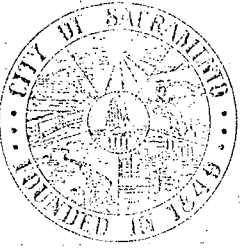


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CITY OF SACRAMENTO

DEPARTMENT OF FIRE

915 "I" STREET SACRAMENTO, CALIF. 95814
CITY HALL - ROOM 3 TEL. (916) 449-5267

WILLIAM R. POWELL
FIRE CHIEF

February 27, 1985

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: UNDERGROUND STORAGE TANK INSPECTION PROGRAM

SUMMARY

This report addresses the procedures for complying with the Sher Bill (AB1362) passed by State Legislators in 1983. It proposes to consolidate the duplicate inspection process of three agencies; County Health, County Air Pollution and local fire departments into one inspection through a Memorandum of Understanding. It also establishes permit and inspection fees to be collected by the Health Department and the reimbursement schedule for the fire department's inspections.

BACKGROUND

In 1983, the State of California passed the Sher Bill, which addressed the "Underground Storage of Hazardous Substances", in the State of California.

The Bill basically dealt with all new installations of underground storage tanks, and the monitoring of existing facilities with underground storage tanks. The law went into effect January 1, 1984.

In December, 1983, the Sacramento City Council passed an Ordinance that pre-empted the State law and gave control to the City of Sacramento for management of our own program. This Ordinance is now Chapter 16, of the Sacramento City Code. Sacramento County also passed an identical Ordinance, at the same time, being Chapter 6.35, Sacramento County Code. The Sacramento Fire Department was to be responsible for enforcement of the Program for the City, and the Health Department, for the County of Sacramento.

At the July 17, 1984, Sacramento County Board of Supervisors hearing on "Underground Storage Tank Inspection Program", the industry raised concerns about the multitude of inspectors they were faced with. As a result, the

County Board of Supervisors directed the Health Department to investigate the possibility of consolidating underground storage tank inspections with other County agencies. Representatives from industry (Associated General Contractors of California, Inc., Builders Exchange of Sacramento, Metropolitan Chamber of Commerce), County agencies, and the Sacramento County Fire Chief's Association, jointly agreed to look into a possible consolidated inspection program.

Over the next few months, a committee worked towards the consolidation of the inspection program. It was decided that the Health Department would serve as the lead agency to issue all permits, and be the contact point for the industry. The individual fire services would be responsible for carrying out the consolidated inspection program in their respective areas. The Air Pollution Control District would be responsible for the annual inspection of the above ground vapor recovery system.

There are three different type of inspections the Sacramento Fire Department will be conducting for the Health Department. They are as follows:

1. New Construction: This is the inspection of all new underground tank installations, which includes the tank, piping, vapor recovery systems, and pumps. Does not include any buildings. (Attachment A)
2. Annual Monitoring Inspection: Every underground tank must be inspected each year for possible leaks. (Attachment B)
3. Abandonment of Underground Tanks: All tanks that are removed must be inspected at the time of removal. All leaks are to be reported to the County Health Department for possible clean-up of the hazardous waste. (Attachment C)

The committee also recommended that fees should be established to off-set the costs of the program. Again, it was decided that the Health Department would collect all the fees, and reimburse the agencies involved. The Fire Department would be reimbursed by the Health Department for the inspections as follows:

- | | |
|-----------------------------------|--|
| 1. New Construction: | \$60.00 for first tank, \$15.00 for each additional tank. |
| 2. Annual Monitoring Inspections: | \$30.00 per facility. |
| 3. Abandonment of Tanks: | \$30.00 per facility. |

The above Items 1 and 3, are presently being inspected by the Fire Department. Item 2 is a new inspection mandated by the State. The Fire Department receives no revenue, at the present time, for these inspections.

