

1 [Hazardous Materials and Hazard Waste Fee Amendment]
2 AMENDING SECTIONS 1176, 1191 AND 1204 OF PART II, CHAPTER V OF THE SAN
3 FRANCISCO MUNICIPAL CODE (HEALTH CODE) TO PROVIDE FOR CHANGES IN THE
4 FEES CHARGED BY THE DEPARTMENT OF PUBLIC HEALTH FOR VARIOUS SERVICES
5 RELATED TO HAZARDOUS MATERIALS AND HAZARDOUS WASTE BEGINNING IN THE
6 FISCAL YEAR 2000.

7 Note: Additions are underlined; deletions are in ((double parentheses)).

8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. Articles 21, 21A and 22 of the San Francisco Health Code is hereby
10 amended by amending Sections 1176, 1191, and 1204, to read as follows:

11 **SEC. 1176. HAZARDOUS MATERIALS FEE SCHEDULE.**

12 (a) **Fees Generally.** Fees for services and regulatory functions of the Department of
13 Public Health pursuant to this Article shall be as provided in this Section.

14 (b) **State Surcharge.** Registrants and permittees subject to the requirements of this
15 Article shall pay the annual State surcharge for general program oversight, along with any
16 program-specific service charges established by the Secretary of the California Environmental
17 Protection Agency pursuant to Health and Safety Code Section 25404.5(b).

18 (c) **Hazardous Materials Registration Fees.**

19 (1) Registration fees shall be payable on the filing of a complete application for a
20 certificate of registration and on annual renewal. On the filing of an addendum disclosing
21 increased quantities or previously undisclosed hazardous materials, a registration fee is due
22 equal to the difference between the most recently charged registration fee and the fee due
23 taking into account the information in the addendum.

24 (2) Registration fees shall be as follows:

25 (A) Temporary certificate of registration, (((\$85)) \$98 for fiscal year 2000 (beginning

1 July 1, 1999), \$112 for fiscal year 2001 (beginning July 1, 2000), \$ 125 for fiscal year 2002
2 (beginning July 1, 2001), and \$135 for fiscal year 2003 (beginning July 1, 2002) and
3 thereafter;

4 (B) Freight forwarding and freight transportation services establishments, ((\$170))
5 \$196 for fiscal year 2000, \$225 for fiscal year 2001, \$250 for fiscal year 2002, and \$270 for
6 fiscal year 2003 and thereafter;

7 (C) For all other registrants subject to this Article, a fee determined by the total
8 quantity of liquids, quantity of solids and quantity of gases required to be registered by the
9 establishment, excluding hazardous materials contained in underground storage tanks. The
10 applicable fee shall be determined by adding together the appropriate quantity groups as set
11 forth in Chart I for liquids, solids and gases at the establishment (excluding hazardous
12 materials contained in underground storage tanks) in order to arrive at a quantity group total.
13 The corresponding fee for each quantity group total is set forth in Chart II.

14 (D) An establishment required to obtain a UST permit which does not have any
15 aboveground storage of hazardous materials subject to this Article shall be exempt from
16 payment of a registration fee.

17
18 **CHART I**
19 **QUANTITY GROUPS**
20

| 21 | Group | Quantity of Liquids | Quantity of Solids | Quantity of Gases |
|----|--------------|----------------------------|---------------------------|--------------------------|
| 22 | No. | (Gallons) | (Pounds) | (Cubic Feet) |
| 23 | 1 | less than 55 | less than 500 | less than 200 |
| 24 | 2 | 55 — 99 | 500 — 999 | 200 — 1,499 |
| 25 | 3 | 100 — 499 | 1,000 — 1,499 | 1,500 — 2,499 |

