

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM:

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s) : _____ Case No.: _____

Location: Santa Barbara County
(Include street address and cross street (if urbanized area) or attach specific location map)

Project Title: _____

Project Description: Adopt Fee Resolutions to Increase and Implement Hazardous Materials Program Fees for Fire Departments Administration of the California Health and Safety Code, Chapters 6.5 Hazardous Waste Control, 6.7 Underground Storage of Hazardous Substances, and 6.95 Hazardous Materials Release and Response Plans and Inventory

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: _____

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 14CCR 15273: Fees will be used for operating expenses and for purchase of supplies, equipment and materials.

Reasons to support exemption findings (attach additional material, if necessary)

This project is to enable the operation of regulatory programs and as such is categorically and statutorily exempt under section 15273 of the CEQA guidelines and 21080 of the Public Resources Code, respectively.

Lead Agency Contact Person: _____ Phone #: (805) _____

Department/Division Representative: _____ Date: _____

Acceptance Date: _____

Note: A copy of this form must be posted at P&D 6 days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

distribution: Hearing Support Staff
Project file (when P&D permit is required)

Date Filed by County Clerk

**Santa Barbara County Fire Department
Expenditure and Revenue History for the Hazardous Materials Programs**

	<u>Expenditures</u>	<u>Revenues</u>	<u>General Fund Contribution</u>	
FY 96/97	\$ 1,053,335	\$ 703,468	\$ 349,867	33%
FY 97/98	912,231	656,958	255,273	28%
FY 98/99	946,893	664,600	282,293	30%
FY 99/00	1,077,178	718,402	358,776	33%
FY 00/01	1,112,357	878,958	233,399	21%
FY 01/02	1,285,251	930,417	354,834	28%
FY 02/03	1,414,338	1,071,712	342,626	24%
FY 03/04	1,444,580	1,339,254	105,326	7%
FY 04/05	1,489,550	1,390,895	98,655	7%
FY 05/06 Adopted Budget	1,656,238	1,355,960	300,278	18%
FY 06/07 Recommended *	2,062,856	1,691,942	370,914	18%

* Includes fee increases as described in this board letter.

Note: Expenditures include departmental overhead costs.

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

Fee Schedule

Effective 7/1/2006

BUSINESS PLANS

Annual Administrative Fee		
Maximum # of Chemicals		
1 - 3	\$	306.00
4 - 6		401.00
7 - 10		494.00
11 - 20		589.00
21 - 100		691.00
101 or More		704.00
Agricultural One Time Business Plan Registration		89.00
Remote Site One time Business Plan Registration		89.00
Exceptional Time & Consultation Fees	\$ 89.00 / Hour	
Cal ARP Hourly Rate	85.00 / Hour	
Photocopies		.58 / Each

UNDERGROUND STORAGE OF HAZARDOUS SUBSTANCES

Annual Permit to Operate		
Per Tank Per Year	\$	524.00
Plan Check/Construction Inspection Fee		1,125.00
(Fee covers up to 14 hours of oversight time)		
Plan Check/Modification/Repair Inspection Fee		696.00
(Fee covers up to 8 hours of oversight time)		
Plan Check/Abandonment Inspection Fee		1,058.00
(Fee covers up to 13 hours of oversight time)		
Exceptional Time, Consultation & Minor Project Fee	\$ 85.00 / Hour	
Violation Reinspection Fee	85.00 / Hour	
Photocopies		.58 / Each
Leaking Underground Fuel Tank Clean-up Oversight	\$ 40.00 / Hour	
(Fee for costs above State contract amount)		

HAZARDOUS WASTE GENERATORS

Annual Permit to Operate		
Waste Stream		
0.00 - 0.99 tons	\$	180.00
1.00 - 4.99 tons		229.00
5.00 - 19.99 tons		316.00
20.00 + tons		1,121.00

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

Site Mitigation Fee		\$ 113.00 / Hour
Monitoring Wells		
(LUFT/SMU Programs Fee Exempt)		
Well Construction/Modification Permit	\$	452.00
Additional Wells (Each)		113.00
Well Destruction/Inactivation		339.00
Additional Wells (Each)		113.00
(Vapor Extraction Wells are Fee Exempt)		

Emergency Response (ER)/Complaint Response	\$110.00 / Hour
Exceptional Time & Consultation Fees	86.00 / Hour
Violation Reinspection Fee	86.00 / Hour
Photocopies	.58 / Each

STATE OF CALIFORNIA UNIFIED PROGRAM OVERSIGHT FEES

State General Program Oversight	\$ 24.00 / Facility
State UST Surcharge (Each Tank per Year)	15.00 / Tank
State Cal-ARP Program Fee	270.00 / Facility

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

1. Annual Fee

A. Underground Storage of Hazardous Substances

	<u>FY 04/05 Fees</u>	<u>FY 06/07 Fees</u>
Annual Permit to Operate	\$ 516.00 / Tank	\$ 524.00 / Tank

B. Other Permit / Service Fees

Plan Check/Construction/Installation Inspection Fee (Fee covers up to 16 hours of oversight time)	\$1,288.00 / Tank	\$1,125.00 / Tank
Plan Check/Modification/Repair Inspection Fee (Fee covers up to 8 hours of oversight time)	\$ 621.00 / Tank	\$ 696.00 / Tank
Plan Check/Abandonment/Closure Inspection Fee (Fee covers up to 11 hours of oversight time)	\$ 892.00 / Tank	\$ 1,058.00 / Tank
Exceptional Time, Consultation & Minor Project Fee	\$ 83.00 / Hr	\$ 85.00 / Hr
Violation Re-inspection Fee	\$ 83.00 / Hr	\$ 85.00 / Hr
Photocopies	\$ 0.54 / Ea	\$.60 / Ea
Clean-up Oversight Fee (LUFT) (Cost recovery for amounts above LOP contract)	N/A	\$ 40.00

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	\$24.00 / Facility
UST Program Oversight	\$15.00 / Tank

(Note: The State fees for FY 06/07 have not been set at this time. Current FY 05/06 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.

