

LIST OF EXHIBITS

TO STAFF REPORT ON THE DETERMINATION AND APPORTIONMENT OF CUPA FEES

EXHIBIT	DESCRIPTION
A	Fee Comparison – April 12, 2011 to Proposed Fees Effective May 22, 2012
B	December 19, 2005 letter from the Department of Toxic Substances Control
C	Public Notice of Meeting and Handouts
D	Written Comments
E	Written Responses to Comments
F	Service and Supply Allocations
G	CWS Maintenance – July 5, 200 CAER Board of Directors Meeting
H	Projected Service and Supply Allocations
I	Allocation of CWS Component – HMBP Program Fee
J	Allocation of IR Component – 500,000 Pounds or more
K	Allocation of IR Component – Less than 500,000 Pounds
L	Hazardous Materials Business Plan Program Fee Allocations
M	Department of Toxic Substances Control Fee Summary – Effective January 1, 2012
N	Hazardous Waste Generator Program Fee Allocations
O	CalARP Relative Risk Determination Methodology
P	CalARP Program Fee Calculations
Q	Underground Storage Tank Projected Fee Revenue
R	Aboveground Petroleum Storage Act Program

CONTRA COSTA COUNTY CERTIFIED UNIFIED PROGRAM AGENCY

Proposed Fee Schedule Effective May 22, 2012 and Comparison to April 12, 2011 Fees

The following is the proposed schedule of fees applicable to programs administered by the Contra Costa Certified Unified Program Agency ("CUPA"). Fees to fund the reasonable and necessary costs incurred by the Contra Costa County CUPA are authorized by California Health & Safety Code section 25404.5 and Section 15210 of Title 27 of the California Code of Regulations. Upon approval by the Board of Supervisors, the proposed fees would apply to all CUPA invoices issued on or after the Effective Date.

Hazardous Materials Business Plan Program

Annual Permit Fees

<u>Projected Inventory (Lbs. Of Material)</u>	<u># Employees</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Less than 1,000	N/A	\$226	\$254
1,000 or more but less than 10,000	0 to 19	\$314	\$353
10,000 or more but less than 100,000	0 to 19	\$702	\$758
100,000 or more but less than 250,000	0 to 19	\$1,005	\$1,076
250,000 or more but less than 500,000	0 to 19	\$2,055	\$2,065
1,000 or more but less than 10,000	20 or more	\$899	\$991
10,000 or more but less than 100,000	20 or more	\$1,218	\$1,344
100,000 or more but less than 250,000	20 or more	\$2,481	\$2,734
250,000 or more but less than 500,000	20 or more	\$4,571	\$4,979
500,000 or more but less than 2.5 million	N/A	\$11,547	\$11,171
2.5 million or more but less than 10 million	N/A	\$20,179	\$18,721
10 million or more but less than 100 million	N/A	\$34,922	\$31,688
100 million or more but less than 1 billion	N/A	\$67,834	\$58,029
1 billion or more but less than 5 billion	N/A	\$114,121	\$108,056
5 billion or more	N/A	N/A	N/A

Other

All oil refineries and class 1 off-site hazardous waste disposal sites	N/A	\$151,523	\$123,342
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Miscellaneous Service Fees

	<u>Current Fee</u>	<u>Proposed Fee</u>
Unstaffed Remote Facilities		
• Exemption Application Review (Per unstaffed remote facility)	\$268	\$257

Hazardous Waste Generator Program

Annual Permit Fees

<u>Hazardous Waste Generated</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Less than 5 tons/year	\$520	\$485
5 or more tons, but less than 12 tons/year	\$730	\$658
12 or more tons, but less than 25 tons/year	\$1,120	\$986
25 or more tons, but less than 50 tons/year	\$1,763	\$1,516
50 or more tons, but less than 250 tons/year	\$4,034	\$3,188
250 or more tons, but less than 500 tons/year	\$12,803	\$10,559
500 or more tons, but less than 1,000 tons/year	\$20,773	\$16,517
1,000 or more tons, but less than 2,000 tons/year	\$35,103	\$26,897
2,000 or more tons/year	\$78,575	\$57,409
<u>Onsite Treatment</u>		
• Permit By Rule (Fixed Units)	\$3,222	\$3,068
• Conditional Authorization	\$3,222	\$3,068
• Conditional Exemption	\$644	\$614

Underground Storage Tank Program

<u>Underground Storage Tank Annual Permit</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Single tank of 1,000 gallons or less used solely in connection with the occupancy of a residence	\$596	\$480
First tank of 50,000 gallons or less	\$298*	\$480*
Basic fee for tank of 50,000 gallons or less	\$1,043	\$720
Each tank of 50,000 gallons or more	\$1,788	\$1,788

* In addition to the basic fee, a surcharge of \$480 is applicable to the tank at each site that has the earliest installation date.

Underground Storage Tank Miscellaneous Inspections & Other Services

	<u>Current Fee</u>	<u>Proposed Fee</u>
Permit Amendment or Transfer	\$268	\$257
Tank or Piping Modification or Repair Plan Review and Inspection		
• Base Fee	\$938	\$938
• Each additional hour or fraction thereof of staff time beyond 3.5 hours	\$268	\$257

Tank Lining Upgrade Plan Review and Inspection

• First tank	\$2,814	\$2,698
• Each additional tank	\$402	\$385
• Each additional hour or fraction thereof of staff time beyond 10.5 hours	\$268	\$257

Tank Installation Plan Review and Inspection

• New tank facility, first tank	\$4,958	\$4,753
• New tank facility, each additional tank	\$536	\$514

Tank and Piping Removal Plan Review and Inspection

• First tank	\$1,876	\$1,798
• Each additional tank	\$402	\$385

Field Installed Cathodic Protection Plan Review and Inspection

\$1,340	\$1,285
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Tank Lining Inspection

• First tank	\$1,876	\$1,798
• Each additional tank	\$268	\$257

Piping, Under Dispenser Container and Sump Upgrade Plan Review and Inspection

• First tank	\$3,350	\$3,211
• Each additional tank	\$402	\$385

Under Dispenser Container or Sump Repair (Without Piping) Inspection

(Single Sump or Single Under Dispenser Container Repair)

\$938	\$899
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Phase I EVR Upgrade Plan Review and Inspection

(Upgrade includes installation of Spill Containers)

\$670	\$642
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Existing Under Dispenser Container Replacement Plan Review and Inspection

(Includes Soil Sampling)

\$938	\$899
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Temporary Closure Plan Review and Inspection

• First tank	\$804	\$771
• Each additional tank	\$134	\$128

Monitoring System Change Plan Review and Inspection

\$1,072	\$1,028
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Cold Start of Monitoring Panel Inspection

\$804	\$771
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Penalty

\$500/tank

\$500/tank

The following penalty shall be applied and collectible from parties responsible for the following action, in addition to any penalties that may be imposed under any other underground tank regulation:

Failure to file and report a change in ownership or operator of an underground tank.

California Accidental Release Prevention (CalARP) Program

Annual Permit

Fees applicable to stationary sources will be determined according to the following formula:

Fee	=	(TC/TRF) x RF
TC	=	Total cost of the County's CalARP program
TRF	=	"Total Risk Factor," or the sum of the Stationary Source Modified Chemical Exposure Indexes (SSMCEI) of all stationary sources in the County
RF	=	"Risk Factor," or a stationary source SSMCEI

The TRF for the County and RF of a stationary source (SSMCEI) shall be determined pursuant to the Contra Costa County Health Services Department's California Accidental Release Prevention Program Relative Risk Determination Methodology, attached hereto as Exhibit A and incorporated herein by this reference.

Stationary Source Exemption & Other Fees

	<u>Current Fee</u>	<u>Proposed Fee</u>
Exemption Application Review (Per regulated substance per process)	\$705	\$754
Exemption Application Review (Per warehouse where regulated substances are stored, if source does not handle any regulated substance in a process)	\$705	\$754
Exemption Review Annual Fee (Assessed on all stationary sources that handle regulated substances on site but are exempt from preparing a Risk Management Plan)	\$70	\$75
Reduced Fee for Multiple Stationary Sources		
• First stationary source	Full fee	Full fee
• Each additional substantially identical stationary source	\$10% of full fee	10% of full fee

Aboveground Petroleum Storage Act Program

Annual Permit Fees

<u>Tank Facility Description</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Facility with storage capacity of 1,320 or more gallons but less than 10,000 gallons	\$633	\$536
Facility with storage capacity of 10,000 or more gallons but less than 100,000 gallons	\$1,425	\$1,206
Facility with storage capacity of 100,000 or more gallons but less than 1 million gallons	\$5,700	\$4,822
Facility with storage capacity of 1 million or more gallons but less than 10 million gallons	\$7,599	\$6,429
Facility with storage capacity of 10 million or more gallons but less than 100 million gallons	\$11,399	\$9,644
Facility with storage capacity of 100 million or more gallons	\$18,999	\$16,074

Miscellaneous CUPA Fees

	<u>Current Fee</u>	<u>Proposed Fee</u>
Incident Response Fee		
<ul style="list-style-type: none">Each hour or fraction thereof of time spent by a Hazardous Materials Specialist during regular business hours (Monday through Friday, 8 a.m. to 5 p.m.) in connection with the characterization or remediation of site contamination by the release of a hazardous substance, material or waste by a business regulated by the CUPA, if (1) the owner, operator or other responsible person in charge of the site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public health and safety and the environment.	\$268/hr.	\$257/hr.
<ul style="list-style-type: none">Each hour or fraction thereof of time spent by a CalARP Program Engineer during regular business hours (Monday through Friday, 8 a.m. to 5 p.m.) in connection with the characterization or remediation of site contamination by release of a hazardous substance, material or waste by a regulated business, including technical assistance to the IR Team and follow-up work associated with incident investigations, if (1) the owner, operator or other responsible person in charge of the site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public and safety and the environment.	\$141/hr.	\$151/hr.

Overtime Charges

- | | | |
|--|-----------|-----------|
| • Each hour or fraction thereof of time spent by a Hazardous Materials Specialist performing any service at the request of a regulated business on weekdays between 5 p.m. and 8 a.m., weekends or County holidays. | \$284/hr. | \$280/hr. |
| • Each hour or fraction thereof of time spent by a CalARP Engineer performing any service at the request of a regulated business on weekdays between 5 p.m. and 8 a.m., weekends or County holidays. | \$171/hr. | \$176/hr. |
| • Each hour or fraction thereof of time spent by a Hazardous Materials Specialist on weekdays between 5 p.m. and 8 a.m., weekends or County holidays in connection with the characterization or remediation of site contamination by release of a hazardous substance, material or waste, if (1) the owner, operator or other responsible person in charge of the site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public health and safety and the environment. | \$284/hr. | \$280/hr. |
| • Each hour or fraction thereof of time spent by a CalARP Program Engineer on weekdays between 5 p.m. and 8 a.m., weekends or County holidays in connection with the characterization or remediation of site contamination by release of a hazardous substance, material or waste, including technical assistance to the IR Team and follow-up work associated with incident investigations, if (1) the owner, operator or other responsible person in charge of the site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public health and safety and the environment. | \$171/hr. | \$176/hr. |

Re-Inspection Fee

Each hour or fraction thereof of time spent by a Hazardous Materials Specialist performing any inspection of a regulated facility regulated by the CUPA beyond the routine or initial inspection and one follow-up inspection.	\$268/hr.	\$257/hr.
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Audit Verification Fee

Each hour or fraction thereof of time spent by a CalARP Engineer following up on the compliance by a regulated business regulated with an audit action plan pertaining to the facility, if the business has not complied with more than 50 percent of the items on the action plan by the stated deadline.	\$141/hr.	\$151/hr.
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Community Warning System Fee

Each hour or fraction thereof of CWS use in response to a hazardous materials release by a regulated business that was not subject to the CWS component of the HMBP Program Fee on the Effective Date. Such use will be measured from system activation through the all-clear declaration.	\$135/hr.	\$101/hr.
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Initial Permit Processing Fee

For the processing of annual CUPA permits for regulated businesses that commence operations or change ownership	\$60	\$60
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during the permit period.

Other Fees

(Authority: Health & Saf. Code, § 101325)

	<u>Current Fee</u>	<u>Proposed Fee</u>
Incident Response		
<ul style="list-style-type: none">Each hour or fraction thereof of time spent by a Hazardous Materials Specialist during regular business hours (Monday through Friday, 8 a.m. to 5 p.m.) in connection with the characterization or remediation of site contamination by release of a hazardous substance, material or waste, if (1) the owner, operator or other responsible person in charge of the contaminated site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public health and safety and the environment. This fee does not apply to businesses regulated by the CUPA.	\$175/hr.	\$175/hr.
<ul style="list-style-type: none">Each hour or fraction thereof of time spent by a Hazardous Materials Specialist on weekdays between 5 p.m. and 8 a.m., weekends or County holidays in connection with the characterization or remediation of site contamination by release of a hazardous substance, material or waste, if (1) the owner, operator or other responsible person in charge of the site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public health and safety and the environment. This fee does not apply to businesses regulated by the CUPA.	\$199/hr.	\$199/hr.

5/22/12



Alan C. Lloyd, Ph.D.
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

RECEIVED

JAN 18 2007

Contra Costa Health
Hazardous Materials



Arnold Schwarzenegger
Governor

2005 DEC 21 PM 12:58

RECEIVED BY:
SANTA CLARA COUNTY
DEPT. OF ENV. HEALTH

December 19, 2005

Mr. Jim Blamey
Hazardous Materials Program Manager
Santa Clara County Environmental Health
1555 Berger Drive, Suite 300
San Jose, California 95112-2716

Dear Mr. Blamey:

The Department of Toxic Substances Control (Department) was recently contacted by your office regarding clarification of the roles of the Santa Clara County Environmental Health Program (CUPA) and the Department at facilities in your county which have been granted permits by the Department for the treatment, storage and/or disposal of hazardous waste (TSDFs). Specifically, the CUPA has asked for clarification of its roles, responsibilities and authorities at these facilities.

The Department, as part of its authorization to implement the Federal Resource Conservation and Recovery Act (RCRA), is required to conduct inspections of TSDFs, to ensure compliance with regulations and permit conditions at all permitted units as well as any other federally regulated generator-related activities. Additionally, California statute grants the Department the authority to regulate all non-RCRA related hazardous wastes and related activities. The CUPA, under its authorities granted by California Health and Safety Code, section 25404 is required to conduct inspections at all hazardous waste generators to ensure compliance with all applicable California statutes and regulations, which contain all RCRA regulations adopted by the Department as part of its authorization to implement RCRA.

In instances where a TSDF has a RCRA permitted unit or units, and generates hazardous waste, there is an overlap in authorities and responsibilities with respect to the non-permitted waste activities. This overlap does not diminish or otherwise curtail the authorities granted to either agency. CUPAs continue to be authorized to inspect, enforce, permit (under a Unified Permit Agency Permit), and assess fees at these facilities for all generator-related activities under authorities granted by the above mentioned Health and Safety Code section.

In those instances where the Department is planning to conduct a routine RCRA inspection, the Department and the CUPA should confer prior to conducting the inspection to clarify roles and responsibilities during the inspection. The Department will contact the CUPA prior to conducting the inspection, as a courtesy, to invite CUPA staff

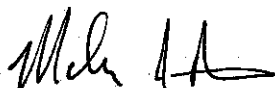
Mr. Jim Blamey
December 19, 2005
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to come along with the Department's inspector during the inspection. Please be aware that in these instances, the Department views the role of the CUPA inspector as an observer, and asks that the CUPA refrain from independently conducting its own compliance inspection. Routine compliance inspections by the Department are not intended to be joint or multi-media inspections unless specifically noted. The Department, may, at its discretion, defer the citation, follow-up and appropriate enforcement of generator related violations found during a routine RCRA compliance inspection to the CUPA at the time of the inspection.

Please be aware that while this letter specifically addresses the roles and responsibilities of the Department and CUPAs at RCRA permitted facilities, with the exception of the authorizing law, the same provisions, expectations, and roles apply at facilities which are granted a California "Standardized Permit" for the treatment, storage or disposal of offsite wastes not regulated under RCRA.

Thank you for your inquiry. Should you have any further questions regarding the roles or responsibilities of either the Department or the CUPA, please feel free to contact me at (510) 540-3851 or mpierce@dtsc.ca.gov.

Sincerely,



Mickey J. Pierce
Sr. Hazardous Substances Scientist
State Oversight and Enforcement Branch
Department of Toxic Substances Control

Cc: Kim Wilhelm, Chief
Statewide Compliance Division
Department of Toxic Substances Control
8800 Cal Center Drive, Suite 300
Sacramento, California 95826-3200

Charles A. McLaughlin, Chief
State Oversight and Enforcement Branch
Department of Toxic Substances Control
8800 Cal Center Drive, Suite 300
Sacramento, California 95826-3200

Mr. Jim Blamey
December 19, 2005
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Charlene Williams, Chief
Statewide Compliance Division
Northern California Branch
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710

Florence Gharibian, Chief
Statewide Compliance Division
Southern California Branch
Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, California 91201

Yvonne Sanchez, Chief
Statewide Compliance Division
Cypress/San Diego Offices
Department of Toxic Substances Control
5796 Corporate Avenue
Cypress, California 90630

Rich Vaille, Branch Chief
RCRA Enforcement Office (WST-3)
USEPA Region IX
75 Hawthorne St.
San Francisco, CA 94105

Contra Costa County Hazardous Materials Programs

presents

An Opportunity to Comment on Proposed Fees for the Certified Unified Programs

The Contra Costa County Hazardous Materials Programs has developed proposed fees for the Fiscal Year 2011-2012 and is asking for comments on the proposed fees. The comment period opened on March 20, 2012 and will close on April 19, 2012. There will be a public meeting on April 9, 2012, at 10:00 AM at the Hazardous Materials Programs Office at 4585 Pacheco Blvd., Suite 100, Martinez. Send any comments to the Hazardous Materials programs address shown below.

10:00 AM, Monday, April 9, 2012
Public Meeting to Comment on Proposed Fees
Contra Costa Hazardous Materials Programs
4585 Pacheco, Blvd., Suite 100, Martinez, CA

To find out more on the fee proposal, go to <http://cchealth.org/groups/hazmat/> or if you wish to receive a paper copy, please contact the Contra Costa County Hazardous Materials Programs and a paper copy will be mailed to you.



Contra Costa County Hazardous Materials Programs

4585 Pacheco Blvd.
Suite 100
Martinez, CA 94553

Phone (925) 335-3200
ccchazmat@hsd.cccounty.us

Exhibit C

PROJECTED REVENUES AND EXPENSES

The proposed fee schedule sets forth fees that will fund the costs associated with annual permits issued by the Contra Costa County CUPA to regulated businesses for operations in Fiscal Year 2011-2012. These fees are collected in a single fee system mandated by Health & Safety Code section 25404.5. The governing board of every CUPA is required to “establish the amount to be paid by each person regulated by the unified program under the single fee system at a level sufficient to pay the necessary and reasonable costs incurred by the certified unified program agency. . . .” (Health & Saf. Code, § 25404.5, subd. (a)(2)A.)

The proposed fees are based on projections of expenses and revenues.

Expense Projections

The first step in the fee-setting process is projecting expenses for the Contra Costa County CUPA as a whole and for each of the individual CUPA programs. The expenses of the CUPA include staff salaries and benefits, services and supplies and overhead. Staff salaries and benefits make up the bulk of the annual expenses of the CUPA and of each of the CUPA programs. Some expenses are attributable to specific programs. The salaries and benefits of inspectors of underground storage tanks, for example, would be attributed directly to the Underground Storage Tank Program. Other expenses, such as administrative compensation and County overhead, , apply CUPA-wide. Those expenses are applied to each program proportionately, based on the percentage derived by dividing the total of each program's regular hour salary and benefit expenses by the salary and benefits expenses attributable to regular hours worked in all of the programs combined.

CUPA permits to operate in Fiscal Year 2011-2012 pertain to multiple programs. Expenses on which the Fiscal Year 2011-2012 permit fees are based include expenses in two separate fiscal years. In the case of the Underground Storage Tank (UST), Aboveground Petroleum Storage Act (APSA) and California Accidental Release Prevention (CalARP) programs, and the Community Warning System component of the Hazardous Materials Business Plan (HMBP) Program, expenses incurred in Fiscal Year 2011-2012 are applicable. But as to the Hazardous Waste Generator (HWG) Program, and the balance of the HMBP Program, Fiscal Year 2010-2011 expenses are used to determine fees for the Fiscal Year 2011-2012 permits. This complex process requires a detailed analysis of expenses and revenues in all of these programs in both fiscal years.

If a fiscal year has not yet commenced, expenses are projected based on the past year's expenses, with adjustments made to reflect extraordinary expenses incurred in the previous year or anticipated in the upcoming year. Given the timing of this fee-setting process, however, projections of expenses in Fiscal Year 2011-2012 began with a tally of the actual expenses incurred in the first seven months of the fiscal year. These actual expenses were then used to project expenses for the remainder of the year. The total of the actual and projected expenses became the baseline expense projection for Fiscal Year 2011-2012.

Extraordinary expenses that occurred in the first seven months of Fiscal Year 2011-2012 and were not expected in the last five months of the year were subtracted from the baseline expense projection. Conversely, extraordinary expenses expected to occur in the last five months of Fiscal Year 2011-2012 were added to the baseline projection.

Projected expenses for Fiscal Year 2011-2012 are set forth below, as are the actual expenses in Fiscal Year 2010-2011 in all programs. For comparison, the actual expenses incurred in Fiscal Year 2009-2010 are also shown.

