



For MSD Use Only	
Company # _____	
Plan <input type="checkbox"/>	Exemption <input type="checkbox"/>
Inspector _____	
Received Date _____	
Fee Amount Paid _____	

PLAN APPLICATION

HAZARDOUS MATERIALS USE AND SPILL PREVENTION CONTROL (HMPC) PLAN

A. GENERAL INFORMATION

A1. Business Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone: (____) _____ - _____ Fax: (____) _____ - _____

Servicing Fire Department: _____

A2. Corporate Name: _____

Corporate Headquarters Address: _____

City: _____ State: _____ Zip: _____

Telephone: (____) _____ - _____ Fax: (____) _____ - _____

A3. Describe nature of business at this site: _____

Standard Industrial Classification (SIC) Code(s) (If known): _____

North American Industry Classification System (NAICS) Code(s) (If known): _____

Days and Hours of Operation: _____

A4. Local Owners and Managers

Name: _____

Title _____

Mailing Address _____

City: _____ State: _____ Zip: _____

Telephone: (____) _____ - _____ Fax: (____) _____ - _____

Name: _____

Title _____

Mailing Address _____

City: _____ State: _____ Zip: _____

Telephone: (____) _____ - _____ Fax: (____) _____ - _____

A5. Indicate Two or More Persons to Contact in an Emergency

Name	Title	Business Phone	Emergency Phone	Pager
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B. HAZARDOUS MATERIALS LOCATION AND DESCRIPTION

- B1. Do you store, handle, or process any petroleum products (gasoline, diesel fuel, oil, etc.) on site in excess of 55 gallons? Yes No
- B2. Do you store, handle, or process any corrosive, explosive, ignitable, radioactive, or reactive hazardous materials on site in quantities of 100 pounds or greater? Yes No
- B3. Do you store, handle, or process any materials listed in the enclosed Appendix A in excess of the listed reportable quantity? Yes No

For assistance answering questions B1, B2, or B3, please contact your assigned Emergency Response Pretreatment Inspector (ERPI). Refer to the last sentence of your cover letter to find out who your ERPI is. For assistance determining who your ERPI is, please contact MSD’s Industrial Waste Department at 540-6972.

B4. If you answered “**No**” to questions B1, B2, and B3; you may qualify for an Exemption from the HMPC Program. Having an approved Exemption does not relieve your company from the Hazardous materials Ordinance reporting responsibilities. **IF YOU HAVE A SPILL OF ANY HAZARDOUS MATERIAL TO THE ENVIRONMENT OR DRAIN, 911 MUST BE NOTIFIED IMMEDIATELY.** Please skip to section E on Page 5.

B5. If you answered “**YES**” to any of questions **B1, B2** or **B3**, you must fill out the entire HMPC plan and **submit a fee** according to the following schedule.

1-4 employees	\$25.00	5-9 employees	\$50.00
10-24 employees	\$75.00	25-49 employees	\$100.00
50-99 employees	\$150.00	100-499 employees	\$250.00
500-999 employees	\$500.00	>999 employees	\$750.00

Please make checks payable to Metropolitan Sewer District.

Please continue with question B6.

B6. All hazardous materials stored in quantities greater than the Reportable Quantities (RQ) defined in Appendix A of the Ordinance must be identified on the attached Hazardous Materials Inventory Data Entry Form (Attachment A).

Non listed materials that exhibit characteristic hazards (corrosive, etc.) have a reportable quantity of 100 pounds. These materials are listed in the first page of Appendix A.

Please make copies of the Attachment A and fill out one sheet for each hazardous materials storage area. (Refer to the instructions for a definition of a hazardous materials storage area).

B7. Required Maps (See instructions for information about maps).
MSD will provide you with a map (Attachment B) of your facility using data from the Louisville and Jefferson County Information Consortium (LOJIC). Please mark each hazardous material storage location on the map provided to you by MSD. The map should be numbered consecutively starting with the number 1 listing the hazardous materials storage locations on site. For each number on the map, there should be a corresponding Hazardous Materials Inventory Data Entry Form (Attachment A).