| | | | | |
|----|----|-------------------|-------------------|-------------------|
| 1 | 4 | 500 — 999 | 1,500 — 1,999 | 2,500 — 3,999 |
| 2 | 5 | 1,000 — 1,499 | 2,000 — 3,499 | 4,000 — 4,999 |
| 3 | 6 | 1,500 — 1,999 | 3,500 — 4,999 | 5,000 — 5,999 |
| 4 | 7 | 2,000 — 2,749 | 5,000 — 7,499 | 6,000 — 6,999 |
| 5 | 8 | 2,750 — 3,499 | 7,500 — 9,999 | 7,000 — 7,999 |
| 6 | 9 | 3,500 — 4,499 | 10,000 — 14,999 | 8,000 — 8,999 |
| 7 | 10 | 4,500 — 5,499 | 15,000 — 19,999 | 9,000 — 9,999 |
| 8 | 11 | 5,500 — 6,499 | 20,000 — 24,999 | 10,000 — 12,499 |
| 9 | 12 | 6,500 — 7,499 | 25,000 — 29,999 | 12,500 — 14,999 |
| 10 | 13 | 7,500 — 8,999 | 30,000 — 39,999 | 15,000 — 17,499 |
| 11 | 14 | 9,000 — 9,999 | 40,000 — 49,999 | 17,500 — 19,999 |
| 12 | 15 | 10,000 or greater | 50,000 or greater | 20,000 or greater |

CHART II

CERTIFICATE OF REGISTRATION FEE SCHEDULE

| 18 | 19 | 20 | 21 | | | |
|-------------|------------------|-------------|---------------|---------------|---------------------|---------------|
| | | | 22 | | | |
| | | | 23 | 24 | 25 | 26 |
| Quantity | Registration fee | Fiscal Year | Fiscal Year | Fiscal Year | Fiscal Year | |
| Group Total | | 2000 | 2001 | 2002 | 2003 and thereafter | |
| | ((0)) | | ((\$ 210)) | | | |
| | 1 | ((\$ 231)) | <u>\$153</u> | <u>\$176</u> | <u>\$197</u> | <u>\$221</u> |
| | 2 | ((\$ 252)) | <u>\$ 160</u> | <u>\$ 184</u> | <u>\$ 206</u> | <u>\$ 231</u> |
| | 3 | ((\$ 273)) | <u>\$ 174</u> | <u>\$ 200</u> | <u>\$ 224</u> | <u>\$ 251</u> |

THE DEPARTMENT OF PUBLIC HEALTH
 BOARD OF SUPERVISORS

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|----|----|-------------|----------------|----------------|----------------|----------------|
| 1 | 4 | ((\$ 294)) | <u>\$ 209</u> | <u>\$ 240</u> | <u>\$ 268</u> | <u>\$ 300</u> |
| 2 | 5 | ((\$ 315)) | <u>\$ 237</u> | <u>\$ 272</u> | <u>\$ 304</u> | <u>\$ 340</u> |
| 3 | 6 | ((\$ 336)) | <u>\$ 265</u> | <u>\$ 304</u> | <u>\$ 340</u> | <u>\$ 381</u> |
| 4 | 7 | ((\$ 357)) | <u>\$ 293</u> | <u>\$ 336</u> | <u>\$ 376</u> | <u>\$ 421</u> |
| 5 | 8 | ((\$ 378)) | <u>\$ 321</u> | <u>\$ 369</u> | <u>\$ 413</u> | <u>\$ 463</u> |
| 6 | 9 | ((\$ 399)) | <u>\$ 349</u> | <u>\$ 401</u> | <u>449</u> | <u>\$ 503</u> |
| 7 | 10 | ((\$ 420)) | <u>\$ 377</u> | <u>\$ 433</u> | <u>\$ 484</u> | <u>\$ 542</u> |
| 8 | 11 | ((\$ 441)) | <u>\$ 419</u> | <u>\$ 481</u> | <u>\$ 538</u> | <u>\$ 603</u> |
| 9 | 12 | ((\$ 462)) | <u>\$ 461</u> | <u>\$ 530</u> | <u>\$ 593</u> | <u>\$ 664</u> |
| 10 | 13 | ((\$ 483)) | <u>\$ 503</u> | <u>\$ 578</u> | <u>\$ 647</u> | <u>\$ 725</u> |
| 11 | 14 | ((\$ 504)) | <u>\$ 545</u> | <u>\$ 626</u> | <u>\$ 701</u> | <u>\$ 785</u> |
| 12 | 15 | ((\$ 525)) | <u>\$ 587</u> | <u>\$ 675</u> | <u>\$ 756</u> | <u>\$ 847</u> |
| 13 | 16 | ((\$ 546)) | <u>\$ 629</u> | <u>\$ 723</u> | <u>\$ 809</u> | <u>\$ 906</u> |
| 14 | 17 | ((\$ 567)) | <u>\$ 671</u> | <u>\$ 771</u> | <u>\$ 863</u> | <u>\$ 967</u> |
| 15 | 18 | ((\$ 588)) | <u>\$ 713</u> | <u>\$ 819</u> | <u>\$ 917</u> | <u>\$ 1027</u> |
| 16 | 19 | ((\$ 609)) | <u>\$ 755</u> | <u>\$ 868</u> | <u>\$ 972</u> | <u>\$ 1089</u> |
| 17 | 20 | ((\$ 630)) | <u>\$ 804</u> | <u>\$ 924</u> | <u>\$ 1034</u> | <u>\$ 1158</u> |
| 18 | 21 | ((\$ 651)) | <u>\$ 853</u> | <u>\$ 980</u> | <u>\$ 1097</u> | <u>\$ 1229</u> |
| 19 | 22 | ((\$ 672)) | <u>\$ 902</u> | <u>\$ 1037</u> | <u>\$ 1161</u> | <u>\$ 1300</u> |
| 20 | 23 | ((\$ 693)) | <u>\$ 952</u> | <u>\$ 1093</u> | <u>\$ 1224</u> | <u>\$ 1371</u> |
| 21 | 24 | ((\$ 714)) | <u>\$ 1000</u> | <u>\$1150</u> | <u>\$1288</u> | <u>\$ 1443</u> |
| 22 | 25 | ((\$ 735)) | <u>\$ 1049</u> | <u>\$1206</u> | <u>\$ 1350</u> | <u>\$ 1512</u> |
| 23 | 26 | ((\$ 756)) | <u>\$ 1098</u> | <u>\$ 1262</u> | <u>\$ 1413</u> | <u>\$ 1583</u> |
| 24 | 27 | ((\$ 777)) | <u>\$ 1147</u> | <u>\$ 1319</u> | <u>\$ 1477</u> | <u>\$ 1654</u> |
| 25 | 28 | ((\$ 798)) | <u>\$ 1203</u> | <u>\$ 1383</u> | <u>\$ 1548</u> | <u>\$ 1734</u> |

