

RESOLUTION NO. 66,761-N.S.

CHANGES TO THE PLANNING AND DEVELOPMENT DEPARTMENT'S MASTER
FEE SCHEDULE

WHEREAS, the master fee schedule of the Planning Department is comprised of six different agencies: Building and Safety, Land Use Planning, Toxics Management Division (TMD), Public Works - Engineering, Office of Transportation and Housing Code Enforcement; and

WHEREAS, the Council of the City of Berkeley held a public hearing on May 20, 2014 to review the proposed changes to the TMD fee schedule which was approved by Resolution No. 66,598-N.S. effective July 1, 2014; and

WHEREAS, City staff discovered a portion of the text from the Master Fee Schedule did not print because of a clerical error. In addition, there were several categories with no fee increase, therefore, they were identified with the word "same" to suggest there was no change; and

WHEREAS, the clerical corrections have been made and the spreadsheet has been updated to reflect the actual amounts.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that fees for all development-related services provided by the Planning and Development Department shall be set forth in Exhibit A, attached hereto and incorporated herein, with an effective date of September 9, 2014.

BE IT FURTHER RESOLVED that Resolution No. 66,598-N.S. be rescinded effective September 9, 2014.

The foregoing Resolution was adopted by the Berkeley City Council on September 9, 2014 by the following vote:

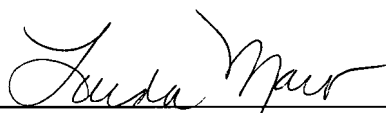
Ayes: Anderson, Arreguin, Capitelli, Maio, Moore, Wengraf, Worthington,
Wozniak and Bates.

Noes: None.

Absent: None.

Attest:


Mark Numainville, CMC, City Clerk


Linda Maio, Mayor Pro Tempore

Toxics Management Division Fees from Planning
Department Master Fee Schedule of September 9, 2014

Chapter C - TOXICS MANAGEMENT DIVISION

Certified Unified Program Agency (CUPA)

| Description | Fee |
|--|------------|
| SECTION 1: Underground Storage of Haz. Materials Fees | |
| 1) Annual Operating Permit | |
| a. First Tank Per Facility | \$1,575 |
| b. Each Additional Tank | \$525 |
| 2) Miscellaneous Fees | |
| a. New Installation | |
| Base Fee (includes one tank) | \$4,200 |
| Each Additional Tank | \$525 |
| Additional Reviews/Inspections | \$210/hour |
| b. Closure/Removal - Business | |
| Base Fee (includes one tank) | \$1,575 |
| Each Additional Tank | \$735 |
| Additional Reviews/Inspections | \$210/hour |
| c. Closure/Removal – Residential – Per Tank | \$630 |
| d. Inspection or Repair/Replacement/Modification | \$210/hour |
| SECTION 2: Aboveground Petroleum Storage Act (APSA) | |
| 1) APSA Annual Fee Per Regulated Facility (<10,000 gal.) | \$210 |
| 2) APSA Annual Fee Per Regulated Facility (≥10,000 gal.) | \$315 |
| 3) Additional Inspection/Review | \$210/hour |

SECTION 3: Hazardous Materials Management Fees

1) Annual Fees - Hazardous Materials Release Response Plans (HMRRP) and Inventory Registration of BMC Title 15.12.040. Fees are based on total number of hazardous materials present (Table 1) and aggregate quantity of hazardous materials (Table 2).

NOTE: All solids are measured in pounds, liquids in gallons, and gases in cubic feet at Standard Temperature and Pressure (STP).

Table 1. TOTAL NUMBER OF HAZARDOUS MATERIALS ON SITE

| Type | Range |
|------|---------|
| A | 1 - 10 |
| B | 11 - 25 |
| C | 26 - 50 |
| D | >50 |

| FEES | |
|------|---------|
| A-1 | \$315 |
| A-2 | \$630 |
| A-3 | \$1,208 |
| A-4 | \$1,785 |
| A-5 | \$2,940 |
| B-1 | \$420 |
| B-2 | \$788 |
| B-3 | \$1,575 |
| B-4 | \$2,363 |
| B-5 | \$3,360 |
| C-1 | \$473 |
| C-2 | \$945 |
| C-3 | \$1,943 |
| C-4 | \$2,940 |
| C-5 | \$3,780 |
| D-1 | \$578 |
| D-2 | \$1,155 |
| D-3 | \$2,363 |
| D-4 | \$3,518 |
| D-5 | \$4,410 |

