

ORDINANCE AMENDING CHAPTER 15, ARTICLE V OF THE SANTA BARBARA COUNTY CODE BY ADDING SEC. 15-104, ENTITLED “CERTIFIED UNIFIED PROGRAM AGENCY (CUPA) – HAZARDOUS MATERIALS FEES”.

ORDINANCE NO. _____

An ordinance of the County of Santa Barbara amending Chapter 15, Article V of the Santa Barbara County Code by adding Sec. 15-104, entitled “Certified United Program Agency (CUPA) – Hazardous Material Fees”, which revises the current fee schedule that was adopted by resolution. The fees off set the costs for the Fire Department, designated pursuant to Chapter 6.11 of the Health and Safety Code as the Certified Unified Program Agency (CUPA), to administer and enforce the hazardous materials programs included in 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 Response Plans and Inventory.

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

Section One

Chapter 15, Article V of the Santa Barbara County Code is amended by adding Sec. 15-104 entitled “Certied Unified Program Agency (CUPA), Hazardous Materials Fees” to read as follows:

Sec. 15-104. Certified Unified Program Agency (“CUPA”) - Hazardous Materials Fee Schedule.

CUPA PROGRAMS

FEE

BUSINESS PLANS

Health and Safety Code (HSC) Chapter 6.95 Article 1

Annual Administrative Fee

Maximum # of Chemicals

1 - 3	\$	231.00
4 - 6		277.00
7 - 10		323.00
11 - 20		371.00
21 - 100		409.00
101 or More		506.00

One Time Agricultural Exemption Registration Fee*	92.00
One Time Remote Site Exemption Registration Fee**	92.00
Exceptional Time & Consultation Fees***	92.00 / Hour
California Accidental Release Prevention Program (HSC Ch. 6.95, Article 2)	88.00 / Hour
Photocopies	.10 / Each

HAZARDOUS WASTE GENERATORS

Health and Safety Code Chapter 6.5

Annual Permit to Operate	
Hazardous Waste Generated per facility	
0.00 - 0.99 tons	\$ 319.00
1.00 - 4.99 tons	387.00
5.00 - 19.99 tons	546.00
20.00 + tons	1,814.00

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

Site Mitigation (for clean-up oversight)	\$ 143.00 / Hour
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Monitoring Well Permits	
Well Construction/Modification	\$ 572.00
Each Additional Well for same site	143.00
Well Destruction/Inactivation	429.00
Each Additional Well for same site	143.00

Emergency Response (ER)/Complaint Response	\$111.00 / Hour
Exceptional Time & Consultation Fees***	87.00 / Hour
Violation Reinspection Fee	87.00 / Hour
Photocopies	.10 / Each

UNDERGROUND STORAGE OF HAZARDOUS SUBSTANCES

Health and Safety Code Chapter 6.7

Annual Permit to Operate	
Per Tank Per Year	\$ 538.00
Plan Check/Construction Inspection Fee	1,865.00
(Fee covers up to 14/25 hours of oversight time)	
Plan Check/Modification/Repair Inspection Fee	1,825.00
(Fee covers up to 8/18 hours of oversight time)	
Plan Check/Abandonment Inspection Fee	1,194.00
(Fee covers up to 13/7 hours of oversight time)	
Exceptional Time, Consultation*** & Minor Project Fee	\$ 86.00 / Hour
Violation Reinspection Fee	86.00 / Hour
Photocopies	.10 / Each

STATE OF CALIFORNIA UNIFIED PROGRAM OVERSIGHT FEES)

Health and Safety Code Chapter 6.11

State General Program Oversight (until June 30, 2009)	\$ 24.00 / Facility
State General Program Oversight (after July 1, 2009 per AB 2286 mandated increase of \$25.00)	49.00 / Facility
State Underground Storage Tank Surcharge (Each Tank per Year)	15.00 / Tank
State California Accidental Release Prevention Program Fee	270.00 / Facility

***AGRICULTURAL FACILITY ABOVE GROUND FUEL TANK EXEMPTION**

Motor vehicle fuel above ground tanks at agricultural facilities having a capacity of 1,100 gallons or less are exempt from the Business Plan inventory reporting requirements. The facility must submit a one-time Business Plan to the Administering Agency, complete an exemption form and pay a One Time Only Agricultural Exemption Registration fee of \$92.00.. If, however, the cumulative fuel storage capacity of all tanks at a single facility is greater than 20,000 gallons, the above ground fuel tank exemption would not apply.

****REMOTE SITE EXEMPTION**

Remote sites are exempt from the Business Plan if the hazardous material inventory amounts are equal to or less than all of the following: 500 cu. ft. compressed inert gases; 500 GAL combustible liquids used as a fuel source (diesel, fuel oil, kerosene); 200 GAL electrolytes in closed containers; 500 GAL lubricating and hydraulic fluids; and 1200 GAL flammable gas used as a fuel source (propane). The facility must submit a one-time Business Plan to the Administering Agency, complete an exemption form and pay a One Time Only Remote Site Exemption Registration fee of \$92.00. A remote site is defined as an unstaffed facility located in an isolated sparsely populated area, the facility is secured and not accessible to the public and warning signs are posted and maintained for hazardous materials pursuant to the CA Fire Code.

***** EXCEPTIONAL TIME & CONSULTATION FEES**

Surcharges based on actual costs will apply when, in the opinion of the fire chief, circumstances develop that require extraordinary time for issues including but not limited to special research, consultation or numerous inspections to ensure compliance.

Section Two - Effective Date.

This ordinance, within fifteen (15) days after its passage and adoption, shall be published once in the Santa Barbara News-Press and shall be in full force and effect thirty (30) days after its passage and adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JOSEPH CENTENO
CHAIR, BOARD OF SUPERVISORS

ATTEST:

MICHAEL BROWN
CLERK OF THE BOARD

By _____
Deputy

[DO NOT PUBLISH APPROVAL]

THOMAS E. FRANKLIN
COUNTY FIRE CHIEF

By _____

APPROVED AS TO FORM:
FORM:

DENNIS A. MARSHALL,
COUNTY COUNSEL

By _____
Deputy County Counsel

APPROVED AS TO ACCOUNTING

ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By _____