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|----|----|---------------|----------------|----------------|----------------|----------------|
| 1 | 29 | ((\$ 819)) | <u>\$ 1259</u> | <u>\$ 1447</u> | <u>\$ 1620</u> | <u>\$ 1814</u> |
| 2 | 30 | ((\$ 840)) | <u>\$ 1315</u> | <u>\$ 1512</u> | <u>\$ 1693</u> | <u>\$ 1896</u> |
| 3 | 31 | ((\$ 861)) | <u>\$ 1371</u> | <u>\$ 1576</u> | <u>\$ 1765</u> | <u>\$ 1977</u> |
| 4 | 32 | ((\$ 882)) | <u>\$ 1427</u> | <u>\$ 1641</u> | <u>\$ 1873</u> | <u>\$ 2057</u> |
| 5 | 33 | ((\$ 903)) | <u>\$ 1483</u> | <u>\$ 1705</u> | <u>\$ 1909</u> | <u>\$ 2138</u> |
| 6 | 34 | ((\$ 924)) | <u>\$ 1539</u> | <u>\$ 1769</u> | <u>\$ 1981</u> | <u>\$ 2219</u> |
| 7 | 35 | ((\$ 945)) | <u>\$ 1595</u> | <u>\$ 1834</u> | <u>\$ 2054</u> | <u>\$ 2300</u> |
| 8 | 36 | ((\$ 966)) | <u>\$ 1651</u> | <u>\$ 1898</u> | <u>\$ 2125</u> | <u>\$ 2380</u> |
| 9 | 37 | ((\$ 987)) | <u>\$ 1707</u> | <u>\$ 1963</u> | <u>\$ 2198</u> | <u>\$ 2462</u> |
| 10 | 38 | ((\$ 1,008)) | <u>\$ 1763</u> | <u>\$ 2027</u> | <u>\$ 2270</u> | <u>\$ 2542</u> |
| 11 | 39 | ((\$ 1,029)) | <u>\$ 1805</u> | <u>\$ 2075</u> | <u>\$ 2324</u> | <u>\$ 2603</u> |
| 12 | 40 | ((\$ 1,050)) | <u>\$ 1847</u> | <u>\$ 2124</u> | <u>\$ 2378</u> | <u>\$ 2663</u> |
| 13 | 41 | ((\$ 1,071)) | <u>\$ 1889</u> | <u>\$ 2172</u> | <u>\$ 2432</u> | <u>\$ 2724</u> |
| 14 | 42 | ((\$ 1,092)) | <u>\$ 1931</u> | <u>\$ 2220</u> | <u>\$ 2485</u> | <u>\$ 2793</u> |
| 15 | 43 | ((\$ 1,113)) | <u>\$ 1959</u> | <u>\$ 2252</u> | <u>\$ 2522</u> | <u>\$ 2825</u> |
| 16 | 44 | ((\$ 1,134)) | <u>\$ 1987</u> | <u>\$ 2285</u> | <u>\$ 2559</u> | <u>\$ 2866</u> |
| 17 | 45 | ((\$ 1,155)) | <u>\$ 2015</u> | <u>\$ 2317</u> | <u>\$ 2595</u> | <u>\$ 2906</u> |

