



County of San Diego

DEPARTMENT OF ENVIRONMENTAL HEALTH
HAZARDOUS MATERIALS DIVISION

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HAZARDOUS MATERIALS DIVISION

FREQUENTLY ASKED QUESTIONS DURING COVID-19

General COVID-19 Related FAQs

Where can I find the latest COVID-19 information for San Diego County?

The County of San Diego has been working closely with federal and state agencies and the local healthcare community to monitor and test for the COVID-19 virus in the region. For updates and other COVID-19-related resources, go to the [County of San Diego COVID-19 Website](#). [The Hazardous Materials Division Website](#) will also be updated with the latest information and FAQs.

I keep seeing large gatherings of people without face coverings. Who can I report this to?

Please contact your local law enforcement agency's non-emergency phone number. Phone numbers are provided on the [211 website](#). You may also report violations of the Public Health Order online: [Report Face Covering Violations](#). For additional information, go to the [County of San Diego COVID-19 Website](#).

My facility can reopen under the latest modified Stay-at-Home Order. What requirements and/or modifications need to be met before I can reopen my business?

Businesses need to comply with the mandatory measures listed in the County's [Safe Reopening Plan](#) in addition to completing and posting the plan at the main entrance to their business. This plan does **not** require County approval prior to reopening your business. Businesses should also review and refer to the state checklist for their specific industry, such as the Retailer [guidance](#) and [checklist](#), when completing the County's Safe Reopening Plan. Each facility's plan may need to be updated and reposted when state guidance changes. Updated plans will not require County approval either.

This approval allows restaurants and retail businesses to have in-person customers with modifications to their operations:

- Food businesses need to review guidance and complete the [San Diego Restaurant Operating Protocol](#) before reopening. [See details](#).
- Retail businesses need to comply with the mandatory measures listed in the County's [Safe Reopening Plan](#), in addition to completing and posting the plan at the entrance of their business. Businesses that have already been open for pickup or delivery will need to update their plan. Essential businesses that already have customers in-store do not need to update their plans.

Businesses with questions can email: COVID19BusinessQuestions@sdcounty.ca.gov

How should Personal Protective Equipment (PPE) that is potentially contaminated with COVID-19 be managed?

See Medical Waste FAQ section.

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Hazardous Waste FAQs

Are Hazardous Waste Control Laws still in effect during COVID-19?

The Hazardous Waste Control Law and its implementing regulations remain in effect during the COVID-19 pandemic. Go to the Department of Toxic Substances Control's (DTSC) COVID-19 website for additional information and guidance on managing hazardous waste during the COVID-19 pandemic: [DTSC COVID-19 Updates Website](#). Also, [US EPA has compiled frequent questions about COVID-19 and waste](#).

What if my facility is unable to comply or maintain compliance with a specific hazardous waste requirement as a result of COVID-19?

Hazardous waste generators that are unable to meet a specific regulatory requirement due to emergency government directives or a specific hardship must notify DTSC before falling out of compliance and must document the following: (1) the specific statutory or regulatory requirement that cannot be met or maintained; (2) the circumstances leading up to the delayed compliance or the inability to comply with the requisite requirement; and (3) the decisions and actions taken in response, including best efforts to maintain compliance and/or come into compliance at the earliest opportunity.

BE ADVISED: DTSC may use this information for enforcement discretion within its authority when deciding whether to pursue potential violations caused by pandemic-related disruptions. For additional information, go to [DTSC COVID-19 Updates Website](#).

Due to impacts from COVID-19, I am unable to dispose of my hazardous waste within the allowed accumulation timeframes. What are my options?

Pursuant to 22 CCR Section 66262.34(c), generators of [RCRA Hazardous Waste](#) can apply for a one-time 30-day extension through [DTSC](#). For additional guidance, see [DTSC Managing Hazardous Waste Advisory Document](#).

Pursuant to 22 CCR Section 66262.35, generators of [non-RCRA Hazardous Waste](#) and/or [RCRA Exempt Hazardous Waste](#) can apply for a one-time 90-day extension through the San Diego County CUPA. The notification form for non-RCRA Hazardous Waste and/or RCRA Exempt Hazardous Waste is available here: [NON-RCRA and/or RCRA-Exempt Hazardous Waste Storage Extension Notification Form](#). The completed notification form must be submitted via certified mail prior to the hazardous waste exceeding its allowed accumulation time.

