

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 5/16/03
Department Name: Fire
Department No.: 031
Agenda Date: 5/27/03
Placement: Departmental
Estimate Time: 45 Minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: John M. Scherrei
Fire Chief

STAFF CONTACT: Tom Franklin
x5525

SUBJECT: Fee Resolutions for Hazardous Materials Business Plans/Waste
Generator/Underground Storage Programs

Recommendation(s):

That the Board of Supervisors:

1. Approve the Fee Resolutions and Fee Schedules, effective as of July 1, 2003 listed below:
 - a. Resolution Establishing Fees for Fire Department's Administration of the California Health and Safety Code, Chapter 6.95: Hazardous Plans and Inventory
 - b. Resolution Establishing Fees for Fire Department's Administration of the California Health and Safety Code, Chapter 6.5: Hazardous Waste Control
 - c. Resolution Establishing Fees for Fire Department's Administration of the California Health and Safety Code, Chapter 6.7: Underground Storage of Hazardous Substances
2. Adopt the attached Notice of Exemption under the California Environmental Quality Act

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2. Ensure the Public Health and Safety and Provide Essential Infrastructure.

Executive Summary and Discussion:

At your Board's May 6, 2003 meeting you approved the Fire department's request to hold a public hearing to consider fee adjustments to the present fee schedules, which support, in part, the regulation of the storage and use of hazardous materials in Santa Barbara County. The required public noticing procedures and posting have been performed. The Santa Barbara County Fire Department implements state mandated hazardous materials control laws throughout Santa Barbara County under the auspices of the Unified

Program administered by California Environmental Protection Agency (Cal/EPA). Under the Unified Program each county must have an agency certified by Cal/EPA to implement the hazardous materials control laws contained in the Health and Safety Code. In Santa Barbara County, the Fire Department is the Certified Unified Program Agency (CUPA). The purpose of the Unified Program is to reduce fragmentation and duplication in the business inspection process, as well as, implement the single-fee system required by the State under the Unified Program.

At your Board's hearing of June 4, 2002, you approved a 4% fee adjustment to cover salary increases that occurred during Fiscal Year 01/02.

During the current Fiscal Year 02/03, the Office of the Auditor-Controller and the Fire Department finalized a full fee study with respect to the hazardous materials fees. The main purposes of the full fee study were to assure that the fees were equitable to the business community and to ensure that they accurately represented the activities performed within each program. As such, an extensive analysis of the specific activities performed within each program was conducted. This analysis identified logical bases on which to allocate the costs within each program, resulting in the proposed fee structures and fee amounts. The various bases include factors such as the average hours spent by the Hazardous Materials Unit inspectors at the various facilities, the number of chemicals handled by the facilities, the amount of waste generated by the facilities, the amount of time spent on specific activities related to underground storage tanks and the per hour cost of performing certain tasks. The current proposed fees reflect the recommended budgeted expenditures for the Hazardous Materials Programs in Fiscal Year 03/04.

The attached Expenditure and Revenue History shows that the proportionate share of fee revenues from businesses and the General Fund's proportionate share for the Unified Program have remained roughly the same from Fiscal Year 96/97 (the fiscal year the Fire Department was designated as the CUPA) through Fiscal Year 02/03. The fee revenues from businesses from FY 96/97 to FY 03/04 are projected to increase a total of \$537,000, or 76%, while the General Fund contribution for the Hazardous Materials Programs is projected to decrease \$19,000, or 5%. Approximately 40% of the increase in fee revenues from businesses is due to the increased efforts required in the Site Mitigation Unit, which provides oversight of oil field clean up and restoration activities. The remainder of the increase in fee revenues from businesses is primarily due to increased salaries & benefits and overhead increases. Although the General Fund contribution projected for Fiscal Year 03/04 is actually less than the contribution during Fiscal Year 96/97, the Fire Department acknowledges that this proposal does not specifically meet the Board's budget principle regarding 100% cost recovery through fees. However, the Fire Department believes there is strong, logical justification for this.

