

Frequently Asked Questions (FAQ's):

1. How do I know the "HMIS" or "NFPA" rating?

Look up Section 16 of the Safety Data Sheet (SDS). It may provide the "HMIS" or "NFPA" diamond symbol with the hazard rating. If any category has a rating of 3 or 4, the retail hazardous material must be reported if the overall quantity is above the listed thresholds.

2. How much time do I have to report the retail hazardous material if it is above the threshold?

The retail hazardous material must be reported in the California Environmental Reporting System (CERS) within 30 days from the day it is stored on-site.

3. What is CERS?

CERS is the website that every business in California uses to report hazardous materials information. CERS is used to inform first responders during an emergency about what hazardous materials are stored at a facility. Report hazardous material information to: <https://cers.calepa.ca.gov/>

Contact Information:

If you have any general questions regarding AB-2059, please contact your inspector:

<https://vcrma.org/en/cupa-contact-information>

For more information on AB2059:

<https://calepa.ca.gov/wp-content/uploads/sites/6/2022/12/CALEPA-UPDATE-ON-ASSEMBLY-BILL-2059.pdf>



COUNTY of VENTURA
Resource Management Agency



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Resource Management Agency

Retail Hazardous Material Reporting

Assembly Bill 2059

New requirements bring important updates to hazardous materials regulations.

Contact Us:

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<https://vcrma.org/en/hazardous-materials-business-plan-program>

Retail Hazardous Materials Reporting

What is AB2059?

Assembly Bill 2059 updated the Health and Safety Code (HSC) 6.95 to change the definition of a “consumer product”, “retail establishment” and a “supplier” and included reportable thresholds for these retail hazardous materials if they have a “NFPA” or “HMIS” rating of 3 or 4 in any category.

Definition Changes:

“**Consumer product**” : commodity that is used for personal, family, or household purposes, or that is present in the same form, concentration, and quantity as a product prepackaged for distribution to a consumer for personal, family, or household purposes. A product that is not sold for personal, family, or household use is not a “consumer product.” (HSC Sec 25501(j))

“**Retail Establishment**”: a business that sells consumer products prepackaged for direct distribution to, and intended for use by, the end user. A retail establishment may include storage areas or storerooms in establishments that are separated from shelves for display areas but maintained within the physical confines of the retail establishment. A retail establishment does not include a pest control dealer, as defined in Section 11407 of the Food and Agricultural Code, (HSC Sec 25501(p))

“**Supplier**”: means a manufacturer, distributor, wholesaler, or retailer in the state that sells or provides hazardous materials to a business in the state. (HSC Sec 25501(s))

AB2059 Reportable Thresholds:

≥ 165 Gallons

≥ 1,500 Pounds

≥ 600 Cubic Feet

(if “NFPA” or “HMIS” rating of 3 or 4 in any category)

HMIS Rating Scale:

HEALTH	<input type="checkbox"/>
FLAMMABILITY	<input type="checkbox"/>
REACTIVITY	<input type="checkbox"/>
PERSONAL PROTECTION	<input type="checkbox"/>

4. Severe Hazard

3. Serious Hazard

2. Moderate Hazard

1. Slight Hazard

0. Minimal Hazard

NFPA Rating Scale:

HEALTH HAZARD 4 Deadly 3 Extreme Danger 2 Hazardous 1 Slightly Hazardous 0 Normal Material	FIRE HAZARD 4 Below 73° F 3 Below 100° F 2 Below 200° F 1 Above 200° F 0 Will Not Burn
SPECIFIC HAZARD ACID Acid ALK Alkali COR Corrosive OX Oxidizer Radiation Hazard Use No Water	INSTABILITY HAZARD 4 May Detonate 3 Shock and Heat May Detonate 2 Violent Chemical Change 1 Unstable if Heated 0 Stable

Common Consumer Products Subject to Reporting:

- ⇒ Propane
- ⇒ Butane
- ⇒ Hand Sanitizer
- ⇒ WD-40
- ⇒ Easy Off Cleaner
- ⇒ Clorox Cleaner + Bleach
- ⇒ Lysol Disinfectant Spray
- ⇒ Pool Chemicals



Example: If the facility has 4 (5 Gallon) Propane containers stored on-site, then that is above the reportable threshold for the retail hazardous material and must be reported on CERS. (See FAQ Section for more information)