What if I do not feel comfortable signing the paper copy of the manifest?

In summary, if a generator does not feel comfortable signing the paper copy of the manifest (and is not using e-manifest yet), the transporter may sign for them if the following steps are taken:

- a) The transporter says: "*Generator using signature substitute due to COVID-19*", in generator's signature box (box #15).
- b) The generator provides a "signature substitute" via text message, email, or hard copy letter to the transporter and the TSDF.

For example: "I authorize my signature for Box 15 of the Uniform Hazardous Waste Manifest, EPA form 8700-22/22A, for Generator/Offeror's Certification for all hazardous waste shipments with [transporter company name] as transporter and [designated facility company name] as designated facility during the time of EPA's policy entitled COVID19 Implications for Signing Paper Hazardous Waste Manifests."

- c) The transporter or the TSDF say: "*Documentation for generator signature substitute available upon request*", in box #14 of the manifest. (Of course, records must be kept by all parties)

EPA has published a [Memorandum Regarding Coronavirus \(Covid-19\) Implications for Signing Paper Hazardous Waste Manifests](#) supplementing the [Covid-19 Implications for EPA's Enforcement and Compliance Assurance Program](#) (Temporary Covid-19 Enforcement Policy)

Permitting, HMBP and CERS FAQs

How do I submit a Hazardous Materials Questionnaire for review and approval if I have:

- **an existing business that is undergoing Tenant Improvements?**
- **a new business?**

New businesses with hazardous materials and/or hazardous wastes at or above reportable threshold quantities and those undergoing tenant improvements may be required to submit a [Hazardous Materials Questionnaire](#) and pay a fee for the information to be reviewed and processed. This is also known as the [Hazardous Materials Plan Check Program](#). To expedite the review and approval process, the Hazardous Materials Questionnaire can be submitted and processed [online](#). If you need further assistance or, if you're unable to submit the application online, please contact the HMD Duty Desk at 858-505-6880 or, by email at HMDOPS@sdcounty.ca.gov.

We stopped our business operations, but we still have hazardous materials, hazardous waste, and/or medical waste on site. Do I still need a permit?

Yes, a Unified Program Facility Permit is still required so long as the regulated hazardous materials, hazardous wastes and/or medical wastes remain on site. **Be Advised:** All hazardous substances, whether materials or wastes, must be properly managed and/or disposed of. For questions on proper management and disposal, please contact the HMD Duty Desk at 858-505-6880 or DEH.HMDUTYEH@sdcounty.ca.gov. You may also visit our [Hazardous Waste Page](#) for additional guidance.

Please note that on May 5, 2020, to help ease the impacts of COVID-19, the San Diego County Board of Supervisors took action to defer fees (meaning delay invoice due dates) for some programs. If your annual invoice is due in the timeframe of May 2020 to October 2020, you have until November 30, 2020 to pay your facility's invoice.

Why am I getting so many emails from "CERS Automated Messaging"?

The [California Environmental Reporting System](#), also known as CERS, is the "statewide information management system" for electronic submission of Hazardous Materials Business Plans (HMBP). CERS is also used for electronic reporting of other [Unified Programs](#) and locally required information. The CERS Business Portal is used by regulated facilities to submit required information to the local Unified Program Agency. The CERS Regulator Portal is used by regulators, such as the San Diego County CUPA, to review, accept or not accept the information submitted by regulated facilities. Every time a submittal is reviewed and processed by a regulator/inspector; an automated email gets generated from CERS indicating how the submittal was processed.

What does it mean when my submittal is "UNDER REVIEW" or "NOT ACCEPTED"?

If corrections are required to one or more submittals sections, the regulator/inspector will change the submittal status to "UNDER REVIEW" or "NOT ACCEPTED" and add a comment indicating what needs to be corrected and resubmitted for final review. If no corrections are needed, the regulator/inspector will "ACCEPT" the submittal. Additionally, if you have multiple redundant submittals, the regulator/inspector will review the most recent submittal and place the prior submittals in "NOT ACCEPTED" status with a comment indicating that your most recent submittal is under review and/or has already been "ACCEPTED." If you have additional questions or, if you need assistance with your CERS submittal, please call our CERS Help Desk at (858) 505-6990.

