

ORDINANCE NO.: 10473 (NEW SERIES)

AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEE ADJUSTMENTS FOR THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Purpose. The San Diego County Department of Environmental Health (DEH or Department) is the state-designated Local Enforcement Agency for several state law-based programs in San Diego County, including, but not limited to programs regulating aspects of food safety, housing, recreational health, drinking water, septic systems, solid waste disposal, hazardous waste and hazardous materials management. State law provides for the recovery of the reasonable costs of these programs through fees imposed on the regulated community. This department also administers environmental health and safety programs established by the San Diego County Board of Supervisors.

Board Policy B-29 requires the Department to strive to obtain full cost recovery for all of these programs through these fees. However, on March 15, 2017 the Board of Supervisors set for consideration and adoption on March 22, 2017 an ordinance that retained current fees for small water systems and current hourly rate fees for cottage food industries, but included full cost recovery fees for all other programs. This ordinance incorporates that Board action.

This ordinance amends Section 65.107 of the County Code to adjust Department of Environmental Health fees for Fiscal Year 2017-2018 (and thereafter unless further amended), so that the Department can reasonably expect to achieve full cost recovery for services rendered to regulated entities pursuant to Board Policy B-29, except as noted above. Some existing fees are increased. Fees for some programs have been restructured and simplified. In addition, DEH has achieved efficiencies in many areas since fees were last adjusted, and in some areas those efficiencies are sufficient to offset higher costs, so that some fees are reduced.

In addition to amending section 65.107, this ordinance amends sections 67.445, 67.447, 68.908.1 and 68.915 of the County Code to coordinate with amendments to section 65.107, and amends section 68.904 of the County Code to facilitate the collection of fees and the matching of fees to costs, by requiring that any quantity of any hazardous waste routinely generated at a DEH-regulated facility must be reported to the Department of Environmental Health through the California Environmental Reporting System ("CERS"), even if the quantity of that waste handled at a facility is below State-law reporting thresholds. DEH is required to regulate these wastes, and many hazardous waste generators already choose to report this data.

Section 2. Section 65.107 of the San Diego County Code is amended to read as follows:

**SEC. 65.107. FEES.**

The fee for each permit, plan review, license or registration issued or investigation performed pursuant to the provisions of this division is set forth herewith:

(a) **FOOD FACILITY PERMIT FEES:** As required by Part 7 (Commencing with Section 113700) of Division 104 of the California Health and Safety Code, California Retail Food Code.

(1) For restaurants.

1 to 10 employees: \$663

11 to 25 employees: \$784

26 to 100 employees: \$937

101 or more employees: \$1,743

For each restaurant type food facility unit in excess of three (3) at the same location: \$533

Resort/entertainment complexes or food facilities with more than three (3) food preparation areas under one common permit: \$1,870

For each food facility unit in a resort/entertainment complex unit in excess of three (3) at the same location: \$533

Minimal Food Preparation: (defined in section 61.102(k) and Restricted Food Service Facilities (defined in the California Health and Safety Code section 113893): \$444

(2) For Miscellaneous Food Facilities with 25 square feet or more of food display area (including Candy Stores, Concession Stands, Host Facilities, and Pre-packaged Non-Potentially Hazardous Foods), and for Swap Meet Vendor without Temporary Event Organizer (defined in California Health and Safety Code section 114335(a)), Catering Equipment Rentals and Retail Food Delivery (delivery of food made at a retail food facility to another location by a person other than an employee of the retail food facility where the food was prepared): \$147

(3) For Prepackaged Retail Markets (may also include prepackaged retail markets that make ice and dispense nonpotentially hazardous beverages):

1 to 10 employees: \$188

11+ employees: \$222

(4) For temporary food facilities that operate at a fixed location for the duration of a community event (as defined in California Health and Safety Code Section 113755). (Note: Non-profit operators of temporary food facilities and non-profit community event organizers are exempt from the fee at a community event for not more than two [2] events in a calendar year. This exemption does not apply to the late application submittal fees):

Prepackaged Foods – Event Permit: \$112

Prepackaged Foods – Annual Permit: \$302

Food Sampling/Demonstrator (portioning of food made at an approved permanent food facility) – Event Permit: \$112

Food Sampling/Demonstrator – Annual Permit: \$302

Unpackaged Foods – Event Permit: \$194

Unpackaged Foods (with approved commissary or other approved facility and food safety certification if handling potentially hazardous foods) – Annual Permit: \$587

Community Event Organizer – Event Permit: \$291

Community Event Organizer – Annual Permit (Identical Event held at same location): \$533

Late application submittal for all temporary food facilities and organizers of community events, and certified farmers markets. Supplemental fee paid in addition to required fee if less than 14 days prior to the event: \$138

(5) For Certified Farmers Markets

Certified Farmers Markets: \$379

Certified Farmers Market Events with adjacent Temporary Food Facilities (organizer in control of certified farmers market is same as organizer in control of temporary food facilities): \$633

(6) Retail markets with delicatessens and/or other food preparation areas on the same premises:

1 to 10 employees: \$786

11+ employees: \$1,022

For retail markets with delicatessens and/or other food preparation areas in excess of three (3) at the same location: \$453

(7) For food facility commissary or vending commissary (headquarters):