The bulk of the \$331,000 General Fund contribution projected for Fiscal Year 03/04 is related to emergency responses and complaint investigations. Emergency responses and complaint investigations are driven by all sectors of our community. These responses and investigations are conducted in order to ensure a healthy, safe environment for everyone who lives, visits and works in the County. During the fee study analysis, there was no equitable, logical nexus to lead to the assessment of these costs solely to the small universe of the regulated business community or to any other specific, identifiable group. Due to the overriding nature of these activities to protect the community as a whole, it is believed that this should be a General Fund responsibility. The Fire Department will continue to prosecute emergency responses caused by negligence or a willful disregard of the law, and will continue to attempt to collect cost recoveries when responding to emergencies that require greater than 4 hours of Hazardous Materials staff time, when a responsible party can be identified.

The Fire Department has discussed this fee increase with the Fire Department's citizen advisory group known as the Community Toxics Awareness Committee (CTAC). CTAC is comprised of representatives of a variety of community organizations including: Santa Barbara Industrial Association (SBIA), League of Women Voters, Coalition of Labor Agriculture and Business (COLAB), Community Environmental Council, Automotive Services Council (ASC) and the Service Station Dealers of Southern California.

The fees are given statutory CEQA exemption under the Public Resource Code, section 21080, subd. (b)(8)(1) & (2) and Title 14 (California Code of Regulations), section 15273.

Mandates and Service Levels:

All programs are operating at State specified service levels.

Fiscal and Facilities Impacts:

The proposed fee increases have been incorporated in the Fire Department's FY 03/04 proposed budget for the Hazardous Materials Programs.

Special Instructions:

Please transmit the Notice(s) of Public Hearing – Proof of Publication to the Fire Department (attention Rose Pueschel) and County Counsel (attention Enrique Sanchez). Please transmit the adopted resolutions and attached fee schedules to the Fire Department and County Counsel along with a certified copy of the minute order.

Attachments:

- *Expenditure and Revenue History*
- *Summary Fee Schedule*
- *Resolution Establishing Fees for Fire Department's Administration of the California Health and Safety Code, Chapter 6.95: Hazardous Plans and Inventory*
- *Resolution Establishing Fees for Fire Department's Administration of the California Health and Safety Code, Chapter 6.5: Hazardous Waste Control*
- *Resolution Establishing Fees for Fire Department's Administration of the California Health and Safety Code, Chapter 6.7: Underground Storage of Hazardous Substances*
- *California Environmental Quality Act Notice of Exemption*

Concurrence:

County Counsel, Auditor-Controller

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

Resolution Establishing Fees for)
Fire Department’s Administration)
of the California Health and Safety Code,)
Chapter 6.95: Hazardous Plans and)
Inventory)

WHEREAS, Chapter 6.95, Division 20 of the California Health and Safety Code, section 25500 et seq. (Chapter 6.95) establishes a comprehensive scheme for regulating the storage and handling of hazardous waste; and

WHEREAS, (1) the Santa Barbara County Fire Department (Fire Department) has been designated as the local enforcement agency of Chapter 6.95 within the County of Santa Barbara by Santa Barbara County Ordinance No. 4215, (2) the Fire Department has been designated pursuant to Chapter 6.11 of the Health and Safety Code, (hereinafter Chapter 6.11), as the Certified Unified Program Agency (CUPA) for enforcement of various designated hazardous materials programs, including Chapter 6.95; and

WHEREAS, section 25404.5 of Chapter 6.11 requires a single fee system (1) to replace the fees levied by the County of Santa Barbara pursuant to sections 25513 and 25535.2 of Chapter 6.95 and section 101325 of the Health and Safety Code, and, (2) to provide for the payment of the necessary and reasonable costs incurred in administering the provisions of Chapter 6.95, including, but not limited to, permitting and inspection responsibilities; and

WHEREAS, section 25404.2 of Chapter 6.11 provides that the CUPA shall process a single unified program facilities permit program for purposes of administering and enforcing Chapter 6.95; and

WHEREAS, section 25404.5, subdivision (b), of Chapter 6.11 provides that the CUPA will collect a state surcharge for the purposes of implementing Chapter 6.11; and

WHEREAS, the board of supervisors adopted Resolution No. 02-214 establishing hazardous materials program fees; and

WHEREAS, the Fire Department has recommended a change in the way fees are calculated in the fee schedule set forth in Resolution No. 02-214; and