The “Lead Users” for my CERS account have changed. What do I need to do?

To ensure the appropriate authorized business representatives have access to your facility’s CERS account, please complete and submit a [CERS Application](#). The CERS Application can be used to designate new Lead Users and update your Facility Information. For additional guidance visit our [CERS Information](#) page or, contact our CERS Help Desk at 858-505-6990.

I already notified the Air Pollution Control District (APCD), Fire Department, Water Authority, etc. that I closed my business. Do I need to notify the San Diego County CUPA as well?

Yes, in order to inactivate your Unified Program Facility Permit, you must notify the San Diego County CUPA and certify in CERS that you are no longer conducting any of the business activities regulated under the Unified Program. Each regulating agency that issues a permit or license based on their regulatory authority has different requirements and procedures for permit/license closures.

How do I notify the San Diego County CUPA that I no longer need a permit?

To initiate the permit inactivation process, you must resubmit the CERS Facility Information section with all answers to the Business Activities page changed to “NO” and include a comment for the regulator explaining why you no longer require a permit. These activities are listed on the Business Activities page in CERS located under “Facility Information” and were last submitted by a representative of your business. If you need assistance or are unable to make a submittal through CERS, please submit your request to inactivate the permit in writing to HMDOPS@sdcounty.ca.gov and include the date that your business stopped regulated activities. The Hazardous Materials Division will conduct follow-up actions for confirmation and verification purposes, as needed. Please note that additional information may be required in order to inactivate your permit, such as but not limited to, proof of final hazardous waste or medical waste disposal and/or proof of proper management/disposal of aboveground tank systems used to store hazardous materials or wastes. To request assistance with the permit inactivation process, you may contact the area specialist/inspector listed on your last Compliance Inspection Report or, contact the HMD Permits Line at 858-505-6661.

Why have I received an invoice if I am no longer operating?

Permitting requirements, including fees, apply any time regulated activities continue at the regulated facility, regardless of when the operations may have stopped. If you have already notified the San Diego County CUPA and you no longer require a permit, but you still received an invoice, *please call our Permits Line at 858-505-6661 for further assistance.*

Please note that on May 5, 2020, to help ease the impacts of COVID-19, the San Diego County Board of Supervisors took action to defer fees (meaning delay invoice due dates) for some programs. If your annual invoice is due in the timeframe of May 2020 to October 2020, you have until November 30, 2020 to pay your facility’s invoice.

I closed my business and had my hazardous wastes picked up by my waste hauler, but I still have an empty tank on site. Do I still need a permit?

Maybe. Tanks that store or previously stored hazardous materials or hazardous wastes must be managed and/or disposed of properly when no longer needed or in use. Due to the complexity of the closure and disposal requirements for tank systems, it is recommended that you work closely with your assigned inspector or, contact the Hazardous Materials Duty Desk at 858-505-6880 or DEH.HMDUTYEH@sdcounty.ca.gov so that we can gather more information to best guide you in the closure of your tank system and permit. For additional guidance on tank closures, see our [Hazardous Waste Tank Closure Certification](#) form.

Am I required to certify my Hazardous Materials Business Plan (HMBP) annually?

Yes, if your facility is subject the HMBP program, then the [California Office of Emergency Service](#) (CalOES) has determined that all facilities subject to [Hazardous Materials Business Plan](#) reporting requirements must submit/certify their HMBP on an annual basis. In San Diego County, the annual submittal must be made within

365 days from the date of your last full submittal. In order to meet the annual certification requirement, you must submit the following submittal sections: (1) Facility Information; (2) Hazardous Materials Inventory/Site Map; and (3) Emergency Response and Training Plan. For more information on annual HMBP submittal requirements, go to the [CalOES](#) website or see the following guidance document: [Is an HMBP Required to be Submitted Annually?](#) Please note that a substantial change, as defined in HSC Section 25508.1(f)(2), to any portion of your HMBP is required to be updated in CERS within 30 days from the effective date of the change.

I received an invoice in the mail and the due date for payment is November 30, 2020 even though my permit expires before that. Am I required to pay now to keep my permit active?