FINANCIAL DATA

The Fire Department participation in the consolidated inspection program, will generate revenue to off-set the cost of the Fire Department's involvement. The anticipated amount of revenue is as follows:

1. New Construction:

| | |
|--------------------------------------|-----------|
| * 10 - "first tanks" at \$60.00 each | \$ 600.00 |
| * 4 - "additional tanks" at \$15.00 | 60.00 |

2. Annual Monitoring Inspection:

| | |
|--|-----------|
| Approximately 450 facilities at \$30.00 each | 13,500.00 |
|--|-----------|

3. Abandonment of Tank:

| | |
|---------------------------------|---------------|
| * 12 facilities at \$30.00 each | <u>360.00</u> |
|---------------------------------|---------------|

| | |
|----------------------------------|---------------------------|
| TOTAL ANTICIPATED ANNUAL REVENUE | <u><u>\$14,520.00</u></u> |
|----------------------------------|---------------------------|

* Based on 1984 inspections and/or removals.

VOTE AND RECOMMENDATION OF SUPERVISORS

The Sacramento County Board of Supervisors has approved the Consolidated Inspection Program. The Inspection Program will go into effect March 1, 1985.

RECOMMENDATIONS

1. That the Sacramento Fire Department be authorized to enter into the attached Memorandum of Understanding with the Sacramento County Health Department. (Attachment D)
2. That the Council approve the Resolution authorizing the Fire Chief to execute the Memorandum of Understanding re: Inspection of Underground Tanks. (Attachment E)
3. That the Council approve the Resolution establishing fees for underground storage facilities for hazardous substances. (Attachment F)

Respectfully submitted,

William R. Powell
WILLIAM R. POWELL
Fire Chief

RECOMMENDATION APPROVED:

Solon Wisham, Jr.