18

19 (d) **UST Permit Fees.** A person required to obtain a UST permit shall pay an annual
20 fee ((of \$170 for up to two tanks and \$85)) for each ((additional)) tank at each site of \$ 98 for
21 fiscal year 2000; \$ 112 for fiscal year 2001; \$ 125 for fiscal year 2002; and \$ 135 for fiscal
22 year 2003 and thereafter.

23 ///

24 ///

25 ///

1 (e) **Miscellaneous Other Fee Schedules.** Other hazardous materials fees shall be
 2 as follows:

| Type of Fee | Amount | <u>Fiscal Year</u> | <u>Fiscal Year</u> | <u>Fiscal Year</u> | <u>Fiscal Year</u> |
|---|---------------|--|--------------------|--------------------|------------------------|
| | | 2000 | 2001 | 2002 | 2003 and thereafter |
| Application fee for UST repair, modification, removal or closure approval and up to three hours field inspection, per site | (((\$442.50)) | \$ 517 | \$ 573 | \$ 625 | \$ 685 |
| Inspection fee for Fire Department inspection exceeding three hours for UST repair, modification, removal, or closure, per hour | (((\$62.50)) | <u>Fee pursuant to Section 106.10 of the Fire Code</u> | | | |
| Field inspection fee, per hour (business hours) | (((\$ 85.00)) | \$ 130 | \$ 130 | \$ 130 | \$ 130 |
| Field inspection fee, per hour (Sat., Sun., evenings) | (((\$127.50)) | \$ 195 | \$ 195 | \$ 195 | \$ 195 |
| Permit review by Department of City Planning | (((\$ 40.00)) | \$ 46 | \$ 53 | \$ 59 | \$ 66 |
| Fire Department field inspection for permit issuance or renewal when not required by the Fire Code, per hour | (((\$ 62.50)) | <u>Fee pursuant to Section 106.10 of the Fire Code</u> | | | |

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|---|------------------------------------|---------------|--------|--------|--------|--------|
| 1 | Closure plan processing fee and up | | | | | |
| 2 | to three hours of plan review | (((\$255.00)) | \$ 294 | \$ 338 | \$ 379 | \$ 424 |
| 3 | Closure plan review exceeding | | | | | |
| 4 | three hours, per hour | (((\$ 85.00)) | \$ 98 | \$ 112 | \$ 125 | \$ 140 |
| 5 | Consultation fee, per hour | (((\$ 85.00)) | \$ 98 | \$ 112 | \$ 125 | \$ 140 |
| 6 | Director's Hearing pursuant to | | | | | |
| 7 | Sections 1137(a)(3), (4), (5), (7) | (((\$125.00)) | \$ 144 | \$ 166 | \$ 185 | \$ 208 |

