PUBLIC MEETING AGENDA

February 15-16, 2005
9:30 a.m.

Rosario Marin, Chair
Linda Moulton-Patterson, Member
Rosalie Mulé, Member
Michael Paparian, Member
Cheryl Peace, Member
Carl Washington, Member

Zero waste.
You make it happen.

ELECTRONIC BOARD BOOK

California Environmental Protection Agency

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

1001 I Street, P.O. Box 4025 Sacramento, CA 95812

Rosario Marin, Chair
Linda Moulton-Patterson, Member
Rosalie Mulé, Member
Michael Paparian, Member
Cheryl Peace, Member
Carl Washington, Member

Board Meeting

Tuesday, February 15, 2005 9:30 am
Wednesday, February 16, 2005 9:30 am

Joe Serna Jr., CalEPA Building
Bryon Sher Auditorium
1001 I Street, 2nd Floor
Sacramento, CA 95814

AGENDA:

I. CALL TO ORDER

II. ROLL CALL AND DECLARATION OF QUORUM

- Pledge Of Allegiance

III. OPENING REMARKS

IV. REPORTS AND PRESENTATIONS

V. PUBLIC COMMENT

VI. CONSENT AGENDA

VII. CONTINUED BUSINESS AGENDA ITEMS

VIII. NEW BUSINESS AGENDA ITEMS

Permitting And Enforcement

1. Consideration Of New Projects For The Solid Waste Disposal And Codisposal Site Cleanup Program -- (Committee Item B)

2. Consideration Of A New Full Solid Waste Facilities Permit (Transfer/Processing Station) For The San Martin Transfer And Recycling Station, Santa Clara County -- (Committee Item C)

3. Consideration Of A New Full Solid Waste Facilities Permit (Transfer/Processing Station, Compostable Materials Handling Facility) For The South Lake Resource Recovery And Compost Facility On Quackenbush Mountain, Lake County -- (Committee Item D)

4. Consideration Of A Revised Full Solid Waste Facilities Permit (Transfer/Processing Station) For The Western El Dorado Recovery Systems Facility, El Dorado County -- (Committee Item E)

Special Waste

5. Consideration Of Grant Awards For The Waste Tire Amnesty Day Grant Program For FY 2004/2005 -- (Committee Item B)

6. Consideration Of Scope Of Work For The Engineering And Environmental Services Contract (Tire Recycling Management Fund, Multi-Year Funding) -- (Committee Item C)

7. Consideration Of Contractor For The Waste Tire Short-Term Remediation Contract (Tire Recycling Management Fund, FYs 2004/2005 And 2005/2006) -- (Committee Item D)

8. Discussion Of The Waste Tire Recycling Management Program's Product Promotion And Outreach Concept (Oral Presentation) -- (Committee Item E)

9. Consideration Of Scope Of Work For The Rubberized Asphalt Concrete Engineering And Technical Assistance Contract -- (Committee Item F)

10. Consideration Of Scope Of Work For Interagency Agreement With San Jose State University To Develop A Model For Use Of Currently Available Satellite Imagery To Locate Waste Tire Piles In California (Tire Recycling Management Fund, FY 2004/2005) -- (Committee Item G)

11. Consideration Of Scope Of Work For Interagency Agreement With The California Highway Patrol To Conduct Enhanced Enforcement, Security Assistance, Education, Training, And Surveillance For The Waste Tire Compliance Program (Tire Recycling Management Fund, FY 2004/2005) -- (Committee Item H)

Sustainability And Market Development

12. Consideration Of Applications To Renew The Following Recycling Market Development Zone Designations: (1) Fresno County; (2) Madera County; and (3) Placer County -- (Committee Item B)

13. Consideration Of The Scoring Criteria And Evaluation Process For The Sustainable Building Tire Grant Program Fiscal Year 2004/2005 (California Tire Recycling Management Fund) -- (Committee Item C)

14. Consideration Of A Report To The Legislature: Plastic Trash Bag Program And A Comprehensive Approach To Film Plastic Diversion (Public Resources Code Section 42293 (b)) -- (Committee Item D)

15. Presentation On Waste Characterization Data And Its Potential For Identifying Opportunities For Additional Diversion -- (Committee Item F)

16. Consideration of the Amended Nondisposal Facility Element for the Unincorporated Area of Los Angeles County -- (Committee Item G)

17. Consideration Of A Second SB1066 Time Extension Application By The Following Jurisdictions: El Dorado County Unincorporated And The City Of South Lake Tahoe, El Dorado County -- (Committee Item H)

18. Consideration Of A Request To Change The Base Year To 2002 For The Previously Approved Source Reduction And Recycling Element For The City Of Lincoln -- (Committee Item I)

19. Consideration Of The Adequacy Of The Five-Year Review Report Of The Countywide Integrated Waste Management Plan For The County Of Santa Cruz -- (Committee Item J)

20. Consideration Of A Request To Change The Base Year To 2001 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 2001/2002 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The Sacramento County/City Of Citrus Heights Regional Agency, Sacramento County -- (Committee Item K)

21. Consideration Of Scope Of Work And Interagency Agreement With The Department Of General Services For The Development And Integration Of State Contract And Procurement Registration System And The Electronic State Agency Buy Recycled Campaign Reporting System (IWMA Fund, FY 2004/2005) -- (Committee Item L)

IX. BOARD MEMBERS COMMENT

X. ADJOURNMENT

NOTES:

- *Agenda items may be taken out of order.*
- *The official California Integrated Waste Management Board agenda's are available via the Internet at:* www.ciwmb.ca.gov/agendas/
- *Persons interested in addressing the Board on any agenda item must fill out a speaker request form and present it to the Board Secretary prior to Board consideration of the item. The Board may limit the time for individual public testimony.*
- *Items may be placed on the consent agenda. The Board will approve these items all at once without discussion. Therefore, if a Board Member or a member of the public wishes to speak to an item on the consent calendar, they must make their request that the item be removed from the consent agenda before the Board considers it.*
- *If written comments are submitted, 20 two-sided copies must be provided in advance of the Board meeting with the following information on the first page of the document: date, addressee, board meeting, agenda item number, and name of person submitting the document.*
- *Any information mailed with this agenda is disseminated as a public service only, and is intended to reduce the volume and costs of separate mailings. This information does not necessarily reflect the opinions, views, or policies of the Board.*
- *To request special accommodations for those persons with disabilities, or to verify if an item will be heard, or would like copies of the agenda items, please contact the Board's Administrative Assistant at (916) 341-6550 or* brdmeet@ciwmb.ca.gov

Notice: The Board may hold a closed session to discuss the following: confidential tax returns, trade secrets, or other confidential or proprietary information of which public disclosure is prohibited by law; the appointment or employment of a public employee; or litigation under authority of Government Code Sections 11126 (a)(1), (c)(3), (15), and (e), respectively.

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 1

ITEM

Consideration Of New Projects For The Solid Waste Disposal And Codisposal Site Cleanup Program

I. ISSUE/PROBLEM STATEMENT

California Integrated Waste Management Board (Board) staff has completed an evaluation and recommends approval of two new grants pursuant to the Solid Waste Disposal and Codisposal Site Cleanup Program (Program). Table 1 provides general information on the grants. Detailed project information is in the agenda item attachments. In addition, due to the low unencumbered balance remaining in the Solid Waste Cleanup Trust Fund, staff is recommending that no new grant/loan applications be accepted for the remainder of the fiscal year unless additional funds become available (see discussion in Fiscal Impacts section).

Table 1. Project Information Summary.

Grantee	Site Priority	Grant Score	Board Funding Recommended	Funding Mechanism	Cost Recovery
Sacramento County	A1	78	$500,000.00	Illegal Disposal Site Cleanup Grant	Not Applicable
City of Barstow	A1	88	$498,891.50	Illegal Disposal Site Cleanup Grant	Applicable on private parcels

II. ITEM HISTORY

The Board has not previously considered the proposed projects.

III. OPTIONS FOR THE BOARD

Options for the Board include:

1. Approve the proposed grants, adopt Resolution Number 2005-31and direct staff not to accept any new grant/loan applications for the remainder of the fiscal year unless additional funds become available through cost recoveries or other measures;
2. Approve the proposed grants, adopt Resolution Number 2005-31 and direct staff to continue to accept new grant/loan applications for the remainder of the fiscal year;
3. Modify staff's recommendation for the proposed projects and/or the acceptance of grant/loan applications for the remainder of the fiscal year;
4. Disapprove the projects; or
5. Direct staff to provide additional information and bring the projects back to a future meeting of the Board.

IV. STAFF RECOMMENDATION

Staff recommends option 1.

V. ANALYSIS

A. Key Issues and Findings

The Program addresses cleanup of solid waste disposal and codisposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for a timely remediation and where cleanup is needed to protect public health and safety or the

environment. Cleanup projects are implemented through Board-managed contracts, grants, and loans. The Board approved Program policies in February and September 1994, March and September 1995, and February, June, and August 1999. Regulations incorporating the approved policies were adopted by the Board in May 2000 and became effective September 11, 2000. In addition, the Board approved the grant scoring criteria and the evaluation process for fiscal year 2004/2005 in June 2004. As reported in that item, complete and eligible applications received by December 13, 2004, would be accepted, scored, and considered at the February 2005 Board meeting.

Title 14, California Code of Regulations, section 18904 specifically lists eligible and ineligible remedial actions under the Program and allows the Board to consider approval of any other remedial actions not specified as ineligible. Unless otherwise noted, specific actions proposed for each project are specifically eligible pursuant to the regulations.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item. However, these two proposed grants will clean up waste that poses a health and safety threat to the public health and safety and the environment.

C. Program/Long Term Impacts

Based on available information, staff is not aware of any long-term impacts related to this item.

D. Stakeholder Impacts

Based on available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

The amount proposed in this item for grants is approximately $1,000,000. At the time this agenda item was prepared the amount available for new contracts, grants, and loans was approximately $2,500,000. If the Board approves the grants, Program staff estimate approximately $1,500,000 of unencumbered funds will remain for fiscal year 2004/2005.

Program staff recommends that, if the Board approves the grants, the unencumbered balance remain in the Solid Waste Disposal Site Trust Fund and no new grant/loan applications be accepted for the remainder of the fiscal year unless additional funds become available through cost recoveries or other measures. This would provide a contingency for potential emergency responses or other high priority Board-managed projects for the remainder of fiscal year 2004/2005, as determined by the Board.

F. Legal Issues

Public Resources Code Section 48023 directs the Board to seek reimbursement for monies expended under the Program to the extent possible. Expended funds may be recoverable from the property owners and other responsible parties in a civil action brought by the Board [Public Resources Code Section 48023(c)] and/or by imposing a lien upon the real property owned by the property owners that is subject to the remedial action [Public Resources Code Section 48023.5(a)].

Under the Program cost recovery policy (Resolution No. 1999-199), the Board may decide not to pursue cost recovery based on factors including, but not limited to:

(1) publicly owned sites maintained for public benefit and use; (2) the owner did not cause the disposal of waste; (3) the owner will not gain a benefit due to condition of property; (4) the value of property significantly less than cost of cleanup; (5) hardship to the property owner; or (6) no responsible party. The decision not to pursue cost recovery requires four affirmative votes from the Board.

Provisions to indemnify the Board are contained in standard agreements with Board contractors. Cooperative agreements with site owners and grantees are established prior to the start of approved Board-managed and grant projects, which include, when applicable, specific cost sharing or cost recovery provisions in order to ensure that the Board is properly reimbursed, and provide indemnification against liability for acts or omissions of the owner and/or grantee. In addition, Section 25400 of the Health and Safety Code provides additional immunity from liability for the Board from cleanup projects.

Enforcement aspects for the projects are summarized in the attachments. Cost recovery aspects proposed in this item are summarized in Table 1 and are included in the attachments.

G. Environmental Justice

As directed by the Board, the grant applications being considered for award include the Board's Environmental Justice Certification, and the Grant Agreement shall include the Board's Environmental Justice provision.

H. 2001 Strategic Plan

This item supports Strategic Plan Goal 4, by directing Board resources to manage and mitigate the impacts of solid waste on public health and safety and the environment.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Solid Waste Cleanup Trust Fund	$2,535,338.03	$999,891.50	$1,535,446.53	C & P

VII. ATTACHMENTS

1. Sacramento County Illegal Disposal Site Cleanup Grant
2. City of Barstow Illegal Disposal Site Cleanup Grant
3. Resolution Number 2005-31

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Wes Mindermann **Phone:** (916) 341-6314
B. Legal Staff: Steve Levine/Holly B. Armstrong **Phone:** (916) 341-6064/6060
C. Administrative Staff: Roger Ikemoto **Phone:** (916) 341-6116

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

As of the time this item was submitted for publication any specific support for particular projects is noted in the attachments.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

Sacramento County
Illegal Disposal Site Cleanup Grant

Proposed Remediation Project: Sacramento County (County) proposes a ten step program to combat illegal dumping and aggressively confront the problem through the timely removal of trash, physical preventative measures, enforcement, and proactive outreach and education. The County proposes to concentrate on public rights-of-way in five zones with historical illegal dumping, which accounts for 41 of the 97 chronic illegal disposal sites in the County in 2002/2003. County agencies working cooperatively on the project include Code Enforcement, the Sheriff's Department, the Municipal Services Agency, the District Attorney, and Environmental Health and Building Services. In an effort to prevent the conversion of illegal dumping from public land to private land the County will conduct outreach activities, including: media advisories and news releases, brochures, direct-mail flyers to the public and haulers, law enforcement brochures, a public web site for education and to report violations, and public services announcements. The County will also use its own funds to fund the Sacramento Citizen's Crime Alert Reward Program to provide incentives to citizens who alert authorities of illegal dumping activity.

Recommended Amount: $500,000.00

Site Prioritization: Based on the degree of risk to public health and safety and the environment posed by conditions at the sites, the prioritization category is A1. Priority A1 is a confirmed condition of pollution or nuisance from solid waste based on comparison with state minimum standards with significant residential, industrial, park, recreation, or environmentally sensitive areas within 1,000 feet.

The grant application for this project was evaluated and scored using the process and scoring criteria that were approved by the Board in June 2004. The grant proposal received a score of 78 and exceeded the required minimum score of 60 points.

Enforcement Actions and Cost Recovery: Enforcement is conducted by County Code Enforcement Officers, who inspect suspected locations for violators, perform surveillance, and detect and cite violators. To support enforcement action against illegal dumping, the County proposes to enhance its ability to document and prosecute offenders as well as provide support for sting operations. All the sites being remediated are located alongside public roads and other public rights of way (including the cleanup of an incidental number of tires which "spill over" from the rights of way onto neighboring private parcels), or on other public property where indiscriminate dumping has occurred. As this is a grant, cost recovery is not applicable as to the County.

As with grants, the public entities' need for the funds is to be considered. The County reports that given the especially chronic nature of the proposed sites, the County cannot adequately clean up and provide enforcement and surveillance on these sites without requested grant funding. Board staff has reviewed this information and concurs with the applicant's determination of financial need.

Support: Staff has not received any written support at the time this item was submitted for publication.

Opposition: Staff has not received any written opposition at the time this item was submitted for publication.

City of Barstow
Illegal Disposal Sites Cleanup Grant

Proposed Remediation Project: The City of Barstow (City) illegal disposal sites are 71 residential, park, and commercially zoned properties located throughout the City. The majority of dumping is occurring along the Mojave River bed, which consists of about 70 acres of desert land and has been used for illegal dumping for decades. Waste found on all the proposed sites includes garbage, burned and dilapidated buildings, cans, bottles, used appliances, furniture, scrap metal items, wood debris, televisions, computers with monitors, tires, and construction and demolition debris. The discarded materials at these sites have become attractive nuisances, as the aspect of "free disposal" and the avoidance of the fee-supported landfill fosters continued dumping. Many of the sites resulted from when the City adopted mandatory garbage collection in 1983 and many of the residents continued dumping on their own and public property. The City continues to encourage proper disposal and behavior through enforcement of existing rules in the Municipal Code by Code Enforcement Officers. To prevent additional illegal dumping the City has also supported community cleanup days, added two additional Code Enforcement Officers to the Police Department during the last year, and the City Council adopted and supports an aggressive anti-litter campaign.

The illegally dumped waste is blight on surrounding properties, neighborhoods, and the community at large. The City Code Enforcement Department has used the powers afforded them through the City Municipal Code to compel the owners to clean their properties. The City will contract with a local construction/demolition firm to clean up the sites and remove solid waste materials for proper disposal. Metal items (e.g., abandoned vehicles and appliances), waste tires, and household hazardous waste will be removed for proper recycling/disposal.

Recommended Amount: $498,891.50

Site Prioritization: Due to the proximity of neighborhoods and residences to affected properties proposed for this grant, the prioritization category is A1. Priority A1 is a confirmed condition of pollution or nuisance from solid waste based on comparison with state minimum standards, with residents within 1,000 feet.

The grant application for this project was evaluated and scored using the process and scoring criteria that were approved by the Board in June 2004. The average score received by the grant proposal was 88, which exceeds the required minimum score of 60.

Enforcement Actions and Cost Recovery: The City Code Enforcement Department has identified and prioritized properties throughout the City that are creating an unsafe environment due to lack of funds and the inability of the owner to comply with the Barstow Municipal Code. The City has already issued Notices of Abatement on a number of the subject properties, ordering the landowners to remediate by a prescribed deadline, and will issue further notices or other orders against the remaining properties prior to remediating those sites. In all cases the City will either: (a) notify the landowners of the Board's provision of funding for the remediation, and that if the site is not remediated before the date set for the City's cleanup to commence, that the Board grant funds expended constitute a lien upon the subject property, pursuant to PRC Section

48023.5;" or (b) conduct an abatement hearing and place a lien on the property, naming the Board as a beneficiary.

As with grants, the public entities' need for the funds is to be considered. The City reports that given the especially chronic nature of the proposed sites, the City cannot adequately clean up and provide enforcement and surveillance on these sites without requested grant funding. Board staff has reviewed this information and concurs with the applicant's determination of financial need.

Support: Staff received letters of support from the Honorable Bill Maze, State Assemblymember, Thirty-Fourth District, and the Honorable Bill Postmus, County Supervisor, First District and Vice-Chairman of the San Bernardino County Board of Supervisors.

Opposition: Staff had not received any written opposition at the time this item was submitted for publication.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-31 (Revised)

Consideration Of New Projects For The Solid Waste Disposal And Codisposal Site Cleanup Program

WHEREAS, Public Resources Code Sections 48020, *et seq.* authorizes the California Integrated Waste Management Board (Board) to implement the Solid Waste Disposal and Codisposal Site Cleanup Program (Program) to remediate environmental problems caused by solid waste and clean up disposal sites to protect public health and safety and the environment where the responsible parties cannot be identified or are unable or unwilling to pay for timely remediation; and

WHEREAS, the Board has approved guidelines, policies, and regulations for the Program to clean up sites; and

WHEREAS, the proposed projects satisfy the Board guidelines and policies pursuant to the Program.

NOW, THEREFORE, BE IT RESOLVED that the Board approves an illegal disposal site cleanup grant under the Program not to exceed five hundred thousand dollars ($500,000.00) to Sacramento County and an illegal disposal site cleanup grant under the Program not to exceed four hundred ninety-eight thousand eight hundred ninety-one dollars and fifty cents ($498,891.50) to the City of Barstow. The Board hereby directs staff to develop and execute a Grant Agreement with each grant recipient to implement remediation measures and encumber the funding; and

BE IT FURTHER RESOLVED that the award of the grants is conditioned upon the return by the grantees of a complete and executed Grant Agreement within ninety (90) days of the date of the mailing of the agreement package by the Board; and

BE IT FURTHER RESOLVED that the award of the grant is further conditioned upon full payment within ninety (90) days of today's date of any outstanding debt owed to the Board.~~; and~~

~~**BE IT FURTHER RESOLVED** that the Board directs staff to accept no new grant/loan applications for the remainder of FY 2004/2005 unless additional funds become available through cost recoveries or other measures.~~

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 2 (Revised)

ITEM

Consideration Of A New Full Solid Waste Facilities Permit (Transfer/Processing Station) For The San Martin Transfer & Recycling Station, Santa Clara County

I. ISSUE/PROBLEM STATEMENT

1. This item requests Board concurrence on the new San Martin Transfer & Recycling Station solid waste facilities permit.
2. Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a full solid waste facilities permit. A proposed permit for this facility was submitted to the Board on October 28, 2004. The LEA withdrew the proposed permit on November 18, 2004. The proposed permit for this facility was resubmitted to the Board on January 14, 2005. The date for submittal of a proposed permit that would allow a full 60 days for Board review prior to the February Board meeting was December 18, 2005. The Board has until March 15, 2005 to act on this permit.

II. ITEM HISTORY

- The facility is operating under a Registration permit as a medium volume transfer/processing facility.
- Compliance History:
  2000 - 2 State Minimum Standards (SMS) and 12 permit violations
  2001 - 5 SMS and 11 permit violations
  2002 - 2 SMS and 3 permit violations
  2003 - 1 SMS and 0 permit violations
  2004 - 4 SMS and 3 permit violations (January - November)

  The fourteen violations of the State Minimum Standard (SMS) from 2000 through 2004 and twenty-nine permit violations from 2000 through 2004 are explained on Page 5, in the Consistency with the SMS portion of this agenda item.

III. OPTIONS FOR THE BOARD

The Board may decide to do one of the following:

1. Concur in the issuance of the proposed permit as submitted by the LEA.
2. Object to the issuance of the proposed permit as submitted by the LEA and direct staff to inform the LEA in writing of the reason for objection.
3. Take no action on the proposed permit as submitted by the LEA. If the Board chooses this option, the Board shall be deemed to have concurred in the issuance of the proposed permit 60 days after the Board's receipt of the permit.

IV. STAFF RECOMMENDATION

Staff recommend that the Board adopt option one, and concur in the issuance of the proposed permit. ~~two, object to the issuance of the proposed permit, as the LEA has not provided the required findings pursuant to Title 27 Section 21685(b)(9).~~

V. ANALYSIS

A. Key Issues and Findings

Facility Name:	San Martin Transfer & Recycling Station Facility No. 43-AA-0003
Facility Type:	New Large Volume Transfer/Processing Station
Location:	14070 Llagas Av., San Martin, California
Setting:	The surrounding land uses are zoned rural residential and agricultural. The site is bounded to the north and east by agricultural land. Llagas Creek borders the site to the south. Beyond Llagas Creek is a light industrial facility and equipment yard. Llagas Avenue and an agricultural food processing facility border the western property boundary. The nearest residence is over 1,000 feet to the north. Part of the expanded facility is over the closed San Martin Landfill.
Operational Status:	Registration permit, active
Current Acreage:	7.3 acres
Proposed Acreage:	8.3 acres
Current Hours of Operation:	Non-public Waste Receipt: 6:00 a.m. to 6:00 p.m., Monday - Sunday and Public Waste Receipt: 8:00 a.m. to 4:30 p.m., Monday - Sunday
Proposed Hours of Operation:	Non-public Waste Receipt: 6:00 a.m. to 6:00 p.m., Monday – Sunday and Public Waste Receipt 8:00 a.m. to 4:30 p.m. Monday – Saturday and from 8:00 a.m. to 12:00p.m. on Sunday
Current tonnage:	100 tons per day
Proposed tonnage:	500 tons per day
Current Traffic Volume:	Incoming Waste Material: 300 Vehicles Per Day Weekdays 400 Vehicles Per Day Weekend Days; Outgoing Waste Material: 10 Vehicles Per Day
Proposed Traffic Volume:	495 Vehicles Per day
Operator:	Mr. Dave Vaughn, General Manager South Valley Disposal & Recycling, Inc.
Owner:	Mr. Archie Humphrey, Vice President Sunset Properties, Inc.
LEA:	Mr. Ben Gale, Director County of Santa Clara Department of Environmental Health

Background

The facility consists of a two-sided building for solid waste and an adjacent three sided building for curbside recyclables. A portion of the facility area is located on the San Martin Landfill which closed under Regional Water Quality Control Board requirements in effect at the time of closure (pre-1988). The Regional Water Quality Control Board staff are aware of the post closure land use changes being proposed.

The facility was originally operating under a full permit issued in 1987. The 1987 permit stated that the facility was allowed an average of 56 tons per day. In April 2004 the operator was issued a registration permit as a medium volume transfer / processing facility, which allowed up to 100 tons per day. This permit superseded the previously issued permit.

Key Issues

The proposed new permit is to allow the following changes:

- Operation of the San Martin Transfer & Recycling Station as a large volume transfer/processing facility;
- maximum traffic volume of 495;
- maximum daily tonnage of 500;
- maximum of 8.3 acres; and
- requires the facility to cease all activities within five years.

LEA Certification:

The LEA has indicated the following:

- The permit application package is complete and correct;
- The Transfer/Processing Report (TPR) meets the requirements of Title 14, CCR, Section 18221.6; and
- An Environmental Impact Report, State Clearinghouse No. 2002052087 ~~is scheduled to be~~ was certified ~~heard~~ at the County of Santa Clara Planning Commission meeting on February 3, 2005. On February 4, 2005 the LEA provided their final determination that the proposed permit is consistent with and is supported by Alternative No. 4 included in the EIR.

Staff Analysis:

The following table summarizes Board staff's review and analysis of the proposed permit application package:

43-AA-0003 Summary of Board Findings	Accept-able	Unaccept-able	To Be Deter-mined	Not Applic-able	See Details Below
CIWMP Conformance (PRC 50001)	√				***1***
Consistency With State Minimum Standards	√				***2***
TPR Completeness	√				***3***
California Environmental Quality Act	√	~~√~~			***B***

1. Conformance with County Integrated Waste Management Plan (CIWMP):
   Public Resources Code (PRC) Section 50001 requires that the location of any new or expanded non-disposal facility be identified in the applicable jurisdiction's Non-disposal Facility Element (NDFE) for the proposed permit. Staff of the Board's Office of Local Assistance (OLA) have determined that the San Martin Transfer &

Recycling Station is identified in the County of Santa Clara's NDFE, and therefore, find that the proposed permit is in conformance with the County's NDFE.

2. Consistency with State Minimum Standards (SMS):
A review of the LEA's inspection reports submitted for the last six months indicates that the LEA found the site consistently in compliance with the SMS. Board staff conducted an inspection at the facility with the LEA on September 28, 2004 and found that the facility operation was consistent with the applicable SMS.

The 14 violations of the SMS the LEA cited from 2000 through 2004 were for issues related to vectors, recording keeping and equipment. The 29 permit violations the LEA cited from 2000 through 2004 were for the operator exceeding its permitted maximum daily and monthly tonnages and traffic volume at the facility. No violations were noted in July and August, 2004.

It is staff's understanding that permit violations at the facility were avoided in part of 2004 because some of the waste was diverted to the Pacheco Pass Landfill. In May 2004, the operator of the Pacheco Pass Landfill submitted amendments to the landfill's Report of Disposal Information (RDSI) to establish a separate transfer facility at Pacheco Pass Landfill to receive and transfer waste to other landfills. The amendment indicated that the waste would be a portion of the waste being received at the San Martin facility. The amendment specified that the transfer facility at Pacheco Pass Landfill would only operate until such time as the San Martin Transfer & Recycling Station's proposed full permit was issued or within five years of the RDSI amendment approval, which ever came first.

In June 2004, the LEA approved the RDSI amendment and did not require the permit to be revised to allow the transfer facility at the Pacheco Pass Landfill. However, immediately upon learning of the LEA's action and in a follow up letter sent in August 2004, Board staff indicated to the LEA that allowing the transfer facility at the landfill was not authorized by the permit and that a revision to the permit should be completed to allow the activity. The LEA retracted its approval on August 26, 2004 and indicated that the Pacheco Pass Landfill operator should cease the activity and apply for a permit revision. The operator has appealed the LEA decision and a hearing has been scheduled for February 2005. The transfer activity at the landfill has continued.

3. TPR Completeness:
Board staff have reviewed the Transfer/Processing Report and determined the document meets the requirement of 14 CCR, section 18221.6.

B. Environmental Issues

1. The County of Santa Clara Planning Office, acting as Lead Agency, has prepared and circulated the following environmental document for the San Martin Transfer Station:

   A Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2002052087, was circulated via the State Clearinghouse for a review period from July 27, 2004 through September 9, 2004. When this item was written the Final Environmental Impact Report (FEIR) containing the responses to comments on the DEIR had not yet been made available to staff.

The DEIR describes an increase in tonnage to a maximum daily peak load of 1,100 tons per day. Day and hours of operation will be 7 days a week, inbound and outbound waste hauling trucks and on-site operations of 6:00AM to 6:00PM, public hours of 8:00AM to 4:30PM Monday through Saturday, and from 8:00AM to 12:00PM on Sunday. The DEIR also describes a substantial expansion of transfer station building and recycling operations; the addition of an organics transfer building; construction of public drop off; vehicle wash and parking areas; modifications for on site traffic and drainage; and relocation of administration and maintenance facilities to a parcel of land located south of the existing facility.

~~At the time this item was written it was staff's understanding that the Santa Clara County Planning Commission was scheduled to hear an item for the project on February 3, 2005. As the Final EIR could not be certified until February 3, 2005, staff would not expect the LEA to provide the required finding pursuant to Title 27 21685(b)(9) prior to that time.~~

~~At the time this item is being written Board staff are recommending that the Board find that the requirement of PRC 44009 (a) (2) has not been met because California Code of Regulations, Section 21685 has not been met. Section 21685 states in part that "the CIWMB shall not concur in issuance of the proposed permit if the following information, if applicable, has not been submitted to the EA and the CIWMB pursuant to PRC section 44009," and additionally, Section 21685(b)(9) refers to "the EA finding that existing CEQA documentation is consistent with and supports the proposed permit and RFI or supporting information indicating the EA has found that approval of the proposed permit would not lead to any adverse environmental impacts and is exempt from the requirements of CEQA." As indicated, the LEA has not provided the required finding.~~

~~Additionally as the environmental review process by the lead agency had not been completed at the time this item was written, Board staff cannot recommend the use of DEIR to support the Board's action on the proposed permit.~~

On February 3, 2005 the Santa Clara County Planning Commission certified the EIR approving Alternative No. 4 as described in the EIR. The Planning Commission found that all potentially significant effects were mitigated to less than significant with the approval of Alternative No. 4.

The Use Permit issued by the Commission indicates that Alternative No. 4 includes: a maximum traffic volume of 495 with a peak of 110 company truck/trailers and 385 public self-haul vehicles on weekdays and 495 public self-haul vehicle on weekends; maximum daily tonnage of 500 tons of municipal solid waste, construction waste, food waste, recyclables, motor oil, inert materials, white goods, and universal wastes; maximum of 8.3 acres; requires the facility to cease all activities within five years; and does not allow any alterations to the site accept for on-site traffic circulation,

Board staff find that the record of approval created by the Lead Agency indicates that food wastes as a separate waste stream will not be received at the site. If food waste is handled at the site additional mitigations would be required to be

implemented to avoid odor. Green waste will continue to be handled at the site and will continue to be removed within 7 days. The adopted Mitigation Monitoring and Reporting Plan requires the LEA to be involved with odor issues regarding the transfer station. The LEA will coordinate with the Bay Area Air Quality Management District on all odor issues. Mitigations relative to traffic impacts are included in the Architectural and Site Approval Conditions of Approval and are consistent with those identified in the EIR and Mitigation Monitoring and Reporting Plan.

On February 4, 2005 the LEA affirmed that their preliminary finding, that the proposed permit is consistent with Alternative No. 4 described in the EIR, and is their final determination.

Based on the complete record provided to Board staff, staff find that the approval of the project allowed in the proposed permit will not have any significant effects that can not be mitigated to less than significant and therefore recommends the environmental documents cited above are adequate for the Board's environmental evalution of the proposed project for those project activities which are within the Board's expertise and/or powers, or which are required to be carried out or approved by the Board.

2. Staff of the Regional Water Quality Control Board have shared jurisdiction relative to the proposed activities over post closure land use issues at the San Martin Landfill.

C. Program/Long Term Impacts

Based on available information, staff is not aware of any program impacts related to this item.

D. Stakeholder Impacts

Based on available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

Community Setting:

The site is bounded to the north and east by agricultural land zoned RR-5Ac. Llagas Creek borders the site to the south. Beyond Llagas Creek is a light industrial facility and equipment yard on land zoned A1-5Ac. Llagas Avenue and an agricultural food processing facility border the western property boundary. The agricultural food processing facility is on land zoned A1-5Ac.

According to the 2000 census, the population of Census Tract 744.05 consists of the following:

US Census Bureau Data Census 2000 – Race, Census Tract 5124.02 County of Santa Clara, California	All Ages	
	Number	Percent
White	4,227	88.3
Black or African American	28	0.6
American Indian and Alaska Native	26	0.5
Asian	351	7.3
Native Hawaiian & Other Pacific Islander	5	0.1
Some other race	10	0.2
Two or more races	144	3.0
Total Population	4,791	100

31.1% of the population in Census Tract 5124.02 identify themselves as Hispanic or Latino. The median household income of the residents in the 2000 census was $89,669 and approximately 8% of the families were below the poverty level.

Community Outreach:

Because this is a new solid waste facility permit application, the AB 1497 requirements regarding a public hearing have not been applied by the LEA. ~~The proposed project is currently going through the local approval process and at the time this item was written a hearing of the county Planning Commission had been scheduled for February 3, 2004.~~ On February 3, 2005 the Santa Clara County Planning Commission certified the EIR approving Alternative No. 4 as described in the EIR.

Environmental Justice Issues:

Based on available information, staff is not aware of any environmental justice issues related to this project

H. 2001 Strategic Plan

Staff work on new or revised solid waste facility permits is completed as part of Goal 4: Managing and mitigating the impacts of solid waste on public health and safety and the environment and promoting integrated and consistent permitting, inspection, and enforcement efforts.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Site Location Map
2. Site Plan
3. Proposed Permit No. 43-AA-0003
4. Resolution Number 2005-32

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Beatrice C. Poroli **Phone:** (916) 341-6411
B. Legal Staff: Michael Bledsoe **Phone:** (916) 341-6058
C. Administration Staff: None **Phone:** N/A

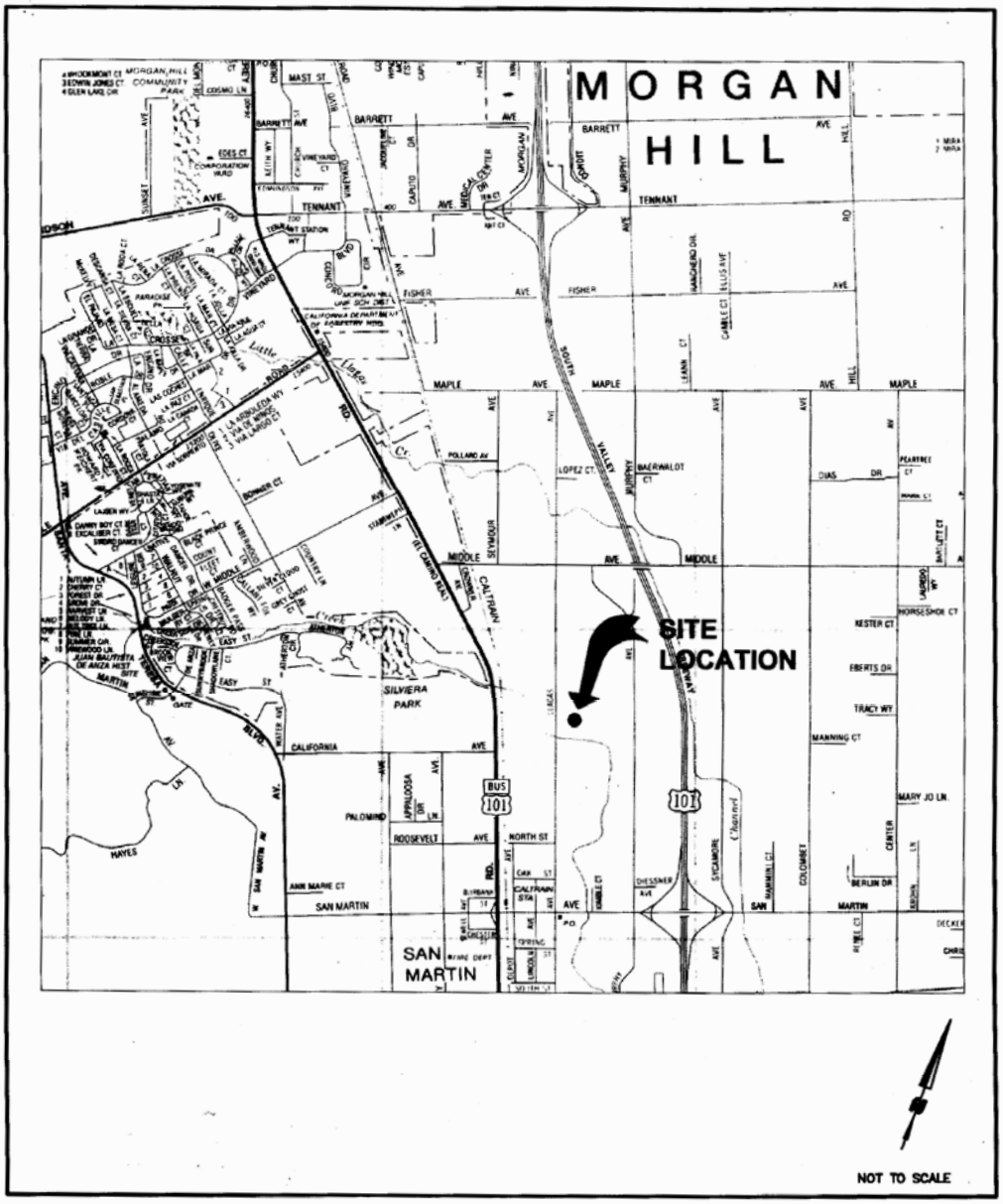
IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff has not received any written opposition at the time this item was submitted for publication.

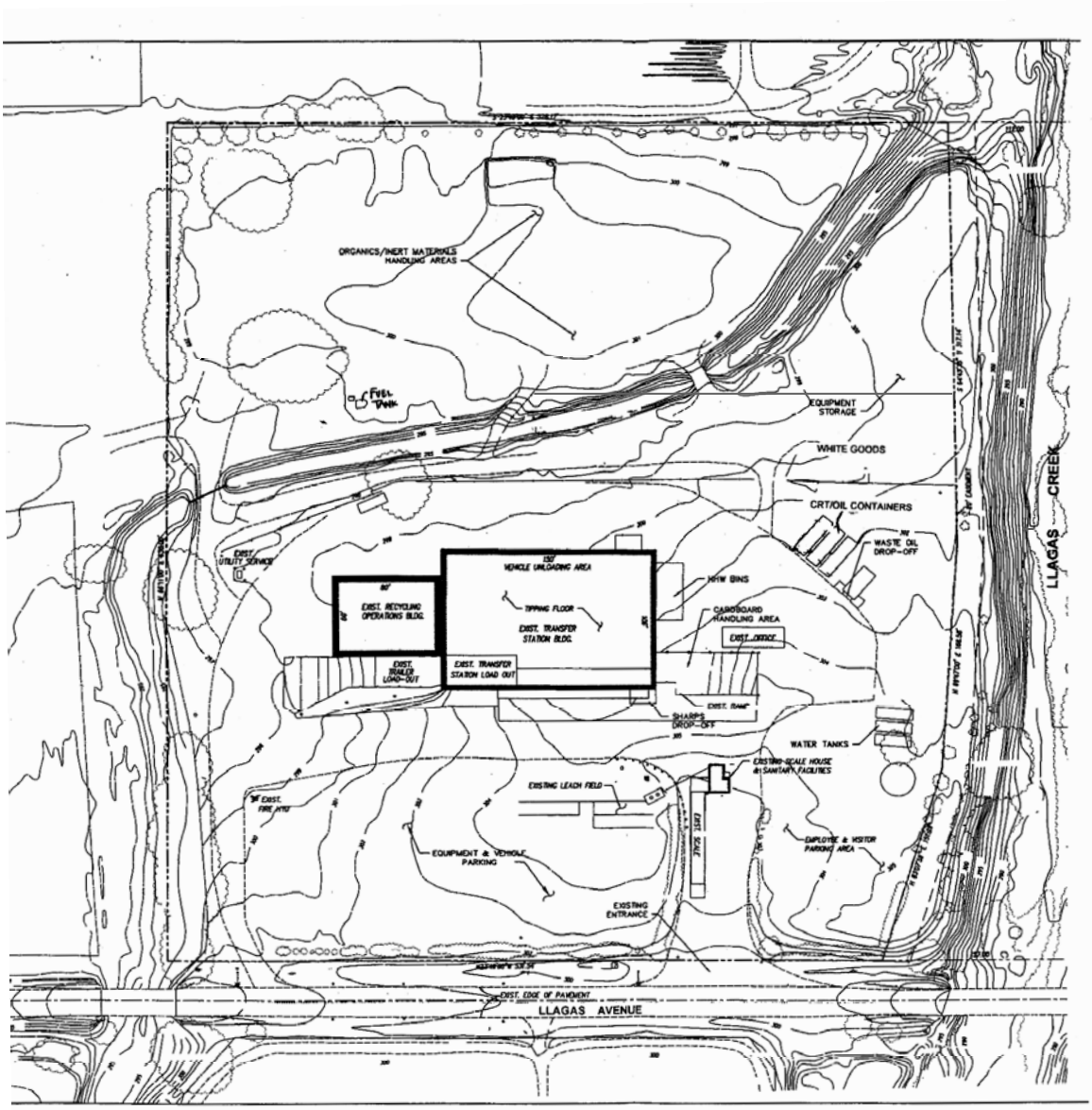


EBA

SAN MARTIN TRANSFER STATION
SANTA CLARA COUNTY, CALIFORNIA

SITE LOCATION MAP

FIGURE
1
Dec 09, 2003


ORGANICS/INERT MATERIALS HANDLING AREAS
FUEL TANK
EQUIPMENT STORAGE
WHITE GOODS
CRT/OIL CONTAINERS
WASTE OIL DROP-OFF
LLAGAS CREEK
EXIST. UTILITY SERVICE
VEHICLE UNLOADING AREA
EXIST. RECYCLING OPERATIONS BLDG.
TIPPING FLOOR
EXIST. TRANSFER STATION BLDG.
NEW BINS
CARDBOARD HANDLING AREA
EXIST. OFFICE
EXIST. BALED LOAD-OUT
EXIST. TRANSFER STATION LOAD OUT
EXIST. TANK
SHARPS DROP-OFF
WATER TANKS
EXISTING SCALE HOUSE & SANITARY FACILITIES
EXISTING LEACH FIELD
EXIST. FIRE HYD
EXIST. SITE
EMPLOYEE & VISITOR PARKING AREA
EQUIPMENT & VEHICLE PARKING
EXISTING ENTRANCE
EXIST. EDGE OF PAVEMENT
LLAGAS AVENUE

SOLID WASTE FACILITY PERMIT

Facility Number:
43-AA-0003

1. Name and Street Address of Facility:
San Martin Transfer & Recycling Station
14070 Llagas Avenue
San Martin, CA 95046
(408) 683-4420

2. Name and Mailing Address of Operator:
South Valley Disposal & Recycling
7110 Alexander Street
Gilroy, CA 95020
(408) 842-3358

3. Name and Mailing Address of Owner:
Sunset Properties
160 Pacific Avenue, Suite 200
San Francisco, CA 94111
(415) 875-1000

4. Specifications:

a. Permitted Operations:
- ☐ Solid Waste Disposal Site
- ☒ Transfer/Processing Facility
- ☐ Composting Facility (Green Material)
- ☐ Transformation Facility
- ☐ Other

b. Permitted Hours of Operation: Open to the Public 8:00 a.m. to 4:30 p.m. Monday through Saturday and from 8:00 a.m. to 12:00 p.m. on Sunday (Receipt of Refuse/Waste from the Public) - Open to Company Vehicles and Operations 6:00 a.m. to 6:00 p.m., seven (7) days per week (Ancillary Operations/Facility Operating Hours) - The facility will be closed on Easter, 4th of July, Thanksgiving, Christmas, and New Years Day.

c. Permitted Maximum Tonnage: 500 Total Tons per Day - **(see LEA condition 17d)**

d. Permitted Traffic Volume: 495 Total vehicles entering site. **Subset peak = 110 trucks per day and on weekend days (see LEA condition – 17e.)**

e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CIWMB validations):

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	8.3	NA	8.3	NA	NA
Design Capacity (tons/day)		NA	1,728 tons per day	NA	NA
Max. Elevation (Ft. MSL)		NA			
Max. Depth (Ft. MSL)		NA			
Closure Date			See condition 17j		

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

Approving Officer Signature

Ben Gale, Director of the Department of Environmental Health

6. Enforcement Agency Name and Address:
Santa Clara County Department of Environmental Health
1555 Berger Drive, Suite 300
San Jose, CA 95112-2716

7. Date Received by CIWMB: FEB 09 2005

8. CIWMB Concurrence Date:

9. Permit Issued Date:

10. Permit Review Due Date:

11. Owner/Operator Transfer Date:

SOLID WASTE FACILITY PERMIT

Facility Number:
43-AA-0003

12. Legal Description of Facility:

The legal description of this facility is contained on page 1 of the Transfer/Processing Report dated October 2004.
APN: 825-08-051 & -002; 14070 Llagas Avenue, San Martin, CA 95046

13. Findings:

a. This Solid Waste Facility Permit (SWFP) is consistent with the Santa Clara County Integrated Waste Management Plan, which was approved by the CIWMB in November 1995. The location of the facility is identified in the Non-Disposal Facility Element, pursuant to Public Resources Code (PRC), Section 50001(a).

b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010.

c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA.

d. The County of Santa Clara Fire Department has determined (through the Conditional Use Permit process) that the facility is in conformance with applicable fire standards, pursuant to PRC 44151.

e. An EIR was filed with the State Clearinghouse (SCH #2002052087) and certified by the County of Santa Clara on 2/3/05. The EIR describes and supports the design and operation which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on 2/9/05.

14. Prohibitions:

(a) The permittee is prohibited from accepting the following wastes:

-Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, special, septic tank pumpings, sewage sludge, hazardous waste sludge, large dead animals (i.e. horses), or other wastes requiring special treatment or handling, except as identified in the Transfer/Processing Report and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies.

(b) In addition, the permittee is prohibited from allowing public and/or employee scavenging.

(c) Exceptions:
-Hazardous or designated waste found as a result of the Hazardous Waste Exclusion/Load-Check Program may be stored on site in compliance with all applicable federal and state storage and disposal regulations.
-Waste oil, used oil filters, antifreeze, batteries, CRT's, universal wastes, household generated sharps, and white goods containing CFC's, may be accepted from the public drop-off and curbside collection programs.

15. The following documents describe and/or restrict the operation of this facility:

Document	Date	Document	Date
Transfer/Processing Report	October 2004	EIR (SCH #2002052087)	2/3/05
IIPP - Injury, Illness Prevention Plan	Feb. 2004	Land Use and/or Conditional Use Permit F#8333-71-02P	2/3/05
APCD Permit to Operate - Plant #6369, Application #6618	1991 (annual renewal)	NPDES Permit #3 43S000135	Oct. 23, 1992
"Approved Home Generated Sharps Consolidation Point" Authorization Form	Oct. 18, 2004	RWQCB permit or waiver –WDR 72-34	Oct. 1972

SOLID WASTE FACILITY PERMIT	Facility Number: 43-AA-0003

17. Local Enforcement Agency (LEA) Conditions:

a. The operator must comply with all applicable State Minimum Standards for solid waste handling as specified in Title 14, California Code of Regulations; and furthermore, the operator will operate in conformance with the descriptions and procedures of the final TPR.

b. The operator must maintain and keep up to date a log of special/unusual occurrences. This log must include, but is not limited to, flooding, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry must be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log must be kept on-site and made available to site personnel and the LEA upon request.

c. Additional information concerning the design and operation of the facility must be furnished upon request and within the time frame specified by the LEA.

d. The maximum permitted daily tonnage for all material types at this facility is 500 tons per day (TPD). The facility must not receive more than these amounts without a revision of this permit.

e. The maximum permitted traffic is 495 vehicles per day (VPD) entering the site. A subset peak of 110 South Valley Disposal and Recycling, Inc. and/or San Martin Transfer Station (Company) trucks per day on weekdays and some trucks on weekends. The peak of 110 Company trucks per day has subset peaks of 85 inbound route collection vehicles and 25 outbound transfer trucks/trailers. The facility must not receive more than these amounts without a revision of this permit.

f. This permit is subject to review by the LEA and may be suspended, revoked, or revised at any time for sufficient cause.

g. The LEA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.

h. Any change in the design or operation of the facility that would cause the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change (as determined by the LEA), requiring a permit revision. The operator may not implement any significant change without first submitting a written notice of the proposed change, in the form of a Permit Revision, to the LEA at least 180 days in advance of the change.

i. Effective litter control measures must be undertaken along all access roads and Llagas Avenue.

j. Unless this permit is revised to extend this condition, this permit will expire on February 3, 2010. Sixty days prior to the expiration date, the operator shall submit a plan to the LEA addressing the waste removal and the closure of the site.

k. Effective and safe traffic control measures must be devised and implemented to prevent vehicles from queuing onto Llagas Avenue and blocking lanes. If vehicle queuing becomes a problem (as determined by the LEA), additional traffic control measures will be required. Such measures may include but not be limited to: relocation of the Scale House; multiple entry lanes or entry redesign. Failure to effectively remedy traffic problems on Llagas Avenue will result in permit suspension.

l. Source-separated food waste and/or source-separated food waste commingled with yard waste will not be accepted unless the TPR is revised to include appropriate mitigation measures.

m. The operator shall notify the LEA of all odor complaints so that the LEA can refer the matter to the local Air District for enforcement and/or follow-up. Odor complaints must also be logged into the Odor Complaint log book maintained at the facility.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-32 (Revised)

Consideration Of A New Full Solid Waste Facilities Permit (Transfer/Processing Station) For The San Martin Transfer & Recycling Station, Santa Clara County

WHEREAS, the Santa Clara County Environmental Health Department, as the Local Enforcement Agency (LEA), has submitted to the Board for its review and concurrence with, or objection to, a new full solid waste facility permit for San Martin Transfer & Recycling Station; and

WHEREAS, South Valley Disposal & Recycling, the operator, proposes to operate a large volume transfer/processing facility; and

WHEREAS, the County of Santa Clara ~~Planning Office~~, acting as the Lead Agency, prepared ~~a Draft~~ and certified on February 3, 2005 an Environmental Impact Report (EIR), State Clearinghouse (SCH) #2002053087, to comply with the requirements of the California Environmental Quality Act (CEQA) ~~that has not yet been certified~~; and

WHEREAS, the Santa Clara County Planning Commission approved Alternative No. 4 as described in the EIR, and adopted a Mitigation Monitoring and Reporting Plan; and

WHEREAS, the solid waste facility permit prohibits the acceptance of food waste as a separate waste stream at the site without first implementing mitigations; and

WHEREAS, the LEA will coordinate any odor issues regarding the transfer station with the Bay Area Air Quality Management District; and

WHEREAS, mitigation measures identified to reduce the impact from traffic will be implemented through the Architectural and Site Approval Conditions of Approval; and

WHEREAS, the LEA has certified that the application package is complete and correct and that the proposed permit is supported by the CEQA documentation; and

~~**WHEREAS,** the Board finds that CEQA has not been completed by the lead agency and no CEQA document has been adopted or certified; and~~

~~**WHEREAS**, the LEA has not made the finding required by Title 27 Section 21685(b)(9); and~~

~~**WHEREAS**, compliance with Section 21685(b) (9) is required by Public Resources Code 44009;~~

(over)

WHEREAS, the Lead Agency adopted findings for each significant environmental effect of the project to the effect that changes or alterations were required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Project EIR, which findings the Board hereby adopts as its own; and

WHEREAS, the Board finds that the proposed permit is consistent with CEQA and that all impacts are mitigated to less than significant;

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board ~~objects to the~~ concurs with the issuance of the Solid Waste Facility Permit No. 43-AA-0003.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 3 (Revision 2)

ITEM

Consideration Of A New Full Solid Waste Facilities Permit (Transfer/Processing Station, Compostable Materials Handling Facility) For The South Lake Resource Recovery And Compost Facility On Quackenbush Mountain, Lake County

I. ISSUE/PROBLEM STATEMENT

1. This item requests the Board consider concurrence in the issuance of a new Solid Waste Transfer/Processing Station Permit for the South Lake Resource Recovery and Compost Facility on Quackenbush Mountain.
2. Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur with or object to the issuance of a full Solid Waste Facilities Permit (SWFP). The proposed SWFP for this facility was received on January 11, 2005; therefore, the last day the Board could act on the proposed SWFP is March 12, 2005. The proposed SWFP package contained all the items required in Title 27, California Code of Regulations, Section 21685. The date for submittal of a proposed permit that would allow 60 days for Board review prior to the February Board meeting was December 17, 2004.

II. ITEM HISTORY

This is a new permit. Text shown in single underline (with the exception of paragraph headings) and single strikeout depict changes made shortly before the February 10, 2005 Permitting and Enforcement Committee meeting. Double underline or double strikeout depict changes made after the Committee meeting.

III. OPTIONS FOR THE BOARD

The Board may decide to do one of the following:

1. Concur in the issuance of the proposed SWFP as submitted by the local enforcement agency (LEA).
2. Object to the issuance of the proposed SWFP as submitted by the LEA.
3. Take no action on the proposed SWFP as submitted by the LEA. If the Board chooses this option, the Board shall be deemed to have concurred in the issuance of the proposed SWFP 60 days after the Board's receipt of the SWFP.

IV. STAFF RECOMMENDATION

Board staff recommends Board approval of Option 1, concurrence in the issuance of the proposed SWFP as submitted by the LEA. ~~2, Object to the issuance of the proposed SWFP pursuant to 44009(a)(2) in that there is not consistency with SMS as there is an outstanding violation of the Record Keeping standard of Title 14, CCR, section 17869(h) Training.~~ ~~1, concurrence in the issuance of the proposed SWFP as submitted by the LEA if the site is found in conformance with the Non-disposal Facility Element (NDFE) and State Minimum Standards.~~

V. ANALYSIS

A. Key Issues and Findings

Name of Facility:	South Lake Resource Recovery and Compost Facility on Quackenbush Mountain (SLRRC)
Facility No.:	17-AA-0014
Facility Type:	New Large Volume Transfer/Processing Station and a Compostable Materials Handling Facility.
Location:	16520 Davis Avenue, Clear Lake, CA 95422 which is on Assessor's Parcel Number (APN) 010-053-11 located within Section 23, Township 13 North, Range 7 West, Mt. Diablo Baseline and Meridian.
Permitted Area:	23 total acres: 5.85 (5.0 acres for processing and .85 acres for pad) for the C&D Debris Processing Activity; 15.55 acres (12.55 for composting area and 3.0 acres for feedstock and finished product storage) for the Compostable Materials Handling Activity, and 1.6 acres for roads and buffer between the two activities.
Setting:	The zoning for the surrounding land uses are designated as Planned Development Commercial. Existing land uses in the vicinity are primarily vacant and located in a remote area. The proposed facility is approximately 3 miles from the majority of homes. In the middle of the 231-acre parcel (APN 010-053-11) and to the east is the Hitchcock Farmstead which is not part of the project; it consists of a few residences, orchards and grazing lands. One residence in the Hitchcock Farmstead is located 1200 feet downwind from the proposed facility. Land surrounding the parcel to the north is vacant property comprised of large rural parcels. Vegetation includes chaparral and oak trees. To the south is the Eastlake Landfill. To the east is steep terrain, vacant Bureau of Land Management property and chaparral with sparse pine. To the west are rural vacant parcels and agricultural uses more than a mile from the proposed facility.
Current Operational Status:	Existing Enforcement Agency (EA) Notification for Compostable Materials Handling Operation.
Proposed Daily Loading:	460 (tpd) total - 200 tpd of C&D debris and 260 tpd of compostable material.
Current Capacity:	100 tons per day (tpd) and up to 12,500 cubic yards of compostable material on site at anytime.
Proposed Capacity:	6,000 tons or 14,000 cubic yards (using a conversion factor of 500 cubic yards per of total C&D material on site at any one time and 60,000 cubic yards of total compostable materials on site at any one time.

Proposed and Current Hours of Operation:	7 days per week: Receipt of Materials - 7:00 a.m. to 6:00 p.m. Processing of Materials - 7:00 a.m. to 6:00 p.m. Maintenance Hours – 24 hours
Waste Types:	Mixed C&D debris, mobile home deconstruction debris, dry wall material, and soil (no municipal solid waste).
Compost Feedstock:	Green material, agricultural material (grape pomice), and dry wall material (no municipal solid waste).
Amendments/ Additives:	Gypsum, dry wall material, wood chips
Compost Process:	Windrows or Aerated Static Piles
Owner:	Bob and Marvin Pestoni c/o South Lake Refuse & Recycling P.O. Box 569 Lower Lake, CA 95457
Operator:	Mr. Bob Pestoni P.O. Box 569 Lower Lake, CA 95457
Permitted Traffic Volume:	100 vehicles per day.
Enforcement Agency:	Ray Ruminski, Director Lake County Environmental Health Division

Background

- The proposed Transfer/Processing Station and proposed Compostable Materials Handling Facility will be located at the existing Compostable Materials Handling Operation at 16530 Davis Avenue approximately 2.5 miles south of the City of Clear Lake in southeast Lake County. The facility is operated by Mr. Bob Pestoni.
- A General Plan Amendment, Rezone, and General Plan of Development, and Initial Study were adopted by the Lake County Board of Supervisors on December 23, 2003 with the certification of the Negative Declaration.
- On September 13, 2004, the LEA issued an EA Notification for a 15.5 acre compost site with limits of 100 tpd and up to12,500 cubic yards of compostable material on site at any one time.
- Lake County Department of Public Services operates the adjacent East Lake Landfill, which operates under a separate SWFP (17-AA-0001). The permitted landfill boundary will remain separate from that of the SLRRC facility.
- The facility will employ the windrow composting process or the aerated static pile process utilizing green materials and agricultural materials as feedstocks, along with gypsum as an additive. The main components of the compostable materials are green material, grape pomace and drywall.

- The facility will also process mixed C&D debris and mobile home deconstruction debris. The main components of mixed C&D debris are inerts, metals, wood and dry wall debris. The main components of mobile homes are metals, wood, dry wall, and carpet debris.

Key Issues

The proposed SWFP includes the following changes:

- New Transfer/Processing Station with a design capacity of 6,000 tons on site at any one time;
- Increase in the design capacity from the existing Compostable Materials Handling Operation at 12,500 cubic yards of total compostable materials to 60,000 cubic yards of total compostable materials on site at any one time at the Compostable Materials Handling Facility; and
- Increase in the daily tonnage to 460 tons per day (tpd) for the entire facility (200 tpd of C&D debris and 260 tpd of compostable material) from the existing Compostable Materials Handling Operation tonnage of 100 tpd.

LEA Findings

The LEA has certified the following:

1. The permit application for this facility is complete and correct.
2. The Transfer/Processing Report (TPR) meets the requirements of Tile 14, CCR, Section, 18221.6. The January 3, 2005 TPR includes the requirements of the C&D/Inert Debris Processing Facility Report, Title 14, CCR, Section 18223.5 and includes the requirements of the Report of Composting Site Information (RCSI) Title 14, CCR, Section 17863.
3. The proposed permit is consistent with and supported by the existing California Environmental Quality Act (CEQA) documentation.

Staff Analysis

The following table summarizes Board staffs' review and analysis of the proposed SWFP application package:

17-AA-0014 Summary of Findings	Accept-able	Unaccept-able	To Be Determined	Not Applicable	See Details Below
CIWMP Conformance (PRC 50001)	X				1.
Consistent With State Minimum Standards	X		~~X~~	~~X~~	2.
Report of Facility Information Completeness	X				3.
California Environmental Quality Act	X				B.

1. CIWMP Conformance: Public Resources Code (PRC) Section 50001 requires the location of any new or expanded nondisposal facility to be identified in the applicable jurisdiction's Nondisposal Facility Element (NDFE) in order for the proposed SWFP to be found in conformance with PRC Section 50001. The SLRRC is identified in the County's NDFE. The Office of Local Assistance staff found the proposed permit to be in conformance with the County's NDFE.

2. Consistency with State Minimum Standards:
   At the time this item was prepared, Board staff had scheduled a pre-permit inspection of the facility. During the pre-permit inspection, Board staff and the LEA determined that the operator was in violation of six Title 14, CCR, SMS as follows:

- Section 17869(a) for Record Keeping – Location & Availability
- Section 17869(b) for Record Keeping – Special Occurrences
- Section 17869(c) for Record Keeping – Public Complaints
- Section 17869(d) for Record Keeping – Quantity & Type of Material
- Section 17869(e) for Record Keeping – Load Checks
- Section 17869(h) for Record Keeping – Training

At the February 10, 2005 Permitting & Enforcement Committee meeting, the only violation that was still outstanding was section 17869(h) for Record Keeping – Training. Because of this outstanding violation, the Committee referred the item on to the Board and recommended Board concurrence provided that the training records were provided prior to the February 15, 2005 Board meeting. On February 11, 2005, the operator provided the Training records to the LEA and the operator is now in compliance with all SMS. ~~As of the time this item was revised, the only outstanding violation that had not been corrected to the satisfaction of the LEA was Section 17869(h) for Record Keeping – Training.~~

~~Staff determination of the facility's compliance with the applicable State Minimum Standards will be presented at the Permitting & Enforcement Committee meeting on February 10, 2005.~~

B. Environmental Issues

California Environmental Quality Act (CEQA):

The Lake County Community Development Department (LCCDD), acting as lead agency, prepared and circulated the following environmental document (ED) for CEQA compliance for the South Lake Resource Recovery and Composting Facility (SLRRC) near Clearlake in Lake County:

- Mitigated Negative Declaration (MND), State Clearinghouse (SCH) No. 2003112049, for the design and operation of a large volume transfer/processing facility including the operation of a C&D and Inert Debris Processing Facility (CDIDF), and Compostable Materials Facility (CMF) for the issuance of new SWFP No. 17-AA-0014. The MND was circulated to by the LCCDD for review and comment on November 13, 2003. Permitting and Inspection (P&I) Branch staff commented on the MND in a letter dated December 10, 2003. The MND was adopted by the Lake County Planning Commission on December 11, 2003, and the project was approved by the Lake County Board of Supervisors on December 23, 2003. A Notice of Determination was filed with the County Clerk by the LCCDD on December 31, 2003.