Vending machine or prepackaged food facility commissary: \$303

Unpackaged Mobile Food or Food Preparation Commissary: \$364

(8) For each mobile food facility or mobile support unit, other than mobile food facilities with full or limited food preparation, (defined in California Health & Safety Code Section 113818) under the same ownership and operating out of the same facility:

Packaged Lunch Truck (may include dispensing coffee made at an approved commissary): \$190

Mobile Support Unit: \$192

Carts and Vehicles: Prepackaged foods/ice cream/produce/tamale carts: \$173

(9) For Mobile Food Facilities with limited food preparation (defined in California Health & Safety Code Section 113818), under the same ownership and operating out of the same facility:

Limited Food Preparation (one limited food preparation cart and one auxiliary unit): \$407

Single Operating Site Mobile Food Facility [defined in California Health & Safety Code Section 113831(b) and 114306] with up to two limited food preparation carts out of no more than four: \$484

Single Operating Site Mobile Food Facility [defined in California Health & Safety Code Section 113831(b) and 114306] with three to four limited food preparation carts: \$599

(10) For each mobile food facility with full food preparation under the same ownership and operating out of the same facility: \$618

(11) For each vending machine dispensing milk, ice cream or milk products or other kinds of potentially hazardous foods or beverages, or dispensing unbottled or uncanned liquid foods or beverages, except vending machines which dispense unwrapped non-potentially hazardous, non-liquid food products: Hourly rate as specified in subsection (m)(6). For every 10 units or any part thereof, ½ hour will be assessed.

(12) Boats: \$296

(13) Wholesale Food Warehouse:

Warehouse (1-19,999 square feet): \$474

Warehouse (20,000 square feet and greater): \$597

(14) For Retail Food Processing Facilities: \$626

(15) Catering:

For full service Catering Facilities and Direct Sales Catering: \$582

(16) For food facilities that are operated by non-profit organizations not including schools or licensed health care facilities: \$279

(17) School food facilities – Processing kitchen: \$347

(18) School food facilities – satellite kitchen location: \$249

(19) Licensed health care facilities: \$614

(20) Fisherman's market: \$909

(b) HOUSING PERMIT FEES--INSPECTION FEES FOR APARTMENT HOUSE OR HOTEL:

(1) For each apartment house or hotel containing three or more units, base fee: \$150

(2) For every 10 units or any part thereof, in addition to the base fee: \$19

"UNIT" shall mean each apartment in an apartment house and each sleeping room in a hotel, and each apartment and each hotel sleeping room in a building, containing both apartments and hotel sleeping rooms.

Separate apartment house buildings and separate hotel buildings, or combination thereof, located upon a single parcel of land or contiguous parcels of land or under the same ownership shall be treated as one apartment house or hotel for the purpose of computing the fee prescribed by this section.

(3) Non-profit housing: \$164

(4) Unscheduled reinspection or unpermitted housing complaint investigation with a confirmed violation fee: Hourly rate as specified in subsection (m)(6).

(c) PUBLIC POOL PERMIT FEES:

(1) For one (1) pool: \$319

(2) For two (2) pools: \$397

(3) For three (3) pools: \$595

(4) For four (4) pools: \$655

(5) For five (5) pools: \$715

(6) For each pool in excess of 5: \$126

(7) Dormant pool: \$102

(8) Public Bath House: \$902

(9) Non-profit operated pools where fees are not charged to the public and camp pools: \$271

(10) Activity Pool/Spray Grounds/Interactive Features (per feature/pool): \$455

(d) SPECIAL ENFORCEMENT/INVESTIGATION FEES: (Hourly rate as specified in subsection (m)(6)):

Unscheduled reinspection/regrade fee (per hour fee): Hourly rate as specified in subsection (m)(6).

Administrative office hearing: Four times the Hourly rate: Hourly rate as specified in subsection (m)(6).

Suspension or revocation hearing: Six times the Hourly rate: Hourly rate as specified in subsection (m)(6).

Sherman food investigation, with a confirmed violation: Hourly rate as specified in subsection (m)(6).

Foodborne illness, plan check and/or recall investigation for activities without a current food facility permit issued by the County of San Diego DEH: Hourly rate as specified in subsection (m)(6).

Fee for investigation of a health regulated business operating without a health permit will be 300% of the annual permit fee payable in addition to the permit fee.

(e) PLAN CHECK FEES:

(1) Pool Plan Review, as provided for in Section 67.301.

(a) For one (1) pool: \$1,501

(b) For each pool in excess one (1): \$478

(c) Pool resurfacing or renovation: \$276

(d) Resurfacing or renovation each pool over one, with concurrent inspections: \$147

(e) Supplemental Fee for special purpose pools and perimeter overflow system pools (includes activity pools, spray grounds, pools > 3,000 square feet, and interactive water features): \$1,142

(f) Minor Plan Review and changes to suction outlets Pool: \$469

(g) Major Pool Renovation: \$876

(2) Food Facility Plan Review as provided for in Section 61.106:

(a) 0-1,999 Square Feet (up to three preparation areas): \$1,059

(b) 2,000-5,999 Square Feet (up to three preparation areas): \$1,398

(c) 6,000- 9,999 Square Feet (up to three preparation areas): \$2,373

(d) 10,000 Square Feet and over (one preparation area): \$2,585

For each additional food preparation area after three sites for 0-9,999 square feet, and after one site for sites 10,000 square feet or greater: \$494