Projected CUPA Expenses Fiscal Year 2011-2012

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$2,135,122	\$1,309,941	\$714,977	\$ 886,869	\$327,430	\$5,374,339
Services and Supplies	\$1,751,899	\$ 199,849	\$104,036	\$ 135,304	\$ 49,954	\$2,241,042
Indirect Administration	\$ 155,901	\$ 126,888	\$ 66,055	\$ 85,907	\$ 31,717	\$ 466,468
County Overhead	\$ 36,465	\$ 29,680	\$ 15,451	\$ 20,094	\$ 7,419	\$ 109,109
Uncollected Fees/ Shortfalls	\$ 286,809	\$ 139,588	0	\$ 185,907	0	\$ 612,304
Total	\$4,366,196	\$1,805,946	\$900,519	\$1,314,081	\$416,520	\$8,803,262

CUPA Expenses Fiscal Year 2010-2011 (Actual)

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$2,232,344	\$1,322,961	\$728,017	\$ 815,135	\$286,583	\$5,385,040
Services and Supplies	\$1,457,782	\$ 223,556	\$123,021	\$ 137,743	\$ 48,427	\$1,990,529
Indirect Administration	\$ 167,209	\$ 126,719	\$ 69,733	\$ 78,077	\$ 27,450	\$ 469,188
County Overhead	\$ 60,441	\$ 45,806	\$ 25,207	\$ 28,223	\$ 9,922	\$ 169,599
Uncollected Fees/ Revenue Shortfalls	\$ 286,809	\$ 139,588	\$ 42,128	\$ 491,645	\$ 18,640	\$ 978,810
Total	\$4,204,585	\$1,858,630	\$988,106	\$1,550,823	\$391,022	\$8,993,166

CUPA Expenses Fiscal Year 2009-2010 (Actual)

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$2,146,246	\$1,307,507	\$ 714,685	\$ 873,238	\$290,693	\$5,332,369
Services and Supplies	\$1,791,385	\$ 385,685	\$ 210,817	\$ 256,700	\$ 85,750	\$2,730,337
Indirect Administration	\$ 155,959	\$ 122,105	\$ 66,743	\$ 81,270	\$ 27,147	\$ 453,224
County Overhead	\$ 22,571	\$ 17,671	\$ 9,659	\$ 11,761	\$ 3,929	\$ 65,591
Uncollected Fees/ Revenue Shortfalls	\$ 148,727	\$ 79,104	\$ 117,212	\$ 216,583	\$ 78,452	\$ 640,078
Total	\$4,264,888	\$1,912,072	\$1,119,116	\$1,439,552	\$485,971	\$9,221,599

Revenue Projections

After expenses for Fiscal Years 2010-2011 and 2011-2012 were determined, the next step was to look at revenues. As the annual permit fees for Fiscal Year 2011-2012 collect revenues to fund expenses incurred in two separate fiscal years, revenues to fund expenses in each program in Fiscal Year 2010-2011 and 2011-2012 were analyzed.

CUPA revenue sources include not only annual fees but also late payment penalties, fines, payments for incident response and grants. Annual fee payments are the primary revenue source. Revenues available for expenditure in a given fiscal year also include any fee carryovers from the previous fiscal year. Fee carryovers result when revenues exceed expenses.

Some revenues are collected on an intermittent basis. These include monies collected for underground storage tank plan checks and inspections after repairs or modifications. The same is true of revenues resulting from cost recovery for services provided by the hazardous material response team. Fines, late penalties and grants fall into the same category. For Fiscal Year 2011-2012, these revenues were projected based on the actual revenues collected in those categories in the first eight months of Fiscal Year 2011-2012, with adjustments to account for one-time revenues received in that time-period or anticipated in the last four months of the year. The total of these projected revenues were then compared to the projected total Fiscal Year 2011-2012 expenses in the UST, APSA and CalARP programs, and the Community Warning System component of the HMBP Program, to determine the remaining revenues needed in the form of annual fees to fund those expenses. Similarly, the actual intermittent revenues in Fiscal Year 2010-2011 were compared against expenses in the HWG Program and balance of the HMBP Program in Fiscal Year 2010-2011 to calculate the annual fee revenues needed to fund those expenses.

Annual fees are charged to each regulated business, with the total broken down by program on the annual invoice. The amount of the fee paid by a particular business depends on the type of programs applicable to that business, the number of regulated businesses within the jurisdiction of the County CUPA, and numerous other factors that include the size of the business, the amount of hazardous waste generated by that business the previous year, projected inventories of hazardous materials handled on site and tank capacities.

Actual and projected revenues for Fiscal Year 2010-2011 and Fiscal Year 2011-2012 for the CUPA as a whole and each CUPA program are set forth below. (It should be noted that, although revenues for the HWG and balance of the HMBP programs are not collected as part of the Fiscal Year 2011-2012 fee, preliminary projections have been calculated for those programs in that year as well. Updated projections will be done in the next fee setting process.) For comparison, the actual revenues collected in Fiscal Year 2009-2010 are also shown.

Projected Fiscal Year 2011-2012 Revenues

Description	HMBP Program	HWG Program	CalARP Program	UST Program	APSA Program	Total CUPA Programs
Misc. Permit Fees	0	0	0	\$ 90,114	0	\$ 90,114
Service Fees	\$ 91,444	\$ 139	\$ 101	\$ 132	\$ 49	\$ 91,865
Fines & Penalties	\$ 26,786	\$ 17,725	\$ 7,949	\$ 214,106	\$ 3,817	\$ 270,383
Intergovernment Revenue	\$ 8,875	\$ 5,169	\$ 3,760	\$ 4,890	\$ 1,805	\$ 24,499
Fee Carryovers/To FY 11-12	\$ 381,760	0	\$ 67,191	0	\$ 39,015	\$ 487,966
Required Fee Revenue/ For FY 11-12	\$3,857,331	\$1,782,913	\$821,518	\$1,004,839	\$371,834	\$7,838,435
Total Revenues	\$4,366,196	\$1,805,946	\$900,519	\$1,314,081	\$416,520	\$8,803,262

Projected Fiscal Year 2010-2011 Revenues

Description	HMBP Program	HWG Program	CalARP Program	UST Program	APSA Program	Total CUPA Programs
Misc. Permit Fees	0	0	0	\$ 111,729	0	\$ 111,729
Service Fees	\$ 92,078	\$ 491	\$ 270	\$ 302	\$ 106	\$ 93,247
Fines & Penalties	\$ 24,048	\$ 120,248	\$ 3,792	\$ 32,906	\$ 8,497	\$ 189,491
Intergovernment Revenue	\$ 150,000	0	0	0	0	\$ 150,000
Annual Permit Fees/ Collected For FY 10-11	\$1,185,435	0	\$1,051,235	\$1,219,979	\$421,434	\$3,878,083
Fee Carryovers/To FY 10-11	\$ 59,067	0	0	0	0	\$ 59,067
Required Fee Revenue/For FY 10-11	\$3,075,717	\$1,737,891	0	0	0	\$4,813,608
Borrowed Revenue/ From FY 11-12	0	0	0	\$ 185,907	0	\$ 185,907
Total Revenues	\$4,586,345	\$1,858,630	\$1,055,297	\$1,550,823	\$430,037	\$9,481,132

Fiscal Year 2009-2010 Revenues (Actual)

Description	HMBP Program	HWG Program	CalARP Program	UST Program	APSA Program	Total CUPA Programs
Misc. Permit Fees	0	0	0	\$ 93,264	0	\$ 93,264
Service Fees	\$ 41,388	0	0	0	0	\$ 41,388
Fines & Penalties	\$ 106,398	\$ 37,622	0	\$ 28,120	\$ 7,004	\$ 179,144
Intergovernment Revenue	\$ 181,564	0	0	0	\$ 19,175	\$ 200,739
Annual Permit Fees/ Collected For FY 09-10	\$3,270,525	\$1,734,862	\$1,076,988	\$ 826,523	\$441,152	\$7,350,050
Fee Carryovers/To FY 09-10	\$ 378,204	0	0	0	0	\$ 378,204
Borrowed Revenue/ From FY 10-11	\$ 286,809	\$ 139,588	\$ 42,128	\$ 491,645	\$ 18,640	\$ 978,810
Total Revenues	\$4,323,959	\$1,912,072	\$1,119,116	\$1,439,552	\$485,971	\$9,221,599

CONTRA COSTA COUNTY CERTIFIED UNIFIED PROGRAM AGENCY

Proposed Fee Schedule Effective _____, 2012

The following is the proposed schedule of fees applicable to programs administered by the Contra Costa Certified Unified Program Agency ("CUPA"). Fees to fund the reasonable and necessary costs incurred by the Contra Costa County CUPA are authorized by California Health & Safety Code section 25404.5 and Section 15210 of Title 27 of the California Code of Regulations. Upon approval by the Board of Supervisors, the proposed fees would apply to all CUPA invoices issued on or after the Effective Date.

Hazardous Materials Business Plan Program

Annual Permit Fees

<u>Projected Inventory (Lbs. Of Material)</u>	<u># Employees</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Less than 1,000	N/A	\$226	\$254
1,000 or more but less than 10,000	0 to 19	\$314	\$353
10,000 or more but less than 100,000	0 to 19	\$702	\$758
100,000 or more but less than 250,000	0 to 19	\$1,005	\$1,076
250,000 or more but less than 500,000	0 to 19	\$2,055	\$2,065
1,000 or more but less than 10,000	20 or more	\$899	\$991
10,000 or more but less than 100,000	20 or more	\$1,218	\$1,344
100,000 or more but less than 250,000	20 or more	\$2,481	\$2,734
250,000 or more but less than 500,000	20 or more	\$4,571	\$4,979
500,000 or more but less than 2.5 million	N/A	\$11,547	\$11,171
2.5 million or more but less than 10 million	N/A	\$20,179	\$18,721
10 million or more but less than 100 million	N/A	\$34,922	\$31,688
100 million or more but less than 1 billion	N/A	\$67,834	\$58,029
1 billion or more but less than 5 billion	N/A	\$114,121	\$108,056
5 billion or more	N/A	N/A	N/A

Other

All oil refineries and class 1 off-site hazardous waste disposal sites	N/A	\$151,523	\$123,342
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Miscellaneous Service Fees

		<u>Current Fee</u>	<u>Proposed Fee</u>
Unstaffed Remote Facilities			
• Exemption Application Review (Per unstaffed remote facility)	N/A	\$268	\$257
• Initial Notification of Inventory Change Review	N/A	N/A	\$257

Hazardous Waste Generator Program

Annual Permit Fees

<u>Hazardous Waste Generated</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Less than 5 tons/year	\$520	\$485
5 or more tons, but less than 12 tons/year	\$730	\$658
12 or more tons, but less than 25 tons/year	\$1,120	\$986
25 or more tons, but less than 50 tons/year	\$1,763	\$1,516
50 or more tons, but less than 250 tons/year	\$4,034	\$3,188
250 or more tons, but less than 500 tons/year	\$12,803	\$10,559
500 or more tons, but less than 1,000 tons/year	\$20,773	\$16,517
1,000 or more tons, but less than 2,000 tons/year	\$35,103	\$26,897
2,000 or more tons/year	\$78,575	\$57,409
<u>Onsite Treatment</u>		
• Permit By Rule (Fixed Units)	\$3,222	\$3,068
• Conditional Authorization	\$3,222	\$3,068
• Conditional Exemption	\$644	\$614

Underground Storage Tank Program

<u>Underground Storage Tank Annual Permit</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Single tank of 1,000 gallons or less used solely in connection with the occupancy of a residence	\$596	\$480
First tank of 50,000 gallons or less	\$298*	\$480*
Basic fee for tank of 50,000 gallons or less	\$1,043	\$720
Each tank of 50,000 gallons or more	\$1,788	\$1,788

* In addition to the basic fee, a surcharge of \$480 is applicable to the tank at each site that has the earliest installation date.

Underground Storage Tank Miscellaneous Inspections & Other Services

	<u>Current Fee</u>	<u>Proposed Fee</u>
Permit Amendment or Transfer	\$268	\$257
Tank or Piping Modification or Repair Plan Review and Inspection		
• Base Fee	\$938	\$938
• Each additional hour or fraction thereof of staff time beyond 3.5 hours	\$268	\$257

Tank Lining Upgrade Plan Review and Inspection

• First tank	\$2,814	\$2,698
• Each additional tank	\$402	\$385
• Each additional hour or fraction thereof of staff time beyond 10.5 hours	\$268	\$257

Tank Installation Plan Review and Inspection

• New tank facility, first tank	\$4,958	\$4,753
• New tank facility, each additional tank	\$536	\$514

Tank and Piping Removal Plan Review and Inspection

• First tank	\$1,876	\$1,798
• Each additional tank	\$402	\$385

Field Installed Cathodic Protection Plan Review and Inspection

\$1,340	\$1,285
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Tank Lining Inspection

• First tank	\$1,876	\$1,798
• Each additional tank	\$268	\$257

Piping, Under Dispenser Container and Sump Upgrade Plan Review and Inspection

• First tank	\$3,350	\$3,211
• Each additional tank	\$402	\$385

Under Dispenser Container or Sump Repair (Without Piping) Inspection

(Single Sump or Single Under Dispenser Container Repair)

\$938	\$899
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Phase I EVR Upgrade Plan Review and Inspection

(Upgrade includes installation of Spill Containers)

\$670	\$642
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Existing Under Dispenser Container Replacement Plan Review and Inspection

(Includes Soil Sampling)

\$938	\$899
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Temporary Closure Plan Review and Inspection

• First tank	\$804	\$771
• Each additional tank	\$134	\$128

Monitoring System Change Plan Review and Inspection

\$1,072	\$1,028
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Cold Start of Monitoring Panel Inspection

\$804	\$771
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Penalty

\$500/tank

\$500/tank

The following penalty shall be applied and collectible from parties responsible for the following action, in addition to any penalties that may be imposed under any other underground tank regulation:

Failure to file and report a change in ownership or operator of an underground tank.

California Accidental Release Prevention (CalARP) Program

Annual Permit

Fees applicable to stationary sources will be determined according to the following formula:

Fee	=	(TC/TRF) x RF
TC	=	Total cost of the County's CalARP program
TRF	=	"Total Risk Factor," or the sum of the Stationary Source Modified Chemical Exposure Indexes (SSMCEI) of all stationary sources in the County
RF	=	"Risk Factor," or a stationary source SSMCEI

The TRF for the County and RF of a stationary source (SSMCEI) shall be determined pursuant to the Contra Costa County Health Services Department's California Accidental Release Prevention Program Relative Risk Determination Methodology, attached hereto as Exhibit A and incorporated herein by this reference.

Stationary Source Exemption & Other Fees

	<u>Current Fee</u>	<u>Proposed Fee</u>
Exemption Application Review (Per regulated substance per process)	\$705	\$754
Exemption Application Review (Per warehouse where regulated substances are stored, if source does not handle any regulated substance in a process)	\$705	\$754
Exemption Review Annual Fee (Assessed on all stationary sources that handle regulated substances on site but are exempt from preparing a Risk Management Plan)	\$70	\$75
Reduced Fee for Multiple Stationary Sources		
• First stationary source	Full fee	Full fee
• Each additional substantially identical stationary source	\$10% of full fee	10% of full fee

Aboveground Petroleum Storage Act Program

Annual Permit Fees

<u>Tank Facility Description</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Facility with storage capacity of 1,320 or more gallons but less than 10,000 gallons	\$633	\$536
Facility with storage capacity of 10,000 or more gallons but less than 100,000 gallons	\$1,425	\$1,206
Facility with storage capacity of 100,000 or more gallons but less than 1 million gallons	\$5,700	\$4,822
Facility with storage capacity of 1 million or more gallons but less than 10 million gallons	\$7,599	\$6,429
Facility with storage capacity of 10 million or more gallons but less than 100 million gallons	\$11,399	\$9,644
Facility with storage capacity of 100 million or more gallons	\$18,999	\$16,074

Miscellaneous CUPA Fees

	<u>Current Fee</u>	<u>Proposed Fee</u>
Incident Response Fee		
<ul style="list-style-type: none"> Each hour or fraction thereof of time spent by a Hazardous Materials Specialist during regular business hours (Monday through Friday, 8 a.m. to 5 p.m.) in connection with the characterization or remediation of site contamination by the release of a hazardous substance, material or waste by a business regulated by the CUPA, if (1) the owner, operator or other responsible person in charge of the site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public health and safety and the environment. 	\$268/hr.	\$257/hr.
<ul style="list-style-type: none"> Each hour or fraction thereof of time spent by a CalARP Program Engineer during regular business hours (Monday through Friday, 8 a.m. to 5 p.m.) in connection with the characterization or remediation of site contamination by release of a hazardous substance, material or waste by a regulated business, including technical assistance to the IR Team and follow-up work associated with incident investigations, if (1) the owner, operator or other responsible person in charge of the site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public and safety and the environment. 	\$141/hr.	\$151/hr.

Overtime Charges

- | | | |
|---|-----------|-----------|
| • Each hour or fraction thereof of time spent by a Hazardous Materials Specialist performing any service at the request of a regulated business on weekdays between 5 p.m. and 8 a.m., weekends or County holidays. | \$284/hr. | \$324/hr. |
| • Each hour or fraction thereof of time spent by a CalARP Engineer performing any service at the request of a regulated business on weekdays between 5 p.m. and 8 a.m., weekends or County holidays. | \$171/hr. | \$176/hr. |

Re-Inspection Fee

Each hour or fraction thereof of time spent by a Hazardous Materials Specialist performing any inspection of a regulated facility regulated by the CUPA beyond the routine or initial inspection and one follow-up inspection.	\$268/hr.	\$257/hr.
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Audit Verification Fee

Each hour or fraction thereof of time spent by a CalARP Engineer following up on the compliance by a regulated business regulated with an audit action plan pertaining to the facility, if the business has not complied with more than 50 percent of the items on the action plan by the stated deadline.	\$141/hr.	\$151/hr.
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Community Warning System Fee

Each hour or fraction thereof of CWS use in response to a hazardous materials release by a regulated business that was not subject to the CWS component of the HMBP Program Fee on the Effective Date. Such use will be measured from system activation through the all-clear declaration.	\$135/hr.	\$101/hr.
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Initial Permit Processing Fee

For the processing of annual CUPA permits for regulated businesses that commence operations or change ownership during the permit period.	\$60	\$60
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Other Fees

(Authority: Health & Saf. Code, § 101325)

	<u>Current Fee</u>	<u>Proposed Fee</u>
Incident Response		
• Each hour or fraction thereof of time spent by a Hazardous Materials Specialist during regular business hours (Monday through Friday, 8 a.m. to 5 p.m.) in connection with the characterization or remediation of site contamination by release of a hazardous substance, material or waste, if (1) the owner, operator or other responsible person in charge of the contaminated site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public health and safety and the environment. This fee does not apply to businesses regulated by the CUPA.	\$175/hr.	\$177/hr.

- | | | |
|--|-----------|-----------|
| <ul style="list-style-type: none"> Each hour or fraction thereof of time spent by a Hazardous Materials Specialist on weekdays between 5 p.m. and 8 a.m., weekends or County holidays in connection with the characterization or remediation of site contamination by release of a hazardous substance, material or waste, if (1) the owner, operator or other responsible person in charge of the site, or an emergency services agency, requests assistance from the IR Team and (2) the Hazardous Materials Programs Director or his designee determines that an emergency response is necessary to protect the public health and safety and the environment. This fee does not apply to businesses regulated by the CUPA. | \$199/hr. | \$201/hr. |
|--|-----------|-----------|

3/20/12

Mr. R. Sawyer

April 16, 2012.

Chief of Hazardous Material,

RECEIVED

Contra Costa County

APR 18 2012

Contra Costa Health
Hazardous Materials

Dear Mr. Sawyer:

With reference to the meeting of April 9, 2012 regarding your report "Projected Revenues And Expenses", please be advised:

- a) In previous meeting in September 15, 2010 and after that in our letters to you and County's Supervisors, we have been suggested that as long as the code emphasizes in fairness of fees, the "Volume" needs to be considered as base for calculation rather than "Capacity".
- b) Previously we have provided you and the Supervisors, documents from several counties of Northern California showing that their fees are between one- fifth to one-third of Contra Costa. This shows this County is doing something more than the others because there are several refineries and other gigantic businesses in the area. This requires more staff and services which need the fees directly being paid by them or if you want to do a favor to them it needs to be paid through General Fund. And definitely should not be imposed to small businesses like us.
- c) The report has played with some numbers and again has given more bonus to major producer of hazardous material and totally overlooked "Reasonable and Fairly Allocation" of fees.

Considering the foregoing and other suggestions from other businesses in recent meeting we demand a thorough revision of the report.

S.H. Zomorodi

Shahnam Zomorodi

Danville Valero

A. Moheb

Ahmad Moheb

HP Gasoline

San Pablo

Cc: Board of Supervisors

Kevin Fitzgerald
Economy Auto Painting & Bodywork
1825 West 10th Street
Antioch, CA 94509

March, 27th 2012

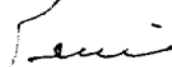
Subject: Proposed Fees

Contra Costa County Hazardous Materials Programs
4585 Pacheco Blvd.
Martinez, CA 94553

To Whom It May Concern:

As a small business owner "struggling to make ends meet," I am apposed to any new fees or any new fee increases. Small businesses are over regulated. We pay an excessive amount in fees to the federal government, state, county, and at the local level. These fees are in part the reason California is loosing business due to closures and those who choose to no longer do business in the state of California. Please no new fees!

Sincerely,



Kevin Fitzgerald
Tapped Out!

RECEIVED

MAR 28 2012

Contra Costa Health
Hazardous Materials

#774232

RECEIVED

MAR 30 2012

Contra Costa Health
Hazardous Materials

R & M ENTERPRISE

1905 c Arnold Industrial Way

Concord, California 94520

March 28, 2012

Dear Contra Costa Heath Services,

We are a very small business in Concord, Ca. We have been here for over 30 years. With the hard times we have had in the last few years, It is becoming harder to survive in Concord with all the fee's you have mandated on us at this time.


First we do not understand the paper work ! The paper work is so hard to fill out. We are afraid we might put the wrong thing down , which would cause more stress in these times. Second , we do not generate large amounts of waste oil per year . You are mandating a fee of over \$ 700.00. Which most of us cannot afford.

I hope in the future you will take in consideration the small business. They have been the back bone of the community of Concord and the city has not over charged us with these fee's in these hard times. At this time every entity be it the County, or State have been hitting the small business with all kinds of Fee's.

All it takes is for one person to drive through Concord and see how many buildings are empty due to these times. The focus should be on How to bring Small business back to our City. Small Business have roots in the community. Large business are here today, gone tomorrow. Always looking for the better tax break.

Please make it fair for the small business owners. Not make us close our doors after being here for over 30 years.

Sincerely,


Rick Luther

Owner , operator

EXHIBIT D

RECEIVED

MAR 13 2012

Contra Costa Health
Hazardous Materials

3931 Rocky Point Drive
Antioch, CA 94509-6904
March 9, 2012

Contra Costa County Health Dept.
Hazardous Material Program
4585 Pacheco Blvd., Suite 100
Martinez, CA 94553

To Whom It May Concern:

I am writing on behalf of a small business owner, Van's Automotive, located at 729 Fulton Shipyard Road in Antioch, CA. I understand the cost of performing oil changes is going up and would cost him \$500 per year to do oil changes for customers. I am a regular customer of Van's Automotive and since 2006, have taken my automobiles there for servicing; i.e. 1990 Acura Legend, 1993 Honda Civic, 2004 Honda Civic, 2006 Toyota Camry and 2010 Toyota Corolla. I depend on him to take care of all my cars and he has done regular (every 5,000 miles) oil changes for me and has done maintenance such as the replacement of timing belts, clutch, A/C compressor, C/V boots, struts/shocks, brakes, motor mount, etc. I cannot afford to have my cars serviced by dealerships, their prices are just too high. Also, Van allows me to bring in my own synthetic oil and filter and he replaces them for me for a nominal fee. That isn't allowed at any other auto maintenance facility unless I pay full price.