C. EMERGENCY RESPONSE TRAINING PROCEDURES

C1. Emergency Procedures Posting

In accordance with the Hazardous Material Ordinance, you must post a simplified Emergency Response Procedure (Attachment C). **The Hazardous Materials Ordinance requires immediate notification to 911 in the event of a reportable Quantity. Your Attachment C must include procedures to notify 911.** An example is included in the Sample HMPC Plan. Please list the locations where this is posted at your facility. (Example: time clock, storage locations, etc.) Please include a copy of Attachment C with your Plan submittal.

C2. Employee Training

The Hazardous Material Ordinance requires an initial and on-going safety and accident prevention training program for all employees. Describe training provided to employees: (e.g. proper handling, spill response procedures, evacuation procedures, emergency procedures, first aid, spill cleanup, equipment handling, etc.)

E. Owner/Manager Certification

The attached Hazardous Materials Spill Prevention and Control Plan (HMPC) or Exemption Request for this business, will be implemented as herein described. I hereby certify that I am responsible for the operation of the above named facility and have described all hazardous materials kept on site in amounts greater than the Reportable Quantities specified by MSD regulations.

Owner/ Manager Name: _____

Company Name: _____

Title: _____

Owner/Manager Signature: _____ Date: _____

NOT REQUIRED. IF YOUR PLAN WAS FILLED OUT BY A PROFESSIONAL ENGINEER, PLEASE FILL OUT THE FOLLOWING SECTION.

P. E. CERTIFICATION

I have examined the named facility and, to the best of my knowledge and belief, this Hazardous Materials Spill Prevention and Control (HMPC) Plan has been prepared in accordance with provisions of the MSD Hazardous Materials Spill Prevention regulations and in accordance with good engineering practices.

Printed Name of Registered Professional Engineer

Signature of Registered Professional Engineer (seal)

Registration Number State

Date



Company #: _____ Company Name: _____

Location #: _____ Description: _____

Containment Type: _____ Description:

Spill Remediation: _____

Materials:

Mixture Name	CAS #	StorageType	Container Description	Maximum Storage Quantity (Lbs.)	Material Components (See Example)	% of Total Amount

INSTRUCTIONS

Louisville Jefferson County Metropolitan Sewer District Hazardous Material Spill Prevention Control (HMPC) Plan Application

INTRODUCTION

The Louisville and Jefferson County have adopted an Hazardous Materials Ordinance (HMO) requiring that businesses which manufacture, use, or store hazardous materials on their business site submit a plan to prevent spills. The Hazardous Materials Use and Spill Prevention Control (HMPC) Plan must be prepared when minimum designated quantities of hazardous materials are regularly stored at the business site. The Louisville and Jefferson County Metropolitan Sewer District (MSD) serves as the lead agency in the administration of the Ordinance. HMPC Plans which are submitted to MSD will be shared with the Department of Public Health and the Fire Department having jurisdiction over the facility.

Hazardous materials may be generally considered to be substances in a quantity and form, which, if released, can be harmful to life, property, or the environment. The range of materials encompassed by this definition includes explosives, flammable and combustible liquids and solids, poisons and toxic substances, oxidizing or corrosive materials, and compressed gases. In recent years, hazardous material spills have caused or threatened to cause serious problems to the environment of Louisville and Jefferson County. New hazardous substances are continuously being developed and each year greater volumes are produced and/or transported through the community. The purpose of an HMPC Plan is to be certain that businesses are prepared to cope with spills which occasionally occur and to abet the objective of protecting the community's health and environment.

