

# High Risk Operation Ordinance

## Planning & Development

Petroleum Unit  
County of Santa Barbara

Board of Supervisors Hearing

July 12, 2011

# Background Information

- **Prior Board Hearings:**
  - 5/11/2010: Board direction to amend ordinance
  - 1/11/2011: Proposed amendment presented;  
Board directed further changes
  - 2/01/2011: Proposed amendment presented;  
Board directed outreach to stakeholders
  - 5/10/2011: Staff report on stakeholder input;  
Board direction to amend ordinance
- **Today's Hearing:**
  - Proposed amendment as directed on 5/10/2011

# 1. High Risk Operation Definition (a)

## Existing Language:

*“Has been in violation ...  
for more than 30  
consecutive days or 45  
days during the  
preceding 12 months”*



## Proposed Language:

*“Has been in violation ... for  
more than 30 consecutive  
days and resulted in the  
issuance of a Notice of  
Determination of Fine during  
the preceding 12 months”*

## 2. High Risk Operation Definition (b)

### Existing Language:

*“Has three separate unauthorized releases ... of a quantity not less than 25 barrels (1050 gallons) for each incident within a 12 month period”*



### Proposed Language:

*“Has two unauthorized releases of ... not less than 15 barrels (630 gallons) other than within secondary containment for each release during the preceding 12 months”*

# 3. High Risk Remediation

- *Clarify responsibilities:*
  - Operator prepares the remediation plan
  - Petroleum Administrator approves plan
  - Operator continues to bear costs associated with carrying out the plan
- *Expand remediation plan requirements:*
  - Address causative problems;
  - Audit of overall facility operations;
  - Mandatory schedule addressing all issues identified;
  - Operator notifies Petroleum Administrator as each milestone is achieved
  - Staff performs independent verification of milestone completion

## 4. Other Proposed Amendments

- Strike references to Article 79 of the Fire Code;
- Clarify reference to Petroleum Administrator;
- Add definitions for additional terms;
- Allow for full recovery of costs on drilling fees;
- Correct reference under Secondary and Enhanced Operations.<sup>6</sup>

# Staff Recommendations

1. Introduce Ordinance amending Chapter 25, Petroleum Code;
2. Continue to August 2, 2011:
  - a) Find that the Ordinance Amendment is exempt from CEQA;
  - b) Approve the Notice of Exemption; and
  - c) Consider adoption of the Ordinance amending Chapter 25, Petroleum Code.

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