

High Risk Operation Ordinance

Planning & Development



**PETROLEUM UNIT
COUNTY OF SANTA BARBARA**

BOARD OF SUPERVISORS HEARING

FEBRUARY 1, 2011

Today's Agenda



- **Summary of Recommendations from 1/11/2011;**
- **Additional Recommendations to Chapter 25.**

1/11/2011 Recommendations



- **Revise thresholds for “High Risk Operation”**
 - Violation more than 30 days and NOD issued
 - Had 2 unauthorized releases of more than 15 barrels outside secondary containment
- **Address Remediation of High Risk Operations**
 - Clarification of responsibilities
 - Expanded remediation requirements

1/11/2011 Hearing Issues



- **“Hazardous Materials” not defined in Code**
- **Surface Land Owner vs. Mineral Rights Owner**
- **Habitual Violators spilling under volumetric threshold**

“Hazardous Materials”



“Those chemicals or substances which are physical hazards or health hazards as defined and classified in the California Fire Code, whether the materials are in usable or waste conditions.”

“Owner”



“...the person, whether land owner, mineral estate owner, lessee or agent for the property owner, who owns or controls the mineral rights to exploit, mine and/or produce and or all of the minerals lying below the surface of the property.”

Additional “High Risk” Threshold



Subsection (c):

“...has had at least five separate unauthorized releases not less than one barrel (42 gallons) other than within secondary containment for each incident during the preceding 12 months.”

***State Health & Safety Code requires reporting of spills over one barrel (42 gallons)*

Multiple NOV's as a Threshold



- **Not currently proposed**
- **Staff to continue to monitor and report**
- **Amend in the future if necessary**

Additional (Minor) Revisions



- Reference to Fire Code, Article 79 stricken
- Reference to Petroleum Administrator clarified under Permit Procedures section
- Reference to Administrative Fine Ordinance added
- “Deleterious substances” added to definition of High Risk Operations
- Audit costs responsibilities clarified under Remediation section

Staff Recommendations



- 1. Introduce the Ordinance amending Chapter 25, Petroleum Code, as it relates to the regulation of “High Risk” Onshore Petroleum Operations;**
- 2. Continue to February 15, 2011 to:**
 1. Approve the Notice of Exemption under CEQA Guidelines sections 15307 & 15308;
 2. Find that facilities with five or more unauthorized releases in a 12-month period are harmful, and poses significant risk to the environment;
 3. Consider the adoption (second reading) of the Ordinance amending Chapter 25, Petroleum Code

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