WHO MUST PREPARE AN HMPC PLAN

Two questions must be asked to determine if an HMPC Plan will be necessary from your business:

1. Do you regularly have hazardous materials on your business site? Many businesses do, but take them for granted because of unfamiliarity with the hazards associated with some materials.
2. Do you have quantities of hazardous materials at your business site large enough to require preparation of an HMPC Plan? In the MSD regulations, which have been adopted, these minimum quantities are designated as "Reportable Quantities." The Reportable Quantities (RQs) vary for different materials according to relative hazard.

Section B in the instructions should be read closely to determine if your business must complete an HMPC Plan Application. Questions on specific materials and RQs should be directed to MSD. Unless a business facility has both a hazardous material and the regular occurrence of minimum Reportable Quantities on its business site, the owner does not need to file an HMPC Plan Application. However, if a business contacted by MSD believes an HMPC Plan is not necessary, a Request for Exemption from the HMPC filing requirement must be filed. If you are requesting an Exemption from filing an HMPC plan, please follow the directions on Page 2, Section B4.

MAIL THE COMPLETED HMPC PLAN APPLICATION TO THE ADDRESS LISTED IN THE FOOTER BELOW

SPECIFIC EXEMPTIONS BY ORDINANCE/ REGULATION

The following persons or businesses are automatically exempt by ordinance from having to prepare an HMPC Plan:

1. Persons who handle agricultural chemicals in the ordinary course of agricultural operations other than warehousing or bulk storage of such chemicals for resale or commercial application.
2. Persons who handle hazardous materials otherwise regulated only at temporary construction sites.
3. Persons who handle hazardous materials only in conjunction with residential use of property for non-commercial purposes.
4. Ingredients for consumer products and food stuffs directly packaged for distribution to and intended for use by the general public which are regulated by the Federal Food Drug and Cosmetic Act.
5. Retail sales businesses, except a portion of the business that uses bulk storage in containers whose size exceeds the Reportable Quantity standard.
6. Liquor stores.
7. Persons who do not handle hazardous materials in quantities equal to or greater than the reportable quantities unless the administering agency finds it necessary to require an HMPC plan to protect the health and safety.

Businesses which claim an exemption for any of the above reasons must complete Pages 1, 2 & 5. The facility will be inspected by an MSD inspector to verify approval of the submitted exemption.

SCHEDULE FOR HMPC PLAN SUBMISSION

Businesses, which for some unforeseen reason are unable to meet the scheduled submission date, may request a 30 day delay in submission. This request must be submitted prior to the due date and will only be allowed once.

SPECIFIC INSTRUCTIONS

A. General Information

A1. Facility Business Name/Address.

Please fill out Business Name and General Information for your facility.

A2. Corporate Business Name/Address

If operation of your business is legally the responsibility of a corporation, indicate the name of that corporation and the home office headquarters address of the corporation. If ownership is not with a national corporation, indicate NONE.

A3. Nature of Business

Describe the type of business occurring at this site and the days of the week and hours of operation. Examples of business type are manufacturing, wholesaling, retail sales, consulting, etc. Describe the type of goods manufactured, stored or sold with this business. Indicate the Standard Industrial Classification (SIC) or **North American Industry Classification System (NAICS)** Code, if it is known. SIC codes may be found in the Standard Industrial Classification Manual and NAICS codes may be found in the **North American Industry Classification System** Manual. For more information on these codes, please visit the Internet at www.ntis.gov/naics and www.naics.com

A4. Local Owners and Managers

Complete the name, phone number, and address of persons with local ownership or management responsible for the business.

A5. Indicate Two or More Persons to Contact in an Emergency

The names of two or more persons to call in an emergency should be indicated along with their emergency phone numbers (cell phone, pagers, etc.). These numbers should be used for contact after non-working hours. These persons are assumed to have decision making responsibilities in the event of a hazardous material release that occurs at site. They should be familiar with the operations at the site, know personnel available to respond to a hazardous material release and be able to make decisions in the event of inquiries by police, fire or emergency response teams.

