

**ORDINANCE REQUIRING PAYMENT OF REGISTRATION FEE BY FACILITIES  
WITH HAZARDOUS SUBSTANCES.**

The intent of this Ordinance is to require the payment of a registration fee by facilities using over 10,000 pounds of hazardous substances for the reasonable cost of the HazMat Team for promoting the health, safety and welfare of the public, pursuant to OCGA 48-13-9, and to require registration, but no fee by facilities using hazardous substances under 10,000 pounds.

The following words or terms as used herein shall have the same meaning and definition as set forth now, or as hereafter amended, in the referred to sections of the Official Code of Georgia Annotated (OCGA) and in federal law:

- A. "Hazardous Substance" - OCGA 12-14-1 (4) and/or Title III, 302-312 of the Superfund Amendments and Reauthorization Act, (SARA III) known as Emergency Planning and Community Right-To-Know Act.
- B. "Facility" - 40 CFR 302.3.
- E. "Person" - OCGA 12-14-1(6) or 40 CFR 302.3.
- D. "HazMat Team" - Specifically qualified and designated members of the Savannah Fire Department, as well as the Chatham Emergency Management Agency Hazardous Materials Analyst.
- E. "Critical Facility" - Any structure or facility, public or private which is vital to the County and imperative to protect prior to, during, or after an emergency.

Every person and every facility required to report annually to the Georgia Emergency Response Commission and the Chatham County Local Emergency Planning Committee in compliance with 312 Superfund Amendments and Reauthorization Act (SARA III) shall register with Chatham County through the Inspections Department no later than May 1st of each year. Such registration shall be done by the Chatham Emergency Management Agency Hazardous Materials Analyst, shall be valid for 12 months from the date of registration and shall be maintained permanently at the site of the facility.

Registration fees shall be assessed on the basis of the combined average daily amounts of all hazardous substances as reported for the previous calendar years to the Georgia Emergency Response Commission and the Chatham County Local Emergency Planning Committee. Fee rates shall be based on the following scale:

<b><u>AVERAGE DAILY AMOUNT OF ALL HAZARDOUS SUBSTANCES</u></b>	<b><u>FEE NOT TO EXCEED</u></b>
1 - 9,999 lbs	No Fee
10,000 - 99,999 lbs	\$1,100
100,000 - 999,999 lbs	\$2,200
1,000,000 or greater pounds	\$3,700

By April 1st of each year following the adoption of this Ordinance, fees may be adjusted to reflect actual costs of regulation.

The HazMat Team shall perform inspections in accordance with the rules and regulations under 312 Superfund Amendments and Reauthorization Act (SARA III), or upon the request of a registered facility.

The following are exempted from provisions and requirements of this Ordinance:

- A. Persons and facilities whose only hazardous substances subject to the reporting requirements cited above in compliance with 312 Superfund amendments and Reauthorization Act (SARA III) are petroleum products (e.g. gasoline, diesel or oil) held only for retail sale to the general public.
- B. Units, divisions, agencies, authorities, commissions of local, state or federal governments.
- C. A critical facility which stores petroleum products (e.g. gasoline, diesel or oil) for use during an emergency. Only petroleum products used for emergency operations will be considered for exemption.
- D. A business which is regulated by the Georgia Public Safety Commission.

Nothing contained herein shall be construed in any way to abrogate, modify or change any provision or requirement outlined in The Federal Emergency Planning and Community Right to Know Act, 42 U.S.C. 11001 et. seq., 40 C.F.R. 355.20, 40 C.F.R. 302, 40 C.F.R. 355.40, the Clean Water Act, 33 U.S.C. 1251 et seq., 40 C.F.R. 110.1, the provisions of O.C.G.A. 12-14-1 et seq. or any other general law in force or hereinafter enacted in the State of Georgia

This Ordinance was adopted on March 22, 1996 and amended on November 20, 1998.

### **HAZARDOUS SUBSTANCE REGISTRATION FEE SCHEDULE**

A set fee schedule has been established by a cooperative effort of industrial representation and local government. To determine your facilities quantity of hazardous substances at your facility, add the average daily quantity of all substances reported to the Georgia Department of Natural Resources Environmental Protection Division on your facilities GARTK forms. Total all average daily amounts, and find the corresponding fee due to the Chatham County Inspections Department no later than May 1st of each year.

Hazardous Substances Reported under SARA Title III, Section 312 the combined total of Average Daily Amount of all Hazardous Substances	Chatham County Registration Fee
1 pound to 9,999 pounds	<b>No Registration Fee</b> , must still register
10,000 pounds to 99,999 pounds	<b>\$1,100.00</b>
100,000 pounds to 999,999 pounds	<b>\$2,200.00</b>
1,000,000 pounds or greater	<b>\$3,700.00</b>
<u>Exemptions:</u> Governmental entities, motor fuels for sale to the public by a retail establishment, fuel used at critical facilities for emergency generator operations. See Ordinance for explanation of exempt facilities.	

**These fees may be adjusted to reflect actual cost of regulation.**

# Chatham County, Georgia

Building Safety and Regulatory Services, P.O. Box 8161, Savannah, GA 31412

## Hazardous Substance Registration Invoice

Registration Number:  
(Entered by Chatham County)

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(Name of Facility)

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(Street Name)

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(City, State, Zip)

Report the following total **Average Daily Amount** of all reportable hazardous substances as reported under SARA Title III to the Chatham County LEPC, the State of Georgia's SERC and the local fire department having jurisdiction. The **Average Daily Amount** of all reportable substances totals: \_\_\_\_\_ lbs.

Under the registration fee schedule defined in Chatham County Ordinance, Chapter 21, Article VIII, Section 21-802, the Hazardous Substance Registration fee for the amount listed above is determined to be (*check only one*):

\$0    \$1,100    \$2,200    \$3,700    Exempt (*see definition*)

*If Exempt, please indicate which definition(s) applies:*    A    B    C    D

This registration is valid for the period of **one** (1) year from **May 1 to April 30**. Registration and payment of fee is due to the Chatham County Department of Building Safety and Regulatory Services, Attn: Ms. C. Kimmer, P.O. Box 8161, Savannah, GA 31412 **prior** to May 1st.

FOR CHATHAM COUNTY BS&RS DEPARTMENT USE

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(Facility Authorized Representative)

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(Title/Position)

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(Telephone Number)