No, if your due date for payment is between May and October 2020, you are not required to pay now. To keep your permit active, just maintain a copy of the invoice you received with the note about the deferral. On May 5, 2020, to help ease the impacts of COVID-19, the County Board of Supervisors voted to defer payment of Unified Program Facility Permit fees that are normally due for payment between May and October 2020. The payment due date for deferred fees is November 30, 2020. During the six-month deferment period, payment is not required, and late fees will not be assessed. Some customers have expressed an interest in paying their renewal invoice by its normal due date, rather than deferring payment. While this is not required, if you elect to pay the renewal invoice by its normal due date, please visit [dehpay.com](#). Once the payment is received and processed, you will receive your renewed permit. Please note that the billing cycle for 2021 will return to original due date and not the deferment date.

Underground Storage Tank (UST) FAQs

I need to submit a UST Plan Check application. How do I do that?

Completed UST Plan Check applications and plans can be submitted via email to ustnotifications@sandiegocounty.ca.gov. UST Plan Check Permit Applications can be found [here](#) and related questions can be sent to Veronica.Archer@sdcounty.ca.gov. To expedite processing, we are encouraging people to utilize our online UST Plan Check services; however, those who need further assistance or, those who are unable to complete the online UST Plan Check process, should contact our UST Plan Check Technician at 858-505-6976 to set up an appointment.

My DUSTO/UST Service Technician ICC certification is expired, and I heard the ICC testing centers are temporarily closed as of March 17, 2020. As a result, my DUSTO/technician is unable to complete the recertification process for the ICC certification. Can I delay my UST inspections and/or UST testing until they are able to take the exam and get re-certified?

As the CUPA, the San Diego County Hazardous Materials Division does not have the authority to waive statutory or regulatory requirements. We do, however, have the authority to exercise discretion in determining when and if enforcement for non-compliance is pursued. As such, we will continue our practice of being fair and reasonable when considering any enforcement action. For additional State guidance during COVID-19, see [State Water Resources Control Board Letter](#).

If you are unable to comply with any requirements, be sure to document the specific circumstances leading to any delay in conducting inspections/tests that prevent facilities from being in regulatory compliance. This documentation is critical in assisting UST owners and operators in returning these facilities to compliance. San Diego County CUPA and the State Water Resources Control Board (State Water Board) understand the hardship that COVID-19 creates for the entire UST community. Furthermore, both agencies are aware that non-compliance with regulatory requirements will occur due to the public health and safety restrictions.

My DUSTO/UST Service Technician informed me that their ICC certification is expired, and the ICC testing centers may be temporarily closed due to COVID-19. Can I still hire them to conduct my UST testing and UST inspections? Or, should I delay the tests/inspections?

San Diego County CUPA does not have the authority to waive statutory or regulatory requirements. However, the State Water Resources Control Board understands the hardship this creates for the entire underground storage tank (UST) community and is aware that non-compliance with regulatory requirements will occur due to these public health and safety restrictions. Owners and operators should attempt to locate and utilize alternate service technicians, or designated operators with current certifications. Should any of these activities be performed by individuals with expired certifications during this public health and safety emergency, governing agencies could consider using enforcement discretion. Be sure to document the specific circumstances leading to any delay in conducting inspections/tests that prevent facilities from being in regulatory compliance. This documentation is critical in assisting UST owners and operators in returning these facilities to compliance once the COVID-19 public health and safety restrictions have been rescinded. ([State Water Resources Control Board Letter](#)) Be sure to check on the status of testing centers regularly as the Health Officer orders begin to be lifted.

My UST Facility will be delayed in conducting monitoring, what should I do?

Documentation will be critical in assisting owners and operators in returning to compliance once restrictions have been lifted. The State Water Resources Control Board recommends that UST Owners and Operators document any relevant information showing the efforts made to maintain compliance and, to the extent possible, include:

- Documentation of the specific circumstances leading to any delay in conducting tests, maintenance, and inspections that prevent USTs from complying; and
- Documentation showing that all critical UST leak detection, monitoring, and cathodic protection equipment remain operational and all leak detection and monitoring alarms have been responded to appropriately.

Documenting these efforts is necessary to assist Unified Program Agencies (UPAs) to determine if UST owners and operators took all appropriate actions given the current circumstances. ([State Water Resources Control Board Letter](#))

Medical Waste FAQs

Are there any disposal requirements for medical waste suspected to be contaminated with COVID-19?

