



Staff Report

File #: 23-0528

REQUEST FOR CITY COUNCIL ACTION

DATE: 06/21/2023

TO: Honorable Mayor and City Council Members

FROM: Fire Department

SUBJECT:

APPROVE THE CERTIFIED UNIFIED PROGRAM AGREEMENT BETWEEN THE CITY OF CORONA AND THE COUNTY OF RIVERSIDE, DEPARTMENT OF ENVIRONMENTAL HEALTH, HAZARDOUS MATERIALS MANAGEMENT BRANCH, FOR THE TERM OF JULY 1, 2023, THROUGH JUNE 30, 2028

EXECUTIVE SUMMARY:

This staff report asks the City Council to approve the agreement between the City of Corona and the County of Riverside through its Department of Environmental Health, Hazardous Materials Management Branch. The City of Corona Fire Department, Fire Prevention Division, is a Participating Agency that will administer two of the six hazardous materials programs for the County of Riverside's Certified Unified Program Agency Program.

RECOMMENDED ACTION:

That the City Council:

- a. Approve the Certified Unified Program Agreement establishing the responsibilities of each party in the Certified Unified Program Agency between the City of Corona and the County of Riverside, Department of Environmental Health, Hazardous Materials Management Branch.
- b. Authorize the City Manager, or his designee, to execute the Certified Unified Program Agreement for the Certified Unified Program Agency between the City of Corona and the County of Riverside, Department of Environmental Health, Hazardous Materials Management Branch.

BACKGROUND & HISTORY:

Since 1997, the City of Corona has participated in an agreement with the County of Riverside, Department of Environmental Health, Hazardous Materials Management Branch (County) for the

Certified Unified Program Agency (CUPA). Overseen by the California Environmental Protection Agency (CalEPA), the role of the CUPA is to assure consolidation, consistency, and coordination of the hazardous materials programs within Riverside County. The CUPA program consolidates the administration, permit, inspection, and enforcement activities of the following six environmental and emergency management programs: Aboveground Petroleum Act Program, California Accidental Release Prevention Program, Hazardous Materials Release Response Plans and Inventory (HMBP) Program, Hazardous Waste Generator Program, Underground Storage Tank Program, and the Hazardous Materials Management Plans and Inventory and permits for the handling, use, and storage of hazardous materials, pursuant to the California Fire Code (HMIS) Program. The County is responsible for overseeing all six hazardous materials programs in the County of Riverside. The CUPA originally allowed local jurisdictions to become either an Administering Agency or a Participating Agency (PA). The City of Corona Fire Department has been a PA with the County since 1997. As the PA, Corona Fire Department, Fire Prevention Division has the responsibility to develop and implement a program for administering, permitting, inspecting, and enforcement of both the HMBP and HMIS Programs.

ANALYSIS:

The Certified Unified Program Agreement is intended for the mutual benefit of the two signing parties. The Health and Safety Code (HSC) Section 25404 requires the County to act as a CUPA to implement and operate a Unified Program in the county's unincorporated areas and within all incorporated cities that have not been certified as a CUPA.

This cooperative arrangement benefits the County by allocating some of the regulatory burden to local agencies. The City receives County funding to develop and implement programs for the management of hazardous materials within the City of Corona. The inspections funded by the County allow City staff to simultaneously conduct life safety inspections at the same time as the hazmat inspection.

As the CUPA, the County utilizes a single fee billing system to collect the necessary fees and surcharges to cover the costs incurred by the City to implement the Program outlined in the Certified Unified Program Agreement. Funding from the CUPA program directly supports two full-time Fire Inspector I positions and a portion of the Fire Marshal position.

The City and County will be taking the agreement to their respective legislative bodies concurrently.

FINANCIAL IMPACT:

There is no fiscal impact of this action to the City's General Fund. Operating under the agreement, the City receives revenue from the County for all costs associated with implementing the programs. Fees collected by the County's single fee system are dispersed to the City of Corona within 60 days or as mandated by state statute and regulations.

The HSC Section 25513, states that "each administering county or city may, upon a majority vote of the governing body, adopt a schedule of fees to be collected from each business required to submit a business plan pursuant to this article that is within its jurisdiction. The governing body may provide

for the waiver of fees when a business, as defined in paragraphs (3), (4), or (5) of subdivision (c) of Section 25501, submits a business plan. The fee shall be set in an amount sufficient to pay only those costs incurred by the unified program agency in carrying out this article. In determining the fee schedule, the unified program agency shall consider the volume and degree of hazard potential of the hazardous materials handled by the businesses subject to this article."

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment, the action is not subject to CEQA. This action merely approves the CUPA agreement and there is no possibility this will have a significant effect on the environment. Therefore, no environmental analysis is required.

PREPARED BY: CINDI SCHMITZ, FIRE MARSHAL

REVIEWED BY: BRIAN YOUNG, FIRE CHIEF

Attachments:

1. Exhibit 1 -Certified Unified Program Agreement