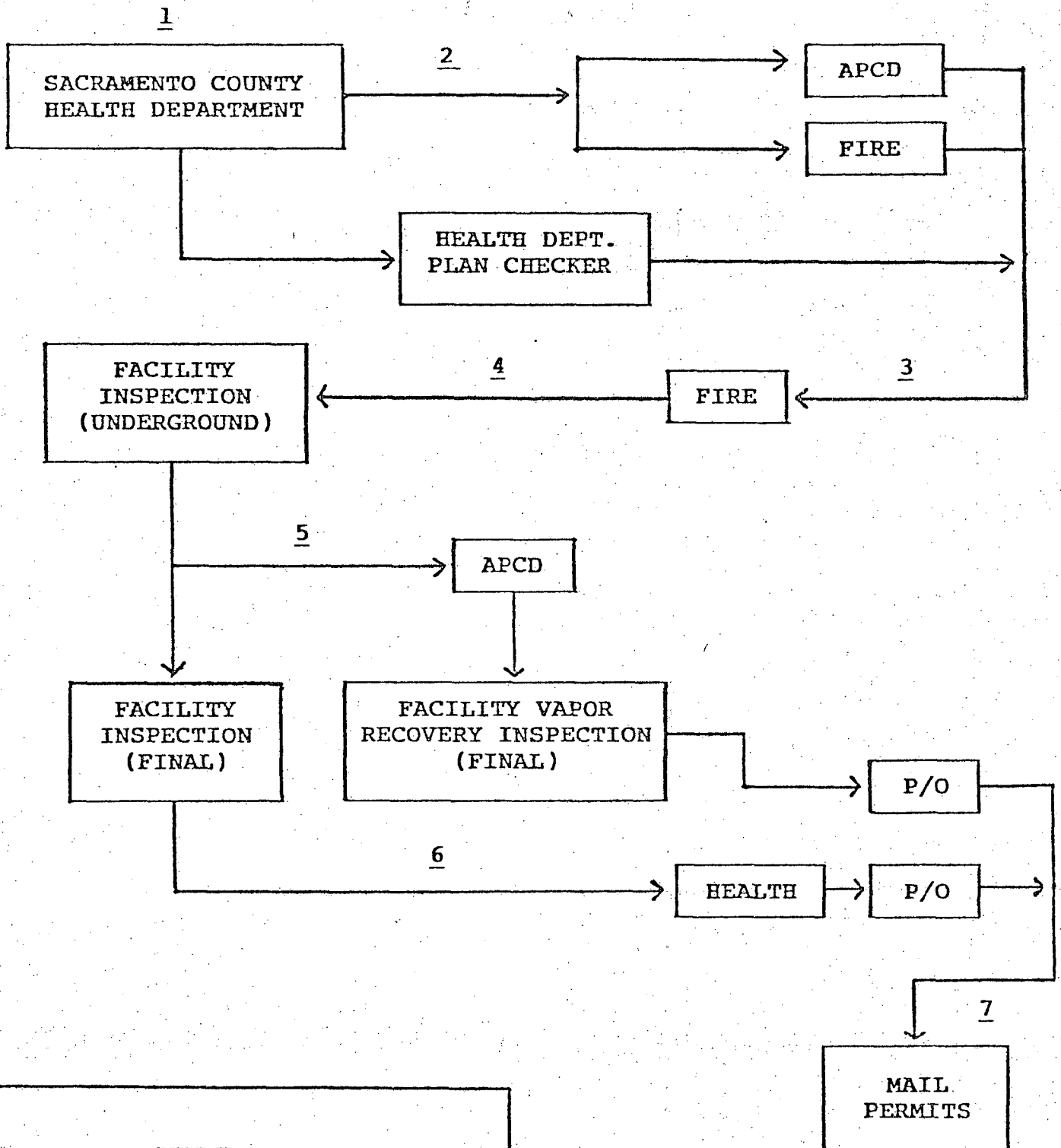
SOLON WISHAM, Assistant City Manager

NEW UNDERGROUND TANK INSTALLATION

EXPLANATION OF FLOWCHART ATTACHMENT A

1. The project proponent will submit all required applications, fees, and two sets of plans to the Sacramento County Health Department.
2. The Sacramento County Health Department will disburse the appropriate applications to the Air Pollution Control District and the appropriate Fire Protection Agency, within five (5) working days.
3. The Air Pollution Control District and the Sacramento County Health Department will review the applications and provide written comments to the Fire Protection Agency, within five (5) working days.
4. The Fire Protection Agency will inspect the below ground portion of the installation and complete the inspection forms. The Fire Protection Agency shall notify the appropriate responsible agency if a problem arises that can not be resolved in the field. That agency shall provide the reinspection and when the problem is corrected, provide notification to the other agencies that the facility has passed inspection.
5. The Air Pollution Control District will be notified when the underground portion of the facility has been inspected. The Air Pollution Control District shall conduct the above ground portion of the vapor recovery system.
6. When the facility passes inspection, the Fire Protection Agency shall return the inspection forms to the appropriate agency within five (5) working days.
7. All agencies shall issue their own Permits to Operate and send them to the Health Department. The Health Department will mail the Permit to Operate to the project proponent when all agencies have completed their final inspections.