(3) Food Facility, Pool Plan Revision, or Rechecks as provided for in Section 61.106 and 67.302.5: \$299

(4) Restamping, Pool as Built Plan, Pool Resurfacing Revision, Minor Pool Plan Revision, or Approval of Non-Health Regulated Building Plans as required by other governmental agencies: \$145

(5) Minor plan review – Food facility Plan review for:

(a) Equipment only for food facilities which are subject to regulation: \$446

(b) The reopening of a facility which has completed a plan check consultation and needs a plan review for equipment changes: \$446

- (6) Pre-packaged food or wholesale food warehouse plan review: \$636
- (7) Minor plan review – Miscellaneous facilities
  - (a) Body Art Plan Review as regulated under 66.305 (Body Art Facility): \$415
  - (b) Massage Plan Review as regulated under 66.513 (Massage Establishment): \$411
  - (c) Other Miscellaneous Facilities as regulated under Section 66.606 (Bathhouses) or for other miscellaneous establishments where a plan review is required. \$412
- (8) Express plan review: Two times the plan check fee.
- (9) After hours inspection: 1½ times the hourly rate specified in subsection (m)(6), minimum two hours.
- (10) Food plan check office consultation: \$141
- (11) Food plan check field consultation: \$311
- (12) Food plan check field consultation (supplemental inspection): \$338
- (13) Pool plan check office consultation: \$153
- (14) Pool plan check field consultation: \$306
- (15) Pool plan check field consultation (supplemental inspection): \$306
- (16) Mobile food facility plan check/mobile food support unit: \$334
- (17) Body art plan check field consultation: \$282
- (18) Body art plan check office consultation: \$141
- (19) Massage plan check field consultation: \$282
- (20) Massage plan check office consultation: \$141
- (21) Investigation of work without a permit. Whenever a food facility or pool is built, modified or remodeled without first submitting an application for the required permit/plan review, a special investigation shall be made before a permit may be issued for such work. The fee for this investigation will be in addition to the permit fee. \$306

(f) MISCELLANEOUS FOOD AND HOUSING FEES:

- (1) Food Handler per Section 61.102.

Duplicate Certificate: \$3

(This service will be discontinued after December 31, 2017)

Education Certificate Food Handler (each certificate): \$3

Food Handler Training Booklets: \$0.40

Food Manager Training Packet: \$2

Exam Materials: \$0.25

(2) Services to food handler training providers: Hourly rate as stated in subsection (m) of this section, for time expended.

(3) Massage Establishments: \$183

(4) Body Art Facilities: \$339

Body Art Practitioners (annual registration): \$115

Body Art Temporary Event Organizer: \$556

Body Art/Temporary Event Late or revised application fee (Less than 14 days prior to event.): \$190

Body Art Temporary Event Vendor: \$65

Body Art Reinspection Fee (assessed if repeated noncompliance makes reinspection necessary): Hourly rate as specified in subsection (m)(6).

Notification fee for single-use-needle mechanical ear-piercing only facilities: \$45

(5) Organized Camps

Seasonal: \$616

Year-Round: \$1,157

(g) LAND USE FEES:

Duration of fees:

With the exception of well permits, renewable permits and deposit accounts, permits are valid for one year from the date of approval. Well permit applications are valid for 120 days from the date of approval. Renewable permits expire one year from the date they are issued. The permit for sewage pumping vehicles shall expire on December 31 of each year; refer to Section 65.104 on the renewal of licenses, permits, or registrations for additional information. Deposit accounts will remain active until the project is completed and all billing has been paid. See subsection (m)(6) of this section for billing rates.

(1) Recycled Water Plan Check Fees, as provided for in Section 67.521(d): Hourly rate as specified in subsection (m)(6).

(2) Recycled Water Shutdown Test, as provided for in Section 67.523: Hourly rate as specified in subsection (m)(6).

(3) Well Permit Application, as provided for in Section 67.441.B

Domestic Well: \$613

Additional Domestic Well/per well over one on same parcel: \$204



Public Water Supply Well: \$1,316

Well Destruction: \$327

Well Water Permit Time Extension: \$50

(4) Collected Water Sample from Private Well: \$326

(5) Layouts/Percolation Test, as provided for in Section 68.361:

New Construction: \$1,101

Additions/Pools: \$923

Layout/Percolation Test Time Extension: \$468

Layout over the counter, no field investigation: \$121

(6) Onsite Wastewater System Permit, as provided for in Section 68.326:

Conventional Onsite Wastewater System Inspection: \$462

Conventional Onsite Wastewater System Re-Inspection: \$183

Conventional Onsite Wastewater System Repair Inspection: \$455

Treated Onsite Wastewater System Installation Inspection: \$1,012

Treated Onsite Wastewater System Major Repair Inspection: \$1,012

Treated Onsite Wastewater System Minor Repair Inspection: \$753

Treated Onsite Wastewater System Annual Operating Permit, as provided for in Section 68.334: \$373

Onsite Wastewater System Enforcement Fee, as provided for in Section 68.336: Minimum charge, two hours at the hourly rate as specified in subsection (m)(6).