The MND states that the CDIDF will only sort and process C&D and inert debris materials (no municipal solid waste) on an approximately 100 by 200 foot pad and that any residual remaining after sorting will be transported to the Eastlake Landfill for disposal. The MND also states that the composting methods/processes at the CMF are to be "adapted to meet the needs of the feedstock and the product and may include windrow composting, aerated static or non-aerated static pile composting, enclosed or within-vessel composting such as an Ag-Bag operation, combinations of these processes or alternative processes developed to meet facility needs. Amendments to the compost process may include wood chips, clean soils, clay, or other materials." The following waste types are prohibited at the composting facility: hazardous wastes,

medical wastes, designated wastes, liquid wastes, hot ashes or burning material, biosolids and sludge, ash, and refuse.

The CDIDF and the CMF will be located on an upper plateau area, which is shielded from view from areas south, east, and west of the site. A minimum buffer of 100 feet will be maintained from the north property line and areas onsite to the west are planned as vineyard. Areas directly south and east of the facilities are to be preserved as an oak woodland area and potential sensitive habitat for the pallid bats. This area contains rock cliffs that form a break in the grade between the upper plateau area and the open slope areas to the south and east. All composting and C&D and inert debris materials will occur on an "inert debris engineered pad" constructed of clean broken concrete and asphalt concrete debris, brick, ceramics, clay and clay products, rock, and soil, which will provide for all weather operations.

The LEA has provided a finding in Section 13.e. of the SWFP that "The CEQA document describes and supports the design and operation which will be authorized by the issuance of this permit." Permitting and Inspection (P&I) Branch staff have determined that the project proposals are consistent with, and supported by the MND, and the issuance of new SWFP No. 17-AA-0014.

Board staff recommends that the MND cited above is adequate for the Board's environmental evaluation of the proposed project (concurrence on the issuance of SWFP No. 17-AA-0014) for those project activities which are within the Board's expertise and/or powers, or which are required to be carried out or approved by the Board.

C. Program/Long Term Impacts

Based on available information, staff is not aware of any program or long-term impacts related to this item.

D. Stakeholder Impacts

Based on available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

Community Setting

The zoning for the surrounding land uses are designated as Planned Development Commercial. Existing land uses in the vicinity are primarily vacant and located in a remote area. The proposed facility is approximately 3 miles from the majority of homes. In the middle of the 231-acre parcel (APN 010-053-11) and to the east is the Hitchcock Farmstead which is not part of the project; it consists of a few residences, orchards and grazing lands. One residence in the Hitchcock Farmstead is located 1200 feet downwind from the proposed facility.

Land surrounding the parcel to the north is vacant property comprised of large rural

parcels. Vegetation includes chaparral and oak trees. To the south is the Eastlake Landfill. To the east is steep terrain, vacant Bureau of Land Management property and chaparral with sparse pine. To the west are rural vacant parcels and agricultural uses more than a mile from the proposed facility.

US Census Bureau Data Census 2000 Lake County	**All Ages**	
	Number	Percent
White	50,289	86.2%
Black or African American	1,233	2.1%
American Indian & Alaska Native	1,772	3.0%
Asian	482	.8%
Native Hawaiian & Other Pacific Islander	93	0.2%
Some Other Race	2,398	4.1%
Two or More Races	2,042	3.5%
Total Population	58,309	100%

The 2000 Census indicates that of the total Lake County population, 11.4% identify themselves as Hispanic or Latino origin. The 1999 Census indicates that the median household income of the county is $29,627 with 17.6 % of the families below the poverty level.

Community Outreach
The aforementioned ND was noticed and circulated in accordance with the CEQA. No other community outreach efforts were made relative to the matters of this project. Since this is a new SWFP application, the AB 1497 requirements regarding a public hearing are not applicable.
Environmental Justice Issues
Based on available information, Board staff is not aware of any environmental justice issues.

H. 2001 Strategic Plan

Staff work on new or revised solid waste facility permits is completed as part of Goal 4: Managing and mitigating the impacts of solid waste on public health and safety and the environment and promoting integrated and consistent permitting, inspection, and enforcement efforts.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Location Map
2 a. Site Plan
2 b. Site Plan
3. Proposed Permit No. 17-AA-0014
4. Resolution Number 2005-33

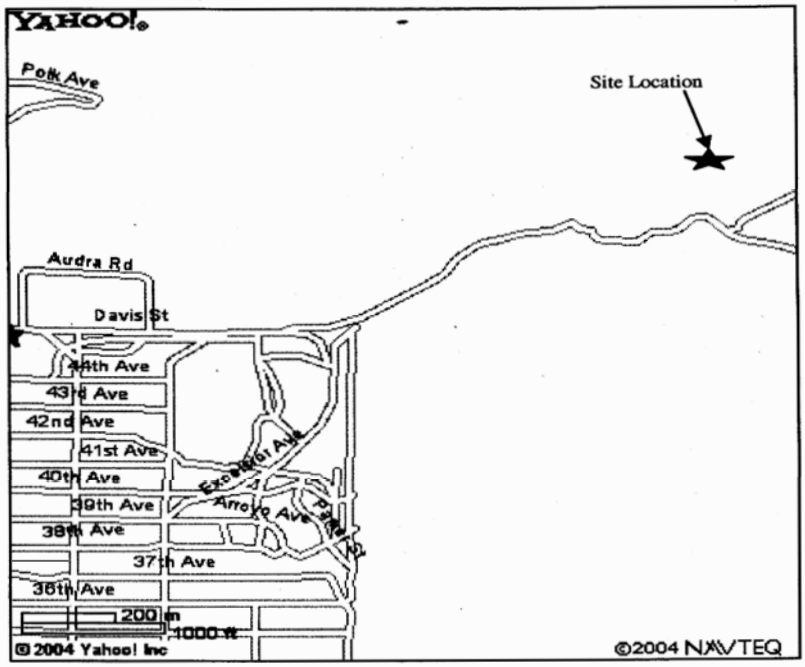
VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Allison Spreadborough **Phone:** (916) 341-6366
B. Legal Staff: Michael Bledsoe **Phone:** (916) 341-6058
C. Administration Staff: None **Phone:** NA

IX. WRITTEN SUPPORT AND/OR OPPOSITION

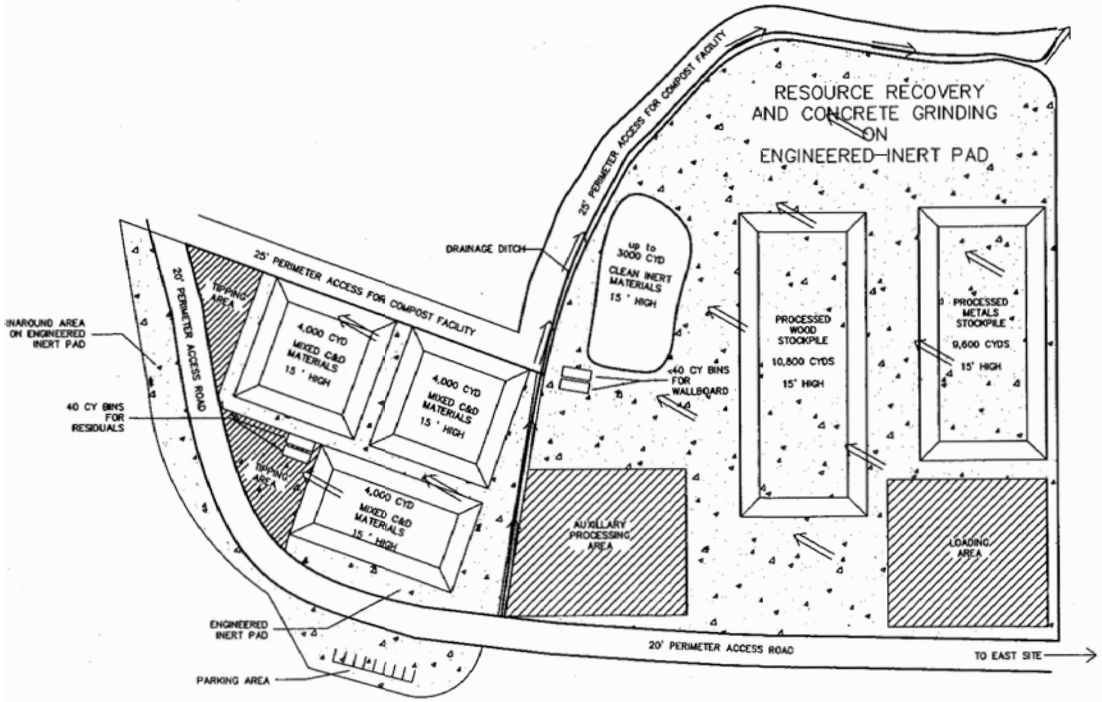
A. Support
Mr. Bob Pestoni, owner and operator

B. Opposition
Staff has not received any written opposition regarding this agenda item.



South Lake Resource Recovery and Compost Facility on Quackenbush Mountain

Location Map



NOTES

WEST SITE

C&D PROCESSING AREA

5.0 ACRES

Mixed C&D Storage
= 12,000 cubic yards

Processed Wood Storage
= 10,800 cubic yards
Processed Metals Storage
= 9,600 cubic yards
Inert Debris Storage
= 3,000 cubic yards
Gypsum Wallboard Storage
= 80 cubic yards
Residual Storage
= 600 cubic yards

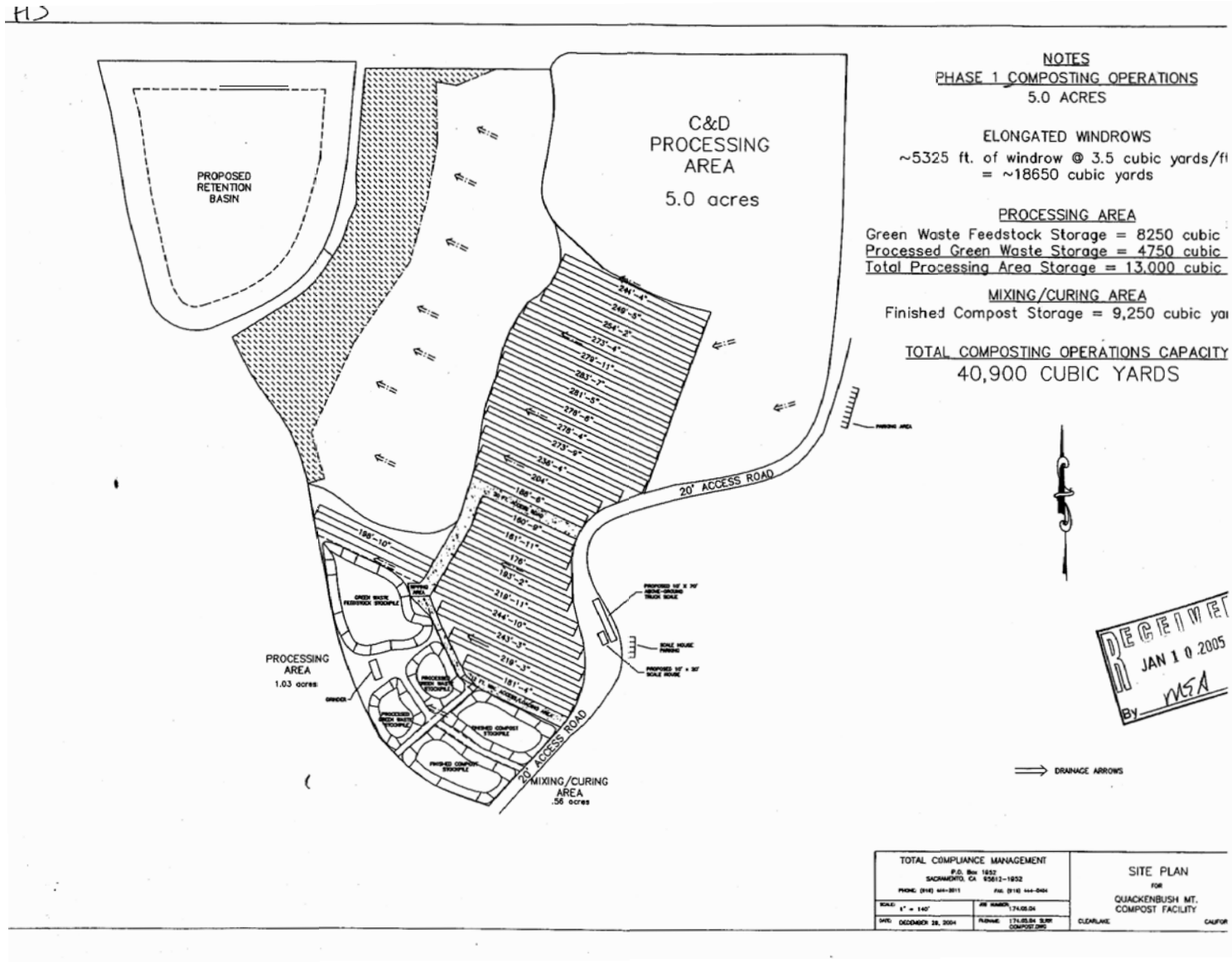
TOTAL C&D OPERATIONS CAPACIT

36,000 CUBIC YARDS

RECEIVED
JAN 10 2005
By

DRAINAGE ARROWS

TOTAL COMPLIANCE MANAGEMENT P.O. Box 1952 SACRAMENTO, CA 95812-1952 PHONE: (916) [illegible] Fax: (916) [illegible] SCALE: 1" = 50' JOB NUMBER: 174.08.05 DATE: DECEMBER 29, 2004 FILENAME: 174.05.08 SITE CD.DWG	SITE PLAN FOR QUACKENBUSH MT. CONSTRUCTION & DEMOLITION/INERT DEBRIS FACILITY CLEARLAKE CALIFORNIA


PROPOSED RETENTION BASIN
C&D PROCESSING AREA
5.0 acres
20' ACCESS ROAD
PROCESSING AREA
1.03 acres
MIXING/CURING AREA
.56 acres
20' ACCESS ROAD
NOTES
PHASE 1 COMPOSTING OPERATIONS
5.0 ACRES
ELONGATED WINDROWS
~5325 ft. of windrow @ 3.5 cubic yards/ft
= ~18650 cubic yards
PROCESSING AREA
Green Waste Feedstock Storage = 8250 cubic
Processed Green Waste Storage = 4750 cubic
Total Processing Area Storage = 13,000 cubic
MIXING/CURING AREA
Finished Compost Storage = 9,250 cubic yai
TOTAL COMPOSTING OPERATIONS CAPACITY
40,900 CUBIC YARDS
RECEIVED
JAN 10 2005
By
DRAINAGE ARROWS
TOTAL COMPLIANCE MANAGEMENT
SITE PLAN
FOR
QUACKENBUSH MT.
COMPOST FACILITY

SOLID WASTE FACILITY PERMIT

Facility Number:

17-AA-0014

1. Name and Street Address of Facility:

South Lake Resource Recovery and Compost Facility
on Quackenbush Mountain
16520 Davis Avenue
Clearlake, CA 95422

2. Name and Mailing Address of Operator:

Mr. Bob Pestoni
South Lake Refuse & Recycling
PO Box 569
Lower Lake, CA 95457

3. Name and Mailing Address of Owner:

Pestoni Brothers
1285 Whitehall Lane,
St. Helena, Ca 94574

4. Specifications:

a. Permitted Operations:

- ☐ Solid Waste Disposal Site
- ☒ Transfer/Processing Facility (MRF)
- ☒ Composting Facility (Green Material)
- ☐ Transformation Facility
- ☐ Other: _____

b. Permitted Hours of Operation:

Gate: Monday - Sunday 7:00 AM - 6:00 PM
Processing: Monday – Sunday 7:00AM - 6:00 PM
Maintenance Hours: Monday - Sunday 24 hours a day

c. Permitted Maximum Tonnage:

460 Tons per Day: 200 tons per day of construction and demolition debris at the Transfer/Processing Facility and 260 tons per day of compostable materials at the Compostable Materials Handling Facility

d. Permitted Traffic Volume: 100 Vehicles per Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CIWMB validations):

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	23.00		5.85	15.55	
Design Capacity (cubic yds)	84,000		24,000	60,000	

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

Robyn Browne, EHS III

Approving Officer Signature

6. Enforcement Agency Name and Address:

County of Lake
Environmental Health Division
922 Bevins Ct.
Lakeport, CA 95453

7. Date Received by CIWMB:

January 11, 2005

8. CIWMB Concurrence Date:

9. Permit Issued Date:	10. Permit Review Due Date:	11. Owner/Operator Transfer Date:

SOLID WASTE FACILITY PERMIT	Facility Number: 17-AA-0014

12. Legal Description of Facility:

The legal description of this facility is contained in Appendix B of the Report of Facility Information.

13. Findings:

a. This permit is consistent with the Lake County Integrated Waste Management Plan, which was approved by the CIWMB on December 17, 1998. The location of the facility is identified in the Nondisposal Facility Element pursuant to Public Resources Code (PRC), Section 50001(a).

b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010.

c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.

d. The Lake County Fire Protection District conformance with applicable fire standards, pursuant to PRC, 44151- pending.

e. The Mitigated Negative Declaration was filed with the State Clearinghouse (SCH #2003112049) and subsequently adopted by the Lake County Planning Commission on December 11, 2003. The project was approved by the Lake County Board of Supervisors on December 23, 2003. The Mitigated Negative Declaration describes and supports the design and operation which will be authorized by the issuance of this permit. The Lake County Community Development Department filed a Notice of Determination with the County Clerk on December 31, 2003.

f. Lake County Air Quality Management District-permit approval is pending.

14. Prohibitions:

The permittee is prohibited from accepting the following wastes:

Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies. Other prohibited wastes include treated wood, friable asbestos, animal flesh or parts, ashes, biosolids, pumpings or septage from grease traps, septage tanks, and sewage sludge, liquid waste and the composting of mammalian tissue and the carcasses of animals with any contagious disease.

The acceptance and processing of non-hazardous solid waste is limited to construction and demolition debris, inert type A debris, green material, agricultural commodities, additives, dry wall debris, and deconstruction of mobile homes. A load checking program will ensure that this facility does not accept any prohibited wastes and accepts no more than 1% by volume of putrescible waste in any given month. At no time shall this facility have on site any amount of putrescible waste that is contributing to a nuisance as determined by the LEA.

15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
Report of Compost Site Information Attachments	12/29/2004	Preliminary Closure and Post closure Maintenance Plan	N/A
SOLID WASTE FACILITY PERMIT		**Facility Number:** **17-AA-0014**	
Waste Discharge Requirements Order No R5-2004-0130	9/10/2004	Closure Financial Assurance Documentation	N/A
APCD Permit to Operate #	N/A	Operating Liability Certification	N/A
Mitigated Negative Declaration (SCH #2003112049) – BOS project approval	12/23/2003	Land Use and/or Conditional Use Permit	12/03
Construction & Demolition/Inert Debris Operations Plan	1/3/2005	Air Quality Management District Permit	pending
Odor Impact Minimization Plan	10/26/2004	Lake County Fire Protection District Permit	pending

16. Self Monitoring:

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period as requested by the LEA. All records shall be maintained on-site for the time required.

Program	Reporting Frequency
a. The types and quantities (in tons) of all wastes entering the facility per day, finished products shipped out, and residuals sent for disposal.	Quarterly
b. The number and types of vehicles using the facility per day.	Quarterly
c. Results of the screening/load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials. The facility shall document that the total monthly tonnage of prohibited waste as defined in Section 14 is less than 1% by weight.	Quarterly
d. Copies of all written and verbal complaints regarding this facility and the operator's actions taken to resolve these complaints.	Quarterly
e. Total cubic yards on-site of all compostable materials (including all green waste, feedstock, active composting material and finished composting material).	Quarterly

SOLID WASTE FACILITY PERMIT

Facility Number:

17-AA-0014

17. Enforcement Agency (EA) Conditions:

a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 14, California Code of Regulations.

b. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.

c. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.

d. The maximum permitted daily tonnage for this facility is 460 tons per day, and shall not receive more than this amount without a revision of this permit.

e. This permit is subject to review by the EA and may be suspended, revoked, or revised at any time for sufficient cause.

f. The EA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.

g. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the EA at least 180 days in advance of the change.

h. A copy of this permit shall be maintained at the facility.

i. The facility operator shall comply with the LEA approved Odor Impact Minimization Plan. The Odor Impact Minimization Plan shall be revised to reflect any changes, and a copy shall be provided to the LEA, within 30 days of those changes. The Odor Impact Minimization Plan shall be reviewed annually by the operator and certified to determine if any revisions are necessary.

j. The operator shall comply with all the requirements of all applicable laws pertaining to employee's health and safety. The operator shall ensure that comprehensive site safety evaluations are conducted at this facility and shall maintain a written employee injury and illness prevent plan (IIPP) on site that meets all provisions of the California Code of Regulations, Title 8, Section 3203. This document must be available to all personnel, LEA and other regulatory agencies.

k. The LEA reserves the right to request and receive from the owner/operator any information that it deems necessary to conduct an inspection or to review and/or pertains to the Solid Waste Facility Permit.

l. All green waste activities and related activities shall be conducted in a manner that precludes the attraction, breeding, and/or harborage of vectors.

m. All regulatory notices (e.g. Notice to Comply, Notice of Violation, Notice & Order, Cease & Desist Order, Clean-up and Abatement Order) received by the facility and the operator's action in response shall be maintained on site at the facility in a file and provided to the LEA upon request.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-33

Consideration Of A New Full Solid Waste Facilities Permit (Transfer/Processing Station, Compostable Materials Handling Facility) For The South Lake Resource Recovery and Compost Facility On Quackenbush Mountain, Lake County

WHEREAS, the Lake County Environmental Health Division acting as the Local Enforcement Agency (LEA), has submitted to the Board for its review and concurrence with, or objection to a new Transfer/Processing Station Permit for the South Lake Resource Recovery and Compost Facility on Quackenbush Mountain; and

WHEREAS, the operator has a Compostable Materials Handling Operation located at 16530 Davis Avenue approximately 2.5 miles south of the City of Clear Lake in southeast Lake County and proposes to operate a new Transfer/Processing Station on the same site; and

WHEREAS, the operator proposes to increase the permitted daily tonnage for the entire site from 100 tons per day (tpd) to 460 tpd [200 tpd for construction and demolition (C&D)] debris and 260 tpd for compostable materials); add a new C&D Debris Processing Facility with a design capacity of 6,000 tons on site at any one time; and increase the design capacity of the existing Compostable Materials Handling Operation from 12,500 cubic yards (100 tpd) of total compostable materials to 60,000 cubic yards (260 tpd) of total compostable materials on site at any one time at a new Compostable Materials Handling Facility; and

WHEREAS, the LEA has certified that the application package is complete and correct; and

WHEREAS, the LEA has concluded that the proposed permit is consistent with and supported by the California Environmental Quality Act documentation; and

WHEREAS, the Lake County Community Development Department acting as lead agency, prepared and circulated a Mitigated Negative Declaration (MND), State Clearinghouse (SCH) No. 2003112049, and the Lake County Board of Supervisors approved and adopted it on December 23, 2003; and

WHEREAS, upon receipt of the proposed permit and application package, Board staff evaluated the proposed permit and application package for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that the proposed permit is consistent with the Lake County Non-disposal Facility Element (NDFE) and therefore, in conformance with Public Resources Code (PRC), Section 50001; and

(over)

WHEREAS, the Board finds that the proposed permit is consistent with the California Environmental Quality Act; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met; and

WHEREAS, the Board [**finds/does not find**] the facility is in compliance with all applicable State Minimum Standards

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board [**concurs/does not concur**] in the issuance of Solid Waste Facility Permit No. 17-AA-0014.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Date:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 4

ITEM

Consideration Of A Revised Full Solid Waste Facilities Permit (Transfer/Processing Station) For The Western El Dorado Recovery Systems Facility, El Dorado County

I. ISSUE/PROBLEM STATEMENT

1. This item requests Board concurrence on the revision of the Western El Dorado Recovery System/ Transfer Station solid waste facilities permit.
2. Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or to object to the issuance of a full solid waste facilities permit. The proposed permit was originally received on December 9, 2004. The operator and LEA withdrew the permit on January 7, 2005 and it was resubmitted on January 13, 2005. The proposed permit package received on December 9, 2004 and on January 13, 2005 contained all of the items required in Title 27, CCR, Section 21570.

II. ITEM HISTORY

- The Board last concurred with a revised permit for the facility in 2002.
- Compliance History:
  2000 – One permit violation
  2001 – One permit violation
  2002 – No violations
  2003 – Four permit violations
  2004 – Five permit violations (January through October)

The 2004 permit violations are for exceeding the permitted daily tonnage. Permit violations noted during 2003 were for tonnage and vehicle limits.

III. OPTIONS FOR THE BOARD

The Board may decide to do one of the following:

1. Concur in the issuance of the proposed permit as submitted by the LEA.
2. Object to the issuance of the proposed permit as submitted by the LEA.
3. Take no action on the proposed permit as submitted by the LEA. If the Board chooses this option, the Board shall be deemed to have concurred in the issuance of the proposed permit 60 days after the board's receipt of the permit.

IV. STAFF RECOMMENDATION

Board staff recommends Option 1, concurring in the issuance of the proposed SWFP as submitted by the LEA.

V. ANALYSIS

A. Key Issues and Findings

Facility Name: Western El Dorado Recovery Systems
Facility No. 09-AA-0004

Facility Type: Existing Transfer Processing Station

Location:	4100 Throwita Way, Placerville, California
Setting:	Located in a designated industrial park. Land within 1000 feet surrounding the facility is zoned industrial, commercial and residential.
Operational Status:	Permitted, active
Permitted Maximum Tonnage:	400 tons per day
Permitted Maximum Vehicles:	679 vehicles per day
Permitted Area:	10.14 acres
Permitted Hours of Operation:	The facility is open to commercial haulers for receipt of wastes from 6:00 am to 6:00 pm, seven (7) days per week. The facility is open to the public for receipt of wastes, and for operator and contract staff conducting solid waste operations and ancillary operations for green and wood wastes and CDI waste operations from 8:00 am to 5:00 pm, seven (7) days per week. The site is closed on Christmas Day and New Years Day.
Proposed Hours of Operation:	The facility is open to commercial haulers for receipt of wastes from 6:00 am to 6:00 pm, seven (7) days per week. The facility is open to the public for receipt of wastes, and for operator and contract staff conducting solid waste operations from 8:00 am to 5:30 pm April 1st through September 30th, and 8:00 am to 5:00 pm October 1st through March 31st, seven (7) days per week. The site is closed on Christmas Day and New Years Day.
Current Ancillary Operations Covered In Permit:	Green and wood waste collection and chipping and grinding activities, and construction/demolition and inert wastes collection and transfer activities.
Proposed Permitted Ancillary Operations:	None, ancillary operations will be addressed in separate permits or LEA approvals (Notification)
Owner:	U.S.A Waste Services of California, Inc. dba Western El Dorado Recovery Systems, Inc.
Operator:	Western El Dorado Disposal Services, Inc.
LEA:	Mr. Brad Banner, Director Placer County Department of Health and Human Services (Placer County is the LEA for El Dorado County)

Background

The Western El Dorado Recovery Systems is a large volume transfer facility and material recovery facility (MRF). The facility is located on 10.14 acres at 4100 Throwita Way, approximately ¼ mile west of State Highway 49 in the industrial area of Diamond Springs. The MRF/transfer station is operated by Western El Dorado Recovery Systems under the existing solid waste facility permit that was issued in May 2002. The facility services commercial haulers and self-haulers from the City of Placerville and the western slope of the unincorporated portion of El Dorado County. The residual waste is transported by truck to the Lockwood Landfill, located east of Reno, Nevada.

The site currently handles municipal solid waste (MSW), construction/demolition and inert waste (CDI), green and wood waste, and source separated curbside recyclables under the umbrella of the transfer processing permit.

When the draft permit and application package was received on July 26, 2004, the Transfer Processing Report (TPR) did not support all of the proposed changes and was incomplete. Board staff informed the LEA of the issue, and sent a review letter with comments to the LEA on September 21, 2004. The LEA responded by deeming the application incomplete. The operator later responded by submitting an updated TPR to the LEA on November 30, 2004.

Key Issues

The proposed revised permit includes the following changes:

- 30-minute increase in the hours for receipt of waste from the public, and for operator and contract staff conducting solid waste operations during the spring and summer months (8:00 am to 5:30 pm, April 1st through September 30th);
- removal of the CDI activities and green and wood waste activities from under the transfer station/material recovery facilities full permit. Both of these activities will continue at the WEDRS complex, however they will be separately permitted operations; and
- incorporation of the new Transfer Process Report (TPR), dated November 2004.

Board staff informed the LEA that the green and wood waste collection activity and CDI recycling activity would need to be separately permitted prior to action on the Transfer Station's revised permit because the existing full solid waste facility permit for the Transfer Station facility currently covers these activities.

An EA Notification for the green and wood waste collection operation was issued on June 22, 2004, and a Registration Permit for the CDI Debris facility was issued by the LEA on December 9, 2004.

The following LEA certifications and staff analysis are provided

LEA Certification:

The LEA made the following findings:

- The permit application package is complete and correct;
- The Transfer Processing Report meets the requirements of Title 14, CCR, Section 18221.6;
- The proposed changes are consistent with the State Minimum Standards;
- The LEA has met the conditions in regards to AB 1497 (PRC Section 44004); and

- The proposed permit is consistent with, and supported by the Mitigated Negative Declaration and subsequent Addendums.

Staff Analysis:
The following table summarizes board staff's review and analysis of the proposed permit application package:

09-AA-0004 Summary of Board Findings	Acceptable	Unaccept -able	To Be Determined	Not Applicable	See Details
CIWMP Conformance (PRC 50001)	√				***1***
Consistency With State Minimum Standards	√				***2***
RFI Completeness	√				***3***
California Environmental Quality Act	√				***B***
Preliminary Closure/Post-Closure Maintenance Plan	N/A				
Funding for Closure/Post-Closure Maintenance	N/A				
Operating Liability	N/A				

1. Conformance with County Integrated Waste Management Plan (CIWMP):
   Public Resources Code (PRC) Section 50001 requires that the location of any new or expanded transfer/processing facility be identified and described in the applicable jurisdictions Nondisposal Facility Element (NDFE).

   Staff of the Board's Office of Local Assistance (OLA) have determined that the location of the Western El Dorado Recovery Systems Material Recovery Facility is identified in the El Dorado County Non-disposal Facility Element, is consistent with the CIWMP, and therefore in conformance with PRC Section 50001.

2. Consistency with State Minimum Standards:
   On January 6, 2005 Board staff conducted a pre-permit inspection of the facility and found a violation of the record keeping requirements. One set of tonnage records was being maintained for all three separately permitted activities. As a result, staff could not determine the types and quantities of waste being received and handled at the transfer station. The operator prepared and submitted a new template for tonnage reports on January 13, 2005, and then proceeded to prepare 4th Quarter 2004 tonnage reports for each of the three permitted activities.

   Board staff conducted a focused inspection of the facility's records on January 20, 2005. Staff found that the operator had completed the 4th Quarter tonnage reports, and had also updated their record keeping practices to reflect three sets of records, one for each of the three separately permitted activities, thus correcting the record keeping violation. Staff was also able to determine that the transfer station is incompliance with the terms and conditions of it's permit.

3. Report of Facility Information (RFI) Completeness:
   When the draft permit and application package was received on July 26, 2004, the Transfer Processing Report (TPR) did not support all of the proposed changes and was incomplete. Board staff informed the LEA of the issue, and sent a review letter with comments to the LEA on September 21, 2004. The LEA responded by deeming the application incomplete.

Board staff received the final revisions to the Transfer Processing Report (TPR) from the operator on December 9, 2004 and the final document was revised to respond to staff's comments.

B. Environmental Issues

California Environmental Quality Act (CEQA)

The Placer County Department of Health and Human Services, the Local Enforcement Agency (LEA), acting as lead agency prepared the following environmental document (ED) for CEQA compliance for the Western El Dorado Recovery Systems, Inc. Material Recovery Facility (WEDRS MRF):

- Addendum #2 (S94-08R) to Negative Declaration (ND) S94-08, dated September 18, 2003, for an increase in the hours that the public may access the facilities by one half hour, seven days per week. Days and hours of operation at the WEDRS MRF were analyzed in a Negative Declaration [and a subsequent Environmental Impact Report (SEIR)], State Clearinghouse (SCH) No. 96022028, that were adopted/certified for the original use permit (S94-08) in July 1996. The original ND and EIR for the development and operation of the WEDRS MRF established the days and hours of operation currently reflected in Solid Waste Facility Permit (SWFP) No. 09-AA-0004. This proposal would expand the hours that allows the public self-haulers access to the WEDRS MRF to 8:00 a.m. to 5:30 p.m., seven days per week, while maintaining the existing hours for commercial haulers that are 7:00 a.m. to 7:00 p.m., seven days per week. Addendum #2 was filed with the El Dorado County Clerk on September 18, 2003. The LEA's findings regarding the project for this Addendum #2 are cited in Section 13.e. of the proposed SWFP.

Subsequent to the Addendum No. 2, the WEDRS MRF operator has submitted to the LEA an EA Notification for the currently permitted (SWFP 09-AA-0004) green and wood waste recycling operation at the facility, as well as a Registration Permit application, dated November 19, 2004, for the currently permitted construction, demolition and inert debris facility. The Registration Permit is anticipated to be issued prior to the January Board Meeting. The LEA has indicated that they will fully participate and assist El Dorado County Planning Department in any future environmental analysis that the county may conduct.

Based on information above, P&I Branch staff recommends that the Addendum #2 is consistent with and supported by the ND and SEIR for the project proposal and the Addendum #2, together with the cited environmental documents are adequate for the Board's environmental evaluation of the proposed project (concurrence on the issuance of revised SWFP No. 09-AA-0004) for those project activities which are within the Board's expertise and/or powers, or which are required to be carried out or approved by the Board.

C. Program/Long Term Impacts

Based on available information, staff is not aware of any program or long-term impacts related to this item.

D. Stakeholder Impacts

Based on available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

Community Setting:

The surrounding land uses are zoned commercial, industrial, and residential. South-east of the property are eight residential parcels with the nearest residential property approximately 200 ft south of the facility property. The remaining adjacent lands within 1,000 feet to the north, east, and west are zoned industrial and zoned commercial to the south and south-west.

The Western El Dorado Recovery System Facility is located in the El Dorado County Census Tract in the U.S. Census Bureau Database. According to the 2000 census, the population of El Dorado County consists of the following:

US Census Bureau Data Census 2000-Race, County of El Dorado, California	**All Ages**	
	Number	**Percent**
White	140,200	89.7
Black or African American	781	0.5
American Indian and Alaska Native	1,563	1.0
Asian	3,282	2.1
Native Hawaiian & Other Pacific Islander	156	0.1
Some other race	5,470	3.5
Two or more races	4,689	3.0
Total population	156,299	~100

9.3% of the population in El Dorado County identify themselves as Hispanic or Latino. The median household income of the residents in the 2000 census was $60,250 and approximately 7.1% of persons were below the poverty level in 1999.

Community Outreach:

On September 1, 2004, the LEA conducted an informational public hearing for the public to review and discuss the proposed changes before making a determination on the application for a revised permit, pursuant to AB 1497 and PRC, Section 44004.

Environmental Justice Issues:

Based on available information, staff is not aware of any environmental justice issues related to this item.

H. 2001 Strategic Plan

Staff work on new or revised solid waste facility permits is completed as part of Goal 4: Managing and mitigating the impacts of solid waste on public health and safety or the environment and promoting integrated and consistent permitting, inspection, and enforcement efforts.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Location map
2. Site map
3. Proposed Permit Number 09-AA-0004
4. Resolution Number 2005-23

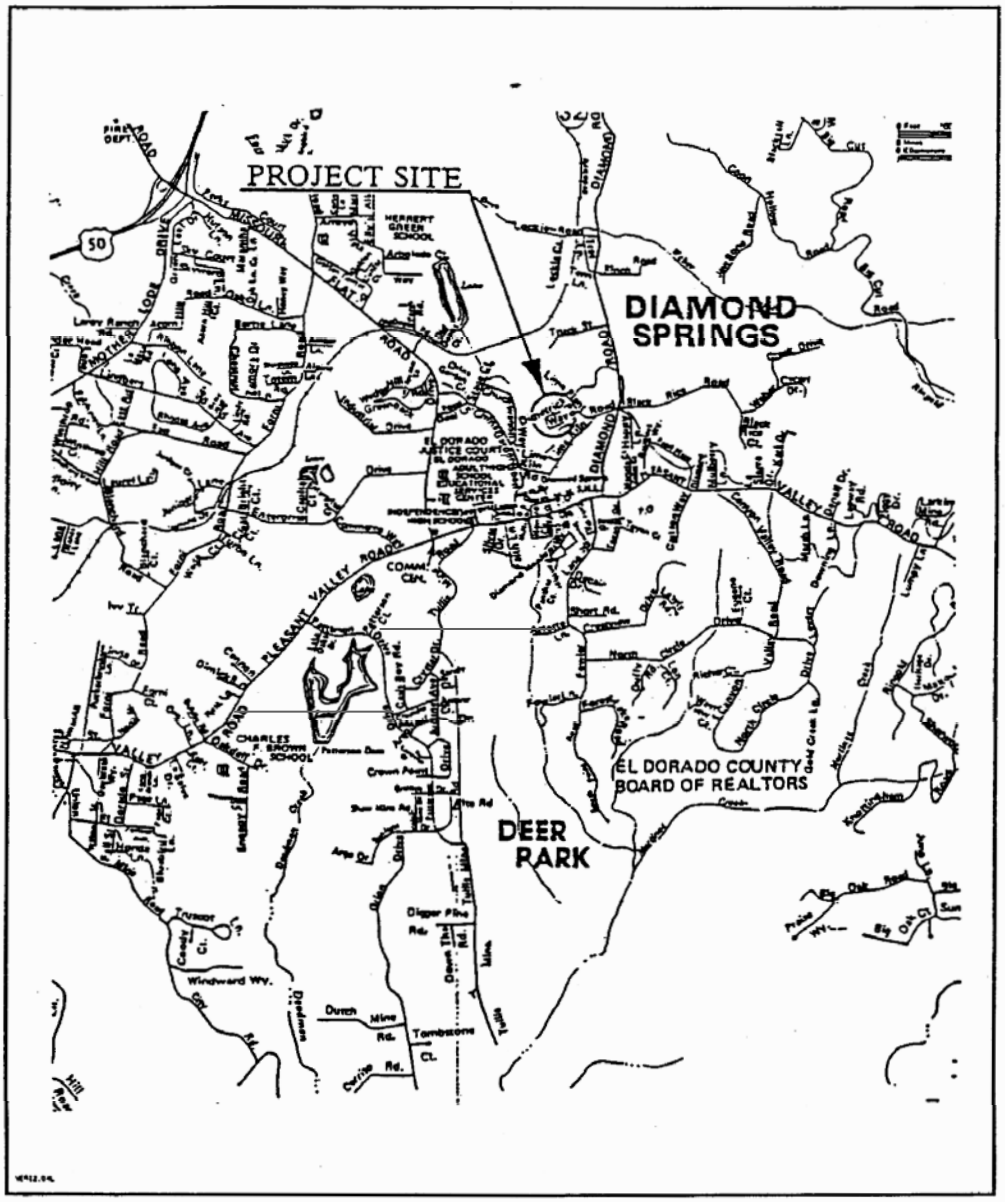
VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Jenifer Kiger **Phone:** (916) 341-6217
B. Legal Staff: Michael Bledsoe **Phone:** (916) 341-6058
C. Administration Staff: N/A **Phone:** N/A

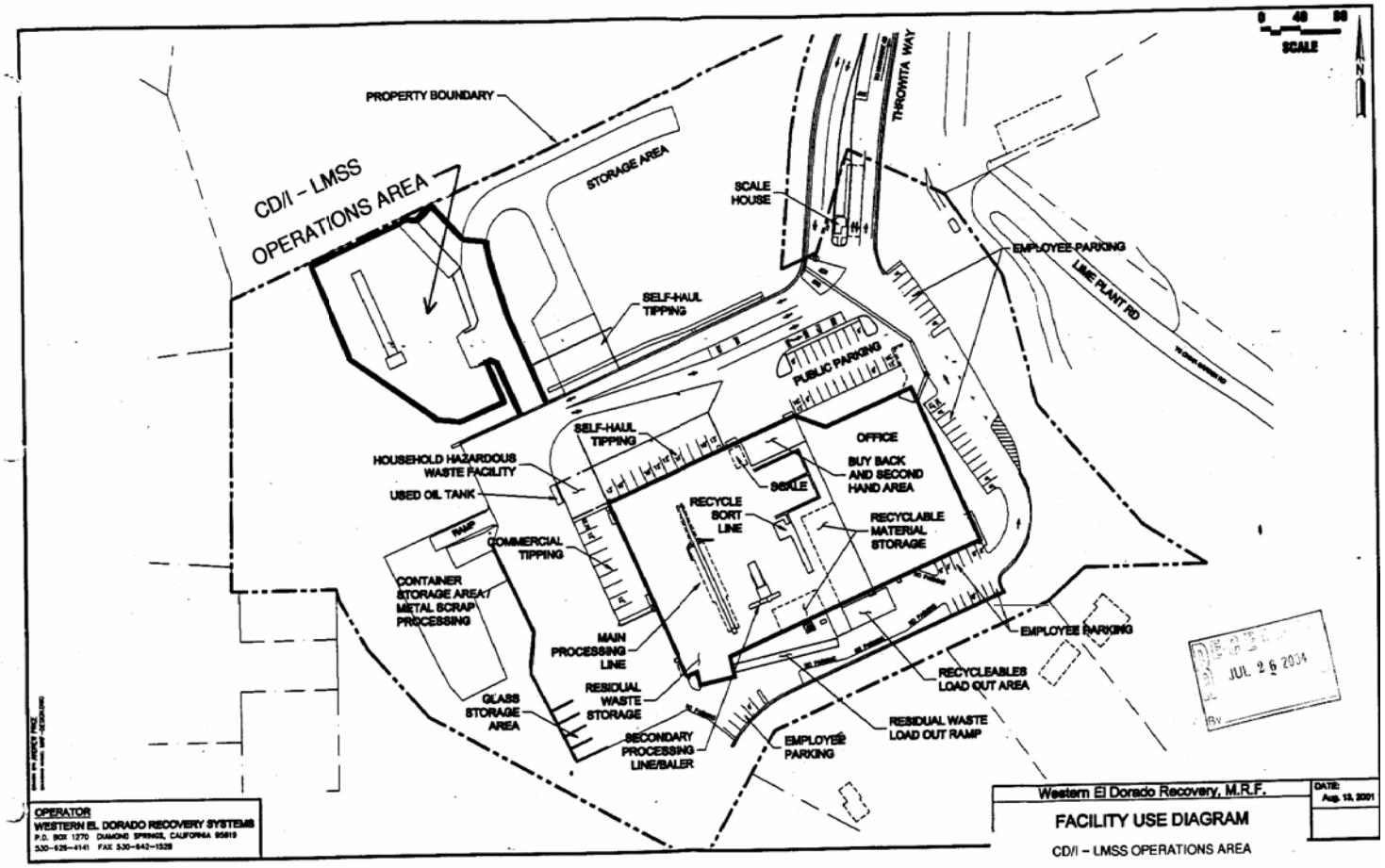
IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support
Placer County LEA, Department of Health and Human Services

B. Opposition
Based on available information, staff is not aware of any opposition to this item.



JRL **Julia R. Leung** CONSULTING ENGINEER SOLID WASTE MANAGEMENT • REGULATORY COMPLIANCE 2248 Banbury Circle Roseville, California 95661-5147 Phone/Fax (916) 784-8549	WESTERN EL DORADO RECOVERY SYSTEMS, INC. MATERIAL RECOVERY FACILITY EL DORADO COUNTY, CALIFORNIA VICINITY MAP	FIGURE I-2 PROJECT NO. WER:106.01


PROPERTY BOUNDARY
CD/I - LMSS
OPERATIONS AREA
STORAGE AREA
SCALE HOUSE
THROWITA WAY
EMPLOYEE PARKING
LIME PLANT RD
SELF-HAUL TIPPING
PUBLIC PARKING
SELF-HAUL TIPPING
OFFICE
HOUSEHOLD HAZARDOUS WASTE FACILITY
BUY BACK AND SECOND HAND AREA
USED OIL TANK
SCALE
RECYCLE SORT LINE
RECYCLABLE MATERIAL STORAGE
RAMP
COMMERCIAL TIPPING
CONTAINER STORAGE AREA / METAL SCRAP PROCESSING
MAIN PROCESSING LINE
EMPLOYEE PARKING
RECYCLEABLES LOAD OUT AREA
RESIDUAL WASTE STORAGE
GLASS STORAGE AREA
RESIDUAL WASTE LOAD OUT RAMP
SECONDARY PROCESSING LINE/BALER
EMPLOYEE PARKING
0 40 80
SCALE
N
OPERATOR
WESTERN EL DORADO RECOVERY SYSTEMS
P.O. BOX 1270 DIAMOND SPRINGS, CALIFORNIA 95619
530-626-4141 FAX 530-642-1528
Western El Dorado Recovery, M.R.F.
DATE: Aug. 13, 2001
FACILITY USE DIAGRAM
CD/I – LMSS OPERATIONS AREA
JUL 26 2004
BY

SOLID WASTE FACILITY PERMIT

Facility Number:

09-AA-0004

1. Name and Street Address of Facility:
WESTERN EL DORADO
RECOVERY SYSTEM-MRF
4100 THROWITA WAY
PLACERVILLE, CA. 95667

2. Name and Mailing Address of Operator:
WESTERN EL-DORADO DISPOSAL
SERVICES, INC.,
P.O. BOX 1270
DIAMOND SPRINGS, CA. 95619

3. Name and Mailing Address of Owner:
U.S.A. WASTE SERVICES OF CA.,
INC. dba WESTERN-EL DORADO
RECOVERY SYSTEM
P.O. BOX 1270
DIAMOND SPRINGS, CA. 95619

4. Specifications:

a. Permitted Operations:

- ☐ Solid Waste Disposal Site
- ☒ Transfer/Processing Facility (MRF)
- ☐ Composting Facility (Green Material)
- ☐ Transformation Facility
- ☐ Other: _____

b. Permitted Hours of Operation: (Receipt of Refuse/Waste) 6:00 AM TO 6:00 PM (COMMERCIAL), 7 DAYS A WEEK (Ancillary Operations/Facility Operating Hours) 8:00 AM TO 5:30 PM FROM APRIL 1 ST TO SEPTEMBER 30 TH, AND 8: 00 AM TO 5:00 PM FROM OCTOBER 1 ST, TO MARCH 31 ST (PUBLIC SELF HAUL), 7 DAYS A WEEK. CLOSED ON CHRISTMAS AND NEW YEARS DAY.

c. Permitted Maximum Tonnage: 400 Tons per Day

d. Permitted Traffic Volume: 679 Vehicles per Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CIWMB validations):

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	10.14	N/A	10.14	N/A	N/A
Design Capacity (cubic yds)		N/A	400 TPD	N/A	N/A
Max. Elevation (Ft. MSL)		N/A			
Max. Depth (Ft. MSL)		N/A			
Estimated Closure Year		N/A			

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

Approving Officer Signature

6. Enforcement Agency Name and Address:

PLACER COUNTY HEALTH AND HUMAN SERVICES
DEPARTMENT OF ENVIRONMENTAL HEALTH
11454 "B" AVENUE
AUBURN, CA 95603

7. Date Received by CIWMB:
January 13, 2005

8. CIWMB Concurrence Date:

9. Permit Issued Date:

10. Permit Review Due Date:

11. Owner/Operator Transfer Date:
N/A

SOLID WASTE FACILITY PERMIT

Facility Number:

09-AA-0004

12. Legal Description of Facility:
The legal description of this facility is contained in page 15 of the Transfer/Processing Report dated August 16, 2001.

13. Findings:

a. This permit is consistent with the El Dorado County Integrated Waste Management Plan, which was approved by the CIWMB on November 15, 1995. The location of the facility is identified in the Nondisposal Facility Element, pursuant to Public Resources Code (PRC), Section 50001(a).

b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010.

c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.

d. The Diamond Springs Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151.

e. "Acting as lead agency, the Placer County Department of Health and Human Services (LEA for El Dorado County) prepared and filed with the County Clerk, Addendum #2 to Negative Declaration – S94-08R, Western El Dorado Recovery System – MRF (SCH # 1996022028) on September 18, 2003. Mitigated Negative Declaration (SCH # 1998072008) was prepared by the El Dorado County Planning Department, and adopted by the County Board of Supervisors on August 13, 1998. A Notice of Determination was filed with the County Clerk on September 24, 1998. The MND and the subsequent Addendum describe and support the design and operation, which will be authorized by the issuance of this permit."

14. Prohibitions:
The permittee is prohibited from accepting the following wastes:

Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies. The permittee is also prohibited from open burning and scavenging.

15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
Transfer/Processing Report Amendments	08/16/01 09/06/03 12/8/04	Mitigated Negative Declaration (SCH 1998072008) adopted by the County Board of Supervisors on August 13, 1998	8/13/98
Mitigated Negative Declaration (MND) and subsequent Focused Environmental Impact Report (SCH # 1996022028) for Special Use Permit #S94-08 certified by the County Board of Supervisors on July 23, 1996.	7/23/96	Addendum # 1 to Negative Declaration – S94-08R, Western El Dorado Recovery System Expansion (SCH # 1996022028), date February 19, 2002.	N/A
NOD for SCH # 96022028	07/24/96	Operating Liability Certification	01/27/98
NOD for SCH # 98072008	09/24/98	Special Use Permit S94-08	07/14/94
Addendum to Neg. Dec	03/04/02	Special Use Permit S94-08R	08/13/98

16. Self Monitoring:

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period

SOLID WASTE FACILITY PERMIT

Facility Number:

09-AA-0004

Program	Reporting Frequency
a. The types and quantities (in tons) of waste, including separated or commingled recyclables, entering the facility per day.	Monthly
b. The number and types of vehicles hauling incoming and outgoing waste per day.	Monthly
c. Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints.	Monthly
d. Logs and reports of special occurrences, i.e. accidents, injuries, fire, explosion, hazardous waste incidents, public nuisance incidents, etc and the operators actions in response to the event.	Monthly
e. An employee training logs with dates of training and course description. These shall be maintained and kept current.	Monthly
f. Copies of facility inspection reports issued by other regulatory agencies.	Upon receipt
g. Application for revision of Solid Waste Facility Permit.	150 days prior to making changes
h. Calculations of the amount of waste diverted for disposal into the landfill and recovered for recycling.	Monthly

SOLID WASTE FACILITY PERMIT

Facility Number:

09-AA-0004

17. Enforcement Agency (EA) Conditions:

a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 14, California Code of Regulations.

b. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.

c. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.

d. The maximum permitted daily tonnage for this facility is 400 tons per day, and shall not receive more than this amount without a revision of this permit. *(For Transfer/Processing Facilities, the EA may determine that this limit pertains to all waste destined for disposal and does not necessarily pertain to materials that are put to beneficial use either at the facility or exported for the purpose of resource recovery.)*

e. This permit is subject to review by the EA and may be suspended, revoked, or revised at any time for sufficient cause.

f. The EA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.

g. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the EA at least 180 days in advance of the change.

h. A copy of this permit shall be maintained at the facility.

i. Any material stored outside of the waste bins shall be handled in a manner that will prevent the harborage of vectors.

j. All green waste activities and related activities shall be conducted in a manner that precludes the attraction, breeding and/or harborage of vectors.

k. Records of employee training for health and safety, operation and maintenance of the site shall be maintained on the site and be available for employees and/or Enforcement Agency Personnel.

l. The animal carcass bin shall be cleaned daily.

m. Commercial and public tipping floors shall be washed and cleaned once a week.

n. Due to the odors generated at the facility the municipal solid waste shall be removed from the facility within 24 – 48 hrs if not sooner especially during warm seasonal weather conditions.

o. The facility shall submit to the LEA a complete Odor Impact Minimization Plan within 60 days of approval of this permit by CIWMB.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-23

Consideration Of A Revised Solid Waste Facilities Permit (Transfer/Processing Station) For Western El Dorado Recovery Systems Material Recovery Facility El Dorado County

WHEREAS, Western El Dorado Recovery Systems, Inc., a subsidiary of USA Waste Services of California, owns and operates the transfer/processing facility; and

WHEREAS, Western El Dorado Recovery Systems, Inc. proposes a 30-minute increase in the public disposal hours from 8:00 AM - 5:00 PM to 8:00 AM - 5:30 PM - April 1st through September 30th ; and proposes the removal of the construction, demolition, inert debris and green waste, wood waste handling operations from the permitted activities; and

WHEREAS, a Mitigated Negative Declaration (SCH # 96022028) and Focused EIR (SCH # 98072008) were approved by the El Dorado County Planning Commission on June 27, 1996 and June 26, 1998. Addendum #1 to the Mitigated Negative Declaration was completed on March 4, 2002, and Addendum #2 to the Mitigated Negative Declaration was prepared and filed with the El Dorado County Clerk on September 18, 2003; and

WHEREAS, the Local Enforcement Agency (LEA), Placer County Health and Human Services, the contract LEA for El Dorado County, has submitted to the Board for its review and concurrence with, or objection to, a revised Solid Waste Facilities Permit for Western El Dorado Recovery Systems Material Recovery Facility; and

WHEREAS, the LEA has certified that the application package is complete and correct, and made the finding that the proposed permit is consistent with and is supported by CEQA documents that address the proposed changes; and

WHEREAS, Board staff have evaluated the proposed permit and application package for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds the proposed permit is consistent with the Non-Disposal Facility Element of the County Integrated Waste Management Plan and therefore is in conformance with PRC Section 50001; and

WHEREAS, the Board finds that the proposed permit is consistent with the CEQA; and

WHEREAS, the Board finds the facility is in compliance with all applicable State Minimum Standards.

(over)

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facility Permit No. 09-AA-0004.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 5

ITEM

Consideration Of Grant Awards For The Waste Tire Amnesty Day Grant Program For FY 2004/2005

I. ISSUE/PROBLEM STATEMENT

This item presents staff recommendations to award the Waste Tire Amnesty Day Grants (Amnesty Day Grants) for Fiscal Year (FY) 2004/2005. In accordance with the California Integrated Waste Management Board's (Board) grant award process, staff recommends grant applicants for award based upon the scoring criteria and process established by the Board. Staff applied these criteria to 22 applications for this year's Amnesty Day Grants. In total, applicants requested $773,832 in funds for this program. The total funding available is $500,000. Seventeen applicants received passing scores and requested funds totaling $704,793, which exceeds the allocated amount by $204,793.

II. ITEM HISTORY

At its June 2004 meeting, the Board approved the FY 2004/2005 Waste Tire Amnesty Day Grant Program applicant and project eligibility, the proposed general and program scoring criteria, and procedures for evaluating applications.

III. OPTIONS FOR THE BOARD

1. Approve the proposed awards, directing staff to enter into Grant Agreements with the applicants identified in List A of Resolution Number 2005-34 until FY 2004/2005 allocated funds are exhausted, and adopt Resolution Number 2005-34.
2. Disapprove the proposed awards and Resolution Number 2005-34 and direct staff as to further action.

IV. STAFF RECOMMENDATION

Staff recommends the Board approve Option 1 and adopt Resolution Number 2005-34.

V. ANALYSIS

A. Key Issues and Findings

The Amnesty Day Grant Program is designed to help jurisdictions remove waste tires from the environment, thereby eliminating potential fire hazards and habitats for disease-carrying pests and other vectors. Additionally, this program supports public education efforts intended to educate citizens about prolonging the useful life of tires through proper maintenance. Finally, collecting waste tires from the public helps prevent illegal dumping and improves the safety and aesthetics of neighborhoods.

Application Review Process

The Grants Administration Unit received and entered the 22 applications into the Grants Management System and conducted an initial completeness review of each application. The applications were then distributed to the review panel. Two review panels scored the grant applications. Each panel consisted of three Board staff members. The Cycle Lead conducted a benchmark and scoring training meeting so

that all panel members could acquire a thorough understanding of the application format, the scoring process, and the criteria. The meeting served to clarify any questions regarding the criteria and scoring process and to ensure that all applications were fairly and consistently scored. Each panel was responsible for scoring 11 applications. Panel members scored their assigned applications individually, and then met to assign each application a panel score.

Scoring Results
The passing score is 70 of 100 possible points or 70 percent. Seventeen (17) applications received passing scores ranging from 70 to 94 points. Five applications did not achieve the minimum passing score; their scores ranged from 60 to 67. Of the 17 applications that received a passing score, seven qualified to receive points for not having received a Tire Amnesty Day Grant in FY 02/03 or FY 03/04.

Post-Scoring Review Team Process
After the scores were entered into a spreadsheet for analysis purposes, a post-scoring review team was assembled. The members of this post-scoring review team did not serve on the two scoring panels and included the supervisor, the Cycle Lead, and a third staff person from the Administration and Finance Division. The post-scoring review team reviewed the score sheets for two applications, which scored within three points of a passing score (between 67 to 73 percent) to ensure consistency in scoring. The post-scoring review team evaluated these two applications and, through consensus, confirmed the original findings.

Geographic Distribution of Funds (North/South Split)
At its November 2001 meeting, the Board approved awarding 39 percent of the grant funds to applicants from Northern California and 61 percent to those in Southern California based on the most current population data provided by the Department of Finance (DOF). Northern California counties are all those north of and including Monterey, Kings, Tulare, and Inyo. Southern California counties are defined as those counties including and south of San Luis Obispo, Kern, and San Bernardino. The North/South split was based on the estimated population of each county in January 2004 as provided by the DOF.

Funding Recommendations
After completing the scoring review process, the Cycle Lead sorted the passing applications for Northern California and Southern California in descending order of the application scores. Of the 17 applicants achieving a passing score, 10 applications were from Northern California (58.8 percent) and 7 applications were from Southern California (41.2 percent).

Based on the South/North split and in descending order of score, the cycle lead determined that 14 applicants could be awarded grants at the current level of funding (See List A of Resolution Number 2005-34). All seven Southern California applicants could be fully funded at $293,992 (58.8 percent of total grant funds) and seven Northern California applicants could be funded at $206,008 (41.2 percent of total grant funds). However, one Northern California applicant will receive only partial funding because of the limited funds available. If funds become available through reallocation of FY 2004/2005 monies, staff recommends that this applicant be the first to receive funding for the remaining amount requested.

B. Environmental Issues

The purpose of the Amnesty Day Grant Program is to decrease the adverse environmental impacts created by unlawful disposal of waste tires. The Grant Agreement contains various provisions intended to ensure that implementation of this grant program is in compliance with environmental laws and regulations.

C. Program/Long Term Impacts

Board programs: Amnesty Day Grant Program events have an impact on Board-funded and other waste tire enforcement activities. Amnesty Day Grant Program coordinators inform Local Enforcement Agencies, the Highway Patrol, and local sheriffs and/or city police about these events, which facilitates coordination and cooperation. Furthermore, providing these grants to local governments and agencies responsible for managing waste tires has a direct impact on encouraging the recycling and/or proper disposal of waste tires by the general public.

Long-term potential impacts: A goal of the Waste Tire Recycling Program is to encourage recycling or proper disposal of waste tires while protecting residents' health and safety and the environment. Achieving this goal helps local governments to have a cumulative positive impact on the environment.

D. Stakeholder Impacts

- Environmental organizations have not expressed any opposition to the Amnesty Day Grant Program.
- Industry groups support tire cleanup projects that increase the number of waste tires available for recycling into new products.
- Public sector agencies support the Amnesty Day Grant Program because it provides grant funds to qualified public sector applicants.
- Staff is not aware of any public concerns.
- All stakeholders have opportunities to contribute their suggestions to this grant program and other grant programs during committee meetings, at conferences, during the development of the biennial review of the *Five-Year Plan for the Waste Tire Recycling Management Program* (Five-Year Plan), and at Board meetings. In addition, the Waste Tire Program has a grants hotline dedicated telephone line and a grants e-mail address.

E. Fiscal Impacts

Funding Authority

Legislative – Assembly Bill (AB) 923 (Firebaugh, Statutes of 2004, Chapter 707) authorizes a fee of $1.75 on the purchase of a new tire until January 1, 2007, when it will be reduced to $1.50. Of this fee (less up to three percent retained by the retail seller as reimbursement for any costs associated with the collection of the fee), $1.00 is deposited into the California Tire Recycling Management Fund, to support programs approved in the Five-Year Plan. The remaining $ .75 until December 31, 2006, and $ .50 from January 1, 2007 until December 31, 2014, is deposited in the Air Pollution Control Fund, for use by Air Resources Board and local air resources districts to fund projects that mitigate or remediate air pollution in the state created by tires upon which the tire fee is imposed. The changes made by AB 923 will be repealed on January 1, 2015.

Five-Year Plan – Public Resources Code (PRC) section 42889 provides that funding for waste tire programs is appropriated to the Board consistent with the Board's Five-Year Plan. The Five-Year Plan allocates $500,000 for FY 2004/2005 for the Amnesty Day Grant Program.

F. Legal Issues

Senate Bill (SB) 876 (Escutia, Statutes of 2000, Chapter 838) improved the management of Amnesty Day Grant Program events by:

1. Increasing the number of waste tires an unregistered hauler could haul to an Amnesty Days collection site from four to a maximum of nine waste tires at any one time (PRC Section 42954(a)(1)); and
2. Authorizing local enforcement agencies to issue written authorization for a "one time hauling permit" to a person transporting waste or used tires to an Amnesty Day event at a legal disposal site (PRC section 42954(a)(7)). This written authorization provides an exemption to an individual for a specific day from obtaining a waste tire hauler registration for hauling ten or more tires at one time.

G. Environmental Justice

Community setting: The Amnesty Day Grant Program is a statewide competitive grant program.

