



County of Santa Cruz

HEALTH SERVICES AGENCY

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ENVIRONMENTAL HEALTH

June 5, 2000

AGENDA: June 13, 2000

BOARD OF SUPERVISORS

County of Santa Cruz

701 Ocean Street

Santa Cruz, CA 95060

SUBJECT: HAZARDOUS MATERIALS EMERGENCY RESPONSE CAPABILITY

Dear Board Members:

In April, your Board directed Health Services Agency/Environmental Health Services to seek recommendations **from** the Hazardous Materials Advisory Commission with regard to Level II Hazardous Materials Response capabilities within Santa Cruz County. The Commission was asked to formulate recommendations: 1) determining the appropriate level of service; 2) determining how that level of service might be rendered; 3) following review of the allocation and/or re-allocation of resources; and, 4) **identifying** a possible source and/or sources of funding. The Health Services Agency was also directed to report back to the Board by June 13, 2000 and address any financial implications during June budget hearings. This report summarizes the recommendations of the Hazardous Materials Advisory Commission.

Background:

Historically, Santa Cruz County has had Hazardous Materials Emergency Response capabilities offered through three resources: Santa Cruz County Environmental Health Services (**EHS**), Scotts Valley Fire Protection District (SVFPD), and City of Watsonville Fire Department (**WFD**). It is important to note that the service level provided by EHS is not equivalent to that of either SVFPD or WFD. EHS response capabilities are focused at a lower level, appropriate for the 100 or so small spills and complaints EHS receives each year. The Scotts Valley Fire Protection District and the City of Watsonville Fire Department response capabilities are designed to respond to "worse case scenarios" (Level II).

Funding for Level II response capabilities has come **from** a variety of sources. In 1988, the County (on behalf of the fire districts in the unincorporated area), the cities (Watsonville, Capitola, Scotts Valley, Santa Cruz) and UCSC entered into an MOU for these services from Watsonville City Fire Department. The MOU expired in February of 1992 with no replacement agreement. From 1992 to 1997, the cost of providing these services was subsidized by permitting and inspection programs for hazardous materials and underground storage tanks managed by each of the fire agencies providing Level II hazmat response services (City of Watsonville and Scotts Valley Fire Protection District). In 1997, both fire agencies lost authority for implementation of hazardous materials and underground storage tank programs **from** the State. Since 1997, both agencies have struggled to keep these services available to the community and have now stated their intention to end their (Level II) services due to the lack of financial support.

As a result of your Board's direction last April, the Hazardous Materials Advisory Commission has studied the issues as requested and produced the attached report. The report contains recommendations for the Board's consideration which include: 1) that the County should work to maintain Level II hazardous material response capability within the County boundaries; 2) the County should solicit participation from the Santa Cruz County Fire Chiefs' Association, and the four cities, in formulating a cost-effective and

proportionate method of service delivery with the Health Services Agency/Environmental Health Service and the County Office of Emergency Services participating in that process; 3) the Health Services Agency/Environmental Health Service should participate in the establishment of an interagency revolving incident cost reimbursement fund; 4) the Board should direct the Health Services Agency/Environmental Health Service to seek reimbursement to the revolving fund from Grants and responsible parties where possible; 5) the Health Services Agency/Environmental Health Service should act as the lead in development of an interagency Memorandum of Understanding between the County, four cities, and the Fire Chiefs' Association, to provide support for Level II Hazardous materials response county-wide; this will include an accountability system, based on standard accounting principles and in a format that is easily understandable, to monitor expenditure and cost effectiveness of the response program; and 6) the County should contribute proportionate funding, through either General Fund or reapportionment of Proposition 172 funds, for the Level II response support.

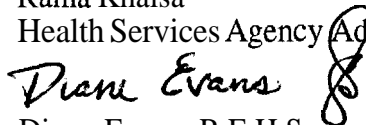
It is therefore RECOMMENDED that your Board:

- 1) Accept and file the report from the Hazardous Materials Advisory Commission;
- 2) Direct the Health Services Agency/Environmental Health Service, in conjunction with the County's Office of Emergency Services, the Santa Cruz County Fire Chiefs' Association, and the four cities, to develop an agreement for a Level II hazardous materials response capability; and
- 3) Direct the Health Services Agency/Environmental Health Service to report back on or before October 3, 2000 on the Memorandum of Understanding's development and the necessary proportionate funding for implementation.

