

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF AUTHORIZING)
EXECUTION AND SUBMITTAL OF ALL)
DOCUMENTS REQUIRED TO PERMIT AND)
OPERATE THE FRESNO COUNTY REGIONAL,)
PERMANENT HOUSEHOLD HAZARDOUS)
WASTE MANAGEMENT FACILITY)
RESOLUTION

WHEREAS, California Health and Safety Code (HSC), Division 20, Chapter 6.5, Article 10.8, Section 25218.12 establishes the authority and basic operating requirements for public agency collection and management of household hazardous waste (HHW); and

10 WHEREAS, the regulatory standards for the management of HHW by a public agency are
11 further defined in Title 22, California Code of Regulations (CCR), Chapter 23 and Chapter 45 and
12 Health and Safety Code Chapter 6.5, Section 2518; and

13 WHEREAS, Permanent HHW Collection Facilities (PHHWCFs) operated by a public
14 agency are authorized under Permit By Rule (PBR) by the local Certified Unified Program Agency
15 (CUPA), according to the regulatory standards adopted by the Department of Toxic Substances
16 Control (DTSC); and

17 WHEREAS, PBR Notification Requirements for PHHWCFs established by regulation in
18 Title 22, CCR, Section 66270.60, and Operating Standards for PHHWCFs under PBR established
19 in Title 22, CCR, Section 67450.25, required the execution and submission of a variety of
20 documents, including but not limited to a PBR Notification Form, an Operator Certification Form,
21 A Certification of Financial Responsibility for Closure, and a document establishing financial
22 assurance for closure by one of the methods listed in Title 22, CCR, Section 67450.30(c); and

23 WHEREAS, some of these HHW Facility related documents, including but not limited to
24 the PBR Notification, Operator Certification Form, Certification of Financial Responsibility for
25 Closure and a document establishing financial assurance for closure by one of the methods listed
26 in Title 22, CCR, Section 67450.30(c) specifically cite CCR Title 22, Section 66270.11, which
27 requires these documents be executed by either the applicable Public Agency's ranking elected
28 official referred to as (Chairman of the Board of Supervisors, hereinafter "the Chairman") or

1 principal executive officer (County Administrative Officer, hereinafter "the CAO"); and

2 WHEREAS, some of the HHW Facility related documents, including but not limited to a
3 State Permanent Identification Number, a variety of HHW Facility Information Forms, manifests,
4 periodic reports, renewals and updates do no specifically cite CCR, Title 22, section 66270.11,
5 and these documents may be executed by the Director of the Fresno County Public Works and
6 Planning Department, hereinafter referred to as "Director"; and

7 NOW, THEREFORE BE IT RESOLVED THAT the Fresno County Board of Supervisors
8 (Board) approves and authorizes the execution and submittal of all PBR and HHW Facility related
9 documentation required in order to establish, permit and operate a PHHWCF and related
10 programs, hereinafter to be referred to as "Environmental Compliance Center" (ECC) or "HHW
11 Facility", including but not limited to PHHWCF PBR Notification Form, a Certification of Financial
12 Assurance; and

13 BE IT FURTHER RESOLVED THAT the Board approves and authorizes execution and
14 submittal of a Certificate of Self-Insurance: Financial Assurance for Cost of Closure that conforms
15 to the requirements of 22 CCR 67450.30(c)(8) as the mechanism to provide the required closure
16 cost financial assurance for the HHW Facility; and

17 BE IT FURTHER RESOLVED THAT the Director is responsible for maintaining in the
18 Fresno County Annual Budget an account funding the Certificate of Self-Insurance: Financial
19 Assurance for Cost of Closure at an amount at least twenty percent greater than the Estimated
20 Closure Costs as stated in the annual update of the Certification of Financial Assurance executed
21 and submitted to the CUPA each Fiscal Year (estimated as of FY 2022-23 to be two hundred
22 ninety-six thousand, four hundred and ninety-one dollars [\$296,491]), until such time as;

- 23 1. The Board approves and executes an Alternative Closure Financial Assurance
24 Mechanism acceptable to the appropriate regulatory agency or agencies having
25 applicable review and oversight responsibilities; or
- 26 2. The CUPA (or appropriate state agency) acknowledges in writing that the HHW Facility
27 has been legally closed; and the Director determines that all component elements of
28 the HHW Facility have been removed from the current location; or

1 3. The CUPA (or appropriate state agency) acknowledges in writing that the HHW Facility
2 has been legally closed; and the Director determines that any component elements of
3 the HHW Facility that have not been removed from the current location have been
4 either reused, recycled, or repurposed as appropriate, and in accordance with the
5 terms and provisions of any applicable lease agreement that may be in place at the
6 time of Closure; and

7 BE IT FURTHER RESOLVED that the Board authorizes the Chairman and/or the CAO to
8 execute and submit, in the name of the County of Fresno, all PBR and HHW Facility related
9 documents that do specifically cite CCR Title 22, Section 66270.11; and

10 BE IT FURTHER RESOLVED that the Board authorizes the CAO or Director to execute
11 and submit, in the name of the County of Fresno, all PBR and HHW Facility-related documents
12 that DO NOT specifically cite CCR Title 22, Section 66270.11, except for Uniform Hazardous
13 Waste Manifests which may be the Director's designee; and

14 BE IT FURTHER RESOLVED that these authorizations are effective from the date of
15 adoption of this Resolution, unless superseded by a successor Resolution or until the legal
16 closure of the HHW Facility.

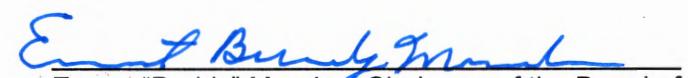
17 THE FOREGOING, was passed and adopted by the Board of Supervisors of the County
18 of Fresno this 19th day of August, 2025, to wit:

19 AYES: Supervisors Bredefeld, Chavez, Magsig, Mendes, Pacheco

20 NOES: None

21 ABSENT: None

22 ABSTAINED: None

23 
24 Ernest "Buddy" Mendes, Chairman of the Board of
Supervisors of the County of Fresno

25 ATTEST:

26 Bernice E. Seidel

27 Clerk of the Board of Supervisors

28 County of Fresno, State of California

27 BY 
28 Deputy