Environmental Justice Issues: Environmental Justice was an eligibility requirement.

Outreach Efforts: The Notice of Funding Availability (NOFA) was mailed out to nearly 2,000 local government jurisdictions, special districts, and qualified California Indian tribes. In addition, the NOFA was published on the Board's grants website. Finally, Board staff discussed this program at conferences and grant writing workshops throughout the State.

H. 2001 Strategic Plan

The Amnesty Day Grant Program directly addresses the following goals, objectives, and strategies of the Board's 2001 Strategic Plan:

Goal 1: Increase participation in resource conservation, integrated waste management, waste prevention, and product stewardship to reduce waste and create a sustainable infrastructure.

Objective 1: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services.

Strategy F: Educate the public, the private sector, and government about product stewardship and responsible consumerism.

A major component of the Amnesty Day Grant Program is developing public education and outreach programs on the proper care and disposal of waste tires and purchase of tire-derived products.

Goal 2: Assist in the creation and expansion of sustainable markets to support diversion efforts and ensure that diverted materials return to the economic mainstream.

Objective 2: Encourage the use of materials diverted from California landfills and the use of environmentally preferable practices, products, and technologies.

Strategy D: Require recipients of grants, contracts, loans, and other financial incentives to meet Board criteria such as purchasing environmentally preferable products, constructing sustainable buildings, and practicing sustainable landscaping.

One general criterion and one program criterion support this goal:

- Criterion number 7 asks the applicant to demonstrate purchase of recycled-content products, recycled or reused products, use of compost or mulch, or engage in other waste reduction activities; and
- Program criterion number 8 asks the applicant to describe the degree to which a recycling program has been developed and implemented by the local agency to recover materials from the waste stream, including how the applicant has incorporated waste prevention and recycling into its workplace and special events.

Goal 4: Manage and mitigate the impacts of solid waste on public health and safety and the environment and promote integrated and consistent permitting, inspection, and enforcement efforts.

Objective 4: Intensify efforts to prevent illegal dumping and, where necessary, clean up illegally disposed waste and waste tire sites.

Strategy B: Support public education and outreach on illegal dumping in California. See discussion for Goal 1, above.

This program provides individuals with a legal and convenient place to take their waste tires and thus prevents illegal dumping.

Goal 6: Continuously integrate environmental justice concerns into all of the Board's programs and activities, including administrative and budgetary decisions.

Objective 3: Ensure greater public and community participation, including low-income and minority populations, in the development, adoption, and implementation of environmental regulations, policies, and programs.

Strategy B: Seek to overcome linguistic, cultural, institutional, geographic, and other barriers to meaningful participation.

Criterion number 11 encourages the local jurisdiction to provide outreach materials in more than one language, and asks the applicant to demonstrate its plan to reach out to diverse populations within its jurisdiction.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire Fund	$500,000	$500,000	$0	Tire Amnesty Day

VII. ATTACHMENTS

1. Scoring Criteria
2. List A & B for Passing Applicants
3. Passing Project Summaries
4. Resolution Number 2005-34

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Boxing Cheng **Phone:** (916) 341-6434
B. Legal Staff: Holly Armstrong **Phone:** (916) 341-6060
C. Administration Staff: Roger Ikemoto **Phone:** (916) 341-6116

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff has not received any written support at the time this item was prepared for publication.

B. Opposition

Staff has not received any written opposition at the time this item was submitted for publication.

WASTE TIRE AMNESTY DAY GRANT

SCORING CRITERIA FOR FISCAL YEAR 2004/2005

Applicants must score 70% (70 points) of 100 points to be considered for funding.

Points	Description
GENERAL CRITERIA	
20	**1. NEED – Grant proposal clearly and convincingly describes and demonstrates why the project should be funded (e.g., benefits, end products, etc.).** • Describe and document your community or regional need for a waste tire amnesty day project. • Include data from environmental impacts, surveys, maintenance and safety reports, studies, accident reports, etc. • Describe the enforcement activities you will undertake to prevent waste tires from being illegal disposed of in the future. • Discuss how your community or region will benefit environmentally and financially if you receive grant funding.
5	**2. GOALS AND OBJECTIVES – Describe what you wish to accomplish by completing this grant project. Measurable target(s) that must be met on the way to attaining your goal.** • List the goals and objectives for your waste tire amnesty day project. • Describe the desired outcome of your waste tire amnesty day project. • Include reasonable measures, target dates, and the overall timelines for your waste tire amnesty day project.
5	3. **WORK PLAN – Specific list of all grant eligible procedures or tasks used to complete your project.** • Explain your overall Work Plan and include how you will report progress. • List the individual activities, tasks or subtasks, and timelines necessary to implement your Work Plan. • Include how your Work Plan addresses local or regional needs and the project's goals and objectives. • Include in your Work Plan how you will meet your obligations within the term of the grant agreement.
5	4. **EVALUATION – Measures the outcome of the applicant's project.** • Explain how you will measure that your project has met its goals and objectives. • Describe how you will evaluate interim progress and make adjustments to tasks, objectives, or goals. • Describe how you will address any problems or the challenges you may encounter implementing your project. • List who will be responsible for measuring and reporting your interim progress and your final project evaluation.
10	**5. BUDGET – Cost (dollar figure) associated with activities necessary to complete the project.** • Itemize costs for each activity, task or subtask identified in your Work Plan. • Provide any quotes, estimates, or other documents to support the costs you are claiming. • List any cost savings derived from in-kind services, recycling options, use of existing promotional materials, etc.

5	**6. APPLICATION COMPLETENESS, LETTERS OF SUPPORT, EXPERIENCE, ETC.** • Make sure your application is clearly presented and complete. • Check to assure that all required attachments, forms, signatures, and initials are included. • Discuss any relevant experience of personnel assigned to your project and include current resumes, endorsements, references, etc. • Provide letters of support for your grant project from local governments, board members, board of supervisors, etc. (Do not include letters from people directly involved in your project.)
15	**7. EVIDENCE OF A RECYCLED-CONTENT PURCHASING POLICY OR DIRECTIVE** • Complete the Recycled-Content Purchasing Policy or Directive form included in the application packet.
65	***TOTAL POSSIBLE GENERAL CRITERIA POINTS***
PROGRAM CRITERIA	
5	8. **RECYCLING AND SUSTAINABLE PRACTICES PROGRAM –** (Up to 5 points) Describe how your recycling program diverts materials from the waste stream. Include how your organization incorporates waste prevention and recycling into your workplace and special events. [PRC § 42874 (d)]
10	9. **TIRE DISPOSITION –** List where you intend to send tires collected from amnesty day events: up to 10 points for reuse or recycling options; up to 5 points for other options if you can justify why reuse and recycling options are not currently available. [PRC § 40051]
10	10. **COST PER TIRE –** (Up to 10 points) Based on the amount of grant funding requested, include the estimated cost per tire for collection and ultimate disposition. The least cost per tire will receive the most points. The cost per tire is determined by dividing the grant plus matching funds used to pay for collection, hauling, disposal, and/or tipping fees associated with Amnesty Day Events by the number of tires collected. Costs do not include developing, producing, and/or distributing educational materials. [PRC § 42874 (b)]
5	11. **MULTI-LINGUAL OUTREACH –** (Up to 5 points) Describe how you intend to reach out to diverse populations within your jurisdiction. Show that educational and outreach materials will be translated into the appropriate languages for your jurisdictions' demographics.
5	12. **NO PREVIOUS GRANT FUNDING –** Indicate if you have not received a Waste Tire Amnesty Day Grant during FY 02/03 and/or FY 03/04.
35	***TOTAL POSSIBLE PROGRAM CRITERIA POINTS***
100	***TOTAL POSSIBLE SCORE (Total of General Criteria and Program Criteria Points)***

FY 2004/2005 Local Government Waste Tire Public Education and Amnesty Day Grant
Award and Funding Recommendations

List A - Applications receiving 70 points or above recommended for funding

Accession Number	Applicant	County	Amount Requested	Amount Recommended	Total Funds
TR43-04-0009	San Diego County	San Diego	$20,000	$20,000	$20,000
TR43-04-0017	West Contra Costa Integrated Waste Management Authority	Contra Costa	$54,734	$54,734	$74,734
TR43-04-0003	Modesto	Stanislaus	$20,000	$20,000	$94,734
TR43-04-0004	Regional Waste Management Authority	Yuba	$29,018	$29,018	$123,752
TR43-04-0006	Los Angeles County	Los Angeles	$100,000	$100,000	$223,752
TR43-04-0018	Fresno	Fresno	$14,713	$14,713	$238,465
TR43-04-0016	Mariposa County	Mariposa	$19,807	$19,807	$258,272
TR43-04-0005	Butte County	Butte	$40,000	$40,000	$298,272
TR43-04-0012	Banning	Riverside	$15,100	$15,100	$313,372
TR43-04-0020	El Centro	Imperial	$100,000	$100,000	$413,372
TR43-04-0002	Ontario	San Bernardino	$20,000	$20,000	$433,372
TR43-04-0001	Redlands	San Bernardino	$18,892	$18,892	$452,264
TR43-04-0021	Lompoc	Santa Barbara	$20,000	$20,000	$472,264
TR43-04-0022	Clovis*	Fresno	$46,529	$27,736	$500,000
	Totals for List A		**$518,793**	**$500,000**	

List B - Applications receiving 70 points or above may be funded if funds become available during reallocation

TR43-04-0022	Clovis*	Fresno	$18,793		
TR43-04-0008	El Dorado County	El Dorado	$36,000		
TR43-04-0010	Shasta County	Shasta	$75,000		
TR43-04-0013	Madera County	Madera	$75,000		
	Totals for List B		**$204,793**		

Clovis' (TR43-04-0022) total grant project is $46,529. This grant project is being recommended for partial funding of $27,736 since available

2004/2005 Tire Amnesty Day Passing Application Summaries

Applicant Name	Grant #	County	Funds Requested	Funds Recommended
San Diego Country	4	San Diego	$20,000	$20,000
Project Summary	The County of San Diego will conduct a minimum of four (4) waste tire collection events in the unincorporated areas of the county to reduce the number of illegally disposed waste tires in the county. The events will take place during fiscal years 2004-2005 and 2005-2006. A CIWMB registered tire hauler will transport the collected tires to a recycling facility. If fewer tires are collected than anticipated, additional events will be planned in order to maximize grant funding and participation opportunities. The County will update and publish the bilingual (English and Spanish) Automotive Recycling Guide, which contains information on proper tire care and disposal; where to legally dispose of used or waste tires; products made from recycled waste tire rubber; and, negative impacts resulting from illegal tire disposal.			
West Contra Costa IWMA	17	Contra Costa	$54,734	$54,734
Project Summary	West Contra Costa IWMA proposes to implement a tire recycling outreach campaign to raise awareness of the hazards of illegally dumped and stockpiled tires and the benefits of recycling tires and proper tire maintenance. They wish to host waste tire amnesty day events in July 2005 & July 2006.			
Modesto	3	Stanislaus	$20,000	$20,000
Project Summary	The City of Modesto will conduct twelve Waste Tire Amnesty Events at three local garbage companies throughout the grant cycle. Residents will take their waste tires to their respective garbage company transfer station for free disposal via a coupon tracking system; they will be limited to 8 tires per year and 16 tires per grant cycle. Golden By-Products will provide the trailers, haul the material and shred the waste tires. Public education efforts will include ads in the Modesto Bee and El Sol; notices in the utility bill newsletter and new resident packets; postings on the city's web page and airing of a 30-second commercial on the public access channel. The city expects to collect approximately 10,000-12,000 waste tires throughout the grant cycle.			
Regional Waste Management Authority	4	Yuba	$29,018	$29,018
Project Summary	The Regional Waste Management Authority (RWMA) is proposing to continue the highly successful public education and waste tire amensty program to clean-up nuisance and small tire piles in local neighborhoods and to prevent larger piles from accumulating by collecting approximately 8,200 used and waste tires for recycling. The public education program will focus on tire maitenance and safety to prolong the useful life of tires and on proper tire disposal to improve the asthetics and the health and safety of local neighborhoods because waste tires provide habitats for disease carrying pests, mosquitoes, and other insects. Education messages and the promotion of the availibility of passes for free tire collection events will be disseminated via press releases, newspaper print ads, radio announcements, and in the Yuba-Sutter Disposal, Inc. newsletter distributed as a billing insert. Residents of Yuba and Sutter counties will request and use the event passes for the free drop-off of a minimum of 5,000 used and waste tires at eight collection events held at each of the two local transfer stations. Eight, 40-yard tires bins, which hold an average of 400 tires each, will also be provided for the collection of used and waste tires at community clean-up events planne			

Los Angeles	6	Los Angeles	$100,000	$100,000
Project Summary	The County of Los Angeles and the Cities of Lancaster, Palmdale, and Santa Clarita will conduct two joint waste tire amnesty day events in 2005 to reduce the illegal dumping of waste tires and to divert the tires from landfill disposal in the Antelope and Santa Clarita Valleys. The events will be held at seven locations for the convenience of residents. Public outreach will be conducted to raise environmental awareness of the hazards associated with illegally dumped tires and to inform residents of the benefits of recycling tires and proper tire care. This project anticipates collecting 22,000 waste tires, which will be recycled into roofing shingles, loose playground fill, and crumb rubber.			
Fresno	18	Fresno	$14,713	$14,713
Project Summary	City of Fresno will promote and conduct tire amnesty day events in 2006 to reduce illegal dumping of waste tires and divert the tires from being disposed in landfills or illegally dumped on vacant lots and public right of ways. Trailers will be provided as drop off points. Outreach brochures and flyers in English, Spanish and Hmong will be distributed to raise environmental awareness of the hazards of illegally dumped tire and, the benefits of recycling tires, proper tire maintenance and publicize amnesty day events. Event anticipates collection of 11,000 tires.			
Mariposa County	16	Mariposa	$19,807	$19,807
Project Summary	Implement a Waste Tire Public Education and Amnesty program in Mariposa County. Conduct two Tire Amnesty Events at the Mariposa Landfill and one Tire Amnesty Event at the Don Pedro Transfer Station. These Tire Amnesty Events will provide a free waste tire disposal opportunity to county residents. Develop and distribute educational materials and develop advertisements to promote proper tire maintenance, disposal and the amnesty event. Educate the public on the environmental, health and safety issues caused by stockpiling or illegally disposing of waste tires.			
Butte County	5	Butte	$40,000	$40,000
Project Summary	The Butte County Public Works Department (BCPWD), in partnership with all five of the County's municipal jurisdictions, is proposing to hold two Waste Tire Amnesty Events at locations specifically selected to serve the majority of the County's citizens. In addition, these events will be held in conjunction with smaller Community Clean up events in those cities that are not in close proximity to where the Tire Amnesty Events are taking place. BCPWD will be cooperating with jurisdictions to act as satellite collectors that will feed their waste tires to the event. Concurrently, a public education program designed to inform the citizens of the events and to educate them as to problems associated with illegally stockpiled and illegally dumped waste tires will take place.			
Banning	12	Riverside	$15,100	$15,100
Project Summary	The City of Banning plans to hold 2 tire amnesty day events in Fall 2005 and Fall 2006 in conjunction with bulky item pick up days. All tires will be recycled at waste tire recycling facility. Manufacturers of recycled tire products will display goods at the events. The City expects to collect 1,500 tires during the 2 events. Outreach by Public TV, utility inserts, school presentations, informational brochures, free tire maintenance clinics. Information will be translated into Spanish, Lao, and Hmong.			

El Centro	20	Imperial	$100,000	$100,000
Project Summary	Provide Imperial Valley residents with free and convenient locations and times for legal disposal of tires. Revise outreach and educational program to help deter illegally discarded tires. Project consists of 2 phases: conduct amnesty day tire collection events and development of a culturally based media campaign targeting tire maintenance and disposal to the majority Hispanic population.			
Ontario	2	San Bernardino	$20,000	$20,000
Project Summary	The City of Ontario is proposing to host an Amnesty Day event combined with a waste tire education campaign. Due to the significant amount of waste tires illegally dumped in the Ontario community, the City would like to place roll-offs in three locations throughout the community to collect and recycle tires. These tires collection sites would be specifically placed in low-income areas and the new annexed agricultural area. The project would increase community awareness regarding waste tires as well as decrease the threat of the West Nile Virus in the Ontario community.			
Redlands	1	San Bernardino	$18,892	$18,982
Project Summary	The City of Redlands seeks grant funding for public outreach and tire collection events. The project is characterized by conducting four Amnesty Day Events (Community Recycling Events) in a two year period by providing a free opportunity for private citizens to drop off tires for legal handling and recycling, pairing collection events with City of Redlands annual Spring and Fall mulch give-away, backyard composting, electronics and white goods recycling drop-off events, conducting public outreach campaign to publicize events and promote proper care and recycling of tires (e.g., develop printed materials for bulk mailing, targeted outreach to agribusiness, press releases and paid advertising, tracking participation and tire collection at City collection events.			
Lompoc	21	Santa Barbara	$20,000	$20,000
Project Summary	The award of this grant will allow for the continued expansion and enhancement of this valuable program. The addition of a Spanish language television ad which will be run 56 times per month for 1 year on Univision Channel 38, is the final piece of the City's Used Tire Round-Up campaign strategy. This concentrated 12 month campaign will create a consistent message educating the Hispanic community of the importance of recycling Waste Tires. The use of television as an advertising medium will expand the audience beyond any advertising done thus far. It is believed that the City of Lompoc will be able to reach an audience that it has not had access to on a regular basis. A staple of the Used Tire Round-up will be the continuation of door-to-door waste tire pickups within the City limits and drop-off sites in the unincorporated areas.			
Clovis*	22	Fresno	$46,529	$27,736
Project Summary	City of Clovis, Fresno Metropolitan Flood Control District, Fresno Irrigation District will contract with Fresno Local Conservation Corps to conduct series of 4 quarterly Waste Tire Amnesty Days to reduce number of illegally dumped tires in canals, ponding basins and impacted areas of Metro Fresno County. Media campaign outreach for education and awareness.			

El Dorado County	8	El Dorado	$36,000
Project Summary	El Dorado County Environmental Management Department (EDCEMD) will conduct a number of Amnesty Day events throughout the county to encourage residents to dispose of their waste tires properly and safely. While participating at Amnesty Day and community events, EDCEMD will conduct educational outreach. Community based social marketing techniques in the form of surveys and written commitment pledges will be used. EDCEMD will educate county residents on where to properly dispose of waste tires such as taking them to the Western El Dorado Recovery System (WERS) or to a scheduled Amnesty Day event and ways to properly care for tires. Brochures in English and Spanish will be available. Newspaper advertisements and county website announcements will be published throughout the grant term.		
Shasta County	10	Shasta	$75,000
Project Summary	The Shasta County Department of Resource Management, in conjunction with the cities of Anderson and Shasta Lake, proposes to conduct four waste tire amnesty days and to provide public education about waste tire disposal and proper tire maintenance. The amnesty day events will be held in the spring and fall of 2005 and 2006. Applicant will attend several community events throughout 2005/2006 to distribute waste tire information and answer questions about waste tire disposal and proper tire maintenance. The purpose of these activities is to reduce the health and safety hazards associated with improper and illegal disposal of waste tires.		
Madera County	13	Madera	$75,000
Project Summary	Madera County and its 2 cities, Madera and Chowchilla will fund a joint Tire Amnesty Day for the jurisdictions and a multi-lingual pubic education campaign about the harm of stockpiled tires and safe, inexpensive, legal methods of disposal and tire maintenance.		

*Clovis' (TR43-04-0022) total grant project is $46, 529. This grant project is being recommended for partial funding of $27,736 because available funding was exhausted. The remaining portion of the project ($18,793) may be funded if funding becomes available.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-34

Consideration Of The Grant Awards For The Waste Tire Amnesty Day Grant Program For FY 2004/2005

WHEREAS, the Tire Recycling Act (Public Resources Code § 42800 *et seq*.) establishes a Waste Tire Program for the State of California, and assigns responsibility to the California Integrated Waste Management Board (Board); and

WHEREAS, Senate Bill 876 (Escutia, Statutes 2000, Chapter 838) directs the Board to administer a Tire Recycling Program that promotes and develops alternatives to the landfill disposal and stockpiling of waste tires; and

WHEREAS, the Board receives an annual appropriation from the California Tire Recycling Management Fund to administer the Tire Recycling Act and related legislation; and

WHEREAS, in May 2003, the Board approved the Five-Year Plan for the Waste Tire Recycling Management Program and allocated five-hundred thousand dollars ($500,000) to the Waste Tire Amnesty Day Grant Program for Fiscal Year (FY) 2004/2005; and

WHEREAS, on June 15, 2004, the Board approved the Scoring Criteria and Evaluation Process for the FY 2003/2004 Waste Tire Amnesty Day Grants; and

WHEREAS, the Board solicited applications from August 2004 to October 15, 2004 for the FY 2004/2005 Waste Tire Amnesty Day Grants; and

WHEREAS, the Board received a total of twenty-two (22) applications, which were received by the due date, October 15, 2004, and staff evaluated twenty-two (22) grant proposals based on the approved criteria; and

WHEREAS, seventeen (17) applicants received passing scores and requested funds totaling seven hundred four thousand, seven hundred ninety-three dollars ($704,793), which exceeds the amount allocated to the FY 2004/2005 Waste Tire Amnesty Day Grant Program by two hundred four thousand, seven hundred ninety-three dollars ($204,793); and

NOW, THEREFORE, BE IT RESOLVED that the Board directs staff to develop and enter into Grant Agreements with the fourteen (14) applicants set forth below (List A) and to use the five hundred thousand ($500,000) allocated to the FY 2004/2005 Waste Tire Amnesty Day Grants; and

(over)

List A

Grant Number/Grant Name	**County**	**North/South**	**Recommended Amount**
09 - San Diego County	San Diego	South	$20,000
17 - West Contra Costa IWMA	Contra Costa	North	$54,734
03 - Modesto	Stanislaus	North	$20,000
04 - Regional Waste Management Authority	Yuba	North	$29,018
06 - Los Angeles County	Los Angeles	South	$100,000
18 - Fresno	Fresno	North	$14,713
16 - Mariposa County	Mariposa	North	$19,807
05 – Butte County	Butte	North	$40,000
12 - Banning	Riverside	South	$15,100
20 –El Centro	Imperial	South	$100,000
02- Ontario	San Bernardino	South	$20,000
01 – Redlands	San Bernardino	South	$18,892
21 – Lompoc	Santa Barbara	South	$20,000
22 – Clovis *	Fresno	North	$27,736
Totals			**$500,000**

* Partially funded grantee.

(Next page)

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board hereby approves the ranking of the following projects (List B), should allocated funds become available or in the event the Board wishes to reallocate additional funds to passing projects; and

List B

Grant Number/Grant Name	**County**	**North/South**	**Recommended Amount**
22 – Clovis	Fresno	North	$18,793
08 – El Dorado County	El Dorado	North	$36,000
10 – Shasta County	Shasta	North	$75,000
13 – Madera County	Madera	North	$75,000
Totals			**$204,793**

NOW, THEREFORE, BE IT FURTHER RESOLVED that the award of each grant is conditioned upon the return by the proposed Grantee of a complete and executed Grant Agreement within ninety (90) days of the date of the mailing of the Grant Agreement package by the Board; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the award of each grant is further conditioned upon full payment of any outstanding debt owed by the proposed Grantee to the Board within ninety (90) days of the date of mailing of the Grant Agreement package by the Board; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board hereby approves the award of Waste Tire Amnesty Day Grants FY 2004/2005 for a total of five hundred thousand dollars ($500,000) to the applicants in the amounts indicated in the above listing.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 6

ITEM

Consideration of Scope Of Work For The Engineering And Environmental Services Contract (Tire Recycling Management Fund, Multi-Year Funding)

I. ISSUE/PROBLEM STATEMENT

This item proposes that the California Integrated Waste Management (Board) approve a Scope of Work (SOW) for the Engineering and Environmental Services Contract. This contract is an important part of the Tire Derived Aggregate (TDA) research and market development program for waste tires in civil engineering application. Through this contract the Board will hire an engineering consultant to help provide education, design, and technical assistance to local and state government agencies and private entities who want to use waste tires in civil engineering applications. The engineering consultant will also provide construction management oversight on projects in which waste tires are used as light-weight fill, vibration attenuation layers, erosion control, water quality issues, drainage layers, and other civil engineering applications. The Contractor would assist the Board with research of new Civil Engineering Applications and the market development of those applications that prove to be a viable reuse for waste tires.

Under this Engineering and Environmental Services Contract, the Board, in partnership with Caltrans, would continue the projects that have been started as well as acquire new civil engineering projects in which waste tires could be utilized. The consultant chosen for this contract will work closely with Caltrans to get shredded tires accepted as a lightweight fill material option in Caltrans Standard Special Provisions.

In addition, the Board will utilize this contract to partner with local governments to develop new civil engineering applications for waste tires (i.e., such as the use of tire chips in sound wall construction or in landfill applications). This contract can be used to provide information to appropriate regulatory agencies to investigate possible environmental impacts from tire shreds; investigating these projects may be performed in partnership with both state and local government agencies.

II. ITEM HISTORY

The SOW for the previous Engineering and Environmental Services Contract was approved by the Board in January 2003. The Board awarded the previous contract to Dr. Dana Humphrey in May 2003.

III. OPTIONS FOR THE BOARD

1. Approve Resolution Number 2005-35 and the proposed SOW for the Engineering and Environmental Services Contract, Attachment 1.
2. Approve the SOW with specified changes.
3. Direct staff to make changes to the proposed SOW and return to the Board at a later date for further consideration.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve Option 1 and Resolution 2005-35.

V. ANALYSIS

A. Key Issues and Findings

The Scrap Tire Management Council estimates that 18–20 million tires were used in various civil engineering applications other than Rubberized Asphalt Concrete (RAC) in 1998, making this the second largest end use for scrap tires in the United States. California has conditions that could result in a major expansion of civil engineering applications using tire shreds. These conditions include: 1) Construction projects where soil conditions require the use of light-weight fill in areas such as the weak San Francisco Bay mud and the landslide-prone hillsides in the Sierra and along the coast; 2) Major landfill construction and expansions in which waste tires could be used as an alternative to conventional materials; and 3) A ready supply of waste tires.

From 2001 through 2003, California Department of Transportation used 54,253 cubic yards of conventional light-weight fill; this would be equivalent to 3.7 million tires.

In 2000, Caltrans used tire shreds as light-weight fill in the construction of the Highway 880/Dixon Landing Road interchange project. Conventional light-weight fill was replaced with tire shreds in the south bound on-ramp of the new interchange. In this project, 660,000 tires were used and saved the State of California $250,000. The current Engineering and Environmental Services Contract was instrumental in the development and completion of this project. This is an example of how civil engineering applications using scrap tires can play a major role in managing California waste tires.

In 2003, Caltrans used TDA as light-weight fill behind a 200-foot section of retaining wall in Riverside County. This test section is part of a pilot project being conducted to help Caltrans assess how the use of TDA will allow them to design a new “thinner” retaining wall significantly reducing the amount of material used in their conventional retaining wall designs. This would result in a significant cost savings to the tax payers of California. The consultant selection process for the subject contract will utilize the Request for Qualification (RFQ) process in Title 14, Division 7, Article 2, Section 17022 of the California Code of Regulations described below.

The Board’s *Five-Year Plan for the Waste Tire Recycling Management Program* (Five-Year Plan) allocates funding of $500,000 for Civil Engineering Applications (CEA) as part of Research Directed at Promoting and Developing Alternatives to the Landfill Disposal of Tires (Research) and $500,000 for the Market Development for New Technologies (Markets) using waste tires for Fiscal Year (FY) 2004/2005. These funds must be encumbered no later than June 30, 2005. Up to this point, staff has focused efforts to promote civil engineering uses primarily with Caltrans as described above. While this has been relatively successful, staff sees the need to focus more efforts on partnering with local governments in an effort to expand the market development-related aspects of this civil engineering program even more. This will require more resources to be expended by the Board’s contractor and will require additional funding. Therefore, in the addition to the $500,000 funding for CEA that the board allocated as part of the Research section of the Five-Year Plan for FY 2004/2005, staff is also proposing that $150,000 be taken from the $500,000 that

the Board allocated for Civil Engineering uses in the Market Development Section of the Five-Year Plan.

B. Environmental Issues

The contract will be used to help develop markets for waste tires. This will ultimately reduce the number of waste tires disposed of in landfills or illegal waste tire piles in California. The Board will coordinate all projects with other appropriate environmental agencies.

C. Program/Long Term Impacts

The contract will allow the Board to continue its efforts to develop environmentally friendly and economically beneficial markets for waste tires.

D. Stakeholder Impacts

Based on available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

Funding for Research directed at CEA and Markets for waste tires has been identified in the Five-Year Plan. On May 14, 2003, the Board adopted the revised Five-Year Plan covering FYs 2003/2004 through 2007/2008 that included $1,000,000 for both CEA and Market Development for New Technologies (Markets) for FY 2004/2005. This contract will encumber $500,000 from the Research portion of the Five-Year Plan and $150,000 from the Civil Engineering Uses in the Markets section. All funds will be from FY 2004/2005. An additional $500,000 for FY 2006/2007 is proposed in the *Proposed Biennial Update to the Five-Year Plan for the Waste Tire Recycling Management Program (Covering Fiscal Years 2005/2006-2009/2010)(Revised Five-Year Plan)* currently being developed bringing the proposed total for this contract to $1,150,000.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

This Contractor will be required to perform in a manner consistent with the principles of Environmental Justice as defined in Government Code Section 65040.12.

H. 2001 Strategic Plan

The Board has been working to develop and promote new and existing civil engineering applications for waste tires.

Therefore, award of this contract will satisfy **Goal 2**, which is to assist in the creation and expansion of sustainable markets to support diversion efforts and ensure that diverted materials return to the economic mainstream and achieve

Objective 2, which is to encourage the use of materials diverted from California landfills and the use of environmentally preferable practices, products, and technologies.

VI. FUNDING INFORMATION

The Board's *Five-Year Plan for the Waste Tire Recycling Management Program*

allocates funding of $500,000 for CEA as part of Research Directed at Promoting and Developing Alternatives to the Landfill Disposal of Tires and $500,000 for the Market Development for New Technologies Using Waste Tires bringing the total funds available for FY 2004/2005 to $1,000,000. These funds must be encumbered no later than June 30, 2005. This contract will encumber $500,000 from the Research section and $150,000 from the Markets section of the Five-Year Plan for FY 2004/2005. The *Revised Five-Year Plan* currently being developed calls for $500,000 for FY 2006/2007 for research in civil engineering applications. It is projected that an additional $500,000 will be added to the contract for a total of $1,150,000. This contract maybe extended for time and money using multi-year funding.

1. Fund Source	**2. Amount Available**	**3. Amount to Fund Item**	**4. Amount Remaining**	**5. Line Item**
Tire Fund	$ 500,000	$ 500,000	$ 0	Research for CE uses for tires
Tire Fund	$ 500,000	$ 150,000	$ 350,000	Market development and New technologies for CE uses.

VII. ATTACHMENTS

1. Scope of Work, Engineering and Environmental Services Contract
2. Resolution Number 2005-35

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Stacey Patenaude **Phone:** (916) 341-6418
B. Legal Staff: Holly Armstrong **Phone:** (916) 341-6060
C. Administration Staff: Carol Baker **Phone:** (916) 341-6105

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support
None at the time of the development of the item.

B. Opposition
None at the time of the development of the item.

California Integrated Waste Management Board

SCOPE OF WORK
Engineering And Environmental Services Contract

I. INTRODUCTION/OBJECTIVES

The primary purpose of this contract is to promote the use of waste tires in various civil engineering applications. Through this contract the California Integrated Waste Management Board (Board) will hire an Engineering Consultant to help provide education, design, and technical assistance to local and state government agencies and private entities which want to use Tire Derived Aggregate (TDA) in civil engineering applications. The Engineering Consultant will also provide construction oversight on projects in which shredded tires are used as light-weight fill, vibration attenuation layers, erosion control, and other civil engineering application.

II. WORK TO BE PERFORMED

The Consultant will need to have extensive experience in the use of waste tires in various civil engineering applications. The selected Engineering Consultant will be responsible for providing education, design, and technical assistance to local and state government agencies and the private sector on civil engineering projects that incorporate waste tires. The Consultant will also be responsible for collection and analysis of tire shred samples for quality assurance/quality control purposes. The Consultant must supply construction management to oversee projects using tires shreds in civil engineering applications. This Consultant must have technical expertise regarding seismic issues.

This contract can be used to fund research projects such as investigating possible environmental impacts of tire shreds on ground water and exploring new civil engineering applications for waste tires; such as the use of tire chips in sound wall construction to act as an energy dampener. This contract may also be used to provide technical assistance for other civil engineering applications like the development of erosion control options using waste tires.

III. TASKS IDENTIFIED

Types of work anticipated include, but are not limited to:

1. Develop and implement informational and educational seminars for the promotion of civil engineering applications of shredded tires.

2. Assessment of civil engineering uses of waste tires.

3. Develop technical standards for future regulations.

4. Assist staff in developing cost estimates for transportation and disposal/reuse of waste tires.

5. Develop/review engineering work plans for tire remediation projects.

6. Assist in the development of erosion control applications using waste tires.

7. Provide technical drawings and calculations for retaining wall designs were tire shreds are used as light-weight fill.

8. Assist staff with the installation of instrumentation in retaining walls and other applications in which tire shreds are used as light-weight fill.

9. Sampling, analyzing and classifying material for waste tire shreds.

10. Conduct pilot and bench scale test studies, lab studies, paper studies, and literature reviews into additional reuses and possible environmental effects of tire shreds.

11. Provide general assistance for work planning, presentations, and meetings.

12. Assist in obtaining permits from various regulatory agencies.

13. Provide construction management services, including daily work logs and construction reports.

14. Develop technical materials that will be used in the Board's education and market development efforts for promoting civil engineering uses of waste tires.

15. Consult with Board employees as well as other state and local agencies.

16. Provide monthly progress and cost tracking reports.

The scope of investigations may vary significantly, but design, testing, sampling and coordinating with Board staff on various projects simultaneously, will be required.

IV. CONTRACT/TASK TIME FRAME

It is anticipated that this contract would be awarded in June 2005, and expire in May 2007. If funding is available this contract may be extended.

Board staff will develop a work order for each task and the time frame will be included in that work order.

V. COPYRIGHT PROVISION

Contractor shall establish for the Board good title in all copyrightable and trademarkable materials developed as a result of this Scope of Work. Such title shall include exclusive copyrights and trademarks in the name of the State of California, California Integrated Waste Management Board.

VI. CALIFORNIA WASTE TIRES

Not applicable.

VII. WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT

In the performance of this Agreement, Contractor shall use recycled content, used or reusable products, and practice other waste reduction measures where feasible and appropriate.

Recycled Content Products: All products purchased and charged/billed to the Board to fulfill the requirements of this contract shall be Recycled Content Products (RCPs), or used (reused, remanufactured, refurbished) products. All RCPs purchased or charged/billed to the Board to fulfill the requirements of the contract shall have both the total recycled-content (TRC) and the postconsumer content (PC) clearly identified on the products. Specific requirements for the aforementioned purchases and identification are discussed in the Terms and Conditions of the Contractual Agreement under Recycled-Content Product Purchasing and Certification.

The Contractor should, at a minimum, ensure that the following issues are addressed, as applicable to the services provided:

A. WRITTEN DOCUMENT PROVISION

All documents and/or reports drafted for publication by or for the Board in accordance with this contract shall adhere to the Board's *Guidelines For Preparing CIWMB Reports (available upon request)* and shall be reviewed by the Board's Contract Manager in consultation with one of the Board's editors.

In addition, these documents and/or reports shall be printed double-sided on one hundred percent (100%) recycled-content paper (unless 100% recycled-content paper is not appropriate, such as where many full color photographs will be used, then paper with a minimum of fifty percent (50%) recycled-content may be used). The paper should identify the post-consumer recycled content of the paper (i.e., "printed on 50% post-consumer paper"). When applicable, the Contractor shall provide the Contract Manager with an electronic copy of the document and/or report for the Board's uses.
To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents.

B. CONFERENCING PROVISION

Not applicable.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-35

Consideration Of Scope Of Work For The Engineering and Environmental Services Contract (Tire Recycling Management Fund, Multi-Year Funding)

WHEREAS, the State of California generates more than 33 million waste tires annually and over 25 million of these are diverted from stockpiling or disposal in landfills; and

WHEREAS, the Public Resources Code Sections 42800, *et seq.* established the waste tire program for the State of California and assigns responsibility to the California Integrated Waste Management Board (Board); and

WHEREAS, Senate Bill (SB) 876 (Escutia, Statutes 2000, Chapter 838) is a comprehensive measure that extended and expanded California's regulatory program related to the management of waste and used tires; and

WHEREAS, SB 876 requires the submittal to the Legislature of a comprehensive Five-Year Plan for the management of waste tires in California; and

WHEREAS, the Board approved the report *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition Covering Fiscal Years 2003/2004-2007/2008)*, which included the following allocations for Fiscal Year (FY) 2004/2005: $500,000 for Research Directed at Promoting and Developing Alternatives to Landfill Disposal of Tires and $500,000 for Market Development and New Technology for Civil Engineering Uses. In addition, the Proposed Biennial Update to the Five-Year Plan for the Waste Tire Recycling Management Program (Covering Fiscal Years 2005/2006-2009/2010), which has not yet been presented to the Board for approval, currently contemplates a $500,000 allocation for FY 2006/2007 for Research in Civil Engineering Applications.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Scope of Work for the Engineering and Environmental Services Contract in an amount not to exceed $1,150,000, subject to availability of funds allocated to this program in the amount of $650,000 for FY 2004/2005 and $500,000 for FY 2006/2007, and directs staff to proceed with the Request for Qualification and to procure a consultant to be approved by the Board.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 7

ITEM

Consideration Of Contractor For The Waste Tire Short-Term Remediation Contract (Tire Recycling Management Fund, FYs 2004/2005 And 2005/2006)

I. ISSUE/PROBLEM STATEMENT

The California Integrated Waste Management Board (Board) over the last nine years has completed remedial work to clean up, abate, and stabilize illegal waste tire sites in an effort to protect public health and safety. Staff proposes that the Board approve the contractor for the Short-Term Remediation Contract under the Waste Tire Stabilization and Abatement Program. The current short-term remediation contract, which was awarded by the Board in June 2002, will expire in May 2005. This contract will allow the Board to continue tire pile remediation efforts.

II. ITEM HISTORY

The Board has awarded five previous contracts for remediation of illegal waste tire sites. Contracts were awarded in Fiscal Years (FYs) 1994/1995, 1996/1997, 1997/1998, 1999/2000, and 2001/2002.

At the October 13, 2004 Board meeting the Scope of Work (SOW) for the Waste Tire Short-Term Remediation Contract was approved.

III. OPTIONS FOR THE BOARD

1. Approve Resolution Number 2005-36 and the proposed contractor Engineering/Remediation Resources Group, Inc. (ERRG), for the Waste Tire Remediation Contract – Attachment 1.
2. Disapprove the proposed contractor ERRG for the Waste Tire Remediation Contract and direct staff to take other action.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve Option 1 and adopt Resolution Number 2005-36 and approve ERRG as the contractor.

V. ANALYSIS

A. Key Issues and Findings

The first waste tire remediation contract was approved by the Board in 1995. To date, a total of five contracts have been awarded for short-term remediation of waste tires. The contractor selection process for the Waste Tire Stabilization and Abatement Contract utilized the Request for Qualifications (RFQ) process in Title 14, Division 7, Article 2, Section 17022 of the California Code of Regulations. Statement of Qualifications (SOQs) were required to be submitted to the Board by the December 13, 2004 deadline. There were a total of five submittals. All five SOQs were determined to be complete and responsive packages. The SOQs were scored and ranked pursuant to the above-referenced process by a selection committee consisting of three individuals. The top three ranking firms were then interviewed by the selection committee and the company ERRG was selected as the highest ranking firm.

Key Issues
The purpose of the Waste Tire Stabilization and Abatement Contract is to clean up waste tire sites with the most feasible stabilization/remediation plan possible. Factors to be considered when developing a stabilization/remediation plan include the condition of the waste tires, geographic location of the site, final disposition, costs, accessibility to tires, urgency for completing the work, and other site specific conditions. The contractor will solicit competitive bids for the tire transportation and disposal/recycling portion of the work for each site in an effort to efficiently utilize Board expenditures.

B. Environmental Issues
The contract will be used to reduce the number of illegal waste tire piles in California. The Board will coordinate all remediation efforts with the other appropriate environmental agencies.

C. Program/Long Term Impacts
The contract will allow the Board to continue its efforts to perform any cleanup, abatement, or remedial work required to prevent substantial pollution, nuisance, or injury to the public's health and safety at waste tire sites where the responsible parties have failed to take appropriate action as directed by the Board.

D. Stakeholder Impacts
Based on available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts
Funding for the remediation of the waste tires has been identified in the Five-Year Plan. On May 14, 2003, the Board adopted the revised Five-Year Plan covering FYs 2003/2004 through 2007/2008 that included $1.5 million for Short-Term Remediation Projects for FYs 2004/2005 and 2005/2006. The FY 2004/2005 funds must be encumbered by June 30, 2005; otherwise, they revert back to the Tire Recycling Management Fund. The contract will be awarded for an amount not to exceed $3 million.

F. Legal Issues
Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice
See Strategic Plan discussion below.

H. 2001 Strategic Plan
Activities pertaining to cleanup, abatement, or other remedial action support Goal 4 of the Board's Strategic Plan

Goal 4: To manage and mitigate the impacts of solid waste on public health and safety and the environment and promote integrated and consistent permitting, inspection, and enforcement efforts.

Objective 4: To intensify efforts to prevent illegal dumping and, where necessary, clean up illegally disposed waste and waste tire sites. This will be accomplished through the implementation of the following strategy.

Strategy C: To direct Board resources and support local efforts to ensure the timely remediation and restoration of illegal disposal sites and illegal waste tire sites that pose the greatest threat to public health and safety and the environment.

VI. FUNDING INFORMATION

The Board's *Five-Year Plan for the Waste Tire Recycling Management Program* identifies funding for Short Term Remediation Projects. Funds available include $1.5 million for FY 2004/2005 and $1.5 million for FY 2005/2006. The FY 2004/2005 funds must be encumbered no later than June 30, 2005.

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire Recycling Management	$3,000,000	FY 04/05 $1,500,000 FY 05/06 $1,500,000		3910-001-0387

VII. ATTACHMENTS

1. Resolution Number 2005-36

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Albert Johnson **Phone:** (916) 341-6687
B. Legal Staff: Holly B. Armstrong **Phone:** (916) 341-6060
C. Administration Staff: Carol Baker **Phone:** (916) 341-6105

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-36

Consideration Of Contractor For The Waste Tire Short-Term Remediation Contract (Tire Recycling Management Fund, FYs 2004/2005 And 2005/2006)

WHEREAS, the State of California generates more than 33 million waste tires annually and over 25 million of these are diverted from stockpiling or disposal in landfills; and

WHEREAS, Public Resources Code (PRC) sections 42800, *et seq.* established the waste tire program for the State of California and assigns responsibility to the California Integrated Waste Management Board (Board); and

WHEREAS, PRC section 42846(a) allows the Board to expend available money in the California Tire Recycling Management Fund to perform any cleanup, abatement, or remedial work required under the circumstances set forth in PRC section 42845 which, in its judgment, is required by the magnitude of endeavor or the need for prompt action to prevent substantial pollution, nuisance, or injury to the public health and safety; and

WHEREAS, the Board approved the report *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition Covering Fiscal Years 2003/2004-2007/2008),* which included a $1,500,000 allocation in Fiscal Year (FY) 2004/2005 and a $1,500,000 allocation in FY 2005/2006 for Short-Term Remediation Projects; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves Engineering/Remediation Resources Group, Inc., as the contractor for the Waste Tire Short-Term Remediation Contract in an amount not to exceed $3,000,000, subject to availability of funds appropriated to this program.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Board Meeting

February 15-16, 2005

AGENDA ITEM 8

Discussion Of The Waste Tire Recycling Management Program's Product Promotion And Outreach Concept

(Special Waste Committee Item E)

Oral Presentation

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 9 (Revised)

ITEM

Consideration Of Scope Of Work For The Rubberized Asphalt Concrete Engineering And Technical Assistance Contract

I. ISSUE/PROBLEM STATEMENT

At the December 2004 Special Waste Committee Meeting, staff presented a proposal for activities designed to increase the use of rubberized asphalt concrete (RAC) in California. RAC is one of the predominate, civil engineering related uses for waste tires, which shows significant promise for increasing the state's tire diversion rate. The proposal included: contracting with a marketing expert to promote a statewide education and marketing effort targeting policy makers as well as technical staff, combined with a separate focused effort to first-time RAC users. The activities will be carried out with the combined effort of separate contractors for the marketing; technical education/assistance; and the Rubberized Asphalt Concrete Technology Centers (Tech Centers).

This item proposes that the California Integrated Waste Management (Board) approve a Scope of Work (SOW) for the Rubberized Asphalt Concrete Engineering and Technical Assistance Contract. This contract is an important part of the Board's new direction for the delivery of Tire Program services aimed at increasing the use of RAC. Through this contract the Board will hire an engineering consultant with expertise in RAC processes and construction, to expand the knowledge of RAC engineering benefits and correct application procedures via technology transfer, design, and technical assistance to local government agencies. The engineering consultant will also provide construction management oversight on the proposed first-time user RAC grant projects.

The contract may be used to fund research projects. These projects may be performed in partnership with local government and/or state agencies. The contract may also be used to provide technical assistance to Caltrans and/or industry as needed in support of market development activities.

II. ITEM HISTORY

In July 2003, the Board approved the *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition)* (Five-Year Plan). The Five-Year Plan allocated $600,000 for the Tech Centers for Fiscal Year (FY) 2004/2005. At its December 2004, meeting the Special Waste Committee approved staff's recommendation for the RAC Program Options, which included a redirection of $200,000 from the FY 2004/2005 Tech Centers allocation to fund the RAC Engineering and Technical Assistance Contract. Of the remaining $400,000 of the original Tech Centers allocation, $225,000 was encumbered into a new contract for the Southern Tech Center and $175,000 was redirected to fund a RAC marketing contract.

III. OPTIONS FOR THE BOARD

1. Approve the proposed Scope of Work for the RAC Engineering and Technical Assistance Contract, Attachment 1 and adopt Resolution Number 2005-37.
2. Approve the Scope of Work with specified changes and adopt Resolution 2005-37.

IV. STAFF RECOMMENDATION

Staff recommends the Board approve Option one and adopt Resolution 2005-37.

V. ANALYSIS

A. Key Issues and Findings

Since June 1997, the Board has primarily conducted its RAC program activities through the Tech Centers. An evaluation of the Tech Centers was completed by Sjoberg Evashenk Consulting (SEC) in March 2004 and the findings were presented at the April 2004 Board meeting. The SEC evaluation recommended, and staff concurred, that by revisiting the existing processes for RAC program delivery, the Board could improve the overall impact and results of the RAC program. At the December 2004 Special Waste Committee meeting, staff recommended, and the Committee concurred, on a revamping of the delivery of the RAC program services to local governments via proposed contracts for direct marketing and technical assistance efforts. The contractor will provide RAC technology transfer and technical assistance to local governments.

The December 2004 staff proposal included $200,000 from FY 2004/2005 for funding the RAC Engineering and Technical Assistance Contract. However, since the response to the Board's most recent SB 1346 RAC grant program offering has been much greater than expected, and with the planned start of the first-time user RAC grant program (and associated focused education program) in FY 2005/2006, staff anticipates that the technical assistance effort under this contract will be much greater than originally estimated. Staff also feels that the initial demand for technical assistance under this contract may exceed the resources available under the original allocation and therefore additional funds are necessary to ensure that the contractor can commit sufficient resources to meet the projected initial demand. Therefore, staff is proposing an increase in the initial funding for this contract from $200,000 to $450,000 to meet this projected increase in effort. In addition to the previously approved redirection of $200,000 from the RACTC line item, staff requests that the Board redirect $250,000 from the FY 2004/2005 Civil Engineering Uses line item in the Market Development Section of the Five-Year Plan to support this contract. The use of RAC is just one of several civil engineering applications available to local government agencies.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item.

C. Program/Long Term Impacts

Based on available information, staff is not aware of any program impacts related to this item other than that this contract will help the Board implement its RAC program. Based on available information, staff is not aware of any long-term impacts related to this item.

D. Stakeholder Impacts

This item will provide direct engineering and technical assistance to local government agencies.

E. Fiscal Impacts

The funds for this item are coming from existing allocations. Staff is proposing that $200,000 come from the RACTC line item and $250,000 come from the Civil Engineering Uses line item from the FY 2004/2005 allocations in the Market Development Section of the current Five-Year Plan. Through the Five-Year Plan revision process, staff is also requesting additional funding for this effort in FYs 2005/2006 and 2006/2007 at a level of $250,000 per fiscal year.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

Based on available information, staff is not aware of any environmental justice issues related to this item.

H. 2001 Strategic Plan

Goa1 1: Increase participation in resource conservation, integrated waste management, waste prevention, and product stewardship to reduce waste and create a sustainable infrastructure.

Objective 1: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire Recycling Management Fund	$200,000	$200,000	$ 0	RACTC Allocation
Tire Recycling Management Fund	$~~2~~350,000	$250,000	$ 100,000	Civil Engineering Uses

VII. ATTACHMENTS

1. RAC Engineering and Technical Assistance Contract Scope of Work
2. Resolution 2005-37

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Nate Gauff **Phone:** (916) 341-6686
B. Legal Staff: Holly Armstrong **Phone:** (916) 341-6060
C. Administration Staff: Carol Baker **Phone:** (916) 341-6105

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

California Integrated Waste Management Board

SCOPE OF WORK
Rubberized Asphalt Concrete Engineering And Technical Assistance

I. INTRODUCTION/OBJECTIVES

This contract is an important part of the Board's new direction for the delivery of Rubberized Asphalt Concrete (RAC) Program services aimed at increasing the use of RAC. Through this contract the Board will hire an engineering consultant with expertise in RAC processes and construction to help provide education, design, and technical assistance to local government agencies who want to increase their use of RAC. The engineering consultant will also provide construction management oversight on the proposed new user RAC grant projects.

The Engineering and Technical Assistance Contract will assist the Board, in partnership with local governments, to increase the use of RAC by expanding the knowledge of its engineering benefits and correct application procedures. The consultant chosen for this contract will work closely with local government agencies on RAC technology transfer and project construction. The contract may be used to fund research projects. These projects may be performed in partnership with local government and/or state agencies. The contract may also be used to provide technical assistance to Caltrans and/or industry as needed.

II. WORK TO BE PERFORMED

1. RAC technology transfer to local governments.
2. RAC engineering design consultation.
3. Construction management, technical assistance, and oversight.
4. Research investigations.

III. TASKS IDENTIFIED

Types of work anticipated include, but are not limited to:

1. Develop and implement a RAC technology transfer program for training local government personnel. The program will include RAC manufacturing processes, construction and inspection processes, material sampling and analysis techniques.

2. Assist in the development and implementation of informational and educational seminars for the promotion of RAC.

3. Assist in the development/review of engineering designs for local government RAC projects.

4. Provide construction management and inspection technical assistance for local government RAC projects.

5. Provide construction management oversight for the Board's New User RAC grant projects.

6. Review and critique technical standards and specifications for RAC materials and construction.

7. Perform research investigations of RAC issues and problems.

8. Provide general assistance for presentations, work planning, and meetings.

9. Consult with employees of the California Integrated Waste Management Board (CIWMB), other state and local agencies.

10. Coordinate efforts with the Northern and Southern Rubberized Asphalt Concrete Technology Centers, as appropriate.

11. Provide bi-monthly progress and cost tracking reports.

IV. CONTRACT/TASK TIME FRAME

It is anticipated that this contract will be awarded in June 2005 and expire in May 2007. Board staff will develop a work order for each task under this contract and the deliverables and time frame for the task will be included in the work order.

V. COPYRIGHT PROVISION

The contractor shall establish for the Board good title in all copyrightable and trademarkable materials developed as a result of this Scope of Work. Such title shall include exclusive copyrights and trademarks in the name of the State of California, California Integrated Waste Management Board.

VI. CALIFORNIA WASTE TIRES

Unless otherwise provided for in this Scope of Work, in the event the contractor and/or subcontractor(s) purchases waste tires or waste-tire derived products for the performance of this Scope of Work, only California waste tires and California waste tire-derived products shall be used. As a condition of payment under the agreement, the contractor shall be required to provide documentation substantiating the source of the tire materials used during the performance of this Scope of Work to the contract manager.

VII. WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT

In the performance of this agreement, the contractor shall use recycled content, used or reusable products, and practice other waste reduction measures where feasible and appropriate.

Recycled Content Products: All products purchased and charged/billed to the CIWMB to fulfill the requirements of this contract shall be Recycled Content Products (RCPs), or used (reused, remanufactured, refurbished) products. All RCPs purchased or charged/billed to the CIWMB to fulfill the requirements of the contract shall have both the Total Recycled-Content (TRC) and the Postconsumer Content (PC) clearly identified on the products. Specific requirements for the aforementioned purchases and identification are discussed in the Terms and Conditions of the Contractual Agreement under Recycled-Content Product Purchasing and Certification.

The contractor should, at a minimum, ensure that the following issues are addressed, as applicable to the services provided:

A. WRITTEN DOCUMENT PROVISION

All documents and/or reports drafted for publication by or for the Board in accordance with this contract shall adhere to the Board's *Guidelines For Preparing CIWMB Reports (available upon request)* and shall be reviewed by the Board's Contract Manager in consultation with one of the Board's editors.

In addition, these documents and/or reports shall be printed double-sided on one hundred percent (100%) recycled-content paper (unless 100% recycled-content paper is not appropriate, such as where many full color photographs will be used, then paper with a minimum of fifty percent (50%) recycled-content may be used). The paper should identify the postconsumer recycled content of the paper (i.e., "printed on 50% postconsumer paper"). When applicable, the contractor shall provide the contract manager with an electronic copy of the document and/or report for the Board's uses.

To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents.

B. CONFERENCING PROVISION

The contractor shall take any and all steps necessary to make sure that the event is a model for future recycling, waste prevention, diversion, buy recycled, and waste management events.

Paper Products: All paper products used to fulfill the requirements of this contract (nametags, badges, letters, envelopes, brochures, etc) must contain at least 30% post-consumer recycled content fiber.

Re-usable Cups, Plates & Utensils: To the greatest extent possible, use re-usable/washable utensils, dishes, tableware, etc., rather than single-use disposable products.

Leftover Food/Beverages: All leftover food and/or beverages associated with the event will be donated to an established food donation outlet. Arrangements for the donation must be made prior to the date of the event. CIWMB staff will assist the contractor in identifying these donation outlets, if needed.

Recycling/Composting: Arrangements must be made with the venue, sponsor, or by contract, to provide adequate collection bins for recyclables, organics (food waste) or biodegradable materials, and trash (non-recyclables). The bins should contain at least 30% post-consumer plastic. In addition, the contractor shall work with the venue and/or sponsors to maximize diversion of the discarded materials.

Soy-based Printing Ink: To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents needed for the event.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-37 Revised

Consideration Of Scope Of Work For The Rubberized Asphalt Concrete Engineering And Technical Assistance Contract

WHEREAS, the State of California generates more than 33 million waste tires annually and in excess of 25 million of these are diverted from stockpiling or disposal in landfills; and

WHEREAS, the Public Resources Code sections 42800, *et seq.* established the waste tire program for the State of California and assigns responsibility to the California Integrated Waste Management Board (Board); and

WHEREAS, Senate Bill (SB) 876 (Escutia, Statutes 2000, Chapter 838) is a comprehensive measure that extended and expanded California's regulatory program related to the management of waste and used tires; and

WHEREAS, SB 876 required the submittal to the Legislature of a comprehensive Five-Year Plan for the management of waste tires in California; and

WHEREAS, the Board approved the *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition Covering Fiscal Years 2003/2004-2007/2008)*, which includes activities to support the Board's rubberized asphalt concrete (RAC) initiatives; and

WHEREAS, at its December 2004 meeting, the Special Waste Committee approved the RAC program elements and directed staff to develop a scope of work for the Rubberized Asphalt Concrete Engineering and Technical Assistance Contract.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Scope of Work for the Rubberized Asphalt Concrete Engineering and Technical Assistance Contract <u>and directs staff to proceed with the Request for Qualifications (RFQ) and procure a contractor to be approved by the Board.</u>

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 10 (Revised)

ITEM

Consideration Of Scope Of Work For Interagency Agreement With San Jose State University To Develop A Model For Use Of Currently Available Satellite Imagery To Locate Waste Tire Piles In California (Tire Recycling Management Fund, FY 2004/2005)

I. ISSUE/PROBLEM STATEMENT

This item proposes that the California Integrated Waste Management Board (Board) approve the Scope of Work (SOW) for the ~~Interagency~~ Agreement (IA) with ~~California State University San Jose~~ San Jose State University Foundation (~~CSUSF~~) (SJSUF) for Fiscal Year (FY) 2004/2005. Under this contract, Board staff will work with ~~CSUSJ~~ SJSUF to determine the feasibility of using currently existing satellite imagery to develop a program model to locate and monitor waste tire piles in California. Under this contract, ~~CSUSJ~~ SJSUF will determine if currently available satellite imagery can be used to locate new and monitor existing waste tire locations. As a result, there could be considerable saving of resources for Board and Waste Tire ~~Grantee~~ staff.

II. ITEM HISTORY

No Previous History.

III. OPTIONS FOR THE BOARD

1. Approve Resolution Number 2005-38 and the proposed Scope of Work for ~~Interagency~~ Agreement with ~~California State University San Jose~~ SJSUF to develop a Model for use of currently available Satellite Imagery to Locate Waste Tire Piles in California (Attachment 1).
2. Approve the Scope of Work with specified changes and approve Resolution Number 2005-38.
3. Direct staff to make changes to the proposed Scope of Work and return to the Board at a later date for further consideration.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve Option 1 and approve the proposed Scope of Work and Resolution 2005-38.

V. ANALYSIS

A. Key Issues and Findings

When the concept of using satellite imagery to locate and monitor waste tire piles is proven under this proposed contract, it should become an important tool in the Board's effort and ability to locate, monitor, and control illegal waste tire disposal. It will augment the program's existing ground surveillance, CHP checkpoints, and educational efforts in the enforcement program to control illegal waste tire disposal. This concept could be a great time-saving resource for Board staff and local waste tire personnel by providing more accurate location information and focusing our ground surveillance efforts.

Previously, the Board had been using an IA with the CHP to locate and log locations of suspected waste tire piles for the entire state. That method was successful to a point but offered challenges in providing a systematic method to cover that state and accurately log specific tire pile locations. Most of the work that was anticipated to be completed by the CHP on their waste tire pile location work has been completed. Now that the CHP Aerial team has covered most of the state, it continues to be a good resource for location-specific tasks associated with surveillance of known or suspected waste tire piles.

This item presents new methods of surveillance for consideration by the Board. The Board has previously approved aerial surveillance, through a CHP contract to identify illegal tire piles. The technology to be used for this concept has been proven in other environmental applications. When developed for a tire-specific program, this concept may be applied to assist the Board in its mandate to protect the public and environment and to improve resource allocation and safety for staff and waste tire grantees.

The use of satellite imagery will provide a new tool to enhance the Board's ability to locate and monitor new, developing, and existing waste tire piles. That ability to remotely locate and monitor waste tire locations in rural and urban locations will provide staff with an improved ability to locate and view waste tire locations without subjecting personnel to access concerns and potentially hazardous field conditions. Satellite imagery will also help staff to develop a legal basis, using proven technology to show the need to obtain site access when necessary for sites that would not have been otherwise accessible or have proven to be inaccessible.

Currently, satellite and aerial imagery are being used to view and map the state of California. This technology is currently being used by many private and governmental organizations in and outside of California to streamline operations, because it can provide relevant data for use in analysis and planning purposes. Some of the current governmental organizations using satellite data include, but are not limited to, Office of Emergency Services, CalTrans, California Department of Forestry, Resources Agency, and the State Water Resources Control Board. Local flood control districts and planning departments are also using this technology for planning, monitoring, and review purposes.

This SOW focuses on the use of Satellite Imagery because of the accuracy of the spectral data that can be produced on a statewide basis. Some aerial data may exist with spectral data capable of producing the desired results. However, it does not appear to be available state-wide with a consistency that would be usable for this pilot project. Therefore, part of this project will focus on determining the spectral needs for locating tire facilities which will in turn allow review of aerial photo capabilities.

B. Environmental Issues

This ~~IA~~ agreement should result in the implementation of new technologies, which will assist the Board in identifying and monitoring illegal tire piles throughout the state. Through these activities, Board staff will have another tool to assist in taking appropriate enforcement action against unlicensed tire haulers and the operators of illegal tire piles.

C. Program/Long Term Impacts

This contract concept, when proven, will provide the Board staff and local waste tire enforcement personnel with a tool to accurately locate and monitor waste tire piles in California. It is anticipated that this technology will significantly reduce the cost of staff time required to check remote areas or confirm reports of new or increasing waste tire piles. Once this technology is proven, waste tire locations determined by satellite imagery can be automated providing staff with more information in less time than would have been previously capable under the current method of waste tire pile location detection. This automation will allow staff to spend more time on known sites and less time eliminating incorrectly suspected waste tire disposal sites. Use of satellite imagery will also provide the added benefit of not only locating sites with considerable accuracy using a Global Positing System (GPS) but will provide that location on a photo that shows a considerable amount of the surrounding area. Those photos showing enlarged areas will help orient field staff to determine the best and shortest possible route to the site, which will save time and resources.

This new tool will also allow staff to view a specific target area under question from the safety of an office. If a site is located using satellite imagery, the staff person will have specific information about the location and pile size prior to planning a site visit. Specific information about the location of waste tire piles will also allow staff to do a records check on past information and determine the owner of the site.

During the proposed project life, field studies will be conducted to confirm that satellite data obtained from currently available sources is accurate, up-to-date, and complete. There are some issues that will need to be worked out during this proof of concept stage such as confirming that information received from satellite imagery on tires is specific to only tires, eliminating possible mistakes by recognizing shadows as tire locations.

