

PRESS ADVISORY

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Exemption Ordinance Saves County Businesses More than \$2.8 Million

SAN BERNARDINO – Nov. 1, 2011 – An exemption ordinance approved by the Board of Supervisors on Tuesday will save San Bernardino County businesses more than \$2.8 million while also eliminating the need for them to complete and submit reams of paperwork.

“It feels good to put a dent in the overregulation that is pinching small business owners and stalling our economic recovery, and I look forward to doing it again and again,” said Second District Supervisor Janice Rutherford, who requested the exemption ordinance during Board of Supervisors budget hearings earlier this year.

The County ordinance, which requires a second reading, will exempt local businesses that handle 6,000 cubic feet or less of compressed carbon dioxide for use in soda machines or the same amount of compressed helium for use in balloons from complying with the State’s hazardous materials requirements.

California law requires businesses that handle more than 200 cubic feet (about two small cylinders) of compressed gasses or other potentially harmful materials to file a Hazardous Materials Business Emergency Plan with the local fire agency. The law is typically applied to businesses that handle hazardous materials such as metal working firms, paint and coatings manufacturers, hospitals, dry cleaners, photo developers, and automotive repair garages.

State law, however, allows a local fire agency to exempt certain materials that do not pose a present or potential danger to the environment or human health and safety if released into the environment.

In addition to completing lengthy paperwork, businesses — in most cases — also pay a fee to the local agency. San Bernardino County Fire had proposed charging businesses a flat fee of \$408.

“A small restaurant owner has to sell a lot of roast beef sandwiches to earn \$400,” Rutherford said. “Now they can keep that money in their business and forget about adding needless paperwork to their already busy schedules.”

More than 7,300 businesses, including restaurants, convenience stores, florist shops, and other businesses, would have been required to pay the fee and file paperwork in San Bernardino County without the exemption ordinance.

A handful of other counties and cities in California also exempt restaurants and other businesses that use carbon dioxide for soda machines or helium for balloons from the state’s hazardous materials requirements, including San Diego County, Sacramento County, Tulare County Glenn County, and Fresno County.

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