this consists of the Facility Information and Hazardous Materials Inventory Submittal Elements. The Emergency Response and Training Plan portion of the HMBP is not required to be submitted.

If a remote unstaffed facility does not meet exemption criteria and hazardous materials are stored on site at or above threshold quantities in HSC, Chapter 6.95, Section 25507, then the business must electronically submit an HMBP, including the Emergency Response and Training Plan portion, annually into CERS or local reporting portal.

Code References:

California Health and Safety Code Section 25507.2: Unless required by a local ordinance, the unified program agency shall exempt a business operating an unstaffed facility located at least one-half mile from the nearest occupied structure from Sections 25508.2 and 25511, and shall subject the business to Sections 25505, 25506, and 25507 only as specified in this section, if the business is not otherwise subject to the requirements of applicable federal law, and all of the following requirements are met:

- (a) The types and quantities of materials onsite are limited to one or more of the following: (1) One thousand standard cubic feet of compressed inert gases (asphyxiation and pressure hazards only). (2) Five hundred gallons of combustible liquid used as a fuel source. (3) Corrosive liquids, not to exceed 500 pounds of extremely hazardous substances, used as electrolytes, and in closed containers. (4) Five hundred gallons of lubricating and hydraulic fluids. (5) One thousand two hundred gallons of hydrocarbon gas used as a fuel source. (6) Any quantity of mineral oil contained within electrical equipment, such as transformers, bushings, electrical switches, and voltage regulators, if the spill prevention control and countermeasure plan has been prepared for quantities that meet or exceed 1,320 gallons.
- (b) The facility is secured and not accessible to the public.

(c) Warning signs are posted and maintained for hazardous materials pursuant to the California Fire Code.

(d) (1) Notwithstanding Sections 25505 and 25507, a one-time business plan, except for the emergency response plan and training elements specified in paragraphs (3) and (4) of subdivision (a) of Section 25505, is submitted to the statewide information management system. This one-time business plan submittal is subject to a verification inspection by the unified program agency and the unified program agency may assess a fee not to exceed the actual costs of processing and for inspection, if an inspection is conducted. (2) If the information contained in the one-time submittal of the business plan changes and the time period of the change is longer than 30 days, the business plan shall be resubmitted within 30 days to the statewide information management system to reflect any change in the business plan. A fee not to exceed the actual costs of processing and inspection, if conducted, may be assessed by the unified program agency.