

ORDINANCE NO. 96- 19

AN ORDINANCE, PURSUANT TO FLORIDA STATUTES, SECTIONS 403.7225, 403.7234, AND 403.7236, PROVIDING FOR SMALL QUANTITY GENERATOR (SQG) ASSESSMENT, NOTIFICATION AND VERIFICATION OF HAZARDOUS WASTE

WHEREAS, the Nassau County Board of County Commissioners is required to conduct a hazardous waste management assessment to identify hazardous waste and to conduct a Small Quantity Generator Notification Program; and

WHEREAS, the Nassau County Board of County Commissioners seeks to allocate the cost for the hazardous waste management assessment and small quantity generator notification program to the actual generator of hazardous waste; and

WHEREAS, the Nassau County Board of County Commissioners wishes to create a funding mechanism to pay for the assessment, notification and verification process.

NOW, THEREFORE, BE IT ORDAINED this 25th day of November, 1996, by the Board of County Commissioners of Nassau County, Florida, as follows:

1. That in order to provide effective hazardous waste assessment, notification and verification in Nassau County for the protection of all citizens of the county, the Nassau County Board of County Commissioners establishes a program to require reporting and permitting of all persons and entities which are identified as potential or actual generators of hazardous waste materials within the county.

2. That the following words, terms and phrases shall have

the meanings ascribed to them, as follows:

- a. Hazardous waste shall have the meaning ascribed to it by Florida Administrative Code 62-730 and 40 C.F.R 260.10.
- b. Potential hazardous waste generator means those businesses, industries, individuals or entities which have been identified by the Florida Department of Environmental Protection that by nature of the business or industry may generate corrosive, reactive, ignitable or toxic waste.
- c. Hazardous waste generator means a person, business, industry, individual or entity, other than a single family household, which produces or engage in any operation, activity or process which produces or results in the production of hazardous waste.

3. That all actual small quantity hazardous waste generators located in the county shall pay an annual fee for assessment, notification and verification to the Nassau County Board of County Commissioners. The fee shall be designed to fund the continuation of the Local Hazardous Waste Management Assessments outlined in F.S. 403.7225, Small Quantity Generator Notification Program outlined in F.S. 403.7234, and the reporting requirements of F.S. 403.7236. The fee schedule is as follows:

- a. Those hazardous waste generators producing 500 pounds of hazardous waste or less per year shall pay \$20.00 per year.

- b. Those hazardous waste generators producing more than 500 pounds but less than 1000 pounds per year shall pay \$35.00 annually.
- c. Those hazardous waste generators producing greater than 1000 pounds per year shall pay \$50.00 annually.
- d. Those hazardous waste generators possessing a current Pesticide and Herbicide Certification issued by the Nassau County Extension Service shall pay no fee.
- e. Fees shall be established in the base year of each five year program. Actual generators identified and added to the assessment roll in the interim of the five year assessment period shall be charged a fee based upon the quantity of hazardous waste generated by that entity the first year that entity is added to the assessment role.

4. That the Nassau County Solid Waste Director or his designee shall determine hazardous waste generators and notify the hazardous waste generators by mail of the designation and fee assessed herein. The notice shall provide that the assessed fee shall be paid within thirty (30) days from the date of receipt of said notice and shall indicate the procedures for contesting the classification as a hazardous waste generator. If an individual, corporation or business receives said notice and they contest the fact they are classified as hazardous waste generators, they shall

notify the Solid Waste Director, in writing, within the thirty day period provided herein and the Solid Waste Director shall schedule a date and time for them to meet with him regarding the classification. The Solid Waste Director or his designee shall advise, in writing, of his decision within ten (10) days of the meeting. If the individual, corporation, or business does not agree with the decision they may request to appear before the Board of County Commissioners. The request shall be in writing and filed with the Solid Waste Office within five (5) days of the receipt of the Solid Waste Director's determination. In the event no review is requested, the fee shall be paid through the Nassau County Solid Waste Department pursuant to the above schedule.

If an appearance is requested before the Board of County Commissioners, the matter shall be scheduled before the Nassau County Board of County Commissioners at the next available meeting. The Board of County Commissioners will review the classification and require information from the Solid Waste Director and the person contesting the classification and render a decision within thirty (30) days of the appearance. The party contesting the classification as hazardous waste generator shall indicate, in writing, why they should not be classified as a hazardous waste generator and provide any documentation.

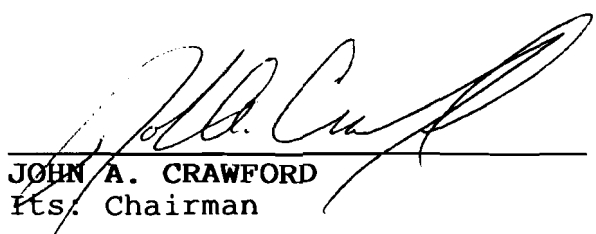
5. That in the event any part of this Ordinance is deemed to be unconstitutional or invalid for any reason, the remainder of the Ordinance shall remain in full force and effect.

6. That any other Ordinance or portion of an Ordinance in

conflict with this Ordinance shall be repealed to the extent of,
but only to extent of, the explicit conflict with this Ordinance.

7. That this Ordinance shall become effective upon its being
filed in the Secretary of State's Office.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



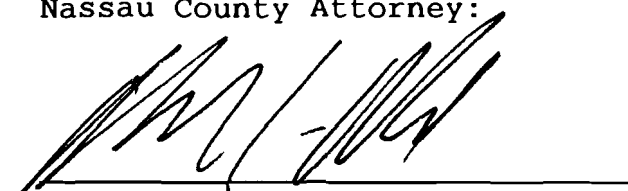
JOHN A. CRAWFORD
Its: Chairman

ATTEST:



T. J. "JERRY" GREESON
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN