

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Environmental Resources

BOARD AGENDA #: *B-2

AGENDA DATE: August 22, 2017

SUBJECT:

Approval to Authorize the Department of Environmental Resources to Collect the Amended State Surcharge, on Behalf of the State of California, for the Certified Unified Program Agency General Oversight, and the Underground Petroleum Storage Tanks, Effective July 1, 2017

BOARD ACTION AS FOLLOWS:

No. 2017-460

On motion of Supervisor Withrow, Seconded by Supervisor Olsen
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST: 
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

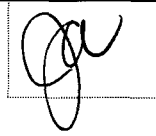
DEPT: Environmental Resources
Urgent Routine

BOARD AGENDA #: *B-2

AGENDA DATE: August 22, 2017

CEO CONCURRENCE: *pht*

4/5 Vote Required: Yes No



SUBJECT:

Approval to Authorize the Department of Environmental Resources to Collect the Amended State Surcharge, on Behalf of the State of California, for the Certified Unified Program Agency General Oversight, and the Underground Petroleum Storage Tanks, Effective July 1, 2017

STAFF RECOMMENDATIONS:

1. Approval to authorize the Department of Environmental Resources to collect the amended State surcharge of \$49 for the Certified Unified Program Agency General Oversight, and \$20 for the Underground Petroleum Storage Tanks, on behalf of the State of California, Effective July 1, 2017, as required by the California Health and Safety Code, Division 20, Chapter 6.11, Section 25404.5 (b), and the California Code of Regulations, Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240.
2. Authorize the County to transmit the additional revenue collected from the increased surcharges, estimated at \$34,000 annually, to the California Environmental Protection Agency.

DISCUSSION:

Between 1995 and 2015, the California Environmental Protection Agency (CalEPA) established four surcharges within the following Hazardous Materials Division Unified Programs: Certified Unified Program Agency (CUPA) General Oversight, the Underground Petroleum Storage Tank (UST) Program, the Aboveground Petroleum Storage Act (APSA) Program, and the California Accidental Release Prevention Program (CalARP). The Unified Programs State surcharge is assessed annually on each business regulated under the Unified Programs and is used to fund the necessary and responsible costs for program implementation, ongoing maintenance, and oversight of the Unified Programs. These fees are collected locally and "passed through" to the State.

In March 2017, the California Secretary for CalEPA amended the existing Unified Programs State surcharges pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.11, Section 25404.5(b), and the California Code of Regulations Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240.

Effective July 1, 2017, businesses subject to CUPA General Oversight will be required to pay an additional \$14 in surcharge fees annually. Businesses subject to the UST Program surcharge will be required to pay an additional \$5. The APSA and CalARP portions of the State surcharge remain unchanged.

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The surcharges were publicly noticed in the California Regulatory Notice Register for a 30-day comment period beginning March 24, 2017. CalEPA has now finalized the surcharges and they were published on Page 848 in the California Regulatory Notice Register on June 2, 2017. The fees are shown below:

United Program State Surcharge

CUPA Oversight	\$49 (increased from \$35)
UST	\$20 (increased from \$15)
CalARP	\$270 (unchanged)
APSA	\$26 (unchanged)

In Stanislaus County, the Department of Environmental Resources serves as the CUPA and will collect the amended surcharge fees annually as part of the Single Fee System. Since the billing for these programs was mailed out prior to these changes to the surcharges, these revised surcharges will be included in the billing which will occur in March 2018.

POLICY ISSUE:

California Code of Regulations, Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240(f) requires Stanislaus County to collect the new surcharge as part of the CUPA single fee system. The Board of Supervisor’s approval is required to amend the State surcharges that are included in the Department’s fee schedule and remit them to the State.

FISCAL IMPACT:

The total fee revenue is estimated to increase by approximately \$34,000 each year, which will be transmitted to CalEPA. This includes \$30,800 annually from 2,200 facilities subject to the additional \$14 CUPA Oversight fee, and approximately \$3,200 annually from 640 facilities subject to the additional \$5 UST fee.

Cost of recommended action:	-	\$	34,000
Source(s) of Funding:			
State Required Surcharge Fees	34,000	\$	-
Funding Total:	-	\$	34,000
Net Cost to County General Fund		\$	-

Fiscal Year:

2017-2018
No

Budget Adjustment/Appropriations needed:

BOARD OF SUPERVISORS’ PRIORITY:

The recommended actions support the Board’s priority of A Safe Community, A Healthy Community, and the Efficient Delivery of Public Services by meeting the State mandated program requirements.

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STAFFING IMPACT:

Existing staff will oversee the work related to collecting the increased Unified Program State surcharge fees.

CONTACT PERSON:

Jami Aggers, Director of Environmental Resources

Telephone (209) 525-6770

ATTACHMENT(S):

None