8 (f) **Additional Fees as Penalties.** Additional fees assessed pursuant to Sections
9 1120 and 1120.1 shall be as follows:

| 11 | | | <u>Fiscal Year</u> | <u>Fiscal Year</u> | <u>Fiscal Year</u> | <u>Fiscal Year</u> |
|----|---------------------------------|---------------|--------------------|--------------------|--------------------|--------------------|
| 12 | | | <u>2000</u> | <u>2001</u> | <u>2002</u> | <u>2003 and</u> |
| 13 | | | | | | <u>thereafter</u> |
| 14 | Type of Fee | | | Amount | | |
| 15 | Site investigation (maximum) | (((\$510.00)) | \$ 587 | \$ 675 | \$ 755 | \$ 846 |
| 16 | Failure to timely obtain a | | | | | |
| 17 | Certificate of Registration, or | | | | | |
| 18 | obtain a UST permit, unless | (((\$210.00)) | \$ 242 | \$ 278 | \$ 311 | \$ 348 |
| 19 | otherwise provided in this | | | | | |
| 20 | section | | | | | |
| 21 | Failure to timely register a | | | | | |
| 22 | temporary storage facility | (((\$ 85.00)) | \$ 98 | \$ 112 | \$ 125 | \$ 135 |
| 23 | Failure to obtain approval to | | | | | |
| 24 | modify, repair, close or remove | (((\$500.00)) | \$ 587 | \$ 675 | \$ 755 | \$ 846 |
| 25 | an UST. | | | | | |

1 Failure to schedule a site
2 inspection prior to the ~~(((\$250.00))~~ \$ 294 \$ 338 \$ 379 \$ 424
3 modification, closure or removal
4 of an UST

5 (g) Application Fee for New Certificate of Registration. Registrants and
6 permittees shall pay an application fee for a new Certificate of Registration of \$ 98 for the
7 fiscal year 2000, \$ 112 for the fiscal year 2001, \$ 125 for the fiscal year 2002, \$ 135 for the
8 fiscal year 2003 and thereafter.

9 (h) Hazardous Materials and Hazardous Waste Base Fee. Any business that is
10 subject to requirements of Articles 21, 21A and/or 22 shall pay an annual base fee of \$ 98 for
11 the fiscal year 2000, \$ 112 for the fiscal year 2001, \$ 125 for the fiscal year 2002, \$ 135 for
12 the fiscal year 2003 and thereafter. This subsection shall not apply to Minimal Quantity
13 Generator as defined in Section 1204(b) of Article 22 of this Code.

14 **SEC. 1191. FEES AND CHARGES.** (a) In accordance with the single fee system
15 established pursuant to Health and Safety Code Section 25404.5, stationary sources required
16 under this Article to submit an RMP shall pay the following fees and charges:

17 (1) **RMP Review and Processing Fees.** A stationary source that is notified that it
18 must submit an RMP shall pay the following one-time fee to cover the cost of submission
19 review and processing. This fee shall be due at the time the stationary source is notified that it
20 must prepare an RMP:

21 (A) Program 1 facilities: ~~(((\$595))~~ \$ 685 for the fiscal year 2000, \$ 788 for the fiscal
22 year 2001, \$ 882 for the fiscal year 2002, \$ 988 for the fiscal year 2003 and thereafter;

23 (B) Program 2 or Program 3 facilities: ~~(((\$3,500))~~ \$ 4,025 for the fiscal year 2000,
24 \$ 4,629 for the fiscal year 2001, \$ 5,184 for the fiscal year 2002, \$ 5,806 for the fiscal year
25 2003 and thereafter.

1 (2) **Annual Fee for Stationary Sources.** A stationary source that is required to
2 prepare and maintain an RMP shall pay the following annual fee, due at the first billing cycle
3 after the RMP is considered complete by the Director, and annually thereafter:

4 (A) Program 1 facilities: (((\$85)) \$ 98 for the fiscal year 2000, \$ 112 for the fiscal year
5 2001, \$ 125 for the fiscal year 2002, \$ 140 for the fiscal year 2003 and thereafter;

6 (B) Program 2 or Program 3 facilities: (((\$170)) \$ 196 for the fiscal year 2000, \$ 224
7 for the fiscal year 2001, \$ 250 for the fiscal year 2002, \$ 280 for the fiscal year 2003 and
8 thereafter.

