

ORDINANCE 98 - 1

AN ORDINANCE TO AMEND ORDINANCE 90-2
ESTABLISHING A SYSTEM FOR REIMBURSEMENT FOR
COSTS AND EXPENSES ASSOCIATED WITH OPERATION OF
LAPORTE COUNTY HAZARDOUS MATERIAL RESPONSE TEAM

WHEREAS, the LaPorte County Board of Commissioners adopted Ordinance 90-2 establishing a system for reimbursement for costs and expenses associated with operation of LaPorte County Hazardous Material Response Team on the 22nd day of January, 1990; and

WHEREAS, the LaPorte County Board of Commissioners is Desirous of amending certain provisions of Ordinance 90-2.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the County of LaPorte, that Ordinance 90-2 should be and the same is hereby amended as follows:

ARTICLE III

Any time that the LaPorte County Hazardous Material Response Team is called to the scene of an incident, the responsible party shall reimburse the County of LaPorte (at replacement cost) for any Hazardous Material Response Team equipment or supplies which are damaged, lost, spent, destroyed, rendered irreparable, or "used up" in responding to or managing the incident. Provided, any reimbursement under this paragraph shall be limited to equipment and supplies which are listed on the "Equipment and Supply Inventory List" of the LaPorte County Hazardous Material Response Team which shall be kept on file at the offices of the LaPorte County Emergency Planning Committee and made

available for public inspection during normal business hours of this office.

In addition to the reimbursement obligations contained in Paragraph 1 of Article III, the responsible party shall be billed by the LaPorte County Emergency Planning Committee Office at the rate of Seventy Dollars (\$70.00) per man/hour (Or fraction thereof) for any level B personal protection equipment response as such protection level responses are identified and described in the "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities" as published by the U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, and the National Institute for occupational Health and Safety. For purposes of this paragraph, the Seventy Dollars (\$70.00) per man/hour charge shall be calculated only on the basis of those Hazardous Material Response Team members utilizing Level B Personal protective equipment and only for that period of time during which the aforementioned protective equipment is actually utilized.

In addition to the reimbursement obligations contained in Paragraph 1 of Article III, the responsible party shall be billed by the LaPorte County Emergency Planning Committee Office at the rate of One Hundred Dollars (\$100.00) per man/hour (or fraction thereof) for any Level A personal protective equipment response as such protection level responses are identified and described in the "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities" as published by the U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, and the National Institute

for Occupational Health and Safety. For purposes of this paragraph, the One Hundred Dollar (\$100.00) per man/hour charge shall be calculated only on the basis of those Hazardous Material Response Team members utilizing Level A personal protective equipment and only for that period of time during which the aforementioned protective equipment is actually utilized.

In addition to the reimbursement obligations contained in Paragraph 1 of Article III, the responsible party shall be billed by the LaPorte County Emergency Planning Committee Office Coordinator at the rate of Fifty Dollars (\$50.00) per man/hour (or fraction thereof) any Level C personal protective equipment response as such protection level responses are identified and described in the "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities" as published by the U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, and the National Institute for Occupational Health and Safety. For purposes of this paragraph, the Fifty Dollar (\$50.00) per man/hour charge shall be calculated only on the basis of those Hazardous Material Response Team members utilizing Level C personal protective equipment and only for that period of time which the aforementioned protective equipment is actually utilized.

If the LaPorte County Hazardous Material Response Team utilizes "outside contractors" or equipment and material other than that which is listed on the aforementioned Equipment and Supply Inventory List, the responsible party shall be billed the actual costs incurred in connection with such outside contractors (including clean-up contractors) or the actual costs of such additional equipment or supplies.

If in the opinion of the LaPorte County Hazardous Material Coordinator or his designee, a hazardous spill incident necessitates the utilization of the LaPorte County Hazardous Material Response vehicle (Unit 1000), there shall be charged to the responsible party a fee of Three Hundred Fifty Dollars (\$350.00) for utilization of the LaPorte county Hazardous Material Response vehicle.

On those occasions when a hazardous material incident only necessitates a response by the LaPorte County Emergency Planning Coordinator or his designee, the responsible party shall be billed by the LaPorte County Emergency Planning Coordinator at a rate of Fifty Dollars (\$50.00) per man/hour (or fraction thereof), for the time committed to the incident by the LaPorte County Emergency Planning Department personnel.

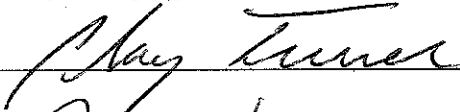
Article IV

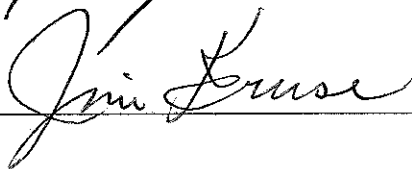
In the event that any portion of this ordinance is declared invalid, unconstitutional, or otherwise null and void, the LaPorte County Commissioners specifically intend that the remaining portions thereof shall continue to have full force, effect, and validity until or unless declared otherwise.

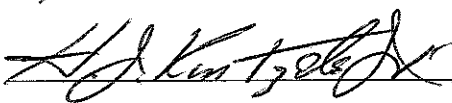
BE IT FURTHER ORDAINED by the LaPorte County Board of Commissioners that this Ordinance shall have full force and effect from and after its passage and publication as required by law.

This Ordinance having been approved and adopted by the LaPorte County Board of Commissioners this 27TH day of JANUARY, 1998.

LAPORTE COUNTY BOARD OF COMMISSIONERS







ATTEST:



Kenneth E. Layton, Auditor