

INFORMATION
BULLETIN

116

October 2022

Submittal Requirements for Hazardous Materials

This Information Bulletin contains guidelines to help applicants comply with the hazardous materials reporting requirements for the City of San Diego. For more information, contact Development Services Department (DSD) Hazardous Materials reviewers at (619) 446-5000.

I. Hazardous Materials Reporting Guidelines

A. Form Required

The Hazardous Materials Reporting Form (DS-165) is required to be submitted for review for all non-residential and multiple dwelling unit (MDU) projects.

B. Hazardous Materials Review

When Form DS-165 is required, it must be completely filled out and submitted with the project to DSD.

If **YES** is selected in Section II **OR** III of DS-165, a DSD Hazardous Materials Review will be required.

If **NO** is selected in Section II **AND** III of DS-165, a DSD Hazardous Materials Review may be required based upon the use and occupancy of the structure.

All businesses applying for a permit which use, handle or store any quantity of hazardous materials shall be reviewed by the DSD. The purpose of this review is to confirm the building occupancy classification in accordance with the California Building Code (CBC) along with the fire and life safety provisions required by the CBC and the California Fire Code (CFC). In addition, this review will determine if a Hazardous Materials Permit is required (see Section III below for further information).

C. Shell / Speculative (Spec) Laboratory

1. General - When a new laboratory building or tenant improvement to a laboratory building has unknown future tenants, the designer must provide the limitations of the amounts of hazardous materials. If a future tenant exceeds the amounts that are listed in the permitted plans, then the tenant must submit a tenant improvement for a change of use or change of occupancy, as applicable.
2. Note on Plans - Provide the following note on plans for permits where the tenant is unknown:

"This permit is only for a shell / spec. laboratory space. Hazardous materials are limited to the amounts specified in CBC Table 307.1(1) and Table 307.1(2). A separate Tenant Improvement permit will be required to be submitted for review if a tenant chooses to exceed the maximum allowable quantities (MAQs) per control area or if a system requiring a Hazardous Materials Permit is proposed."

D. Time Required

Plan review time for hazardous materials may be reduced if the applicant can determine the need for a hazardous material review before plan submittal. This can be done by reviewing instructions on how to fill out the Hazardous Materials Reporting Form explained in Section II.

II. Hazardous Materials Reporting Form - DS-165

Below are the reporting requirements for the applicant to provide DSD with the necessary information in order to perform a hazardous materials review. The DS-165 Form shall be completed by someone knowledgeable in chemical hazard classification such as an Industrial Hygienist, Chemical / Fire Protection Engineer, Certified Hazardous Materials Manager / Practitioner (CHMM / CHMP), or other Environmental Safety & Health (ESH) professional with similar qualifications. Failure to fill out this form accurately may delay the plan review process.

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A. Definitions

1. Chemical Name - The scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry, the Chemical Abstracts Service rules of nomenclature, or a name which will clearly identify a chemical for the purpose of conducting an evaluation.
2. Hazardous Materials - Those chemicals or substances which are physical hazards or health hazards as defined and classified in the CFC, whether the materials are in usable or waste condition.
3. Storage, Hazardous Materials - The keeping, retention or leaving of hazardous materials in closed containers, tanks, cylinders or similar vessels; or vessels supplying operations through closed connections to the vessel.
4. Use (Material) - Placing a material into action, including solids, liquids and gases.
5. Use, Closed System - The use of a solid or liquid hazardous material involving a closed vessel or system that remains closed during normal operations where vapors emitted by the product are not liberated outside of the vessel or system and the product is not exposed to the atmosphere during normal operations; and all uses of compressed gases. Examples of closed systems for solids and liquids include product conveyed through a piping system into a closed vessel, system or piece of equipment.
6. Use, Open System - The use of a solid or liquid hazardous material involving a vessel or system that is continuously open to the atmosphere during normal operations and where vapors are liberated, or the product is exposed to the atmosphere during normal operations. Examples of open systems for solids and liquids include dispensing from or into open beakers or containers, dip tank and plating tank operations.