FLOWCHART
FOR
NEW TANK INSTALLATION



LEGEND

APCD

Air Pollution
Control District

P/O

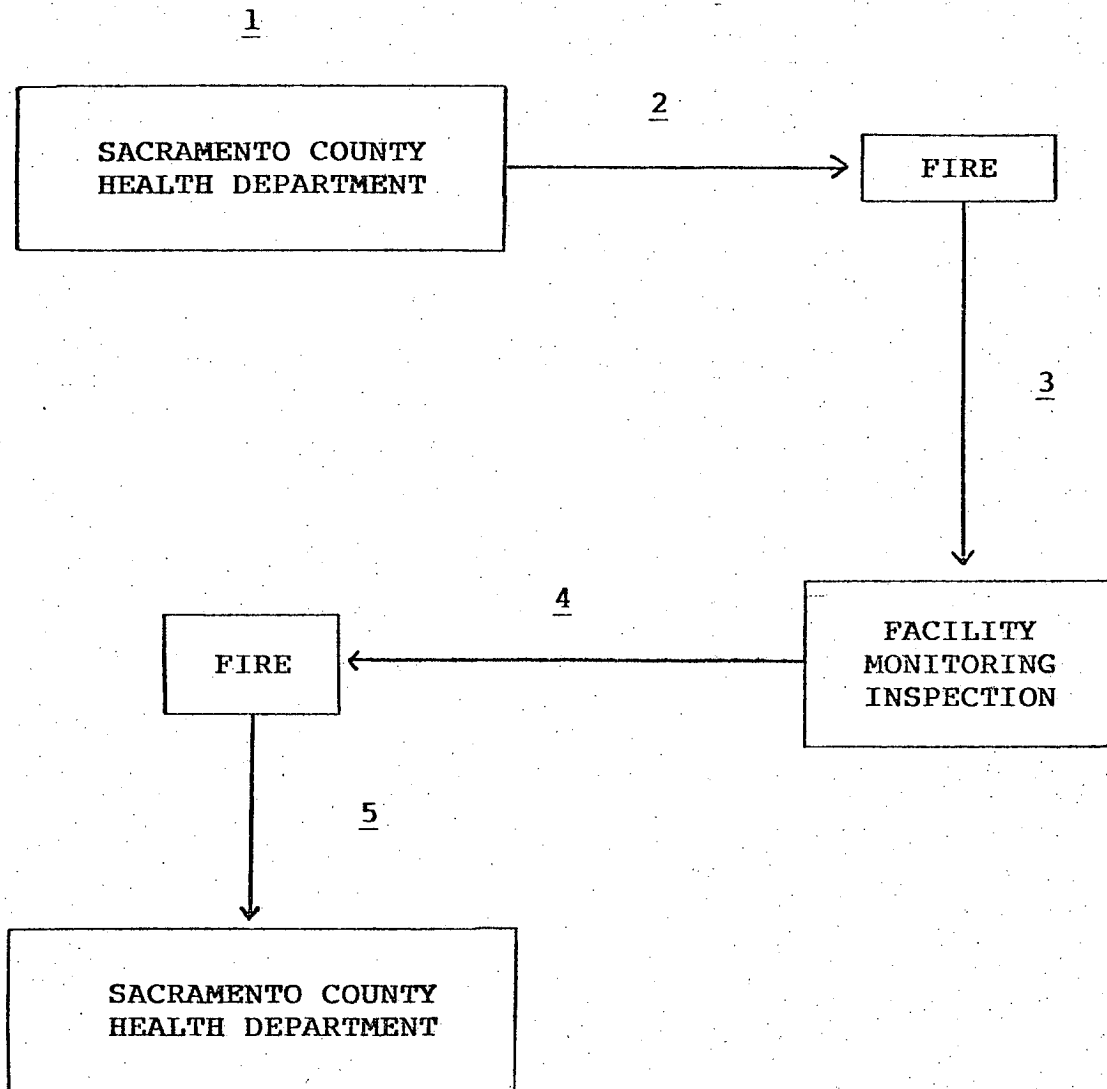
Permit to Operate

ANNUAL MONITORING INSPECTION

EXPLANATION OF FLOWCHART
ATTACHMENT B

1. Facility owner will apply for Annual Renewal Application.
2. Sacramento County Health Department will distribute appropriate inspection information to the appropriate Fire Protection Agency, within five (5) working days.
3. Fire Department will conduct a monitoring inspection at the facility.
4. Fire Department will finalize all appropriate reports.
5. Fire Department will send all information to the Sacramento County Health Department.

