



Meeting Date: 2 / 26 / 08

ACTION		TYPE OF ITEM	
<input type="checkbox"/>	Approved Recommendation	<input checked="" type="checkbox"/>	Info/Consent
<input type="checkbox"/>	Ord. No(s). _____	<input type="checkbox"/>	Report
<input type="checkbox"/>	Res. No(s). _____	<input type="checkbox"/>	Public Hearing (Info/consent)
<input type="checkbox"/>	Other _____	<input type="checkbox"/>	Other _____

Prepared By: Steve Mattern, CUPA Coordinator *SM* Agenda Item No. 7-2

Reviewed By: City Manager *VPB* City Attorney *J* Finance *SW* Other (Specify) \_\_\_\_\_

**DATE:** February 13, 2008

**TO:** City Council

**FROM:** W.J. Milligan, Fire Chief *W.J. Milligan*  
Fire Department

**SUBJECT:** Aboveground Petroleum Storage Act Program Grant

**RECOMMENDATION**

That City Council adopt a resolution:

1. Authorizing the City Manager to submit an application for \$54,451 in State of California Environmental Protection Agency (Cal/EPA) grant funds for the Aboveground Petroleum Storage Act (APSA) Grant.
2. Direct the City Manager, Finance Director and Fire Chief to implement those steps necessary for the City to receive the funds.

**DISCUSSION**

Previously, the State Water Resources Control Board was responsible for the implementation, enforcement and administration of the APSA. Assembly Bill 1130 was chaptered on October 13, 2007 and became effective January 1, 2008. Under this Bill, Certified Unified Program Agencies (CUPA's) are vested with the responsibility and authority for the implementation of the APSA. The City of Oxnard's Fire Department has been designated a CUPA.

The CUPA will receive funding to administer the APSA from the Environmental Protection Trust Fund in the amount of \$54,451. As the CUPA, the Fire Department currently conducts routine compliance inspections at all facilities within the City of Oxnard's jurisdiction that store hazardous materials, including aboveground petroleum storage tanks.

The CUPA currently assesses a program implementation fee (Consolidated Program Permit) to facilities that possess petroleum tanks or containers with an aggregate quantity equal to or exceeding 1,320 gallons. The grant funding will provide for the additional inspection requirements. Under the new

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requirements, the Fire Department will oversee tank facilities that are subject to specific federal regulations. The grant funding will be used to cover costs related to training and implementing the APSA.

### **FINANCIAL IMPACT**

Approval of this recommendation will neither require a local match contribution, nor result in the creation of new positions. The grant funding will be appropriated at the time of the award.

SM/NJO/fg

Attachment #1 - Resolution Approving the Submittal of Grant Application.

CITY COUCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD  
APPROVING SUBMITTAL OF A GRANT APPLICATION FOR IMPLEMENTATION OF  
THE ABOVEGROUND PETROLEUM STORAGE TANK ACT

WHEREAS, City Council Resolution No. 12,053 sets out the procedure by which City staff may submit grant applications; and

WHEREAS, the Fire Chief has requested that City Council approve the submittal of an application to the State of California Environmental Protection Agency (Cal/EPA) for \$54,451 in grant funds, to be used for the Aboveground Petroleum Storage Tank Act Program; and

WHEREAS, the City of Oxnard Fire Department, as the Certified Unified and Safety Program Agency (CUPA), shall use these funds made available pursuant to California Health Code, Section 25270.11 and per the grant agreement, and any amendments, with the Cal/EPA to implement the requirements of the Aboveground Petroleum Storage Tank Act.

NOW, THEREFORE, the City Council of the City of Oxnard resolves to approve the submittal of a grant application by the City Manager for the Aboveground Petroleum Storage Act Program and to authorize the City Manager or designee to execute grant agreements and any amendments with Cal/EPA; to authorize the Finance Director or designee to submit financial reports and grant claims for the use of grant funds; and to authorize the Fire Chief or designee to submit non-financial reports.

PASSED AND ADOPTED this 26<sup>th</sup> day of February, 2008, by the following vote:

AYES:

NOES:

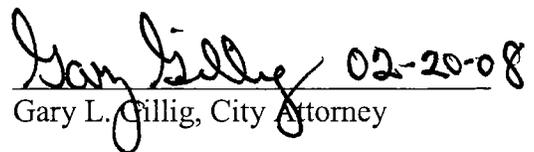
ABSENT:

ATTEST:

\_\_\_\_\_  
Daniel Martinez, City Clerk

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

APPROVED AS TO FORM:

 02-20-08  
\_\_\_\_\_  
Gary L. Gillig, City Attorney