With earlier and more accurate detection of waste tire pile locations, staff will have the opportunity to significantly improve response time to confront those who illegally dispose of waste tires. For instance, if a location is identified, several dates of satellite imagery of a location can be checked and if there is a marked increase in tire disposal then surveillance can be used on the site to stop the hauler and mitigate the damage done to the environment. Once several of these incidents have occurred and haulers realize that they may be caught in a timely fashion there should be a reluctance to start or continue the illegal disposal of waste tires.

D. Stakeholder Impacts

Based on the available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

This will require the expenditure of $30,000 from the Air Surveillance line item of the current Five-Year Waste Tire Management Plan (Tire Management Fund).

F. Legal Issues

Staff is aware of no legal issues regarding this item.

G. Environmental Justice

The enforcement of the statute and regulations pertaining to waste tire management are equally and uniformly applied to all applicable parties throughout the state of California regardless of income, population density, race or ethnic origin.

H. 2001 Strategic Plan

This item directly relates to the following goals and objectives of the Board's 2001 Strategic Plan:

Goal 4 – To manage and mitigate the impacts of solid waste on public health and safety and the environment and promote integrated and consistent permitting, inspection, and enforcement efforts.

Objective 1: Through consistent and effective enforcement or other appropriate measures, ensure compliance with federal and state waste management laws and regulations.

Objective 4: Intensify efforts to prevent illegal dumping and, where necessary, clean up illegally disposed waste and waste tire sites.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire Management Fund	$ 200,000	$ 30,000	$ 170,000	Enhanced Enforcement and Air Surveillance

VII. ATTACHMENTS

1. Scope of Work
2. Resolution Number 2005-38

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Darryl L. Petker, P.E. **Phone:** (916) 341-6704
B. Legal Staff: Holly Armstrong **Phone:** (916) 341-6060
C. Administration Staff: Carol Baker **Phone:** (916) 341-6105

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

California Integrated Waste Management Board

SCOPE OF WORK Revised

Agreement with San Jose State University Foundation To Develop A Model For Use Of Currently Available Satellite Imagery To Locate Waste Tire Piles In California

~~***Of Currently Available Satellite Imagery To Locate Waste Tire Piles In California***~~

I. INTRODUCTION/OBJECTIVES

The purpose of this ~~Interagency~~ Agreement ~~(IA)~~ is for the California Integrated Waste Management Board (Board) and San Jose State University Foundation (SJSUF) work to develop and confirm that waste tire piles can be located quickly and efficiently while reducing costs by using available satellite imagery in conjunction with available software. SJSUF will be working in coordination with resources available at NASA/Ames Research Center at Moffett Field, California.

The Waste Tire Enforcement staff has been using numerous methods to find and evaluate illegal waste tire disposal sites throughout the state. Those methods include CHP aerial surveillance; local contacts, such as waste tire grantees and code enforcement personnel; file and records checks; and follow-up on location tips. Additionally staff has used the methods of driving in areas of suspected illegal dumping to locate previously unknown locations or to monitor known locations.

Those past methods have provided staff with success and confirmation of numerous locations of illegal waste tire piles, but were resource intensive. New technology is available that shows promise for locating illegal waste tire piles in all areas of California. Satellite imagery is available in conjunction with processing techniques that could allow staff to remotely locate and monitor illegal was tire piles. This technology could also help staff to locate suspected waste tire piles in remote sites where access is difficult to obtain. If proven, this technology could save considerable time and resources for the Waste Tire Enforcement Program over current methods. It is not suggested that the use of satellite imagery will replace all those methods of locating waste tire piles, but that it will serve as an additional tool in the arsenal to control and eliminate illegal disposal. This technology is currently being used by many organizations and agencies to remotely monitor urban development, flood control, forestation issues, seismic issues, and intrusive non-native plant growth.

This proposal shall focus on two specific areas of California. The first will be an area in Sonoma County, which has numerous waste tire piles of varying sizes. This area and terrain is chosen because it represents an environment similar to many areas throughout the state which have been used for the illegal disposal of waste tires. The second area will be in the southern part of the state, where there are numerous waste tire piles. The contractor will be given many of the known waste tire pile locations in the specified areas and a few will remain known only to

the Board Staff. This will assure the Board staff that the contractor can locate known sites and find sites not originally known to them.

As a final test for viability of the technology, the contractor will be given a small area with several known sites that they will have to find and list by size and location.

Additionally, if viable, this technology will help with locating illegal tire piles. Controlling and monitoring of waste tire piles should help in the elimination of potential areas where mosquitoes and West Nile virus may develop.

Once proven, this technology can be shared with local waste tire grantees in their efforts to control the illegal disposal of waste tires.

II. WORK TO BE PERFORMED

1. Board Staff and SJSUF will work together to ensure that the basic information exchanged and requested is reasonable in accordance with currently available technology. This work will include identifying and working in a cooperative effort with other Federal, State, or Local Agencies that have done research into using satellite imagery to locate waste tire piles.
2. SJSUF will obtain satellite imagery from public and/or private sources for specific areas of California, which will be provided to SJSUF by the Board Contract Manager.
3. Perform both office and field work to correlate satellite image data with ground information (data). Board Staff should be advised of and, if appropriate, be present during field work. The decision as to whether it is appropriate for Board staff to be present during field work shall be made by the Board ~~Grant~~ Contract Manager. Field work will be that work performed by the contractor and Board staff to locate waste tire locations and gather appropriate ground information.
4. Use image processing technology to identify and accurately locate waste tire piles of 100 or more tires in several types of terrain. That data will be spectral data from satellite or aerial imagery. Those terrains should include both a hilly and shady terrain such as Sonoma County, as well as open desert environments such as the high desert in Los Angeles and San Bernardino Counties. Board will provide SJSUF staff with specific locations where field work for this contract is to be performed.
5. Determine cost to apply the technology to a specific new area for waste tires or monitor a currently known site(s).

III. TASKS IDENTIFIED

The following tasks shall be performed:

Task 1. Develop Project Plan

Working with the Board Contract Manager, develop a written plan containing a description, outline, and timeline clearly indicating how this project, including completion of the deliverables, will be accomplished. This project description and outline will include the types of software programs to be used, source and type of imagery, and personnel to accomplish the work to be performed as stated above. This report should be given in draft form to the Board Contract Manager for review prior to formal submittal. Results must be submitted in a form that will be compatible with current Board systems.

Deliverables: Report on project development, description, outline, and timeline.

Completion Deadline: April 1, 2005

Task 2. Image Processing Methodology

Obtain and use satellite imagery that is currently available from either public or private sources to develop image processing methodology that may be used now and in the future to locate legal and illegal waste tire piles in excess of 100 tires or approximately 250 square feet of surface area. The methodology will allow future searches for tires from a specific area located by geographic coordinates in a form acceptable to the Board. For purposes of this ~~IA~~ agreement, only limited areas will be used to test the methodology; however, the program will be designed to be used on any area of California.

Field work needed to accurately calibrate the image processing methods will be accomplished in the presence of or with overview of Board staff or a designated waste tire grantee.

Deliverables: Report on the status of the work done for Task #2.

Completion Deadline: June 1, 2005

Task 3. Prepare and deliver three demonstrations

Prepare and deliver three demonstrations of the effectiveness of the model developed. The three demonstrations will be for the following purposes and will be held at the Offices of the Board in Sacramento, California, unless otherwise agreed. The first presentation will be to work with Board staff to preview the presentation to the Special Waste Committee or other appropriate state official. The second meeting will be for a presentation to the Special Waste Committee at a public meeting at a date acceptable to the Committee or to the appropriate state official at either a public or private meeting. The third presentation will be to the Board at a public meeting or to the appropriate state official at either a public or private meeting upon completion of the Project.

Deliverables: Three Presentations (two of which may be in a public setting)

Completion Deadline: July 1, 2005

Task 4. Final Report

Final report – SJSUF will provide the Board with ten copies of the Final Report, nine of which may be on CD's; at least one copy must be a hard copy, printed on paper with the appropriate percentage of recycled content. Appropriate images, photos, findings should be included.

The final report shall include a description of the work performed, results of the modeling effort, list of tire piles located, and a recommendation about the feasibility of this project to work on an ongoing basis. The report should also include an estimated cost breakdown for further use of this model on an as-need basis.

Deliverables: Approved Final Report

Completion Deadline: August 15, 2005

Task Cost Breakdown. The following sums will be paid upon approval of work performed for each task.

Task #	Task Title	Completion Date	Cost
#1	Develop Project Plan	April 1, 2005	$ 3000.00
#2	Field Work and Model Development	June1, 2005	$20,000.00
#3	Presentations	August 15, 2005	$ 3000.00
#4	Final Report	August 15, 2005	$ 4000.00

IV. CONTRACT/TASK TIME FRAME

The timeframe on this contract will vary depending on weather and field conditions. It is expected that the work will be completed no later than September 30, 2005.

V. COPYRIGHT PROVISION

Contractor shall establish for the Board good title in all copyrightable and trademarkable materials developed as a result of this Scope of Work. Such title shall include exclusive copyrights and trademarks in the name of the State of California, California Integrated Waste Management Board.

VI. CALIFORNIA WASTE TIRES

Unless otherwise provided for in this Scope of Work, in the event the Contractor and/or Subcontractor(s) purchases waste tires or waste-tire derived products for the performance of this Scope of Work, only California waste tires and California waste tire-derived products shall be used. As a condition of payment under the Agreement, the Contractor shall be required to provide documentation substantiating the source of the tire materials used during the performance of this Scope of Work to the Contract Manager.

VII. WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT

In the performance of this Agreement, Contractor shall use recycled content, used or reusable products, and practice other waste reduction measures where feasible and appropriate.

Recycled Content Products: All products purchased and charged/billed to the Board to fulfill the requirements of this contract shall be Recycled Content Products (RCPs), or used (reused, remanufactured, refurbished) products. All RCPs purchased or charged/billed to the Board to fulfill the requirements of the contract shall have both the total recycled-content (TRC) and the post consumer content (PC) clearly identified on the products. Specific requirements for the aforementioned purchases and identification are discussed in the Terms and Conditions of the Contractual Agreement under Recycled-Content Product Purchasing and Certification.

The Contractor should, at a minimum, ensure that the following issues are addressed, as applicable to the services provided:

A. WRITTEN DOCUMENT PROVISION

All documents and/or reports drafted for publication by or for the Board in accordance with this contract shall adhere to the Board's *Guidelines For Preparing CIWMB Reports (available upon request)* and shall be reviewed by the Board's Contract Manager in consultation with one of the Board's editors.

In addition, these documents and/or reports shall be printed double-sided on paper with one hundred percent (100%)recycled content(unless 100% recyled-content is not appropriate, such as where many full color photographs will be used, then paper with a minimum of 50% recycled content may be used.) The paper should identify the post consumer recycled content of the paper (i.e., "printed on 100% post consumer paper"). When applicable, the Contractor shall provide the Contract Manager with an electronic copy of the document and/or report for the Board's uses.

To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents.

B. CONFERENCING PROVISION

The Contractor shall take any and all steps necessary to make sure that the Event is a model for future recycling, waste prevention, diversion, buy recycled, and waste management events.

Paper Products: All paper products used to fulfill the requirements of this contract (nametags, badges, letters, envelopes, brochures, etc) must contain at least 30% post-consumer recycled content fiber.

Re-usable Cups, Plates & Utensils: To the greatest extent possible, use re-usable/washable utensils, dishes, tableware, etc. rather than single-use disposable products.

Leftover Food/Beverages: All leftover food and/or beverages associated with the event will be donated to an established food donation outlet. Arrangements for the donation must be made prior to the date of the event. Board staff will assist the contractor in identifying these donation outlets, if needed.

Recycling/Composting: Arrangements must be made with the venue, sponsor, or by contract, to provide adequate collection bins for recyclables, organics (food waste) or biodegradable materials, and trash (non-recyclables). The bins should contain at least 30% post-consumer plastic. In addition, the contractor shall work with the venue and/or sponsors to maximize diversion of the discarded materials.

Soy-based Printing Ink: To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents needed for the event.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-38 (Revised)

Consideration Of Scope Of Work For Interagency Agreement With San Jose State University To Develop A Model For Use With Currently Available Satellite Imagery To Locate Waste Tire Piles In California (Tire Recycling Management Fund, FY 2004/2005)

WHEREAS, the State of California generates more than 31 million waste tires annually and 20 million of these tires are diverted from stockpiling or disposal in landfills; and

WHEREAS, Public Resource Code (PRC) 42800 *et seq.* established the Waste Tire Program for the State of California and assigned responsibility to the California Integrated Waste Management Board (Board); and

WHEREAS, Senate Bill 876 (Escutia, Statutes 2000, Chapter 838) is a comprehensive measure that extended and expanded California's regulatory program related to the management of waste and used tires and requires the adoption of a comprehensive Five-Year Plan for the allocation of tire program funds and the management of waste tires in California; and

WHEREAS, The *Five-Year Plan for the Waste Tire Recycling Management Program, (2nd edition covering 2003/2004 through 2008/2009)*, allocates $200,000 for An Enhanced Enforcement and Aerial Surveillance Waste Tire Compliance Program.

NOW, THEREFORE, BE IT RESOLVED that the Board approves the Scope of Work and an ~~Interagency~~ Agreement with ~~California State University~~ San Jose State University Foundation, for FY 2004/2005 in the amount of $30,000 and directs the Executive Director to enter into an ~~Interagency~~ Agreement with ~~California State University~~ San Jose State University Foundation.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 11

ITEM

Consideration Of Scope Of Work For Interagency Agreement With The California Highway Patrol To Conduct Enhanced Enforcement, Security Assistance, Education, Training, And Surveillance For The Waste Tire Compliance Program (Tire Recycling Management Fund, FY 2004/2005)

I. ISSUE/PROBLEM STATEMENT

This item proposes that the California Integrated Waste Management Board (Board) approve the Scope of Work (SOW) for the Interagency Agreement (IA) with the California Highway Patrol (CHP), Fiscal Year (FY) 2004/2005. Under this contract, Board staff will continue to work with the CHP which will provide aerial surveillance to locate illegal waste tire piles; enhanced vehicle checkpoints; and other enforcement and educational related activities to ensure compliance by waste tire haulers. This contract is important for the continued success of locating illegal tire piles and ensuring compliance by waste tire haulers through education and enforcement.

II. ITEM HISTORY

The Board approved the Revised *Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition)* (Five Year Plan) at its May 2003 meeting. The Revised Five-Year Plan allocated $350,000 from the Tire Recycling Management Fund to support the CHP in providing aerial surveillance operations and ground based enforcement support related to waste tire management activities.

In FY 1997/1998 the Board entered into an IA with the CHP to create a training video on the waste tire hauler regulations, which was used to conduct training of law enforcement officers statewide. In addition to the training video, the CHP and Board staff created a pamphlet listing requirements for hauling waste tires and procedures for becoming registered as a waste tire hauler. In FY 1998/1999, the scope of the IA was expanded to include aerial surveillance to identify illegal tire disposal sites. As part of the current IA, which was approved by the Board at the May 2002 Board meeting, the CHP began working in cooperation with Board staff, in conducting enhanced vehicle checkpoints throughout the state. The aerial surveillance program and enhanced vehicle checkpoint activities have continued during FY 2004/2005. Board staff, working with the CHP, has developed a Waste Tire Information Sheet that is currently being distributed to CHP, Local Enforcement Officers, CIWMB Staff, and Waste Tire Grantees.

III. OPTIONS FOR THE BOARD

1. Approve Resolution Number 2005-39 and the proposed Scope of Work for the Enhanced Enforcement, Aerial Surveillance Waste Tire Compliance Program Contract, Attachment 1.
2. Approve the Scope of Work with specified changes and approve Resolution Number 2005-39.
3. Direct staff to make changes to the proposed Scope of Work and return to the Board at a later date for further consideration.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve Option 1 and approve Resolution 2005-39 and the proposed Scope of Work.

V. ANALYSIS

A. Key Issues and Findings

This proposed contract is an important part of the Board's integrated efforts to control the illegal disposal of waste tires and to conduct surveillance, enforcement, and education activities related to the generation and transportation of waste tires throughout the state. In the past, the CHP has provided assistance to the Board in enforcing the tire hauler requirements and in locating illegal tire piles through aerial surveillance. Through the implementation of this IA, the CHP will continue to conduct enhanced vehicle checkpoints to ensure compliance by waste tire haulers as well as provide ground and aerial surveillance operations. Additionally, the CHP will be used to conduct legal process service, assist Board staff in investigations and perform other enforcement-related activities for the Board.

B. Environmental Issues

This IA will result in the implementation of activities, which will assist the Board in identifying unregistered waste tire haulers as well as locating illegal tire piles throughout the state. Through these activities Board staff will be able to take appropriate enforcement action against unlicensed tire haulers and the operators of illegal tire piles.

C. Program/Long Term Impacts

This IA will allow the Board to continue its successful efforts in locating illegal tire piles throughout the state. Additionally, enforcement activities conducted by the CHP and Board staff will lead to increased compliance by waste tire haulers. With these efforts, it would be expected that there would be a decrease in illegal activity related to the transportation and disposal of waste tires.

D. Stakeholder Impacts

Based on the available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

As part of the Enforcement component of the Five-Year Plan, the Board approved $350,000 for CHP Enforcement under *The Waste and Used Tire Hauler Program and Manifest System*.

F. Legal Issues

Staff is aware of no legal issues regarding this item.

G. Environmental Justice

The enforcement of the statute and regulations pertaining to waste tire management are equally and uniformly applied to all applicable parties throughout the state of California regardless of income, population density, race, or ethnic origin.

H. 2001 Strategic Plan

This item directly relates to the following goals and objectives of the Board's 2001 Strategic Plan:

Goal 4 – To manage and mitigate the impacts of solid waste on public health and safety and the environment and promote integrated and consistent permitting, inspection, and enforcement efforts.

Objective 1: Through consistent and effective enforcement or other appropriate measures, ensure compliance with federal and state waste management laws and regulations.

Objective 4: Intensify efforts to prevent illegal dumping and, where necessary, clean up illegally disposed waste and waste tire sites.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire Recycling Management	$ 350,000	$400,000	$ 50,000	Waste tire Hauler and Manifest section

VII. ATTACHMENTS

1. Scope of Work
2. Resolution Number 2005-39

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Darryl L. Petker **Phone:** (916) 341-6704
B. Legal Staff: Holly Armstrong **Phone:** (916) 341-6060
C. Administration Staff: Carol Baker **Phone:** (916) 341-6105

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

California Integrated Waste Management Board

SCOPE OF WORK

Interagency Agreement With The California Highway Patrol To Conduct Enhanced Enforcement, Security Assistance, Education, Training, And Surveillance For The Waste Tire Compliance Program

I. INTRODUCTION/OBJECTIVES

In Fiscal Year (FY) 1997/1998 the California Integrated Waste Management Board (Board) entered into an Interagency Agreement (IA) with the California Highway Patrol (CHP) to create a training video on the waste tire hauler regulations, which was used to conduct training of law enforcement officers statewide. In addition to the training video, CHP and Board staff created a pamphlet listing requirements for hauling waste tires and procedures for becoming registered as a waste tire hauler. In FY 1998/1999, the scope of the IA was expanded to include aerial surveillance to identify illegal tire disposal sites. As part of the current IA, which was approved by the Board at the May 2002 Board meeting, the CHP began working in cooperation with Board staff, in conducting enhanced vehicle checkpoints throughout the state. The aerial surveillance program and the enhanced vehicle checkpoint activities have continued during FY 2003/2004. In 2003, the Board, in cooperation with the CHP, has created and is distributing a Waste Tire Violation Reference Card that is sized for use by law enforcement personnel, which clearly summarizes pertinent citable and reference sections of the California Vehicle Code and Penal Code.

Through this Scope of Work (SOW), the CHP will continue to conduct most activities that have been done over the last three years under the current IA, and will add some new activities. These activities will include enhanced vehicle checkpoints throughout the state to ensure compliance by waste tire haulers, as well as aerial surveillance operations. Additionally, the CHP will be used to conduct legal process service, assist Board staff in investigations, update the training video on the waste tire hauler regulations and perform other enforcement related activities for the Board. This SOW eliminates all non-directed aerial surveillance activities the CHP performed under the previous SOW. The goal of this SOW is to continue to increase the compliance rates of waste tire haulers through education and enforcement.

II. WORK TO BE PERFORMED

The Contractor Shall:

Part A

1. Conduct load check compliance with Board Staff or designated waste tire enforcement personnel at selected locations, which includes but is not limited to, landfills and transfer stations throughout the state. These compliance checks can be done on a random basis or as part of an organized Board/CHP Roadside Vehicle Checkpoint.
2. Conduct waste tire hauler vehicle stops of incoming and outgoing loads at major waste tire processing facilities with Board staff or designated waste tire enforcement personnel. Those compliance checks can be done on a random basis or as part of an organized CHP Roadside Vehicle Checkpoint.
3. Assist Board staff or designated waste tire enforcement personnel in surveillance and enforcement activities involving waste tire haulers with a history of non-compliance.
4. Conduct increased road patrol in areas identified as having a high incidence of illegal waste tire hauling and illegal dumping.

Part B

1. At Board staff's request, conduct aerial surveillance and photograph alleged illegal tire sites and activities statewide with emphasis on areas known to have a high incidence of waste tire dumping.
2. At Board staff's request, re-identify through aerial photographs and other data those sites that were previously referred to the Board but which the Board has been unable to identify.
3. At Board staff's request and when appropriate, fly Board staff or their designated local enforcement persons over areas for surveillance and confirmation of waste tire disposal activities.
4. At Board staff's request and when appropriate, provide education and training for Board and local waste tire staff on issues of safety and methods for successfully handling difficult and dangerous situations.
5. Update training video on waste tire hauler regulations. The new training video will primarily be used to supplement a training session being developed by Board and CHP staff for both CHP and Local Law Enforcement personnel. The video is being designed to be approximately 15 minutes in length and will be made to not only support the above training but can be used on a stand alone basis. It will emphasis many of the aspects that law enforcement personnel should be familiar with to help enforce waste tire regulations. Those areas include, but are not limited to, court testimony, waste tire regulations, and recognition of waste vs. used tires. Additional information will be provided to patrolman about illegal dumping in rural and urban areas.

Part C

1. Whenever possible, services provided by the CHP for this contract will be on an overtime basis. Work on an overtime basis reduces the cost to the Board as benefits are not paid during overtime duty.

III. TASKS IDENTIFIED

Task 1:
Based upon information provided by the Board, the CHP will initiate a proactive program for both patrol and commercial vehicle enforcement with respect to waste tire hauling. CHP personnel will focus their efforts on enforcement of the California Tire Recycling Act, the California Vehicle Code Section 31560 and the California Penal Code Section 374.3 (e).

Task 2:
In cooperation with the Board, the CHP will implement a compliance and enforcement program to be implemented at selected landfills, transfer stations, and waste tire processing facilities throughout the state. The program will consist of a vehicle safety inspection element and appropriate records review. The vehicle safety element will be in accordance with appropriate CHP training and requirement in the California Vehicle Code. The records review will confirm that the waste tire hauler is currently registered and is maintaining appropriate manifests and trip logs accompanying shipments of waste tires.

Task 3:
At the request of Board staff and with written pre-approval of the Board contract manager, conduct flyovers statewide with emphasis on specific areas which have been identified by the Board as having a high incidence of illegal waste tire activity, such as stockpiling and dumping. These areas would include, but not be limited to, the greater Los Angeles area, San Bernardino and Riverside Counties, rural areas, and the California/Mexico border areas. Sites viewed from the air appearing to have more than 500 tires would be photographed, Global Position System (GPS) recorded, and located by the nearest cross streets or other landmarks. GPS recordings should be provided to the Board in a Latitude and Longitude notation using 5-digit decimal. This information would then be forwarded to the Board for appropriate follow-up.

Task 4:
Meet with Board staff and review available information concerning previously photographed sites, which the Board has been unable to identify. Aerial photographs and other information describing the Board's efforts to locate these sites will be provided to the CHP, in an attempt to determine where the site is located. At Board staff's request, and when appropriate, fly Board staff or their designated local enforcement persons over areas for surveillance and confirmation of waste tire disposal activities.

IV. CONTRACT/TASK TIME FRAME

It is anticipated that work on this IA would begin on March 1, 2005, and expire on June 30, 2006. Described tasks would be conducted throughout the contract period.

V. COPYRIGHT PROVISION

It is not anticipated that any copyrightable or trademarkable materials will be developed as a result of the Scope of Work.

VI. CALIFORNIA WASTE TIRES

N/A

VII. WASTE REDUCTION AND RECYCLED-CONTENT PRODUCT PROCUREMENT

In the performance of this Agreement, Contractor shall use recycled content, used or reusable products, and practice other waste reduction measures where feasible and appropriate.

Recycled Content Products: All products purchased and charged/billed to the Board to fulfill the requirements of this contract shall be Recycled Content Products (RCPs), or used (reused, remanufactured, refurbished) products. All RCPs purchased or charged/billed to the Board to fulfill the requirements of the contract shall have both the total recycled-content (TRC) and the post-consumer content (PC) clearly identified on the products. Specific requirements for the aforementioned purchases and identification are discussed in the Terms and Conditions of the Contractual Agreement under Recycled-Content Product Purchasing and Certification.

A. WRITTEN DOCUMENT PROVISION

All documents and/or reports drafted for publication by or for the Board in accordance with this contract shall adhere to the Board's *Guidelines For Preparing CIWMB Reports (available upon request)* and shall be reviewed by the Board's Contract Manager in consultation with one of the Board's editors.

In addition, these documents and/or reports shall be printed double-sided on paper with one hundred percent (100%) recycled content (unless 100% recycled-content is not appropriate, such as where many full color photographs will be used, then paper with a minimum or 50% recycled content may be used). The paper should

identify the post-consumer recycled content of the paper (i.e., "printed on 100% post-consumer paper"). When applicable, the Contractor shall provide the Contract Manager with an electronic copy of the document and/or report for the CIWMB's uses.

To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents.

B. CONFERENCING PROVISION

The Contractor shall take any and all steps necessary to make sure that the Event is a model for future recycling, waste prevention, diversion, buy recycled, and waste management events.

Paper Products: All paper products used to fulfill the requirements of this contract (nametags, badges, letters, envelopes, brochures, etc) must contain at least 30% post-consumer recycled content fiber.

Re-usable Cups, Plates & Utensils: To the greatest extent possible, use re-usable/washable utensils, dishes, tableware, etc. rather than single-use disposable products.

Leftover Food/Beverages: All leftover food and/or beverages associated with the event will be donated to an established food donation outlet. Arrangements for the donation must be made prior to the date of the event. CIWMB staff will assist the contractor in identifying these donation outlets, if needed.

Recycling/Composting: Arrangements must be made with the venue, sponsor, or by contract, to provide adequate collection bins for recyclables, organics (food waste) or biodegradable materials, and trash (non-recyclables). The bins should contain at least 30% post-consumer plastic. In addition, the contractor shall work with the venue and/or sponsors to maximize diversion of the discarded materials.

Soy-based Printing Ink: To the greatest extent possible, soy ink instead of petroleum-based inks should be used to print all documents needed for the event.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-39

Consideration Of Scope Of Work For Interagency Agreement With The California Highway Patrol To Conduct Enhanced Enforcement, Security Assistance, Education, Training, And Surveillance For The Waste Tire Compliance Program (Tire Recycling Management Fund, FY 2004/2005)

WHEREAS, the State of California generates more than 31 million waste tires annually and 20 million of these tires are diverted from stockpiling or disposal in landfills; and

WHEREAS, Public Resource Code (PRC) 42800 *et seq.* established the Waste Tire Program for the State of California and assigned responsibility to the California Integrated Waste Management Board (Board); and

WHEREAS, Senate Bill 876 (Escutia, Statutes 2000, Chapter 838) is a comprehensive measure that extended and expanded California's regulatory program related to the management of waste and used tires and requires the adoption of a comprehensive Five-Year Plan for the allocation of tire program funds and the management of waste tires in California; and

WHEREAS, The *Five-Year Plan for the Waste Tire Recycling Management Program* (*2nd Edition covering 2003/2004 through 2008/2009),* adopted by the Board at its May 2002 meeting, allocates $350,000 for the Waste and Used Tire Hauler Program and Manifesting System.

NOW, THEREFORE, BE IT RESOLVED that the Board approves the Scope of Work and Interagency Agreement with the California Highway Patrol for FY 2004/2005 in the amount of $350,000 and directs the Executive Director to enter into an Interagency Agreement with the California Highway Patrol.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 12

ITEM

Consideration Of Applications To Renew The Following Recycling Market Development Zone Designations: (1) Fresno County; (2) Madera County; and (3) Placer County

I. ISSUE/PROBLEM STATEMENT

The Recycling Market Development Zone (RMDZ) program stimulates the development of local markets for recovered materials. Zones are areas in California targeted by local governments for this type of business development, and approved by the California Integrated Waste Management Board (Board). The RMDZ program is a partnership between the Board and local governments, with local governments providing a variety of business incentives; and the Board providing an attractive loan program and a myriad of technical business assistance to support local recycling-based manufacturers.

This item presents application requests from three zones to renew their designations. All of these zones were formally established as an RMDZ in February 1995; their current designation term expires at the end of February 2005. In order for these zones and their businesses to continue receiving RMDZ services, including low-interest loans, the Board is being asked to consider these redesignation requests.

In 2003, Zone Administrators (ZAs) across the State reported: almost 650 active recycling-based manufacturing businesses are located in RMDZs across the state; over 8,700 people are employed in these businesses; and 7.3 million tons of materials were recovered and diverted from local landfills by zone businesses. This item includes a brief profile of each of these three RMDZs and a discussion as to how each will realize both economic and environmental benefits with another zone designation term.

II. ITEM HISTORY

The RMDZ program was authorized by the Legislature in 1989 with the enactment of SB 1322. By 1990, the Board set a goal of establishing 40 zones throughout the state. From 1993-1996, via four separate designation cycles, the Board approved the designations of 40 zones.

Since March 2003, the Board has approved zone renewals for 24 RMDZs. The following information details Board actions previously taken on the three RMDZs discussed in this agenda item.

<u>Fresno County RMDZ</u>

- In February 1995, the Board approved the original 10-year designation for the Fresno County RMDZ.
- In May 2000, the Board approved an expansion of the original RMDZ to include the cities of Coalinga, Fowler and Parlier, making all jurisdictions within Fresno County a part of this zone.

<u>Madera County RMDZ</u>

- In February 1995, the Board approved the original 10-year designation for the Madera County RMDZ.

Placer County RMDZ

- In February 1995, the Board approved the original 10-year designation for the Placer County RMDZ.

III. OPTIONS FOR THE BOARD

Option 1: Approve the request to renew the RMDZs for another 10-year term.

* This option would be appropriate for those zones that have demonstrated their commitment to promoting the RMDZ program at a local level and the Zone Administrator has made great strides in stimulating jobs for the local economy.

Option 2: Deny the request to renew the RMDZs for another 10-year term.

* This option would be appropriate for those zones that have not demonstrated sufficient commitment towards promoting the RMDZ program at the local level.

Option 3: Grant a conditional redesignation to the RMDZs, with conditions of approval as specified by the Board.

* This option would be appropriate for those zones that have complied with a majority of the zone renewal requirements to warrant Board approval, but the zone would need to comply with other conditions, as recommended by program staff. For example, the applicant has submitted a zone renewal application. However, based on staff's analysis, the Market Development Plan is inadequate and lacks updated information. The Board might consider granting a conditional approval, pending receipt of a more comprehensive plan.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve Option 1 for each of the zones requesting zone renewal and adopt the respective resolutions as indicated below:

- Fresno County RMDZ — Resolution Number 2005-47
- Madera County RMDZ — Resolution Number 2005-48
- Placer County RMDZ — Resolution Number 2005-49

V. ANALYSIS

A. Key Issues and Findings

California Public Resources Code (PRC) Section 42011 states that RMDZs are approved for a term of 10 years. At the end of this term, the Zone Administrator or other delegated persons may reapply to the Board for another 10-year designation term (California Code of Regulations 17914).

The applicant must submit a redesignation (zone renewal) application to Board staff. Contained in this application is an updated Recycling Market Development Plan (RMDP), a copy of the current zone boundaries, resolutions from every jurisdiction participating in the zone, and a copy of the Notice of Determination that indicates the zone renewal project is in compliance with the California Environmental Quality Act (PRC sections 21000 et seq.).

In considering a request for zone renewal, Board staff review the application documents to assess if all required information has been submitted. In addition, staff reviewed the RMDP to determine if the planned activities, as well as the target goals and objectives are in alignment with the Board's market development objectives. Staff also compare the RMDP with the zone's annual statistical zone reports that address the

zone's recycling-based businesses, number of jobs created in the local economy and average annual tonnage that is being diverted from local landfills.

Individual Zone Analysis and Recommendation

Fresno County RMDZ

- The Fresno County Department of Public Works and Planning, Resources Division, administers the local RMDZ program with its incorporated cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Parlier, Mendota, Orange Cove, Reedley, San Joaquin, Sanger and Selma.
- Four RMDZ loans totaling $4,332,000 have been approved and funded by the Board for recycling-based manufacturers located in the zone. Companies assisted by these loans were: Chamlian Enterprises, Inc. , a carpet manufacturer; Kroeker, Inc. (2 loans), construction and demolition; and Paper, Pulp & Film, Inc. a paper converter.
- Over 40 other businesses in the zone have received technical business assistance from the ZA and program Board staff.
- The county is analyzing the possibility of developing industrial park complexes. They are finding that large manufacturing companies, which would bring numerous jobs to the region, are very interested in moving into industrial parks. A task force is currently spearheading an effort to foster development of more "shovel-ready" sites.
- The RMDZ program helps Fresno County promote market development efforts aptly suited to a region that is predominantly agricultural (63% farmland) and in need of protection from unplanned or inappropriate development. The RMDZ program supports appropriate recycling activities for this area, such as green waste processing and composting.
- All of the following required information to process the zone renewal application has been received and reviewed by Board staff: an updated Market Development Plan, confirmation of the current zone boundaries, a copy of the Notice of Determination for the zone renewal, and resolutions from all participating zone jurisdictions approving the zone renewal.

Recommendation: Based on its active participation and success with the program, staff recommends renewing the Fresno County RMDZ designation for another 10 years. Board approval of this renewal application will support the zone in its efforts to encourage and expand local and regional markets for recyclable materials, and will help its jurisdictions achieve their diversion mandates.

Madera County RMDZ

- The Madera County RMDZ is administered by the Madera Economic Development Commission. The zone is a partnership between the County of Madera and the cities of Madera and Chowchilla.
- The Madera County RMDZ encompasses the entire county of Madera with specific emphasis placed on commercial and industrial areas along the Highway 99 corridor and Eastern Madera County Highway 41 corridor.
- Madera County is located in the geographical center of California. The county is 240 miles northwest of Los Angeles, 166 miles southeast of San Francisco, and 22 miles north of Fresno. Madera has been noted by economists as being one of the last remaining frontiers in California. Partly due to the RMDZ program, it is

rapidly evolving from the well kept secret it once was to a significant "edge community" that offers diversity and an excellent quality of life.

- There are numerous industrial and commercial sites throughout Madera County that are suitable for recycling-based businesses. The Madera County Economic Development Commission maintains a roster of over a dozen buildings suitable for these uses.
- Madera County's primary assets for economic development activities are its natural resources, strategic central location between some of the largest markets in the west, the abundance of affordable land and the large supply of available workforce.
- As reported in the Madera County RMDZ Annual Report for 2003, 970 people are employed by zone businesses; and 195,562 tons were diverted from the region's landfills by RMDZ businesses.
- All of the following required information to process the zone renewal application has been received and reviewed by Board staff: an updated Market Development Plan, confirmation of the current zone boundaries, a copy of the Notice of Determination for the zone renewal, and resolutions from all participating zone jurisdictions approving the zone renewal.

Recommendation: Based on its active participation and success with the program, staff recommends renewing the Madera County RMDZ designation for another 10 years. Board approval of this renewal application will support the zone in its efforts to encourage and expand local and regional markets for recyclable materials.

Placer County RMDZ

- The Placer County RMDZ is administered by the Placer County Office of Economic Development, in collaboration with many regional and statewide partners such as the cities of Auburn, Colfax, Lincoln, Roseville, Rocklin, the Town of Loomis, the Western Placer Waste Management Authority, the Sierra College Small Business Development Center (SBDC), the Sierra Economic Development District (SEDD), the Sacramento Area Commerce and Trade Organization (SACTO) and the Upstate California Economic Development Council.
- The zone encompasses 964,140 acres of land, 339 acres of which are zoned for commercial or industrial use, and 52,780 acres of water, bounded by Nevada County to the north, the State of Nevada to the east, El Dorado and Sacramento counties to the south, and Sutter and Yuba counties to the west.
- Over the last 10 years, the Board provided two loans to PrePlastics, Inc., located in Auburn, California. These loans were utilized for the purchase of real estate, site improvements, and equipment. It is estimated that these loans generated $600,000 in economic activity, created more than 25 new jobs in the region, and diverted more than 120 tons of plastic from local landfills.
- Additionally, as reported in the 2003 Annual Report, over 60 businesses have received technical business assistance from the ZA and program Board staff.
- It is the goal of the Placer County RMDZ to encourage a range of profitable investment opportunities and continue to create an outstanding commercial manufacturing climate, while introducing the concept of using recycled-content materials, with a desirable mix of jobs for residents in the region.
- All of the following required information to process the zone renewal application has been received and reviewed by Board staff: an updated Market Development

Plan, confirmation of the current zone boundaries, a copy of the Notice of Determination for the zone renewal, and resolutions from all participating zone jurisdictions approving the zone renewal.

Recommendation: Based on its active participation and success with the program, staff recommends renewing the Placer County RMDZ designation for another 10 years. Board approval of this renewal application will support the zone in its efforts to encourage and expand local and regional markets for recyclable materials.

B. Environmental Issues

A zone renewal requires evidence of compliance with the California Environmental Quality Act (CEQA):

Fresno County RMDZ

Fresno County was designated as the lead agency for CEQA compliance. As permitted under CEQA Section 15162, a previously approved Negative Declaration (dated December 4, 1998 – for a zone expansion project) was reused for this zone renewal because it was determined that no significant changes had occurred in the RMDZ project.

Note: In early 2003, the Archie Crippen Excavation fire occurred within the City of Fresno. Decomposing wood and other organic materials illegally piled at this site spontaneously combusted. This particular company was not an RMDZ business.

Madera County RMDZ

An Initial Study and Negative Declaration were prepared by Madera County to address the redesignation. The documents were circulated for public comment. The environmental review concluded that the implementation of this redesignation would not result in any adverse physical impacts to the environment. On August 27, 2004, Madera County filed a Notice of Determination with the State Clearinghouse.

Placer County RMDZ

The SEDD prepared the Initial Study and Negative Declaration, and circulated the documents for public comment. The environmental review concluded that Placer County's redesignation as an RMDZ would not result in any adverse physical impacts to the environment. As lead agency for CEQA compliance, Placer County filed a Notice of Determination with the State Clearinghouse in January 2005.

The designation of RMDZs in certain geographic areas of the state promotes market development of recyclables through manufacturing. The use of recyclables in manufacturing increases diversion from landfills as well as assists local jurisdictions to meet and maintain state diversion mandates.

As more and more recyclables are diverted, the impact of building fewer landfills in remote, rural or residential areas lessens environmental concerns pertaining to air and water pollution and truck traffic in these jurisdictions.

Based on the information available, staff is not aware of any cross-media issues directly related to the RMDZs addressed in this agenda item.

C. Program/Long Term Impacts

Renewal of RMDZs increases the opportunities for other Board programs to access local recycling-based manufacturers. Due to continuous outreach efforts, RMDZ staff is often the first point of contact for manufacturers and therefore educates them about various Board programs, such as: CalMAX, the Recycled Content Product database; participation in the Recycled Content Product Tradeshow; and grant opportunities offered by the Board.

Locally, each RMDZ uses this program in different ways to help them meet diversion and employment goals:

Fresno County RMDZ

The 3 main goals of the Fresno County RMDZ are to: (1) provide development assistance to start-up recycling-based businesses; (2) provide market research and waste analysis assistance to established businesses; and (3) to seek ways to stimulate to the use of organic soil amendments made from green waste (a large volume of material in Fresno County needing diversion and a market). This zone's administrator plans to further link landfill diversion goals with local economic development goals.

Local business incentives for the Fresno County RMDZ include, but are not limited to:

- One-stop permitting assistance
- Waiver or reduction of development/permit fees
- A database on land, buildings, markets, and feedstock
- A micro revolving loan fund
- Installment payment fees

The Fresno County RMDZ administrator is committed to establishing and growing recycling-based businesses in this rural part of the State, and to create jobs in this area of high unemployment. Local zone activities are coordinated by the Fresno County Department of Public Works and Planning Office, representatives from each city, and the Fresno County Economic Development Corporation.

Madera County RMDZ

The mission of this zone is to assist in meeting and maintaining State mandated waste diversion goals and to create jobs by encouraging new and existing businesses to make products from recycled materials. Via an aggressive marketing effort and numerous business incentives (see below), a cooperative team consisting of representatives from all jurisdictions in this zone has a goal of using the RMDZ program to:

1. Reduce recyclable materials flowing into municipal waste streams in compliance with state mandates;
2. Encourage the development, expansion and attraction of commercial and industrial entities that would manufacture or utilize products composed of recycled materials; and
3. Increase employment opportunities for the Madera County residents by the expansion and or re-location of businesses.

Local business incentives for the Madera County RMDZ include, but are not limited to:

- Low interest tax exempt bonds for purchasing of land, building and equipment

- Employee training
- Lower impact fees by using employee credits
- Fast track permitting and site review
- Site location assistance
- Enterprise Zone incentives
- Foreign Trade Zone benefits
- Off-site improvement assistance

Placer County RMDZ

The Placer County RMDZ partnership will work with partners in government, education and the private sector, to act as a catalyst for investment, innovation, and economic opportunity using recycled-content materials in manufacturing that enriches the quality of life for all residents of Placer County. Some specific benefits of re-designation include:

- Strengthening the manufacturing sector of the recycling industry by supporting efforts to develop sustainable markets for solid waste diverted from landfills;
- Increasing the possibility of locating manufacturers who use recycled content materials in their products;
- Assisting local jurisdictions in locating markets for miscellaneous waste;
- Targeting materials such as e-waste and green waste that potentially removes new and different materials from the waste stream, increasing diversion from landfills; and
- Promoting the management of all resources to their highest and best use.

Continuation of all of these zones will have a positive impact on the diversion of waste materials, job creation, and the local economy in the region. With the important incentives offered by this program, recycling-based businesses in these zones will continue to grow and expand if the RMDZ designation is renewed.

D. Stakeholder Impacts

Key stakeholders at the local level are the recycling-based manufacturers and processors; and the municipal governments of the Zone Renewal applicants. Renewing these designations will enable existing recycling-based companies to expand their businesses, resulting in additional diversion through technical and financial assistance from the program, as well as access to CIWMB programs such as Economic Gardening and the RecycleStore. Renewing the zones will also encourage cost-effective local use of recycled feedstock, which reduces the environmental impacts of transportation.

E. Fiscal Impacts

Board approval of these zone renewal applications will not significantly impact the Integrated Waste Management Account and only presents the potential for increasing demand on the RMDZ Loan Program fund.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this agenda item.

G. Environmental Justice

Environmental Justice statements are included in each jurisdiction's resolution that is included as part of the Zone Renewal Application. As part of their commitment to renewing these zones, all participating jurisdictions have agreed to administer or help administer the RMDZ program "in a manner that seeks to ensure the fair treatment of people of all races, cultures and incomes, including but not limited to soliciting public participation in all communities within the RMDZ."

Staff is unaware of any environmental justice issues specific to the proposed zone renewals. There may be subsequent impacts from specific projects assisted by the RMDZ, which would undergo their own separate environmental review process.

Fresno County RMDZ

Demographics – According to the 2000 Census, 815,734 people live in Fresno County. The county population is comprised of approximately 54 % White, 44% Hispanic, 5 % Black, 2 % Native American Indian, and 2 % Asian. *Note*: The demographic percentages exceed 100% because individuals may report more than one race.

Economic Profile – Based on countywide data for the year 2000, the median household income of the region is $34,725 and approximately 23% live below poverty level.

Madera County RMDZ

Demographics – Based on the 2000 census, Madera County's population is approximately 133,463. This consists of 62% White; 44% Hispanic; 4% Black/African American; and 1% Asian. *Note*: The demographic percentages exceed 100% because individuals may report more than one race.

Economic Profile – Based on countywide data for the year 2000, the median household income is approximately $36,286 and 21.4% live below the poverty level.

Placer County RMDZ

Demographics – According to the 2003 Census estimate, 292,235 live in Placer County. The county's population is comprised of approximately 88%White; 9% Hispanic; 2% Asian; and 1% Black.

Economic Profile – Based on countywide data for the year 2000, the median household income is approximately $57,535 and approximately 5.8% of the population lives below the poverty level.

H. 2001 Strategic Plan

The renewal of the Fresno, Madera, and Placer County RMDZs supports the Board's 2001 Strategic Plan Goal 2, Objective 2: *Encourage the use of materials diverted from California landfills and the use of environmentally preferable practices and products;* and Goal 2, Objective 3: *support local jurisdictions' ability to reach and maintain California's waste diversion mandates*. Delivery of RMDZ services (loans and technical assistance) and participation in other Board programs (i.e., CalMAX, RecycleStore, Economic Gardening projects) will foster more sustainable economic

growth for recycling-based manufacturers and increase their ability to divert more materials from local landfills.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Letter from the Fresno County Zone Administrator requesting RMDZ redesignation
2. Letter from the Madera County Zone Administrator requesting RMDZ redesignation
3. Letter from the Placer County Zone Administrator requesting RMDZ redesignation
4. Resolution Number 2005-47 (Fresno)
5. Resolution Number 2005-48 (Madera)
6. Resolution Number 2005-49 (Placer)

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Julie Trueblood/Lisa Barry **Phone:** (916) 341-6535/6521
B. Legal Staff: Deborah Borzelleri **Phone:** (916) 341-6056
C. Administation Staff: N/A **Phone:**

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Written communications received to date were received from: Assembly Member Tim Leslie, Sacramento Area Commerce and Trade Organization, County of Placer Department of Health and Human Services, and Pre Plastics, Inc.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

Attachment 1

Board Meeting
February 15-16, 2005
Agenda Item 22
Attachment 1

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
CECIL LEONARDO, INTERIM DIRECTOR

PART ONE: GENERAL INFORMATION

1.0 Redesignation Request Letter

December 14, 2004

Ms. Julie Trueblood
Technical Assistance Administrator
California Integrated Waste Management Board
Waste Prevention and Market Development Division
Zone Administration Branch
1001 I Street
Mail Stop # 11
P.O. Box 4025
Sacramento, CA 95812

Dear Ms. Trueblood:

SUBJECT: Application for Redesignation of the Fresno County Recycling Market Development Zone (RMDZ)

The purpose of this letter is to request the California Integrated Waste Management Board (CIWMB) to consider and to approve the renewal of the designation of the existing Fresno County RMDZ and to transmit to the CIWMB a complete and comprehensive application for said redesignation. This letter and the enclosed application were prepared on behalf the existing Fresno County RMDZ (Existing Zone) and "the geographic area identified in the RMDZ application for redesignation as an RMDZ" (Proposed Zone). The Existing and the Proposed Zones encompass the same geographic area (Fresno County). The terms "redesignation applicants," "Existing Zone" and "Proposed Zone" all refer to the same 15 jurisdictions and all of the unincorporated areas located within Fresno County.

This letter also meets several additional application requirements. It provides the RMDZ Administrator contact information, the reasons for requesting redesignation of the Fresno County Zone, and an Executive Summary of the main elements of the application.

RESOURCES DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 262-4259 / FAX 262-4286
Equal Employment Opportunity • Affirmative Action • Disabled Employer

Contract Information

Please note the following contact information for the Proposed Zone's Administrator:

Ms. Leslie Kline
RMDZ Administrator
Resources Division
Department of Public Works and Planning
County of Fresno
2220 Tulare Street, Sixth Floor
Fresno, CA 93721
Telephone: (559) 262-4259
FAX: (559) 262-4286
E-mail: lkline@co.fresno.ca.us
Web site: www.co.fresno.ca.us

Reasons for Requesting Redesignation

Specifically, the purposes for which Fresno County and the 15 jurisdictions have submitted this application and the reasons for seeking redesignation include:

To implement local Source Reduction and Recycling Elements (SRREs). All 15 jurisdictions in Fresno County prepared SRREs that include several program elements to be implemented on a regional basis. One such regional program element calls for the creation and implementation of a countywide RMDZ. Unless the Existing Zone is redesignated, the jurisdictions located in Fresno County may be unable to continue implementing this planned program element (a regional RMDZ) as proposed in their respective SRREs.

To implement an existing Memorandum of Understanding. The cities and Fresno County entered into a Memorandum of Understanding (MOU) in April 1993, and again in June 2004. The MOU commits the signatories to work together and designates Fresno County as the lead agency responsible for implementing a regional approach to Integrated Waste Management Act of 1989 (AB 939) compliance, including implementation of a regional recycling market development program.

To provide the Proposed Zone with access to resources that will significantly enhance its ability to develop and implement programs promoting Fresno County's and the CIWMB's shared vision and objectives for:

- Establishment of local and regional recycling markets in Fresno County.
- Linkage of local landfill diversion goals with local economic development goals.
- Coordination of public and private partnerships to promote secondary materials markets.
- Incentives for the use of secondary materials.
- Assistance to local manufacturers in identifying opportunities for accommodating the use of secondary materials.

To significantly increase the ability of the Proposed Zone to implement the market development program presented in the redesignation application. Without full access to RMDZ technical assistance and to the Zone Program's comprehensive, dynamic market development, training and funding programs, the Proposed Zone will find it much more difficult and costly to reach and sustain State-mandated levels of diversion.

To better avail the Proposed Zone of opportunities to work closely with the CIWMB, the CIWMB staff, other RMDZ Administrators and the California Association of RMDZ Administrators (CARMDZ). These groups have had, and will continue to have, a significant positive impact on, not only the RMDZ program, but also on the future of market development and related legislation in California. The Proposed Zone wants to continue to make a meaningful contribution to the ongoing market development dialogue now underway, both at the local and the State level.

The CIWMB is requested to consider the following reasons for redesignating the Fresno County RMDZ:

- The value of fostering a countywide perspective on market development and providing smaller, less affluent jurisdictions in Fresno County with an opportunity to participate in a full-service and dynamic program in spite of their limited resources.
- The opportunity to promote the kinds of market development most suited to an area that is 63% farmland and in need of protection from unplanned or inappropriate development. At the same time, redesignation of the Proposed

Zone would support development of some recycling activities, such as tire shredding and composting, that are inappropriate within or adjacent to the highly urbanized areas associated with larger metropolitan areas. Such activities may be better suited to more rural communities like those located in the Proposed Zone.

- In recognition of how active and productive the Existing Zone has been over the last ten years. Annual Reports have been filed on time. Zone incentive funds have been well utilized. The RMDZ Administrator has attended and actively participated in RMDZ Administrators' Workshops and training programs offered by the CIWMB, including successful completion of the RMDZ Administrators Certification Program. Over 40 clients have been served and five RMDZ loans (totaling $4,332,00) have been placed in the Fresno County RMDZ.

- To support a predominantly agricultural area with relatively few markets for recyclables and high unemployment. The Proposed Zone would greatly benefit from continued access to CIWMB technical and funding assistance provided by redesignation in order to promote local market development and to meet the State's mandated diversion goals.

- To support the RMDZ Administrator's ongoing efforts to work closely with the CIWMB and the CARMDZ to enhance the RMDZ program and promote Zone-friendly legislation.

Executive Summary

The following paragraphs describe the essential components of the application for the Proposed Zone. The parenthetical references indicate the section of the application that addresses the topic indicated.

The application for the Proposed Zone is basically the same as the application approved for the Existing Zone (Current Plan). As indicated in Section 1 of the application, the physical and legal description of the Fresno County RMDZ has not changed. Neither has the way the Fresno County Zone is administered or funded. The $.65 per-ton surcharge on solid waste landfilled in Fresno County remains the major source of the Proposed Zone's revenue. Anticipating future decreases in tipping fee revenues and increased costs associated with other AB 939 programs (such as Household Hazardous Waste Management), the Proposed Zone has sought alternative funding sources for Zone programs. In FY 2004-05, revenue for Zone Business Waste Assessment and the countywide recycling directory have been allocated from other Fresno County budgets. The required resolutions from the participating jurisdictions have been provided.

The assumptions and goals of the application (Section 2.0) remain the same as those for the Existing Zone. The three main objectives of the Proposed and the Existing Zone are still: 1) providing development assistance to start-up recycling-based businesses. 2) providing market research assistance to established businesses, and 3) seeking ways to stimulate the use of organic soil amendments made from green waste. RMDZ administration and budgets (Section 2.1) have remained relatively constant over time. Zone Partnerships with other agencies involved in market development-related activities have become more diverse and less formal.

While feedstock-related data (Section 2.2) is still hard to track, feedstock availability has improved as more jurisdictions initiated curbside recycling programs over the last ten years. Once curbside collection of recyclables is initiated in the last major unserved area in the County (the unincorporated) in the spring of 2005, the search for new sources of feedstock will have to be both broader and more focused. The Economic Development Corporation has indicated a willingness to include Zone program-related feedstock questions in its countywide survey of local businesses scheduled to begin in 2005.

The marketing plan for the Proposed Zone (Section 2.3) is essentially unchanged from that developed for the Existing Zone. The three-year format that characterized the original marketing plan has been expanded so that successful programs now become ongoing Basic Programs. Implemented as Pilot Programs in the original marketing plan, the programs for 1) assisting start-up businesses, 2) providing waste assessments to existing businesses, and 3) stimulating the use of organic soil amendments made from green waste are the first three Basic Programs identified in the Proposed Plan. The main tools for promoting the Proposed Zone remain the Business Waste Assessment and development of informal partnerships with other agencies involved in market development-related activities.

While a wide range of local incentives (Section 2.4) are still available and support market development, no new significant sources of local funding have been identified. Interest in market development has increased during the last ten years. However, existing and planned infrastructure (Section 2.6) has not changed significantly. The need for more buildings and sites suitable for manufacturing remains. A variety of local agencies are working together to attract and meet the needs of businesses in the Proposed Zone (Section 2.1). Recycling programs have increased over the last ten years. The recent landfill ban on construction and demolition debris and the impending implementation of curbside recycling in the unincorporated are anticipated to enhance feedstock availability in the near future.

The physical description and characteristics (Section 3) of the Proposed Zone have not changed. The Proposed Zone will cover the same area and serve the same jurisdictions. While the Proposed Zone is well located, has adequate existing infrastructure, and is in an area of anticipated population growth, water, energy and air quality issues are potentially significant constraints on market development. Demographic information and variety of maps are provided in support of the application.

Fresno County has been designated as the lead agency for CEQA compliance. The required environmental documentation is included in the application (Section 4). As permitted under CEQA Section 15162, a previously approved Negative Declaration has been reused because it was determined that there have been no significant changes in the project.

The application's compatibility with regional planning and waste management documents is addressed in Section Five. Language addressing environmental justice has been included, at the direction of the CIWMB, in the resolutions provided by each jurisdiction.

Highlights

In FY 2004-05, a project promoting the use of organic soil amendments made from green waste was initiated. Grant funding paid for the grinding of residential pine needles and brush into mulch. A local ski resort agreed to test the end product as an alternative to hay as slope insulation. If a market for this recycled-content product can be developed, homeowners near the ski resort will have found a way to manage this material through market development, rather than relying on disposal. If this project goes as anticipated, other resorts will be encouraged to initiate similar programs utilizing residential green waste.

The Economic Development Corporation (EDC) has recently received a significant grant for conducting a survey of businesses countywide. The Proposed Zone will work closely with the EDC as that agency prepares to contact existing businesses in Fresno County during 2005. The EDC has indicated a willingness to explore options for sharing the information collected and for including several questions related to solid waste management/feedstock availability in its questionnaire. This information would help the Proposed Zone to identify and encourage recycling-based options for existing businesses with plans for expansion, up-grades and innovations.

Please contact me at (559) 262-4259 if you have any questions or require any additional information.

Sincerely,

Leslie Kline, RMDZ Administrator
Resources Division

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Attachment 2

MADERA COUNTY EDC ECONOMIC DEVELOPMENT COMMISSION

Agenda Item 12
Attachment 2

2425 W. Cleveland Avenue, Suite 101
Madera, CA 93637
January 10, 2004.

Dear the California Integrated Waste Management Board:

The City of Madera, City of Chowchilla, and Madera County request that the California Integrated Waste Management Board (CIWMB) approve our Recycling Market Development Zone (RMDZ) Renewal. We are proud to be a part of such a wonderful program that provides incentives to businesses that use materials from the waste stream for their manufacturing. Our upcoming marketing plan will include distributing our local manufacturing directory, a published article regarding the benefits of the Madera County RMDZ program, and our RMDZ brochure. These packets will be targeted towards the business community. The program is essential to the economic development and overall vitality of our County as a whole. If you have any questions, please feel free to call me at (559) 675-7768. Thank you for your consideration.

Sincerely,

Angel Johnstone

Angel Johnstone
Zone Administrator (ZA)

Enclosure: Zone Renewal Materials

2425 West Cleveland Ave.
Suite 101, Madera, CA 93637

[p] 559-675-7768
[f] 559-675-3252

Attachment 3

Board Meeting
February 15-16, 2005

Agenda Item 12
Attachment 3

MEMORANDUM
COUNTY OF PLACER
Office of Economic Development

175 Fulweiler Avenue, Auburn, CA 95603-2133
(530) 889-4016 • Fax:(530) 889-4095

DATE: January 3, 2005

TO: The California Integrated Waste Management Board
Ms. Lisa Barry, Zone Liaison
P.O. Box 4025
Sacramento, CA 95812-4025

FROM: Bobbi Park, Zone Administrator
SUBJECT: Placer County Recycling Market Development Zone Renewal

---

Dear Ms. Barry:

The purpose of this letter is to inform you of the County of Placer's desire to renew the existing Placer County Recycling Market Development Zone (PCRMDZ.) In the spirit of continued cooperation, the cities of Roseville, Rocklin, Lincoln, Auburn, Colfax and the Town of Loomis are included in the boundaries of the Placer County zone.

It is the goal of the PCRMDZ to continue to encourage a range of profitable investment opportunities and continue to create an outstanding commercial manufacturing climate, while introducing the concept of using recycled-content materials, with a desirable mix of jobs for existing Placer County residents and for individuals relocating to the area.

The attached renewal application is the culmination of efforts of the Sierra Economic Development District, the cities of Roseville, Rocklin, Lincoln, Auburn, Colfax, the Town of Loomis, Placer County Office of Economic Development, Planning and the Western Placer Waste Management Authority.

It is our hope that the renewal of the PCRMDZ will generate new partnerships and a regionalized approach to assisting Placer County manufacturers who use recycled-content materials in their manufacturing processes. If you have any questions or require additional information, please contact me at (530) 889-4017.

Sincerely,

Bobbie Park

Bobbie Park
Placer County Zone Administrator

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-47

Consideration Of Application To Renew The Fresno County Recycling Market Development Zone Designation

WHEREAS, the California Public Resources Code Section 42010 provides for the establishment of a Recycling Market Development Zone (RMDZ) program to provide incentives to stimulate development of post-consumer and secondary materials; and

WHEREAS, an RMDZ is designated by the Board for a term of 10 years; and

WHEREAS, at the end of this term the Zone Administrator may reapply to the Board for redesignation of the RMDZ; and

WHEREAS, the Fresno County RMDZ was designated by the Board in February of 1995 and is due to expire in February of 2005 unless redesignated by the Board; and

WHEREAS, the County of Fresno still desires to participate in the RMDZ program for their recycling-based businesses and waste management program; and

WHEREAS, the Fresno County RMDZ made a finding that the current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, the County of Fresno, as Lead Agency under the California Environmental Quality Act (CEQA), has prepared, certified and adopted a Negative Declaration for the zone redesignation project that finds that the zone renewal project will not have a significant environmental impact on the region; and

WHEREAS, the Board has reviewed and considered the information in the CEQA documents and finds that the zone renewal project will not have a significant environmental impact on the region; and

WHEREAS, the Fresno County RMDZ has submitted to the Board a complete redesignation (zone renewal) application that includes the appropriate CEQA documents and pertinent jurisdiction resolutions that approve the zone renewal; and

WHEREAS, the Board finds that renewal of the Fresno County RMDZ will contribute in creating a more sustainable regional economy by stimulating additional markets for recyclables, increasing diversion of post-consumer and secondary waste materials, and increasing jobs and revenues in local communities.

(over)

NOW, THEREFORE, BE IT RESOLVED that the Board hereby renews the Fresno County RMDZ designation for a term of 10 years (February 2005 through February 2015) as authorized by California Code of Regulations, Title 14, section 17914.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-48

Consideration Of Application To Renew The Madera County Recycling Market Development Zone Designation

WHEREAS, the California Public Resources Code Section 42010 provides for the establishment of a Recycling Market Development Zone (RMDZ) program to provide incentives to stimulate development of post-consumer and secondary materials; and

WHEREAS, an RMDZ is designated by the Board for a term of 10 years; and

WHEREAS, at the end of this term the Zone Administrator may reapply to the Board for redesignation of the RMDZ; and

WHEREAS, the Madera County RMDZ was designated by the Board in February of 1995 and is due to expire in February of 2005 unless redesignated by the Board; and

WHEREAS, the County of Madera still desires to participate in the RMDZ program for their recycling-based businesses and waste management program; and

WHEREAS, the Madera County RMDZ made a finding that the current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, the County of Madera, as Lead Agency under the California Environmental Quality Act (CEQA), has prepared, certified and adopted a Negative Declaration for the zone redesignation project that finds that the zone renewal project will not have a significant environmental impact on the region; and

WHEREAS, the Board has reviewed and considered the information in the CEQA documents and finds that the zone renewal project will not have a significant environmental impact on the region; and

WHEREAS, the Madera County RMDZ has submitted to the Board a complete redesignation (zone renewal) application that includes the appropriate CEQA documents and pertinent jurisdiction resolutions that approve the zone renewal; and

WHEREAS, the Board finds that renewal of the Madera County RMDZ will contribute in creating a more sustainable regional economy by stimulating additional markets for recyclables, increasing diversion of post-consumer and secondary waste materials, and increasing jobs and revenues in local communities.