FLOWCHART
FOR
ANNUAL MONITORING INSPECTION

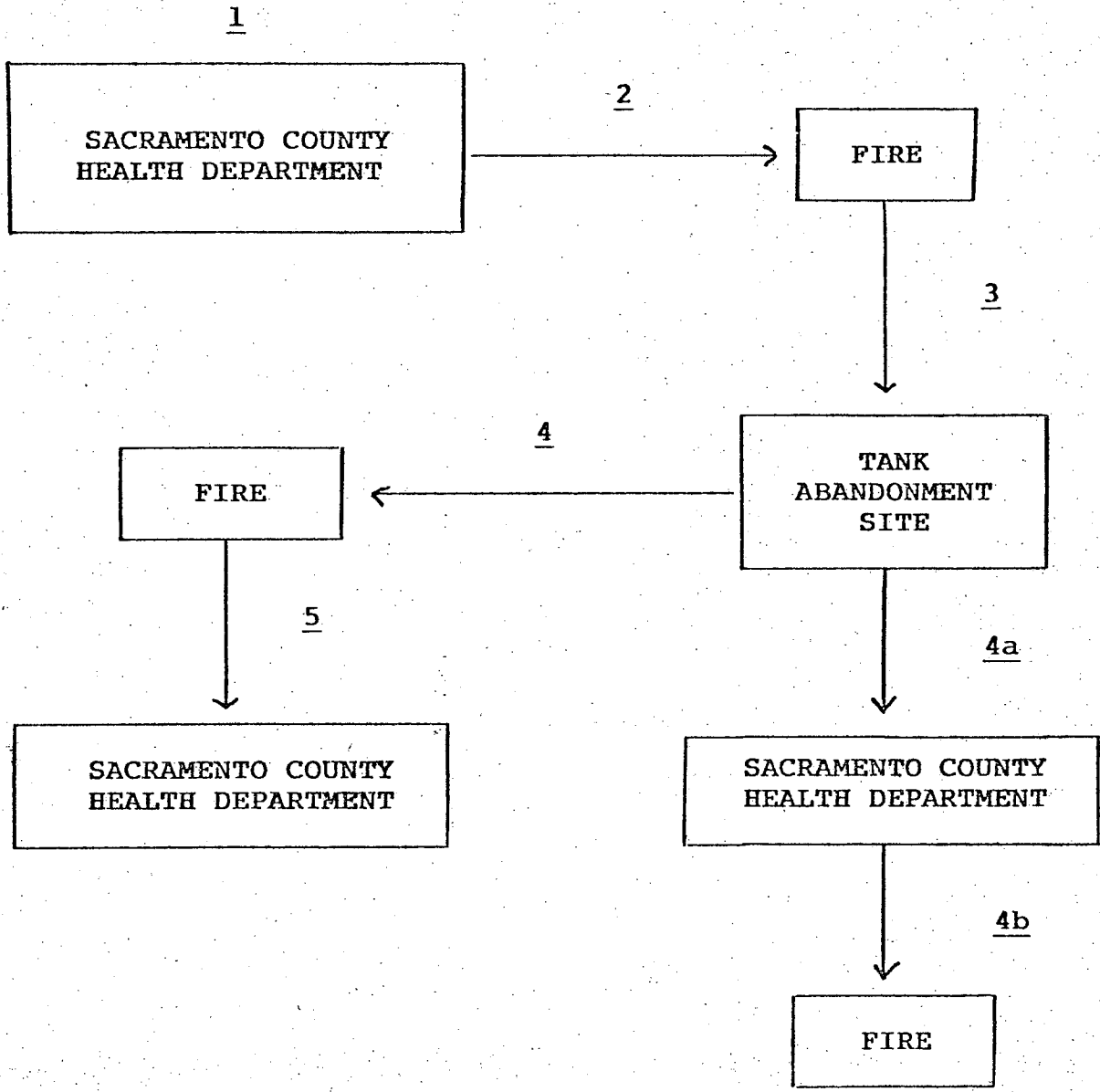


ABANDONMENT OF TANKS

EXPLANATION OF FLOWCHART ATTACHMENT C

1. Facility owner will apply for a Abandonment Tank Application.
2. Sacramento County Health Department will distribute appropriate inspection information to the appropriate Fire Protection Agency, within five (5) working days.
3. A Tank Abandonment inspection will be made when the facility owner calls to inform the Fire Department of the time and date of the tank removal.
4. The Tank Abandonment Inspection form will be returned to the Fire Department Headquarters.
5. Fire Department will send all information to the Sacramento County Health Department. Any potential leakage problems will be reported at that time.
 - 4a. Sacramento County Health Department will be called from the abandoned tank site, and notified of any potential leak. Job site will be shut down by Fire Department personnel until the County Health Department arrives.
 - 4b. Sacramento County Health Department will notify the Fire Department of any and all action taken by them.

FLOWCHART
FOR
ABANDONMENT OF TANKS



ATTACHMENT "D"

MEMO OF UNDERSTANDING

between the

SACRAMENTO COUNTY HEALTH DEPARTMENT,

the

SACRAMENTO COUNTY AIR POLLUTION CONTROL DISTRICT,

and the

CITY OF SACRAMENTO FIRE DEPARTMENT

1. PURPOSE

To provide the mechanism for, and to define each Agency's responsibilities in, the program to consolidate the inspections of Underground Storage Facilities.

2. AGENCY RESPONSIBILITIES

A. HEALTH DEPARTMENT

The Health Department shall:

1. Collect permit application and inspection fees for all Agencies from the applicant;
2. Collect from the applicant, and disburse to the Agencies within five days, plans and permit applications;
3. Reimburse the Agencies for their costs;
4. Review plans for tank installations and provide comments to the Fire Department.
5. Provide training for Fire Department personnel.

B. AIR POLLUTION CONTROL DISTRICT

The Air Pollution Control District shall:

1. Review plans for tank installations and provide comments to the Fire Department;

2. Issue applicable permits;
3. Provide annual surveillance of aboveground dispensing facilities;
4. Provide training to Fire Department personnel.

C. CITY OF SACRAMENTO FIRE DEPARTMENT

