

DEPARTMENT: Board

BY: Supervisor Baggett

PHONE: 966-3222

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

Consider request received from Merced County to take action to support the amendment of Health and Safety Code Chapter 6.11 (SB1082), which will streamline and reduce costs to businesses of the implementation of hazardous materials/waste regulations.

Merced County's resolution is attached.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None on this request. The Board has considered the impact of the hazardous materials/waste regulations on various occasions.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- 1) Take action to support SB 1082.
- 2) Take no action and/or provide alternative direction.

COSTS: (x) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

CLERK'S USE ONLY:

Res. No.: 94-387 Ord. No. _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

Approved: _____ () Denied

Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: MB

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: DR. CHARLES MOSHER, County Health Officer
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Request from Merced County Regarding
Health and Safety Code, Chapter 6.11 (SB1082)
Resolution Number 94-387

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on September 6, 1994

ACTION AND VOTE:

Consider Request Received from Merced County to Take Action to Support the Amendment of Health and Safety Code Chapter 6.11 (SB1082), which will Streamline and Reduce Costs to Businesses of the Implementation of Hazardous Materials/Waste Regulations (Supervisor Baggett)
BOARD ACTION: Following discussion, (M)Parker, (S)Taber, Res. 94-387 adopted supporting request received from Merced County on this matter/Ayes: Unanimous.

cc: Supervisor Baggett
File

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF MERCED, STATE OF CALIFORNIA

In the Matter of:

Amendment to Health and Safety)
Code Chapter 6.11 (SB 1082))
Unified Hazardous Waste and)
Hazardous Materials Management)
Regulatory Program)

RESOLUTION NO. 94-174

WHEREAS, California Health and Safety code (HSC) Chapter 6.11, Unified Hazardous Waste and Hazardous Management Regulatory Program (SB 1082) was approved by the Governor on September 20, 1993; and

WHEREAS, the state-mandated certified unified program requires the following:

1. Consolidation of the administration of hazardous waste/material regulations.
2. A county, city or other legal agency may apply to the state to be a certified program agency.
3. The certified unified program agency shall do the following: a) Develop and implement a program which consolidates all permits into a single permit, b) Consolidate, coordinate, and make consistent, any guidance documents, c) Develop and implement a single unified inspection and enforcement of hazardous materials/waste regulations, d) Institute a single fee system, e) Each unified program agency is required to collect a state surcharge from each person regulated by the unified program to recover the costs of state agencies in carrying out their responsibilities of Chapter 6.11; and

WHEREAS, Merced County supports the consolidation of hazardous materials/waste regulations into a single permit, single fee and single agency; and

WHEREAS, Merced County, including all 6 cities, currently has a single permit, a single fee, and a coordinated program implemented by a single agency, (Merced County Department of Health, Division of Environmental Health) meeting the requirements of SB 1082; and

WHEREAS, the implementation of HSC Chapter 6.11 in Merced County will not result in any benefit to businesses and will increase costs to local businesses and governmental agencies by the collection of an annual surcharge from each facility; and

WHEREAS, the implementation of HSC Chapter 6.11 will also require approximately 80 hours of additional staff time per year; and

WHEREAS, the State of California is currently reducing revenue to the counties and at the same time mandating the counties collect and remit a surcharge to the state.

WHEREAS, the California State Association of Counties and (CSAC) the California Association of Environmental Health Administrators (CAEHA) opposed SB 1082; and

THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Merced support the amendment of HSC Chapter 6.11 for the following reasons: 1) The increased annual cost to businesses and governmental agencies without any corresponding benefits; 2) The County opposes the collection and remittance to the state of a surcharge for oversight of an existing program, and 3) Increased staff time to implement HSC Chapter 6.11.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Merced support amendment of HSC Chapter 6.11 to exempt counties and cities from the requirements of HSC Chapter 6.11, including the surcharge, if the county or city has a unified program implemented by a single agency, with a single permit and single fee prior to the effective date of the law of December 31, 1995.

BE IT FURTHER RESOLVED, that the Board of Supervisors directs staff to actively solicit other governmental entities and affected industries to support such an amendment.

I, KENNETH L. RANDOL, County Clerk of Merced County and Ex-Officio Clerk of the Board of Supervisors of said County, do hereby certify that the foregoing resolution was regularly introduced, passed and adopted by said Board at a regular meeting thereof held on July 26, 1994 by the following vote:

SUPERVISORS

AYES: Jerry O'Banion, Gloria Cortez Keene, Ann Klinger,
Michael Bogna, Dean Peterson

NOES: None

ABSENT: None

WITNESS my hand and the Seal of this Board this 26th day of July, 1994.

KENNETH L. RANDOL, CLERK

BY 
DEPUTY