(over)

NOW, THEREFORE, BE IT RESOLVED that the Board hereby renews the Madera County RMDZ designation for a term of 10 years (February 2005 through February 2015) as authorized by California Code of Regulations, Title 14, section 17914.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-49

Consideration Of Application To Renew The Placer County Recycling Market Development Zone Desgnation

WHEREAS, the California Public Resources Code Section 42010 provides for the establishment of a Recycling Market Development Zone (RMDZ) program to provide incentives to stimulate development of post-consumer and secondary materials; and

WHEREAS, an RMDZ is designated by the Board for a term of 10 years; and

WHEREAS, at the end of this term the Zone Administrator may reapply to the Board for redesignation of the RMDZ; and

WHEREAS, the Placer County RMDZ was designated by the Board in February of 1995 and is due to expire in February of 2005 unless redesignated by the Board; and

WHEREAS, the County of Placer still desires to participate in the RMDZ program for their recycling-based businesses and waste management program; and

WHEREAS, the Placer County RMDZ made a finding that the current and proposed waste management practices and conditions are favorable to the development of post-consumer and secondary waste materials markets; and

WHEREAS, the County of Placer, as Lead Agency under the California Environmental Quality Act (CEQA), has prepared, certified and adopted a Negative Declaration for the zone redesignation project that finds that the zone renewal project will not have a significant environmental impact on the region; and

WHEREAS, the Board has reviewed and considered the information in the CEQA documents and finds that the zone renewal project will not have a significant environmental impact on the region; and

WHEREAS, the Placer County RMDZ has submitted to the Board a complete redesignation (zone renewal) application that includes the appropriate CEQA documents and pertinent jurisdiction resolutions that approve the zone renewal; and

WHEREAS, the Board finds that renewal of the Placer County RMDZ will contribute in creating a more sustainable regional economy by stimulating additional markets for recyclables, increasing diversion of post-consumer and secondary waste materials, and increasing jobs and revenues in local communities.

(over)

NOW, THEREFORE, BE IT RESOLVED that the Board hereby renews the Placer County RMDZ designation for a term of 10 years (February 2005 through February 2015) as authorized by California Code of Regulations, Title 14, section 17914.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 13

ITEM

Consideration Of The Scoring Criteria And Evaluation Process For The Sustainable Building Tire Grant Program Fiscal Year 2004/2005 (California Tire Recycling Management Fund)

I. ISSUE/PROBLEM STATEMENT

This agenda item presents the proposed scoring criteria and evaluation process for the Sustainable Building Tire Grant program. Approval of Resolution 2005-50 will allow staff to issue a Notice of Funds Available (NOFA) to solicit grant proposals for the Sustainable Building Tire Grant Program.

II. ITEM HISTORY

At the May 2003 California Integrated Waste Management Board (Board) meeting the Board adopted Resolution 2003-275, Consideration of Adoption of the Revised Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition Covering FY 2003/04-2007/08). This Plan approved a current year allocation of $300,000 from the Tire Recycling Management Fund (Tire Fund) to assist in the development of markets and new technologies for California waste tires through the Sustainable Building Program.

There has been no previous Board action on this item.

III. OPTIONS FOR THE BOARD

1. Adopt Resolution Number 2005-50, approve proposed Scoring Criteria and Evaluation Process for the Sustainable Building Tire Grants Fiscal Year (FY) 04/05 and direct staff to issue a NOFA to solicit proposals; or
2. Approve the proposed Scoring Criteria and Evaluation Process for the Sustainable Building Tire Grants FY 04/05 with specific revisions and adopt Resolution Number 2005-50; or
3. Disapprove the proposed Scoring Criteria and Evaluation Process for the Sustainable Building Tire Grants FY 04/05 and give staff specific direction for further action.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve Option 1, and adopt Resolution 2005-50.

V. ANALYSIS

A. Key Issues and Findings

On April 27, 1999 the Board approved *The Sustainable Building Plan, Part I* (Conceptual Plan). This Conceptual Plan presented a long-term vision and goals for the sustainable building program. One of the goals was to create a grant program to further sustainable buildings in the State (Sustainable Building Grant Program).

The concept of Sustainable Building is an integrated approach that encompasses integrated waste management objectives such as building materials efficiency, construction and demolition (C&D) waste reduction, and maximization of reused and recycled content building and landscaping materials. Many of these elements are

addressed in the Leadership in Energy and Environmental Design (LEED), a sustainable building rating system. A LEED Silver, or higher, building includes construction waste management practices that encourage diversion of construction waste of at least 50%. Both LEED and the Collaborative for High Performance Schools (CHPS) Criteria require providing space for recycling, developing of a C&D waste management plan and award points for 50% and 75% diversion. Sustainable buildings have a high potential to improve the markets for used- and recycled-content materials, given the high levels of debris entering landfills as a result of construction and demolition activities in California.

The Sustainable Building Grant Program was originally funded out of the Integrated Waste Management (IWM) Account. This provided a more holistic sustainable building grant program that focused on the entire building; its affect on the building footprint, indoor air quality, recycled content building products and resource conservation. However, since only nominal funds have been available from the IWM account in the past few years, the sustainable building grant program has relied solely on the yearly funding allocation from the Tire Fund, and therefore has had to restrict it's funding only to the incorporation of building products made from California's waste tires.

The purpose of this grant solicitation is to advance the use of California waste tire products in sustainable building projects and applications. These grants will provide an opportunity to develop markets for waste tires while advancing the use and acceptance of recycled-content, California tire-derived products in the built environment.

Funding Allocation

This will be a competitive grant solicitation, meaning that staff will review, score and rank all qualified applications based on the scoring and evaluation criteria. The Board will then award the grants in order of ranking until all funding is exhausted. The funding allocation available for this solicitation is three hundred thousand dollars ($300,000). The maximum award for each proposal is seventy five thousand dollars ($75,000).

Eligibility

This grant solicitation is available to state and local government agencies and non-profits. Under the broad definition of local governments, Indian tribes are also eligible to apply for funding. Only one application per jurisdiction may be submitted for consideration in this grant cycle.

Project Eligibility

The Sustainable Building Tire Grants are intended to advance the use of California waste tire products in sustainable building projects and applications. This grant offering's primary purpose is to encourage the creative application and inclusion of waste tire products into construction projects. This can include indoor and/or outdoor applications (e.g., matting, ADA ramps, landscaping, etc.) Indoor applications would be restricted to properly ventilated (larger) spaces such as gymnasiums and multi- purpose rooms.

State Agency Buy Recycled Campaign (SABRC) Requirements

The SABRC requires that State agencies use 50% of their budget dollars to purchase recycled content products that meet minimum content requirements. For all Board funding, the grantees and contractors are also required to use their funding to purchase recycled content materials, those purchases are then rolled up into the

Board's SABRC report. Because these grant funds are for the purchase, installation and reporting of California waste tire products, this requirement will be fulfilled.

Additional Reporting Requirements

Since the Board is a major funding source for many state agencies, local governments, non profits, school districts, etc., it is important to track the impacts that our funding is having throughout the State. For this reason, it will be a requirement of these grantees to report on the maintenance and durability of the products purchased for five (5) years from the end of the grant term. Reporting will be done through a survey to be developed by staff.

Evaluation and Award Process

After the close of the application period, Grants Administration Unit (GAU) staff will perform initial data entry and a completeness review for each application. Program staff will then convene a panel consisting of appropriate Board staff. The lead staff person will meet with all panel members to explain the scoring criteria, evaluation process, and the detailed scoring structure. Panel members will independently review and evaluate each proposal assigned to them using the criteria shown in Attachment 1. Panel members will meet to discuss individual scores and develop a final score for each proposal. If the scores of the panelists differ by more than five (5) points or the funding recommendations are different, panel members will first attempt to resolve their differences. If unsuccessful, a post review team consisting of the Sustainable Building manager, Cycle Lean, and AFD management will meet to resolve the issue. The post review team will meet to review all applications receiving a score of at least 70 points in total General and Preference Points to determine the appropriateness of the score or course of action to be taken.

All proposals will be ranked according to the final score received. Staff's recommendations for funding will be based on the order of ranking. There are a maximum of one hundred points (100). Proposals must attain a minimum total of seventy-five (75) points to be eligible for funding consideration. Proposals will be ranked competitively against each other. In the event that there is insufficient funding for all qualified applicants, the highest ranked proposals will have funding priority.

In the event of a tie within a particular ranking, if there is insufficient funding available to award all applicants with identical scores in that rank, staff will bring the applicable proposals to the Board for determination of which of those applicants will be proposed for funding.

Staff will provide the Board the ranking information and project summaries of all qualified applicants to inform the Board of the types of projects and activities proposed during this offering. This information will be useful for establishing future criteria and targeting efforts. If future funding becomes available, the ranking information will be useful to prioritize future funding opportunities.

B. Environmental Issues

One of the potential issues with the incorporation of waste tire products in building projects is the hesitancy of many to include them in indoor, and some outdoor, applications. This hesitancy comes from various factors including: smell, off-gassing and leaching concerns, when used in landscaping applications. The Board commissioned the

Building Materials Emission Study (BMES), which was conducted to compare "standard or traditional" building products with "recycled content or non-traditional" building products. This study found that while most tire-derived products were low-emitting and in compliance with the indoor air quality concentration limits (Section 01350) used in the BMES, it also concluded that more testing and refinement of these products is needed before they can be promoted for wide-use in small spaces such as classrooms and state offices. In the interim, the study indicates that tire-derived products can be used in properly ventilated larger spaces such as gymnasiums and multi-purpose rooms. Based on this information, the Office of Environmental Health Hazard Assessment (OEHHA) and Department of Health Services (DHS) are conducting a follow up study to examine more closely the tire-derived products and their potential off-gassing, or indoor exposure risk. This study will be completed in May 2006.

We expect that successful solicitation of appropriate grant proposals will further the market development of California's waste tires, thereby diverting waste tires from landfills and helping to prevent the illegal dumping of those tires throughout the State of California.

C. Program/Long Term Impacts

Staff believes that providing sustainable building tire funds to multiple state agencies, local governments and/or non-profit entities throughout the state will serve to further the Board's mission in promoting market development and resource conservation.

One challenge that Grantees and Contractors have faced in the past when trying to procure sustainable building tire products is the lack of products made from California waste tires. Since the sustainable building tire grant program is still in its infancy, the markets for California waste tire building product manufacturers have not yet been fully developed. This has caused much frustration with the Grantees/Contractors, manufacturers and Board staff during the procurement of these products for various projects throughout the state.

The potential impact that this funding opportunity will have on other Board programs is positive. Because the Tire Fund is the funding source, the successful completion of this grant solicitation and future award(s) will further the market development of California waste tires that will help keep the tires out of landfills and help prevent illegal dumping. This is a long-term benefit for the Board, California, and the environment.

D. Stakeholder Impacts

Through the Sustainable Building Tire Grant program, the Board is promoting the expansion of the use and acceptance of waste tire-derived products in building applications. Through this grant program people will become more aware that building products manufactured from California waste tires are available, and see the positive benefits of using these products versus some of the traditional building products. In turn, these products will become more mainstream, and we hope to see them specified in the future even without grant funding. This will lead to Industries involved in California's waste tire markets benefiting from the incorporation and promotion of these tire products into sustainable building projects and applications.

E. Fiscal Impacts

1. The future grant awards would be allocated from the FY 2004/2005 Tire Fund, and would be expended by May 15, 2007.
2. The amount proposed for solicitation is $300,000, and would be allocated from the Sustainable Building Program's $300,000 funding allocation from the Five-Year Plan.

F. Legal Issues

Senate Bill 876 (Escutia, Chapter 838, Statutes of 2000) (California Waste Tire Recycling Enhancement Act) authorizes the funding of market development of recycled-content California tire-derived products.

G. Environmental Justice

All applicants will be required to certify under penalty of perjury that, if awarded a grant, it shall, in the performance of the Grant Agreement, conduct its program, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations, and low-income populations of the State. All grantees will be contractually required to perform their grant projects in a manner that is consistent with the principles of Environmental Justice as defined in Public Resources Code § 72000 et seq.

H. 2001 Strategic Plan

This grant solicitation supports the Board's Strategic Plan, under Goal 2; to assist in the creation and expansion of sustainable markets to support diversion efforts and ensure that diverted materials return to the economic mainstream. There are three (3) objectives listed under this goal. The specific objective that this grant solicitation addresses is Objective 2; to encourage the use of materials diverted from California landfills and the use of environmentally preferable practices, products, and technologies. Strategy B listed under this objective is to provide financial incentives, including grants, contracts, loans, and tax credits.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire (FY 04/05)	$300,000	$300,000	$0	C&P/Grants

VII. ATTACHMENTS

1. Grant Evaluation and Scoring Criteria
2. Resolution Number 2005-50

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Kristen McDonald/ **Phone:** (916) 341-6485
Barbara Van Gee (916) 341-6474

B. Legal Staff: Holly B. Armstrong **Phone:** (916) 341-6060
Deborah Borzelleri (916) 341-6056

C. Administration Staff: Roger Ikemoto **Phone:** (916) 341-6116

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

SUSTAINABLE BUILDING TIRE GRANT PROGRAM SCORING CRITERIA FOR FISCAL YEAR 2004/2005	
Only one application per jurisdiction may be submitted for consideration in this grant cycle. Applicants must also score at least 75% (75 points) out of 100 points possible to qualify for grant funding.	
Points	**GENERAL CRITERIA**
25	1. **NEED-**Grant proposal clearly and convincingly describes and demonstrates why the project should be funded (e.g., benefits, end products, etc.) • Provides a detailed description of the project proposed for funding • Provides convincing reasons why the project should be funded • Describes potential impact of the project on other projects • Demonstrates the use of waste tires in the project (how many tires will your project divert from the landfill?)
10	**2. GOALS and OBJECTIVES-**Describe what you wish to accomplish by completing this grant project. Measurable target(s) that must be met on the way to attaining your goal. • Explain the projects specific goals and objectives, and how they relate to the need • Quantify outreach goals (e.g., how many people will be affected) • Quantify desired results • Demonstrate that goals and objectives can be achieved by the end of the grant term
5	**3. EVALUATION-**Measures the outcome of the applicant's project. • Grant proposal describes a method to evaluate the success of the project and determine whether the goals and objectives were accomplished. (This must include a cost per tire breakdown) • Describes clearly the criteria for determining success • States who will be responsible for the evaluation • Describes any evaluation reports to be produced (in addition to required quarterly reports to the Board)
10	**4. WORKPLAN-**Specific list of all grant eligible procedures or tasks used to complete your project. • Complete the Work Plan template (sample provided in application), to include a detailed description of each task required to achieve the goals and objectives, the time frame, and who will perform each task.
10	**5. BUDGET-**Cost (dollar figure) associated with activities necessary to complete the project. • Grant proposal demonstrates that the project is cost effective in relation to the location, source, quality, and quantity of targeted wastes or other goals • Budget itemization is highly detailed to determine that proposed expenses are reasonable and breaks down the overall cost for the entire project into specific cost categories. (This should include estimates/quotes) • All costs are accurately calculated and totaled • All program tasks described in the Work Statement and narrative are itemized in the budget • Cost savings are described, e.g., use of volunteer labor, in-kind services, recycling options, use of existing promotional materials etc. • Budget items for miscellaneous, contingency, or managerial costs are clearly described and kept to a minimum • Budget must be submitted in the format requested, and according to the example provided in application • Specify any other funding sources that will be used to complete the project

5	**6. COMPLETENESS, LETTERS OF SUPPORT, EXPERIENCE, ETC.** • Grant Proposal is clearly presented and complete as required in the application instructions including adherence to all specified deadlines. Includes evidence that the applicant or its contractor(s) have sufficient staff resources, technical expertise and experience successfully managing grant programs, to carry out the proposed project • Should be clearly presented and complete. • Should be checked to assure that all required attachments, forms, signatures and initials are included. • Should be signed in all appropriate places by the person whose title is designated in the authorizing document. Note: If an authorizing document is unavailable at the time of application submittal, one must be submitted to the CIWMB Grant Manager no later than May 6, 2005. • Should include a signed General Checklist of Business Permits, Licenses and Filings form which certifies required permits have been obtained, or will be obtained. Permit and licensing assistance may be obtained through the following website: http://www.calgold.ca.gov/ . • Includes 2 letters of support for the project (no more or less) • Addresses ability of the applicant to coordinate contracted activities, if applicable • Includes resumes, endorsements, references, etc.
20	**7. EVIDENCE OF RECYCLED-CONTENT PURCHASING POLICY** This policy requires the applicant to use recycled-content and/or environmentally preferable products, recycled or reused products, or engage in other waste reduction activities where appropriate and feasible. • Description of applicant's Recycled-Content Purchasing Policy (or Environmentally Preferable Policy with recycled-content purchasing provisions). List and document the types of recycled products their agency has previously purchased, etc. • Evaluation of applicant's Recycled-Content Purchasing practices, which includes a description of the aspects that have been successfully implemented and a description of at least one (1) aspect that could be improved. • Discussion of applicant's use of re-refined oil in vehicles or evidence of sustainable practices such as grasscycling, composting, water-efficient landscaping, retreaded tires, etc. • Attach a formal Recycled-Content Purchasing Policy that has been adopted or modified within the last five (5) years (to receive full credit for this section). Adoption or modification of policy during the application period is acceptable.
85	**TOTAL POSSIBLE GENERAL CRITERIA POINTS**
	PREFERENCE CRITERIA
15	Grant proposal has the potential to be leveraged for wider application that can result in widespread use of sustainable building practices. At a minimum, the project should: • Be highly visible and educational • Keep significant amounts of waste tire materials out of landfills • Enhance markets for secondary materials collected through recycling collection programs • Use of waste tire products in the context of a sustainable building, not just a sustainable feature (i.e., requiring LEED or CHPS commitment consistent with the new Executive Order S-20-04, or higher).
15	**TOTAL POSSIBLE PREFERENCE CRITERIA POINTS**
100	**TOTAL GENERAL CRITERIA AND PREFERENCE CRITERIA POINTS**

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-50

Consideration Of The Scoring Criteria And Evaluation Process For The Sustainable Building Tire Grant Program Fiscal Year 2004/2005 (California Tire Recycling Management Fund)

WHEREAS, the concept of "Sustainable Building," also referred to as "Green Building," is an integrated approach that encompasses integrated waste management objectives such as building materials efficiency, construction and demolition waste reduction, and maximization of reused and recycled content building and landscaping materials; and

WHEREAS, the California Tire Recycling Act (Public Resources Code, section 42871 (a)) requires the California Integrated Waste Management Board (Board) to maintain a tire recycling program which promotes and develops alternatives to the landfill disposal of waste tires; and

WHEREAS, in May 2003, the Board approved the, Revised Five-Year Plan for the Waste Tire Recycling Management Program (2nd Edition Covering Fiscal Year (FY) 2003/04-2007/08), which includes a yearly funding allocation for Green Building Activities that promote the purchase of building products containing recycled rubber; and

WHEREAS, three hundred thousand dollars ($300,000), from the California Tire Recycling Management Fund allocated for Sustainable Building Tire Grants, is available to solicit proposals for Sustainable Building Tire Grants.

NOW, THEREFORE, BE IT RESOLVED that the Board approves an offering of the Sustainable Building Tire Grants not to exceed three hundred thousand dollars ($300,000) from the FY 2004/2005 allocation and directs staff to develop and issue a Notice of Funds Available soliciting applications from eligible applicants, and to receive, score, and rank the resulting applications, and return to the Board for award of Sustainable Building Tire Grant funds for FY 2004/2005;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board approves the proposed Scoring Criteria and Evaluation Process for the FY 2004/2005 Sustainable Building Tire Grant.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 14

ITEM

Consideration Of A Report To The Legislature: Plastic Trash Bag Program and A Comprehensive Approach to Film Plastic Diversion (Public Resources Code section 42293 (b))

I. ISSUE/PROBLEM STATEMENT

California businesses and residents dispose of approximately 1.75 million tons of film plastic products including nearly 400,000 tons of trash bags in landfills each year. The amount of film plastic being disposed of grew by more than 20 percent between 1999 and 2004 as film plastic now constitutes 4.3 percent of all municipal waste in the state. Only a small fraction of film plastics are recycled. Through implementing California's Plastic Trash Bag Law, the Board has had some success in increasing the amount of recycled material being collected and returned to the economy in the form of products using postconsumer material.

Public Resources Code (PRC) section 42290 et seq and accompanying regulations require all manufacturers and wholesalers of plastic trash bags sold in California to annually submit a certification to the California Integrated Waste Management Board (Board).

The Plastic Trash Bag Law requires manufacturers of *regulated (thickness of 0.7 mil or greater)* plastic trash bags to annually certify to the California Integrated Waste Management Board (Board) that either: (1) their regulated trash bags were manufactured with 10 percent or more postconsumer material; (2) used 30 percent postconsumer material in all of their plastic products not subject to compliance with the Rigid Plastic Packaging Container or other minimum-content law; or (3) demonstrate that there was an insufficient quality and/or quantity of postconsumer materials to satisfy the 10 or 30 percent standards.

Public Resources Code section 42293(b) required the Board to survey manufacturers and report back to the Legislature in October 2001. The Board deferred action on the report until completion of the *Plastics White Paper.* This item presents the findings of that survey and results of the annual certifications through the 2003 reporting period.

This legislative report (report) updates the Board's 2001 Report to the Legislature that was adopted by the Board. The 2001 Report was not submitted to the Legislature pending the completion of and recommendations stemming from the Board's *Plastics White Paper*. In addition, the updated Report also includes data from the 2003 certifications of manufacturers and wholesalers, as well as the consideration of recommendations from the *Plastics White Paper*.

The recommendations in this report propose a more comprehensive approach to divert plastic film from California's landfills.

II. ITEM HISTORY

The Board has not considered this legislative report which updates an earlier (2001—2002) Report to the Legislature that was adopted in draft form by the Board in September 2001. The Board also directed the staff to conduct a workshop in January 2002 and

return to the Board. At its May 2002 meeting, the Board deferred action and submission on the 2001-2002 draft report until completion of the *Plastics White Paper*.

The Board adopted the *White Paper* in June 2003 and approved folding the policy options into the implementation of the Board's Strategic Plan. The *White Paper* recommended a more comprehensive approach be developed to implement management systems that optimize plastics source reduction, diversion and recycling. This would require comprehensive approaches that reflect product stewardship/shared responsibility principles and equitable spreading of economic and environmental costs/impacts between all affected parties. The *Plastics White Paper* also recommended that the State should promote the use of plastic products and technologies, such as biodegradable plastic products and conversion processes, which minimize adverse environmental impacts associated with discarded plastics.

The Board adopted compliance and non-compliance lists for trash bag manufacturers and wholesalers for the 2003 reporting period at its June 2004 meeting. In addition, the Board approved minimum-content exemption requests by four manufacturers in June and September 2004.

III. OPTIONS FOR THE BOARD

The Board may choose to:

1. Adopt the report titled, *Plastic Trash Bag Program And A Comprehensive Approach To Film Plastic Diversion*, and direct staff to forward the report through Cal/EPA and the Governor's Office to the Legislature.
2. Approve the report with specific modifications.
   Following the close of the stakeholder comment period on January 21, 2005, Staff will present specific recommended changes at the Sustainability and Market Development Committee meeting on February 10, 2005.
3. Take no action and provide staff with further direction.

IV. STAFF RECOMMENDATION

Staff recommends that the Board adopt Option 2 and Resolution 2005-51.

The report recommends that the Legislature grant the Board authority to suspend the enforcement of the Plastic Trash Bag Law and grant the Board authority to negotiate memoranda of understanding (MOUs), or other types of agreements/partnerships with manufacturers, distributors, users, recyclers, local governments, waste collectors and other stakeholders of the film plastic products industry with the intent of increasing the diversion of such products from California's landfills by 2007—2009. If efforts to negotiate/develop MOUs or to divert sufficient amount of film plastics as specified in the legislation are unsuccessful, the report proposes the implementation of a "mil fee" on film plastic products. Revenues from the fee would be used to create new or expand existing recycling and reprocessing facilities or programs, since the current infrastructure does not have sufficient capacity to handle increased levels of diversion and recycling of film plastic.

V. ANALYSIS

A. Key Issues and Findings

<u>Response To Stakeholder Comments</u>

Because of public notice requirements, this agenda item was prepared prior to the close of the comment period on January 21, 2005. Board staff will prepare and distribute (including posting on the Board's Website) a response to comments document and

recommended changes to the report at the Sustainability and Market Development Committee meeting on February 10, 2005. Staff expects that its presentation at the hearing will focus on the stakeholder's comments and its responses.

Staff expects a significant number of comments. Stakeholder comments to previous drafts of the report are summarized below:

- Mil Fee. These comments may address the need for the fee, the size of the fee, and who will the fee be imposed on.
- Postconsumer material. Comments will assert that certain film products cannot be made with postconsumer material; that there is significant liability in using postconsumer material in certain products.
- Diversion targets: How will the diversion targets be established; how will they be measured; will the targets recognize the difficulty of diverting and recycling of specific film products?
- MOUs: How many MOUs/agreements/partnerships; will companies be involved in more than one; can a trade association commit its members; how do you know that it is impossible to negotiate them; how do you measure success?
- Legislation: Does the Board have an author for the legislation; complexities of covering the possible outcomes?
- Import/Export: How will the mil fee be assessed on imported film plastic products? Imported products may already have an economic advantage over domestic products. How can a "level playing field" be created?

Stakeholder Participation: Report Preparation Process and Stakeholder Input

This report process began in August 2004 with the release of a draft report that recommended expansion of the Trash Bag Law's minimum content requirement to all film plastic products with a thickness of 0.7 mil or greater. Under that proposal manufacturers would have had additional options for demonstrating compliance besides post-consumer material usage. Non-compliant companies would have been subject to a mil fee whose revenues would be used to expand and support increased diversion and recycling.

A second draft report and Response to Comments on the report were issued in late-September and workshops were held on October 12th and 27th. Based on an assessment of priorities the stakeholders at the second workshop, and the many written and verbal comments regarding possible minimum content and certification options, technical and economic feasibility of film plastic diversion and management, and expression by many parties that the industry needs to embrace product stewardship and responsibility for film plastic products, the Board staff is proposing voluntary public/private partnerships to increase diversion. The failure of a voluntary approach to meet the diversion goals and create the partnerships would cause the assessment of a mil fee on the corresponding film plastic products.

Board staff at the January 6, 2005 Interested Parties meeting, and a 30 day review period that ended on January 21, 2005, continued to discuss the proposed comprehensive solution to film plastics diversion. Stakeholders at the January 6th meeting had the following comments:

- There should be a source-reduction credit for using less plastic than earlier products;
- The Board should have authority to suspend the Plastic Trash Bag Law;
- Technologies to convert film plastics into fuel or some other products should be considered as a diversion strategy;
- There is no standard for determining biodegradability.

Film Plastic Products Are An Increasing Portion of Municipal Solid Waste

Results of the Board's 2003—2004 Waste Composition Study indicate that the nearly 1.75 million tons of film plastics, constituting 4.3 percent of all municipal solid waste, were disposed in California last year. This is an increase of 380, 000 tons since the 1999 study when film plastics were 3.9 percent of total waste. Table 1 shows the results of the 2003-2004 waste composition study for the five categories of film plastics. The 1999 and earlier studies did not disaggregate the film plastic category. The largest sub-group of film plastics is the 'other/misc film' group, which includes candy wrappers, sandwich and newspaper bags. Plastic trash bags and stretch wrap for commercial applications are the next two largest groups.

TABLE 1: AMOUNT AND COMPOSITION OF FILM PLASTIC DISPOSED IN CALIFORNIA, 2003-2004

Category	Tons	Pct of Waste	lb/person
Trash Bags	390,460	0.97	21.6
Grocery & Other Bags	147,038	0.37	8.1
Non-Bag Comm/Industrial Film	290,331	0.72	16.1
Film Products	93,073	0.23	5.2
Other/Misc Film	826,757	2.04	45.7
Total Film	1,747,659	4.34	96.7
All Plastic Waste	3,809,699	9.47	210.8

Staff believes the growing amount of film plastic products being disposed of is the result of much lower diversion and recycling rates for these materials than for other materials (i.e., glass; paper; construction and demolition debris; and organics). The overall recycling rate for plastics remains at about 5 percent. Other material types, as noted, are recycled at rates above 20 percent. Therefore, more focus will be needed on plastic recovery, recycling, and market development. And since film plastic represents over 40 percent of plastic material disposed of in California, special emphasis needs to be placed on market development for film.

A Comprehensive Approach to the Management of Film Plastic Products

The Board's *Plastics White Paper* recommended a more comprehensive approach be developed to implement systems that optimize plastics source reduction, diversion and recycling. This would require comprehensive approaches that reflect product stewardship/shared responsibility principles and equitable spreading of economic and environmental costs/impacts between all affected parties. The *Plastics White Paper* also recommended that the State should promote the use of plastic products and technologies, such as biodegradable plastic products and conversion processes, which minimize the adverse environmental impacts associated with discarded plastics.

The *White Paper* identified agricultural film products as an area of significant potential for recovery and recycling. Small and medium-sized generators of commercial film products were identified as another area where there is a significant potential to divert and recover the film.

Board staff will seek to partner with key stakeholders to foster the development of new and expanded plastic film collection programs for agricultural and commercial film. There is general agreement that there are markets for this material if it can be efficiently collected, cleaned and processed.

Shared Responsibility/Product Stewardship

The *Plastics White Paper* recommended that the principle of product stewardship and shared responsibilities must be applied to plastic products. Product stewardship requires a manufacturer/generator to take responsibility for the impacts and social costs of its product(s) throughout a product's life. These programs can be done individually, or in concert with other stakeholders.

Stewardship imposes upon manufacturers the obligation to divert from landfills the products and material they create. If each member of an industry group faithfully carries out it obligation, the concept of shared responsibility works. Also, the *Plastic White Paper's* recommendation (number 11) that a marketing/purchasing co-operative be created would bring shared responsibility to the film plastics industry in California.

The Board's 2001 Strategic Plan's Goal #1 is to reduce waste and create sustainable infrastructure through "extended product responsibility and product stewardship." This requires manufacturers, users, businesses, government and other stakeholders to reduce the environmental impacts of film plastic products throughout their life cycles.

Open Versus Closed Loop Recycling

The report's recommendations assume that most of the film plastics being diverted from disposal will be recycled through an "open loop" system. For example, in an "open loop" system, recovered mattress bags could be recycled into plastic lumber. Conversely, the "bag-to-bag" recycling used to satisfy the minimum content requirement of the current Trash Bag Law is an example of a "closed loop" system.

Comments from the manufacturers of trash bags and other film plastic products stressed the difficulties of recycling film plastics back into film plastics. However, there are a number of film products that are able to incorporate postconsumer material without causing production or product performance impediments.

Film Plastics Recycling Infrastructure

The current film plastic collection and recycling infrastructure is inadequate and cannot support increased levels of diversion. For example, only one-quarter of suppliers of postconsumer material to trash bag manufacturers in 2000 were still suppliers in 2004. One of the primary constraints to the recycling of agricultural film plastic is the lack of any washing/cleaning facilities in California. The Staff is coordinating a task force to assess the economic feasibility and potential environmental impediments to the establishment of a washing plant in California.

Plastic Trash Bag Law and 2003 Certification

Public Resources Code (PRC) section 42290 et seq and accompanying regulations require all manufacturers and wholesalers of plastic trash bags sold in California to annually submit a certification to the California Integrated Waste Management Board (Board).

Manufacturers of *regulated (thickness of 0.7 mil or greater)* plastic trash bags must do one of the following: (1) certify that their regulated trash bags were manufactured with 10 percent or more post-consumer material; (2) certify that they used 30 percent post-consumer material in all of their plastic products not subject to compliance with the Rigid Plastic Packaging Container or other minimum content law; or (3) demonstrate that there was an insufficient quality and/or quantity of post-consumer materials to satisfy either the 10 or 30 percent standard.

Public Resources Code section 42297 prohibits non-compliant manufacturers, wholesalers or material suppliers from contracting with any agency of the State of California. The Department of General Services utilizes the Board's published list to confirm that a wholesaler or manufacturer is eligible for award of a contract by the State. Currently, the Board has seven manufacturers and four wholesalers, listed on its web site, as non-compliant with the material usage or reporting mandates of the law for the 2003 reporting period.

In regard to the 2003 certification, while only two of the approximately 35 manufacturers of regulated trash bags who submitted certifications failed to demonstrate compliance with the law's postconsumer material requirement, nearly 50 percent of the trash bags sold in California fail to meet the 10 percent postconsumer material standard. On average, the regulated trash bags sold in 2003 contained 8 percent recycled material. Four of the largest manufacturers were granted exemptions from the postconsumer material requirement due to a demonstration of their inability to acquire sufficient quantities material to satisfy the standard.

Since the law became effective in 1993, the amount of recycled plastic used in trash bags sold in California has increased fourfold and nearly 5,000 tons of film plastic is being diverted from California's landfills each year. This has created business opportunities for a number of California recycled material collectors and postconsumer material suppliers. In summary, since the program's inception in 1993 about 80,000 tons of film plastic has been recycled, including over 30,000 tons diverted from California's landfills through use in recycled content plastic trash bags.

The report recommends that the Department of General Services and other state agencies continue purchasing trash bags manufactured with postconsumer material. Other film products should be subject to the State Agency Buy Recycled Content requirements.

B. Environmental Issues

Results of the Board's 2003—2004 Waste Characterization Study indicate that the nearly 1.75 million tons of film plastics, constituting 4.3 percent of all municipal waste, were disposed in California last year. This is an increase of 380,000 tons (25 percent increase) since the 1999 study when film plastics were 3.9 percent of total waste.

The recycling rate for film plastics is very low. The U.S. Environmental Protection Agency's 2001 Municipal Waste Characterization study estimated that no more than five percent of all film is recycled. Consequently, there is an urgent need significantly increase the diversion of film plastics.

There are several efforts underway to reduce film plastic litter and the release of plastic material into the environment. The California Coastal Commission and the Los Angeles Regional Water Board/County of Los Angeles ("Erase the Waste") have

programs to reduce plastic litter and other wastes. The American Plastics Council has a program ("Operation Clean Sweep") to control the release of plastic materials during manufacturing and distribution activities.

C. Program/Long Term Impacts

Diversion and Film Plastics Management:
Adoption of the Report's recommendations by the Board and ultimately the California Legislature should result in reductions in both the absolute amount as well as the relative proportion of film plastics being disposed in California's landfills by 2009.

Successful partnerships should result in new plastic collection and recycling and/or reprocessing activities and facilities in California.

The financial and staff resources that would be used for the trash bag program including manufacturer certification that would focus on the negotiation and subsequent implementation of the MOUs and other agreements/partnerships.

Plastic Trash Bag Program:
Suspension and/or repeal of the Plastic Trash Bag law would require the Department of General Services (DGS) and other state agencies that presently rely on the Board's published lists of compliant and non-compliant companies for making trash bag purchases to develop other processes for screening potential vendors.

Board staff recommends that the Department of General Services and other state agencies continue purchasing trash bags manufactured with postconsumer material. Other film products should be subject to the State Agency Buy Recycled Content requirements.

The Board and the Department of General Services are cooperatively implementing the State Agency Buy Recycled Campaign (SABRC), which seeks to increase the purchase of products manufactured with recycled or post-consumer materials. One of the specific product categories is plastic products. The Board will work with the departmental SABRC coordinators to increase the purchase of trash bags and other plastic products made with recycled materials.

D. Stakeholder Impacts

The proposed approach will bring in many new stakeholders who have not yet been involved in the Board's current collaborative processes. This should enable the Board to enter into meaningful MOUs and other agreements/partnerships for implementing programs to significantly increase film plastic diversion. Staff anticipates that the agreements/partnerships will include industry, environmental and local government stakeholders.

E. Fiscal Impacts

The costs of negotiating the MOUs and other agreements will be absorbed through normal staff personnel costs. Staff does not foresee needing additional fiscal resources. The administrative costs of assessing and collecting the mil fee would be covered by a minimal portion of the fee itself. The legislation may establish procedures for determining and limitations on spending any administrative costs.

F. Legal Issues

Public Resources Code section 42293 (b), which was added in 1998, required the Board to conduct a survey of plastic trash bag manufacturers and to submit a report to the Legislature by October 2001. This report covers the survey results and provides information from the most recent trash bag certification for the 2003 reporting period. California Public Resources Code section 40505 grants the Board the right to enter into contracts including MOUs or other agreements that are necessary to carry out the Board's authority. The proposed legislation would grant the Board new responsibilities and authority specific to film plastic products.

The enabling legislation would need to address both the trigger mechanisms for enacting the film plastic mil fee as well as the process of assessment and collection of it. The legislation may grant to the Board the authority to actually assess and collect the mil fee.

G. Environmental Justice

Adoption of the Report and any Board direction regarding policy options would not result in any specific environmental justice issues. However, as individual program aspects are addressed before the Board, environmental justice issues will be considered.

Board staff in negotiation of the MOUs and other agreements will carefully consider how specific programs and projects can be implemented to minimize or mitigate adverse impacts associated with film plastic manufacturing, collection and recycling.

H. 2001 Strategic Plan

This Agenda Item is consistent with a number of goals and values of the current Board's current Strategic Plan.

(Goal 7, Objective 2) to "zero waste" through the promotion of best business practices in product manufacturing and collection and processing of recovered materials.

Goal 1. Increase participation in resource conservation, integrated waste management, waste prevention, and product stewardship to reduce waste and create a sustainable infrastructure.

(Goal 1, Objective 1) to promote environmentally sound waste prevention and material management systems by developing partnerships to reduce waste and encourage product stewardship.

(Goal 2, Objective 2) to encourage the use of material diverted from landfills and the use of environmentally preferable practices, products and technologies.

(Goal 7, Objective 4) to promote new or existing technologies and processes to address existing and emerging waste streams.

VI. FUNDING INFORMATION

N/A

VII. ATTACHMENTS

1. *A Report To The Legislature: Plastic Trash Bag Program And A Comprehensive Approach To Film Plastic Diversion*
2. Resolution 2005-51

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Neal Johnson **Phone:** (916) 341-6513
B. Legal Staff: Deborah Borzelleri **Phone:** (916) 341-6056
C. Administrative Staff: N/A **Phone:**

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

A complete listing of support will be provided at the Sustainability and Market Development Committee meeting on February 10, 2005.

B. Opposition

California Cotton Ginners and Growers Associations
California Grape & Tree Fruit League
The Clorox Company

A complete listing of opposition will be provided at the Sustainability and Market Development Committee meeting on February 10, 2005.

C. No Position; Technical Comments

California Bag & Film Alliance
Film and Bag Federation (a business unit of Society of Plastic Industries)
California Film Extruders & Converters Association
Tyco Plastics

D. Comments Posted On Website

A copy of each party's comments will be posted on the Board Website in addition to the staff's responses to those comments.

A Report To The Legislature: Plastic Trash Bag Program And A Comprehensive Approach To Film Plastic Diversion

Report to the Legislature

December 17, 2004

INTEGRATED WASTE MANAGEMENT BOARD

Zero Waste—You Make It Happen!

STATE OF CALIFORNIA

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Governor

Alan C. Lloyd, Ph.D
Secretary, California Environmental Protection Agency

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Executive Summary

The Plastic Trash Bag law requires manufacturers of *regulated (thickness of 0.7 mil or greater)* plastic trash bags to annually certify to the California Integrated Waste Management Board (Board) that either: (1) their regulated trash bags were manufactured with 10 percent or more postconsumer material; (2) used 30 percent postconsumer material in all of their plastic products not subject to compliance with the Rigid Plastic Packaging Container or other minimum-content law; or (3) demonstrate that there was an insufficient quality and/or quantity of postconsumer materials to satisfy the 10 or 30 percent standards.

California businesses and residents dispose of approximately 1.75 million tons of film plastic products including nearly 400,000 tons of trash bags in landfills each year. Through implementing California's Plastic Trash Bag Law, the Board has had some success in increasing the amount of recycled material being collected and returned to the economy in the form of products using postconsumer material. Since, the law became effective in 1993 the amount of recycled plastic used in trash bags sold in California has increased fourfold, and nearly 5,000 tons of film plastic is being diverted from California's landfills each year. This has created business opportunities for a number of California recycled material collectors and postconsumer material suppliers. In summary, since the program's inception in 1993 about 80,000 tons of film plastic has been diverted from landfills through use in recycled content plastic trash bags.

In regard to the 2003 certification, while only two of the approximately 35 manufacturers of regulated trash bags who submitted certifications failed to demonstrate compliance with the law's postconsumer material requirement, nearly 50 percent of the trash bags sold in California fail to meet the 10 percent postconsumer material standard. On average, the regulated trash bags sold in 2003 contained 8 percent recycled material.

Public Resources Code section 42297 prohibits non-compliant manufacturers, wholesalers or material suppliers from contracting with any agency of the State of California. The Department of General Services utilizes the Board's published list to confirm that a wholesaler or manufacturer is eligible for award of a contract by the State. The Board has listed seven manufacturers and four wholesalers as non-compliant with the material usage or reporting mandates of the law for the 2003 reporting period on its web site.

This legislative report updates the Board's 2001 Report to the Legislature (Report) that was adopted by the Board. The 2001 Report was not submitted to the Legislature pending the completion of and recommendations stemming from the Board's *Plastics White Paper (www.ciwmb.ca.gov/Publications/default.asp?pubid=1010)*. In addition, the updated Report also includes data from the 2003 certifications of manufacturers and wholesalers, as well as the consideration of recommendations from the *Plastics White Paper*.

Specifically, the Board's 2003 *Plastics White Paper* recommended a more comprehensive approach be developed to implement systems that optimize plastics source reduction, diversion and recycling. This would require comprehensive approaches that reflect product stewardship/shared responsibility principles and equitable spreading of economic and environmental costs/impacts between all affected parties. The *Plastics White Paper* also recommended that the State should promote the use of plastic products and technologies, such as biodegradable plastic products and conversion processes, that minimize adverse environmental impacts associated with discarded plastics.

The recommendations in this report propose a more comprehensive approach to divert plastic film from California's landfills. The Board recommends that the legislature suspend the

enforcement of the plastic trash bag law and direct the Board to negotiate memoranda of understanding (MOU) with members of the film plastic products industry with the intent of increasing the diversion of such products from California's landfills by 2007–2008. The failure to negotiate/develop MOUs or the failure to meet diversion targets for types of film plastics would result in the implementation of a mil fee on film plastic products. Revenues from the fee would be used to create new or expand existing recycling and reprocessing facilities or programs. The current infrastructure does not have sufficient capacity to handle increased levels of diversion and recycling of film plastic.

The Board recommends that certain film products such as biodegradable products and any products which action by a state has been preempted by the federal government be exempted from the assessment of the mil fee, if the fee is implemented. It is the Board's expectation that participants in the MOU process will develop programs/projects to divert exempted products.

The Board recommends that the Department of General Services and other State agencies continue purchasing trash bags manufactured with postconsumer material. Other film products should be subject to the State Agency Buy Recycled Content requirements.

Recommendations

The Board recommends that legislation should be adopted to implement the comprehensive film plastics diversion and management action plan.

- Direct the Board to negotiate and execute Memoranda of Understanding (MOU) with film plastic industry stakeholders including manufacturers, distributors, retailers, waste collectors, recyclers, reprocessors, and local and state government agencies. This process should be completed by December 31, 2006.
- The MOUs would establish film plastic diversion goals and targets for 2008; projects to divert from disposal film plastic products; increase recycling; education and outreach programs; quality standards and other appropriate subjects.
- Adopt legislation to implement the assessment of a mil fee on film plastic products. The fee would be assessed if MOUs cannot be negotiated with the primary stakeholders or if the diversion goals and targets are not met. The fee, if assessed, would commence on July 1, 2007 or July 1, 2009.
- Suspend enforcement of the plastic trash bag law (Public Resources Code sections 42290–42297.
- Repeal of the plastic trash bag law if a mil fee is assessed in either 2007 or 2009.
- Exempt biodegradable film plastics from the diversion goals and targets and the mil fee assessment.

Summary of Findings

A Comprehensive Approach to Film Plastic Products

- The Board's 2003-2004 waste composition study estimates that approximately 1.75 million tons of film plastics are disposed in California landfills each year. This is about 4.3 percent by weight of municipal solid waste, but about 8 to 10 percent by volume of landfill space.
- On a per capita basis, Californians annually disposes of 97 pounds of film plastics.

- About two-thirds of the total disposed is generated by the commercial/industrial/agricultural sectors.
- Forty-seven percent of film plastics are in the "Other/Miscellaneous film products" category.
- Only a very small fraction of film plastic products are recycled.
- The *Plastics White Paper* concluded that California needs a comprehensive program to manage the life-cycle benefits and impacts of film plastic use, re-use/recycling and disposal.
- Most film plastic products contain no recycled material.

Trash Bags Shipped/Sold Into California

- The Board's 2003-2004 waste composition study estimated that 390,000 tons of trash bags were disposed during 2003. Trash bags account for 22 percent of film plastics and 1 percent of all municipal solid waste.
- Manufacturers and Wholesalers reported selling more than 4.5 billion trash bags with a total weight of 130,000 tons in California in 2003.
- Manufacturers and Wholesalers reported selling more than 2.2 billion regulated trash bags with a total weight of 90,000 tons in California in 2003.
- More than 50 percent of all trash bags sold in California are non-regulated bags and are not subject to the minimum-content requirement.
- The 2.2 billion regulated bags contain 5,700 tons of postconsumer plastic material including nearly 4,800 tons postconsumer material that was diverted from California landfills.
- Approximately one-half of all manufacturers of regulated trash bags and suppliers of recycled plastic for trash bags are located in California.
- More than 90 percent of regulated bags are between 0.70 and 2.0 mils in thickness.

Trash Bag Manufacturers: Number, Size, Compliance

- Only four of the ten largest manufacturers met the minimum-content requirement. Three other manufacturers were granted exemptions from the postconsumer-use standard due to lack of available material,
- The ten largest manufacturers account for more than 85 percent of all regulated trash bags sold in California.
- Eighty-two wholesalers submitted certifications demonstrating compliance with the reporting requirement of the law.

Trash Bag Wholesalers: Number, Size, Compliance

- The wholesalers reported selling less then 1.6 billion regulated trash bags in 2003 with a total weight of 47,000 tons. These totals account for 75 percent of the amount that the manufacturers report.
- The ten largest wholesalers account for about 85 percent of all trash bags distributed by wholesalers.

- Sixty-eight wholesalers distributed trash bags produced by non-compliant manufacturers. Only seven wholesalers only sold trash bags that were made by non-compliant manufacturers. Just three of the 20 largest wholesalers, exclusively sold trash bags made by manufacturers who met the 10 percent postconsumer material requirement.

Postconsumer Material/Resin Suppliers

- The supply of postconsumer material both in California and nationally has declined since 2000.
- Only thirty percent of the postconsumer material suppliers listed in the initial 2001 report provided such material for the manufacture trash bags in 2003.
- The credit manufacturers receive for use of California-based recycled material appears to have increased the recovery of film plastic in California. Three manufacturers needed this incentive to demonstrate compliance.

Enforcement Issues

- The penalty provisions of the law are ineffective and allow wholesalers to sell non-compliant trash bags to State agencies.
- There is no funding mechanism provided by the trash bag law to enforce the audit provisions of the law.
- Ensuring compliance by foreign manufacturers with the existing trash bag law is infeasible.
- Ensuring compliance by manufacturers and wholesalers with the reporting requirement has been difficult. The Waste Composition Study data suggests that more than one-half of the trash bags are not accounted for in the certification process.
- Biodegradable plastic bags and other film products may offer significant environmental benefits for California in regard to landfill diversion through food scrap, agricultural residue and yard trimming composting.
- Plastic trash bags do not lend themselves to closed-loop (i.e., bag to bag) recycling. A more appropriate management strategy is to reduce the total amount of plastic used to manufacture bags and to use fewer bags.

Analyzing the Law's Effectiveness

The intent of the plastic trash bag law was to encourage the diversion of film plastics from California landfills by establishing a market for the diverted material in the manufacture of trash bags. The Board's enforcement of the law has resulted in the use of recycled, postconsumer resin in plastic trash bags sold in California, which has increased four-fold since 1993. There is no evidence that manufacturers would have used recycled plastic in their trash bags without the minimum-content requirement in law. The law, therefore, created a demand for recycled plastic that has grown from about 2,000 tons per year to over 8,000 tons per year. This is plastic that would otherwise have been disposed in landfills.

Many film plastic products do not impose the technical challenge to manufacturers that trash bags do. For example, there are fewer seams per square foot and closure devices such as drawstrings to make. Agricultural and construction film tend to be much thicker (greater than 2 mils) than trash bags which allows for the use of more postconsumer material. Producing quality postconsumer

material (PCM) appropriate for use in film applications, however, will require investment in collection and processing infrastructure.

Film plastic products constitute about 4.3 percent by weight of the municipal solid waste disposed of in California. A coordinated effort by members of the film plastic industry to divert film plastic would provide a significant incentive for the recovery and recycling of more postconsumer material. The increased diversion should help develop a sustainable recycling industry for all types of film plastics.

Many of the material suppliers/recyclers are not stable or sustainable businesses. Only 6 of the suppliers listed in the 2001 draft Report are listed in Appendix B of this Report. The businesses tend to lack adequate financial resources to purchase the cleaning, processing and testing equipment that is necessary to produce material that can be used in trash bags or other film products. By providing grants and low-interest loans the Board could foster the development of a sustainable plastic recycling infrastructure.

The grant or loan programs could be funded thought a modest fee on film products. The amount of funding available will depend upon the plastic film products included under the revised law, and how the fee is levied. Board staff estimates that revenues would be several million of dollars per year.

Purpose and Scope

The CIWMB was required by PRC section 42293(b) to survey plastic trash bag manufacturers and report to the Legislature in October 2001. This report updates the 2001 report by specifically addressing the questions posed to the Board for the 2001 report and updating with the latest information from the manufacturer and wholesaler certifications for the 2003 reporting period. This report also recommends implementation of a more comprehensive solution to film plastic recycling as recommended in the Plastics White Paper.

Introduction

The California Integrated Waste Management Act of 1989 (AB 939, Sher, Chapter 1095, Statutes of 1989, as amended) requires local jurisdictions and the CIWMB to cooperatively reduce the amount of solid waste disposed in landfills by promoting the reduction, reuse, and recycling of solid waste.

The plastic trash bag program was enacted in 1993 by Senate Bill (SB) 951 (Hart, Chapter 1076, Statutes of 1993), and is codified in Public Resources Code section 42290 et seq. The regulations implementing this program are found in Title 14 of California Code of Regulations (CCR) sections 17975 et seq. This law required all trash bags 0.75 mil or greater in thickness to use 30 percent recycled plastic, postconsumer material.

Senate Bill 698 (Rainey, Chapter 44, Statutes of 1998) was signed into law on May 22, 1998, and amended certain provisions of SB 951. The 30 percent recycled-content requirement for trash bags was eliminated and replaced with three compliance options for manufacturers of trash bags 0.70 mil and greater in thickness. These three options are:

1. Ensuring that plastic trash bags contain a quantity of recycled postconsumer material equal to at least 10 percent of the weight of the regulated bags; or
2. Ensuring that at least 30 percent of the weight of material used in all of a manufacturer's plastic products intended for sale in California is recycled postconsumer material; or
3. Demonstrate that the manufacturer could not obtain postconsumer material meeting certain quantity and quality standards.

The plastic trash bag law also requires plastic trash bag manufacturers to submit, no later than March 1 of each year, a certification to the Board of their compliance with the postconsumer content requirement, for those trash bags that are intended for sale in California. Wholesalers are required to submit annual certifications identifying the manufacturer(s) they purchased trash bags from and the amount distributed in California.

Public Resources Code (PRC) section 42290 *et seq* and accompanying regulations require all manufacturers and wholesalers of plastic trash bags sold in California to annually submit a certification to the California Integrated Waste Management Board (Board).

2001 Report to the Legislature: Discussion of Changes

The 2001 Report to the Legislature concluded that the trash bag program had been successful in increasing the amount of postconsumer film plastic being recycled into trash bags sold in California. The report recommended that the Board work with the Department of General Services to develop a list of approved trash bag brands for purchase by State agencies and that the certification program could be eliminated. These recommendations were based on technological improvements in trash bag and other film plastic production that would allow for increased use of postconsumer material without sacrificing product performance and quality. Actions of these recommendations were deferred until the Board could complete the *Plastics White Paper*. The Board's *Plastics White Paper* was expected to develop a consensus among the industry, environmental and governmental stakeholders on type of film plastic products that would be appropriate for a postconsumer resin content requirement.

The *Plastics White Paper* recommended that the State of California develop management systems to optimize plastics use, diversion, recycling and disposal. This would require comprehensive approaches that reflect product stewardship/shared responsibility principles and equitable spreading of economic and environmental costs/impacts between all affected parties. The Board recommends that more comprehensive programs increased manufacturer responsibility in implementing voluntary recycling programs and meeting specified targets for diverting plastic materials from landfills.

Reasonable diversion and recycling targets need to be established that promote technological innovations in recycling. The State should promote the use of plastics, such as biodegradable plastic products, that minimize environmental impacts.

The *Plastics White Paper* specifically concluded that the trash bag law as written is not reflective of plastics use, manufacturing technology and material supply in 2004 despite the four-fold increase in the amount of postconsumer film plastics being recovered.

Public Resources Code section 42293 (b) directed the Board to survey trash bag manufacturers to answer the following questions as part of the Board's Report:

- The names and locations of suppliers certified by manufacturers.
- The quantities of recycled plastic postconsumer material provided by California suppliers and the suppliers outside of the state.
- Provide recommendations regarding recycled plastic postconsumer material content requirements based on the availability of that material.
- Identify gauge thickness of all regulated bags.
- Determine the extent of manufacturers producing separate trash bags lines for California.

The 2001Report provided answers to those questions, and this report updates that information with data from the 2003 reporting period.

A workshop was held in January 2002 to receive stakeholder input on technical constraints with using recycled material in trash bags and quantity and quality of postconsumer materials being supplied to the manufacturers. The manufacturers stated that raising the certification requirement above 10 percent would require the manufacturers to make thicker bags. The industry trend is

toward thinner and thinner bags. Several manufacturers at the workshop stated that they were already making different bags for the eastern states than those being marketed in California. The thicker bags would result in an increase in the amount of plastic being used in trash bags. Increasing the amount of plastic used would be counter to the intent of the law. The manufacturers also expressed concerns about the supply of recycled material. They felt that while material was available, the quality made it difficult to incorporate into trash bags. Plastic lumber and other products can use this contaminated material much more easily than trash bags.

In October 2003, Board staff conducted another workshop on trash bag manufacturing and recycled material supply constraints. Several of the major manufacturers had requested a compliance exemption due to their inability to acquire sufficient postconsumer material. The manufacturers asserted that there was both a lack of recycled material and that the available material was of such poor quality that it was impossible to manufacture bags that consumers would actually purchase. A significant volume of the material being was being diverted from disposal and recycled and was going to both composite lumber and similar products, or it was being exported to Asian markets. Following the workshop, one national manufacturer modified its recycled material purchasing specifications and practices; a couple of other manufacturers entered into long-term arrangements with suppliers.

The *Plastics White Paper* and the Trash Bag reports have included significant public and stakeholder input in the development of the reports and their recommendations.

Update of 2001 Report

The 2001 Report to the Legislature specifically addressed the areas listed below. This information has now been updated based on the results from the last three years' trash bag certifications.

Location of Postconsumer Material Suppliers

The trash bag manufacturers identified 23 companies that supplied them with recycled material during 2003. About half of the suppliers are located in California. All but two of the 12 are located in Southern California. The other two are located in the Bay Area. Ten of the suppliers are located in other states. Four of the out-of-state suppliers are located in the south; four conduct business from the Midwest; two are located in the West.

Supply of Postconsumer Material

Almost 4,800 tons of postconsumer material used in California plastic trash bags comes from suppliers located in California. The largest single supplier is located in the south and provided nearly 30 percent of the total supply. A larger portion of the material is coming from the south and mid-continent areas. The 2001 report indicated a significant amount from the east coast states and Canada.

Thickness of Regulated Bags

A "regulated bag" is a plastic trash bag of 0.70 mil or greater in thickness. The Board's 2000 survey found that more than 90 percent of all regulated trash bags are between 0.70 and 2.0 mils in thickness. Manufacturers while confirming that 90 percent of the regulated bags are between 0.70 and 2.0 mils, a growing percentage of bags are under 1.0 mil in thickness. Further, the number of trash bags less than 0.70 mils appears to be increasing.

Production of California-specific Trash Bags

Most of the manufacturers who were surveyed have reported that they do not have separate production lines or products for California. The 2001 report found that less than ten percent of the bags were produced only for the California market.

Availability of Postconsumer Material

In aggregate there appears to be a sufficient amount of recycled postconsumer material to allow virtually all manufacturers to meet the 10 percent requirement for all regulated trash bags. The material suppliers provided 2,800 tons more than the manufacturers incorporated into regulated trash bags in 2003. The four companies requesting exemptions and the two non-compliant companies, who filed forms, needed about 3,000 tons to meet the standard.

The 23 manufacturers who demonstrated compliance~~t~~ with the postconsumer material requirement used 1,300 tons more than was necessary to meet the standard. Most of these are relatively small manufacturers.

The large manufacturers who have requested exemptions during the 2001–2003 period have stated that they are not able to find postconsumer material of sufficient quality to meet the standard. The available material is often too contaminated to allow for use above 5 percent postconsumer material.

Manufacturers also claims that their customers—both consumers and retailers' "private label" brands—demand bags meeting certain strength and tear resistance standards, or be clear or white, have drawstrings, and be of a certain thickness that makes the incorporation of postconsumer material difficult. Other often-cited reasons include the inability of suppliers to certify that the material is postconsumer, rather than post-commercial/industrial, or that recycled material is more expensive than virgin resin.

Biodegradable Film Plastic Products: New and Expanded Landfill Diversion Opportunities?

Biodegradable plastic bags and film products offer environmental benefits of reduced pollution, landfill space conservation, and complete decomposition of the plastic into inert molecules. The American Society of Testing and Materials (ASTM) implemented a standard test protocol, D 6400, for determining whether the plastic material is, in fact, biodegradable.

The Board believes that biodegradable plastic film products meet the objectives of a comprehensive plastics management program. Biodegradable products by definition meet the concept of landfill diversion and should not be required to pay a mil fee if one is implemented as part of the comprehensive management proposal discussed in a later section. For biodegradable products such as yard waste/trash bags, the best management strategy is through composting. Use of these products in association with food scrap and green material diversion programs could significantly increase the diversion of film plastic and organic materials.

2003 Trash Bag Certification Summary

Manufacturers

Forty-one (41) trash bag manufacturers submitted certification forms for the 2003 reporting period. Twenty-three (23) manufacturers demonstrated compliance with the 10 percent postconsumer resin requirement. These manufacturers certified as using between 10 and 47 percent postconsumer material in their regulated trash bags. Four manufacturers were granted exemptions from postconsumer recycled material content requirement due to a lack of sufficient postconsumer material available to these manufacturers.

Two manufacturers failed to meet the 10 percent postconsumer material requirement and were determined to be non-compliant. Three manufacturers whose trash bags were sold in California during 2003 failed to submit certification forms and were determined to be non-compliant with the reporting requirements of the law. Six manufacturers submitted certification forms indicating that they neither manufactured nor sold "regulated" trash bags in California during the 2003 reporting period.

The manufacturers reported selling nearly 4.5 billion trash bags with a weight of 130,000 tons in California of which 50 percent were regulated trash bags.

Table 1, below, summarizes the use of postconsumer material by compliance category for these 29 manufacturers. The table shows the amount of postconsumer material used and the amount that would be needed for all manufacturers to meet the 10 percent standard. The "Deficit/Surplus" column is the difference between used and amount needed. As might be expected the "Compliant" group had a surplus of material and the other groups were in a deficit situation. The 1,625-ton deficit represents the amount of film plastics necessary for the industry, as a whole, to achieve compliance.

Table 1. Summary of Regulated Bags Weights and Postconsumer Material by Compliance Category—2003 Reporting Period (tons)

Manufacturers	Reg Bags	PCM used	PCM needed	Deficit/Surplus
Compliant (23)	45,521	5,869	4,552	1,317
Non-Comply (2)	7,329	438	733	(295)
Exemptions (4)	38,688	1,222	3,869	(2,647)
Totals (29)	91,538	7,529	9,154	(1,625)

Of the ten largest manufacturers of regulated trash bags (on a weight basis), four requested exemptions and one did not demonstrate compliance. For the remaining 19 manufacturers, 18 were determined to have complied with the law during 2003. The top 10 manufacturers, shown in Table 2, used about seven times the amount of plastic material used by the other 19 manufacturers combined.

Table 2. Summary of Regulated Bags Weight and Postconsumer Material by Manufacturer Size—2003 Reporting Period (tons)

Manufacturers	Reg Bags	PCM used	PCM needed	Deficit/Surplus
Largest Ten	79,782	5,581	7,978	(2,397)
Other Manuf.	11,755	1,948	1,176	773
Totals	91,538	7,529	9,154	(1,625)

Wholesalers

Eighty-two (82) wholesalers submitted certifications with the Board demonstrating compliance for the 2003 reporting period. Another 43 wholesalers submitted forms claiming that they did not sell regulated trash bags. Six wholesalers were determined to be non-compliant for failing to submit certification forms and were placed on the Board's non-compliant list. The responding wholesalers accounted for 1.6 billion regulated trash bags weighing more than 47,000 tons. These numbers are about 60 percent of the totals that the manufacturers certify were sold in California.

A wholesaler is defined as any person who purchases trash bags from a manufacturer for subsequent re-sale in California. This definition includes a number of large retailers. Wholesalers must certify the manufacturers and other wholesalers from which trash bags were acquired and the amount of trash bags sold in the state.

