

**ORDER OF THE COUNTY PUBLIC HEALTH OFFICER No. 2020-LNU-02**

**EMERGENCY ORDER OF THE SOLANO COUNTY HEALTH OFFICER CONCERNING RE-ENTRY AND PROHIBITING THE ENDANGERMENT OF THE COMMUNITY THROUGH THE UNSAFE REMOVAL, TRANSPORT, AND DISPOSAL OF FIRE DEBRIS**

WHEREAS the potential for widespread toxic exposures and threats to public health and the environment exists in the aftermath of a major wildfire disaster. Debris and ash from residential structure fires contain hazardous substances and the health effects of hazardous substances releases after a wildfire are well-documented, and

WHEREAS the combustion of building materials such as siding, roofing tiles, and insulation result in dangerous ash that may contain asbestos, heavy metals, and other hazardous materials. Household hazardous waste such as paint, gasoline, cleaning products, pesticides, compressed gas cylinders, and chemicals may have been stored in homes, garages, or sheds that may have burned in the fire, also producing hazardous materials, and

WHEREAS exposure to hazardous substances may lead to acute and chronic health effects, and may cause long-term public health and environmental impacts. Uncontrolled hazardous materials and debris pose significant threats to public health through inhalation of dust particles and contamination of drinking water supplies. Improper handling can expose workers to toxic materials, and improper transport and disposal of fire debris can spread hazardous substances throughout the community, and

WHEREAS the Solano County Health Officer has proclaimed a local health emergency due to the hazardous conditions, and

WHEREAS, the Solano County Board of Supervisors has ratified the proclamation of a local emergency due to the LNU Lightning Complex Fires, due to the conditions of extreme peril caused by these fires, which are exacerbated by extreme heat and fire danger weather, rolling power outages, and the ongoing COVID-19 pandemic in the Solano County operational area, and

WHEREAS areas that have been closed to reentry by residents and the public for safety reasons are in the process of opening or will be opened in the near future.

WHEREAS, the Solano County Health Officer finds that:

- a. The LNU Lightning Complex Fires created hazardous waste conditions in Solano County in the form of contaminated debris from household hazardous waste/materials and structural debris resulting from the destruction of a large number of structures.
- b. This hazardous waste debris poses a substantial present or potential hazard to human health and the environment unless its removal and disposal is performed in a manner that will protect the public health and safety.

WHEREAS Health and Safety Code section 101040 authorizes the Health Officer to require protective measures in the context of a local emergency.

**NOW THEREFORE**, the Solano County Health Officer **ORDERS** that:

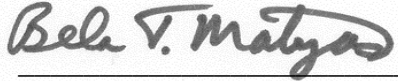
1. Effective immediately and continuing until it is extended, rescinded, superseded, or amended

in writing by the Public Health Officer, this Order revokes and replaces Order No. 2020-LNU-01 issued August 29, 2020,

2. No cleanup activities of burned structures or other construction activities shall commence without the prior written authorization of the County of Solano's Department of Resource Management, Division of Environmental Health and in compliance with its adopted cleanup standards or construction safety guidelines.
3. No one shall temporarily occupy or camp on private property without the prior written authorization of the County of Solano and in compliance with the attached standards in Exhibit A to protect the health and safety of such temporary occupants.

**IT IS SO ORDERED:**

Date: October 21, 2020

A handwritten signature in black ink, reading "Bela V. Matyas", is positioned above a horizontal line.

Dr. Bela Matyas  
Solano County Public Health Officer

## **EXHIBIT A**

### **TEMPORARY EMERGENCY DWELLING STANDARDS**

To protect the residents, the following conditions are set forth for occupancy on parcels with structures destroyed by the fire.