Table 2. AGGREGATE MAXIMUM QUANTITY OF HAZARDOUS MATERIALS ON SITE

| Type | Gallons | Cu. Ft. | Lbs. |
|------|--------------|----------------|----------------|
| 1 | 55 - 275 | 200-999 | 500 - 999 |
| 2 | 276 - 549 | 1,000-4,999 | 1,000-9,999 |
| 3 | 550 - 999 | 5,000-24,999 | 10,000-24,999 |
| 4 | 1,000-10,000 | 25,000-100,000 | 25,000-100,000 |
| 5 | >10,000 | >100,000 | >100,000 |

| | |
|--|-------|
| b. Etiological Agent Registration Fee | \$210 |
| c. Radiological Materials Registration Fee | \$210 |
| d. Limited hazardous materials registration for businesses handling hazardous materials under the <u>BMC Title 15</u> threshold but must report under Chapter 50 of the California Fire Code | \$210 |
| e. Facilities subject to HMBP disclosure under Chapter 15 due to the handling of gases that are classified as a hazard for purposes of Section 5194 of Title 8 of the California Code of Regulations only for hazards due to simple asphyxiation or release of pressure, in aggregate quantities <1,000 cubic feet | \$210 |

| SECTION 4: Hazardous Waste Generator and Treater Permit Registration Fees | |
|--|---------------------------|
| 1) Annual Fees | |
| a. < 55 Gallons per year | \$210 |
| b. >= 55 Gallons and <2Tons | \$260 |
| c. >= 2 Tons and <5 Tons | \$315 |
| d. >= 5 Tons and <12 Tons | \$945 |
| e. >= 12 Tons and <25 Tons | \$1,995 |
| f. >= 25 Tons and <50 Tons | \$4,200 |
| g. >= 50 Tons and <125 Tons | \$6,090 |
| h. >= 125 Tons to < 250 Tons | \$7,140 |
| i. >= 250 Tons to < 500 Tons | \$13,230 |
| j. >= 500 Tons and < 1,000 | \$21,420 |
| k. >= 1,000 Tons to <2,000 Tons | \$30,870 |
| l. >= 2,000 Tons to < 4,000 Tons | \$41,580 |
| m. >= 4,000 Tons | \$54,600 |
| n. Acutely Hazardous Waste (>1 kg./month) Registration fee | \$420 |
| o. Hazardous Waste Contingency Plan Review for Treatment, Storage, Disposal Permitted Waste Facilities | \$210/hour |
| p. Conditionally Exempted Permit Fee | \$420 |
| q. Conditionally Authorized Permit Fee | \$735 |
| r. Permit by Rule | \$1,785 |
| s. Universal Waste | \$210/hour |
| SECTION 5: Site Remediation Investigation Fees | |
| 1) Report Reviews/Site Visits/Plan Checks | \$210/hour |
| 2) Third Party Professional Reviews | Actual Cost plus handling |
| 3) Additional Reviews/Inspections | \$210/hour |
| 4) Subsurface Investigation Permits: | |
| a. Monitoring Wells Installation/Destruction | |
| First Well | \$420 |
| Each Additional Well | \$150 |
| b. Soil Borings (5 feet or greater depth) | |
| First Boring | \$210 |
| Each Additional Boring | \$150 |
| SECTION 6: Risk Management Plan Fees | |
| 1) Third Party Professional Review | Actual Cost plus handling |
| 2) Staff Participation in Hazardous Operability Study/Review/Oversight/Audit (1-hour min) | \$210/hour |
| 3) Regulated Substance Registration fee (Extremely Hazardous) | |
| Program 1 | \$5,040 |
| Program 2 | \$10,080 |
| Program 3 | \$14,070 |

| SECTION 7: Miscellaneous Fees | |
|---|----------------------------|
| 1) Miscellaneous hourly billing (all others) | \$210/hour |
| 2) Copies of Documents | A.R. 3.3A |
| 3) Clerical Staff | \$120/hour |
| 4) Permit Service Center Review Fee (1/2 hour minimum) | \$210/hour |
| 5) Emergency Response and Oversight of Clean-up Activities from Spills and Releases (3-hour minimum) | \$210/hour |
| 6) Emergency Response Contractor | Actual Cost plus handling |
| 7) Emergency Response Materials | Actual Cost plus handling |
| 8) Penalty for Late Filing of Annual HMBP (charged for every month after deadline) | 10% or \$50 min. per month |
| 9) Penalty for Late Filing of Annual HWG Report (charged for every month after deadline) | 10% or \$50 min. per month |
| 10) Penalty for nonpayment of fees: | |
| After 60 days of initial billing date, assess a 10% penalty of the billed amount. | 10% penalty after 60 days |
| After 120 days of initial billing date, assess an additional 15% penalty of the original billed amount. | 15% Penalty after 120 days |
| 11) Penalty for businesses operating without a valid permit | Double the Fee |
| 12) Penalty for unpermitted UST installation/removal/modification; well construction, installation, destruction and/or modification | Double the Fee |
| 13) Administrative fee for lien processing | \$210/hour |
| SECTION 8: State Surcharge | |
| All applicable state surcharges determined by the State are required to be billed and collected from regulated facilities and remitted to CalEPA quarterly. | |