It is difficult for the small business owner to compete with the large companies since the small business does not do the volume of a large business, who buys in bulk and keeps their costs down. Think of WalMart and all the small businesses that closed because they couldn't keep their costs down as low. When it comes to oil changes, a small business like Van's Automotive also competes with all the oil change businesses out there and there are many. I believe most of his customers trust the quality of his work and bring their vehicles to him because of the low prices he charges. It would be terrible if the same people who have him change the oil in their cars now begin doing it themselves at home and possibly contaminate the environment. I hope you will reconsider charging Van's Automotive the \$500 per year just for changing the oil in people's cars.

Sincerely,



Michelle Azimi

CUPA Fee Proposal Public Meeting Comments and Questions

Questions:

- Can fees be based on volume rather than capacity?
- What are the specific inspection activities by the inspectors?
- How do you determine if the fees are reasonable and necessary and are fairly allocated?

Comments:

- Consider alternate fee schedule for businesses with multiple sites
- Send out reminder for the Board of Supervisors Meeting using e-mail
- Provide expenses for last seven years
- Consider fees based on incidents or risk
- Identify businesses not in program that should be in the program

Responses to Comments Submitted on Proposed Fee Schedule for Fiscal Year 2011-2012

Contra Costa Certified Unified Program Agency

The following summarizes written comments received on the proposed Contra Costa County Certified Unified Program Agency ("CUPA") Proposed Fee Schedule for Fiscal Year 2011-2012 during the public comment period ending April 19, 2012.

Comment #1:

Can fees be based on volume rather than capacity?

Response to Comment #1:

The Hazardous Materials Business Plan (HMBP) Program requires businesses to report their inventories of hazardous materials, establish an emergency response plan, and train their employees on that plan. The fee calculated for this program is based on the maximum projected inventory at a business, which is not necessarily the capacity of the storage and equipment at a business.

The Aboveground Petroleum Storage Act (APSA) Program requires a tank facility¹ to develop a Spill Prevention Containment and Countermeasure (SPCC) plan per U.S. EPA requirements and that the tank facility implements their SPCC plan. This program is to ensure the safe storage of petroleum products and to protect the waters of the State. The requirements of SPCC plan are based on the total capacities of the facility and are independent of the volume of products that are contained in the aboveground containers or the throughput of the hazardous materials through the containers. The fee for this program is based on the total capacity of the tanks, equipment, and piping that store petroleum at a facility.

The Hazardous Waste Generation (HWG) Program fee is based on the total tons of hazardous waste that were generated in the reporting year.

The Underground Storage Tank (UST) Program is based on the number of tanks at a facility.

Comment #2:

What are the specific inspection activities by the inspectors?

¹ Health and Safety Code section 25270.2 (m) "Tank facility" means any one, or combination of, aboveground storage tanks, including any piping that is integral to the tank, that contains petroleum and that is used by a single business entity at a single location or site.

Response to Comment #2:

The type of inspection activity depends on the program inspection that is being done and on the facility that is being inspected. In general, the activities that are related to an inspection are reviewing the business file prior to inspection, travel time to do the inspection, the on-site inspection, the filing of information and documentation from the inspection, and any follow-up actions required from the inspection. Another inspection activity includes any enforcement actions that are taken against a company. The inspection may include performing research on possible violations at a facility to determine if it is or is not a violation.

The State Water Resources and Water Quality Control Board has issued a 71 page guidance document on performing underground storage tanks inspections. The guidance document includes 75 items to review as part of the inspections and an inspection check list.

Comment #3:

How do you determine if the fees are reasonable and necessary and are fairly allocated?

Response to Comment #3:

The Hazardous Materials Programs staff has prepared a report to determine the appropriate fees to charge each business for each program that business is subject to. The *“Staff Report on the Determination and Apportionment of CUPA Fees”* report can be found at the following website: <http://cchealth.org/groups/hazmat/> or be requested from the Hazardous Materials Programs by calling (925) 335-3200. This report is the result of in-depth reviews of all of the activities that are done within each program and determines the costs to perform all of these activities. The costs include the salaries and benefits to perform these activities, the direct administration costs that are associated with these activities, the service and supplies costs for the Certified Unified Program Agency (CUPA) programs, the indirect administration costs, the County overhead costs, and any shortages or uncollected fees for each of the programs. All of these costs are reasonable and necessary to operate the CUPA programs in Contra Costa County.

Next the staff determines the amount of revenue that is collected for each of the programs. Revenue streams include penalties from enforcement and late payments and late filings, intergovernment revenue, payments for services that are provided, permit fees outside of the CUPA permit fees, and the CUPA permit fee. If there are any surplus revenues from the previous year, these revenues are also included.

The individual CUPA permit fee that is invoiced for each of the programs is based on the benefit that the CUPA provides or the burden that is presented on the CUPA. The individual fees are determined by a specific method for each of the different programs.

Comment #4:

Consider alternate fee schedule for businesses with multiple sites.

Response to Comment #4:

If a company owns multiple business sites, the costs that are associated with each individual business site are the same as the costs that are associated with a business that has only one business site. Since the costs are the same, the CUPA Program fee that is necessary to recover these costs is the same.

Comment #5:

Send out an e-mail reminder to all of the businesses attending the public meeting letting them know the date of the Board of Supervisors Meeting regarding the CUPA fee resolution.

Response to Comment #5

On May 4, 2012 an e-mail was sent out to all of the businesses that attended the public meeting and left their e-mail address to inform the date of the Board of Supervisors Meeting and when the CUPA fees were to be discussed before the Internal Operations Committee.

Comment #6:

Consider fees based on incidents or risk.

Response to Comment #6:

Please see the Response to Comment #2, above. The method that is used to determine the fees are based on the potential risk. The HMBP Program fee is based on the inventory of hazardous materials that are handled at a business. The greater the quantity of a hazardous material inventory, the greater potential risk of handling that hazard material. The incident release component of the HMBP is based on the number of incidents that have occurred in the different fee categories. The facilities that handle over 500,000 pounds of hazardous materials pay for 60% of this cost. The Community Warning System (CWS) component of the HMBP Program is based on the past use and need for the CWS. Only facilities that handle over 500,000 pounds of hazardous materials pay for these costs.

The HWG Program fee is based on the amount of hazardous waste that is generated. With a greater amount of hazardous waste that is generated, there is a greater potential that harm may occur to the environment. A greater potential of harm to the environment increases the potential risk from a facility.

The UST Program fee is based on the number of tanks that are at a facility. The number of tanks is directly related to the risk of a release or spill. The greater the number of tanks there is a greater risk of a release or a spill. The APSA Program fee is based on the storage capacity of petroleum products. An increase of petroleum products being handled increases the potential impact of a release. The greater potential impact of a release increases the potential risk of the release.

The CalARP Program fee is directly based on the potential impact of a release. The CalARP Program uses a modified version of Dow's Chemical Exposure Index. The factors to determine the potential risk for facilities that are subject to the CalARP Program include the toxicity or flammability of the hazardous material, the quantity of the hazardous material stored in the largest single container, the distance that container is from the community, the volatility of that chemical, the complexity of the facility handling the chemical, and the accident history of that facility.

Comment #7:

Identify businesses not in the program that should be in the program.

Response to Comment #7:

Each year Hazardous Materials programs staff search for businesses that handle hazardous material and generate hazardous waste. We have been successful in finding businesses that are regulated under one or more of the CUPA programs but we know there are other businesses that should be complying with the requirements of one or more of the CUPA programs.

The Hazardous Materials Programs staff has worked with the cities in Contra Costa County to obtain copies of business applications for facilities that handle hazardous materials. This is an excellent means to identify when a new facility is opening up for business and we can follow up with that facility to let them know what the reporting requirements and regulations are when they handle hazardous materials. The Hazardous Materials Programs staff also reviews hazardous waste manifests on the Department of Toxic Substance Control website to find businesses that have generated hazardous waste. Staff will then follow up with these businesses to determine if these businesses are regulated under the Hazardous Waste Generator Program. This is only two of the different methods that staff used to find businesses that are subject to the hazardous materials laws.

The Hazardous Materials Programs staff have also followed up on complaints that a business is operating without a CUPA permit. Anyone who is aware of a business operating without a CUPA permit should please contact the Hazardous Materials Programs and we will follow up with that business.

Comment #8:

Several Counties of Northern California have fees that are one-fifth to one-third of Contra Costa County fees. This shows this County is doing something more than the others because there are several refineries and other gigantic businesses in the area. This requires more staff and services which need the fee directly being paid by them or if you want to do a favor to them it needs to be paid through General Fund. And definitely should not be imposed to small businesses like us.

Response to Comment #8:

Below is a table showing the high and low fees that are charged by different CUPAs in the Bay Area. The Contra Costa County CUPA fees for the smaller facilities are generally comparable to the same fees that are charged by other agencies. Contra Costa County CUPA fees for the larger facilities are generally higher than other agencies. Contra Costa County has facilities that handle more hazardous materials, generate more hazardous waste, and have more aboveground storage tanks than other Bay Area agencies. Contra Costa County's CUPA also has services that are not provided by other Bay Area CUPAs, such as a Hazardous Materials Response Team and the Community Warning System. These programs are paid for by the Hazardous Materials Business Plan Program and that is why the fee for this program is higher than any other Bay Area agency. This comparison shows that the larger facilities tend to have higher CUPA fees in Contra Costa County while the smaller facilities' CUPA fees in Contra Costa County are comparable to other Bay Area agencies' CUPA fees.

CUPA Fee Comparison

Agency	HMBP Fees	HWG Fees	UST Fees	APSA Fees
Contra Costa County	\$254 - \$123,342	\$485 - \$57,409	\$1,200 - \$3,360	\$536 - \$16,074
San Mateo County	\$358 - \$3,172	\$896 - \$39,583	\$839 - \$1,451	\$206 - \$566
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Solano County	\$444 - \$3,287	\$444 - \$3,287	\$726 - \$1,545	\$292 - \$1,314
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Sonoma County	\$529 - \$1,235	\$204 - \$5,875	\$1,100 - \$2,900	\$190 - \$760

* There is an additional charge of \$152 for each additional six chemicals that are handled at a facility

Comment #9:

The report has played with some numbers and again has given more bonus to major producer of hazardous material and totally overlooked “Reasonable and Fairly Allocation” of fees.

Response to Comment #9:

The “*Staff Report on the Determination and Apportionment of CUPA Fees*” goes through all of the CUPA programs and determines the costs for these programs. When the costs are determined, the report looks at all of the revenue streams to determine what the CUPA Permit fee should be to cover the costs that are not already covered by other revenues. The report goes on and describes how each of the different components of the different fees is calculated. All of the costs are reasonable and necessary to address the requirements of the different programs. The fees to pay for these costs are fairly allocated based on the benefit that the CUPA provides to the business or the burden that the business places on the CUPA.

Comment #10:

Volume needs to be considered as base for calculation rather than capacity.

Response to Comment #10:

See Response to Comment #1

Comment #11:

As a small business owner “struggling to make ends meet,” I am opposed to any new fees or any new fee increases. Small businesses are over regulated. We pay an excessive amount in fees to federal government, state, county, and at the local level. These fees are in part the reason California is losing business due to closures and those who choose to no longer to do business in the state of California. Please no new fees!

Response to Comment #11:

The Hazardous Materials Programs staff recognizes that these are very hard economic times for many businesses. The fee for the Hazardous Waste Generator Program is not a new fee but a fee that has been in place for over twenty years. The fee proposal will, if approved by the Board of Supervisors, will lower the smallest Hazardous Waste Generator fee category by \$35

Comment #12:

We are a very small business in Concord, CA. We have been here for over 30 years. With the hard times we have had in the last few years, it is becoming harder to survive in Concord with all the fees you have mandated on us at this time.

Response to Comment #12:

See response to comment #11

Comment #13:

We do not understand the paper work! The paper work is so hard to fill out. We are afraid we might put the wrong thing down, which would cause more stress in these times.

Response to Comment #13:

Hazardous Materials staff has workshops annually to assist businesses in filling out their forms and will work with businesses individually in completing their forms.

The Hazardous Materials Programs and CalEPA are in the process of transitioning from paper submittals to electronic submittals. The electronic submittals are expected to assist business in their submittals, especially if there are no or few changes from the previous year. The Hazardous Materials Programs are expecting to have their new electronic data management system on line by the end of this year.

Comment #14:

We do not generate large amounts of waste oil per year. You are mandating a fee of over \$700, which most of us cannot afford.

Response to Comment #14:

After reviewing your files, it looks as if you will only be subject to the Hazardous Waste Generator Program. Last year you were also in the Hazardous Materials Business Plan Program. With the propose fee schedule, your bill this year will be \$485 plus the State surcharge of \$49, instead of the \$700 you were bill last year.

Comment #15:

I am a regular customer of Van's Automotive and since 2006, have taken my automobiles there for servicing. I understand the cost of performing oil changes is going up and would cost him \$500 per year to do oil changes for customers.

Response to Comment #15:

The Hazardous Waste Generator Program fee is based on the amount of hazardous waste that is generated at a business during a calendar year. Van's Automotive generates waste oil and other solvents that are disposed of as part of doing an automotive repair business. The proposed fee for the Hazardous Waste Generator Program for the smallest hazardous waste generators, if approved by the Board of Supervisors, will decrease this year by \$35.

Comment #16:

It is difficult for the small business owner to compete with the large companies since the small business does not do the volume of a large business, which buys in bulk and keeps their costs down.

Response to Comment #16:

The Hazardous Materials Programs staff realizes that these are very difficult economic times and that many large businesses do have some advantages over small businesses

based on the volume of business. Most of the large businesses CUPA Permit fees, depending on the amount of hazardous waste, will be greater than the amount paid for by the small businesses.

Comment #17:

Provide expenses since 2005

Response to Comment #17:

See the tables below showing the expenses each fiscal year starting with Fiscal Year 2005-2006. Please note that how expenses are determined for the Hazardous Materials Programs have changed since Fiscal Year 2008-2009.

CUPA Expenses Fiscal Year 2005-2006 (Actual)

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$1,934,727	\$975,007	\$530,581	\$800,725	\$0	\$4,241,040
Services and Supplies	\$1,703,057	\$123,424	\$113,576	\$86,560	\$0	\$2,026,435
Indirect Administration	\$230,266	\$116,043	\$63,148	\$95,300	\$0	\$504,757
County Overhead	\$41,143	\$20,734	\$11,283	\$17,028	\$0	\$90,188
Total	\$3,909,193	\$1,235,025	\$718,588	\$999,614	\$0	\$6,862,420

CUPA Expenses Fiscal Year 2006-2007 (Actual)

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$1,971,158	\$1,018,863	\$558,610	\$929,149	\$0	\$4,477,781
Services and Supplies	\$1,697,852	\$111,605	\$111,012	\$88,236	\$0	\$2,008,704

Indirect Administration	\$192,406	\$99,452	\$54,526	\$90,695	\$0	\$437,079
County Overhead	\$67,813	\$35,052	\$19,218	\$31,965	\$0	\$154,048
Total	\$3,918,529	\$1,259,440	\$740,334	\$1,135,001	\$0	\$7,077,613

CUPA Expenses Fiscal Year 2007-2008 (Actual)

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$2,067,184	\$1,002,439	\$560,953	\$940,496	\$0	\$4,571,073
Services and Supplies	\$1,858,232	\$162,875	\$109,483	\$92,109	\$0	\$2,222,698
Indirect Administration	\$199,450	\$96,719	\$54,123	\$90,743	\$0	\$441,034
County Overhead	\$57,758	\$28,008	\$15,673	\$26,278	\$0	\$127,717
Total	\$4,182,624	\$1,290,042	\$740,231	\$1,149,626	\$0	\$7,362,523

CUPA Expenses Fiscal Year 2008-2009 (Actual)

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$2,689,064	\$1,191,935	\$681,253	\$805,687	\$119,561	\$5,487,480
Services and Supplies	\$1,560,000	\$260,798	\$149,068	\$176,282	\$26,160	\$2,172,300
Indirect Administration	\$131,959	\$67,060	\$38,328	\$45,328	\$6,727	\$289,402
County Overhead	\$58,933	\$29,949	\$17,118	\$20,244	\$3,004	\$129,248
Uncollected Fees	\$79,840	\$19,923	0	0	0	\$99,763
Total	\$4,519,796	\$1,569,665	\$885,759	\$1,047,521	\$158,452	\$8,178,193

CUPA Expenses Fiscal Year 2009-2010 (Actual)

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$2,146,246	\$1,307,507	\$ 714,685	\$ 873,238	\$290,693	\$5,332,369
Services and Supplies	\$1,791,385	\$ 385,685	\$ 210,817	\$ 256,700	\$ 85,750	\$2,730,337
Indirect Administration	\$ 155,959	\$ 122,105	\$ 66,743	\$ 81,270	\$ 27,147	\$ 453,224
County Overhead	\$ 22,571	\$ 17,671	\$ 9,659	\$ 11,761	\$ 3,929	\$ 65,591
Uncollected Fees/ Revenue Shortfalls	\$ 148,727	\$ 79,104	\$ 117,212	\$ 216,583	\$ 78,452	\$ 640,078
Total	\$4,264,888	\$1,912,072	\$1,119,116	\$1,439,552	\$485,971	\$9,221,599

CUPA Expenses Fiscal Year 2010-2011 (Actual)

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$2,232,344	\$1,322,961	\$728,017	\$ 815,135	\$286,583	\$5,385,040
Services and Supplies	\$1,457,782	\$ 223,556	\$123,021	\$ 137,743	\$ 48,427	\$1,990,529
Indirect Administration	\$ 167,209	\$ 126,719	\$ 69,733	\$ 78,077	\$ 27,450	\$ 469,188
County Overhead	\$ 60,441	\$ 45,806	\$ 25,207	\$ 28,223	\$ 9,922	\$ 169,599
Uncollected Fees/ Revenue Shortfalls	\$ 286,809	\$ 139,588	\$ 42,128	\$ 491,645	\$ 18,640	\$ 978,810
Total	\$4,204,585	\$1,858,630	\$988,106	\$1,550,823	\$391,022	\$8,993,166

Projected CUPA Expenses Fiscal Year 2011-2012

Description	HMBP Program	HWG Program	Cal/ARP Program	UST Program	APSA Program	Total CUPA Programs
Salaries and Benefits	\$2,135,122	\$1,309,941	\$714,977	\$ 886,869	\$327,430	\$5,374,339
Services and Supplies	\$1,751,899	\$ 199,849	\$104,036	\$ 135,304	\$ 49,954	\$2,241,042
Indirect Administration	\$ 155,901	\$ 126,888	\$ 66,055	\$ 85,907	\$ 31,717	\$ 466,468
County Overhead	\$ 36,465	\$ 29,680	\$ 15,451	\$ 20,094	\$ 7,419	\$ 109,109
Uncollected Fees/ Shortfalls	\$ 286,809	\$ 139,588	0	\$ 185,907	0	\$ 612,304
Total	\$4,366,196	\$1,805,946	\$900,519	\$1,314,081	\$416,520	\$8,803,262

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

RANDALL L. SAWYER
CHIEF ENVIRONMENTAL HEALTH AND
HAZARDOUS MATERIALS OFFICER



HAZARDOUS MATERIALS PROGRAMS

4585 Pacheco Boulevard
Martinez, California
94553-2233
Ph (925) 335-3200
Fax (925) 646-2073

May 4, 2012

Ahmad Moheb
Mahan Enterprises HP Gasoline
2500 San Pablo Dam Road
San Pablo, CA 94806

Dear Mr. Moheb:

SUBJECT: Certified Unified Program Agency (CUPA) Fee Proposal

Thank you for your comments on the CUPA Fee Proposal. Please see the responses to your comments.

Comment #1:

Volume needs to be considered as base for calculation rather than capacity.

Response to Comment #1:

Some of the program fees are based on volume. Please see the explanation of how fees are determined below.

The HMBP Program requires businesses to report their inventories of hazardous materials, establish an emergency response plan, and train their employees on that plan. The fee calculated for this program is based on the maximum projected inventory at a business, which is not necessarily the capacity of the storage and equipment at a business.

The Aboveground Petroleum Storage Act (APSA) Program requires a tank facility to develop a Spill Prevention Containment and Countermeasure (SPCC) plan per U.S. EPA requirements and that the tank facility implements their SPCC plan. This program is to ensure the safe storage of petroleum products and to protect the waters of the State. The requirements of SPCC plan are based on the total capacities of the facility and are independent of the volume of products that are contained in the aboveground containers or the throughput of the hazardous materials through the containers. The fee for this program is based on the total capacity of the tanks, equipment, and piping that store petroleum at a facility.

The HWG Program fee is based on the total tons of hazardous waste that generated in the reporting year.

The UST Program is based on the number of tanks at a facility.



Comment #2:

Several Counties of Northern California have fees that are one-fifth to one-third of Contra Costa County fees. This shows this County is doing something more than the others because there are several refineries and other gigantic businesses in the area. This requires more staff and services which need the fee directly being paid by them or if you want to do a favor to them it needs to be paid through General Fund. And definitely should not be imposed to small businesses like us.

Response to Comment #2:

Below is a table showing the high and low fees for each CUPA program that are charged by different CUPAs in the Bay Area. The Contra Costa County CUPA fees for the smaller facilities are generally comparable to the same fees that are charged by other agencies. Contra Costa County CUPA fees for the larger facilities are generally higher than other agencies. Contra Costa County has facilities that handle more hazardous materials, generate more hazardous waste, and have more aboveground storage tanks than other Bay Area agencies. Contra Costa County's CUPA also has services that are not provided by other Bay Area CUPAs, such as a Hazardous Materials Response Team and the Community Warning System. These programs are paid for by the Hazardous Materials Business Plan Program and that is why the fee for this program is higher than any other Bay Area agency.

CUPA Fee Comparison

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* There is an additional charge of \$152 for each additional six chemicals that are handled at a facility

Comment #3:

The report has played with some numbers and again has given more bonus to major producer of hazardous material and totally overlooked "Reasonable and Fairly Allocation" of fees.

Response to Comment #3:

The "Staff Report on the Determination and Apportionment of CUPA Fees" goes through all of the CUPA programs and determines the costs for these programs. When the costs are determined, the report looks at all of the revenue streams to determine what the CUPA Permit fee should be to cover the costs that are not already covered by other revenues. The report goes on and describes how each of the different components of the different fees is calculated. All of the costs are reasonable and necessary to address the requirements of the different programs. The fees to pay for these costs are fairly allocated based on the benefit that the CUPA provides the business or the burden that the business places on the CUPA.

Please note that the staff's report and the proposed fees are scheduled to be heard at the Board of Supervisor's Internal Operations Committee meeting at 9:00 AM on May 14 at 651 Pine Street, Room 101, Martinez. The staff's report, fee resolution and the proposed fees are scheduled to be heard at the Board of Supervisor meeting at 9:30 AM on May 22 at 651 Pine Street, Room 107, Martinez.

Please contact me if you have any questions.

Sincerely,



Randall L. Sawyer
Chief Environmental Health and Hazardous Materials Officer

cc: Steve Morioka, Contra Costa Hazardous Materials Programs.