Seven (7) wholesalers purchased all of their trash bags from non-compliant manufacturers. Only 14 wholesalers did not acquire trash bags from non-compliant manufacturers. Of the 20 largest wholesalers, which account for about 90 percent of the trash bags, only three wholesalers acquired bags from the manufacturers meeting the 10 percent minimum-content standard.

None of the wholesalers who submitted certifications identified eight of the manufacturers who claimed to have sold regulated trash bags during 2003. Three of these manufacturers are located in California. The most likely explanation is that the wholesalers who handle these companies products were never asked to submit certification forms to the Board.

Supply of Postconsumer Material/Resin

Twenty-three companies were listed by manufacturers as suppliers of postconsumer material for the 2003 reporting period. Twelve of the suppliers are located in California, and all but two of those are located in southern California.

These suppliers provided more than 11,000 tons of postconsumer material to manufacturers. Two midwestern suppliers furnished 4,600 tons to six of the reporting manufacturers. About 5,000 tons were provided by the 12 California-based suppliers, and ranged in amount from 42 to 983 tons. Most of the suppliers provided material to only one or two manufacturers.

The 2001 Trash Bag Report characterized the recycled material market as stable and growing. Data for the post-2000 reporting periods does not support this view. More than half of the suppliers listed in the 2001 report did not supply material for the 2003 year. Also, the volume of material being recovered for trash bag manufacturing is actually declining. Specifically, the amount of recycled material being supplied has declined from about 14,000 tons in 1998 to 11,000 tons in 2003. The amount of California postconsumer material has similarly decreased.

Several of the large manufacturers assert that efforts to increase the recovery of plastics is needed. They have reported that the actual amount of processed postconsumer material available as a manufacturing feedstock is also decreasing. The primary reason cited for this is the growing demand by plastic lumber industry, and the export markets to China and other Asian countries.

California Material Credit

Manufacturers who use California-generated recycled material quality for a 20 percent credit (1.2 pounds for each pound used) towards the 10 percent postconsumer material mandate. The Board believes that the credit has been partially responsible for the recovery and re-use of California-based postconsumer material in trash bags. For the 2003 period, nearly 60 percent of the recycled

material in the trash bags was from California sources. Further, three manufacturers would not have met compliance without the California credit.

This credit had been scheduled to expire on January 1, 2001. The sunset date was deleted by Senate Bill 1127 (Karnette) in 2001, because stakeholders felt that the credit was assisting in the diversion and recycling of film plastic in California.

Imported Bags and Foreign Manufacturers: Compliance Challenges

A significant number of trash bags sold in California are manufactured outside of the United States. Estimates have placed the number of imported bags as high as 25 percent of the total amount sold. For the 2003 reporting period only one foreign manufacturer submitted a trash bag certification form. That manufacturer reported making only non-regulated bags.

The wholesalers reported purchasing imported trash bags from about five foreign manufacturers. A number of domestic manufacturers and wholesalers assert that the manufacturers and suppliers of imported bags make claims of significant postconsumer content which cannot be substantiated. In fact, stakeholders believe these imported bags are unlikely to contain much, if any, recycled material.

Penalties for Noncompliance with the Law: How Effective?

Public Resources Code section 42997 prohibits State of California agencies from entering into, or amending existing, contracts for the acquisition of any goods or services with any party found by the Board to be noncompliant with the provisions of the plastic trash bag law. Manufacturers are required to submit annual certifications to the Board demonstrating that their trash bags met one of the postconsumer material use requirements or that there was insufficient material to meet the mandates. Wholesalers are only required annual certification identifying their suppliers and the amount distributed within California. This creates the relatively common situation of compliant wholesaler selling trash bags that do not contain 10 percent recycled material or other products of noncompliant manufacturers. Because it is more likely that wholesalers will contract with state agencies for the delivery of trash bags and other supplies, the statutory penalties are not creating the desired incentive for manufacturers to make trash bags with postconsumer material.

A number of manufacturers have stated that they will not even submit certification forms—let alone meet the minimum-content mandate—because they do not contract with the State of California. One manufacturer, who did not submit a certification form, claims that it is not be subject to the law, because the company makes “custom bags” and cannot control how the customers use the bags.

2003 Certifications Results and Findings

These findings are based on information from the 2003 certification.

Trash Bags Shipped/Sold Into California

- More than 4.5 billion trash bags are sold in California each year.

- The 2.2 billion regulated trash bags contain 8,400 tons of postconsumer plastic material including nearly 5,000 tons that is diverted from California landfills.
- Approximately one-half of all manufacturers of regulated trash bags and suppliers of recycled plastic for trash bags are located in California.
- Nearly 4,800 tons of recycled plastic used in California trash bags came from California suppliers.
- More than 90 percent of regulated bags are between 0.70 and 2.0 mils in thickness.
- More than 50 percent of all trash bags sold in California are non-regulated bags and are not subject to the minimum-content requirement.

Trash Bag Manufacturers: Number, Size, Compliance

- Only four of the ten largest manufacturers met the minimum-content requirement. Three other manufacturers were granted exemptions from the postconsumer use standard due to lack of available material.
- The ten largest manufacturers account for more than 85 percent of all regulated trash bags sold in California.

Trash Bag Wholesalers: Number, Size, Compliance

- The wholesalers reported selling less than 1.6 billion regulated trash bags in 2003 with a total weight of 47,000 tons. These totals are about 75 percent of the amount that the manufacturers report.
- The ten largest wholesalers account for about 85 percent of all trash bags distributed by wholesalers.
- Sixty-eight wholesalers distributed trash bags produced by noncompliant manufacturers. Seven wholesalers only sold trash bags that were made by noncompliant manufacturers. Just three of the 20 largest wholesalers only sold trash bags made by manufacturers who met the 10 percent postconsumer material requirement.

Postconsumer Resin Suppliers

- The supply of postconsumer material in both California and the nation has declined since 2000.
- Only 30 percent of the postconsumer material suppliers listed in the 2001 report provided such material to manufacturer trash bags in 2003.
- The credit manufacturers receive for use of California-based recycled material appears to have increased the recovery of film plastic in California. Three manufacturers needed the credit to demonstrate compliance.

Zero Waste and Sustainability

The Integrated Waste Management Act (AB 939, 1989) established a social goal to reduce the amount of waste being generated in California and specifically mandated a 25 percent reduction by 1995 and 50 percent by 2000. It is a long-term vision of the Board to minimize the amount of material that needs to be disposed. This “zero waste” vision is a guiding principle of all waste

management policies. To attain the sustainable collection vision for film plastic products, recycling and re-processing industries must be developed.

Product Stewardship/Shared Responsibility and Co-operative Efforts

The Plastics White Paper recommends that the principle of product stewardship and shared responsibilities must be applied to plastic products. Product stewardship requires a manufacturer/generator to take responsibility for the impacts and social costs of its product(s) throughout a product's life. These programs can be done individually, or in concert with other stakeholders.

Stewardship mandates, such as the proposal for a mil fee, impose upon manufacturers the obligation to divert products and material they create from landfills. If each member of an industry group faithfully carries out its obligation, the concept of shared responsibility works. Also, the Plastic White Paper's recommendation (number 11) that a marketing/purchasing co-operative be created would bring shared responsibility to the film plastics industry in California.

And finally, by working with processors to implement quality assurance guidelines currently under development, the Board can help processors to enter into a continuous improvement process that may assist them in seeking certification from the International Organization for Standardization (ISO).

Board staff will also seek to partner with key stakeholders to foster the development of new and expanded plastic film collection programs for agricultural and commercial film. There is general agreement that there are markets for this material if it can be efficiently collected, cleaned and processed.

A Comprehensive Approach to Film Plastic Diversion, Recycling, and Management

Overview

The Board's 2003–2004 Waste Characterization Study indicates that approximately 1.75 million tons of plastic film products are disposed of in California's landfills each year. Plastics have increased in the waste stream from 8.9 percent in 1999 to 9.5 percent in 2004. In addition to the above, the overall recycling rate for plastic remains very low, about 3–5 percent. To help California's cities and counties to meet their 50 percent landfill diversion mandate, plastic discards must be addressed. Furthermore, if the Board is to make progress toward its zero waste goal, then the challenges associated with plastic recovery and recycling must be overcome. The Legislature and the Board have determined that plastic film is a significant part of that problem, and therefore presents both a challenge and opportunity for the increased recycling of plastic to meet the above goals.

Therefore, the Board recommends that the Legislature expand California's management of plastic film waste by enacting a multi-year four-phase plan to increase diversion of film plastic products from California's landfills. The plan's cornerstone is the negotiation of memoranda of understanding (MOU) between the Board and stakeholders (includes manufacturers, distributors, retailers, local governments, recyclers, and plastic processors) of the plastic film industry to implement a comprehensive diversion and management program and suspend the Board's enforcement of the plastic trash bag law (Public Resources Code section 42290 et seq).

The Board proposes to execute agreements with key stakeholders by December 31, 2006. The MOUs would commit the parties to increasing the diversion of various film plastic products by the end of 2008. Specific diversion goals and targets would be negotiated/determined as part of the MOU process. If the diversion targets are not met for a specific film plastic category, all wholesalers, distributors, importers and manufacturers who direct sell to end-users of that category would pay a per-pound mil fee. Revenues collected from the fee would be used by the Board to support film plastic collection and processing activities and facilities. This legislative proposal recommends that the current trash bag would be repealed at the time when the diversion targets were either met or the mil fee is implemented for failure to meet those targets.

The proposal has two sets of decision points based on the ability to negotiate the MOUs and the success of the stakeholders at meeting the diversion targets. The Board will notify the legislature as part of the decision points. The first notice would inform the Legislature on the status of the negotiations and whether to implement the mil fee and repeal the trash bag law. The second notice would report on the status of the MOUs and whether the diversion targets were met. Also, the second notice would inform the Legislature if the mil fee will be assessed and the trash bag law repealed. The notices would be submitted to the legislature no later than March 1, 2007 and March 1, 2009.

The Board envisions a separate MOU would need to be negotiated for each of the five film plastics categories listed in Table 3, below. For example, the grocery and shopping bag MOU would cover manufacturers, distributors and retailers that use such bags to package products. A separate MOU would cover items such as stretch wrap in the 'non-bag commercial/industrial' category. An individual company and/or trade association could be a signatory to several MOUs.

The industry memorandum of understanding process has been used to implement product stewardship principles for carpeting and paints. These voluntary public/private partnerships are designed to reduce waste material being disposed of and increase reuse of the materials. The agreements establish waste reduction and management goals and establish projects for recycling/reuse, research needs, and public education and outreach programs.

The Board views this proposal as a step forward because it eliminates minimum content requirements as the cornerstone of a film plastic management program. The Trash Bag law used the minimum content mandate as the mechanism for increasing recycling of film plastic. Experience with that law indicates that requiring postconsumer material in trash bags may not be the best application for diverting film plastic waste and creating markets for postconsumer and other secondary.materials. Many manufacturers assert that they had to use more virgin plastic than they would have otherwise to allow the use of postconsumer material in the bag. The increased use of plastic was the result of needing to make the bag sufficiently thick to prevent the contamination entrained with postconsumer material from creating structural problems such as rips and tears. Also, because trash bags are intended to be disposed, a significant amount of post-consumer material was being "landfilled." In addition, several critics have argued that the minimum-content mandate was simply increasing recycling in other parts of the country so more plastic could be disposed in California's landfills.

The plastic film industry stakeholders have indicated that they strongly support expanding voluntary industry efforts to increase recycling and diversion of plastic products from landfills. Many stakeholders have stated that manufacturers need to take responsibilities for the management of their products. They have indicated there are a number of technical problems in using postconsumer material in some film plastic products. These problems are contaminants that become entrained on the film; different chemical composition of the plastic materials; colors; difficulties in making bags, seams, etc. The adoption of a Board-led collaborative process will

allow stakeholders to focus on those film plastic products that are best suited for incorporation of postconsumer material/resin in their manufacture.

The Board's proposal for the implementation of the mil fee is to provide needed funding to develop the collection, cleaning and re-processing facilities to increase the amount of postconsumer film plastic available to manufacturers if the voluntary industry efforts do not meet the negotiated/established diversion targets.

Film Plastics in California's Waste Stream

Results of the Board's 2003–2004 Waste Composition Study indicate that the nearly 1.75 million tons of film plastics constitute 4.3 percent of all municipal waste disposed in California. This is an increase of 380,000 tons since the 1999 study when film plastics were 3.9 percent of the total.

The largest sub-group of film plastics is the other/misc film group, which includes candy wrappers, sandwich and newspaper bags. Plastic trash bags and stretch wrap for commercial applications are two of the other large groups.

Table 3: Amount And Composition Of Film Plastic Disposed In California, 2003–2004

Category	Tons	Pct of Waste	lb/person
Trash Bags	390,460	0.97	21.6
Grocery & Other Bags	147,038	0.37	8.1
Non-Bag Comm/Industrial Film	290,331	0.72	16.1
Film Products	93,073	0.23	5.2
Other/Misc Film	826,757	2.04	45.7
Total Film	1,747,659	4.34	96.7
All Plastic Waste	3,809,699	9.47	210.8

These five primary categories of film plastic will serve as the baseline for the establishment and measurement of diversion goals and targets of the MOUs. The Board expects that these groups may be further stratified to better measure the MOU participants success in meeting the diversion goals. Board staff proposes to use the 2003—2004 waste composition study results as the baseline for establishing and measuring progress toward meeting diversion goals and targets.

Legislative Recommendations

Film Plastic Diversion and Management Action Plan

Phase 1: Suspend the Plastic Trash Bag Law:

The first phase of the legislative proposal would be to suspend the plastic trash bag certification and reporting process after the 2004 certification cycle is completed in mid-2005. The Board intends to mail certification forms to trash bag manufacturers and wholesalers in early 2005.

Phase 2: Negotiate Memorandum of Understanding

The second phase, which would formally begin in late 2005, is the negotiation of memoranda of understanding with film plastic manufacturers, distributors, suppliers, recyclers, waste collectors, local and State government agencies, etc. The MOUs would be based on the concept of producer responsibility and would set waste diversion targets and project goals for film plastic categories using the results of the 2003-2004 Waste Composition Study as the

baseline. A similar process has been used for the carpet and paint industries, which use memorandums of understanding that are national in scope for the establishment of environmental management programs. Board staff plans to begin preliminary discussions with the stakeholders in early 2005 regarding the MOUs.

The MOUs would define the work tasks such as setting targets for diversion of film plastic products, the scope of projects, quality assurance/quality control guidelines, research needs, technical impediments to the use of postconsumer material, education and outreach programs, litter reduction and releases of plastic into the environment, best management practices, as well as timelines, and governance and funding. The Board anticipates that the MOUs would be have a term of about 24 to 30 months or through the end of 2008.

Phase 3: Implementation of the Mil Fee (if necessary)

The third phase, if necessary, would be the implementation of a mil fee to support increased collection, diversion, recovery, recycling, cleaning and reprocessing of film plastic products. The fee could be used to finance construction of new or expended facilities. The size of the fee will dependent on the specific goals that are established. The Board currently estimates that the fee would be 0.4–1 cent per pound.

The third phase would either start on July 1, 2007 if the MOUs are not negotiated by December 31, 2006, or on July 1, 2009 if the diversion targets established through the MOUs are not met. The Board will notify the Legislature by March 1, 2007, if it has not been successful in negotiating the MOUs and will implement the mil fee to commence on July 1, 2007. Alternatively, if the MOUs were negotiated but the diversion targets are not met, the notice will be submitted by March 1, 2009 for a July 1, 2009 implementation of the mil fee.

- **Phase 4: Extend the MOUs and Repeal the Plastic Trash Bag Law.**

If the MOUs are established and successful at meeting the specified diversion targets, the fourth phase would commerce with continuation of the MOUs and establishing new diversion targets. The fourth phase would include the repeal of the current plastic trash bag law.

Film Plastic Diversion and Management Action Plan: Timeline

Phases	Product Outcome	Completion Date	Board Action	Alternate
1	Legislation to: Negotiate MOUs for diversion and Suspend Trash Law	October 1, 2005	Negotiate MOUs	Full Enforcement of Trash Bag Law
2	Completed MOUs With stakeholders	December 31, 2006	Notice to Leg	Phase 3 (b)
3(a)	Implement Mil Fee & Repeal Trash Bag Law	July 1, 2007	Notice to Leg	N.A
3 (b)	Meet 2007-2008 Diversion Goals and targets	December 31, 2008	Notice to Leg	Mil Fee
4	Continue/expand MOUs increased diversion	December 31, 2008	Notice to Leg	No Mil Fee

Biodegradable Film Plastic Products

The Board recommends that the legislation exempt plastic film products that are biodegradable, as defined by ASTM Standard D 6400 (Standard Specification for Compostable Plastics), from the mil fee and any diversion mandate, if such requirements are imposed. Manufacturers and wholesalers of biodegradable bags would be required to submit information regarding amounts of biodegradable products manufactured/sold into California, and provide test results and applicable test dates.

Report Preparation Process and Stakeholder Input

This report process began in August 2004 with the release of a draft report that recommending expansion of the Trash bag law's minimum content requirement to all film plastic products that are thicker than 0.7 mil. Manufacturers would have additional options besides postconsumer material usage for demonstrating compliance. Noncompliant companies would have been subject to a mil fee whose revenues would be used to expand and support increased diversion and recycling.

A second version of the report was issued in late September and workshops were held on October 12th and 27th. The workshops produced many written and verbal comments regarding possible minimum content and certification options, technical and economic feasibility of film plastic diversion and management, and expression by many parties that the industry needs to embrace product stewardship and responsibility for film plastic products. Based on an assessment of priorities of the stakeholders at the second workshop, the Board is recommending a voluntary public/private partnership to increase diversion. The failure to meet the diversion goals and create the partnership would cause the assessment of a mil fee on most film plastic products.

The Board staff will continue to discuss the proposed comprehensive solution to film plastics diversion. A 15-day public review period ends on January 7, 2005.

Trash Bag Program and Legislative Report Timeline

Event	Action	Date
2001 Report to the Legislature	**Board Hearing**	**September 2001**
2001 Certification Lists	**Board Adoption of Lists**	**2002**
Trash Bag Workshop	**Staff Workshop**	**January 2002**
Plastics White Paper	Board Adoption	June 2003
2002 Certification Lists	Board Adoption of Lists	August 2003
2002 Exemptions	Board Approval	September 2003
Trash Bag Workshop	**Staff Workshop**	**October 2003**
2003 Certification Lists	Board Adoption of Lists	June 2004
2003 Exemptions	Board Approval	June & Sept 2004
Trash Bag Report Workshops	Staff Workshop	October 2004
Trash Bag Report to the Legislature	**Board Adoption**	**February 2005**

Appendix A:

Trash Bag Production and Postconsumer Material Use

SUMMARY OF TRASH BAG AND REGULATED BAGS PRODUCTION AND POSTCONSUMER MATERIAL: 1993-2003

(Weight in tons)

Year	All Trash Bags	Regulated Bags	Total PCM	Percent	Calif. PCM
1993	57,465	15,196	1,905	12.5	N.A.
1994	71,760	23,153	3,193	3.8	N.A.
1995	86,054	31,110	5,350	17.2	N.A.
1996	83,624	30,046	7,366	24.5	N.A.
1997	81,139	31,776	8,719	27.4	N.A.
1998	106,844	70,184	12,088	17.2	5,601
1999	97,214	73,748	8,724	11.8	4,649
2000	98,905	67,796	6,739	9.9	4,902
2001	122,460	71,532	6,187	8.6	2,756
2002	124,734	83,192	8,975	10.8	5,359
2003	130,375	91,538	8,383	9.2	5,726
Totals	1,060,574	589,271	77,629	13.2	28,993

N.A.: Data is not available
PCM: Postconsumer Material
Percent: The percentage of Postconsumer Material in Regulated Trash Bags

Appendix B:
Suppliers of Postconsumer Material

Supplier's Name	(Location)
3G Inc.	Vernon, CA
ABC Polymers Inc.	Stone Mountain, GA
Al's Company	Vernon, CA
Alpha Omega Plastics	Elk Grove Village, IL
Bay Polymer Corp.	Fremont, CA
Bayou Plastics Inc.	Monroe, LA
Dakota Western	Agency Village, SD
Delta Plastics	Stuttgart, AR
Discover Plastics	Rancho Cucamonga, CA
Envision Plastics	Pomona, CA
Interstate Plastics	Vancouver, WA
LPCC	West Monroe, LA
Mercury Plastics	City of Industry, CA
Muehlstein	Orange, CA
Omega Extruding	Rancho Cucamonga, CA
Pacific Source	Fullerton, CA
Petoskey Plastics Inc.	Petoskey, MI
Pitt Plastics	Pittsburg, KS
PPP, LLC	Los Angeles, CA
Rainier Plastics	Yakima, WA
Renegade	Thousand Oaks, CA
Starlight Manufacturing	Oakland, CA
Webster Industries	Montgomery, AL

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-51 (Revised)

Consideration Of A Report To The Legislature: Plastic Trash Bag Program And A Comprehensive Approach To Film Plastic Diversion (Public Resources Code section 42293 (b))

WHEREAS, the 2003-2004 Waste Composition Study indicates that 1.75 million tons of film plastics are disposed of each year in California. Film Plastics constitute about 4.3 percent, by weight, of all municipal solid waste; and

WHEREAS, "zero waste" is a primary goal of the Board's strategic plan; and

WHEREAS, Public Resources Code section 42293 (b) directed the Board to submit a report to the Legislature on the status of the Plastic Trash Bag Program; and

WHEREAS, Board staff has worked in a collaborative process with stakeholders representing film plastic product manufacturers, users, waste collectors, recyclers, local governments and environmental organizations in developing the Report; and

WHEREAS, the current film plastics collection and recycling infrastructure needs new facilities and equipment to support increased film plastic diversion; and

WHEREAS, the Board finds that a Board-lead voluntary process to work with stakeholders to increase film plastic diversion through negotiated memoranda of understanding or other agreements/partnerships would significantly increase the diversion and recycling of film plastics in California; and

WHEREAS, the Board finds that the implementation of a mil fee would be an appropriate alternative if the memoranda of understanding or other agreements/partnerships are not successful in diverting film plastic products; and

WHEREAS, the implementation of the recommendations in *A Report To The Legislature: Plastic Trash Bag Program And A Comprehensive Approach To Film Plastic Diversion* will require enabling legislation; and

WHEREAS, *A Report To The Legislature: Plastic Trash Bag Program And A Comprehensive Approach To Film Plastic Diversion* was released, a workshop was conducted, and stakeholders comments were reviewed and considered by staff; and

WHEREAS, Board staff has prepared recommended changes to the Report based on the stakeholders comments.

(over)

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts Option 2 and *A Report To The Legislature: Plastic Trash Bag Program And A Comprehensive Approach To Film Plastic Diversion* with the following specific recommended by Board staff:

1. Removal of an exemption for biodegradable film plastic products;
2. Recommend that the Legislature grant the Board the authority to suspend the Plastic Trash Bag law following the completion of the 2004 reporting period certifications;
3. Recommend that the Plastic Trash Bag law be repealed at the time the MOUs are executed (i.e., approved and signed by the Board);
4. Flexibility in number of MOUs to be executed, and film products covered;
5. That the execution and implementation of the MOUs may be "phased in;"
6. Include a cross-reference to the Conversion Technologies Report to the Legislature;
7. The timelines in the Report will be revised to clarify the processes proposed by Board staff; and

BE IT FURTHER RESOLVED, that the Board directs staff to forward the Report through Cal/EPA and the Governor to the Legislature; and

BE IT FURTHER RESOLVED, that the Board directs staff to begin discussions with stakeholders on the formation of Memoranda of Understanding or other agreements or partnerships.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 15

ITEM

Presentation Of Waste Characterization Data And Its Potential For Identifying Opportunities For Additional Diversion

I. ISSUE/PROBLEM STATEMENT

A major tenet of the California Integrated Waste Management Board's (Board) stated mission is to reduce waste and promote the management of all materials to their highest and best use. To accomplish this, the Board has established a commitment to better understand California's complex waste stream by collecting, developing, maintaining, and publishing accurate, up-to-date waste stream data. Updated data on the waste stream is essential for solid waste planning and market development. Data on the types and amounts of materials remaining in the waste stream can be an important part of setting priorities and making future policy decisions to reduce waste. This is reflected in the Board's Strategic Plan Goal of collecting statewide waste characterization data at least every 4 years. The 2003 statewide waste characterization data provides updated waste stream data for use by local governments, businesses, a variety of interested parties and the Board. Collection of this data can save local government resources in that they can use Board derived data.

II. ITEM HISTORY

At its December 2004 meeting, Board staff presented a brief overview of the 2003 waste characterization data.

III. OPTIONS FOR THE BOARD

The Board is not required to take action on this discussion item.

IV. STAFF RECOMMENDATION

Staff has no recommendation as this is a discussion item.

V. ANALYSIS

A. Key Issues and Findings

A major tenet of the Board's stated mission is to reduce waste and promote the management of all materials to their highest and best use. To accomplish this, the Board has established a commitment to better understand California's complex waste stream by collecting, developing, maintaining, and publishing accurate, up-to-date waste stream information.

<u>Background</u>

The Integrated Waste Management Act (IWMA) required each jurisdiction to characterize the amounts and types of materials in its waste stream in 1990, and the information was to be used in selecting appropriate diversion and waste reduction activities. Data from all jurisdictions' 1990 studies was compiled and used by the Board throughout the 1990's as they considered a wide variety of policy decisions and determined where to focus Board resources.

Although several jurisdiction-specific disposal characterization studies have been performed in recent years, the first statewide disposal waste characterization data was

collected in 1999. Due to rapid changes in demographics and economics, it is apparent the State's waste stream has changed since then. More people and more businesses mean more waste which needs to be managed. Updated data on the waste stream is essential for solid waste planning and market development. This is reflected in the Board's Strategic Plan Goal of collecting statewide waste characterization data every 4 years. Local governments and businesses throughout California use this data as part of their decision making processes. Finally, more specific data concerning used oil containers, electronic waste (e-waste), and types of organics still being disposed is needed to fulfill both internal and external requirements.

Waste characterization data consists of information on the types and amounts of materials in the waste stream. It measures, for example, how much paper, glass, and metal are discarded by a home, a business, a city, or even the whole state. This data is important because in order to manage and reduce the waste stream, we must understand not only what is in it, but from where it came. The more we know about the waste stream, the better the opportunity to reach goals of conserving landfill space, resources, and money, and achieving zero waste.

Given the volatile, constantly changing economic forces that impact California's waste stream, the Board has periodically invested in collecting data on the types and amounts of materials left in the waste stream for use in assessing progress and establishing priorities.

The state's progress in waste reduction and recycling is sternly tested by a number of factors. One is California's economy, which affects the amount of waste generated and the sectors that are driving the economy – when the economy is growing, the amount of waste generated increases. Decreases in the manufacturing sector and increases in the construction sector will impact the types and amounts of waste present in the waste stream. Another factor is the cost of disposal relative to the cost of diversion. Landfill tipping fees in California are relatively low—averaging approximately $35 per ton in 2000. With such low costs, throwing materials away may be easier and more economical than collecting and diverting them. Additional factors are California's marketplace and collection of materials for that marketplace. There is often a disconnect between supply and demand of recycled materials. If a material is to be collected for recycling, viable markets must be present. If viable markets are to exist, a sufficient quantity and quality of recycled material must be available for purchase at a reasonable price. The costs of collecting, sorting, and marketing some materials generated in some California municipalities is not economical. Again, this often leaves a gap. As a result, some materials that are collected for recycling may end up in the landfill.

In an effort to promote local markets for additional materials being collected by local governments, the legislature enacted AB 1322 in 1989 which established the Recycling Market Development Zone (RMDZ) Program. This program has assisted over 650 recycling-based businesses that consume approximately 7.3 million tons of locally generated recyclables each year, including organics, C&D materials, and paper. The Board has also funded a conversion technology facility that is projected to divert 27,000 tons annually of mixed plastics.

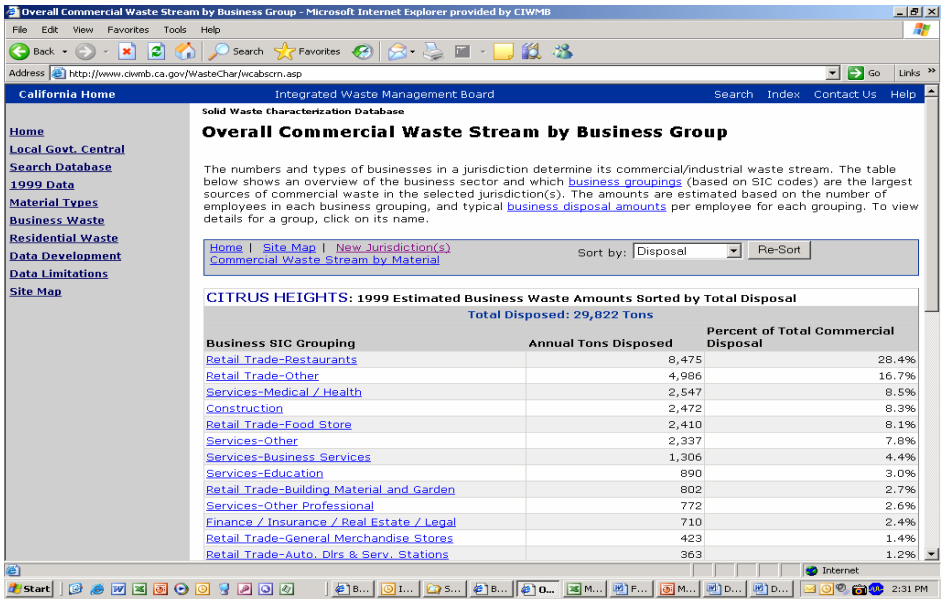
Waste Characterization Data

Waste characterization data can be used in many ways. For example, it can provide

information about the amount of materials potentially available for recycling or composting, the effectiveness of existing programs, and sources of materials. Some types of data can be used to estimate waste stream characteristics in place of sampling studies. For example, the Board's waste characterization database combines waste stream information for specific business types with local business sector data to provide proxy information on a city's commercial waste stream. This web-based database (http://www.ciwmb.ca.gov/WasteChar/JurisSel.asp) is one of the most popular sites on the Board's web page, receiving almost 400,000 external hits in 2004, and was one of the top 10 most popular Board sites for 5 months in 2004.

The importance of waste characterization data was recognized in AB 939, which required each jurisdiction in the state to conduct comprehensive "Solid Waste Generation Studies" (SWGS) on their own local waste streams. The SWGS assessed the local waste stream and provided a basis for local solid waste planning. At the time, no standard method existed and the quality of the SWGS varied widely. Most SWGS were done in 1990-1991, and since that time only a few jurisdictions (less than 10%) have done either comprehensive or targeted characterization studies to update their waste stream information. Many more jurisdictions have done "new base year studies" which quantify materials diverted and disposed, but usually do not include collecting data on the composition of materials still being disposed in the waste stream.

The Board developed a Uniform Waste Characterization Method in 1995 for jurisdictions to use in updating their waste stream data (http://www.ciwmb.ca.gov/WasteChar/YourData.htm). As part of the method development, a database was created that allows jurisdictions to estimate their own waste stream characteristics without expensive field sampling. This database is unique in the nation and is used by businesses, local governments, consultants, other states, and even other countries. When the Board determined to collect the first-ever statewide waste characterization data in 1999, one of the main emphases of the work was to collect generator-based data to update and expand the database. Recently the database has been used to estimate the waste stream characteristics of several newly-incorporated cities, saving them the resources and expense of doing disposal characterization field work or using outdated information from previous studies. Using the City of Citrus Heights, the following is an example of the type of information available to jurisdictions on the database.



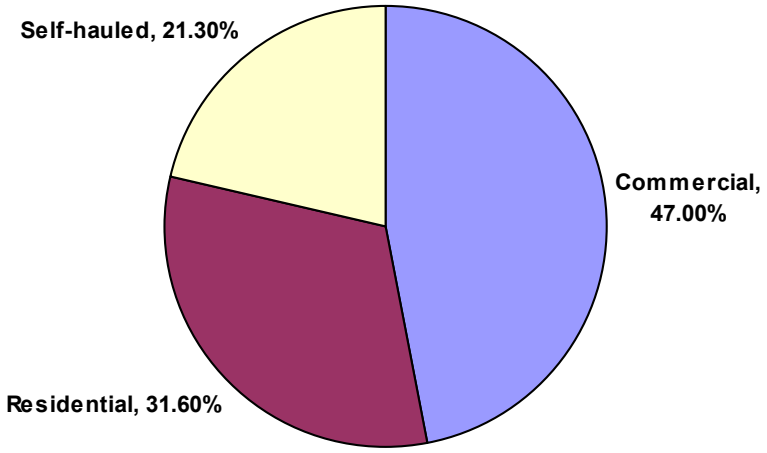
Data from California's 1999 project was used to update and expand the waste

characterization database. Data was also used to estimate amounts of organics and wood waste disposed in four southern California counties, in order to provide information for the Board's response to a proposed South Coast Air Quality Management District ruling on composting facilities. Data was also provided to the California Department of Food and Agriculture on amounts of greenwaste disposed in counties affected by Sudden Oak Death Syndrome. Waste composition information from 1999 was used to estimate feed stocks for conversion technology for the Board's report to the legislature. The 1999 Board characterization data was combined with data from a City of Los Angeles study to develop waste composition information for schools, which is on the Board's Schools Profiles web page. The specific data collected in 1999 on Rigid Plastic Packaging Containers (RPPCs) was used to determine the recycling rates of these materials, as mandated by statute.

The Board's 2001 Strategic Plan calls for statewide characterization data to be collected every 4 years. In May 2001 Board staff developed a budget change proposal (BCP) for $1.5 million to fund statewide waste characterization data collection similar to the 1999 work. Generator-based sampling was to be repeated and expanded to update the waste characterization database. This proposal was not approved for the 2002-2003 fiscal year. However, in November 2002 the Board approved $290,000 for statewide data collection, including specific data for RPPCs. The final report for this 2003 waste characterization data was completed in December 2004 (http://www.ciwmb.ca.gov/Publications/default.asp?pubid=1097).

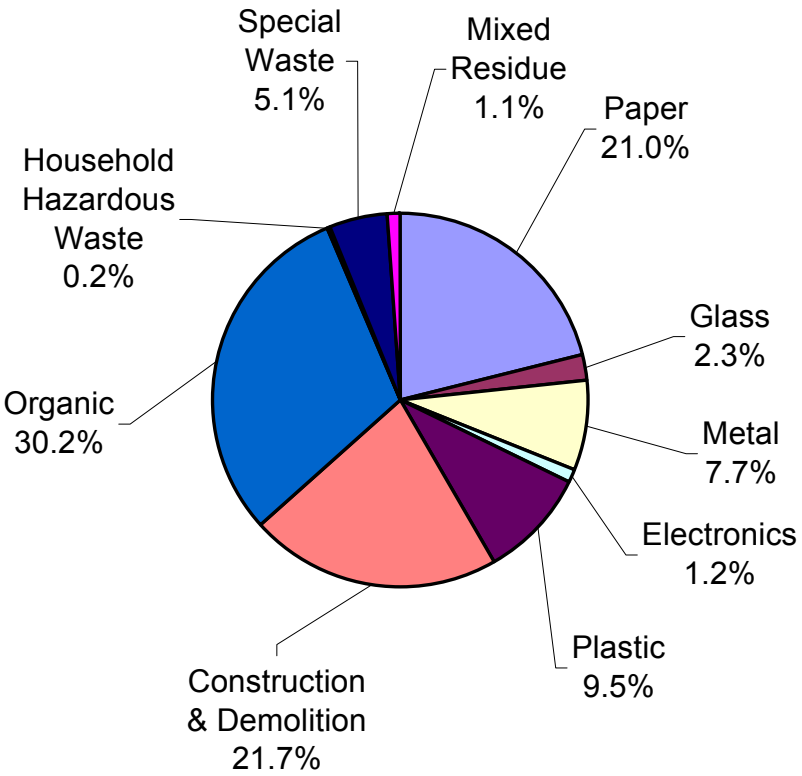
For the 2003 statewide waste characterization data, disposed waste was sorted into 67 different material types (See attachment 1). These material types fall into ten major categories: paper, glass, metal, e-waste, plastic, organics, construction and demolition, household hazardous waste, special waste and mixed residue.
The 2003 waste characterization data measured the amount of waste originating from residential, commercial, and self-haul sources, and also developed specific waste composition profiles for each of these sectors, as well as the overall statewide waste composition (see Attachment 2 for overall composition data). The amount of RPPCs disposed statewide was also determined. For the first time, data was collected specifically on electronic waste, specific types of film plastic, carpeting, and California Redemption Value (CRV) containers disposed. Results show that about half (47%) of the waste disposed originates from the commercial sector, about 32% comes from residential sources, and the remaining 21% comes from self-haul sources.

Contribution of Each Sector to Statewide Overall Disposed Waste Stream, 2003



The three main material categories disposed are organics (including food) at 30%, construction and demolition materials (including lumber and pallets) at 22%, and paper at about 21%.

Composition of Overall Disposed Waste Stream by Major Category, 2003



The top 10 individual material types disposed are as follows:

Ten Most Prevalent Material Types in California's Overall Disposed Waste System, 2003

Material Type	Est. Pct.	Est. Tons	Cumulative Pct.
Food	14.6%	5,854,352	14.6%
Lumber	9.6%	3,881,214	24.2%
Uncoated Corrugated Cardboard	5.7%	2,312,147	29.9%
Remainder/Composite Paper	5.7%	2,274,433	35.6%
Remainder/Composite Organics	4.4%	1,752,803	40.0%
Leaves and Grass	4.2%	1,696,022	44.2%
Remainder/Composite Construction & Demolition	3.6%	1,452,009	47.8%
Other Miscellaneous Paper	3.5%	1,400,526	51.3%
Bulky Items	3.4%	1,348,224	54.6%
Remainder/Composite Metal	2.5%	1,018,242	57.1%

Any differences between *cumulative percent* figures and the sum of *estimated percent* figures are due to rounding. *Note: *Remainder/composite paper* includes such items as waxed corrugated cardboard, aseptic packages, paper towels, and photographs. Examples of *remainder/composite organics* include leather items, cork, garden hoses, carpet padding, and diapers. The material type *remainder/composite construction and demolition* includes such items as tiles, toilets, and fiberglass insulation. *Remainder/composite metal* includes such items as small non-electronic appliances, motors, and insulated wire.

When comparing the 2003 statewide data to the 1999 data, there are some key points that must be kept in mind. The first is the difference in objectives and methodology. The 1999 characterization work focused on developing waste composition data for 26 specific business types through generator sampling; that is, collecting a sample of a particular

business' waste from their dumpster. This method requires samples to be characterized from specific types of businesses. The 2003 characterization work, due to budget constraints, focused not on generator sampling at individual businesses, but on what types and amounts of materials were sent to landfills from the overall commercial sector. Commercial waste was sampled from commercial packer trucks at disposal facilities. The residential and self-hauled sectors, however, had designs similar to 1999.

A second point to remember is the inherent variability of random sampling. When data sampling is planned, a random set of facilities is chosen for the purpose of providing disposal quantity data through surveys, and composition data through samples. Since the sector (residential, commercial, self-hauled) percents are so variable from place to place and changes over time, the exact set of facilities used for sampling determines the sector percents that result for the overall data. If, for example, the set randomly chosen tends to have lower self-hauled waste disposed at the facilities, the overall data will show a lower sector percent for self-hauled. There are changes in facilities over time: landfills and transfer stations open, close, or change how they deal with waste materials. Because of changes, and the need to randomly select facilities, a different set of facilities has been used each time the Board has gathered characterization data. Additionally, it should be noted that the waste stream itself varies greatly from place to place, as well as over time.

Keeping those key points in mind, the top 10 material types in the overall waste stream stayed about the same between 1999 and 2003. Food is still the most prevalent material type, at about 15% of the waste stream. The following table shows the top ten materials in 2003, and their rankings within the top ten in 1999.

Comparison of Top Ten Materials in the Overall Waste Stream, 2003 and 1999

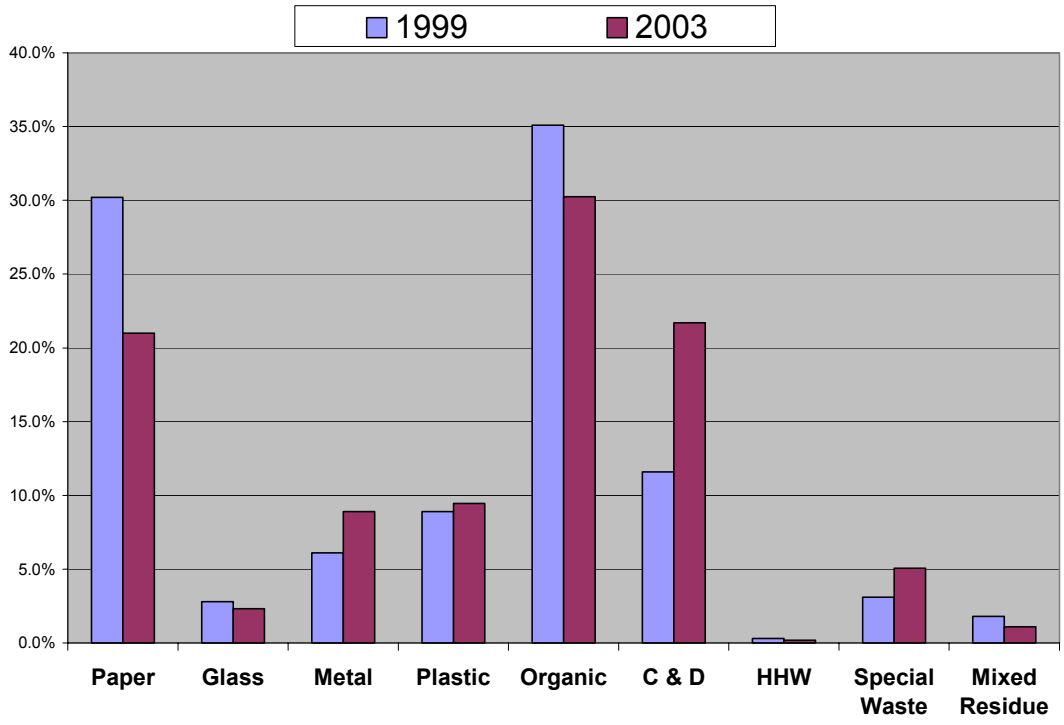
Material Type	Rank, 2003	Percent, 2003	Rank, 1999	Percent, 1999
Food	1	14.6%	1	15.7%
Lumber	2	9.6%	5	4.9%
Remainder/Composite Organics	3	6.4%	4	6.9%
Uncoated Corrugated Cardboard	4	5.7%	6	4.6%
Remainder/Composite Paper	5	5.7%	2	9.6%
Film Plastic	6	4.3%	9	3.9%
Leaves and Grass	7	4.2%	3	7.9%
Remainder/Composite Metal	8	3.7%	---	---
Remainder/Composite Construction & Demo.	9	3.6%	---	---
Other Miscellaneous Paper	10	3.5%	7	4.4%
Newspaper	---	---	8	4.3
Other Ferrous Metal	---	---	10	2.4

Note: some material types for 2003 were lumped to match 1999 types, like film plastic.

It is interesting to note that eight of the top ten disposed material types remained the same for the two studies. Though they may have different percentages and rankings, they are still the most disposed materials in the waste stream.

The overall statewide composition is calculated by combining the sector compositions, and each sector composition is weighted according to how much it contributes to overall statewide tonnage. Therefore, changes in sector compositions will be reflected in the overall composition. The figure below shows a comparison of the major material categories for the 1999 and the 2003 waste characterization data.

Comparison of Major Material Categories, 1999 and 2003



Below are highlights for selected material types that showed changes between the two studies:

- Paper – decreased substantially from about 30% to about 21%. Part of the decrease may be due to the change in the commercial sector composition which included more drop-box samples in 2003, which tend to be lower in paper. All material types showed a decrease except for cardboard and paper bags, two readily recyclable materials.
- Metal – increased from about 6% to about 9%. All material percentages in this group stayed the same or decreased except for "major appliances" and "remainder/composite metal", and both of these types showed substantial increases. Again, this may be partly due to increases in these types in the commercial sector from sampling drop boxes.
    - Note: in the 1999 waste characterization data, electronics (e-waste) were included under "remainder/composite metal." In 2003 for the first time, these materials were characterized as a separate type. For comparison with 1999 data, in the tables they were lumped back under "remainder/composite metal." Of the 3.7% of "remainder/composite metal" reported for 2003 in the Top Ten Table, about a third consists of e-waste (1.2% of the overall waste stream).
- Plastic – increased from just under 9% to about 9.5%. Most types decreased or stayed the same, except for film plastic and "remainder/composite plastic", both of which increased.
- Organics – decreased from about 35% to about 30%. Food is still the most prevalent material in this group, although it decreased slightly in the overall waste stream. The largest decrease occurred in the leaves/grass material type, from about 8% to about 4%
- Construction and Demolition – increased significantly from about 12% to about 22%. Again, part of the increase may be due to the change in the commercial sector composition which included more drop-box samples in 2003. Also, since the self-hauled sector percent was higher in 2003, it carried more weight in the overall composition compared to 1999. Since this sector is more than 50% C&D materials, part of the increase in 2003 may be due to the greater weighting of these materials in the overall waste stream.

The residential sector, which was sampled with the same method in the two studies, also showed an increase in C&D materials. This indicates a true and substantial increase in C&D materials in at least this one sector. Other data shows that statewide construction activity increased between 1999 and 2003; therefore it would be expected that C&D materials would increase in the overall waste stream. However, the increase may not be as large as the data suggests, due to differences in methodology for the 2 studies as well as sampling variability, as discussed above.

- Special Waste – increased from about 5% to about 6%, with all materials in this group staying at about the same percentage of the waste stream except for bulky items (furniture, mattresses, and other large items), which increased from about 2% to about 3% This is driven largely by the increase in bulky items in the self-hauled waste stream.

Though California has accomplished a lot since the passage of AB 939, the 2003 waste characterization data shows there is the potential to accomplish a lot more. The 2003 waste characterization data would indicate that there is still much material sent to disposal that could be reduced or otherwise diverted. The 2003 data shows that about 20 percent of California's disposed waste stream is *recyclable*, almost 25 percent is *compostable*, and about 16 percent is *recoverable* construction and demolition material. This overall potential for diversion, however, is predicated on overall material quality and market demand.

What Materials Are Recyclable?

Cardboard and kraft papers	6.7%
Other recyclable papers	5.2%
Recyclable glass	1.6%
Recyclable metals	5.2%
HDPE & PETE plastic and some film plastic	1.4%
Total recyclable	**20.1%**

What Materials Are Compostable?

Food	14.6%
Leaves & grass	4.2%
Other kinds of yard waste	2.6%
A portion of non-recyclable paper	About 3%
Total compostable	**About 24.4%**

How much of disposed waste is recoverable C&D material?

Concrete	2.4%
Lumber	9.6%
Gypsum board	1.7%
Rock, soil & fines	2.4%
Total recoverable C&D	**16.1%**

B. Environmental Issues

Staff is not aware of CEQA or cross media issues related to this agenda item.

C. Program/Long Term Impacts

Historically waste characterization data has been the cornerstone of local government's and the Board's efforts to target diversion efforts. Included below are brief discussions of some of the primary areas where the Board has used characterization data to focus its diversion efforts. Many Board policy decisions are based in part on characterization data.

Organics

Waste characterization data, along with other data, guides resource targeting for the organics program and has led to increased focus on organics over time. With organics being over 30% of the materials disposed of in California, the waste characterization data showed the need to manage organic or green materials besides their being extremely significant to achieving the waste diversion goals of the Board. The blueprint for the Board's initial organics program (The Greening Team) was developed using characterization data, targeting those material types that were still going into the landfill. Because of this designation as a priority material, the organics program was initially provided significant funding to develop research data on the beneficial uses of organic materials and other markets development related activities, create partnerships with local government, and other initiatives to stave off threats to the organics industry (i.e. Sudden Oak Death Disease and clopyralid). Some of the successes stemming from these efforts include: Landscape Management Outreach Programs (including the North Natomas effort), the Assessment of the Organics Infrastructure, and the agricultural demonstration projects. Although the funding has not been sustained, these efforts have been beneficial to promoting waste prevention and sustainable landscaping practices, supporting the development of the organics management industry, promoting use of organic materials in agricultural applications, and showing the cross media benefits of these applications.

Over time, waste stream information is also used to determine the effectiveness of the programs, and if changes are needed in focus of the programs. An example is the use of 1999 data regarding urban derived organics. 1999 data showed significant amounts of landscaping waste and food scraps being produced and disposed. This information guides many of the activities of the organics program to focus on these waste types and sectors generating these materials. There are also larger issues and forces that affect the overall organics market that must be investigated. Waste characterization data helps in the tracking of issues such as alternative daily cover (ADC), and the effect that tipping fees may have on specific material types entering landfills.

Waste characterization data is an important tool as a check and balance on facility capacity issues or trends. For example, if materials such as biosolids or manure start showing up in the waste characterization data as being landfilled, there would have to be additional efforts to reverse these trends. This information is also used for ongoing targeting of organic materials in the waste stream and development of program goals. This data has also increased the usefulness of the organics "Infrastructure" study in helping to interpreting markets trends and dealing with regulatory issues, by providing “real world” information. In working with other regulations promulgated by other regulatory agencies, this information has been invaluable in helping protect the organics industry and infrastructure from restrictive regulations. An example of this is the development of South Coast Air Quality Management District (SCAQMD) Rule 1133 regulating air emissions from composting and mulch facilities.
Other future concerns, such as the development of conversion technology (CT) facilities and their effect on the waste stream in California, will be aided by waste characterization data. Specific information like the fate of residuals (some green waste, non recyclable plastics and paper) coming off materials recovery facilities (MRF's) are of interest to the organics program and outside constituents. Also, the amounts of materials such as plastic and paper in the disposal stream may play a critical role in whether these technologies are sited in California.

Construction and Demolition Waste

Statewide waste characterization data has been crucial to targeting construction and demolition (C&D) program efforts, as C&D has continued to be a larger part of the waste stream than previously thought. Based on the 1999 characterization data, C&D materials were considered a primary diversion target because of their heavy weight and prevalence in the waste stream. Understanding the components of the C&D waste stream will help the Board to evaluate existing programs and determine if additional programs are needed to effectively target C&D materials.

Realizing the critical importance of good building design, construction techniques, and demolition practices to the goals of reducing waste and developing markets for recycled-content products, the Board created a Sustainable Building program in 1999 with the adoption of the *Sustainable Building Implementation Plan*.

Support for the Board's sustainable buildings activities came out of State Executive Orders D-16-00 and S-20-04. The first Executive Order, signed by Governor Gray Davis in 2000, established a goal to site, design, deconstruct, construct, renovate, operate, and maintain state buildings in a sustainable manner. Governor Schwarzenegger signed the latter Executive Order in 2004 to ensure that state buildings are built to the standard of Leadership in Energy and Environmental Design (LEED).

In 2002, SB1374 was passed which required the Board to develop a model C&D diversion ordinance for local jurisdictions to use to create ordinances to meet their local needs. A website provides this model ordinance as well as sample ordinances from jurisdictions that have already adopted a C&D ordinance.

Statewide, California can be proud of some recent achievements in C&D diversion. In 2002, State construction projects under the Department of General Services achieved an average diversion/recycle rate of 95%. In 2003, the diversion rate was 94%. Highlights include the Franchise Tax Board offices at Butterfield Station, which during the site work stage of construction diverted or recycled almost 22,000 tons of C&D debris for a total diversion rate of 99.6%. The East End Project did nearly as well by diverting or recycling almost 18,000 tons of debris, achieving a diversion rate of 91%. Finally, the CalTrans District 7 offices diverted or recycled almost 12,000 tons of debris for a total diversion rate of 94%.

The economics of both construction recycling and deconstruction is tied to the economics of C&D processing, which also faces challenges. In addition, because landfilling is the more accepted practice, the C&D waste stream going to C&D processors can be unreliable. C&D processors require a reliable waste stream and reliable markets for the processed materials; manufacturers of recycling content products (RCPs) require a reliable feedstock supply; developers require the availability of cost-competitive deconstruction contractors; and construction and deconstruction contractors require the availability of cost-competitive C&D processors.
The new realm of the Board's sustainable building program is the residential sector and the associated huge diversion potential.

Plastics

To increase the recycling rate for plastic materials, waste characterization studies will continue to be necessary to identify changes in the amount and composition of plastic

discards in the waste stream. Increasing plastic diversion is a prerequisite if the Board is to realize its zero waste vision for California. Waste characterization data has played a key role in developing and implementing plastic diversion programs. Until the 2004 changes to the law, the Board used waste characterization data to annually publish recycling rates for all Rigid Plastic Packaging Containers (RPPC) and for PET containers.

Additionally, the most recent waste characterization data provided detailed information on film plastic by categorizing specific film types that are disposed of in California. This information is instrumental to the stakeholder process the Board is now engaged in to develop a more comprehensive solution, beyond the Plastic Trash Bag Law, to plastic film diversion in California.

The 2003 waste characterization data shows that plastic materials now constitute 9.5 percent of the disposed waste stream, up from 8.9 percent in 1999. However, because of its low weight to volume ratio, it is estimated that plastic doubles its contribution to the waste stream when measured by volume. Using the current data, plastic may account for almost 20 percent of the disposed waste stream by volume. In addition, the overall recycling rate for plastics remains low, about 5 percent (U.S. EPA, 2000). As other materials are diverted in greater amounts and products and packaging are switched to plastic from other materials, the plastic fraction of waste will only increase in relative proportion over time.

A significant amount of recovered plastics are shipped out of the country. It is difficult to get manufacturers in other countries to report the amount of post-consumer material in their products.

The main issues, sited by a variety of stakeholders, with both of the Rigid Plastic Packaging Container and Plastic Trash Bag laws is that they do not achieve a significant amount of plastic diversion, and that their mandatory minimum content requirements may not be the best mechanism for diverting plastic materials from landfilling. The recommendations from the Plastics White Paper adopted by the Board at its June 2003 meeting drew these same conclusions. Board staff has engaged stakeholders to develop draft recommendations to possibly suspend the Plastic Trash Bag law and instead negotiate MOUs with key industry segments to implement programs and actions that will significantly increase plastic film diversion in California.

New and expanded collection and processing infrastructure to increase plastic diversion is necessary. The existing infrastructure is not nearly adequate for achieving any significant increase in plastic diversion. Waste characterization data will be needed to make informed decisions about the mix of collection, processing programs that are needed, and also for identifying what end use applications should be supported given the material that is in the waste stream.

Also, if the Board adopts the proposed recommendations in the draft Plastic Trash Bag Legislative report, and should the necessary legislation be enacted, then staff will need to negotiate Memoranda of Understanding (MOUs) with key industry, local government and environmental stakeholders. These MOUs will set forth diversion goals and projects for specified types of plastic film. The current waste characterization data would serve as a benchmark from which to measure progress. This makes collecting waste characterization data in four years an absolute necessity if the proposed new,

more comprehensive approach, for plastic film management is to be implemented. Without a commitment to collect waste characterization data in the future, the whole framework that staff has been negotiating over the last 5 months collapses.

Paper

In 2003, California's overall disposed waste stream was comprised of 21 percent paper. While some of the Board's paper related programs have been statutorily directed, the waste characterization data has historically been used to ensure a proper focus of resources on program areas. Furthermore, it has been used to refine those efforts to target specific industry sectors that stand out as large generators of materials or consumers of products. Regular waste characterization updates at more frequent intervals would continue to help us ensure that we are focusing our efforts on the appropriate materials and generators.

Paper markets are more national and international than limited to California, so the Board has participated in broader efforts to divert paper from landfills. The Board served on the board of the Recycled Paper Coalition (RPC) for almost ten years. The RPC, which was initiated by the private sector, was comprised of 280 members from businesses, non-profits, and public organizations that sought to encourage paper recycling and stimulate demand for recycled paper products made from postconsumer materials**.** The coalition was disbanded in 2004 due to lack of financial support, although the members still strongly support working to increase use of recycled paper.

Staff from throughout the Board has also been involved to varying degrees with all aspects of the paper recycling loop. Typically the topic has been approached from either the diversion, collection, raw material side, or the finished recycled-content paper side.

On the finished product side, demand for recycled content paper still lags. Despite many consumers using 10 percent postconsumer paper, and some consumers using 30 percent postconsumer paper, very little demand exists for the higher content papers. Even more importantly, not enough consumers are demanding the papers with lower postconsumer content. One issue at work is the typically smaller/older/least efficient paper mills are the ones making the recycled-content papers. Also, very little paper production exists in the Western United States.

In addition, there is a potential for some conversion technologies to use contaminated or otherwise unrecoverable paper or paper products for feedstock.

Special Waste

Currently, the Tire Program uses survey data and other sources to determine the number of tires generated, diverted, and disposed. Additionally, there are other sources of data such as from the Manifest System, the California Board of Equalization, and the Diversion, Planning, and Local Assistance Division's (DPLA) Waste Characterization data that can be used to examine the effectiveness of the program. While these other programs collect data in different ways and may not relate exactly to the performance measures being evaluated in the Tire Program, understanding how these data sets relate and how they might be modified to complement the Tire Program's performances measures is worth investigating further. For instance, the 1999 Waste Characterization data included data on waste tires; however, it included bicycle tires and motorcycle tires that are not included in

the Board's Tire Program. Furthermore, many waste characterization samples weighed only 200 pounds or less and a large truck tire (weighing 120-150 pounds) would skew the results for that particular sample. As a result, the waste characterization data cannot be compared effectively to the Tire Program's other data sources. If the upcoming Waste Characterization data collection effort could establish a protocol that would effectively mesh with the data already collected by the Tire Program, the two data sets could then be used to augment and verify the accuracy of existing data sets. This would be a good example of the Board's diverse programs effectively leveraging existing resources to support common goals.

In the past, Do-It-Yourselfers (DIYers) oil changers dumped their used oil in garbage cans which ended up in landfills, down storm drains or empty fields. Then, the Used Oil Program came about (in 1991) to educate individuals on proper disposal and to provide avenues for the DIYers oil changers to recycle their used oil. Consequently, a very small percentage of samples, less than 1 percent, were found to be contaminated with a low level of oil. While the positive impact of the Used Oil Program has almost eliminated illegal disposal at landfill, statistic shows that not all used oil is recycled. Illegal disposal of used oil continues to take place, especially among new immigrants who are unaware of the damage it can cause to the environment or the infrastructure that is in place for the disposal of used oil.

D. Stakeholder Impacts

The waste characterization data is widely used by stakeholders in California, nationally and internationally. The waste characterization database on the Board's web site had over 400,000 external hits from January to November of 2004. Many stakeholders use waste characterization data when participating in Board discussions of potential programs and priorities for the material types discussed above. Many businesses turn to the waste characterization database to identify typical waste types and amounts for their type of business and identify the potential for waste prevention or other diversion activities. Other agencies use characterization data. For example, characterization data was used to estimate amounts of organics and wood waste disposed in four southern California counties, to provide information for the Board's response to a proposed South Coast Air Quality Management District ruling on composting facilities. Data was also provided to the California Department of Food and Agriculture on amounts of greenwaste disposed in counties affected by Sudden Oak Death Syndrome.

E. Fiscal Impacts

No fiscal impact to the Board results from this agenda item.

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this agenda item.

G. Environmental Justice

Based on available information, staff is not aware of any environmental justice issues related to this agenda item.

H. 2001 Strategic Plan

Waste characterization work supports the Board's Strategic Plan as follows:

Goal 1: Increase participation in resource conservation, integrated waste management, product stewardship waste prevention to reduce waste and create a sustainable infrastructure:

- ***Objective 1*:** Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services.
  - ***Strategy E.*** Promote self-assessment by businesses and households of their waste prevention practices.

Goal 2: Assist in the creation and expansion of sustainable markets to support diversion efforts and ensure that diverted materials return to the economic mainstream.

- ***Objective 3:*** Support local jurisdictions' ability to reach and maintain California's waste diversion mandates.
  - ***Strategy E***: Provide assistance and education to local governments, businesses, schools, and State facilities to implement and assess programs.
  - ***Strategy F***: Support local government efforts to use alternative means of diverting waste, including the use of conversion technology where residuals can be converted directly into electricity and actively managed to increase fuel and gas production.

Goal 7: Promote a "zero-waste California" where the public, industry, and government strive to reduce, reuse, or recycle all municipal solid waste materials back into nature or the marketplace in a manner that protects human health and the environment and honors the principles of California's Integrated Waste Management Act.

