



RETAIL HAZARDOUS MATERIALS REPORTING

ASSEMBLY BILL 2059 (AB2059)

EFFECTIVE JANUARY 01, 2023

WHAT IS AB2059?

AB2059 is an update in the Health and Safety Code (HSC) 6.95 to change the definition of a “consumer product”, “retail establishment” and a “supplier” and to also include reportable thresholds for these retail hazardous materials that have a “NFPA” or “HMIS” rating of 3 or 4 in any category.

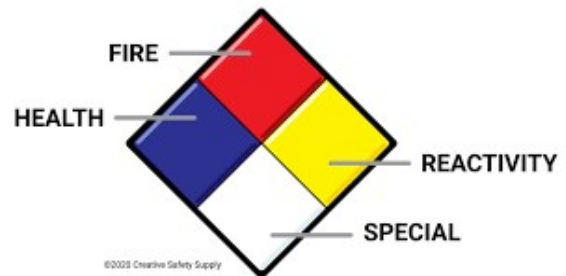
WHAT IS THE “HMIS” AND “NFPA” RATING?

“HMIS” Rating Scale:



- 4. Severe Hazard
- 3. Serious Hazard
- 2. Moderate Hazard
- 1. Slight Hazard
- 0. Minimal Hazard

“NFPA” Rating Scale:



REPORTABLE THRESHOLDS FOR RETAIL HAZARDOUS MATERIALS?

- ≥ 165 Gallons
- $\geq 1,500$ Pounds
- ≥ 600 Cubic Feet

Only if “NFPA” or “HMIS” rating of **3 or 4** in any category

COMMON RETAIL ITEMS REQUIRED FOR REPORTING:





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/>

LINKS TO ADDITIONAL INFORMATION:

“NFPA” Rating Guidance:

<https://www.safetysign.com/nfpa-hazard-rating#:~:text=The%2Oratings%2orange%20from%200,also%20a%20white%20colored%20section.>

“HMIS” Rating Guidance:

<https://calvin.edu/contentAsset/raw-data/584e5725-330d-4667-843d-bdb87c10875f/fileToAttach3>

For more information on AB2059:

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

If you have any questions or need assistance, please contact your inspector:

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