(7) Lot Line Adjustment/Certificate of Compliance/Conditional Certificate of Compliance, up to two lots as provided for in Sections 81.901 et seq./81.1103/81.1104, field investigation needed:

Up to two lots: \$725

Three lots: \$1,076

Four lots: \$1,686

(8) Lot Line Adjustment/Certificate of Compliance/Conditional Certificate of Compliance over the counter, no field investigation: \$179

(9) Graywater System Permits

Plan Review - over the counter, as provided for in Section 68.361: \$122

Plan Review - with field check, as provided for in Section 68.361: \$508

Installation Inspections, as provided for in Section 68.361: \$442

Re-Inspection fee, as provided for in Section 68.361: \$199

(10) Septic Cleaner Examination Fee, as provided for in Section 68.602: \$90

(11) Septic Cleaner Base Permit Fee, as provided for in Section 68.604(a): \$179

(12) Sewage Pumping Vehicle, as provided for in Section 68.604(b): \$132

(13) Grading Plan, Major, as provided for in Section 87.204: \$417

(14) Deposit for a Special Projects Application review as provided for in Section 68.361. (Initial deposit, additional funds may be required for full cost recovery): \$1,198

(15) Deposit for a Tentative Map as provided for in Section 81.201 et seq. (Initial deposit, additional funds may be required for full cost recovery): \$3,170

(16) Deposit for Tentative Parcel Map on septic or sewer as provided for in Section 81.201 et seq. (Initial deposit, additional funds may be required for full cost recovery): \$1,685

(17) Deposit for Major Use Permits, Standard Application review as provided for in Section 68.361 (Initial deposit, additional funds may be required for full cost recovery): \$1,434

(18) Major Use Permit Modification/Minor Deviation as provided for in Section 68.361. \$732

(19) Discretionary Project Review as provided for in Section 68.361: \$611

(20) Administrative Permit Standard Application as provided for in Section 68.361. \$778

(21) Major Project Pre-application Conference as provided for in Section 68.361. \$784

(22) Pre-application Conference as provided for in Section 68.361. \$266

(23) Site Plan Application as provided for in Section 68.361. \$572

(h) MONITORING WELLS FEES:

(1) Monitoring Wells/Soil Boring (permits)

Borings:

Initial Soil Boring: \$235

Each Additional Soil Boring at a single site: \$62

(2) Monitoring Wells (Ground Water/Vadose Wells/Cathodic Protection Wells)

Initial Monitoring Well: \$351

Each Additional Monitoring Well at a single site: \$224

(3) Monitoring Well Destruction

Initial Monitoring Well Destruction: \$235

Each Additional Monitoring Well Destruction at a single site: \$143

(4) Monitoring Well Re-inspection Fee (per site): \$246

(5) Extension of Permit: \$51

(6) Soil Vapor Survey (per site): \$388

(7) Investigative Fee. For work done without a permit for which a permit is required or work done that is not in compliance with an approved permit: 100% of the permit cost.

(8) Tank Monitoring Well Fee (per site). Borings installed in UST and piping backfill with casing installed for purpose of monitoring tank system for leaks: \$368

(9) Miscellaneous Monitoring Well Program Fee. Includes the processing of refunds and other Monitoring Well Program activities where no fee is specifically indicated. Charge is at the hourly rate as specified in subsections (m)(5) and (m)(6).

(10) Deposit for a preliminary risk assessment where no fee is specifically indicated. (Includes oversight and investigation of contaminated ground water/soil and other technical assistance): Minimum charge, ten hours at the hourly rate as specified in subsection (m)(6). Initial deposit, additional funds may be required for full cost recovery.

(i) SMALL WATER SYSTEM FEES:

(1) Small Water Systems New Permit Application Fee: as provided for in California Health and Safety Code, Sections 101325, 116340, 116570, 116595. Initial deposit, additional funds may be required for full cost recovery. \$1,000

(2) Public Water System Change of Ownership/Permit Amendment/ Exemption/Plan Review/Variance/Waiver Processing Fee, as provided for in California Health and Safety Code, Sections 101325, 116570, 116580, 116595. Initial deposit, additional funds may be required for full cost recovery. \$500

(3) Public Water System Annual Drinking Water Operating Fee: as provided for in California Health and Safety Code, Sections 101325, 116565, 116595.

Treated Community Water System: \$2,938

Community Water System: \$2,516

Treated Transient, Non-Community Water System: \$2,245

Transient, Non-Community Water System: \$1,768

Treated Non-Transient, Non-Community Water System: \$2,622

Non-Transient, Non-Community Water System \$2,234

(4) State Small Water System

Annual Drinking Water Operating Fee, as provided in California Health and Safety Code, Sections 101325, 116340.

Treated State Small Water System: \$1,572

State Small Water System: \$1,149

(5) Enforcement fee, as provided for in California Health and Safety Code, Section 116577:

Charged using the hourly rate specified in subsection (m)(6), for any of the following:

- (a) Preparing, issuing, and monitoring compliance with, an order or a citation.
- (b) Preparing and issuing public notification.
- (c) Conducting a hearing pursuant to Section 116625.

(j) SOLID WASTE FEES: Solid Waste fees as provided in Sections 43213, 43508 and 44006, Division 30, of the Public Resources Code.