WHEREAS, the board of supervisors finds that the fees set forth in this resolution are exempt from CEQA review pursuant to Public Resources Code section 21080, subdivision (b)(8)(1) and (2) (14 CCR section 15273), in that the fees will be used for operating expenses and for the purchase of supplies, equipment and materials; and

WHEREAS, the County of Santa Barbara has in connection with the above fees, held a public hearing as part of a regularly scheduled meeting and published notice of the meeting, including a general description of the matter to be considered, in accordance with Government Code section 6062a; and

WHEREAS, the fees may be revised as needed by the board of supervisors, and if the revision does not occur, the existing fees shall remain in effect.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, as follows:

1) The fees for the administration and the enforcement of Chapter 6.95 by the Fire Department, which are set forth in the attached fee schedule, are hereby adopted and are to be effective on July 1, 2003.

2) The fees established by this Resolution shall be administered as component part of the single fee system required by section 25404.5 of Chapter 6.11.

3) Resolution No. 02-214 of June 4, 2002, is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution No.02-214 shall not affect any obligation to pay any fees incurred under said resolution, and said obligation shall continue in effect after said resolution is repealed, and the County of Santa Barbara may take any appropriate action in regard to any delinquent fees imposed pursuant to said resolution.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors
of the County of Santa Barbara, State of California, this ____ of
_____, 2003, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair of the Board of Supervisors

Attest:
Michael F. Brown
Clerk of the Board

By _____
Deputy

Approved as to form:
Stephen Shane Stark
County Counsel

Approved as to Accounting:
Robert W. Geis, C.P.A.
Auditor-Controller

By _____

By _____

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RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

Resolution Establishing Fees for)
Fire Department's Administration)
of the California Health and Safety Code,)
Chapter 6.5: Hazardous Waste Control)

WHEREAS, Chapter 6.5, Division 20 of the California Health and Safety Code, section 25100 et seq. (Chapter 6.5) and Santa Barbara County Code Chapter 15, Article VII, section 15-126 et seq. and Chapter 18, Article IV, section 18-30, et seq. establish a comprehensive scheme for regulating hazardous waste; and

WHEREAS, sections 18-33.1 and 18-33.2 of Chapter 18 of the Santa Barbara County Code provide that the board of supervisors shall adopt a fee schedule at a level sufficient to pay the necessary and reasonable costs incurred in administering the provisions of Chapter 18, including, but not limited to, permitting and inspection responsibilities; and

WHEREAS, Health and Safety Code section 101325 authorizes the board of supervisors to impose fees for administering and enforcing State statutes and regulations relating to the public health; and

WHEREAS, the County of Santa Barbara administers and enforces Chapter 6.5 as it relates to hazardous waste, and the County intends to recover its expenses in enforcing Chapter 6.5 and any order, quarantine, rule or regulation prescribed by a State health officer or department relating to said Chapter 6.5; and

WHEREAS, (1) the Santa Barbara County Fire Department (Fire Department) has been designated as the local enforcement agency of Chapter 6.5 and of Santa Barbara County Code Chapters 15 and 18 by Santa Barbara County Ordinance No. 4215, and (2) the Fire Department has been designated pursuant to Chapter 6.11 of the Health and Safety Code, (hereinafter Chapter 6.11), as the Certified Unified Program Agency (CUPA) for enforcement of various designated hazardous materials programs, including Chapter 6.5; and

WHEREAS, section 25404.5 of Chapter 6.11 requires a single fee system (1) to replace the fees levied by the County of Santa Barbara pursuant to Chapter 6.5, and, (2) to provide, in conjunction with section 101325 of the Health and Safety Code, for the payment of the necessary and reasonable costs incurred in administering the

provisions of Chapter 6.5, including, but not limited to, permitting and inspection responsibilities; and

WHEREAS, section 25404.2 of Chapter 6.11 provides that the CUPA shall process a single unified program facilities permit program for purposes of administering and enforcing Chapter 6.5; and

WHEREAS, section 25404.5, subdivision (b), of Chapter 6.11 provides that the CUPA will collect a state surcharge for the purposes of implementing Chapter 6.11; and

WHEREAS, the board of supervisors adopted Resolution No. 02-215 establishing hazardous materials program fees; and