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

RANDALL L. SAWYER
CHIEF ENVIRONMENTAL HEALTH AND
HAZARDOUS MATERIALS OFFICER



HAZARDOUS MATERIALS PROGRAMS

4585 Pacheco Boulevard
Martinez, California
94553-2233
Ph (925) 335-3200
Fax (925) 646-2073

May 4, 2012

Shahnam Zomorrodi
Danville Valero
736 San Ramon Valley Blvd.
Danville, CA 94526

Dear Mr. Zomorrodi:

SUBJECT: Certified Unified Program Agency (CUPA) Fee Proposal

Thank you for your comments on the CUPA Fee Proposal. Please see the responses to your comments.

Comment #1:

Volume needs to be considered as base for calculation rather than capacity.

Response to Comment #1:

Some of the program fees are based on volume. Please see the explanation of how fees are determined below.

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Please note that the staff's report and the proposed fees are scheduled to be heard at the Board of Supervisor's Internal Operations Committee meeting at 9:00 AM on May 14 at 651 Pine Street, Room 101, Martinez. The staff's report, fee resolution and the proposed fees are scheduled to be heard at the Board of Supervisor meeting at 9:30 AM on May 22 at 651 Pine Street, Room 107, Martinez.

Please contact me if you have any questions.

Sincerely,



Randall L. Sawyer
Chief Environmental Health and Hazardous Materials Officer

cc: Steve Morioka, Contra Costa Hazardous Materials Programs.

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

RANDALL L. SAWYER
CHIEF ENVIRONMENTAL HEALTH AND
HAZARDOUS MATERIALS OFFICER



HAZARDOUS MATERIALS PROGRAMS

4585 Pacheco Boulevard
Martinez, California
94553-2233
Ph (925) 335-3200
Fax (925) 646-2073

May 4, 2012

Kevin Fitzgerald
Economy Auto Painting & Bodywork
1825 West 10th Street
Antioch, CA 94509

Dear Mr. Fitzgerald:

SUBJECT: Certified Unified Program Agency (CUPA) Fee Proposal

Thank you for your comments on the CUPA Fee Proposal. The Hazardous Materials Programs staff recognizes that these are very hard economic times for many businesses. The fee for the Hazardous Waste Generator Program is not a new fee but a fee that has been in place for over twenty years. The fee being proposed for the Hazardous Waste Generator Program for the lowest fee category will, if approved by the Board of Supervisors, lower the Hazardous Waste Generator fee that you will be subject to this year by \$35.

Please contact me if you have any questions.

Sincerely,



Randall L. Sawyer
Chief Environmental Health and Hazardous Materials Officer

cc: Steve Morioka, Contra Costa Hazardous Materials Programs.



WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

RANDALL L. SAWYER
CHIEF ENVIRONMENTAL HEALTH AND
HAZARDOUS MATERIALS OFFICER



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4585 Pacheco Boulevard
Martinez, California
94553-2233
Ph (925) 335-3200
Fax (925) 646-2073

May 4, 2012

Mr. Rick Luther
R&M Enterprise
1950c Arnold Industrial Way
Concord, CA 94520

Dear Mr. Luther:

SUBJECT: Certified Unified Program Agency (CUPA) Fee Proposal

Thank you for your comments on the CUPA Fee Proposal. The Hazardous Materials Programs staff recognizes that these are very hard economic times for many businesses. The fees do consider the size of a business in determining what a business is to pay. The Hazardous Materials Business Plan Program considers the number of employees at a business site and the Hazardous Waste Generator Program considers the amount of hazardous waste that is generated.

The Hazardous Materials Programs and CalEPA are in the process of transitioning from paper submittals to electronic submittals. The electronic submittals are expected to assist businesses in their submittals, especially if there are no or few changes from the previous year. The Hazardous Materials Programs are expecting to have their new electronic data management system on line by the end of this year. Hazardous Materials staff annually has workshops to assist businesses in filling out their forms and will work with businesses in completing their forms.

After reviewing your files, it looks as if your business will only be in the Hazardous Waste Generator Program where last year you were also in the Hazardous Materials Business Plan Program. With the proposed fee schedule, your bill this year will be \$485 plus the State surcharge of \$49, instead of over \$700 for last bill.

Please contact me if you have any questions.

Sincerely,

Randall L. Sawyer
Chief Environmental Health and Hazardous Materials Officer

cc: Steve Morioka, Contra Costa Hazardous Materials Programs



WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

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4585 Pacheco Boulevard
Martinez, California
94553-2233
Ph (925) 335-3200
Fax (925) 646-2073

May 4, 2012

Michelle Azimi
3931 Rocky Point Drive
Antioch, CA 94509-6904

Dear Ms. Azimi:

SUBJECT: Certified Unified Program Agency (CUPA) Fee Proposal

Thank you for your comments on the CUPA Fee Proposal. It sounds like you have had very good service from Van's Automotive over the years. The Hazardous Materials Programs staff realizes that these are very difficult economic times and that many large businesses do have some advantages over small businesses based on the volume of business.

The Hazardous Waste Generator Program fee is based on the amount of hazardous waste that is generated at a business during a calendar year. Van's Automotive generates waste oil and other solvents that are disposed of as part of doing an automotive repair business. The proposed fee for the Hazardous Waste Generator Program for the smallest hazardous waste generators, if approved by the Board of Supervisors, will decrease this year by \$35.

Please contact me if you have any questions.

Sincerely,

Randall L. Sawyer
Chief Environmental Health and Hazardous Materials Officer

cc: Steve Morioka, Contra Costa Hazardous Materials Programs



Service and Supply Allocations Fiscal Year 2010-2011

Description	CaIARP	HWG	HMBP ¹	CWS	IR Team	UST	APSA	Total CUPA
Office Expense	\$ 4,657	\$ 8,463	\$ 5,650	\$ 829	\$ 5,517	\$ 5,214	\$ 1,833	\$ 32,163
Books Periodicals Subscriptions	\$ 89	\$ 161	\$ 108	0	\$ 105	\$ 99	\$ 35	\$ 597
Communications ²	\$ 9,078	\$ 16,497	\$ 11,014	\$ 12,089	\$ 10,754	\$ 10,165	\$ 5,374	\$ 73,171
Telephone Exchange Service ³	\$ 970	\$ 1,761	\$ 1,176	\$ 1,195	\$ 1,148	\$ 1,085	\$ 381	\$ 7,716
Small Tools and Instruments	\$ 2,214	\$ 4,023	\$ 2,686	0	\$ 2,623	\$ 2,479	\$ 872	\$ 14,897
Minor Equipment	\$ 4,326	\$ 7,861	\$ 5,248	\$ 2,132	\$ 5,125	\$ 4,844	\$ 1,703	\$ 31,239
Medical & Lab Supplies	\$ 249	\$ 452	\$ 301	0	\$ 294	\$ 278	\$ 98	\$ 1,672
Food ⁴	\$ 20	\$ 37	\$ 24	0	\$ 24	\$ 23	\$ 7	\$ 135
Clothing & Personal Supplies	\$ 1,661	\$ 3,019	\$ 2,015	\$ 727	\$ 1,968	\$ 1,860	\$ 653	\$ 11,903
Publications and Legal Notices	\$ 472	\$ 858	\$ 573	0	\$ 560	\$ 529	\$ 186	\$ 3,178
Memberships	\$ 2,288	\$ 4,158	\$ 2,776	\$ 199	\$ 2,711	\$ 2,562	\$ 900	\$ 15,594
Rents & Lease - Equipment	\$ 1,259	\$ 2,288	\$ 1,528	0	\$ 1,492	\$ 1,410	\$ 496	\$ 8,473
Software Cost	0	0	0	\$ 8,197	0	0	0	\$ 8,197
Bldg Occupancy Costs	\$ 49,414	\$ 89,795	\$ 59,948	\$ 43,990	\$ 58,539	\$ 55,327	\$19,452	\$ 376,465
Maintenance - Equipment	\$ 1,755	\$ 3,189	\$ 2,129	\$482,399	\$ 2,079	\$ 1,965	\$ 691	\$ 494,207
Maint - Radio Electronic Equipment	\$ 1,434	\$ 2,606	\$ 1,740	\$ 266	\$ 1,699	\$ 1,606	\$ 565	\$ 9,916
Requested Maintenance	\$ 1,288	\$ 2,341	\$ 1,563	\$ 49,264	\$ 1,526	\$ 1,442	\$ 507	\$ 57,931
Auto Mileage	\$ 6,387	\$ 11,607	\$ 7,749	0	\$ 7,567	\$ 7,152	\$ 2,514	\$ 42,976
Other Travel	\$ 3,909	\$ 7,104	\$ 4,742	\$ 625	\$ 4,631	\$ 4,377	\$ 1,539	\$ 26,927
Prof/Spec Services	\$ 3,131	\$ 5,690	\$111,279	\$253,887	\$163,371	\$ 3,505	\$ 1,232	\$ 542,095

Exhibit F

Description	CaIARP	HWG	HMBP¹	CWS	IR Team	UST	APSA	Total CUPA
Contracted Temporary Services	\$ 475	\$ 862	\$ 576	0	\$ 562	\$ 531	\$ 187	\$ 3,193
Ed Supplies and Courses	\$ 928	\$ 1,687	\$ 1,127	0	\$ 1,100	\$ 1,039	\$ 366	\$ 6,247
Other Special Dept Expense	\$ 26,654	\$ 48,436	\$ 32,337	0	\$ 31,576	\$ 29,844	\$10,493	\$ 179,340
Misc Services & Supplies	\$ 5	\$ 10	\$ 6	\$ 584	\$ 6	\$ 6	\$ 3	\$ 620
Other Charges	\$ 358	\$ 651	\$ 435	0	\$ 424	\$ 401	\$ 140	\$ 2,409
Expenditure Transfers	0	0	0	\$ 6,359	\$ 32,909	0	0	\$ 39,268
Totals	\$123,021	\$223,556	\$256,730	\$862,742	\$338,310	\$137,743	\$48,427	\$1,990,529

¹ Service and Supplies expenses of the HMBP Program are shown allocated to the CWS, IR Team, and the remainder of the HMBP Program ("BP").

² Includes monthly charges for telephone, faxes, and pagers.

³ Allocation from the Department of Information Technology for County telephone exchange equipment.

⁴ Meals while on overtime and during travel

Contra Costa County CAER Group, Inc.
CAER Board of Directors Meeting
July 5, 2000

Board Members Present: Ron Banducci, Paul Craig, Bob Edwards, Bill Howell, Pete Jurichko, Bill Klein, Lew Pascalli, Dave Peck, Chief Keith Richter, Sheriff Warren Rupf, Leslie Stewart, Tony Semenza

Board Members Absent: Scott Anderson, Bob Campbell, Ric Bonner

Others Present: Kathleen Imhoff, Executive Director

1. **Introduction of New Members:** Self-introductions were made all around. New members were greeted warmly. Pete Jurichko advised that Ric Bonner, Tosco Avon, is the new Chairman of the Board for the year but that a new Vice Chair is not yet named and that new committee appointments need to be made. Pete Jurichko explained that the Executive Committee would be accepting nominations and that the Board at their August 2000 meeting could make decisions.
2. **Approval of the Minutes:** Noting the correction of Leslie Stewart's term, the June 7, 2000 Board meeting minutes were approved.
3. **Treasurer's Report:** The Treasurer's Report was delayed until Eric Brink can attend the meeting.
4. **CWS Project Update:**

Turnover—Ron Banducci reported about the latest meeting with the County. For the sake of the new Board members, Ron filled in the background of the project including the issues remaining before turnover:

- Security Analysis, due to be completed mid-July.
- Finalize the Maintenance Agreement with Hormann America (agreement completed—what options to include to be decided by County)
- Pam Reed and Lillian Fujii to finalize Transfer Agreement and related Exhibits
- Commander Holmes to develop a written estimate of the costs related to the CWS for the FY beginning July 1, 2000. (This to be shared with CAER before the August 4th meeting with the County.)

There was a discussion about the need to inform CAER members about the potential for an increase in their AB2185 fees to support the CWS. (A range from about 10 to 25% is being discussed.) Ron Banducci explained that CAER has a role to communicate the facts to its members and others who helped fund the CWS.

SPECIAL FEATURES OF CWS

CAER is especially proud of the emergency alerting and messaging improvements that have occurred Statewide as a result of project design developments initiated for the CWS. EDIS filtering software developed for the CWS is being used throughout the State to improve the management of emergency messages transmitted by State OES. This software has enabled a wider acceptance of the States EDIS system by the radio and TV broadcast stations. In addition, NWS transmitter stations throughout the State of California are able to receive local emergency alerts through a system designed for use by the CWS.

Separately, CAER through a special grant from the Chevron, Equilon, Ultramar, and Tosco Refineries are working with the State Office of Emergency Services, and the National Weather Service to improve the weather service broadcast reception so that NWS alerts can be received everywhere in Contra Costa. As soon as the reception and coverage work is completed (sometime later this year), CAER, again through a grant from the local refineries, will distribute NWS Emergency Alert Receivers (EARs) to all critical receptor locations (schools, day care centers licensed for 12+ and over, senior centers) throughout the industrial corridor.

ALERTING THE COMMUNITY USING THE CWS

The expectation of the communities is that the system should be used anytime there is a chemical or other hazardous material incident that threatens the surrounding community. Identification of these incidents, whether at a fixed facility or on the roadway or railway, and initial size ups to determine the validity and seriousness of threat for the public is not always easy or quick. The community will continue to argue for quicker decision-making and those who protect the health and well being of the community will continue to be deliberate and careful in the use of CWS so that:

1. CWS sirens alert people to shelter-in-place only when it is necessary to interrupt their daily lives to protect their health; and,
2. Public alert and information messages are sent to radio, TV, and other emergency broadcast networks (EAS, NWS, State OES-EDIS) when there is critical or health protecting information needed by the public.

To the extent that public alert information and siren warnings can be preprogrammed it has been incorporated into the systems design and operators at all locations who activate these warnings are trained. This training must be kept current and drills practiced on the use of the system by all operators because use of the system will be infrequent.

ATTACHMENT CONTRA COSTA COUNTY'S COMMUNITY WARNING SYSTEM

BACKGROUND

Completion of the Community Warning System (CWS) realizes the ambitions of a former Board who in December 1993 accepted the recommendations of the County's Hazardous Materials Commission and endorsed development of such a system. In January 1994, the Community Notification Advisory Board (CNAB), with 3 community, 2 agency, and 2 industry members, was appointed to oversee design and development of a CWS. And to do this, CNAB would need to build remarkable partnerships and stakeholder support. The CNAB built a partnership with industrial leadership (through their relationship and close work with the Contra Costa CAER Group, Inc.) that resulted in continued and unfailing support throughout the many phases of the project and direct, voluntary contributions of more than \$5 million. The CNAB built a partnership with County departments and their leadership --Health Services, Emergency Services, General Services, and Information Technology--that resulted in improvements on the initial system design and in thousands of hours of time contributed to this development on behalf of the citizens of Contra Costa. The CNAB enjoyed the support of the County Administrator and his staff throughout the entire development and implementation and this support has made this project possible.

DEVELOPMENT AND DESCRIPTION OF CWS

The system has been operating well for more than a year now. Continuing refinements and upgrades have been integrated into the completed system keeping the system current and dynamic. This latest work to further refine the system is a direct result of the leadership of Under Sheriff Kathi Holmes. Currently, the system is built out to slightly more than 70 percent of its existing infrastructure capacity. Sirens can be remotely sounded and a series of preprogrammed public warnings can be sent to State OES headquarters in Sacramento, the NWS broadcast stations in Monterey and Sacramento, radio and TV stations throughout the Bay Area from:

8 different county emergency management locations (including a mobile van) --presently, access feature for portable units that can be used from home or on the road to activate the system are being added and will be tested and run-in over the next nine months to a year.

2 different dispatch locations (Sheriffs Comm1 and Contra Costa Fire) and a push button control box each at the Chevron Refinery in Richmond, the Equilon Refinery in Martinez, the Ultramar Refinery in Avon (Martinez), the Rhodia Chemical Plant in Martinez, and the Tosco Refinery in Rodeo. In addition, the siren system at the Dow Chemical Plant built in 1985 has been integrated fully into the CWS including installation of activation devices.

911 dispatch centers in Antioch, Martinez, Pinole, and Richmond, the US Coast Guard Station serving the Bay Area, and the Bay Area Air Quality Management District also are integrated into the emergency alerting and communication system, making it possible for all emergency response agencies that serve Contra Costa to communicate on a single system that is fully redundant in its backup design features and offers secondary power for all its components, as well as self-testing of all features routinely.



"California public benefit corporation"

February 13, 2001

Mr. John Gioia, Supervisor District 1
Ms. Gayle Uilkema, Supervisor District 2
Ms. Donna Gerber, Supervisor District 3
Mr. Mark DeSaulnier, Supervisor District 4
Mr. Federal Glover, Supervisor District 5

Dear Contra Costa Supervisors:

This letter officially offers the gift of the Contra Costa Community Warning System (CWS) to the County for its ownership, use and purposes. The CWS was conceived in 1993 and its design criteria outlined in the Community Notification Report dated December 9, 1993 have been met or exceeded. This gift from Contra Costa CAER Group (CAER) is offered to the County in partnership with the Community Notification Advisory Board and with concurrence of County staff.

Since the CWS became operational in November of 1999, County staff and CAER have tested CWS operational readiness and monthly training and practice exercises were conducted. The County Hazardous Materials Division, after working with the community, other county departments, fire departments and police departments (including the County Sheriff) and industry has established a procedure for using the CWS during a hazardous materials incident. This procedure guides the use of the CWS for communication with the County, the emergency response agencies, and with the public (including definitions for when to sound the sirens). County staff has identified AB2185 fees as a source of funding for ongoing maintenance and technological upgrade and CAER members support this source of funding.

CAER would like to take this opportunity to thank the many groups and individuals that supported the successful development and delivery to Contra Costa County of the largest and most comprehensive community warning system in the world. All of the constituency and stakeholder groups that worked on this award-winning project deserve formal recognition by this Board of Supervisors for a job well done.

Some additional information about the Community Warning System is attached. If you have any questions or comments please call me at 925-313-9296.

Respectfully submitted,


Mr. Tony Semenza,
Executive Director

Attachment

Cc: Community Notification Advisory Board Members
CCC CAER Group, Inc. Board of Directors
Mr. Phil Batchelor, County Administrator
Dr. William Walker, Director Health Services
Sheriff Warren Rupp

Contra Costa County CAER Group, Inc.
CAER Board of Directors Meeting
November 10, 2000

Board Members Present: Scott Anderson, Bob Campbell, Paul Craig, Ric Bonner, Bill Howell, Pete Jurichko, Lew Pascalli, Dave Peck, Chief Keith Richter, Leslie Stewart

Board Members Absent: Ron Banducci, Bob Edwards, Bill Klein, Tony Semenza, Sheriff Warren Rupf

Staff Present: Kathleen Imhoff

1. **Approval of the Minutes:** Bob Campbell moved to approve the minutes from the October 13, 2000 meeting, Leslie Stewart seconded the motion. Board members in attendance moved to approve except Scott Anderson who abstained
2. **Treasurer's Report:** Kathleen Imhoff advised that Eric Brink was out of town and was not able to prepare a treasurer's report before he left. . An updated report will be reviewed at the next meeting.
3. **Leadership Committee Annual Reports:** Ric Bonner explained that we have received reports from IH, PMAO, and the Drill Planning Group but that we are waiting for reports from the other Functional Groups.

Ric Bonner requested that upon receipt of the Functional Group Reports, they be distributed to the Board members.

Kathleen Imhoff explained that the Drill Planning Group wished to fund CAER Drill Vests (\$1,500.00) and use funds approved for grants from within the FY2000 budget. Paul Craig moved and Scott Anderson seconded a motion to permit the purchase of the CAER Drill Vests. The motion carried unanimously.

4. **CWS Project Update:** Pete Jurichko reported that he had spoken with Sheriff Rupf and that the Sheriff remains committed to accepting the CWS if the budget presented to CAER was acceptable. Lew Pascalli reported that the AB2185 fee increase (across all facilities that are assessed fees) would be between 22 and 28 percent. Kathleen Imhoff reported the concerns of the CWS Subcommittee including an idea to split the system into several different operating systems. Paul Craig acknowledged the serious implications for the community's trust if the system is accepted without appropriate or agreed upon activation protocols in place.

Bob Campbell indicated that he would follow-up with Sheriff Rupf to discuss the concerns about the transition to the County. Ric Bonner indicated that he would follow-up to make sure that a meeting was held with the County no later than the middle of December. Kathleen Imhoff was directed to follow-up with the Sheriff's staff in the coming week to address all remaining concerns.

The MBA Polymers incident and use of the CWS was discussed. It was decided that if the matrix developed by CAER is incorrect it should be revised and updated. Also, if there are definitions

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**Contra Costa County CAER Group, Inc.
CAER Board of Directors Meeting
October 13, 2000**

Board Members Present: Ron Banducci, Ric Bonner, Bob Campbell, Paul Craig, Bob Edwards, Bill Klein, Dave Peck, Sheriff Warren Rupf, Tony Semenza, Leslie Stewart

Board Members Absent: Scott Anderson, Bill Howell, Pete Jurichko, Lew Pascalli, Chief Keith Richter

Others Present: Eric Brink

Staff Present: Lori McDonald

1. **Approval of the Minutes:** Ric Bonner moved and Leslie Stewart seconded approval of the minutes from the September 8, 2000 meeting. Board members in attendance moved to approve except Ric Bonner who abstained.
2. **Treasurer's Report:** Eric Brink distributed an updated treasurer's report.
3. **Leadership Committee Annual Reports:** To date the Leadership Committee has only received two Functional Group FY2000 reports. One report from PMAO and one report from Industrial Hygiene. Ric Bonner said he would follow up with Cheryl Johnston, temporary Chair for Community Outreach Group and get their report finalized.

Tony reported that the Leadership Committee is meeting monthly and developing topics for CAER Quarterly Meetings. Our focus is to have the meetings in the evening for the chance that more public would attend. The first Quarterly meeting of 2001 will be held on February 14th and is scheduled from 9:00 a.m. to 11:00 a.m. The remaining meetings for FY2001 are scheduled for May 16th, August 15th and November 14th and will each be evening meetings so that the public can attend.

4. CWS Project Update:

- **Turnover Status:** Per Ron Banducci, Kathleen is working out all details of the Security Analysis. There was a 5 hour conference call, which brought the to do list down a bit, but there are still a number of outstanding issues which the technical folks are trying to conclude. There are a couple of contractual issues, which will be resolved between County Counsel and Pam Reed, Esq. when the technical details are completed. Pam Reed, Esq. will be invited to attend the next meeting with the County.
- **Budget Status Update:** It was requested that the CWS Committee meet before next Board meeting.
- **Action Needed: Approval of County Estimate for ongoing CWS Operation & Maintenance:** After discussion, Sheriff Rupf agreed to ask the County Administrator investigate the potential for splitting out the CWS maintenance and operation fees as a separate component of AB2185. No action taken. Ric Bonner requested that this item be carried over to next meeting.