9 **SEC. 1204. FEES AND CHARGES.** In accordance with the single fee system
10 established pursuant to Health and Safety Code Section 25404.5, hazardous waste
11 generators shall pay the following fees and charges to cover the Department's costs incurred
12 in implementing and enforcing the program established by this Article:

13 (a) **State Surcharge.** The annual State surcharge for general program oversight, in
14 addition to any tiered permitting service charge, as established by the Secretary of the
15 California Environmental Protection Agency pursuant to Health and Safety Code Section
16 25404.5(b).

17 (b) **Hazardous Waste Generator Fee.** Hazardous waste generators subject to the
18 program established by this Article shall pay an annual fee based upon the amount of
19 hazardous waste generated during the preceding year. The amount of this fee is set forth in
20 Chart I. Minimal Quantity Generator shall pay an annual fee of \$49 for the fiscal year 2000,
21 \$ 56 for the fiscal year 2001, \$ 63 for the fiscal year 2002, \$ 68 for the fiscal year 2003 and
22 thereafter. Minimal Quantity Generator shall be exempted from the annual base fee set forth
23 in Section 1176 (h) of Article 21 of this Code. For purposes of determining this fee, the term
24 "Minimal Quantity Generator" or "MQG" shall mean a generator that meets all of the following
25 requirements:

1 (1) The quantity of hazardous waste generated by the generator does not exceed
 2 50 pounds per month or 500 pounds per year; and

3 (2) Hazardous waste is not treated on site; and

4 (3) The generator is not required to have a hazardous materials registration
 5 pursuant to Article 21 for hazardous materials used or stored at the site.

6 **CHART I**

7

8 **HAZARDOUS WASTE GENERATOR FEES**

| HW QUANTITY GENERATED/YEAR | ANNUAL FEE | | | | |
|--------------------------------|--------------|--------------------|--------------------|--------------------|--------------------------------|
| | | <u>Fiscal Year</u> | <u>Fiscal Year</u> | <u>Fiscal Year</u> | <u>Fiscal Year</u> |
| | | <u>2000</u> | <u>2001</u> | <u>2002</u> | <u>2003 and thereafter</u> |
| ((Minimal Quantity Generator)) | | ((\$ 30)) | | | |
| > 0 — 5 tons, other than MQG | ((\$ 142)) | <u>\$ 176</u> | <u>\$ 202</u> | <u>\$ 226</u> | <u>\$ 253</u> |
| 5 — 25 tons | ((\$ 425)) | <u>\$ 356</u> | <u>\$ 409</u> | <u>\$ 458</u> | <u>\$ 527</u> |
| 25 — 50 tons | ((\$ 510)) | <u>\$ 511</u> | <u>\$ 587</u> | <u>\$ 657</u> | <u>\$ 736</u> |
| 50 — 250 tons | ((\$ 595)) | <u>\$ 715</u> | <u>\$ 822</u> | <u>\$ 920</u> | <u>\$ 1056</u> |
| 250 — 500 tons | ((\$ 680)) | <u>\$ 1016</u> | <u>\$ 1168</u> | <u>\$ 1308</u> | <u>\$ 1465</u> |
| 500 — 1,000 tons | ((\$ 765)) | <u>\$ 1422</u> | <u>\$ 1635</u> | <u>\$ 1831</u> | <u>\$ 2051</u> |
| 1,000 — 2,000 tons | ((\$ 850)) | <u>\$ 2062</u> | <u>\$ 2371</u> | <u>\$ 2655</u> | <u>\$ 2974</u> |
| 2,000 + tons | ((\$ 935)) | <u>\$ 2887</u> | <u>\$ 3320</u> | <u>\$ 3718</u> | <u>\$ 4164</u> |

9 (c) **Tiered Permitting Fee.** Persons operating pursuant to a permit-by-rule,

1 conditional authorization or conditional exemption shall pay the following annual fee, based
2 upon the type of permit, except that in the case of persons subject to more than one
3 permitting tier at one facility, the fee for all tiered permits at that facility shall be a single fee
4 set at the amount of the fee for the highest applicable tier:

5 (1) Permit-by-rule: ~~(((\$425))~~ \$ 399 for the fiscal year 2000, \$ 458 for the fiscal year
6 2001, \$ 512 for the fiscal year 2002, \$ 574 for the fiscal year 2003 and thereafter;

7 (2) Conditional authorization: ~~(((\$280))~~ \$ 122 for the fiscal year 2000, \$ 140 for the
8 fiscal year 2001, \$ 156 for the fiscal year 2002, \$ 175 for the fiscal year 2003 and thereafter;

9 (3) Conditional exemption: ~~(((\$30))~~ \$ 64 for the fiscal year 2000, \$ 73 for the fiscal
10 year 2001, \$ 81 for the fiscal year 2002, \$ 91 for the fiscal year 2003 and thereafter.

