

LOCAL EMERGENCY PLANNING COMMITTEE
ADMINISTRATIVE FEES FOR TITLE III SARA RESOLUTION

- WHEREAS, the Superfund Amendment and Reauthorization Act (SARA) was signed by President Ronald Reagan and enacted into law on October 17, 1986; and,
- WHEREAS, funds on a continuous basis are not available within the County budget to fully Staff and fulfill the administrative functions of SARA; and,
- WHEREAS, each business or industry who must report under SARA will be regulated by Federal, State, and Local Laws; and,
- WHEREAS, substances covered under SARA Title III, Emergency Planning and Community Right to Know, sections, 302, 303, 304, 311, 312, and 313, and North Carolina Hazardous Chemicals Right-to-know Act, the North Carolina Occupational Safety and Health Hazard Communication Standard/Hazardous Waste Operations and Emergency Response Standard which require reporting of chemical storage for quantities of five hundred (500) pounds or fifty five (55) gallons, and Extremely Hazardous Substances when threshold planning quantities are met, on site at any time during the preceding year.
- WHEREAS, certain entities, such as governmental(e.g., The City of Lexington, The City of Thomasville, and The City of Denton, and any other municipalities which may be incorporated in the future), educational(e.g., Lexington City Schools, Thomasville City Schools, The Davidson County Board of Education, and the Davidson County Community College), agricultural/farming operations which routinely use fertilizers/herbicides/pesticides/antifreezes for retail sale, shall not be assessed an administrative fee. However, such entities, shall be required to comply with all SARA Title III and North Carolina EPCRA/Right to know Regulations by completion of annual Tier II Reporting.
- WHEREAS, each business or industry required to report, with the exception of those cited above, shall be assessed an annual administrative fee based upon the following fee schedule:

CHEMICAL STORAGE

CodeA-Bulk Storage in as much as 1,500 gallons, and Extremely Hazardous Materials(EHS) in as much as the TPQ.	\$300 per site
CodeB-Hazardous Chemical storage of 56 gallons to 1,499 gallons.	\$150 per site
CodeC-Hazardous Chemical storage of 55 gallons.	\$ 50 per site

PETROLEUM STORAGE(Hazardous products under DOT)

CodeD-Bulk above ground fuel storage in as much as 10,000 gallons.	\$150 per site
CodeE-Bulk above ground fuel storage 1,000-9,999 gallons or 55 gallons/500 lbs. of hazardous petroleum products.	\$100 per site
CodeF-Underground fuel storage in as much as 10,000 pounds or 1,250 gallons , or more.	\$ 25 per site

When chemicals or petroleum are stored underground, the owner of the chemicals or petroleum shall be assessed the fee and not the owner of the tank which holds the chemical or petroleum product. The fee shall be determined for each individual facility by the lowest Code for Chemical Storage or Petroleum Storage, whichever results in a higher fee. The fee charged shall be that of one code only, and no fee on an individual facility shall be charged by combining fees from different codes. Like type facilities such as furniture plants or bulk fuel storage when owned by the same company or person(s) shall not be charged over \$1,000.00 regardless of the number of facilities which individually would be in excess of this \$1,000.00 limit. Pantry type facilities, service stations, etc. which have underground fuel storage tanks and the fuel is owned by the same company or person(s) shall not be charged over \$500.00 regardless of the number of facilities which if treated individually would result in a fee exceeding this \$500.00 limit (If the owner of these facilities also owns bulk storage facilities, these are two different categories and will be assessed separate fees for the bulk storage and the underground storage).

NOW, THEREFORE, BE IT RESOLVED by the Davidson County Board of Commissioners that the administrative fees as shown above in this resolution shall be in full force and effect on or after the first day of July, 1998; and,

BE IT FURTHER RESOLVED that the County Manager is authorized on behalf of Davidson County to implement the billing and accounting process in an acceptable and timely manner in order that the Local Emergency Planning Committee will be able to fulfill the requirements of SARA Title III and its chemical planning functions.

275

Fred C. Sink

Chairman, County Commissioners

Jeff Cecil

Vice Chairman, County Commissioners

~~*[Signature]*~~

Commissioner

Billy Joe Keyler

Commissioner

Brown Loflin

Commissioner

Fred H. McClure

Commissioner

O'Neil Sink Jr.

Commissioner

August 11, 1998

Date