

Ordinance Recommendations



Environmental Health Services

*With concurrence from the
Santa Barbara County
Fire Department*



January 29, 2019

Lawrence Fay, Jr., Director
Environmental Health Services

Recommendations

- ▶ **Repeal Chapter 15, Article VII**
 - ▶ Removes outdated language indicating the Fire Department has CUPA authority and oversight
- ▶ **Repeal Chapter 18, Articles III and IV**
 - ▶ Removes outdated CUPA language, with updated language being adopted in the new Chapter, 18C, “Environmental Health”
- ▶ **Adopt Chapter 18C, Article III**
 - ▶ Codifies Public Health/Environmental Health’s authority for CUPA and Oversight for Hazardous Materials Generators and Storage
- ▶ **Repeal Chapter 18, Article V**
 - ▶ Repeals article regarding Infectious Waste since the function transferred to California Department of Public Health
- ▶ **Amend Chapter 24, Administrative Fines**
 - ▶ Removes references to repealed articles and adds references to adopted 18C, Article III

Repeal Chapter 15, Article VII

- ▶ Chapter 15, Article VII – Fire Department Administration of Hazardous Materials/Wastes Laws
 - ▶ Repeals Sections 15-126 through 15-132
 - ▶ Example of existing code
 - Sec. 15-126. - Fire department enforcement.
The Santa Barbara County fire department shall be vested with such powers, functions, duties and responsibilities with respect to hazardous materials, hazardous substances and hazardous wastes set forth in this article VII....
 - ▶ Enforcement, authority and oversight for hazardous materials/wastes generation and/or storage rests with the Environmental Health Services' CUPA

Repeal Chapter 18, Articles III and IV

- ▶ Chapter 18 “Health and Sanitation”
 - ▶ Article III, Hazardous Materials Storage
 - ▶ Sections 18-21 and 18-22
 - Specifies the Fire department as the enforcement agency
 - ▶ Article IV, Hazardous Waste Generator
 - ▶ Sections 18-30 through 18-34.2
 - Defines Permitting requirements and processes which are now part of the new Chapter 18C, Article III

Adopt Chapter 18C, Article III

- ▶ Entitled “Certified Unified Program Agency” (CUPA)
- ▶ CUPA is charged with protecting the public and the environment from hazardous materials/wastes
- ▶ Environmental Health Services CUPA is the “unified program agency” which was “certified” by the California Environmental Protection Agency (Cal-EPA) in July 2013
- ▶ New regulations in 18C, Article III do not change current business practice
 - ▶ This adoption (along with the repealed articles in Chapter 18) simply consolidates all the CUPA related hazardous materials regulations into one section of County Code and clarifies departmental authority
 - ▶ Fees remain in Chapter 15
 - ▶ EHS CUPA will return to the Board in the spring with a new Fee Schedule proposal and will repeal the Fees from Chapter 15 at that time

Repeal Chapter 18, Article V

- ▶ **Infectious Waste Generator Ordinance**
 - ▶ Sections 18-36 through 18.40.2
 - ▶ Program was adopted in 1985
 - ▶ Program was eliminated in the 1990's
 - ▶ All regulations for infectious waste are enforced by the California Department of Public Health, per Safety Code Division 104, Part 14, entitled "Medical Waste"

Amend Chapter 24A

▶ Administrative Fines

- ▶ Amends certain sections in Chapter 24A to properly reflect:
 - ▶ Repealed articles from Chapter 15 and 18; and
 - ▶ Adopted Chapter 18C, Article III
- ▶ No other changes

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This Concludes Our Presentation

Questions?