WHEREAS, the Fire Department has recommended a change in the way the fees are calculated in the fee schedule set forth in Resolution No. 02-215; and

WHEREAS, the board of supervisors finds that the fees set forth in this resolution are exempt from CEQA review pursuant to Public Resources Code section 21080, subdivision (b)(8)(1) and (2) (14 CCR section 15273), in that the fees will be used for operating expenses and for the purchase of supplies, equipment and materials; and

WHEREAS, the County of Santa Barbara has in connection with the above fees, held a public hearing as part of a regularly scheduled meeting and published notice of the meeting, including a general description of the matter to be considered, in accordance with Government Code section 6062a; and

WHEREAS, the fees may be revised as needed by the board of supervisors, and if the revision does not occur, the existing fees shall remain in effect.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, as follows:

1) The fees for the administration and the enforcement of Chapter 6.5 and of Santa Barbara County Code Chapters 15 and 18 by the Fire Department, which are set forth in the attached fee schedule, are hereby adopted and are to be effective on July 1, 2003.

2) The fees established by this Resolution shall be administered as a component part of the single fee system required by section 25404.5 of Chapter 6.11.

3) Resolution No. 02-215, is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution 02-215 shall not affect any obligation to pay any fees incurred under said resolution, and said obligation shall continue in effect after said resolution is repealed, and the County of Santa Barbara may take any appropriate action in regard to any delinquent fees imposed pursuant to said resolution.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ of _____, 2003, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair of the Board of Supervisors

Attest:
Michael F. Brown
Clerk of the Board

By _____
Deputy

Approved as to form:
Stephen Shane Stark
County Counsel

Approved as to Accounting:
Robert W. Geis, C.P.A.
Auditor-Controller

By _____

By _____

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RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

Resolution Establishing Fees for)
Fire Department's Administration)
of the California Health and Safety Code,)
Chapter 6.7: Underground Storage of)
Hazardous Substances)

WHEREAS, Chapter 6.7, Division 20 of the California Health and Safety Code, section 25280 et seq. (Chapter 6.7) and Santa Barbara County Code Chapter 15, Article VII, section 15-126 et seq. and Chapter 18, Article III, section 18-21, et seq., establish a comprehensive scheme for regulating underground storage of hazardous substances; and

WHEREAS, section 18-22 of Article III of Chapter 18 of the Santa Barbara County Code provides that the board of supervisors shall adopt a fee schedule at a level sufficient to pay the necessary and reasonable costs incurred in administering the provisions of Chapter 6.7 and of Santa Barbara County Code Chapter 18, Article III, including, but not limited to, permitting and inspection responsibilities; and

WHEREAS, the County of Santa Barbara administers and enforces Chapter 6.7 as it relates to the underground storage of hazardous substances, and the County intends to recover its expenses in enforcing Chapter 6.7 and any order, quarantine, rule or regulation prescribed by a State health officer or department relating to said Chapter 6.7; and

WHEREAS, (1) the Santa Barbara County Fire Department (Fire Department) has been designated pursuant to Chapter 6.11 of the Health and Safety Code, (hereinafter Chapter 6.11), as the Certified Unified Program Agency (CUPA) for enforcement of various designated hazardous materials programs, including Chapter 6.7, and (2) the Fire Department has been designated as the local enforcement agency of Chapter 6.7 and of Santa Barbara County Code Chapters 15 and 18 by Santa Barbara County Ordinance No. 4215; and

WHEREAS, section 25404.5 of Chapter 6.11 requires a single fee system (1) to replace the fees levied by the County of Santa Barbara pursuant to section 25287, subdivision (a), of Chapter 6.7, to provide for the payment of the necessary and reasonable costs incurred in administering the provisions of Chapter 6.7, including, but not limited to, permitting and inspection responsibilities; and

WHEREAS, section 25404.2 of Chapter 6.11 provides that the CUPA shall process a single unified program facilities permit program for purposes of administering and enforcing Chapter 6.7; and

WHEREAS, section 25404.5, subdivision (b), of Chapter 6.11 provides that the CUPA will collect a state surcharge for the purposes of implementing Chapter 6.11; and

WHEREAS, the board of supervisors adopted Resolution No. 02-216 establishing underground storage of hazardous substances fees; and