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

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:

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.

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. 04-215 establishing underground storage of hazardous substances fees; 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, 2006.

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.04-215 is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution No. 04-215 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 ____ day of June, 2006, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair of the Board of Supervisors

Attest:
Michael F. Brown
CEO

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
Release Response Plans and Inventory (Business Plans)
Fee Schedule**

1. Annual Fee

A. Program Implementation Fee

Businesses required to submit a Business Plan are those businesses which handle a hazardous material or a mixture containing a hazardous material which has a quantity at any one time during the reporting year equal to, or greater than a total weight of 500 pounds, or a total volume of 55 gallons, or 200 cubic feet at standard temperature and pressure of compressed gas, unless exempted in accordance with Section 25503.5. (California Health and Safety Code, § 25503.5) Businesses with a satisfactory compliance record will receive a facility inspection approximately once every three years.

The annual fee for Business Plan facilities shall be based on the maximum number of chemicals handled annually as set forth below.

<u>Number of Chemicals</u>	<u>FY 05/06 Fee</u>	<u>FY 06/07 Fee</u>
1 to 3	\$ 203.00	\$ 306.00
4 to 6	383.00	401.00
7 to 10	564.00	494.00
11 to 20	722.00	589.00
21 to 100	901.00	691.00
101 or More	3,326.00	704.00

Other fees associated with Business Plan facilities are as follows:

	<u>FY 05/06 Fee</u>	<u>FY 06/07 Fee</u>
Agricultural One Time Only Business Plan Fee	\$ 94.00	\$ 89.00
Remote Site One Time Only Business Plan Fee	94.00	89.00
Exceptional Time & Consultation Fee	94.00 / Hr	89.00 / Hr
Photocopies	0.54 / Ea	.60/ Ea

B. 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:	\$ 24.00 / Facility
California Accidental Release Prevention (Cal/ARP)	\$ 270.00 / Facility

**Santa Barbara County Fire Department
Release Response Plans and Inventory (Business Plans)
Fee Schedule**

(Note: The State fees for FY 06/07 have not been set at this time. Current FY 05/06 fees remain in effect and are charged until such time as the State updates their fees.)

2. Inspection Fee – Cooperating Agency

Upon request, where the business plan inspection is conducted by a fire agency other than the County Fire Department, the Cooperating Agency will be reimbursed in accordance with agreements on file with the County Fire Department. The inspection fee shown for each business Group is a maximum charge for a site within the corresponding quantity range listed below. The inspection fee is the maximum charge for a given site based upon a \$50 hourly rate. Each Group number corresponds to the maximum review and inspection time allowed as indicated by the quantity range listed below. The quantity range is applied to the highest aggregate quantity of materials in a single physical state. Inspection charges are billed in arrears with the annual invoices in accordance with the following schedule:

<u>Group 1</u>	<u>Group 2</u>	<u>Group 3</u>	<u>Group 4</u>
\$50	\$100	\$150	\$200
Group 1 quantity range	>55 to 5,000		= 1 hour maximum
Group 2 quantity range	5,001 to 25,000		= 2 hour maximum
Group 3 quantity range	25,001 to 75,500		= 3 hour maximum
Group 4 quantity range	75,501 or more		= 4 hour maximum

(e.g.: If the total quantity of materials in a single physical state on site is 10,000 ft³ of gas, then the inspection fee is \$100 even if the inspection takes three hours. If the inspection and review for that business takes only one hour, then the charge is \$50. Businesses requiring two or more inspections are billed according to the hourly rate.)

3. Acutely Hazardous Materials / California Accidental Release Prevention (Cal/ARP) Program

	<u>FY 05/06 Fee</u>	<u>FY 06/07 Fee</u>
Cal/ARP review and inspection services:	\$85.00/Hour	\$76.00/Hour

**Santa Barbara County Fire Department
Release Response Plans and Inventory (Business Plans)
Fee Schedule**

4. Proration of Fees

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

5. 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.

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

6. 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 Fire Department and shall not include interest.

**Santa Barbara County Fire Department
Release Response Plans and Inventory (Business Plans)
Fee Schedule**

7. 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 Fire Department and shall not include interest.

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 Materials]
Release Response 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. 04-213 establishing hazardous materials program fees; 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, 2006.

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. 04-213 of July 27, 2004, is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution No. 04-213 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 ____th day of
June, 2006, 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

By _____

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

By _____

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

2. Site Mitigation

	<u>FY 05/06 Fees</u>	<u>FY 06/07 Fee</u>
Site Mitigation Fee	\$ 102.00 / Hour	\$113.00 / Hour
Hazardous Substances Monitoring Wells *		
Well Construction/ Modification Permit (Vapor extraction wells are fee exempt)	\$ 408.00	\$ 452.00
Additional Wells Constructed/Modified (on the same property and constructed and/ or modified the same day as the initial well)	\$ 102.00/Well	\$ 113.00/Well
Well Destruction/Inactivation (Vapor extraction wells are fee exempt)	\$ 306.00	\$ 339.00
Additional Wells Destroyed/Inactivated (on the same property and destroyed and/or inactivated the same day as the initial well)	\$ 102.00/ Well	\$ 113.00/ 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. The delinquency fees are in addition to any other remedies available to the County.

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

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.

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. 04-214 establishing hazardous materials program fees; 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, 2006.

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. 04-214, is hereby repealed on the date that the fees imposed by this resolution become effective. The repeal of Resolution 04-214 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 ____th day of June, 2006, 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

By _____

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

By _____