

MARIPOSA COUNTY RESOLUTION NO. 87-21

REGARDING IMPLEMENTATION OF PROPOSITION 65

WHEREAS, Proposition 65, which adds Section 25180.7 to the California Health and Safety Code, requires that any designated government employee who obtains specified information regarding an illegal discharge or threatened illegal discharge of a hazardous waste and which is likely to cause substantial injury to the public health or safety must, within seventy-two (72) hours, disclose such information to the local Board of Supervisors and to the local Health Officer.

WHEREAS, the County Health Department's current procedures for the intake, assessment and response to threatened or actual illegal discharge of hazardous waste substantially comply with the provisions of Proposition 65.

NOW, THEREFORE, BE IT RESOLVED by the Mariposa County Board of Supervisors, a political subdivision of the State of California as follows:

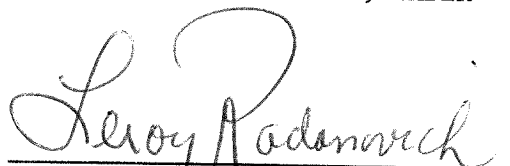
1. The Mariposa County Sanitarian shall receive on behalf of the Board of Supervisors and the health Officer all disclosures required to be reported by Health and Safety Code Section 25180.7, and

2. The County Sanitarian shall evaluate the disclosure, and if the information comes within the provisions of Health and Safety Code Section 25180.7(b) shall take appropriate action as required by Health and Safety Code Section 25180.7(d) and notify the Board of Supervisors and Health Officers.

BE IT FURTHER RESOLVED that the County Sanitarian shall evaluate the disclosures using the guidelines in Exhibit "A", attached hereto and incorporated herein by this reference, or as they may be modified from time to time by the Health Officers Association of California.


PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 20th day of January, 1987, by the following vote:

AYES:	BAGGETT, DALTON, ERICKSON, RADANOVICH, TABER
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE

  
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LEROY RADANOVICH, Chairman  
Board of Supervisors

RESOLUTION 87-21  
Regarding Implementation of Proposition 65

ATTEST:

  
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
JEFFREY G. GREEN, County Counsel

EXHIBIT A

Criteria for Notification of a Discharge  
Pursuant to Proposition 65

1. Discharge has resulted in an injury or will likely result in an injury to a person or persons.
2. Discharge has required an evacuation to be ordered or public access to be restricted. Such evacuations or restrictions of public access are due to an immediate threat to public health and safety posed by inhalation of or physical contact with hazardous chemicals.
3. Discharge poses a public health or safety hazard as reported by the fire department.
4. Discharge has contaminated food or crops.
5. Discharge which could result in the inhalation of a hazardous chemical in excess of 1% of the Threshold Limit Value (TLV). (TLV's have been developed by the American Conference of Governmental Industrial Hygienists at levels to prevent adverse health risks to workers over an 8 hour day. One percent (1%) of the TLV provides a safety factor to protect sensitive members of the population.)

Under special circumstances, medical experts may advise that a lower level of the TLV may pose a substantial injury to public health. Such discharges would also be notified.

For chemicals without TLV's, those levels exceeding the best available health data or the levels advised by medical experts would be notified.

6. Discharges which could result in physical contact by the public which best available health data indicate could cause damage to the skin (e.g., dermatitis, burning) or could be easily absorbed through the skin.
7. Discharges which contaminate domestic water supplies in levels exceeding State Drinking Water Action Levels (AL) or Federal Maximum Contaminant Levels (MCL). Levels of contamination would have to be confirmed by laboratory analysis on two positive samples. [Action levels are based on an excess cancer risk not to exceed one (1) in a million for a 70kg person drinking two (2) liters of water a day for 70 years or on chronic toxicity for which SNARLS (Suggested No Adverse Response Levels) for chronic toxicity have been developed.]

For discharges of hazardous chemicals for which no AL or MCL exist, discharges will be notified if the chemical is a carcinogen, or if review of best available health data indicates a potential hazard or if advice of medical or health experts indicates a potential public health threat is posed.

8. Discharges which contaminate recreational waters in any concentration due to hazards posed by physical contact or bioaccumulation by organisms consumed by humans.
9. Discharges which contaminate nonrecreational surface waters will be notified if there is a likely possibility of public contact or bioaccumulation by organisms consumed by humans.
10. Discharges which the local designated unit believes are likely to cause a substantial injury to public health and safety.

Discharges Not to be Notified

1. Discharges which are already public knowledge within the locality affected.
2. Discharges which are the subject of an ongoing criminal investigation.
3. Discharges for which notification has already been made.
4. Discharges made in compliance with and under permit or approval of appropriate regulatory agency.