CWS Status—Kathleen Imhoff explained that the CWS Committee recommends that work on the CWS be ended except for routine monthly maintenance. The Board concurred.

5. Proposed Safety Summit for CalARP Companies:

Ron Banducci explained that he was present when the Committee for Industrial Safety (CIS) met and refinery managers decided to host a Safety Summit to share best practices. Ron advised that he briefed the CIS about CAER's new initiatives and working groups to improve safety sharing among members. Ron further explained that involvement of the top managers from refining in this effort would likely improve the sharing of best practices. There was discussion about whether or not the Safety Summit would duplicate the efforts of CAER and if so how that might affect CAER. It was resolved that the CAER Executive Committee should meet with the refinery managers and investigate the overlap and determine a mutually beneficial effort.

6. Hazardous Material Accidental Release Matrix Level 3 Definition

Tony Semenza reported that CAER should monitor the use of the Hazardous Material Accidental Release Matrix definitions sponsored by CAER in development of the CWS. Tony cautioned that if facility incidents were not initiated according to the strict intent and letter of the definition, then CAER would lose its credibility with the public. There was discussion about what CAER's role should or could be. Leslie Stewart pointed out that Quarterly Meetings with all members might be a good place to discuss (and educate members about) the concept of how notification policies are implemented. Ron Banducci advised that facilities must constructively critique one another and create a level of influence that will demand prompt compliance with agreed upon definitions explaining that it takes honesty and integrity. It was eventually decided that CAER should ask the PMAO group to review the definitions for Level 3 and make suggestions about any change that may be needed. Subsequently, the CAER Board will develop a Statement of Policy about erring on the side of caution in all cases.

7. Functional Group Reports

Kathleen Imhoff briefly reported that the Community Outreach Group needs a new Chair and also that the Lindsay Museum partnership with the school mentor program has been withdrawn by Lindsay Museum. Kathleen reminded the Board that Community Outreach continues to need strong support from its members and explained that she and Tony Semenza had begun meeting with the larger company members.

Kathleen Imhoff reported that the Emergency Response Preparedness and Drill Coordination Group has completed its grant application acceptance cycle and will

FUNDING CWS MAINTENANCE AND IMPROVEMENT

This transfer includes a commitment by the Contra Costa CAER Group, Inc. to support an AB2185 fee increase. These funds will be used to maintain the system, fund a County CWS Manager position, and permit continued system technology upgrades and other operational refinements. Initially, the CWS will be used for the hazardous material emergencies it was originally intended for, but the capability exists to add other uses for disseminating emergency information during natural disaster and other kinds of potentially critical emergencies. Transfer documents have been developed among CAER and County Counsel legal staffs and are intended to permit the County access for maintenance, repair, and continuing upgrade to all the sites where equipment necessary to this system is located. The formal acceptance of this gift will allow County legal counsel to obtain signatures from officials at each of the many locations to assure continued access into the future.

Projected Service and Supply Allocations Fiscal Year 2011-2012

Description	CaIARP	HWG	HMBP ¹	CWS	IR Team	UST	APSA	Total CUPA
Office Expense	\$ 3,073	\$ 5,903	\$ 3,555	\$ 3,000	\$ 3,696	\$ 3,997	\$ 1,476	\$ 24,700
Books Periodicals Subscriptions	\$ 1,389	\$ 2,668	\$ 1,607	\$ 200	\$ 1,671	\$ 1,807	\$ 668	\$ 10,010
Communications ²	\$ 8,544	\$ 16,413	\$ 9,886	\$ 15,020	\$ 10,279	\$ 11,112	\$ 4,103	\$ 75,357
Telephone Exchange Service ³	\$ 855	\$ 1,640	\$ 988	\$ 4,650	\$ 1,027	\$ 1,110	\$ 410	\$ 10,680
Small Tools and Instruments	\$ 1,821	\$ 3,499	\$ 2,107	0	\$ 2,191	\$ 2,369	\$ 875	\$ 12,862
Minor Equipment	\$ 2,706	\$ 5,197	\$ 3,130	\$ 5,000	\$ 3,255	\$ 3,518	\$ 1,299	\$ 24,105
Minor Computer Equipment	0	0	0	\$ 75,000	0	0	0	\$ 75,000
Medical & Lab Supplies	\$ 358	\$ 687	\$ 414	0	\$ 430	\$ 465	\$ 172	\$ 2,526
Food ⁴	\$ 13	\$ 24	\$ 15	0	\$ 15	\$ 16	\$ 6	\$ 89
Clothing & Personal Supplies	\$ 1,269	\$ 2,438	\$ 1,467	\$ 880	\$ 1,527	\$ 1,650	\$ 609	\$ 9,840
Publications and Legal Notices	\$ 888	\$ 1,705	\$ 1,027	0	\$ 1,068	\$ 1,155	\$ 426	\$ 6,269
Memberships	\$ 2,978	\$ 5,722	\$ 3,446	\$ 500	\$ 3,584	\$ 3,874	\$ 1,430	\$ 21,534
Rents & Lease - Equipment	\$ 700	\$ 1,345	\$ 810	0	\$ 842	\$ 911	\$ 336	\$ 4,944
Software Cost	0	0	0	\$ 2,000	0	0	0	\$ 2,000
Bldg Occupancy Costs	\$ 45,624	\$ 87,641	\$ 52,791	\$ 45,000	\$ 54,892	\$ 59,335	\$21,906	\$ 367,189
Maintenance - Equipment	\$ 970	\$ 1,864	\$ 1,123	\$ 575,000	\$ 1,167	\$ 1,262	\$ 465	\$ 581,851
Maint - Radio Electronic Equipment	\$ 1,688	\$ 3,243	\$ 1,954	0	\$ 2,032	\$ 2,196	\$ 811	\$ 11,924
Requested Maintenance	\$ 1,474	\$ 2,832	\$ 1,706	0	\$ 1,774	\$ 1,917	\$ 707	\$ 10,410
Travel & Transportation	\$ 53	\$ 104	\$ 63	0	\$ 65	\$ 70	\$ 26	\$ 381
Auto Mileage	\$ 5,312	\$ 10,204	\$ 6,147	\$ 500	\$ 6,391	\$ 6,909	\$ 2,551	\$ 38,014

Exhibit H

Description	CalARP	HWG	HMBP¹	CWS	IR Team	UST	APSA	Total CUPA
Other Travel	\$ 1,331	\$ 2,556	\$ 1,540	\$ 3,000	\$ 1,600	\$ 1,730	\$ 639	\$ 12,396
Prof/Spec Services	\$ 13,288	\$ 25,526	\$ 65,375	\$ 368,334	\$175,649	\$ 17,282	\$ 6,380	\$ 671,834
Contracted Temporary Services	\$ 211	\$ 406	\$ 245	\$ 150,000	\$ 254	\$ 275	\$ 102	\$ 151,493
Ed Supplies and Courses	\$ 1,061	\$ 2,038	\$ 1,228	\$ 3,000	\$ 1,275	\$ 1,380	\$ 509	\$ 10,491
Other Special Dept Expense	\$ 8,430	\$ 16,194	\$ 9,754	0	\$ 10,142	\$ 10,964	\$ 4,048	\$ 59,532
Misc Services & Supplies	0	0	0	\$ 1,500	0	0	0	\$ 1,500
Expenditure Transfers	0	0	0	\$ 16,693	\$ 27,418	0	0	\$ 44,111
Totals	\$104,036	\$199,849	\$170,378	\$1,269,277	\$312,244	\$135,304	\$49,954	\$2,241,042

¹ Service and Supplies expenses of the HMBP Program are shown allocated to the CWS, IR Team, and the remainder of the HMBP Program ("BP").

² Includes monthly charges for telephone, faxes, and pagers.

³ Allocation from the Department of Information Technology for County telephone exchange equipment.

⁴ Meals while on overtime and during travel

Exhibit H

Allocation of CWS Component HMBP Program Fee Fiscal Year 2010-2011

Category	Facility Inventories (Pounds)	Cube Root	Portion of Cube Root	Proportional CWS Cost	CWS Fee/ Facility
Refineries	7,000,000,000	1,913	0.08494	\$ 75,384	
	2,661,072,764	1,386	0.06153	\$ 54,609	
	2,190,149,607	1,299	0.05766	\$ 51,177	
	470,084,953	778	0.03452	\$ 30,641	
Category Totals				\$ 211,811	\$52,952.75
Category	Facility Inventories (Pounds)	Cube Root	Portion of Cube Root	Proportional CWS Cost	CWS Fee/ Facility
1B ≤ x < 5B	1,681,416,875	1,189	0.05280	\$ 46,861	
	1,583,115,576	1,165	0.05175	\$ 45,929	
Category Totals				\$ 92,790	\$46,395.00
Category	Facility Inventories (Pounds)	Cube Root	Portion of Cube Root	Proportional CWS Cost	CWS Fee/ Facility
100M ≤ x < 1B	835,714,846	942	0.04182	\$ 37,119	
	198,141,222	583	0.02589	\$ 22,974	
	197,509,306	582	0.02586	\$ 22,950	
	148,476,780	530	0.02351	\$ 20,867	
	140,587,740	520	0.02309	\$ 20,491	
	100,433,104	465	0.02064	\$ 18,318	
Category Totals				\$142,719	\$23,786.50
Category	Facility Inventories (Pounds)	Cube Root	Portion of Cube Root	Proportional CWS Cost	CWS Fee/ Facility
10M ≤ x < 100M	94,467,273	455	0.02022	\$ 17,948	
	75,218,449	422	0.01874	\$ 16,635	
	70,984,117	414	0.01838	\$ 16,317	
	41,517,543	346	0.01538	\$ 13,646	
	33,277,350	322	0.01428	\$ 12,675	
	32,872,308	320	0.01422	\$ 12,624	
	21,895,796	280	0.01242	\$ 11,025	
	19,539,540	269	0.01196	\$ 10,614	
	17,978,014	262	0.01163	\$ 10,324	
	15,293,759	248	0.01102	\$ 9,782	
	14,406,568	243	0.01080	\$ 9,589	
	12,895,551	235	0.01041	\$ 9,241	
	11,113,461	223	0.00991	\$ 8,794	
Category Totals				\$159,214	\$12,247.23

Category	Facility Inventories (Pounds)	Cube Root	Portion of Cube Root	Proportional CWS Cost	CWS Fee/ Facility
2.5M≤ x <10M	9,653,052	213	0.00945	\$ 8,391	
	8,421,756	203	0.00903	\$ 8,018	
	7,555,628	196	0.00871	\$ 7,733	
	5,989,626	182	0.00806	\$ 7,157	
	4,931,322	170	0.00756	\$ 6,708	
	4,656,063	167	0.00741	\$ 6,580	
	4,348,977	163	0.00725	\$ 6,432	
	4,081,530	160	0.00710	\$ 6,298	
	4,055,168	159	0.00708	\$ 6,284	
	3,612,492	153	0.00681	\$ 6,047	
	2,582,409	137	0.00609	\$ 5,406	
Category Totals				\$ 75,054	\$ 6,823.09
Category	Facility Inventories (Pounds)	Cube Root	Portion of Cube Root	Proportional CWS Cost	CWS Fee/ Facility
500K≤ x <2.5M	1,935,646	125	0.00553	\$ 4,911	
	1,764,607	121	0.00537	\$ 4,762	
	1,669,549	119	0.00527	\$ 4,675	
	1,634,878	118	0.00523	\$ 4,642	
	1,600,534	117	0.00519	\$ 4,610	
	1,548,687	116	0.00514	\$ 4,559	
	1,474,716	114	0.00505	\$ 4,486	
	1,413,541	112	0.00498	\$ 4,423	
	1,393,041	112	0.00496	\$ 4,401	
	1,359,046	111	0.00492	\$ 4,365	
	1,354,183	111	0.00491	\$ 4,360	
	1,202,155	106	0.00472	\$ 4,190	
	1,148,362	105	0.00465	\$ 4,127	
	1,142,791	105	0.00464	\$ 4,120	
	1,086,944	103	0.00457	\$ 4,052	
	1,063,047	102	0.00453	\$ 4,022	
	988,414	100	0.00442	\$ 3,925	
	968,624	99	0.00439	\$ 3,899	
	967,847	99	0.00439	\$ 3,898	
	947,256	98	0.00436	\$ 3,870	
	946,563	98	0.00436	\$ 3,869	
	914,419	97	0.00431	\$ 3,825	
	892,932	96	0.00428	\$ 3,795	
	867,021	95	0.00423	\$ 3,758	
	852,709	95	0.00421	\$ 3,737	
	843,200	94	0.00419	\$ 3,723	

Exhibit I

Category	Facility Inventories (Pounds)	Cube Root	Portion of Cube Root	Proportional CWS Cost	CWS Fee/ Facility
500K≤ x <2.5M	810,660	93	0.00414	\$ 3,674	
	776,290	92	0.00408	\$ 3,622	
	770,800	92	0.00407	\$ 3,613	
	763,901	91	0.00406	\$ 3,602	
	755,282	91	0.00404	\$ 3,589	
	673,058	88	0.00389	\$ 3,454	
	665,227	87	0.00388	\$ 3,440	
	644,841	86	0.00384	\$ 3,405	
	636,064	86	0.00382	\$ 3,389	
	632,968	86	0.00381	\$ 3,384	
	608,953	85	0.00376	\$ 3,340	
	606,178	85	0.00376	\$ 3,335	
	595,047	84	0.00373	\$ 3,315	
	592,627	84	0.00373	\$ 3,310	
	581,227	83	0.00371	\$ 3,289	
	578,635	83	0.00370	\$ 3,284	
	575,780	83	0.00369	\$ 3,278	
	569,047	83	0.00368	\$ 3,266	
	568,064	83	0.00368	\$ 3,264	
	557,701	82	0.00365	\$ 3,244	
	557,267	82	0.00365	\$ 3,243	
	555,866	82	0.00365	\$ 3,240	
	554,060	82	0.00365	\$ 3,237	
	553,000	82	0.00364	\$ 3,235	
	550,000	82	0.00364	\$ 3,229	
	532,563	81	0.00360	\$ 3,194	
	522,130	81	0.00358	\$ 3,173	
	505,557	80	0.00354	\$ 3,139	
	505,079	80	0.00354	\$ 3,138	
Category Totals				\$205,929	\$ 3,744.16
Totals	17,777,829,109	22,521		\$887,517	

Exhibit I

Allocation of IR Component HMBP Program Fee Fiscal Year 2010-2011

(Facilities Handling 500,000 or More Pounds Annually)

Category	Facility Inventories (Pounds)	Cube Root	Percentage of Cube Root	Proportional IR Cost	IR Fee/Facility
Refineries	7,000,000,000	1,913	0.08494	\$ 87,791	
	2,661,072,764	1,386	0.06153	\$ 63,597	
	2,190,149,607	1,299	0.05766	\$ 59,599	
	470,084,953	778	0.03452	\$ 35,684	
Category Totals				\$ 246,671	\$61,667.75
Category	Facility Inventories (Pounds)	Cube Root	Percentage of Cube Root	Proportional IR Cost	IR Fee/Facility
1B ≤ x < 5B	1,681,416,875	1,189	0.05280	\$ 54,573	
	1,583,115,576	1,165	0.05175	\$ 53,488	
Category Totals				\$ 108,061	\$54,030.50
Category	Facility Inventories (Pounds)	Cube Root	Percentage of Cube Root	Proportional IR Cost	IR Fee/Facility
100M ≤ x < 1B	835,714,846	942	0.04182	\$ 43,228	
	198,141,222	583	0.02589	\$ 26,755	
	197,509,306	582	0.02586	\$ 26,727	
	148,476,780	530	0.02351	\$ 24,302	
	140,587,740	520	0.02309	\$ 23,863	
	100,433,104	465	0.02064	\$ 21,333	
Category Totals				\$ 166,208	\$27,701.33
Category	Facility Inventories (Pounds)	Cube Root	Percentage of Cube Root	Proportional IR Cost	IR Fee/Facility
10M ≤ x < 100M	94,467,273	455	0.02022	\$ 20,901	
	75,218,449	422	0.01874	\$ 19,373	
	70,984,117	414	0.01838	\$ 19,002	
	41,517,543	346	0.01538	\$ 15,891	
	33,277,350	322	0.01428	\$ 14,762	
	32,872,308	320	0.01422	\$ 14,701	
	21,895,796	280	0.01242	\$ 12,839	
	19,539,540	269	0.01196	\$ 12,361	
	17,978,014	262	0.01163	\$ 12,023	
	15,293,759	248	0.01102	\$ 11,392	
	14,406,568	243	0.01080	\$ 11,167	
	12,895,551	235	0.01041	\$ 10,762	
	11,113,461	223	0.00991	\$ 10,242	
Category Totals				\$ 185,416	\$14,262.77

Category	Facility Inventories (Pounds)	Cube Root	Percentage of Cube Root	Proportional IR Cost	IR Fee/ Facility
2.5M ≤ x < 10M	9,653,052	213	0.00945	\$ 9,772	
	8,421,756	203	0.00903	\$ 9,337	
	7,555,628	196	0.00871	\$ 9,005	
	5,989,626	182	0.00806	\$ 8,335	
	4,931,322	170	0.00756	\$ 7,812	
	4,656,063	167	0.00741	\$ 7,663	
	4,348,977	163	0.00725	\$ 7,492	
	4,081,530	160	0.00710	\$ 7,334	
	4,055,168	159	0.00708	\$ 7,318	
	3,612,492	153	0.00681	\$ 7,043	
	2,582,409	137	0.00609	\$ 6,296	
Category Totals				\$ 87,407	\$7,946.09
Category	Facility Inventories (Pounds)	Cube Root	Percentage of Cube Root	Proportional IR Cost	IR Fee/ Facility
500K ≤ x < 2.5M	1,935,646	125	0.00553	\$ 5,720	
	1,764,607	121	0.00537	\$ 5,546	
	1,669,549	119	0.00527	\$ 5,444	
	1,634,878	118	0.00523	\$ 5,406	
	1,600,534	117	0.00519	\$ 5,368	
	1,548,687	116	0.00514	\$ 5,310	
	1,474,716	114	0.00505	\$ 5,224	
	1,413,541	112	0.00498	\$ 5,151	
	1,393,041	112	0.00496	\$ 5,125	
	1,359,046	111	0.00492	\$ 5,083	
	1,354,183	111	0.00491	\$ 5,077	
	1,202,155	106	0.00472	\$ 4,880	
	1,148,362	105	0.00465	\$ 4,806	
	1,142,791	105	0.00464	\$ 4,798	
	1,086,944	103	0.00457	\$ 4,719	
	1,063,047	102	0.00453	\$ 4,684	
	988,414	100	0.00442	\$ 4,571	
	968,624	99	0.00439	\$ 4,541	
	967,847	99	0.00439	\$ 4,540	
	947,256	98	0.00436	\$ 4,507	
	946,563	98	0.00436	\$ 4,506	
	914,419	97	0.00431	\$ 4,454	
	892,932	96	0.00428	\$ 4,419	
	867,021	95	0.00423	\$ 4,376	
	852,709	95	0.00421	\$ 4,352	
	843,200	94	0.00419	\$ 4,336	
	810,660	93	0.00414	\$ 4,279	

Exhibit J

Category	Facility Inventories (Pounds)	Cube Root	Percentage of Cube Root	Proportional IR Cost	IR Fee/ Facility
500K ≤ x < 2.5M	776,290	92	0.00408	\$ 4,218	
	770,800	92	0.00407	\$ 4,208	
	763,901	91	0.00406	\$ 4,195	
	755,282	91	0.00404	\$ 4,179	
	673,058	88	0.00389	\$ 4,022	
	665,227	87	0.00388	\$ 4,006	
	644,841	86	0.00384	\$ 3,965	
	636,064	86	0.00382	\$ 3,947	
	632,968	86	0.00381	\$ 3,940	
	608,953	85	0.00376	\$ 3,890	
	606,178	85	0.00376	\$ 3,884	
	595,047	84	0.00373	\$ 3,860	
	592,627	84	0.00373	\$ 3,855	
	581,227	83	0.00371	\$ 3,830	
	578,635	83	0.00370	\$ 3,824	
	575,780	83	0.00369	\$ 3,818	
	569,047	83	0.00368	\$ 3,803	
	568,064	83	0.00368	\$ 3,801	
	557,701	82	0.00365	\$ 3,778	
	557,267	82	0.00365	\$ 3,777	
	555,866	82	0.00365	\$ 3,773	
	554,060	82	0.00365	\$ 3,769	
	553,000	82	0.00364	\$ 3,767	
	550,000	82	0.00364	\$ 3,760	
	532,563	81	0.00360	\$ 3,720	
	522,130	81	0.00358	\$ 3,695	
	505,557	80	0.00354	\$ 3,656	
	505,079	80	0.00354	\$ 3,656	
Category Totals				\$ 239,818	\$4,360.33
Totals	17,777,829,109	22,521		\$1,033,581	

Exhibit J

Allocation of IR Component HMBP Program Fee Fiscal Year 2010-2011

(Facilities Handling Less than 500,000 Pounds Annually)

# Employees	Pounds of Material	# Facilities	Average Quantity/ Facility (Pounds)	Estimated Quantity/ Category (Pounds)	Cube Root	Portion of Cube Root	Proportional IR Cost	IR Fee/ Facility
N/A	<1K	466	500	233,000	61.5345	3.34%	\$ 23,010	\$ 49
0-19	1K ≤ x <10K	740	5,500	4,070,000	159.6607	8.66%	\$ 59,703	\$ 81
0-19	10K ≤ x <100K	260	55,000	14,300,000	242.7236	13.17%	\$ 90,763	\$ 349
0-19	100K ≤ x <250K	247	175,000	43,225,000	350.9498	19.05%	\$131,233	\$ 531
0-19	250K ≤ x <500K	86	375,000	32,250,000	318.3048	17.27%	\$119,026	\$1,384
≥20	1K ≤ x <10K	179	5,500	984,000	99.4806	5.40%	\$ 37,200	\$ 208
≥20	10K ≤ x <100K	194	55,000	10,670,000	220.1514	11.95%	\$ 82,323	\$ 424
≥20	100K ≤ x <250K	44	175,000	7,700,000	197.4681	10.72%	\$ 73,841	\$1,678
≥20	250K ≤ x <500K	19	375,000	7,125,000	192.4252	10.44%	\$ 71,955	\$3,787
Totals					1,842.6987		\$689,054	

Exhibit K

Hazardous Materials Business Plan Program

Annual Fee Allocations

Fiscal Year 2010-2011

# Employees	Pounds of Material	# Facilities	CWS Fee	CWS Fee Revenue	IR Fee	IR Fee Revenue	Base Fee	Base Fee Revenue	Total Fee ¹	Total Fee Revenue
N/A	<1K	466			\$ 49	\$ 23,010	\$ 204	\$ 95,252	\$ 254	\$ 118,364
0-19	1K ≤ x <10K	740			\$ 81	\$ 59,703	\$ 273	\$ 201,678	\$ 353	\$ 261,220
0-19	10K ≤ x <100K	260			\$ 349	\$ 90,763	\$ 409	\$ 106,290	\$ 758	\$ 197,080
0-19	100K ≤ x <250K	247			\$ 531	\$ 131,233	\$ 545	\$ 134,634	\$ 1,076	\$ 265,772
0-19	250K ≤ x <500K	86			\$ 1,384	\$ 119,026	\$ 681	\$ 58,596	\$ 2,065	\$ 177,590
≥20	1K ≤ x <10K	179			\$ 208	\$ 37,200	\$ 784	\$ 140,255	\$ 991	\$ 177,389
≥20	10K ≤ x <100K	194			\$ 424	\$ 82,323	\$ 920	\$ 178,444	\$ 1,344	\$ 260,736
≥20	100K ≤ x <250K	44			\$ 1,678	\$ 73,841	\$1,056	\$ 46,468	\$ 2,734	\$ 120,296
≥20	250K ≤ x <500K	19			\$ 3,787	\$ 71,955	\$1,192	\$ 22,655	\$ 4,979	\$ 94,601
N/A	500K ≤ x <2.5M	55	\$ 3,744	\$205,929	\$ 4,360	\$ 239,818	\$3,066	\$ 168,633	\$ 11,171	\$ 614,405
N/A	2.5M ≤ x <10M	11	\$ 6,823	\$ 75,054	\$ 7,946	\$ 87,407	\$3,952	\$ 43,470	\$ 18,721	\$ 205,931
N/A	10M ≤ x <100M	13	\$12,247	\$159,213	\$14,263	\$ 185,416	\$5,178	\$ 67,317	\$ 31,688	\$ 411,944
N/A	100M ≤ x <1B	6	\$23,787	\$142,720	\$27,701	\$ 166,208	\$6,541	\$ 39,246	\$ 58,029	\$ 348,174
N/A	1B ≤ x <5B	2	\$46,395	\$ 92,789	\$54,030	\$ 108,061	\$7,631	\$ 15,262	\$108,056	\$ 216,112
N/A	≥5B	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Refineries		4	\$52,953	\$211,812	\$61,668	\$ 246,671	\$8,721	\$ 34,885	\$123,342	\$ 493,368
Totals		2326		\$887,517		\$1,722,635		\$1,353,083		\$3,962,982

¹ The fee amounts shown in the Total Fee column were calculated by adding together the unrounded CWS, IR and Base fee components in each category, and then rounding the sum to the nearest dollar. Revenue totals for each component were also calculated based on unrounded CWS, IR and Base fee components. However, the CWS, IR and Base fee components shown in this exhibit in each category, and their corresponding revenues, have been rounded for convenience.