11 (d) **Inspection Fee.** In administering the provisions of this Article and conducting
12 inspections pursuant to Health and Safety Code Sections 25185 and 25185.5, the Department
13 shall require hazardous waste generators and persons operating pursuant to a permit-by-rule,
14 conditional authorization or conditional exemption to pay inspection and administrative fees to
15 cover the Department's costs of any inspection (other than a routine inspection) conducted by
16 the Department when it has reason to believe a generator is not in compliance with the
17 hazardous waste laws and regulations. The fee for any such inspection and associated
18 administrative activities ~~((shall be \$85))~~ for each hour or portion thereof for inspections
19 performed during business hours shall be \$ 98 for the fiscal year 2000, \$ 112 for the fiscal
20 year 2001, \$ 125 for the fiscal year 2002, \$ 140 for the fiscal year 2003 and thereafter, and
21 ~~(((\$127.50))~~ for each hour or portion thereof for inspections performed during nonbusiness
22 hours, including Saturdays, Sundays and evenings shall be \$ 147 for the fiscal year 2000,
23 \$ 168 for the fiscal year 2001, \$ 187.50 for the fiscal year 2002, \$ 210 for the fiscal year 2003
24 and thereafter.

25 (e) When the real property where the site is located is owned by a person other

1 than the operator of the site, it is the operator's duty to pay any inspection and administration
2 fees. However, in the event the operator fails to pay any inspection and administration fee as
3 provided for in this Article, the City and County may impose a lien on the real property
4 pursuant to the provisions of this Article and San Francisco Administrative Code, Chapter 10,
5 Article XX.

6 (f) **Consultation Fee.** The Director is authorized to charge a fee ((of \$85 per hour))
7 for Department staff to consult with regulated parties subject to this Article or their
8 representatives concerning compliance with the requirements of this Article. The fee shall be
9 \$ 98 per hour for the fiscal year 2000, \$ 112 per hour for the fiscal year 2001, \$ 125 per hour
10 for the fiscal year 2002, \$ 140 per hour for the fiscal year 2003 and thereafter

11 (g) The Director of Health through the Health Commission shall recommend to the
12 Board of Supervisors appropriate fees sufficient to pay for but not exceed the costs incurred in
13 administering this Article. Such fees shall be set, collected, reviewed and administered in
14 accordance with Sections 1175.2 through 1175.5 of Article 21 of this Code.

15
16 APPROVED AS TO FORM:

17 LOUISE H. RENNE, City Attorney

18
19
20 By:



21 William Chan
22 Deputy City Attorney
23
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 990761

Date Passed:

Ordinance amending Health Code by amending Sections 1176, 1191 and 1204 to provide for changes in the fees charged by the Department of Public Health for various services related to hazardous materials and hazardous waste beginning in the fiscal year 2000.

May 24, 1999 Board of Supervisors — PASSED ON FIRST READING

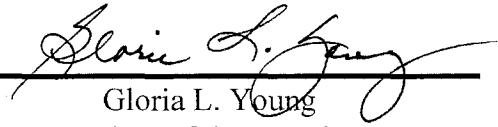
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

June 1, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki
Absent: 1 - Yee

File No. 990761

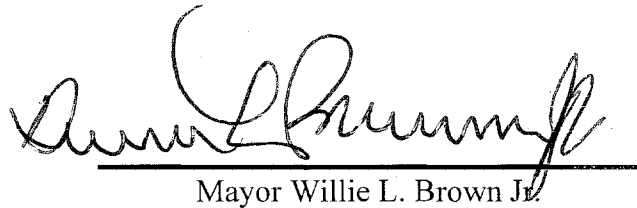
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on June 1, 1999 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN 1 1 1999

Date Approved



Mayor Willie L. Brown Jr.

File No. 990761 continued...