WHEREAS, the Fire Department has recommended a change in the way the fees are calculated in the fee schedule set forth in Resolution No. 02-216; and

WHEREAS, the board of supervisors finds that the fees set forth in this resolution are exempt from CEQA review pursuant to Public Resources Code section 21080, subdivision (b)(8)(1) and (2) (14 CCR section 15273), in that the fees will be used for operating expenses and for the purchase of supplies, equipment and materials; and

WHEREAS, the County of Santa Barbara has in connection with the above fees, held a public hearing as part of a regularly scheduled meeting and published notice of the meeting, including a general description of the matter to be considered, in accordance with Government Code section 6062a; and

WHEREAS, the fees may be revised as needed by the board of supervisors, and if the revision does not occur, the existing fees shall remain in effect.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, as follows:

1) The fees for the administration and the enforcement of Chapter 6.7 and Santa Barbara County Code Chapters 15 and 18 by the Fire Department, which are set forth in the attached fee schedule, are hereby adopted and are to be effective on July 1, 2003.

2) The fees established by this Resolution shall be administered as a component part of the single fee system required by section 25404.5 of Chapter 6.11.

3) Resolution No.02-216, is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution No. 02-216 shall not affect any obligation to pay any fees incurred under said resolution, and said obligation shall continue in effect after said resolution is repealed, and the County of Santa Barbara may take any appropriate action in regard to any delinquent fees imposed pursuant to said resolution.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ of _____, 2003, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair of the Board of Supervisors

Attest:
Michael F. Brown
Clerk of the Board

By _____
Deputy

Approved as to form:
Stephen Shane Stark
County Counsel

Approved as to Accounting
Robert W. Geis, C.P.A.
Auditor-Controller

By _____

By _____

Santa Barbara County Fire Department Fee Schedule Hazardous Waste Generator Program

1. Annual Fee

A. Waste Generation Annual Permit to Operate

Fee Category (Tons)	Annual Fee
≤ 0.13 ¹	\$ 0.00
0.00 – 0.99	\$ 162.00
1.00 – 4.99	\$ 222.00
5.00 – 19.99	\$ 304.00
≥ 20.00	\$ 1,137.00

¹ Hazardous Waste Generators that generate a combined total of less than or equal to 0.04 tons (10 gallons) per year of automotive fluid waste, non-chlorinated parts cleaning solvent waste, and/or photo-processing waste and do not generate any other hazardous waste in any quantity are exempt from County permit fees provided that the aforementioned waste is managed in accordance with Federal and State laws and regulations and the generator files a County Fire Department exemption request form. However, Hazardous Waste Generators are still responsible to pay the State mandated General Program Oversight fee.

B. Other Permit / Service Fees

Fee Category	
Emergency Response (ER) / Complaint Response	\$ 94.00 / Hr
Exceptional Time & Consultation Fees	\$ 80.00 / Hr
Violation Re-inspection Fee	\$ 80.00 / Hr
Photocopies	\$ 0.52 / Ea

C. State of California Unified Program Oversight Fees

The State of California, in accordance with Title 27, has established a service fee to cover oversight costs associated with Cal/EPA's coordinating role in the Unified Program for each regulated facility. The service fee is collected by the County and passed on to the State. The service fee has been established as follows:

General Program Oversight	\$ 17.50 / Facility
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(Note: The State fees for FY 03/04 have not been set at this time. Current FY 02/03 fees remain in effect and are charged until such time as the State updates their fees.)

**Santa Barbara County Fire Department Fee Schedule
Hazardous Waste Generator Program**

2. Site Mitigation

Site Mitigation Fee	\$ 99.00 / Hour
Hazardous Substances Monitoring Wells *	
Well Construction/ Modification Permit (Vapor extraction wells are fee exempt)	\$ 396.00
Additional Wells Constructed/Modified (on the same property and constructed and/ or modified the same day as the initial well)	\$ 99.00 / Well
Well Destruction/Inactivation (Vapor extraction wells are fee exempt)	\$ 297.00
Additional Wells Destroyed/Inactivated (on the same property and destroyed and/or inactivated the same day as the initial well)	\$ 99.00 / Well

* LUFT/SMU Programs are fee exempt

3. Proration of Fees

The County reserves the right to prorate all fees described in this resolution except fees imposed by the State of California.