B. HAZARDOUS MATERIALS LOCATION AND DESCRIPTION

INTRODUCTION

This section will determine if your facility is required to prepare an HMPC plan or if you may qualify for an Exemption from the HMPC plan filing requirement. The determining factor is whether or not you use, store, manufacture, or process a Reportable Quantity (RQ) of a hazardous material. A definition of hazardous material and reportable quantity can be found below.

DETERMINING REPORTABLE QUANTITIES

To make this determination, you must answer questions B1, B2 and B3.

- B1.** Please determine if you store, handle or process any petroleum products, such as gasoline, diesel fuel, heating oil, waste oil, etc., on site in quantities of 56 gallons or greater and check the appropriate box on the form.
- B2.** Please determine if you store, handle or process any hazardous materials on site in quantities equal to or greater than the listed Reportable Quantity for those materials greater and check the appropriate box on the form. Please refer to Appendix A to assist you in making this determination.

B3. Please determine if you store, handle or process any corrosive, explosive, ignitable, radioactive, or reactive hazardous materials on site in quantities of 100 pounds or greater and check the appropriate box on the form. For this step, you do not need to consider materials listed in Appendix A. Does this make the examples obsolete? Maybe too specific? Please refer to the accompanying definitions and list of examples below to assist you in making this determination.

DEFINITIONS

HAZARDOUS MATERIALS

A hazardous material is a substance, which if released, can be harmful to life, property or to the environment. Some of the more common examples of Hazardous Materials are listed on Page 10. Please see Appendix A for a more comprehensive list of specific Hazardous Materials.

Please note that Appendix A is not a complete list of all Hazardous Materials. Any material that is not listed in Appendix A that exhibits the characteristic of corrosivity, explosivity, ignitability, radioactivity or reactivity shall be considered a Hazardous Material with a Reportable Quantity of 100 pounds.

CORROSIVE MATERIALS

Corrosive materials and/or wastes are substances, which react chemically. They are generally water based with strong acid (pH less than 2.0) or base (pH greater than 12.5).

EXPLOSIVE MATERIALS

Includes explosive materials that detonate instantaneously (High Explosives), deflagrate (Low Explosives) and modified high explosives (Permitted Explosives). Explosive materials are generally considered to exhibit the characteristic hazard of reactivity.

IGNITABLE MATERIALS

Ignitable materials and/or wastes are liquids with a flash point of less than 140 degrees Fahrenheit, or flammable gases, oxidizers, or substances which burn spontaneously.

RADIOACTIVE MATERIALS

Radioactive materials (alpha, beta, and gamma emitters) and their isotopes.

REACTIVE MATERIALS

Reactive materials and/or wastes; are substances which are unstable and may spontaneously react with air or water and explode or generate toxic gases.

REPORTABLE QUANTITY

Materials deemed to be hazardous are assigned a reportable quantity for the purpose of release reporting requirements. The Louisville and Jefferson County Hazardous Materials Ordinance (HMO) requires that **911 be immediately notified** in the event of a release of a hazardous material in an amount equal to or greater than that materials reportable quantity. The HMO also requires immediate notification to **911 in the event of a release** of a hazardous material in an amount less than that materials reportable quantity, if the release enters a sewer or stream.

DEFINITIONS – (CONTINUED)

HAZARDOUS MATERIALS STORAGE AREA

A Hazardous Materials Storage Area is defined as the area materials are stored that is isolated from reaching an environmental receptor by gravity. The area may have one or many primary hazardous materials storage containers. Commonly, a hazardous materials storage area is surrounded by a secondary containment structure. In the event that the entire contents of a spilled vessel could not reach an environmental receptor by gravity, the hazardous materials storage area may be adequately protected without a secondary containment structure.

SECONDARY CONTAINMENT STRUCTURES

Secondary Containment Structures include concrete dikes, metal pans, double wall tanks, earthen berms, containment pits, etc. The recommended free volume for a secondary containment structure is 110% of the volume of the largest primary storage container in that storage area.