B. Completing the Form

Hazardous Materials Reporting Form DS-165 contains instructions for reporting hazardous materials. A Chemical Inventory Report can be submitted in an alternative format provided that all of the items listed in Form DS-165 are addressed. See the attachment to this Information Bulletin for a sample of a completed Chemical Inventory Report on the Hazardous Materials Reporting Form (page 2). See below for instructions on how to properly address hazardous materials storage and use.

1. Location of Hazardous Materials - Hazardous materials shall be listed on Form DS-165 by control area or Group H Occupancy area, as applicable to the facility or project. The control area(s) and Group H Occupancy area(s) shall be identified by a diagram or other approved means. Without approved control area boundaries, the entire building is considered one control area.
2. Order of Listing Chemicals - Chemicals shall be grouped by chemical and control area or Group H Occupancy area, as applicable to the project and hazard category. A summary sheet reflecting the total of all chemical quantities, grouped by hazard category, shall also be provided. When a material has multiple hazards, all hazards shall be addressed.
3. Uniformity of Units of Measurement - The units of measurements for inventory reports shall be allowed to be in either S.I. units or U.S. units with the same units of measurement used for all chemicals.
4. Storage vs. In Use
 - a. Specify the condition, in use or storage. For most laboratories and similar operations, storage shall be considered as the primary condition.
 - b. Inventories in which all materials in laboratories and similar uses are listed as "in storage" shall be allowed provided the DS-165 contains a note or attached statement specifying the following:
"Amounts in use will not exceed quantities specified in CBC Tables 307.1(1) and 307.1(2). The aggregate quantity in use and storage shall not exceed the quantity listed for storage."
 - c. For reporting purposes, both storage and in use quantities shall be listed.

III. Hazardous Materials Permits

When required, applicants must obtain a Hazardous Materials Permit (HMP) Application from San Diego Fire-Rescue Department (SDFD) Community Risk Reduction Division Technical Services Section prior to receiving a permit from DSD. Applications may be obtained online at <https://www.sandiego.gov/fire/services/permits/hazmat>. Applications

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may be dropped off at Technical Services, located at 525 B Street, Suite 300, San Diego, CA; or applications may be mailed to:

San Diego Fire-Rescue
 Technical Services-Clerk
 525 B St., Suite 300
 San Diego, CA 92101

For an inspection or appointment with SDFD Technical Services, please call 619-533-4477. It is recommended to attach a copy of the HMP (with permit number) at the time of building permit submittal. When a HMP is required, a copy of the HMP Application Form must be provided to DSD **prior** to DSD Hazardous Materials reviewer signoff. The following hazardous materials amounts and processes require a HMP.

A. Tank Installation and/or Removal

1. Above-Ground Tanks – Above-ground tanks for fuels, oils and other lubricants, chemicals and flammable or combustible liquids containing greater than 60 gallons.
2. Underground Tanks - All underground tanks for fuels, oils and other lubricants, chemicals and flammable or combustible liquids.

B. Re-Pipe or Modifications to Existing Hazardous Systems or Installations and New Installation Of:

1. Liquefied Petroleum Gas (LPG) - Storage or use of LPG tanks and piping.
2. Compressed Natural Gas (CNG) – Fuels not otherwise used for household use such as CNG dispensing into motor vehicles.
3. Compressed Gases - Permits are required for:
 - a. Any amount of toxic, highly toxic or pyrophoric gas.
 - b. More than 200 cu. ft. of corrosive or flammable gases (except cryogenic fluids and LPG).
 - c. More than 504 cu. ft. of oxidizing gas (including oxygen).
 - d. More than 875 cu. ft. (100 lbs.) of carbon dioxide used in carbon dioxide enrichment systems or insulated liquid carbon dioxide beverage dispensing applications.
 - e. More than 6,000 cu. ft. of inert or simple asphyxiant gas.
4. Medical Gas – Anesthetic, oxidizing and other gases used in medicine (such as doctors offices and veterinary medicine).
5. Cryogenics - Permits are required for:
 - a. Flammable cryogenics, more than 60 gallons outside the building.
 - b. Oxidizing cryogenics, more than 50 gallons outside the building.
 - c. Inert cryogenics, more than 500 gallons outside the building.
 - d. Any amount of cryogenics that are other physical or health hazards not listed above.
6. Hazardous Materials exceeding the permit amounts for hazardous materials listed in CFC Table 105.6.20.
7. Pressurized Solvent Systems.
8. Mechanical Refrigeration Systems having a refrigerant circuit containing more than 220 pounds (100 kg) of Group A1 refrigerant or 30 pounds of any other group refrigerant.
9. Plant Extraction Systems. Permits issued by SDFD Community Risk Reduction Division Hazardous Materials (HAZMAT) Section. Please contact SDFDFPBMT@sandiego.gov for appointment and Operational Permit application.