4. Delinquency Fees

Fees that are invoiced by the Fire Department as outlined in this fee schedule and which are not paid within sixty (60) days shall be considered delinquent and the following additional charges added for delinquency:

For the first sixty (60) days that the bill is not paid in its entirety, a penalty fee equal to 10% of the unpaid amount of such fee shall be assessed.

For the second thirty (30) day period that the fee is not paid in its entirety, a penalty fee equal to 15% of the unpaid balance shall be assessed.

Fees not paid in ninety (90) days shall be referred for collection. In addition to the fee(s) and any penalties associated with delinquent fee(s) described above, accounts referred for collection shall be charged for the actual cost associated with collection efforts.

Santa Barbara County Fire Department Fee Schedule Hazardous Waste Generator Program

The delinquency fees are in addition to any other remedies available to the County.

5. Contest of Charges

Any person required to pay fees pursuant to this fee resolution, may file a written notice of contest of fees accompanied by such materials as will support the claim for relief, including payment in full as invoiced, with the Fire Chief (or designee) for determination of the correct amount of fees due under this resolution. Such written notice shall be filed with said Fire Chief (or designee) within 45 days after mailing or personal delivery of the statement of fees. The Fire Chief upon a showing of good cause may extend this time period. Upon receipt of such written notice of contest of fees, said Fire Chief (or designee) shall make a decision on said contested fees. The decision shall be final with no further right of review. Failure to include payment in full as invoiced will result in denial of review.

Refunds made as a result of this process shall be paid by the Fire Department and shall not include interest.

6. Fee Waiver

Any person required to pay fees pursuant to this fee resolution may file a written application, including payment in full as invoiced, with the Board of Supervisors for a waiver or reduction of any said fees, or any part thereof, and the Board of Supervisors may waive or reduce said fees, or any portion thereof, to the extent permitted by law and public policy, upon a showing of good cause by the applicant for waiver of fee(s) filed with the Clerk of the Board of Supervisors within 45 days after mailing or personal delivery of the statement of fees. Failure to include payment in full as invoiced will result in denial of review.

Refunds made as a result of this process shall be paid by the Fire Department and shall not include interest.

**Santa Barbara County Fire Department Fee Schedule
Underground Storage Tank Program**

1. Annual Fee

A. Underground Storage of Hazardous Substances

Annual Permit to Operate \$ 501.00 / Tank

B. Other Permit / Service Fees

Plan Check/Construction/Installation Inspection Fee \$1,250.00 / Tank
(Fee covers up to 16 hours of oversight time)

Plan Check/Modification/Repair Inspection Fee \$ 603.00 / Tank
(Fee covers up to 8 hours of oversight time)

Plan Check/Abandonment/Closure Inspection Fee \$ 866.00 / Tank
(Fee covers up to 11 hours of oversight time)

Exceptional Time, Consultation & Minor Project Fee \$ 81.00 / Hr

Violation Re-inspection Fee \$ 81.00 / Hr

Photocopies \$ 0.52 / Ea

C. State of California Unified Program Oversight Fees

The State of California, in accordance with California Code of Regulations Title 27, has established a service fee to cover oversight costs associated with Cal/EPA's coordinating role in the Unified Program for each regulated facility. The service fee is collected by the County and passed on to the State. The service fee has been established as follows:

General Program Oversight \$17.50 / Facility

UST Program Oversight \$10.00 / Tank

(Note: The State fees for FY 03/04 have not been set at this time. Current FY 02/03 fees remain in effect and are charged until such time as the State updates their fees).

2. Proration of Fees

The County reserves the right to prorate all fees described in this resolution except fees imposed by the State of California.

3. Delinquency Fees

Fees that are invoiced by the Fire Department as outlined in this fee schedule and which are not paid within sixty (60) days shall be considered delinquent and the following additional charges added for delinquency:

Santa Barbara County Fire Department Fee Schedule Underground Storage Tank Program

For the first sixty (60) days that the bill is not paid in its entirety, a penalty fee equal to 10% of the unpaid amount of such fee shall be assessed.

