ORDINANCE NO. 1618

AN ORDINANCE AMENDING SECTIONS 25-400, 402 & 601 OF CHAPTER 25 TO THE SOLANO COUNTY CODE, RELATING TO LAND APPLICATION OF BIOSOLIDS

The Board of Supervisors of the County of Solano ordains as follows:

Section 1. Section 25-400 O of Chapter 25 is added to read:

O The applicator shall suspend all operations when wind speed exceeds 25 miles per hour at the site of landspreading activity if the activity occurs within two (2) miles of a city or urban center. Field operators shall have monitoring devices to measure the wind speed at the biosolids application site at all times.

Section 2. Section 25-402 A 5 of Chapter 25 is added to read:

5. Sanitary facilities for biosolids application personnel. The biosolids permit applicant shall ensure that adequate sanitary facilities, including a toilet and hand wash sink equipped with soap, water, and single use disposable towels shall be available within three hundred feet of an active biosolids application site during landspreading operations.

Section 3. Section 25-402 B 5 b i of Chapter 25 is amended to read:

i. Site location including address and Assessor’s Parcel Number(s), (or Assessor’s Parcel Number if no address has been assigned), size of parcel(s), a map of the site prepared at a scale acceptable to the Administrative Authority showing drainage courses, runoff controls, surface waterways, wells, irrigation structures and canals, residences within 500 feet, and copies of Assessor’s Parcel Maps showing all fields on the site as well as parcels and Assessor’s Parcel Numbers adjacent to the site and cities located within two miles or less from the closest portion of the site.

Section 4. Section 25-402 B 5 b v of Chapter 25 is added to read:

v. Wind direction and speeds expected in the area of landspreading during landspreading operations. This may be based upon previous year’s data.

Section 5. Section 25-402 C 4 of Chapter 25 is amended to read:

4. The applicator shall provide written notification to all residents adjacent to the fields listed in the Landspreading Notification Report. In addition, if land application activities are to occur within two miles of a city or urban center, then the applicator shall publish in the public notification section in at least one daily, and if applicable, weekly, newspaper(s) distributed within the city or urban center a notice of proposed landspreading activity, and notify the mayor or manager of that city or urban center. Written notice of impending biosolids land applications shall be provided and published at least 14 calendar days prior to any and all biosolids applications. The Administrative Authority shall be provided with a copy of all written notifications. Any notification shall include:

a. the name of the applicator;
b. a telephone number of a responsible contact for the applicator;
c. the name, telephone number and address of the Administrative Authority;
d. the tentative date, or range of dates, of the biosolids application;
e. indication a statement that if questions or concerns are not adequately addressed by the applicator, the resident recipient of the notice should contact the Administrative Authority;
f. the location that biosolids are to be applied. This shall include Assessor’s Parcel Numbers, addresses (if any), and directions and distance from nearest roads;
g. A statement that biosolids are sewage sludge that have been treated and tested and shown to be capable of beneficial and legal use as a soil amendment for agriculture, silviculture, horticulture, and land reclamation activities as specified under 40 CFR Part 503.

Section 6. Section 25-402 C 5 of Chapter 25 is amended to read:

5. Person(s) residing on property immediately adjacent to the field intended for application of biosolids or within a city or urban center within two miles of a field intended for application of biosolids may file a protest with the Administrative Authority. The protest shall be in writing, stating the reasons for the objection, and shall be filed with the Administrative Authority at least five (5) days prior to the date of the biosolids application. If a protest is received by the Administrative Authority from a person(s) residing immediately adjacent to the application of biosolids, the Administrative Authority shall immediately notify the applicator of the protest and all The Administrative Authority shall immediately notify the applicator of protests received from persons residing immediately adjacent to the application site, or in a city or urban center within two miles of the application site. All impending biosolids applications at the site may be suspended pending the decision of the Administrative Authority. The Administrative Authority may consolidate protests that are similar and render one decision that applies to all such protests. The Administrative Authority shall render a decision on the protests within fourteen days of receipt of the written protest. The applicator and protestor shall be notified of the decision within five working days of the decision being rendered by the Administrative Authority. The decision of the Administrative Authority may be appealed to the Board of Supervisors as provided for in section 25-601.

Section 7. Section 25-601 of Chapter 25 is amended to read:

Sec. 25-601. Appeals.

Any decision by the Administrative Authority to revoke a permit or biosolids site registration or to order the cessation of land application activities or to deny a protest and allow application of biosolids onto land may be appealed to the Board of Supervisors by filing a written Notice of Appeal with the Clerk of the Board, on a form prescribed by the County, within 10 days of the Administrative Authority’s decision. Activities authorized by permit or registration shall be suspended while the decision is pending.

Section 8. This ordinance shall take effect thirty (30) days after its adoption.

Section 9. A summary of this ordinance will be published within fifteen (15) days after its
adoption in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

PASSED AND ADOPTED by the Solano County Board of Supervisors at its regular meeting on this March 26, 2002, by the following vote:

AYES: SUPERVISORS: Kondylis, Silva, Thomson, and
Vice-Chairman Kromm

NOES: SUPERVISORS: None

EXCUSED: SUPERVISORS: Chairman Carroll

ATTEST:
Michael D. Johnson, Clerk
Board of Supervisors

By: ________________
Deputy

Additions indicated by *italics*; deletions by strikeouts

First Reading: March 12, 2002
Second Reading: March 26, 2002
Effective Date: April 26, 2002