The Fire Department shall:

1. Train sufficient staff, with assistance of the Health Department and Air Pollution Control District, to effectively provide inspection services at underground tank installations;
2. Provide initial inspection services for underground storage facilities for both the Health Department and the Air Pollution Control Department, and provide continuing surveillance of these facilities for the Health Department;
3. Consult with the Health Department and the Air Pollution Control District regarding problem areas revealed at the time of inspection;
4. The Fire Department shall be reimbursed by the Health Department from permit fees for inspections as follows:

| <u>TYPE OF INSPECTION</u> | <u>PER FACILITY</u> | <u>INSPECTION FEE FOR EACH TANK OVER 1</u> |
|------------------------------|---------------------|--|
| New construction of tank(s) | \$60.00 | \$15.00 |
| Annual inspection of tank(s) | 30.00 | No additional charge |
| Abandonment of tank(s) | 30.00 | No additional charge |

3. ENFORCEMENT RESPONSIBILITIES

- A. Fire Department shall file inspection reports with both the Sacramento County Health Department and the Sacramento Air Pollution Control District within one week of completing the facility inspection.
- B. Air Pollution Control District is responsible for all enforcement action due to violations discovered during an inspection that are within the specific jurisdiction of that agency.
- C. Fire Department shall attempt to obtain field compliance when violations are found at time of inspection of new tank installations. Further action necessary to obtain compliance with the regulations by persons in violation thereof shall be the responsibility of Health Department.
- D. Fire Department shall notify the Health Department as soon as possible when leaks are found in existing tanks and piping systems, or during the inspection of tank removals.

4. DISBURSEMENT OF FUNDS

Each agency shall submit to the Health Department, on a quarterly basis, a statement showing the name, address, and amount due for each facility inspected. The Health Department, after verification but within sixty (60) days, shall disburse the funds that are collected pursuant to Section 110, Chapter 6.34 of Sacramento County Code 573.