Sincerely,

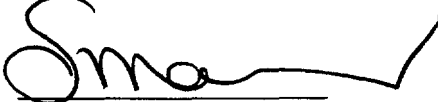


Rama Khalsa
Health Services Agency Administrator



Diane Evans, R.E.H.S.
Environmental Health Director

Recommended:



Susan A. Mauriello
County Administrative Officer

Attachment: Hazardous Materials Advisory Commission Report (6/5/00)

cc: CAO
County Counsel
Hazardous Materials Advisory Commission
Health Services Agency/Environmental Health Service
County Office of Emergency Services
Chief Smith, Altos/La Selva Fire Department
Chief McMurry, Scotts Valley Fire Protection District
Chief Leon, City of Watsonville Fire Department

INTEROFFICE MEMORANDUM

TO: SANTA CRUZ COUNTY BOARD OF SUPERVISORS
FROM: HAZARDOUS MATERIALS ADVISORY COMMISSION
SUBJECT: HAZARDOUS MATERIALS EMERGENCY RESPONSE TEAM AND FUNDING
DATE: 06/07/00
cc: STEVE SCHNEIDER, SCCEHS HAZARDOUS MATERIALS PROGRAM MANAGER

The Hazardous Materials Advisory Commission was asked to make recommendations in the following areas: 1) determining the appropriate level of service; 2) determining how that level of service will best be rendered; 3) determining the allocation and/or re-allocation of resources; and, 4) identifying the source/or sources of funding for whatever level of service is deemed appropriate, as it relates to the County's structure and capability for responding to hazardous materials emergencies. This report summarizes the Commissions analysis and recommendations.

Review:

The following information and data was reviewed as part of this analysis:

- Response call logs (various sources)
- OES Location of Hazardous Materials Response Teams Document
- SCCEHS Cal-ARP facilities list
- Fire Chiefs consolidated team proposal (draft)
- Questionnaire and personal interviews with locations providing response
- Interviews with Scotts Valley Fire District Chief, Aptos-La Selva Fire District Chief and Watsonville City Fire Chief
- Prop 172 funding and allocation materials

Scope:

Santa Cruz County Environmental Health Services provides response capability for Level I incidents. Upon investigation these incidents generally do not require specialized response teams and/or do not present significant health and safety risks to the general public. This capability is not in question and is not part of this review. This review focuses on maintaining a Level II response capability, for those incidents requiring specialized teams, for all jurisdictions within the County.

Findings:

There are as many ways of delivering response services, as there are jurisdictions within the State. They range from teams, typically fire departments, that respond within city limits only, to those that respond regionally as part of a loose agreement with neighboring jurisdictions, to teams that operate 'under formal Memorandums of Understanding (MOUs) or Joint Powers Agreements (JPAs) where team makeup and function are detailed. Many include EHS as part of the response capability. Financing is as variable as service delivery. Typically the agency providing service covers the cost. Where formal agreements are in place, contributions are sometimes better defined although not always. Of the jurisdictions responding to a Commission survey, only one (San Mateo County) understood the full costs associated with service delivery (see table Response Capability Review attached).

A review of Santa Cruz County agency response logs indicates that a majority of calls seem to be unrelated to discharge or emergencies at fixed facilities. Many are from illegal dumping/discharges-including from private citizens, are related to illegal drug manufacturing activities, or are discharges from unknown sources. Other incidents begin as unknown materials, reported by the public as potentially hazardous, but upon investigation many are found to be non-hazardous. In the majority of these incidents no responsible parties were identified. At least some of these calls have warranted deployment of specialized response teams. The sub-committee was unable to complete a more detailed analysis of actual response data and team usage due to the varied, incident criteria and non-standardized data collection systems used.

Options Considered:

The following response options were considered:

- Maintain no specialized ER capabilities
- Out-source:
 - Private Firm
 - Contract Agency (Salinas, Santa Clara, San Mateo, etc)
- Maintain Existing Capabilities (2 Teams, plus EHS)
- Establish Decentralized Team (County Fire Chiefs proposal)

Maintain No Specialized ER capabilities-Option not recommended.

This option would expose the public to unacceptable health and safety risk. Response data indicates a need for specialized capabilities beyond first responder and Level I incident response. These include the potential for incidents at high-hazard fixed facilities, illegal dumping, including drug manufacturing and transportation accidents.

Out-Source-Option not recommended.

Both options noted, contract with private firm or contract with an adjacent agency, through an MOU, have similar draw backs including availability, ability to access Santa Cruz County over congested roadways, during road closures, etc., delays in response time for critical incidents due to distance and accidents occurring as a result of natural hazards such as earthquakes, and unavailability if already committed. Dependence on

another jurisdiction also has inherent problems if that agency is already committed or is needed in its own area (earthquake or other regional disaster).

Maintain Existing Capabilities/Establish Decentralized Team.

The Commission recommends that a specialized response capability be maintained within the geographic boundaries of the County. Either two separate teams or one "decentralized" team would work. Due to the size of the County, the relatively small number of high-hazard facilities, low volume of responses requiring a full team response, it seems reasonable to move from maintenance of two separate teams to one consolidated team with two vehicles (Scotts Valley and Watsonville) able to respond with specialized equipment. Such a proposal has been suggested through the County Fire Chiefs to Environmental Health. The main issue for resolution is team management and operational protocol, and funding.

Management and operational protocol would need to be developed between responding entities as part of an ongoing agreement (MOU or JPA) and outlined in the Area Plan. Details are beyond the work of the Commission. However, without a stable funding mechanism response capability will be lost. If this issue is not resolved, the service could be unavailable as early as July 1, 2000.