(1) Municipal Solid Waste Landfills (active):

Large – Permitted to receive more than 500 ton per day: \$46,273

Small – Permitted to receive 500 tons or less per day: \$23,615

(2) Transfer/Processing Facilities and Operations:

(a) Extra Major Large – Sites that require twelve inspections per year: \$18,828

Large Volume Transfer/Processing Facility (permitted to receive/process more than 3,000 tons per day)

(b) Major Large – Sites that require twelve inspections per year: \$14,999

Large Volume Transfer/Processing Facility (permitted to receive/process more than 1,000 tons per day)

(c) Minor Large - Sites that require twelve inspections per year: \$11,010

Large Volume Transfer/Process Facility (permitted to receive/process more than 100 and up to 1,000 tons per day)

(d) Inert Debris Processing Facility (more than 1,500 tons per day)

(e) Medium – Sites that require twelve inspections per year: \$7,180

Medium Volume Transfer/Processing Facility (permitted to receive/process equal to or more than 15 tons (or 60 cubic yards, whichever is greater) but less than 100 tons per day)

Medium Volume CDI Debris Processing Facility

Medium Volume C&D Wood Debris Chipping and Grinding Facility

Inert Debris Processing Facility

Large Volume C&D Wood Debris Chipping and Grinding Facility

(f) Limited/Small – Sites that require four inspections per year: \$2,393

Limited Volume Transfer/Processing Operation (less than 15 tons or 60 cubic yards (whichever is greater))

Small Volume CDI Debris Processing Operation

Small Volume C&D Wood Debris Chipping and Grinding Operation

Inert Debris Type A Only Processing Operation

(g) Limited/Small – Sites that require two inspections per year: \$1,649

Limited Volume Transfer/Processing Operation (less than 15 tons or 60 cubic yards (whichever is greater))

(h) Sealed Container Transfer Operations – Sites that require one inspection per year: \$691

Operation where solid wastes remain at all times within unopened containers on-site and are not stored for more than 96 hours

(i) Recycling Center – Sites that require one inspection per year: \$691

CDI Recycling Center

Inert Debris Recycling Center

(3) Large Volume CDI Waste Disposal Facility – Sites that require twelve inspections per year: \$11,010

(4) Inert Debris Type A Disposal Facility – Sites that require twelve inspections per year: \$7,180

(5) Inert Debris Engineered Fill Operation – Sites that require four inspections per year: \$2,393

(6) Compostable Materials Handling Facilities and Operations:

(a) Full Permit – Sites that require twelve inspections per year: \$9,084

(b) Registration Permit Tier or Enforcement Agency Notification – Sites that require twelve inspections per year: \$8,935

(c) Registration Permit Tier or Enforcement Agency Notification – Sites that require four inspections per year: \$3,005

(d) Enforcement Agency Notification – Sites that require two inspections per year: \$1,649

(e) Registration Permit Tier or Enforcement Agency Notification – Sites that require one inspection per year: \$691

(7) Closed Sites:

(a) Monthly – Sites that require twelve inspections per year: \$24,067

(b) Quarterly Large Landfills – Sites that require four inspections per year: \$7,287

(c) Quarterly Burnsites/Small Landfills – Sites that require four inspections per year: \$3,883

(d) Annual – Sites that require one inspection per year: \$904

(8) Solid waste handling fees – All solid waste handlers within the jurisdiction of the County of San Diego LEA shall remit \$0.14 per ton of solid waste handled.

(a) Exclusion: The fee shall not be assessed to solid waste handlers if it can be demonstrated to the satisfaction of the County of San Diego Local Enforcement Agency (LEA) that the waste was recycled and/or diverted from the solid waste stream. Additionally, this fee will not be assessed to solid waste handlers for each ton of waste for which it can be demonstrated to the satisfaction of the LEA that the fee was collected at a disposal site within the jurisdiction of County of San Diego LEA.

(b) All solid waste handlers within the jurisdiction of the County of San Diego LEA that receive revenue or income or charge fees for handling the solid waste shall maintain records and report waste handling information to the LEA in a manner or on a form provided by the LEA quarterly on or before May 1, August 1, November 1, and February 1 respectively and the records used to prepare these reports shall be maintained for a minimum of three (3) years. These records shall be made available for inspection by the LEA upon request during normal business hours.

(c) For purposes of this section, "solid waste handlers" means any person, agency or business that collects, transports, stores, transfers, disposes, or processes solid waste within the jurisdiction of the County of San Diego LEA.

(9) Solid Waste Facility Report or Application Filing Fee

Any solid waste related activity requiring review and / or decision by the LEA shall be accompanied by a filing fee by the applicant or responsible party to reflect the cost of processing the application and to recover costs incurred in meeting requirements of Division 30 of the California Public Resources Code. This fee is in addition to the fees authorized by Chapter 2 and Article 1 (commencing with Section 43200) of Part 4 of the California Public Resources Code. This fee shall be set at the hourly rate as specified in subsection (m)(6).

(k) UNIFIED PROGRAM FEES:

(1) Unified Program Facility Permit Base Fee (Required for all Operating Permits except as noted): \$342

Reinspection Fee(s): \$342

Additional Processing Fee where facility information and other program elements that are subject to electronic reporting in CERS are not submitted, repeatedly not accepted, or not up to date: Hourly rate in subsection s(m)(5) or (m)(6) as applicable in each case.