As of 3/16/2020, per the [California Department of Public Health \(CDPH\) interim guidelines](#), there are no additional regulatory handling, marking, storage, transportation or treatment requirements for medical waste contaminated with COVID-19. If waste is determined regulated medical waste, follow the requirements of the [Medical Waste Management Act](#) for proper management of medical waste in California.

How should Personal Protective Equipment (PPE) that is potentially contaminated with COVID-19 be managed?

The CDPH has posted guidance and additional links for management of PPE. Generators are authorized to make the determination if the waste is medical waste or solid waste. The requirements for [management of PPE are explained here](#). General guidance for usage and management of PPE are found there also.

How do I manage waste generated in my home if I am caring for a family member with confirmed or suspected COVID-19?

In February 2020, the California Department of Public Health (CDPH) published guidance on [cleaning and waste management considerations for residences for COVID-19](#). The CDPH Medical Waste Management

Program regulates the generation, handling, storage, and treatment of medical waste by providing oversight under the authority of the Medical Waste Management Act. The CDPH does not regulate home generated medical waste, except sharps. [Guidance for Home-Generated sharps waste can be found here](#). Additionally, the [CDC provides information for cleaning and disinfection for various settings](#).

For any other questions you may have regarding this information or related topics, please contact the Hazardous Materials Division (HMD) Duty Desk at 858-505-6880 or send an email to: DEH.HMDUTYEH@sdcounty.ca.gov.

COVID-19 Websites/Guidance Documents/Letters:

San Diego County COVID-19 website:

https://www.sandiegocounty.gov/content/sdc/hhsa/programs/phs/community_epidemiology/dc/2019-nCoV.html

[San Diego CUPA Non-RCRA and/or RCRA-Exempt Hazardous Waste Storage Extension Notification](#)

California Department of Public Health COVID-19 Updates and Guidance:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/nCOV2019.aspx>

CalEPA COVID-19 Statement (4/15/20):

<https://calepa.ca.gov/2020/04/15/calepa-statement-on-compliance-with-regulatory-requirements-during-the-covid-19-emergency/>

DTSC COVID-19 Updates:

<https://dtsc.ca.gov/dtsc-covid-19-updates/>

- **COVID-19 Advisory on Managing HW (4/6/20):** https://dtsc.ca.gov/wp-content/uploads/sites/31/2020/04/DTSC-EERD-COVID-19-Guidance_4-06-20_a.pdf
- **COVID-19 Advisory for DTSC Permitted Facilities (4/7/20):** https://dtsc.ca.gov/wp-content/uploads/sites/31/2020/04/DTSC-Permitting-COVID-19-Guidance_4-7-20_a.pdf

SWRCB COVID-19 Updates:

https://www.waterboards.ca.gov/resources/covid-19_updates/

- **Implementation of Underground Storage Tank Requirements During Government Imposed Coronavirus 2019 (COVID-19) Letter (5/19/20):**
https://www.waterboards.ca.gov/water_issues/programs/ust/docs/covid_letter.pdf

CalFire OSFM COVID-19 Updates:

<https://osfm.fire.ca.gov/osfm-covid-19/>

- **OSFM Letter (4/3/20):**
<https://osfm.fire.ca.gov/osfm-covid-19/covid-19-information/>

Centers for Disease Control and Prevention COVID-19 Information:

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Federal EPA Updates, Guidance, and Letters:

[COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program](#)

EPA Memo (3/26/20):

<https://www.epa.gov/sites/production/files/2020-03/documents/oecamemooncovid19implications.pdf>

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EPA Letter to Congress (4/2/20):

<https://www.epa.gov/newsreleases/epa-sends-letter-all-members-congress-correct-record-temporary-enforcement-policy>

Additional Response Letters to EPA on Temp Enforcement Policy:

<https://www.epa.gov/newsroom/april-2-2020-letters-susan-bodine-oeca-aa-feinstein-porter-quigley>

AG Letter to EPA (4/9/20):

<https://oag.ca.gov/system/files/attachments/press-docs/CA%20Attorney%20General%20Letter%20re%20EPA%20COVID-19%20Policy%204.9.2020.pdf>