

# Environmental Management Department

## EMD NEWS & NOTES

Winter 2010 Edition

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### FROM THE DIRECTOR

"When the well's dry, we know the worth of water" is a popular quote from Ben Franklin. Even then the value of water was high. Today, our county groundwater levels and quality determines what building can occur and what businesses can locate in our region. Groundwater has become one of our most important resources.



Val F. Siebal, Director

In this issue, we write about our new Abandoned Well Program which will locate and then help EMD protect our groundwater from potential contaminants entering via those wells.

This issue also addresses our revised Septic Tank Ordinance and a new ordinance to regulate Body Art. Both ordinances result from the state not establishing statewide standards even though the opportunity was afforded to them. We can wait no longer.

Finally, we report on Dennis Green's announced retirement. Dennis is one of our key executive managers who oversees major programs at EMD. His experience and wise counsel have been invaluable.

### ABANDONED WELL RESTORATION PROJECT

EMD's Environmental Compliance Division estimates that over 1,000 abandoned wells exist in Sacramento County. The locations, owners of record and condition of these wells are largely unknown. Wells that have been improperly abandoned or neglected pose a threat to public health and safety. Such wells may allow surface contaminants such as fertilizer, pesticides, coliform bacteria, and fuels to pollute groundwater resources. Some larger diameter wells, including older hand-dug wells, may be traps for people and livestock, or collect trash and debris.

Abandoned wells create a conduit for contaminants from surface to groundwater and between adjoining aquifers. With expanding urbanization, increasing potential for climate-induced surface flooding, well-drawdown, and migrating groundwater contaminant plumes, these wells become an ever-increasing threat to human health and the environment. This project includes a two-pronged approach to mitigate this threat.

1. Establish and document well locations: Record research and field surveys will be conducted and well locations will be recorded using GPS. Conditions of each abandoned well will be documented by photographs.
2. Follow up: The GPS data will be imported as a layer into the County's GIS (ParcelViewer) and correlated with existing GIS maps of contaminant plumes. The information will also include well ownership and will assist in serving the owner with a Notice to Comply.



The project is funded as part of a supplemental environmental project specified in an underground storage tank enforcement case settlement between the State of California and Equilon Enterprises LLC, Shell Oil Company, Shell Oil Products Company LLC and TMR Company.

The project will be completed utilizing reassigned EMD personnel. For more information on the Abandoned Well Restoration Project, go to EMD's web site at [www.emd.saccounty.net](http://www.emd.saccounty.net) or contact Dennis Green at (916) 875-8469.

## REVISION OF SACRAMENTO COUNTY ONSITE LIQUID WASTE (SEPTIC SYSTEMS) ORDINANCE

EMD's Environmental Compliance Division estimates that over 20,000 septic systems are in use throughout Sacramento County. For many years, the onsite treatment of liquid waste has not been subject to state regulation and each local jurisdiction has adopted their own ordinance governing the construction, installation, maintenance and destruction of septic systems.

In an effort to bring consistency to the regulation of septic systems, Assembly Bill 885 was passed in 2000 by the California Legislature. It directed that the State Water Resources Control Board (SWRCB) develop statewide regulations by January 1, 2004. Those draft regulations were finally presented for public comment in late 2008. Overall, the reaction from local agencies, public and industry groups were extremely negative and the SWRCB rescinded the draft regulations in the Spring of 2009.

The revision and updating of the Sacramento County ordinance was long overdue and that effort had been delayed in part in anticipation of statewide requirements. With the withdrawal of the AB 885 effort, EMD has moved forward to complete the overhaul of the Sacramento County ordinance (Chapter 6.32 of the Sacramento County Code).

This draft revision has attempted to accomplish four main goals:

1. To grandfather existing systems from any new requirements as long as they continue to successfully operate.
2. To memorialize in County Code operating policies and procedures that EMD has used over the past several years to regulate septic systems.
3. To upgrade EMD requirements to be consistent with that practiced by most, if not all, surrounding counties.
4. To regulate certain liquid waste facilities which are currently not subject to regulation or oversight. These include, but are not limited to, liquid waste dewatering facilities and portable toilet maintenance and storage yards.

EMD is in the process of meeting with various local planning advisory groups, contractors and consultants, and area city planning staff to solicit comments regarding the proposed ordinance revision. The ordinance is tentatively scheduled to be heard before the Sacramento County Board of Supervisors in early May. You can go to EMD's web site at [www.emd.saccounty.net](http://www.emd.saccounty.net) to review the entire draft ordinance and a shorter summary of the major changes. Please contact Dennis Green at (916) 875-8469 for more information.

