



Legislation Text

File #: 17-0533, **Version:** 1

Community Development Services, Environmental Management Department, recommending the Board adopt and authorize the Chair to sign Resolution **100-2017** thereby recognizing the need to collect the increased annual State Unified Program surcharges, with amounts for hazardous material storage of threshold quantities increasing from \$35 to \$49 and underground storage tank permits increasing from \$15 to \$20. State Unified Program surcharges are collected by the County on behalf of the State of California, to cover costs of the State agencies that have responsibilities under this State Unified Program.

FUNDING: State funding - 100% pass through to the State.

DEPARTMENT RECOMMENDATION

Community Development Services, Environmental Management Department (Environmental Management), recommends the Board adopt Resolution **100-2017** authorizing Environmental Management to collect the increased annual surcharges to fund California Environmental Protection Agency (CalEPA) departments that have State Unified Program (SUP) responsibilities. Surcharges collected by Environmental Management from regulated businesses are a pass-through to the State, and none of the funds are retained by the County.

DISCUSSION / BACKGROUND

Environmental Management is authorized by the CalEPA to act as a Certified Unified Program Agency (CUPA). The intent of the CUPA is to consolidate services for hazardous materials under one local agency instead of several agencies. Since the mid-1990's, Environmental Management has been the CUPA for the County. The duties of the CUPA include:

- 1) Facility plan review and inspection of facilities that store hazardous materials and hazardous waste;
- 2) Review of construction and repairs to, and inspection of, facilities that have underground storage tanks that store hazardous materials or hazardous waste;
- 3) Inspection of facilities that have aboveground storage tanks that store petroleum products; and
- 4) On-call (twenty-four hours per day, seven days a week) emergency response to hazardous materials incidents.

The Environmental Management CUPA also keeps records of these facilities and the hazardous materials stored to fulfill Proposition 65 notification requirements and to provide information to first responders of the hazards that they may encounter at a facility in the event of an emergency.

The annual surcharges are mandated by the California Health and Safety Code Division 20, Chapter 6.11, Section 25404.5(b), and California Code of Regulations, Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240, which requires the local CUPA to collect these surcharges on behalf of all State of California agencies that have SUP responsibilities (CalEPA, California Office of Emergency Services, and CAL FIRE). The funds are used to administer, at the State level, the various programs that are regulated by the local CUPA. None of these funds are retained by the County.

The CalEPA Secretary increased annual surcharges, effective Fiscal Year 2017/2018, for each business that stores threshold quantities of hazardous materials from \$35 to \$49; and for every underground storage tank that is permitted from \$15 to \$20 per tank. The registered businesses and permitted underground storage tanks are inspected by the CUPA. Surcharges for the Aboveground Petroleum Storage Tank Program will remain unchanged.

The County has 824 facilities that will be impacted by this surcharge increase. Impacted facilities will be notified in writing and information concerning the annual surcharge will be posted on Environmental Management's web page.

ALTERNATIVES

None, as it is a State mandated surcharge.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Agricultural Commissioner's Office

CAO RECOMMENDATION

It is recommended that the Board

FINANCIAL IMPACT

There is no financial impact associated with this item. Surcharges are collected by the County and passed-through to the State.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on the original copy of the Resolution.
- 2) The Clerk of the Board will provide a signed copy of the Resolution to Community Development Services, Environmental Management Department.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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