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Edmund G. Brown Jr.
Governor

Department of Toxic Substances Control Fee Summary EFFECTIVE JANUARY 1, 2012

INTRODUCTION

The Department of Toxic Substances Control (DTSC) is the lead agency in California for hazardous waste management. DTSC enforces the state's Hazardous Waste Control laws, issues permits to hazardous waste facilities, and mitigates contaminated hazardous waste sites. This document summarizes the fees charged by DTSC. Many of the fees described in this document are collected for DTSC by the State Board of Equalization (BOE). In addition to the fees described in this document, DTSC also receives revenue from the United States (U.S.) Environmental Protection Agency (EPA), the Department of Defense, fines and penalties collected for violations of the Hazardous Waste Control Laws, reimbursement agreements, and cost recoveries from responsible parties.

The purpose of this document is to conveniently summarize state law as it relates to fees charged by DTSC or collected by BOE for DTSC. A more detailed description of DTSC's fees can be obtained by referring to the specific references to state law provided in this document and to other provisions of state law that relate to DTSC's fees. In the event of a conflict between state law, regulations or policy and this document, state law, regulations or policy prevail.

The following provides detail for each fee charged by DTSC as well as a section for hazardous-waste legislation and a glossary of all acronyms used.

Activity Fees for Permitting

Consultative Services

Disposal Fee

Environmental Fee

Environmental Protection Agency (EPA) Identification (ID) Verification Fee

Facility Fees

Full Permit Facility Fee

Postclosure Facility Fee

Standardized Permit Facility Fee

Transportable Treatment Unit (TTU) Fee

Generator Fee

Manifest Forms

Manifest Reprocessing Fee

Manifest User Fee

Registered Environmental Assessor (REA) Fees

Legislative History

Glossary of Acronyms/Abbreviations

Exhibit M

SUMMARY OF FEES

■ **ACTIVITY FEES FOR PERMITTING** (Health & Safety Code (H&SC) sections 25153, 25205.7, 25205.18 and 25247(d) (3))

Fees are assessed by the State Board of Equalization (BOE) based upon the year of application to DTSC for various permit applications, permit modifications, or renewals. The fee is non-refundable, even if the application is withdrawn or the permit or the modification is denied. The rates specified in Table 1 are for Calendar Year (CY) 2012 and are adjusted annually to reflect increases or decreases in the cost of living as measured by the Consumer Price Index (CPI) issued by the Department of Industrial Relations.

TABLE 1: Permitting Activity Fees CY 2012
Due Date: Upon Billing by BOE

New Permit Applications or Interim Status Documents (ISD) Part B Applications:

	<u>Small</u>	<u>Medium</u>	<u>Large</u>
Land Disposal Facility	\$155,206	\$330,983	\$568,467
Storage, Treatment or Storage & Treatment Facility	\$ 31,789	\$ 57,971	\$112,198
Incinerator	\$ 93,496	\$198,216	\$340,335
TTU (Full Statewide Permit)	\$ 24,311	\$ 56,097	\$112,198
Postclosure Facility Permit	\$ 14,957	\$ 33,661	\$ 56,097

Standardized Permitting Applications:

	<u>Storage, Treatment or Storage & Treatment</u>
Series A	\$ 47,751
Series B	\$ 29,811
Series C and Small Quantity Series C	\$ 7,943

Renewals: Facilities with a full permit, or a standardized permit, will pay an amount equal to the fee that would have been assessed had the person requested the same changes in a modification application, but not less than one-half the fee required for a new permit.

Permit Modifications:

CLASS I - No charge.

CLASS II - Treatment and/or Storage Facility - At the election of the applicant, a fee for service agreed upon with DTSC or 20 percent of the fee for a new permit for that facility for each unit directly impacted by the modifications, up to a maximum of 40 percent for each application.

Disposal Facility or Incinerator - At the election of the applicant, a fee for service agreed upon with DTSC or 15 percent of the fee for a new permit for that facility for each unit directly impacted by the modifications, up to a maximum of 30 percent for each application.

CLASS III - Treatment and/or Storage Facility - At the election of the applicant, a fee for service agreed upon with DTSC or 40 percent of the fee for a new permit for that facility for each unit directly impacted by the modifications, up to a maximum of 80 percent for each application.

Disposal Facility or Incinerator - At the election of the applicant, a fee for service agreed upon with DTSC or 30 percent of the fee for a new permit for that facility for each unit directly impacted by the modifications, up to a maximum of 60 percent for each application.

- NOTE:**
1. No facility or operator will be subject to a permit modification fee resulting from a revision of their closure plan after the facility has stopped treating, storing, or disposing of hazardous waste if the facility is exempt under California Health and Safety Code (H&SC) Section 25205.3 (e) or 25205.2 (d) (2) & (3).
 2. If DTSC requires a permitted facility to submit an application to establish an allowable capacity for the first time, the facility is not subject to the modification fee under H&SC Section 25205.7 (a) or 25205.7 (d). A fee is due when modifying an existing capacity.

The above fees apply only if the facility does not elect to enter into a cost reimbursement agreement. If the facility elects to enter into an agreement rather than paying a fixed fee, it will reimburse DTSC for the costs incurred by DTSC in processing the application or responding to the request.

TABLE 2: Activity Fee Definitions for Full Permits
(For postclosure permits these amounts apply to waste remaining after closure)

- "Small storage or treatment facility" - Manages 1,000 pounds or less of hazardous waste during any one month.
- "Medium storage or treatment facility" - Manages more than 1,000 pounds but less than 1,000 tons of hazardous waste during any one month.
- "Large storage or treatment facility" - Manages 1,000 tons or more of hazardous waste during any one month.

Activity Fees for Permitting do not apply to the following: (H&SC Section 25205.7)

1. Any variance issued to a public agency to transport wastes for purposes of operating a household hazardous waste collection facility, or to transport waste from a household hazardous waste collection facility, which receives household hazardous waste or hazardous waste from conditionally exempted small quantity generators pursuant to Article 10.8 (H&SC Section 25218).
2. A permanent household hazardous waste collection facility.
3. Any variance issued to a public agency to conduct a collection program for agricultural wastes.

■ **CONSULTATIVE SERVICES (H&SC Section 25201.9)**

DTSC may, upon written request of any person, enter into an agreement to provide certain voluntary consultative services to businesses who request the advice and oversight of the state in complying with H&SC Chapter 6.5 (Hazardous Waste Control) or Chapter 6.8 (Hazardous Substance Account). The agreement will require the person to reimburse DTSC for its costs pursuant to Article 9.2 (commencing with H&SC Section 25206.1)

■ **DISPOSAL FEE (H&SC Sections 25174.1 through 25174.7)**

Persons who dispose of hazardous waste to land at an authorized hazardous waste disposal facility in California will pay a fee directly to the disposal facility, and the disposal facility will transmit the fee to BOE for deposit into the Hazardous Waste Control Account (HWCA). The fees specified below, established in H&SC section 25174.6(a), are the rates for CY 2012 and are adjusted annually except for the non-Resource Conservation and Recovery Act (RCRA) Cleanup Waste rate to reflect increases or decreases in the cost of living as measured by the CPI issued by the Department of Industrial Relations. Disposal fees are calculated using the total wet weight measured in tons, or fractions thereof, of the hazardous waste in the form in which the hazardous waste existed at the time of disposal, submission for disposal, or application to land using a land disposal method as defined in Section 66260.10 of Title 22 of the California Code of Regulations (CCR).

TABLE 3: Land Disposal Fees for CY 2012
Due Date: Upon Disposal at the Disposal Facility
Base Rate is \$126.99

<u>Waste Category</u>	<u>Relative Rate</u>
Non-RCRA cleanup wastes* (excluding asbestos)	\$ 5.72/ton
Other non-RCRA wastes*	\$ 20.71/ton
Ores and minerals*	\$ 16.51/ton
Extremely hazardous waste	\$253.98/ton
Restricted hazardous waste	\$253.98/ton
RCRA hazardous waste	\$ 51.30/ton
RCRA hazardous waste treated at the facility to non-RCRA	\$ 20.71/ton
RCRA hazardous waste generated in a cleanup	
action and treated to non-RCRA standards	\$ 5.72/ton
Incineration or dechlorination residues disposed in- state	\$ 6.35/ton
Waste disposed out- of- state	\$ -0-

* Fees are paid on the first 5,000 tons per month disposed of or submitted for disposal of non-RCRA and mining waste at each onsite or offsite facility by each producer.

Land Disposal Fees do not apply to any of the following: (H&SC Section 25174.1)

1. Hazardous waste that result when a government agency, or its contractor, removes or remedies a release of hazardous waste in the state caused by another person.
2. Hazardous waste generated or disposed of by a public agency operating a household hazardous waste collection facility in the state pursuant to H&SC, Division 20, Chapter 6.5, Article 10.8, commencing with Section 25218, including, hazardous waste received from conditionally exempt small quantity commercial generators.
3. Hazardous waste generated or disposed of by local vector control agencies that have entered into a cooperative agreement pursuant to H&SC Section 116180 or by county agricultural commissioners, if the hazardous waste result from their control or regulatory activities and if they comply with the requirements of this chapter and regulations adopted.
4. Hazardous waste disposed of, or submitted for disposal or treatment, which is discovered and separated from solid waste as part of a load checking program.
5. Hazardous waste disposed of by any person who acquires land for the sole purpose of owner-occupied single-family residential use, and who acquires that land without actual or constructive notice or knowledge that there is a tank containing hazardous waste on or under that property, if the waste is disposed in connection with the removal of the tank.

■ **ENVIRONMENTAL FEE (H&SC Section 25205.6)**

On or before November 1 of each year, DTSC provides BOE with a schedule of codes from either the Standard Industrial Classification (SIC) system maintained by the U.S. Department of Labor, or the North American Industry Classification (NAIC) system adopted by the U.S. Census Bureau, whichever it deems suitable, designating the classes of organizations that use, generate, store, or conduct activities in the state related to hazardous materials. (Activities related to hazardous materials include the use of products such as paper, ink, plastics, paint, etc., which were manufactured using hazardous materials). BOE assesses and collects this fee from organizations using the codes provided by DTSC. Organizations subject to the fee are required to report annually on an Environmental Fee Return provided by BOE. The rates specified in Table 4 are for CY 2012 and are adjusted annually to reflect increases or decreases in the cost of living as measured by the CPI issued by the Department of Industrial Relations.

TABLE 4: Environmental Fee CY 2012

Due Date: On the last day of February 2013 on a return provided by BOE

<u>Business Size</u>	<u>Fee</u>
Less than 50 employees	\$ -0-
50 but less than 75 employees	\$ 291
75 but less than 100 employees	\$ 512
100 but less than 250 employees	\$ 1,019
250 but less than 500 employees	\$ 2,186
500 but less than 1,000 employees	\$ 4,081
1,000 or more employees	\$13,850

The number of employees employed by a business organization is the number of persons employed in California for more than 500 hours during the previous calendar year for which the fee is due.

Under H&SC Section 25205.6, the Environmental Fee does not apply to nonprofit residential care facilities, insurance companies that pay tax on gross premiums in lieu of all other California taxes and licenses, or banks that pay a tax on net income in lieu of all other California taxes and licenses. Banks and insurance companies must pay the Environmental Fee for wholly owned corporations not engaged in banking or insurance.

■ **EPA ID VERIFICATION FEE** (H&SC Section 25205.16)

DTSC is authorized to assess an annual verification fee on businesses with 50 or more employees that require an identification number issued by DTSC or by the U.S. EPA. There is an annual cap of \$5,000 for each generator, hauler, or facility that may have multiple ID numbers.

TABLE 5: EPA ID Verification Fee for Fiscal Year (FY) 2011/12
Due Date: 30 days from the date of receiving a notice from the DTSC

<u>Number of Employees</u>	<u>Fee</u>
Less than 50 employees	\$ -0-
50 but less than 75 employees	\$150
75 but less than 100 employees	\$175
100 but less than 250 employees	\$200
250 but less than 500 employees	\$225
500 or more employees	\$250

■ **FACILITY FEES**

Any facility treating, storing or disposing of hazardous waste in California must have a hazardous waste facility permit. Currently, facility permits are classified into four tiers; full facility permit, standardized permit, permit-by-rule, and conditional exemption. The facility fee due is determined by the type or types of permits held by a facility operator.

The following is a brief summary of each of the four tiers. A more detailed description of each tier and the associated fees follow the summary.

1. Full Permit - RCRA equivalent permit required for all RCRA regulated facilities, and for any state regulated incinerators and land disposal facilities.
2. Standardized Permit - offsite, non-RCRA treatment or storage.
3. Permit-By-Rule - onsite, non-RCRA treatment.
4. Conditional Exemption - onsite, non-RCRA treatment of small quantities or low-risk wastes.

Reducing or Terminating Facility Fees

Operating Full and Standardized permitted facilities are subject to Facility Fees and may be entitled to a reduction in fees when:

- **Size:** The facility notifies DTSC in writing and pledges to operate at a reduced capacity than the permit allows. See H&SC Section 25205.18 for more details.
- **Type:** A facility that changes the type of authorization must do so using a Permit Modification, for example from treatment to storage. A reduction in the type of authorization may result in lower facility fees. See H&SC Section 25205.19 for more details.
- **Timing:** Facility fees for facilities reducing their capacity or type would be reduced in the next calendar year following the year the change occurs.

Facilities that are closing must notify DTSC in writing of their intent to close and when operations actually ceased. See H&SC Section 25205.2 and 22 CCR Division 4.5, Chapter 14, Article 7 or Chapter 15, Article 7 for more details.

- Non-operating facilities owe the Facility Fee for one calendar year after they have ceased operations and notified DTSC of their intent to close. The Facility Fee rate for this additional year after final closure shall be either (1) the largest facility size rate at which the facility has ever been subject to the fee; or (2) where prior approval was obtained from, and granted by DTSC for a variance, closure, or permit-by-rule, the largest facility size rate since the department last granted approval for such variance, closure or permit-by-rule.

► **FULL PERMIT FACILITY FEE** (H&SC sections 25205.1(b), 25205.2, 25205.3, 25205.4 and 25209.7)

Each operator of a facility will pay an annual Facility Fee for each reporting period, or any portion thereof, to BOE based on the size and type of the facility. Facility means any units or other structures, and all contiguous land, used for the treatment, storage, disposal, or recycling of hazardous waste for which a permit or a grant of interim status has been issued by DTSC for that activity.

Facility Fees are due and payable to BOE annually in two installments each at 50% of the annual Facility Fee. BOE will mail prepayment forms to registered fee payers approximately 30 days prior to the due dates. The rates specified in Table 6 are for CY 2012 and are adjusted annually to reflect increases or decreases in the cost of living as measured by the CPI issued by the Department of Industrial Relations.

TABLE 6: Full Permit Facility Fee for CY 2012

Due Dates: **Two Prepayments** - February 29, 2012 (during the reporting period)
- August 31, 2012 (during the reporting period)
Reconciliation - February 28, 2013 (any remaining balance)

Base Rate \$29,438

Facility Type	Rate	Fee
Mini storage facility	25% base rate	\$ 7,360
Small storage facility	100% base rate	\$ 29,438
Large storage facility	2 x base rate	\$ 58,876
Mini treatment facility	50% base rate	\$ 14,719
Small treatment facility	2 x base rate	\$ 58,876
Large treatment facility (onsite/offsite)	3 x base rate	\$ 88,314
Disposal facility	10 x base rate	\$294,380

Land treatment units pay an annual fee equivalent to two percent of the land disposal fee in addition to the annual Hazardous Waste Facility Fee, which is due at the same time as the Facility Fee .

A treatment or storage facility that has stopped treating or storing waste is required to pay the applicable full permit Facility Fee for only one additional reporting period. For the additional reporting period, the fee will be based on the highest category in which the facility has operated in any previous year. Disposal facilities pay twice the applicable full permit Facility Fee for one additional reporting period after operations have ceased. A facility is not considered to have stopped treatment, storage or disposal of waste unless these activities have actually ceased and the facility has notified DTSC of its intent to close.

Full Permit Fees do not apply to the following:

1. Facilities operating under a standardized permit, permit-by-rule, or conditional exemption.
2. Facilities authorized by DTSC to clean and recycle excavated underground storage tanks until an effective date of a regulation, adopted by DTSC, governing the statewide requirements for the issuance of a permit for tank cleaning and recycling facilities.
3. A facility that DTSC has issued a variance from the requirement of obtaining a hazardous waste facility permit or grant of ISD is not subject to the fee for any fiscal year following the reporting period in which the variance was granted.
4. Facilities that treat, store or dispose, if that activity took place before July 1, 1986, and if the fee for the activity was not paid prior to January 1, 1994.
5. Treatment facilities engaging in treatment exclusively to accomplish a removal, or remedial action or a corrective action, in accordance with an order issued by the U.S. EPA.
6. Any household hazardous waste collection facility operated pursuant to H&SC, Division 20, Chapter 6.5; Article 10.8.
7. Any facility operated by a local government agency, or by any person operating a hazardous waste collection program under an agreement with a public agency.

8. That portion of a permitted solid waste facility which is used for the segregation, handling, and storage of hazardous waste separated from solid waste loads received by the facility, pursuant to a load checking program.
9. A facility used solely for the treatment, storage, disposal, or recycling of hazardous waste that results when a public agency or its contractor investigates, removes, or remedies a release of hazardous waste caused by another person.
10. A facility that has been issued a permit for the purpose of storing hazardous waste onsite, and whose permit has expired, if all of the following has occurred:
 - a. The facility has received no waste from offsite since the permit expired.
 - b. The owner or operator gave DTSC timely notification of intent to close the facility, pursuant to regulations adopted by DTSC.
 - c. At least 90 days have elapsed since the owner or operator gave DTSC that notification.
 - d. DTSC did not complete its review of the closure plan within 90 days of receiving the notification.
11. An operator who is operating in such a manner that a permit or a grant of interim status is required, but who does not hold a permit or a grant of interim status, is not required to pay facility fees. However, the operator could be subject to fines and penalties for operating without a permit or a grant of interim status. If the facility is allowed to operate pursuant to an order requiring the facility to obtain a permit within a specified amount of time, the order may also require fees to be paid while the permit issuance is pending as a condition of operation.

Definitions for Full Permit Facilities

(Note: The term "capacity" referred to in the definitions below is the capacity provided in a permit, interim status document or Federal Part A application.)

- ▲ "Mini-storage facility" means a storage facility that stores or has the capacity to store .5 tons (1,000 pounds) or less of hazardous waste during any one month of the current reporting period commencing on or after July 1, 1991.
- ▲ "Mini-treatment facility" means a treatment facility that treats, land treats, or recycles, or has the capacity to treat, land treat, or recycle .5 tons (1,000 pounds) or less of hazardous waste during any one month of the current reporting period commencing on or after July 1, 1991.
- ▲ "Small storage facility" means a storage facility that stores more than or has the capacity to store more than .5 tons (1,000 pounds), but less than 1,000 tons, of hazardous waste during any one month of the current reporting period commencing on or after July 1, 1991.
- ▲ "Small treatment facility" means a treatment facility that treats, land treats, or recycles, or has the capacity to treat, land treat, or recycle more than .5 tons (1,000 pounds), but less than 1,000 tons, of hazardous waste during any month of the current reporting period commencing on or after July 1, 1991.
- ▲ "Large storage facility" means a storage facility that stores or has the capacity to store 1,000 or more tons of hazardous waste during any one month of the current reporting period commencing on or after July 1, 1991.
- ▲ "Large treatment facility" means a treatment facility that treats, land treats, or recycles, or has the capacity to treat, land treat, or recycle 1,000 or more tons of hazardous waste during any one month of the current reporting period commencing on or after July 1, 1991.

Postclosure Fee applies to facilities with postclosure permits. Facilities are required to report their facility size on a Hazardous Waste Facility Fee Return provided by BOE. The annual fees charged to a facility with a postclosure permit specified in Table 7 are for CY 2012.

Due Dates: Two Prepayments - February 29, 2012 (during the reporting period)
- August 31, 2012 (during the reporting period)
Reconciliation - February 28, 2013 (any remaining balance)

<u>DTSC-Lead Sites</u>	<u>During first five years of postclosure period</u>	<u>During remaining years of postclosure period</u>
Small Facility	\$ 5,725	\$ 3,050
Medium Facility	\$11,450	\$ 6,100
Large Facility	\$17,175	\$10,300

These fees will be reduced by 50 percent for any facility for which an agency other than DTSC is the lead agency pursuant to paragraph (1) of subdivision (b) of H&SC Section 25204.6.