(2) Hazardous and Medical Waste Generator Operating Permit

(Note: Hazardous wastes stored in permitted underground storage tanks are not subject to the fees in this subsection (k)(2).)

- (a) Per hazardous waste and/or medical waste: \$78
- (b) Per universal waste at or above hazardous materials business plan inventory threshold: \$78

(3) Onsite Hazardous Waste Treatment (Tiered Permitting) Facility Fees

- (a) Conditional Exemption per unit: \$224
- (b) Conditional Authorization per unit: \$379
- (c) Permit by Rule per unit: \$499

(4) Hazardous Material Response Plans and Inventory Operating Permit

- (a) Per hazardous material: \$78
- (b) Maximum fee for hazardous materials: \$3,120

(Note: Hazardous materials stored in permitted underground tanks are not subject to the fees in this subsection (k)(4).)

(5) Underground Hazardous Materials Storage Operating Permit, Per Tank (includes storage of Hazardous Wastes and Hazardous Materials): \$467

(6) Underground Hazardous Materials Storage Tank Special Permits

(a) New Underground Storage Tank Installation/Repair/Upgrade (Interior lining, bladder installation)

- Base Fee (includes one (1) tank): \$2,336
- Each Additional Tank: \$539
- Plan Re-Review and Plan Extension: \$157

(b) Closure/Removal

- Base Fee (includes one (1) tank): \$1,088
- Each Additional Tank: \$386

(c) Plan Re-Review and Plan Extension: \$157

(d) Underground Storage Tank modification/ upgrade including pipe repair/ replacement that involves two inspections

Base Fee (includes entire facility): \$1,202

Plan Re-Review and Plan Extension: \$157

(e) Underground Storage Tank modification that involves one inspection

Base Fee (includes entire facility): \$773

Reduced Rate Fee (applies to simple projects): \$587

Plan Re-Review and Plan Extension: \$157

(f) Underground Storage Tank Re-Inspection Fee: \$372

(g) Underground Storage Tank Additional Plan Check Inspection: \$401

(h) Underground Storage Tank Consultation Fee: Hourly rate as specified in subsection (m)(6).

(7) Business establishments generating less than 200 pounds per month of medical waste (Operating Permit Base Fee not required): \$168

(8) Business establishments that generate 200 or more pounds of medical waste in any month of a 12-month period: \$674

(9) Hazardous Materials Management Business Plan (HMBP) Review for sites amending their HMBP as part of the Building Permit process (fee per site): \$399

(10) Hazardous Materials Management Business Plan (HMBP) Review for sites evaluated as part of the Building Permit process (Exempted Sites; fee per site): \$72

(11) Preliminary workscope assessment where no fee is specifically indicated. (Includes Risk Management Plans and other technical assistance.) Minimum charge, two hours at the hourly rate as specified in subsection (m)(6).

(12) California Accidental Release Program (CalARP) and Risk Management Plans (RMPs)

(a) Program Level 1 annual fee for triennial inspection: \$178

(b) Program Levels II & III annual fee for triennial inspection: \$252

(c) RMP review work and additional inspection/ audit costs that exceed the annual fee: hourly rate specified in subsection (m)(6).

(13) Day Care Questionnaire Review for City of San Diego (fee per site): \$258

(14) Notification Only Fee for Low Risk Unified Program Facilities designated by the Director of Environmental Health as notification only (Operating Permit Base Fee not required):

(a) Photographic Imaging Waste: \$73



(b) Unstaffed, Remote Location (one-time fee per facility): \$1,090

(15) Established businesses that operate a facility subject to the Unified Program without first submitting a permit application or notification to the Department must pay the following one-time non-notification fee. \$342

(16) Biotechnology facilities and research and development laboratories subject to the Unified Program Facility Permit base fee, the hazardous waste fees or the hazardous materials fees may have these fees reduced by 25% if the facility meets performance standards as defined by the Department.

(17) University of California at San Diego (UCSD) sites limited to contiguous UCSD owned property on and around Gilman Drive in the City of San Diego subject to the Unified Program Facility Permit Base Fee, the Hazardous Waste Generator Fees, the Medical Waste Generator Fees, the Hazardous Materials Fees or the Underground Storage Tank Operating Permit Fees shall pay an annual flat fee in lieu of the fees listed in this section. UCSD shall be subject to all other fees not specifically covered in this Section. The flat fee applies only to UCSD Main Campus and the Scripps Institution of Oceanography. \$23,772

(18) Aboveground Petroleum Storage Act (APSA) annual fee is based on the total aggregate shell capacity of petroleum in Aboveground Storage Tank(s) (AST) (maximum quantity):

Program Tier I (1,320 - 9,999 gal): \$222

Program Tier II (10,000 - 100,000 gal): \$287

Program Tier III (100,001 - 1,000,000 gal): \$337

Program Tier IV (1,000,001 - 10,000,000 gal): \$1,391

Program Tier V (10,000,001 - 100,000,000 gal): \$1,764

(19) Corrective Action Oversight. The responsible party or the person requesting the County's oversight of corrective action shall pay the County for its oversight costs. Funds to pay for Department of Environmental Health's (DEH) oversight of corrective action pursuant to section 68.915 of this code shall be advanced to and retained by the County as specified herein.