The Commission recognizes there are costs associated with maintaining a response capability. These include costs (1) associated with readiness and (2) associated with incident response. It is unreasonable to expect the Cities of Scotts Valley and Watsonville to assume the cost burden associated with maintaining a state of readiness for response (training, equipment maintenance and replacement, etc.) on behalf of the entire County. It is also unreasonable that they absorb the actual cost for response to an incident, especially outside of their jurisdictions. Therefore, an equitable and ongoing funding arrangement is required for both cost centers.

A review of historical incident response logs also indicates that the majority of calls are non-facility related (illegal dumping, drug lab waste, discharge of unknown source) and no responsible party can be identified making cost-recovery impossible. The proposed estimate of \$50,000 to maintain a countywide response capability seems reasonable. Since the general population benefits from team availability, and most responses are unrelated to fixed-facilities, some type of public fund contributions (general, Prop 172) seems appropriate. In addition, a revolving fund for reimbursement should be established to avoid penalizing responding agencies. This fund could be built up over 2 or 3 years (\$20K/year) to between \$40,000 and \$60,000. Following expenditures from the fund, EHS would seek cost recovery from responsible parties, or apply for grants to replenish the fund when no responsible party can be identified.

Recommendations:

1. Recommend the County work to maintain a Level II hazardous material response capability within the County boundaries.
2. Recommend the Board solicit participation of the Santa Cruz County Fire Chiefs Association in formulating a cost-effective method of service delivery and direct EHS and the County Office of Emergency Services participate in this process.
3. Recommend the County contribute funding, through the general fund or reapportionment of Prop 172 funds rather than facility permit fees, to maintain a response capability, and to establish a revolving incident cost reimbursement fund.
4. Recommend the Board direct EHS to seek reimbursement to the revolving fund from Grants and responsible parties where possible.
5. Recommend the Board solicit participation and in kind contributions from each of the four Cities located within the County wishing service
6. Recommend the Board require an accountability system, based on standard accounting principles and in a format that is easily understandable, to monitor expenditure and cost effectiveness of the response program.

Funding Options for Discussion

The following options are presented for discussion only to provide cost examples. The revolving account would build to a preset amount and then self perpetuate, requiring infrequent or reduced contribution based on actual use. Any combination of funding sources could be used to generate amounts needed to ensure ongoing support for haz-mat readiness.

Assumes \$50,000 for team; \$20,000 for revolving response fund = \$70,000 total

1. Facility Fees:

All Costs:

High Hazard Only: All
 $\$70,000 / 55 = \$1,273$

Revolving Fund Only:

$\$20,000/55 = \364

Toxic
 $\$70,000 / 45 = \$1,556$

$\$20,000/45 = \444

All Facilities:
 $\$70,000 / 600 = \117

$\$20,000/600 = \33

*Discussion: The majority of responses are unrelated to the facilities in the County. Many have upgraded facilities to avoid accidental release and spent significant/y to improve safety performance. It may be unfair to burden them further to protect the entire county population from risk. A portion of their fees already supports a response capability maintained by EHS. **NOT RECOMMENDED***

2. General Fund Contribution Based on Population (or other denominator):

$\$70,000 / 250,000 = \$0.28/\text{capita}$

$\$50,000/250,000 = \$0.20/\text{capita}$

Discussion: The service benefits the general population. Incidents are often unrelated to facilities, have unknown origin and are often determined to be non-hazardous. It would require in kind contribution from all jurisdictions.

RECOMMENDED

3. Prop 172 Funds

*Discussion: include as a project supported by Prop 172 allocations to the Fire Districts for service distribution. Would require in kind contributions from Cities to use service. **RECOMMENDED***

San Mateo County Program Model
(JPA)

A multi agency JPA exists, made up of South County Fire (who provides personnel for the team, 24 trained fire persons), EHS and OES. They provide 24-hr response for the 20 cities and all County areas.

Program cost is \$200,000. Half is paid by County general funds and half by the cities according to a formula that considers population, land mass and assessed property value. No CUPA fees go to support this program.

The program is managed by EHS taking an estimated 10% of a person's time. Calls are through dispatch. Four trained persons are sent plus an EHS technical advisor. These notifications are automatic through dispatch.

They recover costs at \$901/hour if a RPs is identified.

Response Capability Review

Jurisdiction	Team	Funded	Comments
Yolo County	X	General fund/RP + 10,000 annually/agency	3 Fire + UCDF and EHS. Each maintains specified staff and equip at their expense (\$90,000 EHS)
San Joaquin	X	General Funds	Joint team through written agreement. Each responsible for costs
Sacramento	X	Fees/Cost recovery (EHS)	Sacramento fire + EHS
Monterey	X	General Funds/RP	2 Fire +EHS
Hayward	X		
Santa Clara City	X	General Fund/Operating Budget	
Santa Clara County EH&S			No response capability. Surrounding Cities and County Fire provide response services
Napa County	X	JPA between six fire agencies	
San Mateo County	X	JPA between South County Fire/EHS/OES	Cost \$200,000. Half paid by County, half by cities according to a formula (population, land mass, assessed value of property). No CUPA fees go to support the program. Managed by EH&S 10% of managers time. Respond to 70-75 calls per year.