- ***Objective 4:*** Promote new or existing technologies and processes to address existing or emerging waste streams.
  - ***Strategy C:*** Develop Board priority areas relative to material types and business outputs.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. 2003 Waste Characterization Material Categories
2. Composition of California's Overall Disposed Waste Stream by Material Type, 2003

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Nancy Carr **Phone:** (916) 341-6216
B. Legal Staff: Elliot Block **Phone:** (916) 341-6080
C. Administration Staff: N/A **Phone:** N/A

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

Staff had not received any written support at the time this item was submitted for publication.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

2003 Waste Characterization Material Categories and Material Types Used for Sorting the Disposed Wastestream

The information below is organized by:
Material Category
Material Type

Paper

Uncoated Corrugated Cardboard
Paper Bags
Newspaper
White Ledger
Colored Ledger
Computer Paper
Other Office Paper
Magazines and Catalogs
Phone Books and Directories
Other Miscellaneous Paper
Remainder/Composite Paper

Glass

Clear Glass Bottles and Containers
Green Glass Bottles and Containers
Brown Glass Bottles and Containers
Other Colored Glass Bottles and Containers
Flat Glass
Remainder/Composite Glass

Metal

Tin/Steel Cans
Major Appliances
Other Ferrous
Used Oil Filters*
Aluminum Cans
Other Non-Ferrous
Remainder/Composite Metal

***NOTE**: This type was previously classified under "Other Ferrous".

E-waste *

Brown Goods
Computer-related Electronics
Other Small Consumer Electronics
Televisions and Other Items with CRTs

***NOTE**: These types were previously classified under "Remainder/Composite Metal".

Plastic

PETE Containers
HDPE Containers
Miscellaneous Plastic Containers
Plastic Trash Bags *
Plastic Grocery and Other Merchandise Bags *
Non-Bag Commercial and Industrial Packaging Film *
Film Products *

Other Film*
Durable Plastic Items
Remainder/Composite Plastic

***NOTE**: These types were previously classified under the more general type "Film Plastic".

Organic

Food
Leaves and Grass
Prunings and Trimmings
Branches and Stumps
Agricultural Crop Residues
Manures
Textiles
Carpet *
Remainder/Composite Organic

***NOTE**: Previously classified under "Remainder/Composite Organic".

Construction and Demolition

Concrete
Asphalt Paving
Asphalt Roofing
Lumber
Gypsum Board
Rock, Soil, and Fines
Remainder/Composite Construction and Demolition

Household Hazardous Waste

Paint
Vehicle and Equipment Fluids
Used Oil
Batteries
Remainder/Composite Household Hazardous

Special Waste

Ash
Sewage Solids
Industrial Sludge
Treated Medical Waste
Bulky Items
Tires
Remainder/Composite Waste

Mixed Residue

Mixed Residue

Composition of California's Overall Disposed Waste Stream by Material Type, 2003

	Est. Pct.	+ / -	Est. Tons
Paper	**21.0%**		**8,445,989**
Uncoated Corrugated Cardboard	5.7%	1.2%	2,312,147
Paper Bags	1.0%	0.5%	386,097
Newspaper	2.2%	0.4%	887,091
White Ledger	1.1%	0.3%	447,516
Colored Ledger	0.1%	0.0%	20,583
Computer Paper	0.1%	0.0%	20,845
Other Office Paper	0.7%	0.2%	296,203
Magazines and Catalogs	0.8%	0.2%	311,143
Phone Books and Directories	0.2%	0.1%	89,403
Other Miscellaneous Paper	3.5%	0.6%	1,400,526
Remainder/Composite Paper	5.7%	0.7%	2,274,433
Glass	**2.3%**		**934,926**
Clear Glass Bottles and Containers	0.9%	0.1%	356,467
Green Glass Bottles and Containers	0.4%	0.1%	180,570
Brown Glass Bottles and Containers	0.3%	0.0%	104,568
Other Colored Glass Bottles and Containers	0.0%	0.0%	3,106
Flat Glass	0.4%	0.4%	151,344
Remainder/Composite Glass	0.3%	0.1%	138,870
Metal	**7.7%**		**3,115,357**
Tin/Steel Cans	0.8%	0.2%	323,540
Major Appliances	1.5%	2.1%	616,663
Used Oil Filters	0.0%	0.0%	1,376
Other Ferrous	2.4%	0.5%	969,676
Aluminum Cans	0.2%	0.0%	74,851
Other Non-Ferrous	0.3%	0.1%	111,008
Remainder/Composite Metal	2.5%	0.6%	1,018,242
Electronics	**1.2%**		**481,353**
Brown Goods	0.1%	0.0%	41,394
Computer-related Electronics	0.3%	0.2%	119,917
Other Small Consumer Electronics	0.2%	0.1%	93,273
Television and Other Items with CRTs	0.6%	0.5%	226,769
Plastic	**9.5%**		**3,809,699**
PETE Containers	0.5%	0.1%	216,134
HDPE Containers	0.5%	0.1%	189,549
Miscellaneous Plastic Containers	0.5%	0.1%	206,470
Plastic Trash Bags	1.0%	0.2%	390,460
Plastic Grocery and Other Merchandise Bags	0.4%	0.0%	147,038
Non-Bag Commercial and Industrial Packaging Film	0.7%	0.3%	290,331
Film Products	0.2%	0.2%	93,073
Other Film	2.1%	0.6%	826,757
Durable Plastic Items	1.4%	0.2%	561,543
Remainder/Composite Plastic	2.2%	0.3%	888,343

	Est. Pct.	+ / -	Est. Tons
Organic	**30.2%**		**12,166,452**
Food	14.6%	2.6%	5,854,352
Leaves and Grass	4.2%	1.0%	1,696,022
Prunings and Trimmings	2.3%	0.6%	920,356
Branches and Stumps	0.3%	0.2%	119,754
Agricultural Crop Residues	0.0%	0.0%	0
Manures	0.1%	0.0%	36,506
Textiles	2.4%	1.3%	947,789
Carpet	2.1%	0.7%	838,869
Remainder/Composite Organics	4.4%	0.8%	1,752,803
Construction & Demolition	**21.7%**		**8,732,074**
Concrete	2.4%	0.9%	966,607
Asphalt Paving	0.0%	0.0%	10,414
Asphalt Roofing	1.9%	1.0%	767,981
Lumber	9.6%	1.4%	3,881,214
Gypsum Board	1.7%	0.8%	676,430
Rock, Soil, and Fines	2.4%	1.0%	977,419
Remainder/Composite Construction and Demolition	3.6%	0.8%	1,452,009
Household Hazardous Waste	**0.2%**		**73,599**
Paint	0.0%	0.0%	19,203
Vehicle and Equipment Fluids	0.0%	0.0%	1,000
Used Oil	0.0%	0.0%	548
Batteries	0.1%	0.0%	34,021
Remainder/Composite Household Hazardous	0.0%	0.0%	18,827
Special Waste	**5.1%**		**2,038,431**
Ash	0.1%	0.1%	60,160
Sewage Solids	0.0%	0.0%	0
Industrial Sludge	0.0%	0.0%	0
Treated Medical Waste	0.0%	0.0%	15,367
Bulky Items	3.4%	1.2%	1,348,224
Tires	0.3%	0.2%	126,633
Remainder/Composite Special Waste	1.2%	1.6%	488,047
Mixed Residue	**1.1%**	0.3%	**437,448**
Totals	**100.0%**		**40,235,328**
Sample count:	**550**		

Confidence intervals calculated at the 90% confidence level. Percentages for material types may not total 100% due to rounding.

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 16

ITEM

Consideration Of The Amended Nondisposal Facility Element For The Unincorporated Area Of Los Angeles County

I. ISSUE/PROBLEM STATEMENT

The unincorporated area of Los Angeles County (County) has amended its NDFE by identifying and describing the Athens Services Transfer Station and Materials Recovery Facility, an existing facility. This is the second amendment to the County's originally approved NDFE.

II. ITEM HISTORY

The Board previously approved the County's NDFE on September 21, 1994. The first amendment to the County's NDFE was approved on November 19, 2002.

III. OPTIONS FOR THE BOARD

The Board may:

1. Approve the County's amended NDFE.
2. Disapprove the County's amended NDFE.

IV. STAFF RECOMMENDATION

Board staff recommends the Board adopt option 1: approve the County's amended NDFE.

V. ANALYSIS

A. Key Issues and Findings

1. Background

The County has amended its NDFE by adding a nondisposal facility, as noted below.

Facility type/location: The County has amended its NDFE to identify and describe the Athens Services Transfer Station and Materials Recovery Facility (facility) (SWIS # 19-AA-0863 – Athens Services) located at 14048 East Valley Boulevard, City of Industry, CA. A portion of the facility is also located within the County Unincorporated area. The facility is a large volume transfer and material recovery facility which accepts mixed waste from Los Angeles County.

Facility capacity: The facility is permitted to receive up to 1,920 tons of solid waste per day.

Current diversion rate: Approximately 19 percent of the total incoming waste and at least 25 percent of the materials are processed through the materials recovery facility.
Participating jurisdictions: The facility serves the cities of Azusa, Baldwin Park, Covina, El Monte, Glendora, City of Industry, La Puente, Monrovia, Montebello, Monterey Park, Pasadena, San Gabriel, San Marino, South El Monte, South Pasadena, Temple City, West Covina, other cities in the general vicinity, and unincorporated County areas.

2. Findings

The County has adequately addressed all requirements for amending a NDFE by submitting the information noted below:

Los Angeles County	yes	no
Local Task Force comments	X	
3-day public notice	X	
Resolution adopting amendment	X	
Amendment includes required information for facility type	X	

B. Environmental Issues

Staff is not aware of any environmental issues related to the amended NDFE. Specific environmental issues would be addressed during the permitting process of the facilities, and thus would be discussed in any associated items presented to the Board from the Permits Division.

C. Program/Long Term Impacts

Staff does not anticipate any program or long term impacts as a result of this item.

D. Stakeholder Impacts

Approving the County's amended NDFE will facilitate any future conformance findings made by the Board as part of the permitting process, as the facilities will then be identified in the NDFE, as required.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

This item represents the process for implementing PRC Section 41800 that describes the Board's approval process of a jurisdiction's planning elements, including the NDFE.

G. Environmental Justice

2000 Census Data – Demographics for the County (unincorporated area)						
% White	**% Hispanic**	**% Black**	**%Native American**	**%Asian**	**%Pacific Islander**	**%Other**
31.1	44.6	9.5	0.3	11.9	0.3	2.3

2000 Census Data – Economic Data for the County (unincorporated area)		
Median annual income*	**Mean (average) income***	**% individuals below poverty level**
42,189	61,373	17.9

* Per household

- **Environmental Justice Issues.** According to the county representative, there are no environmental justice issues in this community related to this item.
- **Efforts at Environmental Justice Outreach.** The County of Los Angeles will continue to meet or exceed relevant State law requirements (e.g. the California Environmental Quality Act), regulations and guidelines when providing outreach to the community.
- **Project Benefits.** Updating the County's NDFE to include descriptions of new or modified nondisposal facilities will allow County residents, and the County, to have a more complete picture of the nondisposal facilities the County will be using to achieve and maintain its diversion requirements.

H. 2001 Strategic Plan

This item supports Strategic Plan goal 2, objective 3 (Support local jurisdictions' ability to reach and maintain California's waste diversion mandates), strategy (D) (Assess and assist local governments' efforts to implement programs and reduce disposal, taking corrective action as needed) by approving the County's locally adopted amended NDFE.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Resolution Number 2005-40

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Jennifer Wallin **Phone:** (562) 426-9926
B. Legal Staff: Elliot Block **Phone:** (916) 341-6080
C. Administration Staff: N/A **Phone:** N/A

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

County of Los Angeles

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-40

Consideration Of The Amended Nondisposal Facility Element For The Unincorporated Area Of Los Angeles County

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq., describe the requirements to be met by Cities and Counties when developing and implementing integrated waste management plans; and

WHEREAS, PRC Sections 41730 et seq. require that each City and County prepare and adopt a Nondisposal Facility Element (NDFE) which includes a description of existing and new solid waste facilities, and the expansion of existing solid waste facilities, which will be needed to implement a jurisdiction's Source Reduction and Recycling Element (SRRE), to enable it to meet the requirements of PRC Section 41780; and

WHEREAS, the unincorporated area of Los Angeles County (County) has amended its Board-approved NDFE to reflect the addition of the described facility and has submitted the amended NDFE to the Board; and

WHEREAS, based on review of the amended NDFE, Board staff found that all of the foregoing requirements have been satisfied and that the amended NDFE substantially complies with PRC Sections 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the amended Nondisposal Facility Element for the County of Los Angeles.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 17

ITEM
Consideration Of A Second SB1066 Time Extension Application By The Following Jurisdictions: El Dorado County Unincorporated And The City Of South Lake Tahoe, El Dorado County

I. ISSUE/PROBLEM STATEMENT

rThe jurisdictions listed in this item have submitted second Senate Bill (SB) 1066 Time Extension applications to the California Integrated Waste Management Board (Board). Public Resources Code (PRC) Section 41820 allows a jurisdiction that has not achieved the diversion requirement of PRC Section 41780 to petition for one or more time extensions to meeting the 50 percent diversion requirement for a maximum of five years; no extensions may be effective beyond January 1, 2006.

These jurisdictions' first SB1066 Time Extensions have ended, and despite their efforts to meet the timelines in their respective first Plan of Correction, they will need additional time to implement programs proposed in their first SB1066 Time Extension request, and/or additional programs. Staff's analysis of these second SB1066 Time Extension requests is that they are reasonable given the barriers the jurisdictions have faced, as explained in Attachments 1 and 2 of this item.

II. ITEM HISTORY

The Board approved these jurisdictions' first SB1066 Time Extension requests at its July 23, 2002 meeting. The Board granted both jurisdictions an extension until July 1, 2004 which was a reduced timeframe from the July 1, 2005 date they originally requested. The Board acknowledged at that time that a second time extension may be necessary at the conclusion of the first extension.

III. OPTIONS FOR THE BOARD

1. The Board may approve the jurisdictions' applications as submitted for a second extension to the 50 percent diversion requirement on the basis of their good faith efforts to-date to implement their first Plan of Correction and plans for future implementation.
2. The Board may approve the jurisdictions' applications as may be modified by the jurisdictions at the Board meeting.
3. The Board may approve the jurisdictions' applications as submitted but also make recommendations for one or more jurisdictions to implement alternative programs that it believes should be added to the new Plan of Correction for it to be successful.
4. The Board may make recommendations for the implementation of alternative programs that it believes one or more jurisdictions should add for their new Plan of Correction to be successful, and continue the item to the next Board meeting to allow the jurisdiction(s) time to revise its/their application.
5. The Board may disapprove one or more jurisdiction's application and allow the jurisdiction(s) to revise and resubmit the application based on the Board's specified reasons for disapproval.
6. The Board may disapprove one or more jurisdiction's application and direct staff to commence the process to issue a compliance order because the Board's specified reasons for disapproval cannot be addressed by a revised application.

IV. STAFF RECOMMENDATION

Staff recommends the Board adopt option No. 1: approve each jurisdiction's second SB1066 time extension request as submitted on the basis of their good faith efforts to-date to implement their first Plan of Correction and their plans for future program implementation.

V. ANALYSIS

A. Key Issues and Findings

1. Background

Public Resources Code (PRC) Section 41820 allows a jurisdiction that has not achieved the diversion requirement of PRC Section 41780 to petition for one or more time extensions to meeting the 50 percent diversion requirement for a maximum of five years; no extensions may be effective beyond January 1, 2006 (PRC Section 41820).

PRC Section 41820(b) further provides that:
"(1) When considering a request for an extension, the board may make specific recommendations for the implementation of alternative programs.
(2) Nothing in this section shall preclude the board from disapproving any request for an extension.
(3) If the board disapproves a request for an extension, the board shall specify its reasons for the disapproval."

The jurisdictions listed in this item have submitted a second SB1066 Time Extension application requesting more time to either:

- implement additional programs,
- overcome the barriers encountered during the first TE that kept them from implementing certain programs, or
- expand or fully implement programs in their first Plan of Correction.

The second SB1066 Time Extension applications address all of the requirements of a SB 1066 application and each includes a discussion as to why the jurisdiction needs additional time to implement the diversion programs listed in their second Plan of Correction.

2. Basis for staff's analysis

Staff's analysis is based upon the information below.

Existing Jurisdiction Conditions:

	Preliminary Diversion Rates (Percent)					**Key Jurisdiction Conditions**			
						Report Year Waste Stream Data			
Jurisdiction	Base Year	1999	2000	2001	2002	Pounds waste generated per person per day (ppd)	Population (2002)	Non-Residential Waste Stream Percentage	Residential Waste Stream Percentage
El Dorado County	1990	38	41	38	32	6.0	129,400	38.5%	61.5%
South Lake Tahoe	1990	39	42	48	37	15.7	23,950	67.1%	32.9%

Jurisdiction	Program Review Site Visit by Board Staff	Reporting Frequency	Proposed % Diversion Increase	Extension End Date	Is Time Request Appropriate? (yes/no)
El Dorado County	2004	Every 6 Months and final report	19%	12/31/2005	Yes
South Lake Tahoe	2004	Every 6 Months and final report	13%	12/31/2005	Yes

Staff Analysis of Second SB 1066 Applications:
Attachment 1 provides an overview of the following:

- The barriers faced by each jurisdiction to meeting the 50% diversion requirement within the *first* time extension, and the jurisdiction's explanation as to why additional time is necessary for meeting the diversion requirement;
- Staff's analysis of the reasonableness of the request;
- Diversion programs the jurisdictions are proposing to expand or newly implement in the second Plan of Correction (Section IV-A of the SB1066 Time Extension application), and their relationship to programs proposed for the first extension;
- Staff's analysis of whether the programs to be expanded or newly proposed are appropriate, given the barriers confronted in the first Time Extension period, and the jurisdiction's waste stream.

Plan of Correction:
A jurisdiction's SB1066 time extension request must include a Plan of Correction that:

a. demonstrates meeting 50 percent before the time extension expires;
b. includes recycling, and composting programs the jurisdictions will implement, as well as existing solid waste diversion programs they will modify;
c. identifies the date when 50 percent will be achieved;
d. identifies funding necessary for new and/or expanded programs.

Each jurisdiction's second Plan of Correction meets the above requirements. Board staff has also conducted an assessment of each jurisdiction's current program implementation, including a program review site visit. Based on Board staff's understanding of the relevant circumstances in the jurisdictions that contributed to their need for a second extension, Board staff believes the jurisdictions' proposed new Plans of Correction to be reasonable. The jurisdictions' requests and staff's analyses are explained in the attached matrix (Attachments 1 and 2) for each jurisdiction.

In addition, PRC Section 41820(d) directs Board staff to provide technical assistance to a jurisdiction that requests assistance in meeting the diversion requirements, such as identifying model policies and programs implemented by other jurisdictions of similar size, geography, and demographic mix. Lastly, a jurisdiction with a Board-approved time extension is required to include a summary of its progress in complying with its Plan of Correction in each annual report that is due prior to the end of the time extension [per PRC Section 41821(b)(5)]. Staff recommends that these jurisdictions be required to submit a six month progress report, as well as a final report at the end of their extensions with their annual report.

3. Findings
Staff determined that the Board may grant the requested second Time Extensions because they meet the requirements of PRC Section 41820; specifically:

- Each jurisdiction has submitted all required planning elements.
- Each jurisdiction is making a good faith effort to implement the programs identified in its SRRE and those proposed in its first Plan of Correction.
- Each jurisdiction has submitted a second Plan of Correction demonstrating that it will meet the diversion requirements by the time the extension expires including: the programs that it will expand or start implementing, the dates of implementation, and the means of funding.

A comprehensive list of each jurisdiction's SRRE-selected and implemented diversion programs is provided in Attachment 2. Because of the jurisdictions' efforts to-date and their plans for expanding those efforts to reach the 50 percent diversion requirement as outlined in their respective second Plan of Correction, staff is recommending approval of their second SB1066 time extension applications.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item.

C. Program/Long Term Impacts

Allowing these jurisdictions more time to implement diversion programs will help to increase waste diversion, both locally and statewide.

D. Stakeholder Impacts

Allowing these jurisdictions more time to implement new and expand existing diversion programs and to measure the impact these newly implemented and expanded programs have had on diversion will assist the jurisdictions to achieve the diversion requirements of PRC Section 41780.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

As discussed above, this item represents the process for implementing PRC Section 41820 that allows jurisdictions to petition for more time to implement additional diversion programs to achieve the 50 percent diversion requirement for 2000, and allows the Board the discretion to grant these time extensions.

G. Environmental Justice

Community Setting.

2000 Census Data – Demographics							
Jurisdiction	**% White**	**% Hispanic**	**% Black**	**% Native American**	**% Asian**	**% Pacific Islander**	**%Other**
El Dorado County Unincorporated	89.1	5.7	0.5	0.8	1.4	0.1	0.1
South Lake Tahoe	63.6	26.7	0.6	0.7	5.9	0.1	0.2

2000 Census Data – Economic Data			
Jurisdiction	**Median annual income***	**Mean (average) income***	**% individuals below poverty level**
El Dorado County Unincorporated	51,484	67,083	7.1
South Lake Tahoe	34,707	45,944	12.5

* Per household

- **Environmental Justice Issues:** According to the jurisdictional representatives, there are no environmental justice issues related to this item in these communities.
- **Efforts at Environmental Justice Outreach:** These jurisdictions promote diversion programs to Spanish and English speaking residents.
- **Project Benefits.** The expansion of the existing, and implementation of the additional programs and facilities listed in this item will help to increase the jurisdictions' diversion rates.

H. 2001 Strategic Plan

This item supports Strategic Plan goal 2, objective 3 (Support local jurisdictions' ability to reach and maintain California's waste diversion mandates), strategy (D) (Assess and assist local governments' efforts to implement programs and reduce disposal, taking corrective action as needed) by assessing the jurisdictions' efforts to implement programs and reduce disposal.

This item also supports Strategic Plan goal 7, objective 1 (Promote source reduction to minimize the amount of waste generated, strategy (B) (Continue to work with jurisdictions to ensure they meet and/or exceed existing waste diversion mandates) by demonstrating staff's continual efforts to work with jurisdictions to ensure they meet and/or exceed the waste diversion mandates.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Time Extension Matrix for El Dorado County Unincorporated
2. Time Extension Matrix for City of South Lake Tahoe
3. El Dorado County's Second 1066 Time Extension Application
4. City of South Lake Tahoe's Second 1066 Time Extension Application
5. Diversion Rate, Base Year and Program Listing for El Dorado County
6. Diversion Rate, Base Year and Program Listing for City of South Lake Tahoe
7. Resolution Number 2005-41

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Kyle W. Pogue **Phone:** (916) 341-6246
B. Legal Staff: Elliot Block **Phone:** (916) 341-6080
C. Administrative Staff: N/A **Phone:** N/A

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

County of El Dorado
City of South Lake Tahoe

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

El Dorado County's Second Time Extension Application Matrix

Barriers/Reason for Second Time Extension	Staff's Analysis
Barriers in setting up mixed-waste processing facilities: • County officials requested a three-year time extension and planned to site and permit two mixed-waste composting facilities. One facility was to be sited on the Western Slope of El Dorado County in the Placerville area while the other was planned for the Eastern Slope of the County within the City of South Lake Tahoe. The South Lake Tahoe facility is currently in the permitting process and when constructed will serve the City and County residents of the Eastern slope of the County. Plans for the facility on the West Slope of the County were dropped in lieu of other waste diversion programs. • The County originally requested until the end of 2005 in its first time extension application because of the complexities of siting such this type of facility, but the Board shortened the first extension timeline and directed the County to submit a second time extension request if necessary. • The County released a Request for Proposals for the construction and implementation of the mixed waste composting facility on the West Slope but did not receive a qualifying offer for such a facility. Instead, the current waste hauler proposed an alternative to this facility that will increase residential and commercial recycling programs on the West Slope of the County. • In order to implement expanded recycling programs on the West Slope, it was necessary to amend the existing franchise agreements and gain support from rate payers. **Reasons for Second Time Extension:** • The County still projects a 3 percent increase in diversion from the East Slope mixed-waste composting facility. More time is needed to realize those results. • The County projects a 6 percent increase in diversion from residential and commercial programs implemented in place of the West Slope mixed waste composting facility. More time is needed to realize those results.	• The County requested proposals for implementation of the West Slope facility and received two proposals, neither of which were deemed to be sufficient. Therefore, the County opted to pursue expanded residential curbside recycling and greenwaste programs and commercial recycling programs instead of implementing the mixed waste composting program. • Implementation of the alternative programs (residential and commercial source separated recycling) is underway and should be completed well within the time frame of this extension. • The East Slope facility is currently moving forward. Land for the facility has been secured, a bidding process was completed, and the contractor has been selected. The East Slope facility is now involved in the permitting process. • Permitting in the Tahoe basin is overseen by the Tahoe Regional Planning Agency (TRPA), a bi-state regulatory agency with a 15-member governing board. The TRPA has stringent requirements upon permit applicants due to the sensitive environmental nature of Lake Tahoe. According to the City, the TRPA is currently reviewing the proposal. • This mixed waste composting technology is untested in California, so additional planning and construction time may be unavoidable. If the technology proves feasible and reliable, however, the facility could be a model for other areas.

Barriers in Construction and Demolition programs:	**Staff analysis of construction and demolition barriers:**
• County officials wanted three years to implement and see results from a Construction and Demolition Ordinance. The ordinance, which was adopted on Sept. 30, 2003, requires a 50 percent diversion rate for each permitted project, with provisions for reporting back to the county. • The C&D ordinance will be complemented by continued public education about re-use options and better utilization of an existing C&D sort line located at the West Slope Materials Recovery Facility (MRF) • Increased C&D capabilities at the MRF will be enhanced and encouraged through decreased tipping fees for clean materials. • Increased C&D processing capability on the East Slope is tied to approval of the expansion of the South Lake Tahoe MRF, which is pending approval. **Reasons for Second Time Extension** • The diversion results from the first construction projects completed under the new C&D ordinance are just now being received and reviewed by the County. • The expansion of the South Lake Tahoe MRF will increase C&D diversion and will require additional time for completion.	• The County took the lead in developing the C&D ordinance, which is currently in place. Allowing a year or more to see the full benefits from such an ordinance is reasonable. • Recycling and reuse options are available for C&D materials generators both within the County and in neighboring jurisdictions. The West Slope MRF does offer decreased tip fees for clean materials and also has an operational C&D sorting line. Habitat for Humanity offers an outlet for reusable building materials and other materials recyclers are available in neighboring Sacramento County. • County staff are working with C&D materials generators to identify diversion options available. • The South Lake Tahoe MRF offers reduced rates for clean wood waste and the impending expansion of the facility will allow further recovery of C&D materials. This facility services both City and County residents in the Tahoe area.

Barriers in recycling programs:	**Staff analysis of recycling barriers:**
• To replace the diversion originally to be achieved by the West Slope mixed waste composting facility, the County has begun implementation of expanded residential and commercial recycling programs. In order to implement these programs, franchise agreements had to be amended to reflect these programs selected by the County and several Community Services Districts on the West Slope. Additionally, new service rate schedules had to be developed, infrastructure procured and programs rolled out in a systematic way.	• The transition from the mixed waste composting concept to a source separated program for residential and commercial waste generators will most likely be good solution for the West Slope of El Dorado County. The West Slope contains areas of densely populated residential areas mixed with commercial developments. Moving to commingled recycling service for these areas should result in a significant increase in recycling participation and the associated recycling tonnage needed to reach the County's diversion needs.
• Approximately 1,300 commercial customers will gain access to commingled collection of recyclables under the proposed program expansion. This will be part of standard garbage service, and will include larger venues such as schools, apartment complexes, ski resorts and marinas. It is feasible to double the amount of commercial recycling tonnage under this proposal, compared to the previous situation. Expanded commercial recycling became available in much of El Dorado in December, 2004.	• The residents in rural areas of the County will also have access to recycling service if they subscribe to waste/recycling service through the franchised waste service provider. For residents who do not receive this service, drop-off options are available when waste and recycling materials are self-hauled.
Reasons for Second Time Extension	• The source-separated materials collected through the residential and commercial recycling programs will be hauled to a large "clean" MRF located in Lodi. The smaller MRF located on the West Slope of the County will still be used to sort recyclables from the mixed waste stream.
• Expanded commingled recycling service for approximately 20,000 residences will begin no later than March 2005 and be fully implemented no later than June 2005. This timeframe is necessary to purchase and distribute bins; modify collection routes; and educate participants.	
• Expanded recycling service for 1300 commercial accounts has already begun and will continue into the future.	

Plan of Correction	Staff's Analysis	Estimated Percent Diversion
2000-RC-CRB In addition to existing weekly trash service, approximately 20,000 residential ratepayers will gain access to a 64 or 96 gallon cart for recyclables at no extra charge. Recyclables will be collected once every two weeks and will be delivered to a MRF in Lodi for processing. Implementation is slated to begin in March 2005, with full implementation expected by June, 2005. County staff anticipate that this program will increase residential recycling tonnages by 50 percent or more.	The transition from a small capacity curbside program utilized by a limited number of residents to a large volume commingled curbside program will most likely increase diversion tonnages significantly. Consistent and continual education will be necessary to ensure the effectiveness of this program. The County plans an array of information using various media to educate program participants.	4.0 %
2030-RC-OSP / 2050-RC-SCH Approximately 1,300 commercial customers will gain access to a semi-automated collection system as part of their standard waste service. Cardboard, mixed paper and beverage containers will be targeted. Businesses, schools, apartments, large venues (such as ski areas and marinas), will be targeted. Service is scheduled to begin in December, 2004. The County hopes to double its commercial diversion with this program.	Many of these targeted customers do not currently have recycling service, so a big increase in tonnage could be achieved immediately. Strong educational efforts will also be critical, and are part of the County's plans.	2.0 %
3000-CM-RGW In addition to trash and recycling, some 20,000 residential customers on the West Slope will gain access to a 64 or 96 gallon cart for green waste. The cart will be collected once every two weeks for an additional charge of $2.00 per month. The collection schedule will be identical to recycling. The County hopes collected yard waste will double as a result of this effort.	Residents, until now, have not had access to a curbside greeenwaste program. This program will significantly increase the amount of diversion achieved.	4.0 %
4060-SP-CAR Concrete, asphalt and rubble. Implementation of the C&D Ordinance, adopted on Sept. 30, 2003, should increase recycling of C&D wastes. Continued public education efforts; use of the West Slope MRF C&D sort line; use of the Habitat for Humanity Restore and other area C&D recyclers should result in increased diversion.	The first completed construction projects permitted under the new ordinance are being reviewed for diversion approval. With increased enforcement of the C&D Ordinance in conjunction with the expansion of the MRF which will facilitate greater C&D diversion, and the promotion of diversion options in and around the County, this program should increase the County's diversion rate significantly.	6.0%

7050-FR-OTH Implementation of a mixed waste composting facility on the East Slope of the County will convert the mixed solid waste residuals into a useful product which can be sold or used on public grounds.	Once successfully sited, this facility could increase diversion beyond the 3% diversion rate projected here.	3.0%
Total Estimated diversion Percent From New and/or Expanded Programs		19.0 %
Current Diversion Rate Percent From Latest Annual Report		32.0 %
Total Planned Diversion Percent Estimated		51.0 %

Supporting Programs	
5010-ED-PRN The County will continue to promote diversion awareness through printed media, such as new resident packages and visitor guides. Written materials will also be provided during the roll out of the new residential and commercial recycling programs.	The County's web site is well designed and delivers all pertinent recycling information. The County, through the waste service provider, will promote these new programs through various printed promotional materials facilitated by a newly hired ombudsman.
5020-ED-OUT Outreach activities include participation at the County Fair, the Kid's Expo, Ag Education Day, during the busy seasons at Apple Hill, and among the outdoor enthusiasts who use the Rubicon Trail.	Consistent promotion of the recycling programs will be essential to ensure long-term success.
6020-PI-ORD The County's Construction and Demolition Ordinance became effective on Sept 30, 2003. It requires individuals or businesses constructing or demolishing projects with structure footprints greater than 5,000 square feet to recycle at least 50 percent of the debris generated. Approximately 670 projects are presently subject to the ordinance and have filed the required forms.	It is still too early to assess the effectiveness of this ordinance on diversion. If it does not successfully drive diversion of construction materials, the County will need to evaluate other alternatives to capture that material. The County plans to encourage the development of a policy that requires the use of recycled aggregate for road maintenance and construction. This would greatly increase the markets for recycled materials.

City of South Lake Tahoe's Second Time Extension Application Matrix

Barriers/Reason for Second Time Extension	Staff's Analysis
Barriers in setting up the mixed-waste composting facility. • City officials estimated it would take at least three years to site and permit this new type mixed-waste composting system because of the strict planning and permitting rules in the Tahoe Basin. The City originally requested until the end of 2005 in its first time extension application because of the complexities of siting such a facility in Lake Tahoe, but the Board shortened the first extension timeline and directed the City to submit a second time extension request if necessary. • The city needs more composting capacity before it can ramp up separation of compostables from the municipal waste stream and other composting diversion programs. Collecting extra compostable materials at this point would not result in additional diversion, as there is no place to sort or store it. • The city is dependent upon the efforts of franchised haulers for much of its diversion efforts. **Reasons for Second Time Extension:** • City originally requested time extension for three years, but was only given two years. • The city believes it can get a 5 percent increase in diversion from composting programs by the end of 2005, and even more once the facility realizes its full potential.	• The City has purchased the land for the facility and is currently involved in the environmental review and permitting process. • Permitting in the Tahoe basin is overseen by the Tahoe Regional Planning Agency (TRPA), a bi-state regulatory agency with a 15-member governing board. The TRPA has stringent requirements upon permit applicants due to the sensitive environmental nature of Lake Tahoe. According to the City, the TRPA is currently reviewing the proposal. • This mixed waste composting technology is untested in California, so additional planning and construction time may be unavoidable. If the technology proves feasible and reliable, however, the facility could be a model for other areas. • The City identified in its application that South Tahoe Refuse, the City's franchised waste hauler, has committed $18 million to this facility expansion.
Barriers in the Construction and Demolition programs: • The City originally committed to adopt a Construction and Demolition Ordinance by January of 2003. The City chose to work with the County of El Dorado to develop an ordinance that could then be modified to meet the City's needs. The County's ordinance became effective in October of 2003. Due to City staff turnover, the City's Ordinance is planned for adoption early in 2005. • Increased C&D diversion will occur at the South Tahoe Refuse Materials Recovery Facility. The expansion of this MRF is necessary to allow for increased diversion of this material. As noted above, this expansion is currently being evaluated by the TRPA. **Reasons for Second Time Extension** • The expansion of the existing MRF to accommodate increased C&D diversion driven by the new C&D ordinance should result in a 6 percent diversion improvement by the end of 2005.	**Staff analysis of construction and demolition barriers:** • The City's C&D ordinance has been developed and is currently being reviewed by the City Council. It is anticipated that a final ordinance will be adopted early in 2005. Although this ordinance has not yet been adopted, the new City Manager has acknowledged the City's commitment to adopting the ordinance and diverting C&D material • The South Tahoe Refuse MRF has been successful in diverting large amounts of C&D materials by utilizing its existing facility. With an expansion to this facility supported by the City's C&D Ordinance, the City should be able to realize a significant increase in its diversion rate. • South Tahoe Refuse also offers decreased tipping fees for clean loads of C&D materials which encourage increased recycling.

Plan of Correction	Staff's Analysis	Estimated Percent Diversion
2050-RC-GOV / 2060-RC-SCH Government and School Recycling. The City used grant funds from the Department of Conservation's Division of Recycling to increase beverage container recycling programs at schools, public venues, government offices, ski resorts and marinas within the City.	The City has increased the number of beverage container recycling options available at all of the locations listed here. This program has become successful and will remain that way only through on-going maintenance and education. The City will continue to receive funds from the Division of Recycling to expand these types of programs further.	1.0 %
2030-RC-OSP Commercial On-site Pick-up. The City's solid waste hauler is exploring opportunities for increased recycling of cardboard and inert materials from commercial customers.	South Tahoe Refuse provides drop boxes from 6 to 30 yards for cardboard, glass, steel, newspaper, plastic and tin for commercial generators. They also offer commercial on-site drop boxes for wood and stumps, concrete, and asphalt. There are reduced drop box fees for clean loads of wood and inert materials. STR does provide some on-site collection of recyclable materials but has room to expand this program.	1.0 %
4060-SP-CAR / 4050-SP-WDW Wood Waste and Concrete/Asphalt/Rubble: Expansion of the MRF, in conjunction with a C&D ordinance, will drive an estimated additional 4,100 tons of diversion by the end of 2005. Increased public education regarding C&D diversion opportunities will also help increase diversion.	The City has worked closely with South Tahoe Refuse to ensure that these estimates of C&D diversion are realistic and achievable.	6.0 %
7050-FR-OTH Other Facility Recovery: Implementation of a mixed waste composting facility combined with increased sorting of compostables at the MRF, will convert the City's mixed solid waste residuals into a useful end product.	This proposed technology is new to California but holds promise to divert significant amounts of previously disposed material. The City, County of El Dorado and South Tahoe Refuse are confident that this technology will, through a conservative estimation, divert 5 percent of the City's wastestream with the potential for higher diversion rates in the future.	5.0%
Total Estimated diversion Percent From New and/or Expanded Programs		13.0 %
Current Diversion Rate Percent From Latest Annual Report		37.0 %
Total Planned Diversion Percent Estimated		50.0 %

Supporting Programs	
5000-ED-ELC, 5010-ED-PRN, 5020-ED-OUT Public Education and Information programs: These will be enhanced to increase awareness of existing, expanded, and new programs and to better inform residents, business operators, and construction contractors of the importance of diverting materials. A recycling video was produced which is shown at city council meetings and to business groups; it may also be shown in the schools. Print media is also used, and the city is considering improvements to its web site.	Currently, the city relies on the county's web site to deliver recycling information. The City and South Tahoe Refuse need to expand their efforts to develop websites that promote the recycling programs available.
6010-PI-EIN, 6020-PI-ORD The County passed a C&D diversion ordinance in September, 2003. The City is in the process of developing a C&D Ordinance modeled after the County's ordinance. The City's solid waste service provider is also encouraging clean loads of inert materials to be delivered at the existing MRF for a discounted gate fee.	Although not identified in the second time extension application, the City plans to provide increased outreach to C&D waste generators and commercial businesses that are eligible for recycling programs.

(Revised 7/24/2002)

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this request sheet and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance, (MS 25)
1001 I Street
PO Box 4025
Sacramento CA 95812-4025

General Instructions:

For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name El Dorado County Environmental Management Department	County El Dorado County
Authorized Signature JCMAN	Title Director

Type/Print Name of Person Signing Jon A. Morgan	Date June 7, 2004	Phone (530) 621-5360

Person Completing This Form (please print or type) Valerie Kauffman	Title Supervising EHS

Phone (530)621-6587	E-mail Address vkauffman@co.el-dorado.ca.us	Fax (530)626-7130

Mailing Address 2850 Fairlane Court	City Placerville	State CA	ZIP Code 95667

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

The County has and continues to implement nearly all of its selected programs. El Dorado County was amongst the first agenices to have its Countywide Integrated Waste Management Plan (CIWMP) Five-Year Review approved by the CIWMB. The County is very active in grant program implementation and has worked with CIWMB staff to assess the effectiveness in program implementation.

Though the County continues to rely upon the resources and contributions of private enterprises, it continues to monitor and encourage its waste management service providers to implement increased diversion programs.

The County also acknowledges that it is responsible for AB 939 and continues to strive to fully implement, as well as expand, its selected programs.

4. Provide any additional relevant information that supports the request.

The County Waste Management Task Force (AB 939 Local Task Force) meets every six weeks and provides input to the County and Cities' AB 939 programs and compliance activities.

The County participates, when able, in regional recycling group and rural county meetings for program development and public education. These groups are the Regional Recycling Group coordinated by the Waste Management & Recycling Department of Sacramento County and the Regional Council of Rural Counties Environmental Services Joint Powers Authority (ESJPA).

Section IIIA—TIME EXTENSION

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).

1. Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

Initially, El Dorado County requested a time extension in July 2002 for a period of three years, but was instead granted an initial time extension ending in July 2004 with an understanding that a 2nd time extension would possibly be granted by the CIWMB at a later date. The key elements indentified in the County's 1st time extension included the development of two mixed waste processing facilities and the implementation of a construction and demolition debris diversion program. At this time, one of two mixed waste processing facilities has been proposed and the C&D program has been implemented. As an alternative to a mixed waste processing facility on the West slope, a significantly expanded curbside recyclables and yard waste collection program is being implemented in the areas serviced by El Dorado Disposal Services Co., Inc., in addition to an expansion of existing materials processing capabilities and an expanded commercial recyclables collection diversion program. Various temporary barriers have been identified: (1) the East slope facility is presently undergoing environmental review and preliminary permitting; (2) the C&D program was premised upon the development of an ordinance which was recently adopted by the El Dorado County Board of Supervisors on 9/30/03; and (3) the expanded West slope programs have required additional public support by ratepayers and modification of existing franchise agreements. Thus, the impact of these programs has not yet been realized and an additional time extension will allow for further development of programs selected in the first time extension, as well as new programs identified in the application for a second extension.

NOTE: C & D Ordinance has been in place since October 30, 2003. Some projects have been completed and the first requests for diversion approval are coming into EDCEMD. Additionally, franchise agreement modifications have been approved. The implementation of the expanded curbside recycling and yard waste collection programs will begin in February or March 2005. Completion should occur by May or June 2005. Some data will be available by the end of this extension request period. Residents will have many options available from the collection service menu but over time both EDSI and EDCEMD believe that the majority of residents will see the value of the three cart system and make that selection.

2. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension.

The County is requesting additional time to develop all of the programs selected in the plan of correction for the 1st time extension and to promote expansion of additional diversion programs. Specifically, the 1st time extension has not provided a sufficient amount of time to develop, design, permit, and construct a mixed waste composting facility on the East slope or to expand the residential/commercial collection program for recyclables on the West slope. The lengthy permit process for the mixed waste composting facility has begun in South Lake Tahoe. The project is presently under review and environmental analysis with the Tahoe Regional Planning Agency. Construction of the facility is anticipated by mid to late 2005. Additionally, the County has been challenged by growth issues and experienced a significant increase in its estimated waste generation during the period 2000-2004. Despite the increased effectiveness of selected diversion programs, the County's diversion rate has decreased in 2001 and 2002. An extension to December 2005 will allow time for the procurement and arrival of equipment necessary to expand the residential/commercial recyclable collection services on the West slope. Accordingly, the County is also reviewing data for a more accurate reporting of disposal tonnage and assessing the extent of diversion program implementation throughout the County. The County is committed to program implementation and desires to work with the CIWMB staff to develop a reasonably accurate quantification of its waste generation and diversion rate measurement.

NOTE: In December 2004, the County will be submitting a New Base Year Request that will more accurately reflect the waste generation and diversion totals in EDC.

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

The County has and continues to implement nearly all of its selected programs. El Dorado County was amongst the first agenices to have its Countywide Integrated Waste Management Plan (CIWMP) Five-Year Review approved by the CIWMB. The County is very active in grant program implementation and has worked with CIWMB staff to assess the effectiveness in program implementation.

Though the County continues to rely upon the resources and contributions of private enterprises, it continues to monitor and encourage its waste management service providers to implement increased diversion programs.

The County also acknowledges that it is responsible for AB 939 and continues to strive to fully implement, as well as expand, its selected programs.

4. Provide any additional relevant information that supports the request.

The County Waste Management Task Force (AB 939 Local Task Force) meets every six weeks and provides input to the County and Cities' AB 939 programs and compliance activities.

The County participates, when able, in regional recycling group and rural county meetings for program development and public education. These groups are the Regional Recycling Group coordinated by the Waste Management & Recycling Department of Sacramento County and the Regional Council of Rural Counties Environmental Services Joint Powers Authority (ESJPA).

Section IIIB—ALTERNATIVE DIVERSION REQUIREMENT

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's efforts in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.
Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIB-1.).

1. Why does your jurisdiction need and Alternative Diversion Requirement? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

Not Applicable

2. Why is your jurisdiction requesting an Alternative Diversion Requirement in lieu of a Time Extension?

Not Applicable

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

Not Applicable

4. Describe any relevant circumstances in the jurisdiction that contribute to the need for an ADR. Provide any relevant information that supports the request.

Not Applicable

Section IV A—PLAN OF CORRECTION

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %	61.5%	Non-residential %	38.5%

PROGRAM TYPE **Please use the Board's Program Types. The Program Glossary is online at:** www.ciwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
7050-FR-OTH Other Facility Recovery	New	Implementation of a mixed waste composting facility for the East slope service area. The new facility will be constructed to supplement the existing MRF operations NOTE: Property has been purchase and project permit and environmental review process continue. Facility construction should begin by mid to late 2005. Full completion should occur in 2006	.Rates	2006	3%
2000-RC-Residential Curbside	Expand	Expansion of the residential curbside program by EDSI in the West slope area. In addition to existing weekly garbage service, approximately 20,000 residential ratepayers will have access to a 64 or 96 gallon cart for recyclables at no extra charge on a bi-weekly basis. Materials will be transported to a clean MRF in Lodi for separation thereby increasing diversion. NOTE: Implementation should begin by March 2005 and be completed by June 2005. Sevice menu options are enclosed. Approximately 6 months of data will be available after implementation. Over time, it is possible that the commingled recycling cart could increase diversion by at least 50% of what is collected currently.	Rates	12/31/05	4%
2030-RC-Commercial Onsite Pickup 2050-RC-School Recyclingl	Expand	Expansion of commercial recyclables collection by EDSI in West slope service area. Approximately 1300 commercial ratepayers will gain access to a semi-automated collection system for various recyclables such as cardboard, mixed paper, and beverage containers, as part of standard garbage service. In an effort to establish a recycling infrastructure at larger commercial operations in El Dorado County, co-mingled recycling is being targeted at locations such as schools, apartment complexes, ski resorts, and marinas. NOTE: EDSI will begin offering commercial accounts expanded recycling service in December 2004. Material recovery could possibly double under this commingled system.	Rates	12/31/05	2%
4060-SP-CAR Asphalt, Concrete, Rubble	Expand	Implementation of the C&D Ordinance, adopted on September 30, 2003, to realize diversion impact on generated C&D wastes. C & D diversion shall be accomplished through continued public education about reuse options and continued use of the large material sort line at the local MRF in Diamond Springs and other C&D recyclers. NOTE: C & D Ordinance was effective October 30, 2003. The first completed projects are being reviewed for diversion approval.	Rates	10/30/03	6%

3000-CM-Residential GW Collection	Expand	Expansion of curbside collection of yard waste by EDSI in West slope service area. In addition to existing garbage service, approximately 20,000 residential ratepayers will have access to a 64 or 96 gallon cart for green waste on a bi-weekly basis at an additional charge of $2.00 per month NOTE: This new cart system will have the same implementation and competion schedule as the expanded curbside recycling program. Collected yard waste collected could increase by at much as 50%.	Rates	12/31/05	4%
		Total Estimated Diversion Percent From New and/or Expanded Programs			19%
		Current Diversion Rate Percent From Latest Annual Report			32%
		Total Planned Diversion Percent Estimated			51%

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED
6020-PI-ORD Policy	Expand	On September 30, 2003, the County adopted a construction and demolition (C&D) debris recycling ordinance. The C&D Ordinance requires individuals or businesses demolishing or constructing projects with structure footprints exceeding 5,000 square feet in area to recycle at least 50% of the construction or demolition debris generated. Approximately 670 building/demolition projects are presently subject to the C & D Ordinance and have filed the required recycling acknowledgement form. Each permittee shall file a recycling report within 60 days of final occupancy approval in order to document C & D diversion activities. The County plans to encourage the development of a policy to require the utlization of recycled aggregate for road maintenance and construction projects, as well. NOTE: Ordinance became effective October 30, 2003.	10/30/03
5010-ED-PRN Outreach	Expand	The County will continue to promote diversion awareness through various written media, such as new resident packages, visitor guides, the local movie theater, as well as the Environmental Management website. Written materials will be distributed as part of the introduction for the new semi-automated collection services, as well.	12/31/05
5020-ED-OUT	Expand	Recycling outreach activities continue at various public events, such as the County Fair, Kid's Expo, and Ag Education Day. Recycling outreach events are also planned for the upcoming Apple Hill season and outdoor enthusiasts at the Rubicon Trail.	12/31/05

Section IV B—GOAL ACHIEVEMENT

Goal Achievement describes the activities the jurisdiction will use to achieve the ADR.
Attach additional sheets if necessary..

Residential %		Non-residential %	

PROGRAM TYPE Please use the Board's Program Types. The Program Glossary is online at: www.ciwmb.ca.gov/LG Central/PARIS/Codes/ Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
Not Applicable					
		Total Estimated Diversion Percent From New and/or Expanded Programs			
		Current Diversion Rate Percent From Latest Annual Report			
		Total Planned Diversion Percent Estimated			

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPAND	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED

Section V – PARIS

Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.

Contact your Office of Local Assistance Representative at (916) 341-6199 for a copy of PARIS, or go to the Board's website at **www.ciwmb.ca.gov/LGCentral/PARIS/**.

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this request sheet and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance, (MS 25)
1001 I Street
PO Box 4025
Sacramento CA 95812-4025

General Instructions:

For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name City of South Lake Tahoe	County El Dorado County
Authorized Signature	Title City Manager

Type/Print Name of Person Signing David M. Jinkens	Date June 9, 2004	Phone (530) 542-6045

Person Completing This Form (please print or type) Valerie Kauffman	Title Supervising EHS Environmental Management Department El Dorado County

Phone (530)621-6587	E-mail Address vkauffman@co.el-dorado.ca.us	Fax (530)621-7130

Mailing Address 2850 Fairlane Court	City Placerville	State CA	ZIP Code 95667

This cover sheet is to be completed for each Time Extension (TE) or Alternative Diversion Requirement (ADR) requested.

1. Eligibility

Has your jurisdiction filed its Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element with the Board (must have been filed by July 1, 1998 if you are requesting an ADR)?

☐ No. If no, stop; not eligible for a TE or ADR.

☒ Yes. If yes, then eligible for a TE or ADR.

2. Specific Request and Length of Request

Please specify the request desired.

☒ **Time Extension Request**

Specific years requested _ to December 31, 2005_____

Is this a second request? ☐ No ☒ Yes Specific years requested. _2004, 2005_____

(**Note:** Requests for an additional extension will need to address why the jurisdiction's efforts to meet the 50% goal by the end of the first extension were not successful.)

☐ **Alternative Diversion Requirement Request (*Not allowed for Regional Agencies*).**

Specific ADR requested _ _____%, for the years_ _____.

Is this a second ADR request? ☐ No ☐ Yes Specific ADR requested _ ____%, for the years _ _____

(**Note:** Requests for an additional ADR will need to address why the jurisdiction's efforts to meet 50% by the end of the first ADR period were not successful.)

Note: Extensions may be requested anytime by a jurisdiction, but will only be effective in the years from January 1, 2000 to January 1, 2006. An original request for a TE/ADR may be granted for any period up to three years and subsequent requests for TE/ADR may extend the original request or be based on new circumstances but the total number of years for all requests cannot total more than five years or extend beyond January 1, 2006.

Section IIIA—TIME EXTENSION

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).

1. Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

Initially, the City requested a time extension in July 2002 from the CIWMB for a period of three years, but was instead granted an extension for 2 years ending in July 2004 with the understanding that an opportunity to request a 2nd time extension would be possible at a later date. The key elements identified in the City's 1st request for a time extension included: (1) the development of a mixed waste processing facility; and (2) the development and implementation of a C&D debris diversion program prompted by the enactment of an ordinance. Both of these programs have been impacted by time constraints. Permitting projects in the Tahoe Basin is a lengthy process involving multiple jurisdictions at local, State, and Federal levels.

NOTE: Although the property has been purchased, the permit and environmental process continue. Facility construction should begin by mid to late 2005. Full completion should occur in 2006. South Tahoe Refuse has committed to an investment of $18,000,000 for the facility expansion which will include the Herhof Technology for processing organics and mixed waste.

Additionally, the City, through its solid waste service provider, devoted staff resources for the development of a County C&D debris diversion ordinance. The City preferred to work with the countywide effort first, then develop an ordinance which would apply to projects in the City. Both of these programs are continuing and progress is being made, particularly since the City Manager priortized these programs. The City feels that the additional 18 months of time, from 7/1/04 to 12/31/05, will provide the necessary time for implementation of these programs and the resulting reduction in disposal levels.

2. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension.

The City is requesting additional time to develop all of the programs selected in the Plan of Correction of its 1st time extension and to promote additional expansion of diversion programs. The 1st time extension has not provided a sufficient amount of time to develop, design, permit, and construct a mixed waste processing facility on the East slope. The lengthy permit process for the mixed waste composting facility has been initiated in South Lake Tahoe. The project is presently under review and environmental analysis with the Tahoe Regional Planning Agency. Additionally, a traffic analysis to measure vehicular impact of additional truck activity is underway as well.

Phase I of the project (facility expansion and increased separation of green waste) will be completed by July 1, 2005.
NOTE: The project construction will begin by mid or late 2005. Completion of Phase 1 should occur in 2006.

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

The City has implemented all but two of its selected programs, with slower progress on the mixed waste processing facility and the C&D Ordinance. The City, in coordination with the County, has expanded beverage container recycling programs at large venues and schools. More specifically, with the assistance of Department of Conservation grant funds, local ski resorts and marinas are establishing an infrastructure for better beverage container recycling with local residents and the multitude of visitors in the area. Outreach information is being provided at local public events, such as Sustainable Slopes Day, Earth Day, and the Tahoe Firefest event. Written recycling information is provided at these events, as well as in the local newspaper. The City, in partnership with South Tahoe Refuse staff, promotes recycling curriculum at the Kids for Tahoe program, as well as various other school oriented programs. The City, in coordination with the County and South Tahoe Refuse staff, is active in grant implementation for effective program implementation.

Though the City continues to rely upon the resources and contributions of a local private enterprise, it continues to monitor and encourage its waste management service provider to implement increased diversion programs.

The City also acknowledges that it is responsible for AB 939 and will strive to fully implement its selected programs.

NOTE: The City's Purchasing Department currently has internal policy guidelines for the procurement of recycled content products.

4. Provide any additional relevant information that supports the request.

The City has participated on the County Waste Management Task Force (AB 939 Local Task Force) which meets periodically on a quarterly basis and provides input to the County and City's AB 939 programs and compliance activities. Additionally, the City plans to refill the position previously responsible for waste management activities.

Section IIIB—ALTERNATIVE DIVERSION REQUIREMENT

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's efforts in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.
Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIB-1.).

1. Why does your jurisdiction need and Alternative Diversion Requirement? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

Not Applicable

2. Why is your jurisdiction requesting an Alternative Diversion Requirement in lieu of a Time Extension?

Not Applicable

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

Not Applicable

4. Describe any relevant circumstances in the jurisdiction that contribute to the need for an ADR. Provide any relevant information that supports the request.

Not Applicable

Section IV A—PLAN OF CORRECTION

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %	32.9%	Non-residential %	67.1%

PROGRAM TYPE **Please use the Board's Program Types. The Program Glossary is online at:** www.ciwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
7050-FR-OTH Other Facility Recovery	New	Implementation of a mixed waste composting facility for the East slope service area. The new facility will be constructed to supplement the existing MRF operations and is designed to convert the City and County's residual mixed solid waste, that is currently being landfilled, into useful and marketable products and resources. Project procurement efforts began approximately 2 years ago. The facility proposed by STR will integrate existing MRF operations with Herhof green waste and residual waste stream composting technologies. As written, the project is being implemented in three phases. The City and County recognize that it is unlikely for the mixed solid waste processing facility to be fully operational by July 1, 2005. However, the City and County are confident that Phase I (facility expansion and increased separation of green waste) will be completed by September 30, 2005. STR projects that Phase I will mean up to 7,500 more tons of green waste will be diverted each year from vegetative materials generated in the City, County, and neighboring Douglas County. Accordingly, an increase of 3,424 tons in waste diversion is projected for the City. Phase II (construction of three biocells and one biofilter) and Phase III (construction of two additional biocells and one additional biofilter), which will realistically take beyond July 1, 2005 to complete, will increase the eastern slope's diversion an additional amount. The lengthy permit process for the mixed waste composting facility has been initiated in South Lake Tahoe. The project is presently under review and environmental analysis with the Tahoe Regional Planning Agency. Additionally, a traffic analysis to measure vehicular impact of additional truck activity is underway as well. NOTE: Phase 1 is set to have construction begin in mid to late 2005. Completion should occur in 2006.	The facility will be funded primarily by STR and the County's solid waste ratepayers	An estimated 5% increase in diversion will occur by 12/31/05. Overall, it is anticipated that an even greater increase in waste diversion will occur once the faciliy is fully operational. 2006	5%

4060-SP-CAR Concrete/Asphalt/Rubble 4050-SP-WDW Wood Waste	Expand	Implementation of the C&D Ordinance, targeted for adopted by Fall 2004, to realize diversion impact on generated C&D wastes. C & D diversion shall be accomplished through continued public education about reuse options and continued use of the sort line at the local MRF in South Lake Tahoe and other C&D recyclers. The expansion of the existing MRF, in conjunction with the first phase of the mixed waste processing facility, will provide adequate space for increased diversion activities. An estimated increase in diversion of 4,109 tons is projected by the end of 2005.	City building permit applicants	12/31/05	6%
2060-RC-GOV Government Recycling 2050-RC-SCH School Recycling	Expand	With the help of Department of Conservation (DOC) grant funds, the City will continue to expand its beverage container recycling program at ski resorts, marinas, parks, other public venues, schools, and government offices. The increased diversion targeted is approximately 685 tons.	DOC City/ County Grant Funding	Ongoing program that will continue beyond December 2005	1%
2030-RC-Commercial Onsite Pickup	Expand	The City's solid waste service provider will explore opportunities for increased cardboad and inert materials recycling from their commercial customer base. The increased diversion targeted is approximately 685 tons.	Collection rates	7/1/05	1%
		Total Estimated Diversion Percent From New and/or Expanded Programs			13%
		Current Diversion Rate Percent From Latest Annual Report			37%
		Total Planned Diversion Percent Estimated			50%

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED
6010-PI-EIN Economic Incentives 6020-PI-ORD Policy	New/ Expand	The County passed a C&D diversion ordinance in September, 2003. The City is in the process of developing a C&D Ordinance modeled after the County's ordinance. The City's solid waste service provider is also encouraging clean loads of inert materials to be delivered at the existing MRF for a discounted gate fee.	12/31/04
5010-ED-PRN Print	Expand	The City will continue to promote and communicate with affected businesses and the public at large to emphasize the need to divert through various printed media, such as brochures and flyers.	12/31/05 (Full Implementation)
5000-ED-ELC Electronic 5010-ED-OUT Outreach	Expand	The City is working with South Tahoe Refuse on the development of a video to be used at City Council meetings and by STR with business groups to promote recycling. Consideration is also being given to the feasibility of featuring recycling information through the internet (STR website, City website). NOTE: Video has been completed and may be used in the schools also.	8/30/04

Section IV B—GOAL ACHIEVEMENT

Goal Achievement describes the activities the jurisdiction will use to achieve the ADR.
Attach additional sheets if necessary..

Residential %		Non-residential %	

PROGRAM TYPE Please use the Board's Program Types. The Program Glossary is online at: www.ciwmb.ca.gov/LG Central/PARIS/Codes/ Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
Not Applicable					
		Total Estimated Diversion Percent From New and/or Expanded Programs			
		Current Diversion Rate Percent From Latest Annual Report			
		Total Planned Diversion Percent Estimated			

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPAND	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED

Section V – PARIS

Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.

Contact your Office of Local Assistance Representative at (916) 341-6199 for a copy of PARIS, or go to the Board's website at **www.ciwmb.ca.gov/LGCentral/PARIS/**.

PROGRAMS SUPPORTING DIVERSION ACTIVITIES
(continued)

PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED
5030-ED-SCH-Schools	Expand	El Dorado County, with the support of the City of South Lake Tahoe and South Tahoe Refuse, is working to expand its school outreach program. In 2002, the County contracted with the Sacramento Theatre Company to present recycling programs to 16 schools, including two schools in South Lake Tahoe. The County plans to provide additional school presentations on waste reduction, reuse and recycling.	This ongoing program will continue to expand beyond December 31, 2005.