An initial deposit as specified in section (k)(19)(a) below shall be made by the responsible party or the person requesting oversight. Actual time expended by DEH in oversight shall be charged to this deposit account at the current labor rate.

Additional deposits shall be made to the deposit account by the responsible party or person requesting oversight as specified by the County, to maintain a positive balance sufficient to cover anticipated oversight costs in that case for two to three months. Upon completion of work and closure of the case, any funds not expended shall be returned to the responsible party or person seeking oversight.

(a) Corrective Action Initial Deposit: \$3,692

(l) RADIATION SHIELDING PLAN CHECK

(1) Radiation Shielding Plan Check Fee (base fee includes two rooms): \$108

(2) Fees for additional rooms in same facility (3-6 rooms): \$52

For more complex plan checks, sites are billed at the hourly rate specified in subsection (m)(6) for additional plan check and inspection costs that exceed the hours covered by the fee calculated above.

(m) MISCELLANEOUS DEPARTMENT FEES:

(1) For each duplicate permit, license, grade card, or registration, or other required document under any DEH program: \$18

(2) Health regulated business name change: \$30

(3) Copies of Documents per page: \$0.20

(4) Vector Control Technician hourly rate for which no fee is specifically indicated (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$142

(5) Environmental Health Technician hourly rate for which no fee is specifically indicated (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$85

(6) Environmental Health Specialist hourly rate for which no fee is specifically indicated (minimum charge one hour, each additional ½ hour will be charged one half of the hourly rate): \$153

(7) Expedited services will be provided at the request of the customer when possible. These services will be provided by staff working paid overtime. Costs will be recovered by charging one and a half times the hourly rate specified in subsection (m)(6).

(8) Cost for services provided for which a deposit is required will be at the hourly rate specified in subsection (m)(6). Costs for expedited services provided for which a deposit is required will be at one and a half times the hourly rate specified in subsection (m)(6).

(9) Payment for medical waste onsite treatment permit application review and processing:

(a) Initial Application: Hourly rate as specified in subsection (m)(6). Two hour minimum.

(b) Review or Revised Application(s): Hourly rate as specified in subsection (m)(6). Two hour minimum.

(10) FEE WAIVER FOR STRUCTURES DAMAGED OR DESTROYED BY NATURAL DISASTER. Notwithstanding the fees otherwise specified in Section 65.107, said fees may be waived for an applicant who is rebuilding legally built structures which have been damaged or destroyed by a wildfire or other natural disaster and which are located within the boundaries of a geographic area which has been declared by resolution of the Board of Supervisors to be eligible for this fee waiver. The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced.

(11) Fees for sample collection, laboratory costs, and project oversight shall be assessed at the approved hourly rate as specified in subsection (m) and for all laboratory costs associated with sampling and analysis.

(12) The following fees shall be paid to the Department of Environmental Health for Vector Laboratory services:

Special Projects include, but are not limited to, preparation for and speaking at public workshops, engagements, meetings, preparation of reports, review of reports or documents, and/or research. Fees for special projects shall be calculated and will be charged using the standard hourly billing rates set forth below.

Laboratory tests: \$35

Save body: \$20

(13) Vector Laboratory Special Projects:

CLASS	CLASS TITLE	HOURLY RATE
2120	County Veterinarian	\$328
5426	Agricultural Scientist	\$201
4317	Disease Research Scientist	\$140

(n) HIRT HAZARDOUS MATERIAL RELEASE RESPONSE FEE:

Actual costs of consumables used, plus Environmental Health Specialist hourly rate in subsection (m)(6) for time expended (minimum charge one hour, each additional 1/10th hour will be charged one tenth of the hourly rate). For Unified San Diego County Emergency Services Organization (USDCESO) responses DEH (or the County Office of Emergency Services) may also bill on behalf of member jurisdictions at the prevailing rate for that jurisdiction.

Section 3. Section 67.445 of the San Diego County Code is revised to read as follows:

**SEC. 67.445. EXTENSION OF PERMIT.**

Any permit issued pursuant to this Chapter may be extended at the option of the Director. Each individual extension granted by the Director shall be for not longer than one hundred twenty (120) days. In no event shall the Director grant an extension which would make the total term of the permit exceed one year. Application for extension shall be made on a form provided by the Director. The fee for submitting such application shall be as set forth in subsection (h) of Section 65.107 of this code.

Section 4. Section 67.447 of the San Diego County Code is revised to read as follows:

**SEC. 67.447. LOG OF WELL.**

Any person who has drilled, dug, excavated or bored a well, or deepens or perforates such a well, or destroys such a well, shall, within 60 days from the date of completion of the well, submit to the Director a copy of the report of completion for the well required to be submitted to the California Department of Water Resources in accordance with the provisions of Section 13751 of the California Water Code, and all laboratory and geophysical data for soil and groundwater.

Section 5. Section 68.904 of the San Diego County Code is revised to read as follows:

**SEC. 68.904. CERS REPORTING.**

(a) Any business, person, owner or operator that operates a unified program facility shall submit and shall keep up to date, through CERS, all of the following:

- (1) The facility information and program elements as defined in section 68.904.5 required to be reported under State law.
- (2) The waste generator shall provide information for each hazardous waste and medical waste generated at the facility. Wastes that are less than 55 gallons, 500 pounds, and for compressed gases less than 200 cubic feet, are required to be reported as inventory. At a minimum the following information shall be included: the common name of the waste, maximum amount in storage at any one time, annual waste amount, physical state of the waste, unit of measure, and the federal hazard categories for hazardous waste.
- (3) Where applicable, the additional locally required information specified in Section 68.1113 of this Code.