California Senate Bill (SB) 27 created the standardized permit tier. Standardized permits are only for non-RCRA facilities. Each facility will pay an annual facility fee in addition to the Activity Fee (see Activity Fees H&SC section 25205.7) assessed upon application for a permit or renewal. The amount of the fee is determined by the size and series designation of the facility. All fees will be billed to facilities directly by BOE.

Due Dates: **Two Prepayments** - February 29, 2012 (during the reporting period)
 - August 28, 2012 (during the reporting period)
Reconciliation - February 28, 2013 (any remaining balance)

Series A	\$11,730
Series B	\$ 5,497
Series C	\$ 4,617
Small Quantity Series C	\$ 2,308

▲ **“SERIES A”** Standardized Permit means a permit issued to a facility that meets one or more of the following conditions:

1. The total influent volume of liquid hazardous waste treated is greater than 50,000 gallons per calendar month.
2. The total volume of solid hazardous waste treated is greater than 100,000 pounds per calendar month.
3. Where both liquid and solid hazardous wastes are being treated, either the total volume of liquid waste treated exceeds the volume specified in number one (1) above, or the total weight of solid hazardous waste treated exceeds the weight specified in number two (2) above.
4. The total facility storage design capacity is greater than 500,000 gallons for liquid hazardous waste.
5. The total facility storage design capacity is greater than 500 tons for solid hazardous waste.
6. Where both liquid and solid hazardous waste are being stored, the total volume of liquid waste stored exceeds the volume specified in number four (4) above, or the total volume of solid hazardous waste stored exceeds the volume specified in number five (5) above.
7. A volume of liquid or solid hazardous waste is stored at the facility for more than one calendar year.

- ▲ **"SERIES B"** Standardized Permit means a permit issued to a facility that does not store liquid or solid hazardous waste for a period of more than one calendar year, and that meets one or more of the following conditions:
1. The total influent volume of liquid hazardous waste treated is greater than 5,000 gallons but less than 50,000 gallons per calendar month.
 2. The total volume of solid hazardous waste treated is greater than 10,000 pounds but less than 100,000 pounds per calendar month.
 3. Where both liquid and solid hazardous wastes are being treated, the total volume of liquid hazardous waste treated does not exceed the volume specified in number one (1) above, and the volume of solid hazardous waste treated does not exceed the volume specified in number two (2) above.
 4. The total facility storage design capacity is greater than 50,000 gallons but less than 500,000 gallons for liquid hazardous waste.
 5. The total facility storage design capacity is greater than 100,000 pounds but less than 500 tons for solid hazardous waste.
 6. Where both liquid and solid hazardous wastes are being stored, the total volume of liquid hazardous waste stored does not exceed the volume specified in number four (4) above, and the total volume of solid hazardous waste stored does not exceed the volume specified in number five (5) above.
- ▲ **"SERIES C"** Standardized Permit means a permit issued to a facility that does not store liquid or solid hazardous waste for a period of more than one calendar year, that does not conduct thermal treatment of hazardous waste, with the exception of evaporation, and meets one of the following conditions:
1. The total influent volume of liquid hazardous waste treated does not exceed 5,000 gallons per calendar month.
 2. The total volume of solid hazardous waste treated does not exceed 10,000 pounds per calendar month.
 3. Where both liquid and solid hazardous wastes are being treated, the total volume of liquid hazardous waste treated does not exceed the volume specified in number one (1) above, and the total volume of solid hazardous wastes treated does not exceed the volume specified in number two (2) above.
 4. The total facility storage design capacity does not exceed 50,000 gallons for liquid hazardous waste.
 5. The total facility storage design capacity does not exceed 100,000 pounds for solid hazardous waste.
 6. Where both liquid and solid hazardous waste are being stored, the total volume of liquid hazardous waste stored does not exceed the volume specified in number four (4) above, and the total weight of solid hazardous waste stored does not exceed the weight specified in number five (5) above.
- ▲ **"SMALL QUANTITY SERIES C"** Standardized Permit Facility is a facility that treats less than 1,500 gallons or 3,000 pounds of waste in a month, or can store less than 15,000 gallons or 30,000 pounds of waste.

► **TRANSPORTABLE TREATMENT UNIT H&SC Section 25205.14)**

California Assembly Bill (AB) 1772 (Polanco, c.1325, stats. 1992) created permit levels that allow facilities that pose a lesser threat to public health and the environment to handle hazardous waste under certain conditions without being required to secure a full permit (H&SC section 25205.7) or pay facility fees (H&SC section 25205.2). Those who qualify for the lower level of permit and notify DTSC may fall under the tiers described in Table 9. TTU fee is authorized per treatment unit and not per facility.

TABLE 9: Transportable Treatment Unit Fee CY 2012

Due Dates: 30 Days After Billing by the BOE

Reporting period begins January 1 each year

<u>Type of Permit</u>	<u>Fee</u>
Permit-by-Rule	\$1,429 per unit*
Conditional Exemption	\$ 38 per unit

*This amount is adjusted annually to reflect increases or decreases in the cost of living as measured by the CPI issued by the Department of Industrial Relations or a successor agency.

■ **GENERATOR FEE (H&SC Sections 25205.5, 25205.22, and 25174.7)**

Every generator that produces five tons or more of hazardous waste will pay BOE a Generator Fee for each generator site for each calendar year, or portion thereof. Facilities permitted under a full or standardized permit who pay annual Facility Fees for a specific site do not owe a generator fee for that site. Generators are required to report the amount of waste generated on a hazardous waste generator fee return provided by BOE. The rates specified in Table 10 are for CY 2012 and are adjusted annually to reflect increases or decreases in the cost of living as measured by the CPI issued by the Department of Industrial Relations.

TABLE 10: Generator Fee CY 2012
Due Date: One Prepayment - August 31, 2012 (during reporting period)
Final - February 28, 2013 (after the reporting period)

Base Rate: \$4,094

<u>Generator Size</u>	<u>Rate</u>	<u>Fee</u>
Less than 5 tons/year	0% base rate	\$ -0-
5 but less than 25 tons/year	5% base rate	\$ 205
25 but less than 50 tons/year	40% base rate	\$ 1,638
50 but less than 250 tons/year	100% base rate	\$ 4,094
250 but less than 500 tons/year	5 x base rate	\$ 20,470
500 but less than 1,000 tons/year	10 x base rate	\$ 40,940
1,000 but less than 2,000 tons/year	15 x base rate	\$ 61,410
2,000 or more tons/year	20 x base rate	\$ 81,880

In addition, generators who dispose of waste to land may be subject to Land Disposal Fees imposed pursuant to H&SC Section 25174.1.

Generators who have paid a Facility Fee or received a credit under H&SC Section 25205.2 (i) are exempt from the generator fee.

SB 2014 (Schiff, c. 737, stats. 1998) provides for two potential refunds for hazardous waste generators:

1. Generators who paid Generator Fees to BOE and in the same year also paid Generator Inspection Fees to a Certified Unified Program Agency (CUPA). In addition, the generator must also have received a state Generator Fee credit for local fees paid for in 1996.
2. Generators who submitted hazardous waste to a permitted offsite facility for recycling. For this purpose recycling does not include hazardous waste that is burned in a boiler, industrial furnace, or incinerator; disposed of; or used to produce products applied to land.

Other specific requirements apply to each of the two potential types of refunds. In addition, no refunds will be made unless DTSC certifies that funds are available for the refunds. Because of budgetary shortfalls, refunds have not been available in prior years, and may not be available in CY 2012. Separate applications for each type of refund must be submitted to BOE by September 30 of each year for the prior calendar year. For information regarding the application process please contact BOE at (916) 322-9534.

The following materials are not hazardous wastes for purposes of fee assessments:

1. Hazardous materials that are recycled and used onsite, and are not transferred offsite.
2. Aqueous waste treated in a treatment unit operating, or that subsequently operates, pursuant to a permit by rule, or pursuant to H&SC Section 25200.3 or 25201.5. However, hazardous waste generated by a treatment unit treating waste pursuant to a permit-by-rule, by a unit that subsequently obtains a permit-by-rule or other authorization pursuant to H&SC Section 25200.3 or 25201.5 is hazardous waste.

Generator Fees do not apply to:

1. Hazardous waste that results when a government agency, or its contractor, removes or remedies a release of hazardous waste in the state caused by another person.
2. Hazardous waste generated or disposed of by a public agency operating a household hazardous waste collection facility in the state pursuant to Article 10.8, including hazardous waste received from conditionally exempt small quantity commercial generators.
3. Hazardous waste generated or disposed of by local vector control agencies that have entered into a cooperative agreement pursuant to H&SC Section 116180 or by county agricultural commissioners, if the hazardous wastes result from their control or regulatory activities and if they comply with the requirements of this chapter and regulations adopted.
4. Hazardous waste disposed of, or submitted for disposal or treatment, which is discovered and separated from solid waste as part of a load checking program.
5. Any person, who acquires land for the sole purpose of owner-occupied single-family residential use, and who acquires that land without actual or constructive notice or knowledge that there is a tank containing hazardous waste on or under that property, is exempt from the fees imposed pursuant to H&SC Sections 25174.1, 25205.5, and 25345, in connection with the removal of the tank.

■ **MANIFEST FORMS (CCR, Title 22, Division 4.5, Section 66262.20)**

A generator who transports, or offers for transportation, hazardous waste for offsite transfer, treatment, storage, or disposal will prepare a Manifest before the waste is transported offsite.

The national Uniform Hazardous Waste Manifest Form is available only from registered printers approved by the U.S. EPA. Registered printers are posted on the following federal Web site:

<http://www.epa.gov/epawaste/hazard/transportation/manifest/registry/printers.htm>

■ **MANIFEST REPROCESSING FEE (H&SC Section 25160.5)**

DTSC has authority to assess a \$20 reprocessing fee for each improperly completed Manifest Form that is returned to the person who completed the manifest.

■ **MANIFEST USER FEE (H&SC Section 25205.15)**

This section authorizes DTSC to assess a fee of \$7.50 for each manifest used, except that manifests used solely for recycled waste are exempt. The first four non-recycled manifests used in a calendar year by a business with less than 100 employees are free. The fee is due within 30 days from the date of receipt of the billing by DTSC. The fee for a manifest that is used solely for hazardous waste derived from air compliance solvents is \$3.50. Persons, who erroneously report this type of waste, or recycled waste, on a manifest that is actually used for transportation of other types of waste, will pay the \$7.50 manifest fee plus the error correction fee of \$20.00 per manifest.

■ **OTHER MISCELLANEOUS FEES (State Administrative Manual Section 8740)**

In accordance with the requirements of the State Administrative Manual, DTSC may charge a fee for any requests to retrieve and copy Departmental records.

■ **REGISTERED ENVIRONMENTAL ASSESSOR (REA) FEES (H&SC Section 25570.3)**

TABLE 11: REA Fees for CY 2012

REA I initial application:	\$50
REA I reinstatement application:	\$50
REA I five-year renewal application:	\$50
REA II application:	\$125
REA II five-year renewal application:	\$50
REA I annual fee:	\$100
REA I annual late fee:	\$25
REA I annual fee/annual late fee combo:	\$125
REA I prorated annual fee (schedule available):	\$124 - 36
REA II annual fee:	\$275

These fees do not automatically increase with the cost of living; however, the REA Program has statutory authority to increase the REA II annual registration fee to the maximum of \$500.

NOTE: For more information regarding REA fees, including the REA I prorated annual fee schedule, please e-mail REA_mailbox@dtsc.ca.gov or call Marcia Troyer at: (916) 323-6428.

■ **SALE OF MATERIALS (H&SC Section 25201.11)**

DTSC may sell, lease, or license materials including, but not limited to, videotapes, audiotapes, books, pamphlets and computer software.

LEGISLATIVE HISTORY

The Hazardous Substance Account (HSA) was created by Chapter 756, Statutes of 1981. In 1989, SB 475 (Torres, c. 269, stats. 1989) moved the Land Disposal Fee from the HWCA to the HSA, established the Environmental Fee for corporations with 50 or more employees, set the base rate for the Disposal Fee at \$52.50, added a new category for waste transported out of state, and established fees for oversight activities provided by the DTSC Site Mitigation Program.

In FY 1990/91, SB 1857 (Torres, c. 1268, stats. 1990) eliminated the Superfund tax and the discount for disposal to double-lined surface impoundments, and reduced the base rate for mining waste from 25 percent to 13 percent. In addition, the legislation doubled the disposal fee base rate from \$52.50 to \$105.00 per ton, and made several technical and corrective changes to the hazardous waste funding program. These rates became effective on January 1, 1991.

In FY 1991/92, SB 48 (Thompson, c. 766, stats. 1991) created the Railroad Accident and Prevention Fund and mandated DTSC to establish a fee to be paid by surface transporters of hazardous materials to fund the Railroad Accident Prevention and Immediate Deployment Force.

In FY 1992/93, SB 1469 (Calderon, c. 852, stats. 1992) created the Federal Receipts Account for fees collected from Federal Agencies, combined the HWCA and the HSA accounts into the HWCA, and created the Site Remediation Account, which was funded from the HWCA to pay for direct site cleanup. Land disposal fees for waste going out of state were eliminated, and the disposal fee for the Resource Conservation and Recovery Act (Federal), 42 USC Section 6901, 40 Code of Federal Regulation (RCRA) waste dropped from \$105 to \$42.42 per ton. This bill also created two new fees, the Manifest User Fee and the EPA ID number verification fee. AB 1772 (Polanco, c. 1325, stats. 1992) established a new Tiered Permitting fee, exempted certain onsite treatments from past and future facility fees, and established new annual fees for companies that operate in the lower permitting tiers.

In FY 1993/94, SB 27 (Wright, c. 410, stats. 1993) set new fees for the Standardized Permits for hazardous waste treatment and storage facilities that accept hazardous waste from other locations and that are not required to obtain a permit under federal law (RCRA). Also, SB 922 (Calderon, c. 1145, stats. 1993) made substantial changes to the California Hazardous Substances Tax Law, effective January 1, 1994. Some of these changes included reducing the Disposal Fee on cleanup waste, eliminating most Site Mitigation Activity Fees, reducing the Manifest Fee on recycled wastes, increasing the Generator Fee, and limiting the liability for Facility Fees after closure. SB 1123 (Calderon, c. 65, stats. 1994) exempted facilities and operators from any Permit Modification Fee liability resulting from a revision of the facility's or operator's closure plan.

In FY 1994/95, AB 3582 (Richter, c. 1154, stats. 1994) established effective January 1, 1995, that oil-contaminated bilge water that requires a National Pollutant Discharge Elimination System Permit from a regional water quality control board was no longer considered to be "used oil." Such oil-contaminated bilge water was now subject to the Hazardous Waste Generator Fee if shipped off-site for treatment. Bilge water treated in an onsite treatment unit authorized to operate under Permit-by-Rule (PBR), under Conditional Authorization, or under Conditional Exemption remained exempt from the Generator Fee under H&SC Section 25205.5(e)(2). The effluent or residue from the treatment process is subject to the fee unless another exemption applies. Also, SB 1815 (Wright, c. 548, stats. 1994) provided that the base rate for a Standardized Permit would be the rate for the 1993-94 fiscal year. SB 1082 (Calderon, c. 418, stats. 1993) created the Certified Unified Program Agency (CUPA) and instituted a single fee system specifically for the support of the local CUPAs. Each CUPA collects a state surcharge, determined by the California Environmental Protection Agency, to fund the state's costs of overseeing the program. DTSC is one of the agencies that receive a portion of the state surcharge.

In FY 1995/96, SB 1222 (Calderon, c. 638, stats. 1995) lowered the rate for non-RCRA cleanup waste to \$7.50 per ton, lowered the rate for other non-RCRA waste to \$17.94 per ton, and added a reduced fee for designated treatment residues disposed in-state. In addition, this bill required hazardous waste disposal facilities to collect the Disposal Fee and transmit the fee to BOE and eliminated the requirement for facilities receiving non-RCRA waste imported for treatment, recycling or disposal to pay the Generator Fee. AB 1906 (Sher, c. 637, stats. 1995) consolidated fee return filing and provided for prepayment for the facility, generator and generator surcharge fees. SB 1964 (Figueroa, c. 630, stats. 1995) required annual adjustments to the Hazardous Waste Fees to be based on the CPI for California rather than the United States Index. SB 1291 (Wright, c. 640, stats. 1995) created procedures for a facility to convert from a full permit or ISD to an onsite tier, either PBR, Conditional Authorization or Conditional Exemption, and established a fee of \$500 for the permit modification to make the conversion. Fees are paid only on the highest tier.

In FY 1996/97, AB 2776 (Miller, c. 999, stats. 1996) allowed DTSC to, until January 1, 2002, grant temporary relief from certain requirements by issuing a single variance to all affected businesses and allowing a variance applicant to enter into an optional cost reimbursement agreement as an alternative to the flat rate variance fee. SB 1532 (Wright, c. 259, stats. 1996) changed existing law to require that certain facilities operating under a standardized permit or grant of interim status receive a credit for the annual Facility Fee. SB 1532 also exempted a generator from the annual Generator Fee if the generator's facility received a credit under the Facility Fee Provision for a specific site. SB 1839 specified that, effective July 20, 1996; a Generator Fee prepayment was not required for a fee payer whose prepayment due was less than \$500.

In FY 1997/98, SB 660 (Sher, c. 870, stats. 1997) enacted the Environmental Cleanup and Fee Reform Act of 1997 and implemented many of the recommendations made by the Fee Reform Task Force mandated by SB 1222. Effective January 1, 1998, SB 660 eliminated the Generator Fee surcharge and restructured the Generator Fee, Disposal Fee, Facility Fee and the Environmental Fee. Effective July 1, 1998, the fees for a preliminary endangerment assessment for site mitigation, extremely hazardous waste, border zone property assessment, waste classification, variance, and class I modifications were eliminated. Variances (except variances for transporters), waste classifications, and preliminary endangerment assessments became cost reimbursement activities. In addition, permitted facilities may submit a self-certification letter ("pledge letter") which allows the permitted facility to pay a reduced Facility Fee corresponding to the reduced amount of hazardous waste being generated at those respective facilities. SB 660 also established the Toxic Substances Control Account (TSCA) to receive the Environmental Fee, cost reimbursements and other revenues not listed in this summary. TSCA funds are to be expended for site remediation, technology programs, and administration and implementation of cleanup programs.

In FY 1998/99, SB 2240 (Committee on Environmental Quality, c. 882, stats. 1998) allowed DTSC to choose either the Standard Industrial Classification system or the North American Industry Classification system, whichever it deemed suitable, when providing BOE with a list of codes for the Environmental Fee. While SB 660 eliminated the Manifest Fee for manifests used solely for recycled waste, this bill added a fee for manifests used to transport hazardous wastes derived from air compliance solvents.

In FY 1999/00, SB 606 (O'Connell, c. 745, stats. 1999) added a penalty to the Disposal Fee of five (5) times the normal Disposal Fee rate for recyclable wastes that have been disposed on land. This penalty is in addition to any other penalties that DTSC may assess through an enforcement action.

In FY 2000/01, AB 2309, which would have extended the sunset date for the reduction of fees for disposal and facility fees set by SB 660 (Sher, c. 870, stats. 1997), was vetoed.

In FY 2001/02, AB 1259 (Wiggins, c. 461, stats. 2001) required DTSC to suspend or deny the permit of a hazardous waste facility if the owner or operator is delinquent in paying fees or penalties owed to DTSC provided all appeal rights have been exhausted or have expired. SB 271 (O'Connell, c. 319, stats. 2001) streamlined the transportation of certain hazardous wastes from small generators and used oil-related operations by establishing a new consolidated manifesting procedure. This bill also added additional types of wastes to the list wastes qualifying for this manifesting procedure.

In FY 2002/03, there were no changes to the fee structure.

In FY 2003/04, AB 1247 (Aghazarian, c. 286, stats. 2003) authorized DTSC to use enforcement orders and enforceable agreements to impose the requirements of postclosure plans at hazardous waste facilities in lieu of issuing postclosure permits. If DTSC imposes postclosure plan requirements through an enforcement order or enforceable agreement, the facility owner or operator is required to pay DTSC's Activity Fee and annual Postclosure Facility Fee. DTSC may only impose postclosure plan requirements through enforcement orders and enforceable agreements from January 1, 2004, to January 1, 2007.

In FY 2004/05 there were no changes to the fee structure.

In FY 2005/06, AB 1803 (Committee on Budget, c. 77, stats. 2006) authorized DTSC to expand the applicability of the Environmental Fee beyond corporations. Under AB 1803, the language of H&SC Section 25205.6(a) was amended to include the definition of "organization," which means a corporation, limited liability company, limited partnership, limited liability partnership, general partnership, and sole proprietorship. In addition, AB 1803 exempted the fees of the first four non-recycled manifests for organizations with less than 100 California employees. AB 1813 (Committee on Budget, c. 344, stats. 2006) stipulated that the amended Environmental Fee will go into effect for CY 2007, and was due by February 29, 2008.

In FY 2006/07 there were no changes to the fee structure.

In FY 2007/08 there were no changes to the fee structure.

In FY 2008/09 there were no changes to the fee structure.

In FY 2009/10, SB 855 (Committee on Budget, c. 718, stats. 2010) clarified that all penalties collected associated with lead in jewelry, lead wheel weights, and toxics in consumer product packaging will be deposited into TSCA.

In FY 2010/11, AB 255 (Wieckowski, c. 213, stats. 2011) allows a permanent household hazardous waste collection facility that is authorized to accept hazardous waste from a conditionally exempt small quantity generator (CESQG) to accept recyclable latex paint from any generator, notwithstanding specified provisions and regulations, if the permanent household hazardous waste collection facility complies with certain requirements. AB 408 (Wieckowski, c. 603, stats. 2011) amended previous law which provided that the expense of a public agency's emergency response to the release, escape, or burning of hazardous substances is a charge against the person whose negligence caused the incident if the incident necessitated an evacuation beyond the property of origin or results in the spread of hazardous substances or fire beyond the property of origin. This bill provides that these expenses are a charge against the person whose negligence caused the incident if the incident necessitated an evacuation from the building, structure, property, or public right-of-way where the incident originated, or the incident resulted in the spread of hazardous substances or fire beyond the building, structure, property, or public right-of-way where the incident originated. The bill also revised the definition of "hazardous substance" for purposes of these provisions. SB 456 (Huff, c. 602, stats. 2011) allows a registered hazardous waste transporter operating a door-to-door household hazardous waste collection program or household hazardous waste residential pickup service to instead use a specified manifesting procedure for transporting household hazardous waste, if the transporter complies with certain operating and reporting requirements. The bill requires a public agency to retain a copy of the manifest in a specified manner. These requirements will be inoperative on January 1, 2020.