This Agreement shall be effective for a period commensurate with the pleasure of the governing body of the parties hereto. Any party may terminate the Agreement upon ninety (90) days written notice to the

other parties.

WITNESS WHEREOF, the parties have executed this Memorandum of Understanding as of _____, 1985.

Director of Health

Air Pollution Control Officer

Fire Department

RESOLUTION NO.

Adopted by The Sacramento City Council on date of

RESOLUTION AUTHORIZING FIRE CHIEF TO EXECUTE MEMORANDUM OF UNDERSTANDING RE INSPECTIONS OF UNDERGROUND TANKS

WHEREAS, Chapter 16 of the Sacramento City Code establishes standards for construction and monitoring of facilities used for the underground storage of hazardous substances;

WHEREAS, similar regulations are in effect in the unincorporated areas of the County of Sacramento;

WHEREAS, a County-wide consolidated inspection and permit issuance process will promote uniformity, assist operators of facilities, and result in better and more efficient service to the public,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. The City of Sacramento Fire Chief is authorized to enter into a Memorandum of Understanding with the Sacramento County Health Department and the Sacramento Air Pollution Control District to provide for a consolidated inspection and permit issuance process.

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO.

Adopted by The Sacramento City Council on date of

RESOLUTION ESTABLISHING FEES FOR UNDERGROUND STORAGE FACILITIES FOR HAZARDOUS SUBSTANCES

WHEREAS, Chapter 16 of the Sacramento City Code establishes standards for construction and monitoring of facilities used for the underground storage of hazardous substances;

WHEREAS, permits are required for such facilities, with fees therefor to be set by resolution of the City Council;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Sacramento:

Permit fees for underground storage facilities for hazardous substances are set as follows:

A. FEES FOR INITIAL PERMIT TO OPERATE:

1. New facilities, or modifications to existing facilities: One hundred sixty dollars (\$160.00) plus fifteen dollars (\$15.00) for each tank over the first tank.

EXCEPTION: Facilities not requiring an AIR POLLUTION CONTROL DISTRICT permit: Ninety dollars (\$90.00) plus fifteen dollars (\$15.00) for each tank over the first tank.

These fees include no more than three (3) inspections. Additional reinspections, if required, shall be thirty dollars (\$30.00) per hour billable in quarter hour segments with a minimum charge of fifteen dollars (\$15.00) per inspection.

2. New installations using leak interceptor systems: Additional fee of twenty-five dollars (\$25.00) plus thirty dollars (\$30.00) per hour inspection fee billable in quarter hour segments with a minimum fee of fifteen dollars (\$15.00) per inspection.

3. Existing facilities: Ninety dollars (\$90.00).
4. Transfer of ownership for an existing valid Permit to Operate: Eighty dollars (\$80.00).

B. ANNUAL REVIEW FEE

Every person with a valid Permit to Operate an underground storage facility for hazardous substances shall pay an annual review fee in the amount of eighty dollars (\$80.00), which shall include one inspection. Additional inspections, if required, will be billed at thirty dollars (\$30.00) per hour in quarter hour segments, with a minimum fee of fifteen dollars (\$15.00) per inspection.

C. ABANDONMENT FEES

Every person determining to permanently close an underground storage facility for hazardous substances shall pay a fee of thirty-five dollars (\$35.00) per facility.

D. APPEAL FILING FEE

The fee for filing an appeal of the denial or revocation of a Permit to Operate, or the conditions placed thereon, is one hundred fifty dollars (\$150.00).

E. STATE SURCHARGE

An annual surcharge of twenty-eight dollars (\$28.00) for each underground storage tank is imposed by the State of California and must be collected by the City. This fee is in addition to any other fees collected.

MAYOR

ATTEST:

CITY CLERK