



Public Health Department

Environmental Health

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MEMORANDUM

Date: December 4, 2015

To: Agricultural Business

From: Brad Banner, Environmental Health Director

Re: Agriculture Hazmat Survey

Greetings!

We are in the process of assessing the number of agricultural businesses that will be impacted by state and federal hazardous materials regulations, and have developed this survey to assist us in this process. We request you complete the attached survey and return it to our office in the self-addressed, stamped envelope provided.

Butte County Environmental Health was designated by the State in 2005 to be Butte County's Certified Unified Program Agency (CUPA). There are advantages for having local oversight and administration of state and federal laws and regulations in terms of reduced fees, greater efficiency, and increased responsiveness to the needs of those being regulated. In order to retain local oversight, however, we are expected to enforce hazmat laws and regulations and we are audited by the state every three years to make sure that we do.

We are working closely with our Hazmat Advisory Group and the Butte County Farm Bureau to insure that we are sensitive to the needs and concerns of the agricultural community as we plan a program to regulate agricultural handlers. We are committed to implementing the program in as well thought out, clearly communicated, and user-friendly manner as possible.

The survey is printed with the information requested on the front of the page and the regulatory thresholds on the back of the page so that you can see how your farm will be impacted the CUPA program.

We ask that you take a few minutes to complete the survey and return it to us before January 1, 2016. To assist you in completing the survey, we have also attached the threshold amount of materials that would bring your farm under hazmat regulation. After submitting the survey, please contact our office to arrange an initial, inspection of your farm and provide you with additional information.

Thank you in advance for your assistance in this matter.

Agricultural Hazmat Threshold Summary

Thresholds for Requiring a Business Plan

Material	Federal Threshold	State Threshold	Exemption
Fuels			
Diesel	10,000 pounds (volume varies based on density of the liquid)	55 gallons	None
Dyed diesel			
Gasoline			
Kerosene			
Propane		200 cubic feet	500 gallons if used solely for heating employee work space or to prepare meals
Lubricants			
Motor Oil	Same as above	Same as above	None
Hydraulic Fluid			
ATF			
Solvents			
Antifreeze			
Compressed Gases			
Oxygen	Same as above	200 cubic feet	None
Acetylene			
Carbon Dioxide			
Carbon Dioxide/ Argon			
Trigas/ Gold Gas			
Nitrogen			
Helium			
Other			
Dry Fertilizers	10,000 pounds	500 pounds or 55 gallons, unless determined to be only an irritant or sensitizer and then 5,000 pounds or 500 gallons	Not counted if in transit and used or moved off site within 30 days, based on current local interpretation
Liquid Fertilizers			
Pesticides		500 pounds or 55 gallons	
Herbicides			

Thresholds for Permitting Hazardous Wastes Generators

Material	Federal Threshold	State Threshold	Exemption
Used Motor Oil	None; not a federally regulated hazardous waste	Any hazardous waste generated is regulated	None
Used Antifreeze			
Used Diesel			
Used Gasoline			

Thresholds for Requiring SPCC Plan

Federal: SPCC plan not required if storing less than 6,000 gallons and no spill has occurred or 2,500 gallons and a spill has occurred.

State (APSA): CUPA will not require an SPCC plan unless an agricultural business that has a single tank of 10,000 gallons or more or combined above ground storage capacity of 20,000 gallons or above, provide handler does daily tank inspections, the CUPA is allowed to perform verification inspections, and secondary containment is in place if required by the CUPA.

Threshold for Requiring Tank Facility Statement with CUPA

When a handler stores greater than 1,320 gallons combined and has not submitted a hazardous materials business plan.