Contact Person for this document is Adrienne Howze (916) 322-2448

GLOSSARY OF ACRONYMS/ABBREVIATIONS

BOE = California State Board of Equalization

c. = Chapter

CCR = California Code of Regulations

CESQG = Conditionally Exempt Small Quantity Generator

CUPA = Certified Unified Program Agency

CPI = Consumer Price Index

CY = Calendar Year

DTSC = Department of Toxic Substances Control

EPA = Environmental Protection Agency

FY = Fiscal Year

H&SC = California Health and Safety Code

HAS = Hazardous Substance Account

HWCA = Hazardous Waste Control Account

ID = Identification

ISD = Interim Status Documents

NAIC = North American Industry Classification

PBR = Permit-by-Rule

RCRA = Federal Resource Conservation Recovery Act

REA = Registered Environmental Assessor

SB = California Senate Bill

SIC = Standard Industrial Classification

stats. = Statutes

TSCA = Toxic Substances Control Account

TTU = Transportable Treatment Unit

U.S. = United States

Hazardous Waste Generator Program

Annual Fee Allocations

Fiscal Year 2010-2011

Categories	# Sites	Inspection Fee	Inspection Fee Revenue	Average Tons/ Facility	Tonnage Fee	Tonnage Fee Revenue	Total Fee ¹	Total Revenue
<5 tons	1,263	\$ 460	\$ 581,252	2.5	\$ 24	\$ 30,786	\$ 485	\$ 612,555
5 tons ≤ x <12 tons	150	\$ 575	\$ 86,290	8.5	\$ 83	\$ 12,431	\$ 658	\$ 98,700
12 tons ≤ x <25 tons	84	\$ 805	\$ 67,652	18.5	\$ 180	\$ 15,152	\$ 986	\$ 82,824
25 tons ≤ x <50 tons	59	\$ 1,151	\$ 67,882	37.5	\$ 366	\$ 21,572	\$ 1,516	\$ 89,444
50 tons ≤ x <250 tons	55	\$ 1,726	\$ 94,919	150	\$ 1,463	\$ 80,438	\$ 3,188	\$ 175,340
250 tons ≤ x <500 tons	9	\$ 6,903	\$ 62,129	375	\$ 3,656	\$ 32,906	\$ 10,559	\$ 95,031
500 tons ≤ x <1000 tons	6	\$ 9,204	\$ 55,226	750	\$ 7,313	\$ 43,875	\$ 16,517	\$ 99,102
1000 tons ≤ x <2000 tons	2	\$ 12,272	\$ 24,545	1,500	\$ 14,625	\$ 29,250	\$ 26,897	\$ 53,794
≥2000 tons	6	\$ 18,409	\$ 110,452	4,000	\$ 39,000	\$ 234,000	\$ 57,409	\$ 344,454
Permit by Rule	16						\$ 3,068	\$ 49,088
Conditionally Authorized	11						\$ 3,068	\$ 33,748
Conditionally Exempt	7						\$ 614	\$ 4,298
Total			\$1,150,347			\$500,410		\$1,738,378

¹ The fee amounts shown in the Total Fee column were calculated by adding together the unrounded inspection fee and unrounded tonnage fee components in each category, and then rounding the sum to the nearest dollar. Revenue totals for each component were also calculated based on unrounded inspection and tonnage fee components. However, the inspection and tonnage fee components shown in this exhibit in each category, and their corresponding revenues, have been rounded for convenience.

**CONTRA COSTA COUNTY HEALTH SERVICES DEPARTMENT
CALIFORNIA ACCIDENTAL RELEASE PREVENTION PROGRAM
RELATIVE RISK DETERMINATION METHODOLOGY**

I. INTRODUCTION. The Contra Costa County Health Services Department uses the Chemical Exposure Index (CEI)¹, as modified, to rank the relative potential of acute health hazard to people from possible chemical release incidents. The Modified CEI (MCEI) is used by the Department for the purpose of assessing stationary source fees. The MCEI formula is intended to provide a relatively simple method for comparing relative chemical toxic hazards, resulting in fees that fairly reflect the hazard potential of the facilities in the County.

The MCEI accounts for the following six factors that could influence the magnitude of a potential regulated substance exposure:

1. The potential health hazard posed by the regulated substance measured by the toxic endpoint and the vapor pressure (volatilization driving force) of the material.
2. The vapor quantity available for dispersion based on the largest single container of the regulated substance.
3. The distance to the nearest receptor.
4. The degree of dispersivity and vapor density as related to the molecular weight of the substance.
5. The number of processes using regulated substances at a stationary source.
6. Accident history

¹For information regarding the Chemical Exposure Index, see *Dow Chemical's Chemical Exposure Guide*, published by the Center for Chemical Process Safety, American Institute of Chemical Engineers, 1994, New York, New York.

II. MODIFIED CHEMICAL EXPOSURE INDEX (MCEI) DETERMINATION METHODOLOGY.

A. Regulated Substance MCEI.

A Regulated Substance MCEI is determined for each regulated substance handled at a stationary source in quantities above the threshold quantities established by the regulations for the California Accidental Release Prevention Program. The MCEI for a Regulated Substance is determined by multiplying the applicable scale numbers for the various risk factors (Subsection B), as follows:

$$\begin{array}{ccccccccc} 1. & & 2. & & 3. & & 4. & & 5. \\ \text{Regulated} & & \text{Largest} & & \text{Distance} & & \text{Molecular} & & \text{Modified} \\ \text{Substance} & & \text{Single} & & \text{Scale No.} & & \text{Weight} & & \text{Chemical Exposure} \\ \text{Scale No.} & \times & \text{Container} & \times & & \times & \text{Scale No.} & = & \text{Index} \\ & & \text{Scale No.} & & & & & & \end{array}$$

B. Determination of Risk Factor Scale Numbers.

1. Regulated Substance Scale Number. Both the concentration at which a material is acutely toxic and the vapor/partial pressure that creates the driving force to volatilize and maintain the material in the atmosphere affect this scale number. For purposes of this scale number, the toxic endpoints, in parts per million, are used as the toxicity measurement. Volatility is measured by the vapor/partial pressure in mm Hg @ 25°C (millimeters of Mercury at 25 degrees Centigrade), up to a maximum of 760mm Hg.

The Regulated Substance Scale factor is determined by multiplying the toxic endpoint concentration by 760, and dividing that number by the vapor/partial pressure in mm Hg. The Regulated Substance Scale factors are assigned the following Regulated Substance Scale Numbers.

Regulated Substance Scale Factor	Regulated Substance Scale Number
0 - .99	5
1.0 - 9.9	4
10.0 - 99.0	3
100 - 999	2
1,000 - 1000,000	1
>100,000	0

For **flammable substances** and for **sulfuric acid** in a mixture with a flash point < 73°F, the Regulated Substances Scale Number of two (2) is assigned.

2. Largest Single Container Scale Number. The Scale Number for the largest single container is determined by taking the Log_{10} of the maximum amount of regulated substance, in pounds, stored in a single container at the stationary source.

3. Distance Scale Number. This factor quantifies the distance between the point of release and the public or environmental receptor. The term public receptor means offsite residences, institutions (e.g., schools, hospitals), industrial, commercial and office buildings, parks or recreational areas inhabited or occupied by the public at any time without restriction by the stationary source where members of the public could be exposed to toxic concentrations, radiant heat or overpressure, as a result of an accidental release. (See Title 19 Cal. Code Regs. Division 2 Chapt. 4.5) The term environmental receptor means natural areas such as national or state parks, forests, or monuments, officially designated wildlife sanctuaries, preserves, refuges or areas, and federal wilderness areas, that could be exposed at any time to toxic concentrations, radiant heat, or overpressure greater than or equal to the endpoints, as a result of an accidental release and that can be identified on local U.S. Geological Survey maps. (See Title 19 Cal. Code Regs. Division 2 Chapt. 4.5)

Distance	Scale Number
<1,000 ft.	4
1,000 - 5,279 ft.	3
1 mile - 5 miles	2
>5 miles - 15 miles	1
>15 miles	0

4. Molecular Weight Scale Number. The density of the vapor is directly related to the molecular weight and inversely affects the rate of dispersion. Therefore, regulated substances have been assigned the following scale numbers based upon their molecular weight.

Molecular Weight	Scale Number
>45	4
34 - 45	3
23 - 33	2
15-22	1
<15	0

Exceptions. The above formula does not apply to substances such as ammonia and hydrogen fluoride, which form heavier-than-air vapor clouds due to the formation of aerosols (ammonia) and strong intermolecular forces (hydrogen fluoride). These regulated substances are assigned Scale Number 4.

C. Stationary Source MCEI. A stationary source's MCEI is obtained by adding the Regulated Substance MCEI for each regulated substance handled at the stationary source, and multiplying that number by Process Scale Number for the stationary source. If there has been a level-three accidents (as defined by the Community Warning System) in the last three years, the MCEI will be increased by a factor of 10 % for each level-three accident in this time period.

1. Process Scale Number. The relative risk for an accidental release from a stationary source is directly related to the amount of handling of regulated substances at the source. A stationary source's MCEI uses the number of California Accidental Release Prevention Program covered processes at a stationary source as a determination of this factor.

Number of Processes	Scale Number
>10	4
6 - 10	3
3 - 5	2
0 - 2	1

2. Accident History Scale Factor. A factor of 1.1 will be used for each level-three incident occurring in a rolling three-year period. The first accident in this time period will have a factor of 1.1. If there have been two level three accidents, the factor will be 1.2, etc.

Date: June 10, 2009

California Accidental Release Prevention Program

Annual Fee Calculations

Fiscal Year 2011-2012

Business Site	Chemical Name	Molecular Weight	Molecular Weight Index	Hazard Index	Distance	Distance Index	Pounds	Quantity Index	Risk Index	# Processes	Process Index	Accident Index	Facility Index	Total Fee
Air Liquide America Corp	Ammonia	17	4	2	500	4	4,300	3.63	116.27	1	1	1	116.27	\$5,865
Air Liquide Large Industries	Flammable Mixture		3	2	50	4	1,300	3.11	74.73					
Air Liquide Large Industries	19% Aqueous Ammonia	17	1	2	20	4	14,820	4.17	33.37	1	1	1	108.10	\$5,452
Air Products - At Shell	Flammable Mixture		3	2	50	4	4,100	3.61	86.71	1	1	1	86.71	\$4,373
Air Products - At Tesoro	30% Aqueous Ammonia	17	1	2	25	4	11,550	4.06	32.50					
Air Products - At Tesoro	Flammable Mixture		3	2	50	4	1,600	3.20	76.90	1	1	1	109.40	\$5,518
Antioch Water Treatment Plant	Chlorine	71	4	4	100	4	2,000	3.30	211.27					
Antioch Water Treatment Plant	Ammonia	17	4	2	100	4	5,200	3.72	118.91	1	1	1	330.18	\$16,654
Linde	Ammonia	17	4	2	225	4	9,900	4.00	127.86	1	1	1	127.86	\$6,449
Bollman WTP	19% Aqueous Ammonia	17	1	2	3,600	3	10,187	4.01	24.05	1	1	1	24.05	\$1,213
Calpine Delta Energy Center	Ammonia	17	4	2	900	4	65,663	4.82	154.15	1	1	1	154.15	\$7,775
Calpine Riverview Energy Center	19% Aqueous Ammonia	17	1	2	150	4	14,547	4.16	33.30	1	1	1	33.30	\$1,680
CCWD CBWTP	19% Aqueous Ammonia	17	1	2	150	4	2,077	3.32	26.54	1	1	1	26.54	\$1,339
Chevron - Richmond Refinery	Flammable	44	3	2	4,700	3	5,900,000	6.77	121.88					
Chevron - Richmond Refinery	Ammonia	17	4	2	5,120	3	222,000	5.35	128.31					
Chevron - Richmond Refinery	Sulfuric Acid	98	4	2	4,100	3	570,000	5.76	138.14					
Chevron - Richmond Refinery	Hydrogen Sulfide	34	3	4	4,700	3	1,500	3.18	114.34	28	4	1	2,010.67	\$101,416
Criterion Catalysts	29% Aqueous Ammonia	17	1	2	600	4	42,234	4.63	37.01	2	1	1	37.01	\$1,866

Exhibit P

Business Site	Chemical Name	Molecular Weight	Molecular Weight Index	Hazard Index	Distance	Distance Index	Pounds	Quantity Index	Risk Index	# Processes	Process Index	Accident Index	Facility Index	Total Fee
Crockett Cogen	19.4% Aqueous Ammonia	17	1	2	195	4	38,554	4.59	36.69	1	1	1	36.69	\$1,851
Dow Chemical Co	27% Ammonium Hydroxide	17	1	2	1,300	3	32,940	4.52	27.11					
Dow Chemical Co	Chlorine	71	4	4	1,200	3	180,000	5.26	252.25					
Dow Chemical Co	Hydrogen Fluoride	20	4	3	1,146	3	211,000	5.32	191.67					
Dow Chemical Co	Hydrogen Chloride (Gas Only)	36	3	3	1,579	3	18,000	4.26	114.89					
Dow Chemical Co	Ammonia	17	4	2	700	4	50,000	4.70	150.37					
Dow Chemical Co	Sulfur Dioxide	64	4	4	1,042	3	175,000	5.24	251.67	7	3	1	2,882.56	\$145,392
Dreisbach Enterprises	Ammonia	17	4	2	200	4	12,000	4.08	130.53	1	1	1	130.53	\$6,584
EBMUD Walnut Creek WTP	19% Aqueous Ammonia	17	1	2	500	4	8,835	3.95	31.57	1	1	1	31.57	\$1,592
EBMUD Orinda WTP	19% Aqueous Ammonia	17	1	2	300	4	9,277	3.97	31.74	1	1	1	31.74	\$1,601
EBMUD Lafayette WTP	19% Aqueous Ammonia	17	1	2	900	4	2,945	3.47	27.75	1	1	1	27.75	\$1,400
EBMUD Sobrante Filter Plant	19% Aqueous Ammonia	17	1	2	300	4	2,945	3.47	27.75	1	1	1	27.75	\$1,400
EBMUD RARE WTP	19% Aqueous Ammonia	17	1	2	400	4	760	2.88	23.05	1	1	1	23.05	\$1,162
General Chemical/ Bay Pt Works	Ammonia	17	4	2	2,000	3	54,000	4.73	113.58					
General Chemical/ Bay Pt Works	Hydrogen Fluoride	20	4	3	2,000	3	180,000	5.26	189.19					
General Chemical/ Bay Pt Works	Hydrochloric Acid	36	3	2	2,000	3	500	2.70	48.58	4	2	1	702.70	\$35,443
General Chemical/ Richmond	Sulfur Trioxide	80	4	4	500	4	250	2.40	153.47					
General Chemical/ Richmond	Sulfur Dioxide	64	4	4	500	4	500	2.70	172.73					
General Chemical/ Richmond	Oleum	98	4	2	500	4	32,915	4.52	144.56	2	1	1	470.76	\$23,744
GWF Power Systems/ Loveridge Rd	25.4% Aqueous Ammonia	17	1	2	600	4	19,500	4.29	34.32	1	1	1	34.32	\$1,731
GWF Power Systems/ Nichols Rd	25.4% Aqueous Ammonia	17	1	2	600	4	19,500	4.29	34.32	1	1	1	3.43	\$173
GWF Power Systems/ Site 1A/Pitt	25.4% Aqueous Ammonia	17	1	2	300	4	19,500	4.29	34.32	1	1	1	3.43	\$173

Exhibit P

Business Site	Chemical Name	Molecular Weight	Molecular Weight Index	Hazard Index	Distance	Distance Index	Pounds	Quantity Index	Risk Index	# Processes	Process Index	Accident Index	Facility Index	Total Fee
GWF Power Systems/ Wilbur East	25.4% Aqueous Ammonia	17	1	2	300	4	19,500	4.29	34.32	1	1	1	3.43	\$173
GWF Power Systems/ Wilbur West	25.4% Aqueous Ammonia	17	1	2	300	4	19,500	4.29	34.32	1	1	1	3.43	\$173
HASA Incorporated	Chlorine	71	4	4	100	4	180,000	5.26	336.34	1	1	1	336.34	\$16,964
Calpine Los Medanos Energy Center	25.4% Aqueous Ammonia	17	1	2	600	4	15,800	4.20	33.59	1	1	1	33.59	\$1,694
Shell Martinez Refining	Flammable Mixture	72	4	2	1,875	3	10,310,832	7.01	168.32					
Shell Martinez Refining	Ammonia	17	4	2	1,053	3	5,528	3.74	89.82					
Shell Martinez Refining	25% Aqueous Ammonia	17	1	2	632	4	44,000	4.64	37.15					
Shell Martinez Refining	Hydrogen Sulfide	34	3	4	842	4	760	2.88	138.28	23	4	1	2,295.32	\$115,773
Martinez Water Treatment Plant	Ammonia	17	4	2	200	4	2,100	3.32	106.31	1	1	1	106.31	\$5,362
Gen On - Contra Costa	29.4% Aqueous Ammonia	17	1	2	200	4	43,922	4.64	37.14	1	1	1	37.14	\$1,873
Gen On – Pittsburg	29.4% Aqueous Ammonia	17	1	2	1,000	3	43,922	4.64	27.86	1	1	1	27.86	\$1,405
MECS, Inc.	Vanadium Pentoxide	182	2	2	200	4	7,000	3.85	61.52					
MECS, Inc.	Oleum	99	4	2	100	4				1	1	1	61.52	\$3,103
Airgas	Ammonia	17	4	2	200	4	2,506	3.40	108.77	1	1	1	108.77	\$5,486
Pacific Gas & Electric Antioch Plant	29.4% Aqueous Ammonia	17	1	2	200	4	43,922	4.64	37.14					
Pacific Gas & Electric Antioch Plant	Ammonia	17	4	2	800	4	36,500	4.56	145.99	2	1	1	145.99	\$7,364
Veolia ES Technical Services	29.4% Aqueous Ammonia	17	1	2	264	4	124	2.09	16.75					
Veolia ES Technical Services	HF 50%	20	1	2	264	4	267	2.43	19.41	1	1	1	36.16	\$1,824
Pittsburg Water Treatment Plnt	Chlorine	71	4	4	320	4	2,000	3.30	211.27					
Pittsburg Water Treatment Plnt	Ammonia	17	4	2	350	4	4,375	3.64	116.51	1	1	1	327.78	\$16,533
Ramar Foods	Ammonia	17	4	2	100	4	1,000	3.00	96.00	1	1	1	96.00	\$4,842
Randal-Bold Water Treatment	Chlorine	71	4	4	700	4	2,000	3.30	211.27					

Exhibit P

Business Site	Chemical Name	Molecular Weight	Molecular Weight Index	Hazard Index	Distance	Distance Index	Pounds	Quantity Index	Risk Index	# Processes	Process Index	Accident Index	Facility Index	Total Fee
Randal-Bold Water Treatment	19% Aqueous Ammonia	17	1	2	700	4	7,900	3.90	31.18	2	1	1	242.45	\$12,229
Rhodia	Ammonia	17	4	2	480	4	130,540	5.12	163.70					
Rhodia	Sulfur Trioxide	80	4	4	700	4	262	2.42	154.77					
Rhodia	Sulfur Dioxide	64	4	4	750	4	990	3.00	191.72	1	1	1	510.20	\$25,734
Safeway Beverage Plant	Ammonia	17	4	2	300	4	3,956	3.60	115.11	1	1	1	115.11	\$5,806
San Ramon Olympic	Chlorine	71	4	4	10	4	150	2.18	139.27	1	1	1	139.27	\$7,025
Shell Chemical	Ethylenediamine	60	4	1	195	4	75,950	4.88	78.09	1	1	1	78.09	\$3,939
Sunset Packing & Cooling	Ammonia	17	4	2	600	4	2,020	3.31	105.77	1	1	1	105.77	\$5,335
Tesoro Golden Eagle Refinery	Sulfur Dioxide	64	4	4	6,000	2	2,390	3.38	108.11					
Tesoro Golden Eagle Refinery	Hydrogen Sulfide	34	3	3	6,000	2	7,932	3.90	70.19					
Tesoro Golden Eagle Refinery	Ammonia	17	4	2	6,000	2	322,309	5.51	88.13					
Tesoro Golden Eagle Refinery	Flammable/Butane	58	4	2	6,000	2	52,282,348	7.72	123.49					
Tesoro Golden Eagle Refinery	Sulfuric Acid	98	4	2	6,000	2	2,623,296	6.42	102.70	35	4	1.1	2,167.55	\$109,328
ConocoPhillips - Rodeo	Flammable/Butane	58	4	2	1,700	3	9,000,000	6.95	166.90					
ConocoPhillips - Rodeo	29% Aqueous Ammonia	17	1	2	400	4	150,000	5.18	41.41					
ConocoPhillips - Rodeo	Hydrogen Sulfide	34	3	3	1,000	3	5,600	3.75	101.20	15	4	1	1,238.05	\$62,445
K2 Pure	Chlorine	71	4	4	200	4	400,000	5.60	358.53	1	1	1	358.53	\$18,084
USS POSCO Industries	Hydrogen	2	0	2	1,500	3	16,000	4.20	0					
USS POSCO Industries	Ammonia	17	4	2	400	4	28,000	4.45	142	2	1	1	142.31	\$7,178
TOTALS													16,287.49	\$821,518

Exhibit P

Underground Storage Tank Program

Projected Fee Revenue

Fiscal Year 2011-2012

Tank Categories	# Tanks	Inspection Hours per Tank	Annual Fee	Total Annual Fee Revenue
Residential Tank/1,000 gallons or less	0	2	\$ 480.00	0
First Tank at non-residential UST ¹	422	2	\$ 480.00	\$ 202,560
Tank 50,000 gallons or less	1,115	3	\$ 720.00	\$ 802,800
Tank Above 50,000 Gallons	0	6	\$1,439.00	0
				\$1,005,360
Miscellaneous Permit Fees				\$ 90,114
Total UST Program Fee Revenue				\$1,095,474

¹ The "first tank" fee of \$480 is applied to the first tank at each non-residential UST site.

Aboveground Petroleum Storage Act Program

Annual Fee Allocations

Fiscal Year 2011-2012

Categories	# Facilities	Annual Inspection Hours/ Facility	Total Fee/ Facility	Total Revenue
Tank facilities w/ storage capacity ≥ 1,320 and <10,000 gallons	211	1.33	\$ 536	\$113,096
Tank facilities w/ storage capacity ≥ 10,000 and <100,000 gallons	52	3	\$ 1,206	\$ 62,712
Tank facilities w/ storage capacity ≥ 100,000 and <1,000,000 gallons	8	12	\$ 4,822	\$ 38,576
Tank facilities w/ storage capacity ≥ 1,000,000 and <10,000,000 gallons	6	16	\$ 6,429	\$ 38,574
Tank facilities w/ storage capacity ≥ 10,000,000 and <100,000,000 gallons	4	24	\$ 9,644	\$ 38,576
Tank facilities w/ storage capacity ≥ 100,000,000 gallons	5	40	\$ 16,074	\$ 80,370
Totals	286			\$371,904