## UPDATE ON GREEN/YELLOW/RED COLOR-CODED PLACARDING SYSTEM

In response to heightened consumer food safety awareness, Sacramento County implemented a color-coded placard system for rating food safety in restaurants and other food facilities. Now completing its third year since its inception on January 1, 2007, the system is helping to improve food safety in Sacramento County.



The system is based on major food safety risk factors; factors that could result in foodborne illness if not corrected immediately. If a facility receives no more than one major violation during an inspection, the facility earns a Green or "Pass" Placard. If a facility receives two or more major violations during an inspection, it is given a Yellow or "Conditional Pass" Placard provided the violations are corrected immediately. If an inspector finds a major violation that poses an imminent public health threat, which cannot be corrected immediately, the facility receives a Red or "Closed" placard and the facility must close immediately.

The percentage of Green placards given each year has increased over the three years from 88% to 93%, while the percentage of Yellow placards has decreased from 11% to 6%. The percentage of Red placards has remained relatively consistent at 1% of all placards given each year.

The improvement in green and yellow placards relates to improved food handling practices in day-to-day activities (holding food at proper temperatures, washing hands, keeping utensils and food free from cross contamination). These activities are relatively easy for an operator to control. Closure issues are more difficult for an operator to control or can be unpredictable and are relatively infrequent (vermin, plumbing failure, power outage, water failure). Consequently, the number of closures is low and consistent over time.

The color-coded placard has been well-received by the public and industry. It provides an incentive for restaurants and other food facilities to strive for improved food handling practices and it reassures the public about the food safety of Sacramento County food facilities.

## BODY ART REGULATION IN PROCESS



The County of Sacramento Environmental Management Department is among many counties initiating an ordinance governing body art parlors which include tattooing, piercing, branding and permanent cosmetics. A person can drive down any main thoroughfare in town and see body art parlors springing up on nearly every corner. Seven counties in California have

already passed ordinances to permit and monitor body art practitioners. Sacramento hopes to be the next county to explore the new horizon of this historical practice that has been in existence for centuries.

The new ordinance would provide minimum standards for the regulation of persons engaged in the business of tattooing, piercing, branding and the application of permanent cosmetics within this County. Our Department will assist practitioners with education and guidance necessary to accomplish consistent safe practices within the industry. These requirements are intended to protect both the practitioner and the client from the transmission of infectious disease by utilizing proper body art procedures and controlling the cross-contamination of instruments and supplies. Our goal is to provide a safe and level playing field for all practitioners and to discourage the unpermitted weekend and late night artists who sell their talents out of the back rooms of obscure dwellings. The new regulations will require practitioners to comply with specified requirements in regard to permitting, vaccinations, bloodborne pathogen training and sanitation. We are looking forward to industry workshops to discuss the implementation and approval of this program in the very near future.



## CAL CODE RECEIVES MAKEOVER

The California Retail Food Code, a State law also known as the "CalCode", just received its most recent make-over. On October 11, 2009, the much anticipated emergency legislation contained in Senate Bill 241 was approved by Governor Schwarzenegger. The Bill contains "clean-up" language to correct minor errors as well as important modifications that will directly impact retail food facility health inspections. The new changes are diverse and range from Code amendments designed to provide clearer direction for mobile food facility operators to a new addition to the potentially hazardous food list: cut tomatoes.

A statewide group has been working to provide guidance for

*(continued on next column)*

## CAL CODE RECEIVES MAKEOVER, *Continued from previous column*

the uniform interpretation and enforcement of SB 241. "Train-the-Trainer" courses, sponsored by the California Conference of Directors of Environmental Health (CCDEH), will be held throughout the State of California during the month of January. Changes to the California Retail Food Code often entail numerous and complicated processes; however, such changes are ultimately intended to preserve the integrity of this science based document created to regulate and maintain the safety our retail food supply.

## BAN ON ARTIFICIAL TRANS FAT

Along with the New Year, comes exciting new legislation for the State of California. On January 1, 2010 the State of California embarks on the first leg of a ban on artificial trans fat. Local environmental health enforcement agencies will now be adding artificial trans fat to their already extensive inspection checklist. For 2010, fats, oils, shortening and margarines containing artificial trans fat will be banned from use in the preparation of foods in retail food establishments. However, the deep frying of yeast dough and cake batter (doughnuts) will be exempted from the ban for the first year as well as foods sold in their original manufacturer's package, which are exempt from the legislation entirely. Beginning January 1, 2011, all foods containing artificial trans fat will be prohibited from use in the preparation of food items sold in a retail food establishment.