(b) Any business which handles hazardous material in quantities subject to the requirements of Chapter 6.95, and which has not been designated as a notification-only low risk unified program facility, shall in addition provide and keep up to date in CERS the hazardous waste and the non-waste hazardous materials inventory information and business plan for emergency response required to be provided pursuant to that Chapter.

(c) Pursuant to Section 25508.1 of the California Health and Safety Code electronic updates are required for reportable information affected by the following events:

- (1) A 100 percent or more increase in the quantity of a previously disclosed hazardous material that is subject to the inventory reporting requirements in State law.
- (2) Any handling of a previously undisclosed hazardous material that is subject to the inventory reporting requirements in State law.
- (3) Change of business address.
- (4) Change of business ownership.
- (5) Change of business name.
- (6) A substantial change (as defined in State law) in the handler's operations occurs that requires modification to any portion of the business plan.

(d) Submissions for new permits and changes of ownership in CERS must be made within 30 days of commencing operation. All required updates must be made within 30 days of the triggering event.

(e) Notification and submittal of unified program facility information and required program elements through CERS is the only submittal method that meets the requirements of State law and this code.

(f) Submissions, updates, and any required certifications in CERS may be made by the business, person, owner or operator of the Unified Program facility or by an officially designated representative.

Note: An additional hourly fee will be due under Section 65.107(m) if outdated information or unaccepted submittals in CERS results in increased costs to process a permit application or renewal.

Section 6. Section 68.908.1 of the San Diego County Code is revised to read as follows:

**SEC. 68.908.1. RE-INSPECTION WITH RE-INSPECTION FEE.**

If the unified program facility permit is denied for failure to pay appropriate fees associated with a unified program permit, or if a facility fails to comply with requirements set forth in this Code or State law, inspections shall continue to be performed to mitigate threats to public health and safety and the environment, and a re-inspection fee shall be due for each such inspection. Any notification and related submittals for a new or updated permit will be processed in accordance with Section 68.908.

Section 7. Section 68.915 of the San Diego County Code is revised to read as follows:

**SEC. 68.915. SITE SCREENING, SITE INVESTIGATION AND CORRECTIVE MEASURES.**

(a) To the extent authorized by the State Department of Toxic Substances Control, DEH, in its capacity as a Certified Unified Program Agency, shall oversee site screening, site investigation and corrective measures required at sites in the County that are subject to the state Hazardous Waste Control Law and are within the regulatory jurisdiction of the County as a Certified Unified Program Agency.

(b) Definitions. For purposes of this section, the following definitions apply:

"Corrective action" means those activities taken to evaluate, investigate, remove, remediate, prevent, minimize or mitigate a release or threatened release of hazardous waste or constituents, as necessary to protect the public health or the environment. The term "corrective action" includes site screening, site investigation and corrective measures.

"Site screening" means those activities that are performed to determine whether current or past hazardous waste management practices at the site have resulted in a release or threatened

release of hazardous waste or constituents that poses a threat to the public health or the environment.

"Site investigation" means those activities that are performed to determine the nature and extent of releases of hazardous waste or constituents at the site, identify and assess the risks to the public health or the environment posed by the release, and gather all necessary data on possible corrective measures.

"Corrective measures" means those activities that are performed to remove, remediate, prevent, minimize or mitigate a release of hazardous waste or constituents at the site.

(c) Authority. DEH may require corrective action at a site whenever DEH determines that there is or may be a release of hazardous waste or constituents into the environment at or from a site.

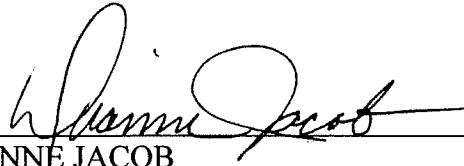
(d) The responsible party or the person requesting oversight shall make deposits and reimburse DEH for its oversight costs as set out in Section 65.107(k)(19) of this code.

(e) This section does not limit DEH's authority to oversee site investigations or remedial actions pursuant to Chapter 6.65 of Division 20 of the Health and Safety Code, Sections 33459 to 33459.8 of the Health and Safety Code, or Sections 101480 to 101490 of the Health and Safety Code, to the extent applicable.

Section 8. Effective Date. This Ordinance shall take effect on July 1, 2017, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Transcript, a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL  
BY  
Rodney Lorang, Senior Deputy

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 22<sup>nd</sup> day of March, 2017.



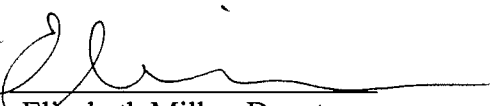
DIANNE JACOB  
Chairwoman, Board of Supervisors  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 22<sup>nd</sup> day of March, 2017.

DAVID HALL  
Clerk of the Board of Supervisors

By   
Elizabeth Miller, Deputy



Ordinance No. 10473 (N.S.)

03/22/17 (5)