1. Phase I identification and clean-up of Hazardous Materials from the parcel must be completed.
2. No other imminent health and safety hazards exist on the parcel, as determined at the discretion of the Director of Resource Management.
3. Addressing:
  - a. Locations: Existing addresses for the property shall be placed at the following location:
    - i. On a mail box or sign at the driveway entrance to the property. Existing / surviving address signs or markers will satisfy the driveway entrance addressing requirement.
    - ii. At front doors, or on lamp posts, or near garage doors of a permanent residence.
    - iii. On a sign within 10 feet of a Temporary Emergency Dwelling (TED), if present.
    - iv. If the driveway branches within the property to multiple dwellings on the property, an address sign shall also be placed at the intersection indicating the direction to each dwelling.
  - b. Size and Type of address numbers / letters: Per Section 505.1 of the 2019 California Fire Code, lettering shall be a minimum of 4 inches in height with a 0.5 inch stroke on a reflective or contrasting background.
4. If Phase II cleanup of fire debris is completed, and written clearance has been received from the Solano County Environmental Health Division, then the following requirements apply:
  - a. A TED shall include provisions for sleeping, eating, cooking, sanitation and water supply and includes:
    - i. A recreational vehicle (RV) registered or licensed with the CA Department of Motor Vehicles that is mobile under its own power or through towing/carrying by another vehicle and is not intended to be inhabited on a permanent basis. Examples include a motor home, travel trailer, fifth wheel, free standing cab-over camper, and similar units designed for human habitation and emergency occupation.
    - ii. Mobile home / Manufactured Dwelling, which is a structure certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and designed for, or occupied exclusively by, one family.
  - b. One TED is allowed per destroyed residence, not to exceed a maximum of two (2) TEDs per parcel.
  - c. The TED is only occupied by persons who resided on the parcel in the damaged/destroyed home and are now displaced due to the fire.
  - d. A permit for temporary power for a Temporary Emergency Dwelling has been issued by the Solano County Building Division. Written consent of the lot owner is required in all cases.

- e. Use of the TED shall not exceed 18 months from the issuance date of the Temporary Power permit or continue after final construction approval for the reconstructed house, whichever occurs first. The TED must no longer be occupied as a temporary dwelling upon issuance of an Occupancy Permit. Unless otherwise approved by the Interim/Director of Resource Management the TED must be removed from the parcel once no longer used for that purpose.
- f. Placement of the TED meets the following setbacks:
  - i. Minimum 30 ft. setback from the property line.
  - ii. Minimum 100 ft. from any burn debris pile on an adjoining property that has not completed Phase II cleanup.
  - iii. A TED shall not be placed in any easements.
- g. A TED shall have an approved water supply meeting one of the following requirements:
  - i. Approved public water supply.
    - 1. Existing on-site water well. Connection to an existing well requires inspection by Environmental Health to verify the water well is undamaged and use of the water well will not potentially contaminate the aquifer. It is recommended that bacteriological sampling of the water well is performed prior to connecting and residence may consider also testing for organics if the well has been damaged by fire.
    - 2. Other potable water source as approved the Solano County Environmental Health Division.
  - ii. A TED shall utilize an approved method of sewage disposal meeting one of the following:
    - 1. Existing onsite sewage disposal system. Verification from a septic professional that the system is operating properly, unless waived by Environmental Health, and a tight line permit and inspection by Environmental Health will be required prior to TED connection to an existing septic.
    - 2. Temporary holding tank serviced under contract with an approved pumping company for regular pumping provided that a sanitation or nuisance issue is not created. A copy of the contract shall be provided to the Solano County Environmental Health Services Division.
    - 3. Other method of sewage disposal approved by the Solano County Environmental Health Division.
- h. Use of the TED is not detrimental to public health, safety or general welfare or create a public nuisance.
- 5. Occupancy of a TED on a parcel where Phase II cleanup of fire debris has not been completed:

In addition to meeting #1, #2, #3 and either #4a or 4b above, the following requirements must be met:

- a. The minimum parcel size is one (1) acre.
- b. The TED must be located a minimum of 150' from fire debris in any direction.
- c. If separate access to the fire debris cleanup work area and to TED is not

provided, then residents shall refrain from utilizing the shared access during those periods when active fire debris clean-up operations are occurring. Residents shall remain in their vehicles with windows up and no outside air while driving within in a vehicle within 150 feet of fire debris areas.

- d. Temporary fencing, or other barrier or distancing method approved by the Director of Resource Management, must be provided between TED and the fire debris cleanup site to prevent children or others from accessing the fire debris area.
  - e. Residents shall shelter in the TED while on the parcel when not performing essential outdoor on-site agricultural, work, or home/yard/vehicle repair or maintenance tasks until certification is received from Solano County Environmental Health that Phase II cleanup is completed.
  - f. All residents shall wear appropriate PPE to protect from ash and injury while outside. This includes N95 respirators, appropriate clothing, and if applicable, gloves. Residents shall refrain from approaching active cleanup operations.
  - g. Outdoor air intakes for Heating and Ventilation systems (HVAC) shall not be used and windows shall remain closed during active Phase II cleanup activities.
6. The Director of Resource Management may accept alternatives to these standards that offer similar protections, or impose additional requirements, based on specific site conditions to protect public health.