Sacramento County's Environmental Management Department (EMD) has been working closely for the past several months with various stakeholders and other local enforcement agencies to create guidance documents for the consistent interpretation and enforcement of this new law. EMD will provide each of their retail food establishments with education prior to implementation, including a list of products that are no longer approved and possible alternatives. EMD eagerly embraces another measure designed to maintain the health and well being of its community.

## DENNIS GREEN ANNOUNCES RETIREMENT



Dennis Green, Chief, Environmental Compliance Division, has announced that he will retire from County service effective March 31. Dennis began his County career in 1994 as an Associate Waste Management Specialist in the Department of Waste Management and Recycling.

In November 2001, Dennis was selected to fill the position of Environmental Program Manager 2 and assumed the duties of Chief, Hazardous Materials Division.



## EMD ACTIVITY SUMMARY

| EMD Program Element                                  | July 2009–<br>Dec 2010 |
|--|------------------------|
| <b>Food Placarding</b>                               | <b>Total: 5,569</b>    |
| Green (Pass)   | 5,253                  |
| Yellow (Conditional Pass)                            | 276                    |
| Red (Closed)   | 40                     |
| <b>Inspections</b>                                   | <b>Total: 13,868</b>   |
| Food Protection                                      | 6,417                  |
| Farm Labor Camps                                     | 25                     |
| Public Swimming Pools/Spas                           | 2,266                  |
| Solid Waste Facilities (landfills/transfer stations) | 118                    |
| Liquid Waste   | 111                    |
| Medical Waste  | 71                     |
| Small Water Systems                                  | 27                     |
| Water & Monitoring Wells                             | 467                    |
| Underground Storage Tank (UST) Facilities            | 254                    |
| UST Installations, Upgrade/Repair & Removal          | 136                    |
| Businesses/Facilities Generating Hazardous Waste     | 518                    |
| Businesses/Facilities Storing Hazardous Materials    | 705                    |
| Stormwater   | 1,162                  |
| Waste Tire   | 390                    |
| Tobacco Retailers                                    | 267                    |
| Commercial Recycling                                 | 934                    |

| EMD Program Element                            | July 2009–<br>Dec 2010 |
|--|------------------------|
| <b>Investigations</b>                          | <b>Total: 742</b>      |
| Food Borne Illness Complaint                   | 397                    |
| Incident Response                              | 273                    |
| Stormwater Complaint                           | 55                     |
| Waste Tire                                     | 11                     |
| Childhood Lead                                 | 6                      |
| <b>Workshop Attendance</b>                     | <b>Total: 277</b>      |
| Food Safety Education (Food School)            | 223                    |
| Hazardous Materials Business Plan              | 41                     |
| How To Get A Green Placard                     | 13                     |
| Stormwater Compliance Workshop (General)       |                        |
| <b>Permits, Plans &amp; Reviews</b>            | <b>Total: 13,322</b>   |
| Hazardous Materials Business Plans             | 2,330                  |
| Monitoring Wells                               | 191                    |
| Food Facilities                                | 441                    |
| Public Swimming Pools/Spas                     | 211                    |
| UST Installations, Upgrades/Repairs & Removals | 76                     |
| Land Use                                       | 22                     |
| Cross Connection Permits (Blue Tags)           | 10,051                 |
| <b>Information Management</b>                  | <b>Total: 62,866</b>   |
| Documents Imaged                               | 62,759                 |
| Public Record Reviews                          | 107                    |

**County of Sacramento  
Board of Supervisors**

Roger Dickinson, District 1  
 Jimmie Yee, District 2  
 Susan Peters, District 3  
 Roberta MacGlashan, District 4  
 Don Nottoli, District 5

Steven C. Szalay  
 Interim County Executive

### HELLOS, GOODBYES & SERVICE RECOGNITION

for October 2009—January 2010

|                       |   |
|-----------------------|---|
| <b>New Hires</b>      | LaRee Jackson   |
| <b>Promotions</b>     | None  |
| <b>Service Awards</b> | Dennis Green—15 years<br>John Stender—20 years<br>Susan Williams—20 years |
| <b>Retirements</b>    | None  |

**Countywide Services  
Agency**

Bruce Wagstaff  
 Interim Administrator

Val Siebal  
 EMD Director