PRIMARY STORAGE CONTAINERS

Primary Storage containers are the actual vessels in which the materials are stored. They include tanks, drums, totes, etc.

ENVIRONMENTAL RECEPTOR

For the purpose of the HMPC Plan, an environmental receptor shall be considered a point of entry for a spilled liquid material to flow by gravity to a sewer or stormwater conveyance (catch basin, drainage ditch, stream, river, etc.)

TOXICITY

The ability of a substance to cause damage to living tissue, impairment of the central nervous system, severe illness, or death when ingested, inhaled, or absorbed by the skin.

For assistance answering questions B1, B2 or B3, please contact your assigned Emergency Response Pretreatment Inspector (ERPI). Refer to the last sentence of your cover letter to find out who your ERPI is. For assistance determining whom your ERPI is, please contact MSD's Industrial Waste Department at (502) 540-6972.

COMMON EXAMPLES OF HAZARDOUS MATERIALS

<u>IGNITABLES</u>	<u>TOXICS</u>	<u>ACUTELY TOXIC</u>
Acetylene	Acetone	Aldrin
Acrylonitrile	Ammonia	Arsenic Compounds
Gasoline	Benzene	Cyanide Compounds
Kerosene	Creosote	Endrin
Paint	Formaldehyde	Nicotine
Propane	Formic Acid	Phenols
Solvents	Mercury	Strychnine and Salts
Thinner	Metals & Compounds	Vanadium Oxide
Liquid Petroleum Gas (LPG)	Toluene	
Varnish	Xylene	

COMMON EXAMPLES OF HAZARDOUS MATERIALS – (CONTINUED)

<u>CORROSIVES</u>	<u>REACTIVES</u>	<u>OTHER REG. MAT'LS</u>
Acetic Acid	Ammunition	Motor Oil
Battery Wastes	Blasting Caps	Waste Oil
Hydrochloric Acid	Explosives	Lube Oil
Nitric Acid	Cyanide Compounds	Hydraulic Oil
Sodium Hydroxide	Isocyanate	Petroleum Based Products
Sulfuric Acid		Radioactive Materials

B4. If you answered “NO” to questions **B1, B2** and **B3**, you may qualify for an **Exemption** from the HMPC Program. **Even if you are exempt from filing a complete HMPC Plan, you must still complete Sections A, B and E of the plan application.** Your ERPI will inspect your facility to determine if your facility qualifies for an exemption from the HMPC Plan. Having an approved Exemption does not relieve you of the Hazardous Materials Ordinance reporting responsibilities. **IF YOU HAVE A SPILL OF ANY HAZARDOUS MATERIAL TO THE ENVIRONMENT OR DRAIN, 911 MUST BE NOTIFIED IMMEDIATELY.**

B5. If you answered “YES” to any of questions **B1, B2** or **B3**, you must fill out the entire HMPC plan and **submit a fee** according to the following schedule.

1-4 employees	\$25.00	5-9 employees	\$50.00
10-24 employees	\$75.00	25-49 employees	\$100.00
50-99 employees	\$150.00	100-499 employees	\$250.00
500-999 employees	\$500.00	>999 employees	\$750.00

Please make checks payable to Metropolitan Sewer District.

B6. All hazardous materials stored in quantities greater than the Reportable Quantities (RQ) defined in Appendix A of the Ordinance must be identified on the attached Hazardous Materials Inventory Data Entry Form (Attachment A). Non-listed materials that exhibit characteristic hazards have a reportable quantity of 100 pounds. These characteristic hazards are listed in the first page of Appendix A. Please make copies of the Attachment A and fill out one sheet for each hazardous materials storage area.

If hazardous materials are stored in an area that is isolated from environmental receptors (floor drains, storm drains, storm catch basins, ditches, creeks, etc.); you may not be required to have a secondary containment structure. Upon inspection of your facility, MSD will make that determination.