For the second thirty (30) day period that the fee is not paid in its entirety, a penalty fee equal to 15% of the unpaid balance shall be assessed.

Fees not paid in ninety (90) days shall be referred for collection. In addition to the fee(s) and any penalties associated with delinquent fee(s) described above, accounts referred for collection shall be charged for the actual cost associated with collection efforts.

The delinquency fees are in addition to any other remedies available to the County.

4. Contest of Charges

Any person required to pay fees pursuant to this fee resolution, may file a written notice of contest of fees accompanied by such materials as will support the claim for relief, including payment in full as invoiced, with the Fire Chief (or designee) for determination of the correct amount of fees due under this resolution. Such written notice shall be filed with said Fire Chief (or designee) within 45 days after mailing or personal delivery of the statement of fees. The Fire Chief upon a showing of good cause may extend this time period. Upon receipt of such written notice of contest of fees, said Fire Chief (or designee) shall make a decision on said contested fees. The decision shall be final with no further right of review. Failure to include payment in full as invoiced will result in denial of review.

Refunds made as a result of this process shall be paid by the Fire Department and shall not include interest.

5. Fee Waiver

Any person required to pay fees pursuant to this fee resolution may file a written application, including payment in full as invoiced, with the Board of Supervisors for a waiver or reduction of any said fees, or any part thereof, and the Board of Supervisors may waive or reduce said fees, or any portion thereof, to the extent permitted by law and public policy, upon a showing of good cause by the applicant for waiver of fee(s) filed with the Clerk of the Board of Supervisors within 45 days after mailing or personal delivery of the statement of fees. Failure to include payment in full as invoiced will result in denial of review.

Refunds made as a result of this process shall be paid by the Fire Department and shall not include interest.

Santa Barbara County Fire Department Prevention Services Division - Hazardous Materials Unit Fee Schedule

Effective 7/1/2003

BUSINESS PLANS

Annual Administrative Fee		
Maximum # of Chemicals		
1 - 3	\$	197.00
4 - 6		372.00
7 - 10		548.00
11 - 20		701.00
21 - 100		875.00
101 or More		3,229.00
Agricultural One Time Business Plan Registration		91.00
Remote Site One time Business Plan Registration		91.00
Exceptional Time & Consultation Fees	\$ 91.00 / Hour	
Cal ARP Hourly Rate		83.00 / Hour
Photocopies		.52 / Each

UNDERGROUND STORAGE OF HAZARDOUS SUBSTANCES

Annual Permit to Operate		
Per Tank Per Year	\$	501.00
Plan Check/Construction Inspection Fee		1,250.00
(Fee covers up to 16 hours of oversight time)		
Plan Check/Modification/Repair Inspection Fee		603.00
(Fee covers up to 8 hours of oversight time)		
Plan Check/Abandonment Inspection Fee		866.00
(Fee covers up to 11 hours of oversight time)		
Exceptional Time, Consultation & Minor Project Fee	\$ 81.00 / Hour	
Violation Reinspection Fee		81.00 / Hour
Photocopies		.52 / Each

HAZARDOUS WASTE GENERATORS

Annual Permit to Operate		
Waste Stream		
0.00 - 0.99 tons	\$	162.00
1.00 - 4.99 tons		222.00
5.00 - 19.99 tons		304.00
20.00 + tons		1,137.00

* Some generators <= .04 tons (10 gallons) are exempt

Site Mitigation Fee		\$ 99.00 / Hour
Monitoring Wells		
(LUFT/SMU Programs Fee Exempt)		
Well Construction/Modification Permit	\$	396.00
Additional Wells (Each)		99.00
Well Destruction/Inactivation		297.00
Additional Wells (Each)		99.00
(Vapor Extraction Wells are Fee Exempt)		

Emergency Response (ER)/Complaint Response		\$94.00 / Hour
Exceptional Time & Consultation Fees		80.00 / Hour
Violation Reinspection Fee		80.00 / Hour
Photocopies		.52 / Each

STATE OF CALIFORNIA UNIFIED PROGRAM OVERSIGHT FEES

State General Program Oversight	\$ 17.50 / Facility
State UST Surcharge (Each Tank per Year)	10.00 / Tank
State Cal-ARP Program Fee	200.00 / Facility