C. Site/Soil Remediation

Any device installed for the remediation of a site, or soil stockpiled on a site, in which hazardous liquids or vapors are recovered or used during the process.

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IV. Outside Agency Reviews

San Diego County Department of Environmental Health (DEH), Hazardous Materials Management Division (HMMD) and San Diego County Air Pollution Control District (APCD) conduct a review of the San Diego Regional Hazardous Materials Questionnaire for businesses which use, handle, or store hazardous materials. An approved copy of the County HM-9171 Form must be submitted to DSD prior to permit issuance. Prior to Final Inspection, a signed off copy of the County HM-9171 Form shall be provided to the Structural Inspector so that the hold on final inspections can be cleared.

V. Options for Review Process

The following options are available for the review of hazardous materials. Submit these projects electronically through the online portal.

A. Rapid Review

The following types of projects can be reviewed as a Rapid Review project:

1. Cellular sites
2. Dental office tenant improvements not using medical gases
3. Generators (exterior)
4. Vapor Recovery System (Healy Tanks)
5. Master plan pools or spas accessory to a non-residential or MDUs
6. Equipment platforms
7. Roof-mounted equipment
8. Foundations for tanks (fuel or compressed gas)

B. Submitted Review

All other projects must be submitted for plan review.

C. Express Plan Check

Express Plan Check must be selected at the time of application submission and is available upon payment of an Express Plan Check administrative fee plus 1.5 times the regular plan check fee.

Reference Table

- California Building Code ([CBC](#))
- California Fire Code ([CFC](#))
- Development Services Dept. Hazardous Materials Reporting Form ([DS-165](#))
- San Diego Fire-Rescue Dept. Hazardous Materials Permit Application ([Form FPB-365](#))
- County of San Diego Regional Hazardous Materials Questionnaire ([HM-9171](#))

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SAMPLE: FORM DS-165									
COMMON NAME	CHEMICAL NAME	% CONCENTRATION	CAS #	MATERIAL STATE (LIQUID/SOLID/GAS)	QUANTITY STORED	QUANTITY IN USE (OPEN/CLOSED)	LOCATION (STORAGE & USE)	HAZARDOUS CLASSIFICATIONS	
Acetic Acid	Acetic Acid, Glacial	100	64-19-7	L	15 gal	5 gal, Open	Stor: Flam cab Use: Wet Process	CL-II, COR	
Acetone	Acetone	100	67-64-1	L	55 gal	10 gal, Open	Stor: Ext Stor Use: H-2 Room	FL-IB	
Diesel	Diesel Fuel #2	100	Mixture	L	200 gal		Stor: Generator Room	CL-II	
Formaldehyde	Formaldehyde with 12% Methanol	37	50-00-0	L	20 gal	20 gal, Open	Stor: Flam Cab Use: Wet Process	CL-II, COR, HTOX	
Hydrochloric Acid	Hydrochloric Acid	90	7647-01-0	L	300 gal	0	Stor: Corr Stor	COR	
Potassium	Potassium	100	7440-09-7	S	1 lb	0	Stor: Ext Stor.	WR-1, COR	
Sodium Dichromate	Sodium Chromate	100	10588-01-9	S	50 lb	10 lb, Open	Stor: Ext. Stor. Use: Wet Process	COR, HTOX, OXY-1	
Sulfuric Acid	Sulfuric Acid	94	7664-93-9	L	55 gal	15 gal, Closed	Stor: Corr Stor Use: Wet Process	COR, TOX, WR-1	
Toluene	Toluene	100	108-88-3	L	5 gal	10 gal, Open	Stor: Flam Cab Use: H-7 Room	FL-IB	
Tris	Tris Hydrochloride	100	1185-53-1	L	10 gal	10 gal, Closed	Stor and Use: H-7 Room	None	

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