For each specific hazardous materials storage area, please list the activities you will perform to clean up spilled hazardous materials. This may differ between hazardous storage areas.

B7. MSD will provide you with a map (Attachment B) of your facility using data from the Louisville and Jefferson County Information Consortium (LOGIC). Please mark each hazardous material storage location on the map provided to you by MSD. The map should be numbered consecutively starting with the number 1 listing the hazardous materials storage locations on site. For each number on the map, there should be a corresponding Hazardous Materials Inventory Data Entry Form (Attachment A).

C. EMERGENCY RESPONSE TRAINING PROCEDURES

- C1.** You must post a simplified Emergency Response Procedure (Attachment C). An example is included in the Sample HMPC Plan. **The Hazardous Materials Ordinance requires immediate notification to 911 in the event of a reportable release. Your Attachment C must include procedures to notify 911.** Please list the locations where this is posted at your facility. (Example: time clock, storage locations, etc.) Please include a copy of Attachment C with your Plan submittal.
- C2.** The Hazardous Material Ordinance requires an initial and on-going safety and accident prevention training program for all employees. Please describe training provided to employees: (e.g. proper handling, spill response procedures, emergency procedures, first aid, spill cleanup, equipment handling, etc.) Please feel free to use the Attachment C example with your company letterhead; however, you may want to customize this to fit the needs of your facility.

D. HAZARDOUS MATERIAL SPILL PREVENTION AND CONTROL MEASURES

- D1.** You must list spill response supplies and equipment at the facility and identify location (e.g. fire fighting equipment, materials to neutralize chemicals, sorbent materials, sandbags, floor drain mats, or other materials for blocking surface drainage ditches, etc.).
- D2.** You must describe the measures taken to ensure safe separation and protection of material, measures to prevent spills (operational procedures, equipment safeguards, corrosion protection, etc.), spill detection measures (air monitoring devices, pH meters, level sensors and alarms, etc.) and containment and flow control measures (dikes, berms, valves, absorbent materials, etc.). Also, describe measures taken to insure safe separation of stored materials from factors that may cause fire or explosions.
- D3.** Many businesses will not have an employee at the site on a 24-hour basis. Describe any security measures which the business has to insure protection from hazardous material releases that occur in non-business hours. These may include remote alarms, fire protection systems, and the presence of a watchman or a security service.
- D4.** Are hazardous materials stored in any areas of your facility that are prone to flood? Please identify and list these areas below. Describe measures taken to prevent a release in the event of high water.

E. OWNER/MANAGER CERTIFICATION

The Owner of each business or facility must certify that they are responsible for operation of the above named facility and has described all hazardous materials which are kept on site in amounts greater than the reportable quantity specified by MSD regulations. It is requested that both the Owner's signature and the Manager's signature be provided on the certification. For small businesses, the Owner's signature is sufficient.

In some cases, businesses may have a Professional Engineer prepare their plan application. This is not a requirement in submitting an application. However, if a Professional Engineer prepares the application for the facility, please complete the P.E. Certification that is shown on the last page along with the Owners Certification.

MSD REVIEW PROCEDURES

MSD will maintain an agency review and approval record for all plan applications, which are submitted. Should you have any questions concerning the status of your plan application, please contact your ERPI or MSD's Industrial Waste Department at (502) 540-6972 to determine the status of plan review.

MSD will review all plan applications and inspect all facilities before final approval may be given. The plan applications are expected to be reviewed by three agencies – the local fire department having jurisdiction, the Department of Public Health and MSD. It is possible that fire/health representatives from any of these agencies will wish to visit your facility. If you have any questions or concerns about the procedure that is likely to be followed, you are encouraged to contact your Emergency Response Pretreatment Inspector (ERPI). Please refer to the last sentence of your cover letter to find out who your ERPI is, or for assistance determining who your ERPI is, please contact MSD's Industrial Waste Department at (502) 540-6972.