

ORDINANCE NO. 9667 (NEW SERIES)

AN ORDINANCE AMENDING AND ADDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, AND ADDING SECTIONS TO THE COUNTY CODE, RELATING TO THE CERTIFIED UNIFIED PROGRAM AGENCY, REGULATION OF UNDERGROUND STORAGE OF HAZARDOUS SUBSTANCES, REGULATION OF HAZARDOUS MATERIALS AND REGULATION OF MEDICAL WASTES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the sections of the County Code of Regulatory Ordinances assigned to the Hazardous Materials Division of the Department of Environmental Health were established during the 1980s and early 1990s and have not been updated since 2001. The Board further finds and determines that since that time, there have been many new State and Federal environmental laws and regulations passed regarding hazardous waste, underground storage tanks, hazardous materials and medical waste. The amendments made by this ordinance are intended to ensure that the applicable County Code sections reflect current State and Federal environmental laws and regulations, including the California Health and Safety Code and the Medical Waste Management Act.

Section 2. Section 68.1115 is hereby added to the San Diego County Code, to read as follows:

SEC. 68.1115. SMALL COMPRESSED GAS CYLINDER EXEMPTION

A Unified Program Facility using compressed gas cylinders containing any of the following hazardous materials used for the purpose specified and stored at each Unified Program Facility in quantities not exceeding the thresholds specified below shall be exempted from the requirements of Chapter 6.95 Section 25501 (p):

- (a) Non-refrigerated or non-cryogenic helium compressed gas in quantities of not more than 1000 cubic feet at standard temperature and pressure for the purpose of filling party balloons.
- (b) Non-refrigerated or non-cryogenic carbon dioxide compressed gas used for carbonation of beverages and stored in quantities of not more than 6000 cubic feet at standard temperature and pressure.
- (c) Refrigerated or cryogenic carbon dioxide compressed gas used for carbonation of beverages and stored in quantities of not more than 3500 cubic feet at standard temperature and pressure.

Section 3. Section 68.1116 is hereby added to the San Diego County Code, to read as follows:

SEC. 68.1116. SMALL PROPANE GAS TANK EXEMPTION

Commercial buildings, restaurants and RV hookup stations that handle 1000 gallons or less of propane gas in stationary tanks exclusively for heating, cooling, or cooking shall be exempt from the

requirements of Chapter 6.95 Section 25501 (p). This exemption does not include sites that dispense propane.

Section 4. Section 68.1117 is hereby added to the San Diego County Code, to read as follows:

SEC. 68.1117. CLOSED COOLING SYSTEM EXEMPTION

Closed cooling systems containing fluorocarbons, chlorocarbons and chlorofluorocarbons used for air conditioning and refrigeration shall be exempted from the requirements of Chapter 6.95 Section 25501 (p).

Section 5. Section 68.1118 is hereby added to the San Diego County Code, to read as follows:

SEC. 68.1118. CLOSED FIRE SUPPRESSION SYSTEM EXEMPTION

Closed fire suppression systems shall be exempt from the requirements of Chapter 6.95 Section 25501 (p).

Section 6. Section 68.1119 is hereby added to the San Diego County Code, to read as follows:

SEC. 68.1119. COMPRESSED AIR EXEMPTION

Compressed air and oxygen in cylinders, bottles, and tanks used by Fire Departments and other government emergency response agencies for the purposes of emergency response and safety purposes are exempt from Chapter 6.95 Section 25501 (p).

Section 7. Section 68.1201 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1201. PURPOSE

(a) It is the intent of the Board of Supervisors that the Director of the Department of Environmental Health shall implement the Medical Waste Management Act, Division 104, Part 14 of the California Health and Safety Code.

(b) It is also the intent of the Board of Supervisors that all terminology contained within is as defined in the Medical Waste Management Act, Division 104, Part 14 of the California Health and Safety Code.

Section 8. Section 68.1202 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1202. SMALL QUANTITY GENERATORS

(a) It shall be unlawful for any generator of medical waste, other than a trauma scene waste management practitioner, that generates less than 200 pounds per month of medical waste to store or dispose of such wastes without an annual Unified Program Facility Permit from the Director of the Department of Environmental Health.

(b) Any person desiring a permit required by this chapter shall make application as prescribed in Chapter 9, Section 68.906 of this division.

(c) Maintaining an annual Unified Program Facility Permit satisfies the requirement set forth in the Medical Waste Management Act to register with the enforcement agency.

Section 9. Section 68.1203 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1203. LARGE QUANTITY GENERATORS

(a) It shall be unlawful for any generator of medical waste, other than a trauma scene waste management practitioner, that generates more than 200 pounds per month or more of medical waste to store or dispose of such wastes without an annual Unified Program Facility Permit from the Director of the Department of Environmental Health.

(b) Any person desiring a permit required by this chapter shall make application as prescribed in Chapter 9, Section 68.906 of this division.

(c) Maintaining an annual Unified Program Facility Permit satisfies the requirement set forth in the Medical Waste Management Act to register with the enforcement agency.

Section 10. Section 68.1205 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1205. SHARPS CONTAINER LABELING

Sharps containers that contain medical waste must be labeled with the words “sharps waste” or with the international biohazard symbol and the word “BIOHAZARD” on the outside of the container. Sharps containers must also be labeled so that the generator's name, address and phone number are legible and easily visible on the outside of the container.

Section 11. Section 68.1206 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1206. RED BAG LABELING.

Red Bags that contain medical waste shall be conspicuously labeled with the words “Biohazardous Waste” or with the international biohazard symbol and the word “BIOHAZARD”. The bag shall be labeled so that the generator's name, address, and phone number is legible and easily visible on the outside of the bag.

Section 12. Section 68.1207 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1207. MEDICAL SOLID WASTE.

Medical solid waste is solid waste of obvious medical origin. It is not medical waste, but could be conceived to be so by the general public. Medical solid waste shall include, but not be limited to, waste such as empty specimen containers, bandages, dressings containing non-liquid blood, surgical

gloves, treated medical waste, non-medical waste sharps, biohazardous wastes that are not medical wastes, non-hazardous pharmaceutical wastes, and other materials which are not regulated as medical waste.

Section 13. Section 68.1211 of the San Diego County Code is hereby amended to read as follows:

SEC. 68.1211. MEDICAL SOLID WASTE SECURITY

Any person who is a generator, or an employee of a generator of medical solid wastes, shall assure that their medical solid waste, prior to disposal, is stored in an area secured as to deny access to unauthorized persons. If such wastes are placed in a trash receptacle or compactor which is accessible, at any time, to unauthorized persons, such receptacle or compactor shall be locked to prevent access to the contents to anyone other than authorized persons or refuse collection personnel.

Section 14. Effective Date and Publication. This ordinance shall take effect and be in force on August 14, 2004, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of the Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in County of San Diego.

PASSED, APPROVED, AND ADOPTED this 14th day of July, 2004.