RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X )

Recommend resolution authorizing specific modification to the County C.U.P.A. Application in response to State requests.

Several State agencies involved in C.U.P.A. oversight reviewed our application and, as expected, had comments. Most we addressed by e-mail clarification or politely refusing to modify items the State listed as “recommended”. There are six, however, which are required, and which we recommend the Board direct us to add as modifications to the application. See attachment “A”.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board authorized the submission of an application via Resolution 01-328. The Board’s general sense of this program is well known to staff, and staff’s responses to the State are consistent with that sense of the Board.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The application may be deemed unacceptable and the State may take over regulating our business community in regard to C.U.P.A. Program.
April 12, 2002

TO: Members, Board of Supervisors

FROM: Charles B. Mosher, M.D., MPH, Health Officer

SUBJECT: Modifications to C.U.P.A. application per State review and requests

1. Add to application procedures:

“The Mariposa County CUPA expedites all permit requests.”

2. Modify page 12, item A as follows:

The Mariposa County Health Department CUPA will consolidate the permit issued for the Underground Storage Tank (UST) program with the information collected from regulated businesses and used as authorization for the other Unified Program elements. The Mariposa County Health Department CUPA will consolidate all permits that are required by Federal, State, and County statutes, regulations and ordinances governing those elements regulated under the consolidated program. The Consolidated Permit Application Package will be used for permitting regulated businesses under the Unified Program. (See Section C below).

3. Regarding data management, add the following:

“The Envision for Windows data management program is currently being used.”

4. Add on page 8, under “CUPA regulatory authority” the following in bold:

3) The Underground Storage Tank Program (UST). HSC, Division 20, Chapter 6.7 and 6.75 (generally supplemented by Title 23, Division 3, Chapter 16 and 18, CCR). The Mariposa County Health Department
is authorized to implement and enforce this law pursuant to Health and Safety Code Section 26505 (a)(1)(C) and Mariposa County Ordinance 650 (See Appendix D).

5. Add to page 17, "Above Ground Storage Tanks" the following:

"The CUPA will determine if a facility needs a Spill Prevention Control and Countermeasures (SPCC) Plan and verify the SPCC plan is available. The CUPA will notify the Regional Water Quality Control Board if a SPCC Plan has not been prepared."

6. Add to page 25 the following:

"The timeframes for each stage of enforcement for hazardous waste violations will be consistent with the DTSC Enforcement Response Policy.

The Mariposa County CUPA will perform and enforce the Hazardous Waste Generator program at the same level of activity that the State DTSC did in this County during its years of responsibility for the program."

7. Additionally, there were 2 "recommendations". We do not prepose modifying the original application based on these State "recommendations".
APPLICATION
IS ON
FILE
AT THE
CLERK OF THE BOARD’S
OFFICE