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CITY OF SACRAMENTO

DEPARTMENT OF FIRE

915 "I" STREET SACRAMENTO, CALIF. 95814
CITY HALL - ROOM 3 TEL. (916) 449-5267

WILLIAM R. POWELL
FIRE CHIEF

"SMOKE DETECTORS SAVE LIVES"

January 30, 1985

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

**SUBJECT: REPORT ON RIGHT TO KNOW HAZARDOUS MATERIAL DISCLOSURE
ORDINANCE**

BACKGROUND

The Right to Know Disclosure Ordinance was adopted on November 30, 1982. Attachment "A", a report from Deputy Chief McGrath who is in charge of the program, gives a chronological review of what has taken place to date.

In the report Deputy Chief McGrath identifies that there are approximately 200 businesses that probably should have disclosed during our first mailing. It was anticipated that due to the complexity of the materials and the State list that we would encounter some businesses that would fail to disclose.

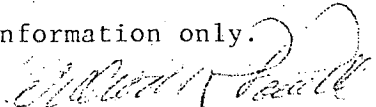
In conjunction with the second disclosure mailing we are in the process of initiating our Fire Prevention Fee Program and our Underground Tank Inspection Program. All of these programs have been dove-tailed together to reduce duplication and business disruption by inspection personnel. A separate detailed report is being made on the Underground Tank Inspection Program.

Those businesses which have disclosed to-date are listed on-line in our main frame computer and are identified by address to the Fire Dispatcher.

To date we have had one contact from persons interested in what hazardous material was being stored within Sacramento. That contact did not identify a specific address but was interested in specific chemicals and if they were stored within Sacramento.

RECOMMENDATION

Information only.


WILLIAM R. POWELL
Chief

Attachment

To : WILLIAM R. POWELL

Date: January 10, 1985

Ref. No:

From : ROBERT MC GRATH

Subject: DISCLOSURE ORDINANCE REVIEW

SUMMARY

On July 15, 1983, letters and disclosure forms were sent to approximately 16,800 businesses in the City of Sacramento with instructions to comply and remit \$32.00 if their business operations met the requirements of the Code. To this date 245 businesses have submitted Disclosure Forms.

BACKGROUND

The mass mailing generated 210 responses in the first 90 days. During this time, a special "hotline" was established to receive phone inquiries relating to the disclosure requirements. A Haz-Mat Captain was on duty each day from 1:00 P.M. to 5:00 P.M. to answer these calls. The process worked well. In some instances complex situations required sending additional information, primarily publications such as the Directors List of Hazardous Materials to the callers. After October 15th, responses slowed down. By January 1, 1984 217 Disclosure Forms had been submitted and by June 30, 1984 the total had reached 232. The count at the present time is 245.

Recognizing that not all businesses were disclosing as required, on January 1, 1984, we directed the Company Officers to check businesses, during their routine Company Inspections, for Hazardous Materials in quantities that would appear to require disclosure. Since accurate evaluation would have required extensive training of field personnel, we requested only that if it appeared disclosure was required, they were to mark on the Company Inspection Form (FP-5) Haz-Mat YES.

By mid-August this field survey was completed. The indication was that in addition to the 232 disclosures we had at that time it appeared an additional 325 businesses may have reportable Hazardous Materials.

In addition, during the second 6 months of 1984, a second survey was made during Company Inspections. This survey identified all businesses with under-ground tanks, number of tanks, size of tanks (in gallons) and the product within the tank. The results of the survey will be complete by February 1, 1985. The tank survey served three purposes.

1. It provided additional information on users of Hazardous Materials.
2. It provides a means (by tape comparison) of correlating our inventory of underground tanks with that of the State Board of Water Resources inventory as required by the Cortese Bill.

3. It provides a base of information for our Permit Program.

While all this information was being gathered, our Permit Program was being developed. It soon became apparent the most efficient and cost effective way to accomplish our objective of full compliance with the Disclosure Ordinance was to tie together the requirements of the Disclosure Ordinance and the Permit Program. Businesses subject to permits would be prioritized, for contact by Fire Prevention personnel, in the following order:

1. Those businesses which are on file as having disclosed Hazardous Materials. Inspection will confirm disclosure data and require renewal.
2. Those businesses which, by previous surveys, appear to require disclosure if in excess of allowable amounts.
3. The remaining businesses on file in C.I.S. prioritized by the probability of requiring permits.

FINANCIAL

On the basis of the history of the Disclosure Ordinance requirements and projections based on combining disclosure with the Permit Program, incorporating statistics gathered from two surveys, the following figures represent actual and projected cash flows.

<u>FISCAL YEAR</u>	<u>BUDGET</u>	<u>EXPENDITURES</u>	<u>ANTICIPATED REVENUE</u>	<u>ACTUAL REVENUE</u>	<u>GAIN/LOSS</u>
83-84	\$14,390	\$ 9,437(actual)1/	\$15,000	\$7,424	[2,013] (actual)
84-85	- 0 -0-	12,026(est.)2/	12,800 3/	---	\$774 (projected)
85-86	15,200	---	15,200 4/	---	- 0 -

1/ \$9,437 represents actual costs to implement the program starting July 1, 1983, but does not include cost of personnel.

2/ Estimated expenditures for FY 84-85 represent the following:

Equipment and Services

MSDS Subscriptions	4,500
Forms, Stationery, etc.	500

Personnel

Data Entry and Update	1,492
Field Inspectors (400x.4 hr @ \$30.00)	4,800

Indirect Costs (@ ± 6.5%)	734
	<u>12,026</u>

3/ Anticipated Revenue for FY 84-85 represents the following during the first 6 months of 1985:

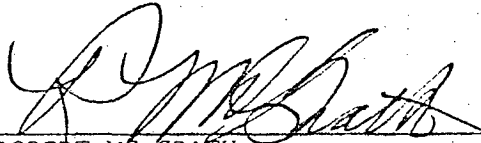
Estimated renewals 200 @ \$32.00	6,400
Estimated New Disclosures 200 @ \$32.00	6,400
	<u>\$12,800</u>

4/ Anticipated revenue of \$15,200 for fiscal year 85-86 is based on 75 additional disclosures during second 6 months of 1985, plus 400 renewals after January 1, 1986.

475 @ \$32.00 = \$15,200

RECOMMENDATION

To improve Disclosure Ordinance compliance, to verify accuracy of disclosures prior to application for renewal, and to minimize costs of administration and field verification, I recommend combining the application of both the Disclosure Ordinance and the permit fee program. This combination will prove more efficient and prevent an increase of the disclosure fee. If the proposals are adopted, I recommend maintaining the disclosure fee at \$32.00



ROBERT MC GRATH

RMG:mb