

Compliance Guide

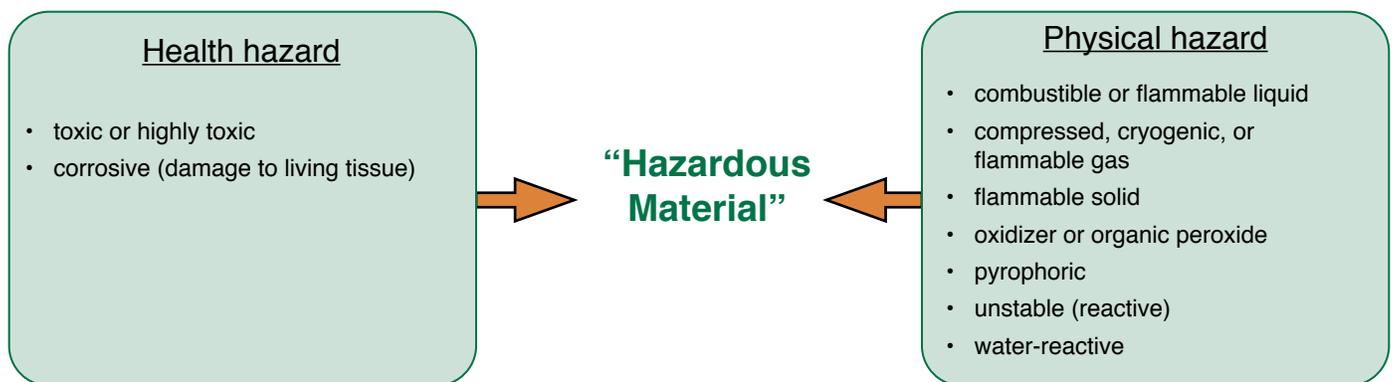
527, CMR, 33



Massachusetts Hazardous Materials Process or Processing
Regulatory Requirements

What are the first steps?

1. Identify “hazardous materials” as defined in the regulation as either a physical or health hazard.



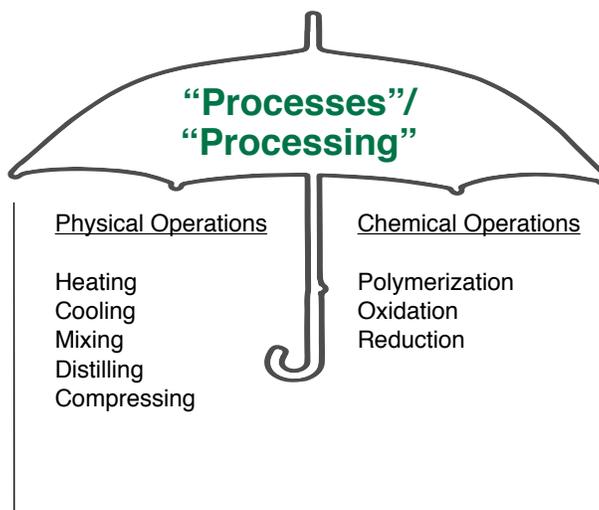
2. Identify “processes” in which these materials are used. Review the exemptions section in 33.01(3).

Exemptions

Refrigeration systems

Fuel consumption by emergency generators or boilers

NFPA rating of 2 or under



Exemptions

Storage containers

Grades 1 and 2 industrial or municipal wastewater treatment systems

Potable water & sanitary wastewater treatment

3. Determine the nominal capacity of the “vessels” used in the processes identified.

What are the key thresholds for vessel capacity, and when is the permit deadline for each?

Process Category	Vessel Capacity	Permit Deadline
1	Equal to or less than 2.5 gallons	No permit required; however, must document compliance with OSHA Hazard Communication and Lab Standards, also MA Flammable storage regulations and this regulation’s requirements for Emergency Response Planning.
2	Equal to or greater than 2.5 and less than or equal to 60 gallons	January 1, 2014
3	Greater than 60 gallons and less than or equal to 300 gallons or High Hazard Occupancy rating according to State Building Codes	January 1, 2014
4	Greater than 300 gallons and not a category 5 process	June 1, 2013
5	Threshold quantities specified in OSHA Process Safety Management or EPA Risk Management regulations	January 1, 2013

Access permits [here.](#)

Note: All process vessel category classifications must be listed on the permit application form.

What are the primary requirements under each category?

1	Document compliance with 29 CFR 1910.1200 Hazard Communication Standard
	Document compliance with 29 CFR 1910.1450 Occupational Exposure to Hazardous Chemicals in Laboratories (as applicable)
	Document compliance with 527 CMR 14.00 Flammable & Combustible Liquids, Flammable Solids or Flammable Gases (as applicable)
	Comply with Emergency Planning Requirements in 527 CMR 33.06
2	Comply with Category 1 requirements
	Submit permit application by January 1, 2014
3	Comply with Category 1 requirements
	Develop a Hazard Evaluation Policy and Program
	Conduct and document a Hazard Evaluation for each process vessel
	Implement safety controls for normal and abnormal operating conditions
	Submit permit application by January 1, 2014
4	Comply with Category 3 requirements
	Develop a Limited Process Safety Policy and Program
	Conduct and document a Hazard Evaluation and Limited Process Safety evaluation for each process vessel
	Implement appropriate safety controls
	Submit permit application by June 1, 2013
5	Self-certify compliance with 29 CFR 1910.119 or 40 CFR Part 60
	Submit permit application by January 1, 2013 (or ASAP)