Office of Local Assistance

Program Listing for
El Dorado-Unincorporated

Date Printed
December 23,2004

Program Code	Existed?	Slcted?	Pre 1995 Start Date	1995 Status	1995 Reason	1996 Status	1996 Reason	1997 Status	1997 Reason	1998 Status	1998 Reason	1999 Status	1999 Reason	2000 Status	2000 Reason	2001 Status	2001 Reason	2002 Status
1010-SR-BCM Backyard and On-Site Composting/Mulching	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
1020-SR-BWR Business Waste Reduction Program	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
1030-SR-PMT Procurement	Y	Y	1991	SO		SO		SO		SO		SO		SO		SO		SO
1050-SR-GOV Government Source Reduction Programs	N	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
1060-SR-MTE Material Exchange, Thrift Shops	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2000-RC-CRB Residential Curbside	N	Y	1992	SO		SO		SO		SO		SO		SO		SO		SO
2010-RC-DRP Residential Drop-Off	Y	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
2020-RC-BYB Residential Buy-Back	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2030-RC-OSP Commercial On-Site Pickup	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2050-RC-SCH School Recycling Programs	N	N	1995	AI		AO		AO		AO		AO		AO		AO		AO

Status Code Legend

SO = Selected Ongoing
AO = Alternative Ongoing
SI = Selected Implemented
AI = Alternative Implemented
M = Regional Agency did not exist or city was not incorporated or city part of Regional Agency
D = Dropped
DE = Dropped in Earlier Year
NI = Selected and Not Implemented
PF = Planned Future
NA = Program did not exist

Reason Code Legend

1 = Delays in bringing diversion facilities online.
2 = Unavoidable regulatory delays.
3 = Existing contractual or legal problems.
4 = Insufficient funding.
5 = Insufficient staffing.
6 = Lack of cooperation from other entities.
7 = Sufficient diversion without selected program.
8 = Lack of markets necessary to support program.
9 = Other

Application: PARIS

Office of Local Assistance

Program Listing for
El Dorado-Unincorporated

Date Printed
December 23,2004

Program Code	Existed?	Slcted?	Pre 1995 Start Date	1995 Status	1995 Reason	1996 Status	1996 Reason	1997 Status	1997 Reason	1998 Status	1998 Reason	1999 Status	1999 Reason	2000 Status	2000 Reason	2001 Status	2001 Reason	2002 Status
2060-RC-GOV Government Recycling Programs	N	N	2000	NA		NA		NA		NA		NA		AI		AO		AO
2070-RC-SNL Special Collection Seasonal (regular)	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2080-RC-SPE Special Collection Events	N	N	1993	AO		AO		AO		AO		AO		AO		AO		AO
3000-CM-RCG Residential Curbside Greenwaste Collection	N	Y	1996	NI	99	SI		SO		SO		SO		SO		SO		SO
3010-CM-RSG Residential Self-haul Greenwaste	N	Y	1996	NI	1	SI		SO		SO		SO		SO		SO		SO
3030-CM-CSG Commercial Self-Haul Greenwaste	N	Y	1996	NI	1	SI		SO		SO		SO		SO		SO		SO
3060-CM-GOV Government Composting Programs	N	N	2000	NA		NA		NA		NA		NA		AI		AO		AO
3070-CM-OTH Other Composting	N	N	1996	PF		AI		AO		AO		AO		AO		AO		AO
4010-SP-SLG Sludge (sewage/industrial)	Y	Y	2000	DE		DE		DE		DE		SI		SO		SO		SO
4020-SP-TRS Tires	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO

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Application: PARIS

Office of Local Assistance

Program Listing for
El Dorado-Unincorporated

Date Printed
December 23,2004

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4030-SP-WHG White Goods	N	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
4040-SP-SCM Scrap Metal	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
4050-SP-WDW Wood Waste	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
4060-SP-CAR Concrete/Asphalt/Rubble	N	N	NA	NA		NA		NA		NA		AI		AO		AO		AO
4090-SP-RND Rendering	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
5000-ED-ELC Electronic (radio ,TV, web, hotlines)	N	Y	NA	SI		SO		SO		SO		SO		SO		SO		SO
5010-ED-PRN Print (brochures, flyers, guides, news articles)	N	Y	NA	SI		SO		SO		SO		SO		SO		SO		SO
5020-ED-OUT Outreach (tech assistance, presentations, awards, fairs, field trips)	N	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
5030-ED-SCH Schools (education and curriculum)	N	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
6010-PI-EIN Economic Incentives	N	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO

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6020-PI-ORD Ordinances	N	Y	2000	NI	99	NI	99	NI	99	NI	99	NI	99	SI		SO		SO
6030-PI-OTH Other Policy Incentive	N	Y	2000	D	99	DE		DE		DE		DE		SI		SO		SO
7000-FR-MRF MRF	N	Y	1996	NI	1, 3	SI		SO		SO		SO		SO		SO		SO
7010-FR-LAN Landfill	Y	Y	1990	SO		SO		D	7	DE	7	DE	7	DE	99	DE	99	DE 99
7020-FR-TST Transfer Station	N	Y	1995	SI		SO		SO		SO		SO		SO		SO		SO
7030-FR-CMF Composting Facility	N	Y	2000	NI	4	NI	4	NI	4	NI	4	NI	4	SI		SO		SO
7040-FR-ADC Alternative Daily Cover	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
8020-TR-TRS Tires	N	Y	1993	SO		D	99	DE		DE		DE		DE	7	DE	7	DE 7
9000-HH-PMF Permanent Facility	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
9010-HH-MPC Mobile or Periodic Collection	Y	Y	1991	SO		SO		SO		SO		SO		SO		SO		SO

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Office of Local Assistance

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9020-HH-CSC Curbside Collection	N	N	NA	NA		NA		NA		NA		NA		NA		NA		PF
9030-HH-WSE Waste Exchange	N	Y	NA	SO		SO		SO		SO		SO		SO		SO		SO
9040-HH-EDP Education Programs	Y	Y	1992	SO		SO		SO		SO		SO		SO		SO		SO
9050-HH-OTH Other HHW	N	N	2002	NA		NA		NA		NA		NA		NA		NA		AI

Add any additional programs below

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Office of Local Assistance

Program Listing for South Lake Tahoe

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December 23,2004

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1010-SR-BCM Backyard and On-Site Composting/Mulching	N	Y	1994	SO		SO		SO		SO		SO		SO		SO		SO
1020-SR-BWR Business Waste Reduction Program	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
1030-SR-PMT Procurement	N	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
1050-SR-GOV Government Source Reduction Programs	Y	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
1060-SR-MTE Material Exchange, Thrift Shops	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2010-RC-DRP Residential Drop-Off	N	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
2020-RC-BYB Residential Buy-Back	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2030-RC-OSP Commercial On-Site Pickup	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2050-RC-SCH School Recycling Programs	N	N	1995	AI		AO		AO		AO		AO		AO		AO		AO
2060-RC-GOV Government Recycling Programs	N	N	1990	AO		AO		AO		AO		AO		AO		AO		AO

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2070-RC-SNL Special Collection Seasonal (regular)	Y	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
2080-RC-SPE Special Collection Events	N	N	1993	AO		AO		AO		AO		AO		AO		AO		AO
3000-CM-RCG Residential Curbside Greenwaste Collection	N	N	NA	PF		PF		PF		PF		PF		PF		PF		PF
3010-CM-RSG Residential Self-haul Greenwaste	N	Y	1996	NI	1	SI		SO		SO		SO		SO		SO		SO
3030-CM-CSG Commercial Self-Haul Greenwaste	N	Y	1996	NI	1	SI		SO		SO		SO		SO		SO		SO
3060-CM-GOV Government Composting Programs	N	N	1992	AO		AO		AO		AO		AO		AO		AO		AO
4010-SP-SLG Sludge (sewage/industrial)	N	Y	NA	NI	99	NI	99	NI	99	NI	99	NI	99	NI	99	NI	99	NI 99
4020-SP-TRS Tires	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
4030-SP-WHG White Goods	N	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
4050-SP-WDW Wood Waste	N	Y	1996	NI	1	SI		SO		SO		SO		SO		SO		SO

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4090-SP-RND Rendering	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
5000-ED-ELC Electronic (radio ,TV, web, hotlines)	N	Y	1992	SO		SO		SO		SO		SO		SO		SO		SO
5010-ED-PRN Print (brochures, flyers, guides, news articles)	N	Y	1992	SO		SO		SO		SO		SO		SO		SO		SO
5020-ED-OUT Outreach (tech assistance, presentations, awards, fairs, field trips)	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
5030-ED-SCH Schools (education and curriculum)	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
6010-PI-EIN Economic Incentives	N	Y	1997	DE		DE		SI		SO		SO		SO		SO		SO
6020-PI-ORD Ordinances	N	Y	1994	SO		SO		SO		SO		SO		SO		SO		SO
6030-PI-OTH Other Policy Incentive	N	Y	1998	NI	99	NI	99	NI	99	SI		SO		SO		SO		SO
7000-FR-MRF MRF	N	Y	1995	SI		SO		SO		SO		SO		SO		SO		SO
7020-FR-TST Transfer Station	N	N	1995	AI		AO		AO		AO		AO		AO		AO		AO

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7030-FR-CMF Composting Facility	N	Y	1997	NI	1	NI	1	SI		SO		SO		SO		SO		SO
7040-FR-ADC Alternative Daily Cover	Y	Y	1990	SO		D	99	DE	99	DE	99	DE	99	DE	99	DE	99	DE 99
8020-TR-TRS Tires	Y	Y	1990	SO		D	7	DE	7	DE	7	DE	7	DE	7	DE	7	DE 7
9000-HH-PMF Permanent Facility	N	Y	1995	SI		SO		SO		SO		SO		SO		SO		SO
9010-HH-MPC Mobile or Periodic Collection	N	Y	1991	SO		D	7	DE	7	DE	7	DE	7	SI	99	SO		SO
9030-HH-WSE Waste Exchange	N	Y	1991	SI		SO		SO		SO		SO		D	99	SI		SO
9040-HH-EDP Education Programs	Y	Y	1992	SO		SO		SO		SO		SO		SO		SO		SO

Add any additional programs below

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Application: PARIS

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-41

Consideration Of A Second SB1066 Time Extension Application By The Following Jurisdictions: El Dorado County Unincorporated And The City Of South Lake Tahoe, El Dorado County

WHEREAS, Senate Bill (SB) 1066 modified Public Resources Code (PRC) Sections 41820 and 41785 for multiple year and multiple requests from jurisdictions for Time Extensions or Alternative Diversion Requirements in meeting the 50 percent diversion requirement; and

WHEREAS, the Board has previously approved each of the above-listed jurisdictions' first SB1066 Time Extension Application; and

WHEREAS, the jurisdictions have subsequently found that they need additional time to either implement, fully implement, or expand those programs described in their respective second SB1066 Time Extension requests; and

WHEREAS, based on staff's review of the jurisdictions' progress to-date in implementing the programs described in their respective first Plan of Correction, Board staff believes that each jurisdiction has made a good faith effort to implement those programs, but needs additional time to either implement, fully implement, or expand the programs described in its second Plan of Correction; and

WHEREAS, the jurisdictions have submitted the necessary information and documentation required in a completed SB1066 Time Extension application;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby accepts these jurisdictions' second SB 1066 Time Extension applications for a second extension through December 31, 2005, to implement their respective SRREs and to meet the 50 percent diversion requirement.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 18

ITEM

Consideration Of A Request To Change The Base Year To 2002 For The Previously Approved Source Reduction And Recycling Element For The City of Lincoln

I. ISSUE/PROBLEM STATEMENT

The City of Lincoln (City) has requested to change its base year to 2002. The City has requested a 75 percent diversion rate for the 2002 new base year. With the California Integrated Waste Management Board (Board) staff-recommended new base year, the City's diversion rate would be 73 percent for 2002. In addition, the City has submitted documentation showing it meets the statutory conditions for claiming biomass diversion credit in 2002. With the aforementioned staff-recommended new base year and the staff recommended biomass diversion, the City's 2002 diversion rate would therefore be 73 percent, of which 0.40 percent is from biomass diversion (This claim does not manifest in a change in the recommended diversion rate due to rounding to the nearest whole percent.). A complete listing of the City's implemented programs is provided in Attachment 1 of this agenda item.

II. ITEM HISTORY

This is the first time this item is coming before the Board.

III. OPTIONS FOR THE BOARD

The Board may:

1. Approve the City's base-year change as originally submitted, as well as the City's biomass diversion claim.
2. Approve the City's base-year change with staff's and/or Board-suggested modifications, as well as the City's biomass diversion claim.
3. Approve the City's base-year change with staff's and/or Board-suggested modifications, but disapprove its biomass diversion claim.
4. Disapprove the City's base-year change and disapprove its biomass diversion claim.

IV. STAFF RECOMMENDATION

Board staff has determined that the method used to establish the new base-year with the recommended modifications has been adequately documented, and is generally consistent with previous Board standards for accuracy. Additionally, Board staff has determined that the City demonstrated compliance with the statutory conditions for claiming biomass diversion credit. Board staff therefore recommends the Board adopt Option 2, which would approve the City's new base-year with staff recommendations as well as its biomass diversion claim.

V. ANALYSIS

A. Key Issues and Findings

1. Background

Public Resources Code (PRC) Sections 41031 (cities) and 41331 (counties) require information submitted by jurisdictions on the quantities of solid waste generated, diverted, and disposed of, to include data that are as accurate as possible. At its March 1997 meeting, the Board approved methods for jurisdictions to use for

improving the accuracy of their base-year generation data. One of the approved methods allows a jurisdiction to establish a more current base year.

2. Basis for staff's analysis
   Staff's analysis is based upon the information below.

Existing Jurisdiction Conditions:

Diversion Rate Data (Percent)						Key Jurisdiction Conditions		
						Waste Stream Data		
Base Year	1999	2000	2001	2002*	Pounds waste generated per person per day (ppd)**	Population	Non-Residential Waste Stream Percentage	Residential Waste Stream Percentage
2002	**ND***	**ND**	**ND**	**73%**	**16.84**	**17,750**	**79%**	**21%**

* These values are based on the City's proposed (2002) base year correction, discussed in the "Base Year Change" section below. ND means "not determined."

** (Note: The pounds of waste generated by per person per day are higher than the statewide average due to the high percentage of construction and demolition diversion. Additionally, the non-residential generation percentage is significantly higher than the residential generation percentage.)

Incorporated in 1890, the City of Lincoln is situated northeast of Sacramento near the Sierra Foothills in South Placer County. According to the California Department of Finance, the City had the State's fastest growth rate from January 1, 2001 to January 1, 2002 at a rate of 28.3 percent, resulting from over 1,500 new housing units.

Base-Year Change
The City has requested to change its base year from 1990 to 2002. The City considers the 2002 data to be more accurate, and the best available data. There was no extrapolation of diversion data.

To estimate the waste generation in 2002, the City used disposal data from the Board's Disposal Reporting System and collected diversion information from the activities listed below. Board staff conducted a site visit in October, 2004 to verify these activities.

Program	Description
Residential:	
Buyback center	Diversion data were provided by the Department of Conservation's Division of Recycling for two recycling centers in the City. Additionally, residents can recycle materials at the Western Placer Waste Management Authority (WPWMA). Tonnage from this recycling center was not included in the study; however, as it is not located within City boundaries.
Drop-off recycling	Residents can drop-off recyclables at the WPWMA. The WPWMA provided an annual tonnage report to quantify the diversion from this program (which is reported under Landfill Salvage on the Base Year Modification Request Certification). Additionally, and more recently the City has kicked off a drop box recycling program at five locations. Data from this program not included in study, as the activity started after the new base year.
Green waste drop-off	Green waste drop-off is available to residents and businesses at the WPWMA. The WPWMA provided an annual tonnage report to quantify the diversion from this program.
Curbside green waste	Leaves from the streets are collected and delivered to a local high school farm for composting. Diversion tonnage for this program was collected from the local school district as a part of the non-residential waste audits. Separate residential green waste collection was also implemented for residents in 2003. Data for this program were not included in the study as this activity started after the base year.

Commercial:	
Grasscycling	As a part of the non-residential waste audits, diversion data were collected from local golf courses, schools and City parks that divert green waste from the landfill through grasscycling
Business waste reduction	Diversion tonnage was collected during the non-residential waste audits from a number of businesses that have implemented source reduction activities, such as packaging reuse.
School source reduction	The City's new base year study includes diversion tonnage from the local schools grasscycling efforts. Local schools also participate in other source reduction activities such as bulk purchases, reusing packing materials and double sided copying.
Government source reduction	The new base year generation tonnage includes diversion from grasscycling efforts at the City's local parks. Although not quantified in the new base year study, the City also participates in other source reduction activities such as double-sided copies (e.g., Council agendas) and increased use of voice-mail and e-mail.
Material exchange	In addition to hosting a number of local thrift shops, the City also obtained diversion data from a local business that redistributes food waste (produce) for animal feed.
School recycling programs	The City's new base year study includes tonnage from a newspaper collection program at one of the local schools. The City is also in the process of improving its school recycling program.
Green waste drop-off	Green waste drop-off is available to residents and businesses at the WPWMA. Again, the WPWMA provided an annual tonnage report to quantify the diversion from this program.
Scrap metal	Clean loads of scrap metal can be recycled at the WPWPA. Additionally, scrap metal is diverted through the WPWMA material recovery facility (MRF). Data from both of these programs are included in the City's diversion tonnage.
Wood waste	Clean loads of wood waste can be recycled at the WPWPA. Additionally, wood waste is diverted through the WPWMA MRF. Data from both of these programs are included in the City's diversion tonnage. This material is sent for biomass (see Biomass Diversion Credit Claim section below).
Construction and demolition	Clean loads of inert materials can be recycled at the WPWPA. Additionally, inert materials are diverted through the WPWMA MRF. Data from both of these programs are included in the City's diversion tonnage. Additionally, the City collected diversion tonnage for inert material recovery by local businesses.
Landfill salvage	In addition to providing drop-off recycling for clean loads, the WPWMA operates a MRF that recovers recyclables from municipal solid waste.
ADC	The City's new base year generation includes a small percentage of ADC (27 tons of green material).

Originally the jurisdiction claimed a diversion rate of 75 percent for 2002. Attachment 2a is the City's Base Year Modification Request Certification. As a result of Board staff's verification (desk review and on-site verification visits) of the City's claimed diversion, Board staff is recommending acceptance of the revised 2002 diversion rate of 73 percent.

The City appears to have programs that support the proposed diversion rate. Attachment 2b is the Base Year Modification Request Certification prepared by Board staff that provides additional details to support the Board staff's recommendations for the new base year.

Certification Changes

Based on staff's analysis of the jurisdiction's proposed new base year, as well as a site verification of the survey results conducted in October, 2004 Board staff recommends several deductions, as well as a couple of additions. Board staff has discussed the proposed changes with City representatives. The City representatives agree with Board staff's recommendations for the proposed changes.

The City was able to provide additional information to support the diversion tonnage for a number of programs such as:

- Landfill diversion by providing detailed data relating to specific diversion activities (e.g., MWS MRF recovery) and material types (e.g., scrap metal, cardboard, wood waste);
- Buy-back recycling by identifying centers sited within the unincorporated area; and
- Scrap metal recycling and reuse and inert material recycling by providing information to demonstrate that the restricted waste criteria were met.

Attachment 3 is a summary of the changes showing what was originally claimed, Board staff findings, and the basis for the deductions and additions. With these changes, Board staff recommends the request for a new base year be approved.

Base Year Analysis

The City of Lincoln	**Disposal**	**Diversion**	**Generation**
Old Base Year Tons (1990)	8,087	782	8,869
Jurisdiction New Base-Year Tons (2002)	14,458	43,488	57,946
Board Staff Recommended New (2002) Base-Year Tons	14,858	39,689	54,547

2002 Diversion Rate using 1990 Base Year	**Jurisdiction Claimed Diversion Rate for 2002**	**Board Staff Recommended Diversion Rate for 2002**
25%	75%	73%

In addition to any deductions already made by Board staff, the Board has authority to make additional deductions to the diversion tonnage. Public Resources Code Sections 41031, 41033, 41331, and 41333 provide that jurisdictions' waste characterization components (which contain the waste generation studies) shall include data that are as accurate as possible. These statutes provide the basis for allowing jurisdictions to request, and for the Board to approve, new base years. Consequently, in considering new base-year requests, the standard used by the Board is whether the new base year is as accurate as possible. To the extent that the Board determines that a portion of the new base year is not accurate, the Board may approve the remainder of the new base year, with the inaccurate portion removed.

Biomass Diversion Credit Claim:

The City included in its 2002 new base year generation study a biomass diversion credit claim for 813.75 tons of material sent to Rio Bravo, a biomass conversion facility located in Rocklin, Placer County, California. Starting in 2000, PRC Section 41783.1 allows jurisdictions to include not more than 10 percent diversion through biomass conversion if the Board determines at a public hearing, based upon substantial evidence in the record, that certain conditions are met. The table below identifies those conditions, and how the City has met them.

Biomass Diversion Credit for the City of Lincoln	
Conditions for Counting Biomass Diversion	**How Conditions Were Met**
1. Jurisdiction is not also claiming diversion from transformation in the same reporting year	1. The City's new base year generation study did not include information regarding transformation activity or tonnage for 2002.
2. Jurisdiction is, and will continue, to effectively implement all feasible source reduction, recycling, and composting measures.	2. The City is adequately implementing diversion programs, as shown in Attachment 1.
3. The material sent to a biomass facility was normally disposed by the jurisdiction (PRC Section 41781).	3. The material sent by the City to Rio Bravo in 2002 was normally disposed by the City as indicated in its SRRE.

4. The biomass facility exclusively processes biomass (defined in PRC Section 40106).	4. Rio Bravo does not process any material not specified in statute, which includes agricultural crop residues; bark, lawn, yard and garden clippings; leaves, silviculture residue, tree and brush pruning; wood, wood chips, and wood waste; or non-recyclable pulp or non-recyclable paper materials.
5. The biomass facility is in compliance with all applicable air quality laws, rules, and regulations.	5. Rio Bravo met all applicable air quality laws, rules, and regulations as shown in documentation from Placer County Air Pollution Control District.
6. The ash or other residue from the facility is regularly tested to determine if it is hazardous waste; and, if it is determined to be hazardous, the ash or other residue is sent to a Class I hazardous waste disposal facility.	6. In 2002, the ash was tested regularly tested and was determined not to be hazardous.

Approving the City's biomass diversion claim of 813.75 tons results in a diversion rate increase of 0.40 percent but does not actually increase the City's 2002 diversion rate (73 percent) due to rounding to the nearest whole percent. Because the City and the Rio Bravo biomass facility meet the criteria for claiming biomass diversion credit, Board staff recommends the Board approve the City's biomass diversion claim for 2002.

3. Findings

Board staff believes the City has adequately documented its request for a 2002 base-year change and has demonstrated it has met the statutory conditions for claiming biomass diversion. Therefore, staff is recommending approval of the staff-recommended base-year change request documented in Attachments 2b and 3, as well as approval of its biomass diversion claim.

B. Environmental Issues

N/A

C. Program/Long Term Impacts

Improving the accuracy of a jurisdiction's base year will lead to a more accurate statewide measurement.

D. Stakeholder Impacts

Approving the City's new base year will enable the City to more accurately measure the success of its diversion programs and therefore to more accurately report its progress to the Board.

E. Fiscal Impacts

N/A

F. Legal Issues

As discussed above, this item represents the process for implementing PRC Section 41331 that requires a City to submit data on quantities of waste generated, diverted and disposed that are as accurate as possible.

G. Environmental Justice

Community Setting.

2000 Census Data – Demographics for City of Lincoln						
% White	**% Hispanic**	**% Black**	**% Native American**	**% Asian**	**% Pacific Islander**	**% Other**
69.5	26.0	0.4	0.8	1.0	0.1	0.1

2000 Census Data – Economic Data for City of Lincoln		
Median annual income*	**Mean (average) income***	**% Individuals below poverty level**
45,547	55,074	12.4

*Per Household

- **Environmental Justice Issues.** According to the jurisdictional representative, there are no environmental justice issues related to the new base year study in this community.
- **Efforts at Environmental Justice Outreach.** The City uses television spots, quarterly newsletters (bill inserts) and a web-site to disseminate information regarding the WPWMA's regional diversion programs to all residential and commercial sectors. The City also participates in a regional education program, contracted through the WPWMA, promoting diversion opportunities through classroom presentations and distributing informational hand-outs at schools, local fairs and other community events. Additionally, the City also hosts a web-page and distributes printed media that specifically promotes its diversion programs (e.g., Blue Bag program, leaf collection).
- **Project Benefits.** N/A

H. 2001 Strategic Plan

The City's new base year coincides with:

- Goal 2, Objective 3 (D)
- Goal 7, Objective 1 (B)

VI. FUNDING INFORMATION

N/A

VII. ATTACHMENTS

1. Program Listing for the City of Lincoln
2a. Base Year Modification Request Certification for the City of Lincoln
2b. Board staff Recommended Base-Year Modification Request Certification
3. Table A: Site Visit Verification Findings for the City of Lincoln
4. Resolution Number 2005-42

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Marshalle Graham **Phone:** (916) 341-6270
B. Legal Staff: Elliot Block **Phone:** (916) 341-6080
C. Administration Staff: **Phone:**

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

1. The City of Lincoln

B. Opposition

1. No known opposition

Office of Local Assistance

Program Listing for Lincoln

Date Printed
January 4,2005

Program Code	Existed	Slcted?	Pre 1995 Start	------ 1995 ------ Status	------ 1996 ------ Status	------ 1997 ------ Status	------ 1998 ------ Status	------ 1999 ------ Status	------ 2000 ------ Status	------ 2001 ------ Status	------ 2002 ------ Status
1000-SR-XGC Xeriscaping/Grasscycling	N	N	1995	AI	AO	AO	AO	AO	AO	AO	AO
1010-SR-BCM Backyard and On-Site Composting/Mulching	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
1020-SR-BWR Business Waste Reduction Program	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
1030-SR-PMT Procurement	N	Y	NA	PF 5	PF 5	PF 5	PF 5	PF 5	PF	PF	SI
1040-SR-SCH School Source Reduction Programs	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
1050-SR-GOV Government Source Reduction Programs	N	N	1995	AI	AO	AO	AO	AO	AO	AO	AO
1060-SR-MTE Material Exchange, Thrift Shops	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2000-RC-CRB Residential Curbside	N	Y	1998	PF 1	PF 1	PF 1	SI	SO	SO	SO	SO
2010-RC-DRP Residential Drop-Off	Y	Y	1990	SO	SO	SO	SO	SO	D	SI	SO
2020-RC-BYB Residential Buy-Back	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO

Status Code Legend

SO = Selected Ongoing
AO = Alternative Ongoing
SI = Selected Implemented
AI = Alternative Implemented
M = Regional Agency did not exist or city was not incorporated or city
D = Dropped
DE = Dropped in Earlier Year
NI = Selected and Not Implemented
PF = Planned Future
NA = Program did not exist

Reason Code

1 = Delays in bringing diversion facilities online.
2 = Unavoidable regulatory delays.
3 = Existing contractual or legal problems.
4 = Insufficient funding.
5 = Insufficient staffing.
6 = Lack of cooperation from other entities.
7 = Sufficient diversion without selected program.
8 = Lack of markets necessary to support

Application: PARIS

Office of Local Assistance

Program Listing for Lincoln

Date Printed
January 4,2005

Program Code	Existed	Slcted?	Pre 1995 Start	----- 1995 ------ Status	------ 1996 ------ Status	------ 1997 ------ Status	------ 1998 ------ Status	------ 1999 ------ Status	------ 2000 ------ Status	------ 2001 ------ Status	------ 2002 ------ Status
2030-RC-OSP Commercial On-Site Pickup	Y	Y	1990	D 4, 5	DE 4, 5	DE 4, 5	DE 4, 5	DE 4, 5	DE 4, 5	DE 4, 5	DE 4, 5
2040-RC-SFH Commercial Self-Haul	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2050-RC-SCH School Recycling Programs	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2060-RC-GOV Government Recycling Programs	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2070-RC-SNL Special Collection Seasonal (regular)	N	N	1995	AI	AO	AO	AO	AO	AO	AO	AO
2080-RC-SPE Special Collection Events	N	Y	1998	PF 4, 5	PF 4, 5	PF 4, 5	SI	SO	SO	SO	SO
3000-CM-RCG Residential Curbside Greenwaste Collection	Y	Y	1991	SO	SO	SO	SO	SO	SO	SO	SO
3010-CM-RSG Residential Self-haul Greenwaste	N	Y	1998	PF	NI 1	NI 1	SI	SO	SO	SO	SO
4000-SP-ASH Ash	N	N	1995	AI	AO	AO	AO	AO	AO	AO	AO
4020-SP-TRS Tires	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO

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Application: PARIS

Office of Local Assistance

Program Listing for Lincoln

Date Printed
January 4,2005

Program Code	Existed	Slcted?	Pre 1995 Start	------ 1995 ------ Status	------ 1996 ------ Status	------ 1997 ------ Status	------ 1998 ------ Status	------ 1999 ------ Status	------ 2000 ------ Status	------ 2001 ------ Status	------ 2002 ------ Status
4030-SP-WHG White Goods	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
4040-SP-SCM Scrap Metal	N	N	1996	PF	AI	AO	AO	AO	AO	AO	AO
4050-SP-WDW Wood Waste	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
4060-SP-CAR Concrete/Asphalt/Rubble	N	Y	NA	PF	PF	PF	PF	PF	PF	SI	SO
5000-ED-ELC Electronic (radio ,TV, web, hotlines)	N	N	1992	AO	AO	AO	AO	AO	AO	AO	AO
5010-ED-PRN Print (brochures, flyers, guides, news articles)	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
5020-ED-OUT Outreach (tech assistance, presentations, awards, fairs, field trips)	N	Y	1998	SI	D 4, 5	DE 4, 5	SI	SO	SO	SO	SO
5030-ED-SCH Schools (education and curriculum)	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
6000-PI-PLB Product and Landfill Bans	N	Y	NA	D 99	DE 99	DE 99	DE 99	DE 99	DE 99	DE 99	DE 99
6010-PI-EIN Economic Incentives	N	Y	1994	SO	SO	SO	SO	SO	SO	SO	SO

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Application: PARIS

Office of Local Assistance

Program Listing for Lincoln

Date Printed
January 4,2005

Program Code	Existed	Slcted?	Pre 1995 Start	1995 Status	1996 Status	1997 Status	1998 Status	1999 Status	2000 Status	2001 Status	2002 Status
6020-PI-ORD Ordinances	N	Y	NA	PF 5	PF 5	PF 5	PF 4, 5	PF 4, 5	PF	PF	PF
7000-FR-MRF MRF	N	Y	1996	PF 1	SI	SO	SO	SO	SO	SO	SO
7030-FR-CMF Composting Facility	N	Y	1996	PF 1	SI	SO	SO	SO	SO	SO	SO
8010-TR-BIO Biomass	N	N	NA	AI	AO	AO	AO	AO	AO	AO	AO
8020-TR-TRS Tires	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
9000-HH-PMF Permanent Facility	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
9010-HH-MPC Mobile or Periodic Collection	Y	Y	1992	SO	D 7	DE 7	DE 7	DE 7	DE 7	DE 7	DE 7
9030-HH-WSE Waste Exchange	N	Y	1996	PF 1	SI	SO	SO	SO	SO	SO	SO
9040-HH-EDP Education Programs	N	Y	1992	SO	SO	SO	SO	SO	SO	SO	SO

Add any additional programs below

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Application: PARIS

STATE OF CALIFORNIA **CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

Base Year Modification Request Certification

Part 1: Generation Study - No Extrapolation Diversion Data

To request a substitution for a previously approved base year used in calculating the diversion rate for your jurisdiction, please complete and sign this form and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance
1001 I Street, (MS-25)
PO Box 4025
Sacramento, CA 95812-4025

General Instructions:

Please select the **ONE** choice below that best explains your request to the Board.

☐ 1. Use a recent generation-based study to calculate our current reporting year generation amount, but not officially change our existing Board-approved base year.

☑ 2. Use a recent generation-based study to officially change our existing Board-approved base year to a new base year.

The shaded cells on these sheets are protected. If you have problems using these sheets, please contact your Office of Local Assistance representative by calling (916) 341-6199.

Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name City of Lincoln		County Placer	
Authorized Signature		Title Public Works Director/City Engineer	
Type/Print Name of Person Signing		Date	Phone ( ) Include Area Code
John E. Pedri, P.E.			(916) 645-8576
Person Completing This Form (please print or type)		Title Consultant	
Larry T. Buckle, P.E.			
Affiliation:	Consultant, IES		
Mailing Address	City	State	ZIP Code
8349 Dalkeith Way	Antelope	CA	95843
E-Mail Address	H2oBuckle@AOL.COM		

Section II: Information for New Generation-Based Study for Existing or New Base Year

Attach additional sheets if necessary—reference each response to the appropriate cell number (e.g.,"4").

Note: New base years must be representative of a jurisdiction's disposal and diversion.

1. Current Board-approved existing base year:	2. Proposed new generation-based study year:
1990	2002

3. Explain how the proposed generation study year is representative of average annual jurisdiction disposal and diversion:

Since 1990 the City of Lincoln has transformed from a small rural community with a strong agricultural base to a sizable bedroom community including a very large retirement component. It has been reported that The City of Lincoln is the fastest growing community in the State. With this demographic change the waste characteristics have also changed. This new base year study takes into consideration those changes.

All of the large business/industrial entities in the City have been contacted and their information is included in this study.

4. Enter diversion rate information below.

Diversion rate calculated using existing base year	**a. 34 %**	**Diversion rate calculated using new generation-based study**	**b. 75 %**
For existing base year pounds/person/day based on generation	**7**	**For new generation based study pounds/person/day based on generation**	**17.8**
Residential generation 69 %	**Non-Residential generation 31 %**	**Residential generation 23% %**	**Non-Residential generation 77% %**
Population existing generation-based study	7,248	**Population new generation-based study**	17,750

5. If there is an increase from 4a to 4b, please explain how the new diversion rate is consistent with your current diversion implementation efforts. If the proposed new generation tonnage results in an increase in your pounds/person/day, please explain how this is consistent with your current diversion implementation efforts and provide any examples (e.g., change in jurisdiction's demographics).

There is a substantial increase from 4a to 4b; this is due to the changing demographics of the City of Lincoln. At this time and projected well into the future there will be a construction boom unprecedented in the area. Home construction is the largest industry in the area. The largest home builder has implemented a recycling program to avoid the high disposal costs at the local JPA landfill. The diversion of material from this industry has substantially impacted the Lincoln diversion numbers.

We do not anticipate a change in waste demographics for a number of years.

6. If the difference between the proposed diversion rates in 4a and 4b is greater than 5 percentage points, please explain the specific reasons for the difference. (For example: new/improved curbside diversion programs.)

There are three main areas of improvement/change:

1. The construction industry has had to deal with the economics of reducing the volume of material they are disposing in the landfill. The city has forced this by flow control, debris haulers franchise agreements and high tip fees.
2. The city has a much higher park, golf course, turf area ratio utilizing grass cycling.
3. Other local industries have implemented corporate policies of maximizing recycling.

Also due to the change in population it has become more cost effective to recycle due to the volume of material in the area. There are a number of large recycling businesses that could not exist years ago due to volume, so the material was landfilled. That material is now being processed and returned to the local markets.

The local JPA/MRF has also increased productivity. This in combination with a new City green waste collection program and a City drop-off program.

7. Disposal Tonnage (enter values):	11721	2737	14458
	Residential	Non-Residential	Total

Please select the **ONE** choice below that best explains your **disposal** data and complete the required tables.

- ☑ a. All tons claimed are from the Board's Disposal Reporting System (No explanation required. Go to Section 8.)
- ☐ b. All tons claimed are from a 100 percent audit of hauler and self-haul tonnage. (Please complete Reporting Year Tonnage Request and Modification Certification sheet found at www.ciwmb.ca.gov/LGCentral/Forms/rytnmdrq.doc)
- ☐ c. Some Disposal Reporting System data were corrected. (Please complete Reporting Year Tonnage Modification Request and Certification sheet found at www.ciwmb.ca.gov/LGCentral/Forms/rytnmdrq.doc)

8. In the table below, list the summarized diversion activities, and diversion data records that support your claim and are available for Board audit. **Note:** *The Board expects the jurisdictions to be able to provide all back-up documentation, if requested.* Include type of record and location—for example, weight tickets from transfer stations. This section should capture all diversion tonnage (form will perform all addition calculations). If any diversion is from restricted wastes, agricultural wastes,inert solids [e.g., concrete, asphalt, dirt,] white goods, and scrap metal, please identify those programs/waste types and fill out Section 10. Please mark as Attachment 8 all copies of survey forms.

*Please provide detailed Non-Residential waste information in Section 9.

Note: The Board has indicated that it will be scrutinizing total source reduction amounts greater than 5% of total generation. Please be prepared to provide additional details subsantiating your claim.

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Parts/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation whole/bale materials in one line)	Specific Conversion Factor Used (If any) and Source*	Type of Record and Location of Record
Residential Source Reduction Activities					
Backyard composting	0	0.0%	Not included in this study		
Grasscycling	0	0.0%	Not included in this study		
Other Residential Source Reduction (list each program separately)					
Enter program name		0.0%	None included in this study		
Enter program name		0.0%			
Enter program name		0.0%			
Enter program name		0.0%			
Enter program name		0.0%			
Subtotal, Residential Source Reduction	0	0.0%			
Residential Recycling Activities					
Curbside Recycling	0	0.0%			
Buyback Centers	133	0.2%	CRV material	None	California Department of Conservation
Drop-off Centers	0	0.0%	None included in this study		

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Pages/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List separate w/multiple materials in one line)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Other Residential Recycling (list each program separately)					
Enter program name			None included in this study		
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Residential Recycling	135	[illegible]			
Residential Composting Activities					
Green Waste Drop-off	849	[illegible]			
Curbside Green Waste	80	0.1%	Fall season leaves	1000 pounds per cubic yard after composting	School District Farm. Operators memory
Christmas Tree Program	9	0.0%	Christmas Trees	None	Weight slips
Other Residential Composting (list each program separately)					
Enter program name			None included in this study		
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Residential Composting	939	1.5%			
Subtotal, Residential Diversion	1071	1.8%			
Non-Residential Source Reduction Activities:					
Non-Residential Waste Audits	1311	2.2%	[illegible]	[illegible]	[illegible]
Other Non-Residential Source Reduction (list each program separately)					
Enter Program name			None included in this study		
Enter Program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Non-Residential Source Reduction	1311	2.2%			

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Parts/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Recycling					
Non-Residential Waste Audits*	11,854.21	20.5%	See Section 8	See Section 8	See Section 8
Other Non-Residential Recycling (list each program separately)					
Enter program name			None included in this study		
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal Non-Residential Recycling	11854	20.5%			
Non-Residential Composting Activities					
Non-Residential Waste Audits*	3968	6.8%	See Section 8	See Section 8	See Section 8
Other Non-Residential Composting (list each program separately)					
Enter program name			None included in this study		
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal Non-Residential Composting	3968	6.8%			
Subtotal Non-Residential Diversion	17130	29.6%			
Residential/Non-Residential Diversion Activities					
ADC	0	0.0%			
Sludge	0	0.0%			
Scrap Metal	127	0.2%	Scrap metal	NA	Scale
Construction and Demolition	25160	43.4%	Asphalt/Concrete/Wood	None	Operator records
Landfill Salvage					
Subtotal Residential/ Non-Residential Diversion	25287	43.6%			
Total Res/Non-Res Source Reduction Tons	1311	2.3%			
Total Diversion Tons	43428	75.0%			
Total Disposal Tons from Sec.7	14468	25.0%			
Total Generation Tons (Div+Dis)	57946				
Diversion Rate	75%				

9. Specific Non-Residential Sector Waste Audits--Top 10 Non-Residential Generators

Please complete this table for the top 10 non-residential generators that were surveyed. List each non-residential generator separately from largest to smallest, based on total diversion tons. Audit reference number ties to your audit sheets.
(Table will perform all addition calculations).

Type of Non-Residential Generator	Audit Reference Number	Specific/Major Diversion Activities Include Material Type (e.g., paper recycling, grass cycling). ** (List activities on one line)	Source Reduction Tons	Recycling Tons	Composting Tons	Total Diversion Tons	Percent of Total Generation (Total Diversion Tons/Total Generation in Section 8)	Survey Method Phone (P) Mail (M) On-site (O) Other ____
C&D	45	wood, cardboard, plastic		17160		17160	29.6%	On-site
C&D	23	asphalt, concrete		8000		8000	13.8%	On-site
JPA, MRF	34	cardboard, plastic, paper, metal		7129	859	7988	13.8%	On-site
Computer repair	13	cardboard, plastic, paper, metal	1304	1856		3159.94	5.5%	On-site
Cabinet construction	19	wood		1560		1560	2.7%	On-site
Golf Course	4	grass		1512		1512	2.6%	On-site
School	27	grass, newspaper		68	973	1041.02	1.8%	On-Site
Golf Course	2	grass			578	578	1.0%	On-site
Grocery Store	9	cardboard, produce, plastic		299	194	492.92	0.9%	Phone/mail
City Parks	29	grass			471	471	0.8%	On-site
Totals			1303.94	37583.74	3075.2	41962.88	72.4%	

Also provide an attachment 9 which includes all of the generators surveyed. Include for each generator (use type of generator in lieu of specific business name) diversion activity and material type and associated tonnage for each diversion activity/material type, and applicable conversion factors/sources. Include copies of survey form(s) used.

Summarize the non-residential diversion activities for the top 10 generators quantification methodology, and applicable conversion factors and sources (e.g., cardboard recycling: quantified by monthly tonnage receipts provided by the contact person at the business).

C&D tonnages resulted from weight slip of the processor. Also the JPA, MRF has weights for everything that enters or exits the MRF. The computer repair also has weight slips for all of its activities.

The cabinet construction company has records for boxes of material removed but not the weight. An average weight was estimated on the material type.

All composted/grass cycling material was estimated using the standard 7.6 tons per acre. Acreages were determined using maps and other means. Other composed material weights were the result of weight slips.

The Grocery store has weight slip for all the material it generates.

10. For each restricted waste type (i.e., agricultural waste, inert solids, [e.g. concreter, asphalt, dirt, etc.] scrap metals and white goods [PRC section 41781.2]) and associated program, please provide the following information:

a. If the diversion program started on or after January 1, 1990, complete the following table.

Note: *program name refers to one specific diversion program for that waste type (e.g., "Diversion conducted by city public waste dept.".*

Restricted Waste Type	Specific Program Name	Year Started	Tonnage
Inert Solids	Two Rivers Demolition	2001	13332
Inert Solids	Roseville Aggregates Inc.	1994	8000
Inert Solids	Western Placer Waste Management Authority	1996	3268
White Goods	Western Placer Waste Management Authority	1996	18
Scrap Metal	Western Placer Waste Management Authority	1996	75
Pull Down for Waste Types			

b. If the diversion program started before January 1, 1990 - and if documentation on the program and waste type has not been approved by the Board - on a separate sheet marked "Attachment 10b", provide the documentation that indicates:

- How the diversion was the result of a local action taken by the jurisdiction, which specifically resulted in the diversion (PRC sec. 41781.2 [c] [1]).
- That the amount of that waste type diverted from the jurisdiction in 1990 was less than or equal to the amount of that waste type disposed at a permitted disposal facility by the jurisdiction in any year before 1990. (**Note**: this criterion is applicable to the entire jurisdiction, not to individual programs (PRC sec. 41781.2 [c] [2]). Please include documentation.
- That the jurisdiction is implementing, and will continue to implement, the diversion programs in its source reduction and recycling element.

Note: *If documentation for a waste type and program has already been approved by the Board, you do not have to provide an attachment 10b for that waste type and program.*

Instead please provide date of Board approval of previously submitted information. _____ (Date)

If documentation is not available, go to 10d.

c. If the diversion program started before January 1, 1990, and the documentation requested in 10b is available (but not yet approved by the Board), complete the table below for each program claimed:

Restricted Waste Type	Specific Program Name	New Base Year or Reporting Year Diversion Tonnage
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		

d. If the diversion program started before January 1, 1990, and the documentation requested in 10b is not available, please complete the table below for each program claimed. ***Note**: Only the difference between the new base year/reporting year and 1990 can be counted in the diversion rate calculation.*

Restricted Waste Type	Specific Program Name	New Base Year or Reporting Year Tonnage	1990 Diversion Tonnage	Difference
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				

Board Meeting
Date _____

Agenda Item Number 2a
Attachment 9

Business Audit Diversion for the City of Lincoln

Business Survey/Audit Identification Number	Business Type (Example - grocery store, retail, manufacturer) 1/	Material Type (Example - cardboard, glass, plastic, etc.)	Source Reduction (Tons)	Recycling (Tons)	Composting (Tons)	Total Tons
1	Retail	Assorted items	25.00	0.00	0.00	25.00
Subtotal -			25.00	0.00	0.00	25.00
2	Golf Course	Grass clippings	577.60	0.00	0.00	577.60
Subtotal -			577.60	0.00	0.00	577.60
3	Auto Parts (retail)	Scrap Metal	26.00	0.00	0.00	26.00
Subtotal -			26.00	0.00	0.00	26.00
4	Golf Course	Grass clippings	1512.40	0.00	0.00	1512.40
Subtotal -			1512.40	0.00	0.00	1512.40
5	Auto Service	Tires	0.00	76.27	0.00	76.27
Subtotal -			0.00	76.27	0.00	76.27
6	Auto Service	Scrap Metal	13.00	0.00	0.00	13.00
Subtotal -			13.00	0.00	0.00	13.00
7	Retail	Wood waste	16.92	0.00	0.00	16.92
Subtotal -			16.92	0.00	0.00	16.92
8	Auto Service	Scrap Metal	0.00	4.80	0.00	4.80
Subtotal -			0.00	4.80	0.00	4.80
9	Grocery Retail	Cardboard	0.00	289.58	0.00	289.58
9	Grocery Retail	Plastic	0.00	8.94	0.00	8.94
9	Grocery Retail	Bone & Fat	0.00	35.75	0.00	35.75
9	Grocery Retail	Produce	0.00	0.00	158.66	158.66
Subtotal -			0.00	334.27	158.66	492.93
10	Service	NA	0.00	0.00	0.00	0.00
Subtotal -			0.00	0.00	0.00	0.00
11	Retail	Paper	2.50	0.00	0.00	2.50
11	Retail	Cardboard	3.90	0.00	0.00	3.90
11	Retail	Scrap Metal	0.00	0.15	0.00	0.15
Subtotal -			6.40	0.15	0.00	6.55
12	Manufacturer	Wood waste	28.52	0.00	0.00	28.52
12	Manufacturer	Wood waste	0.00	13.00	0.00	13.00
Subtotal -			28.52	13.00	0.00	41.52
13	Electronic Services	Cardboard	0.00	1123.63	0.00	1123.63
13	Electronic Services	Foam	0.00	13.62	0.00	13.62
13	Electronic Services	Bubble	23.94	0.00	0.00	23.94
13	Electronic Services	Peanuts	3.89	0.00	0.00	3.89
13	Electronic Services	Styrene	196.47	0.00	0.00	196.47
13	Electronic Services	Poly Plank	47.94	0.00	0.00	47.94
13	Electronic Services	Molded EPP & EPE	2.40	0.00	0.00	2.40
13	Electronic Services	Aluminum Cans	0.00	0.47	0.00	0.47
13	Electronic Services	Metals	0.00	2.90	0.00	2.90
13	Electronic Services	Paper	0.00	62.48	0.00	62.48
13	Electronic Services	Wood waste (pallet)	0.00	301.13	0.00	301.13
13	Electronic Services	Plastic	0.00	50.15	0.00	50.15
13	Electronic Services	Plastic Bottles	0.00	0.08	0.00	0.08
13	Electronic Services	Reuse	1303.94	0.00	0.00	1303.94
13	Electronic Services	Insta Pak	27.92	0.00	0.00	27.92
Subtotal -			1606.50	1554.46	0.00	3160.96
14	Service	Wood waste (pallet)	11.70	0.00	0.00	11.70

1/ Each activity should be listed on a separate line.

Agenda Item 18
Attachment 2a

usiness Audit Diversion for the City of Lincoln

Business Survey/Audit Identification Number	Business Type (Example - grocery store, retail, manufacturer) 1/	Material Type (Example - cardboard, glass, plastic, etc.)	Source Reduction (Tons)	Recycling (Tons)	Composting (Tons)	Total Tons
14	Service	Cardboard	3.90	0.00	0.00	3.90
14	Service	Scrap Metal	0.00	1.30	0.00	1.30
Subtotal -			**15.60**	**1.30**	**0.00**	**16.90**
15	Manufacturer	NA	0.00	0.00	0.00	0.00
Subtotal -			**0.00**	**0.00**	**0.00**	**0.00**
16	Education Services	NA	0.00	0.00	0.00	0.00
Subtotal -			**0.00**	**0.00**	**0.00**	**0.00**
17	Manufacturer	Scrap Metal	0.00	30.00	0.00	30.00
17	Manufacturer	Wood waste (pallet)	1.80	0.00	0.00	1.80
Subtotal -			**1.80**	**30.00**	**0.00**	**31.80**
18	Automotive Services	Scrap Metal	0.00	3.00	0.00	3.00
18	Automotive Services	Scrap Metal	3.12	0.00	0.00	3.12
Subtotal -			**3.12**	**3.00**	**0.00**	**6.12**
19	Manufacturer	Wood waste	0.00	1560.00	0.00	1560.00
Subtotal -			**0.00**	**1560.00**	**0.00**	**1560.00**
20	Manufacturer	Woodwaste	0.00	465.92	0.00	465.92
Subtotal -			**0.00**	**465.92**	**0.00**	**465.92**
21	Manufacturer	Woodwaste	0.00	5.20	0.00	5.20
Subtotal -			**0.00**	**5.20**	**0.00**	**5.20**
22	Landscaping Service	Plastic	5.20	0.00	0.00	5.20
Subtotal -			**5.20**	**0.00**	**0.00**	**5.20**
23	C&D Processor	Inert	0.00	8000.00	0.00	8000.00
Subtotal -			**0.00**	**8000.00**	**0.00**	**8000.00**
24	Aviation Services	Electronics (???)	0.60	0.00	0.00	0.60
Subtotal -			**0.60**	**0.00**	**0.00**	**0.60**
25	Aviation Services	Wood waste	0.24	0.00	0.00	0.24
25	Aviation Services	Scrap Metal	0.00	0.10	0.00	0.10
25	Aviation Services	Scrap Metal	0.00	0.25	0.00	0.25
25	Aviation Services	Cardboard	1.56	0.00	0.00	1.56
25	Aviation Services	Paper	0.52	0.00	0.00	0.52
Subtotal -			**2.32**	**0.35**	**0.00**	**2.67**
26	Retail	Paper	0.52	0.00	0.00	0.52
26	Retail	Cardboard	1.04	0.00	0.00	1.04
Subtotal -			**1.56**	**0.00**	**0.00**	**1.56**
27	Educational Services	Grass clippings	972.80	0.00	0.00	972.80
27	Educational Services	Paper	0.00	68.22	0.00	68.22
27	Educational Services	Organics	0.00	0.00	80.00	80.00
Subtotal -			**972.80**	**68.22**	**80.00**	**1121.02**
28	Manufacturer	Paper	0.00	0.06	0.00	0.06
28	Manufacturer	Scrap Metal	0.00	3.00	0.00	3.00
28	Manufacturer	Scrap Metal	0.00	0.60	0.00	0.60
28	Manufacturer	Wood waste (pallet)	5.20	0.00	0.00	5.20
Subtotal -			**5.20**	**3.66**	**0.00**	**8.86**
29	Government	Grass clippings	471.20	0.00	0.00	471.20
Subtotal -			**471.20**	**0.00**	**0.00**	**471.20**
30	Manufacturer	wallboard	0.00	75.00	0.00	75.00
30	Manufacturer	clay???	1125.00	0.00	0.00	1125.00
Subtotal -			**1125.00**	**75.00**	**0.00**	**1200.00**

Each activity should be listed on a separate line.

Business Audit Diversion for the City of Lincoln

Business Survey/Audit Identification Number	Business Type (Example - grocery store, retail, manufacturer) 1/	Material Type (Example - cardboard, glass, plastic, etc.)	Source Reduction (Tons)	Recycling (Tons)	Compost (Tons)	Total Tons
31	Retail	Cardboard	0.78	0.00	0.00	0.78
Subtotal -			**0.78**	**0.00**	**0.00**	**0.78**
32	Automotive Services	Scrap Metal	0.00	1.80	0.00	1.80
Subtotal -			**0.00**	**1.80**	**0.00**	**1.80**
33	Grocery Retail	Organics	76.44	0.00	0.00	76.44
33	Grocery Retail	Cardboard	0.00	182.50	0.00	182.50
Subtotal -			**76.44**	**182.50**	**0.00**	**258.94**
34	Material Recovery Facility	Appliances, Scrap Metal, Organics, Inerts, Tire and Wood Waste	0.00	20731.82	0.00	20731.82
Subtotal -			**0.00**	**20731.82**	**0.00**	**20731.82**
35	Buyback	Alumunim, Glass, Plastic and BiMetal	0.00	132.89	0.00	132.89
Subtotal -			**0.00**	**132.89**	**0.00**	**132.89**
36	Retail	Cardboard	0.00	32.00	0.00	32.00
Subtotal -			**0.00**	**32.00**	**0.00**	**32.00**
37	Repair Services	Electronics	1.50	0.00	0.00	1.50
Subtotal -			**1.50**	**0.00**	**0.00**	**1.50**
38	Restaurant	Grease	0.00	2.00	0.00	2.00
Subtotal -			**0.00**	**2.00**	**0.00**	**2.00**
39	Retail	Textile	1.25	0.00	0.00	1.25
Subtotal -			**1.25**	**0.00**	**0.00**	**1.25**
40	Automotive Services	Cardboard	3.64	0.00	0.00	3.64
Subtotal -			**3.64**	**0.00**	**0.00**	**3.64**
41	Repair Services	Scrap Metal	0.00	30.00	0.00	30.00
Subtotal -			**0.00**	**30.00**	**0.00**	**30.00**
42	Automotive Services	Cardboard	3.50	0.00	0.00	3.50
Subtotal -			**3.50**	**0.00**	**0.00**	**3.50**
43	Automotive Services	NA	0.00	0.00	0.00	0.00
Subtotal -			**0.00**	**0.00**	**0.00**	**0.00**
44	Community Assn	Grass clippings	0.00	0.00	160.16	160.16
Subtotal -			**0.00**	**0.00**	**160.16**	**160.16**
45	C&D Processor	wood waste	0.00	2820.00	0.00	2820.00
45	C&D Processor	inorganic fines	0.00	1332.00	0.00	1332.00
45	C&D Processor	Cardboard	0.00	396.00	0.00	396.00
45	C&D Processor	Scrap Metal	0.00	408.00	0.00	408.00
45	C&D Processor	Inerts	0.00	192.00	0.00	192.00
45	C&D Processor	Plastics	0.00	12.00	0.00	12.00
45	C&D Processor	Scrap Metal	0.00	12.00	0.00	12.00
46	C&D Processor	Concrete processed on-ste	0.00	12000.00	0.00	12000.00
Subtotal -			**0.00**	**17172.00**	**0.00**	**17172.00**
Grand Total			**6503.85**	**50480.61**	**398.8**	**57383.28**

Note: The City of Lincoln submitted these data in a different format, specifically by program type. Board staff have prepared the submitted data by busi purposes of this agenda item

Agenda Item 18
Attachment 2a

1/ Each activity should be listed on a separate line.

STATE OF CALIFORNIA **CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

Base Year Modification Request Certification

Part 1: Generation Study - No Extrapolation Diversion Data

To request a substitution for a previously approved base year used in calculating the diversion rate for your jurisdiction, please complete and sign this form and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance
1001 I Street, (MS-25)
PO Box 4025
Sacramento, CA 95812-4025

General Instructions:

Please select the **ONE** choice below that best explains your request to the Board.

☐ 1. Use a recent generation-based study to calculate our current reporting year generation amount, but not officially change our existing Board-approved base year.

☑ 2. Use a recent generation-based study to officially change our existing Board-approved base year to a new base year.

The shaded cells on these sheets are protected. If you have problems using these sheets, please contact your Office of Local Assistance representative by calling (916) 341-6199.

Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name City of Lincoln		County	
Authorized Signature		Title	
Type/Print Name of Person Signing		Date	Phone ( ) Include Area Code
Person Completing This Form (please print or type)		Title	
Affiliation:			
Mailing Address	City	State	ZIP Code
E-Mail Address			

Section II: Information for New Generation-Based Study for Existing or New Base Year

Attach additional sheets if necessary—reference each response to the appropriate cell number (e.g.,"4").

Note: New base years must be representative of a jurisdiction's disposal and diversion.

1. Current Board-approved existing base year:	**2.** Proposed new generation-based study year:
1990	**2002**

3. Explain how the proposed generation study year is representative of average annual jurisdiction disposal and diversion:

4. Enter diversion rate information below.

Diversion rate calculated using existing base year	**a. 25 %**	**Diversion rate calculated using new generation-based study**	**b. 73 %**
For existing base year pounds/person/day based on generation	**6.7**	**For new generation based study pounds/person/day based on generation**	**16.84**
Residential generation 68 %	**Non-Residential generation 32 %**	**Residential generation 21% %**	**Non-Residential generation 79% %**
Population existing generation-based study	7248	**Population new generation-based study**	17750

5. If there is an increase from 4a to 4b, please explain how the new diversion rate is consistent with your current diversion implementation efforts. If the proposed new generation tonnage results in an increase in your pounds/person/day, please explain how this is consistent with your current diversion implementation efforts and provide any examples (e.g., change in jurisdiction's demographics).

6. If the difference between the proposed diversion rates in 4a and 4b is greater than 5 percentage points, please explain the specific reasons for the difference. (For example: new/improved curbside diversion programs.)

7. Disposal Tonnage (enter values):	12035	**2823**	**14858**
	Residential	Non-Residential	**Total**

Please select the **ONE** choice below that best explains your **disposal** data and complete the required tables.

☑ a. All tons claimed are from the Board's Disposal Reporting System (No explanation required. Go to Section 8.)

☐ b. All tons claimed are from a 100 percent audit of hauler and self-haul tonnage. (Please complete Reporting Year Tonnage Request and Modification Certification sheet found at www.ciwmb.ca.gov/LGCentral/Forms/rytnmdrq.doc)

☐ c. Some Disposal Reporting System data were corrected. (Please complete Reporting Year Tonnage Modification Request and Certification sheet found at www.ciwmb.ca.gov/LGCentral/Forms/rytnmdrq.doc)

8. In the table below, list the summarized diversion activities, and diversion data records that support your claim and are available for Board audit. **Note**: *The Board expects the jurisdictions to be able to provide all back-up documentation, if requested.* Include type of record and location—for example, weight tickets from transfer stations. This section should capture all diversion tonnage (form will perform all addition calculations). If any diversion is from restricted wastes, agricultural wastes,inert solids [e.g., concrete, asphalt, dirt,] white goods, and scrap metal, please identify those programs/waste types and fill out Section 10. Please mark as Attachment 8 all copies of survey forms.

*Please provide detailed Non-Residential waste information in Section 9.

Note: The Board has indicated that it will be scrutinizing total source reduction amounts greater than 5% of total generation. Please be prepared to provide additional details subsantiating your claim.

Diversion Activity	Actual tons	Relative Percent to Total Generation	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Paris/Codes/Reduce.htm	(A)	(A/Total Generation)			
Residential Source Reduction Activities					
Backyard composting					
Grasscycling		0.0%			
Other Residential Source Reduction (list each program separately)					
Enter program name		0.0%			
Enter program name		0.0%			
Enter program name		0.0%			
Enter program name		0.0%			
Enter program name		0.0%			
Subtotal, Residential Source Reduction	**0**	**0.0%**			
Residential Recycling Activities					
Curbside Recycling					
Buyback Centers	133	0.2%	aluminum, glass, plastics, bimetals	NA	Annual tonnage report from the Department of Conservation's Division of Recycling provided as supporting documentation
Drop-off Centers					

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Paris/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Other Residential Recycling (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Residential Recycling	**133**	**0.2%**			
Residential Composting Activities					
Green Waste Drop-off	849	1.6%	green waste	Actual weight	Tonnage report provided by the Western Placer Waste Management Authority (WPWMA)
Curbside Green Waste	48	0.1%	Fall leaf composting at Western Placer Unified School District	3 compost boxes filled with leaves 12x30x4 @ 600 pounds per cubic yard	Information on survey form included in study documentation
Christmas Tree Program					
Other Residential Composting (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Residential Composting	**897**	**1.6%**			
Subtotal, Residential Diversion	**1030**	**1.9%**			
Non-Residential Source Reduction Activities:					
Non-Residential Waste Audits*	5197	9.5%	**See Section 9**	**See Section 9**	**See Section 9**
Other Non-Residential Source Reduction (list each program separately)					
Enter Program name					
Enter Program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Non-Residential Source Reduction	**5197**	**9.5%**			

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Paris/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Recycling					
Non-Residential Waste Audits*	26888	49.3%	**See Section 9**	**See Section 9**	**See Section 9**
Other Non-Residential Recycling (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal Non-Residential Recycling	**26888**	**49.3%**			
Non-Residential Composting Activities					
Non-Residential Waste Audits*	319	0.6%	**See Section 9**	**See Section 9**	**See Section 9**
Other Non-Residential Composting (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal Non-Residential Composting	**319**	**0.6%**			
Subtotal Non-Residential Diversion	**32403**	**59.4%**			
Residential/Non- Residential Diversion Activities					
ADC	27	0.0%	Green material	Actual weight	CIWMB Disposal Reporting System
Sludge					
Scrap Metal	98	0.2%	Scrap metal	Actual weight	Tonnage report provided by the Western Placer Waste Management Authority (WPWMA)
Construction and Demolition	3986	7.3%	Inert material	Actual weight	Tonnage report provided by the Western Placer Waste Management Authority (WPWMA)
Landfill Salvage	2145	3.9%	This includes souce separated loads of OCC (14.21 tons) and recyclables recovered from MSW at the MRF, including aluminum, OCC, carpet, intert, glass, mixed paper, newspaper, PETE, HDPE, mixed and film plastics, steel, tires and green waste.	Actual weight	Tonnage report provided by the Western Placer Waste Management Authority (WPWMA)
Subtotal Residential/ Non-Residential Diversion	**6256**	**11.5%**			
Total Res/Non-Res Source Reduction Tons	**5197**	**9.5%**			
Total Diversion Tons	**39689**	**72.8%**			
Total Disposal Tons from Sec.7	**14858**	**27.2%**			
Total Generation Tons (Div+Dis)	**54547**				

Diversion Activity	Actual tons	Relative Percent to Total Generation	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Paris/Codes/Reduce.htm	(A)	(A/Total Generation)			
Diversion Rate	**73%**				

9. Specific Non-Residential Sector Waste Audits--Top 10 Non-Residential Generators

Please complete this table for the top 10 non-residential generators that were surveyed. List each non-residential generator separately from largest to smallest, based on total diversion tons. Audit reference number ties to your audit sheets.
(Table will perform all addition calculations).

Type of Non-Residential Generator	Audit Reference Number	Specific/Major Diversion Activities Include Material Type (e.g., paper recycling, grasscycling). (List activities on one line)	Source Reduction Tons	Recycling Tons	Composting Tons	Total Diversion Tons	Percent of Total Generation (Total Diversion Tons/Total Generation in Section 8)	Survey Method Phone (P) Mail (M) On-site (O) Other ___
Demolition Company	45	wood waste, cardboard, metals, hay, straw waddles, plastics, glass and concrete		13731		13731	25.2%	**O**
Electronic Services	13	cardboard, foam, bubble wrap, peanuts, styrene, poly plank, aluminum cans, metals, paper, pallets and plastics	1607	1554		3160.96	5.8%	**O**
C&D crushing and screening company	23	inert materials		10651		10651.21	19.5%	**O**
Golf course	4	grass clippings	1512			1512.4	2.8%	**O**
Educational services	27	grass clippings and newspaper	973	68		1041.02	1.9%	**O**
Golf course	2	grass clippings	578			577.6	1.1%	**O**
Grocery retail	9	cardboard, plastic, bone and fat, and produce		334	159	492.93	0.9%	**P, M**
Government	29	grass clippings	471			471.2	0.9%	**O**
Manufacturer	30	gypsum		215		214.5	0.4%	**O**
Grocery retail	33	organics, cardboard and meat	22	174		196.28	0.4%	**O**
Totals			**5162.34**	**26728.1**	**158.66**	**32049.1**	58.8%	**O**

Also provide an attachment 9 which includes all of the generators surveyed. Include for each generator (use type of generator in lieu of specific business name) diversion activity and material type and associated tonnage for each diversion activity/material type, and applicable conversion factors/sources. Include copies of survey form(s) used.

Summarize the non-residential diversion activities for the top 10 generators quantification methodology, and applicable conversion factors and sources (e.g., cardboard recycling: quantified by monthly tonnage receipts provided by the contact person at the business).

#45 - recycling of wood waste, cardboard, metals, hay, straw waddles, plastics, glass and concrete -quantified byannual tonnage report provided by the facility.
#13 - reuse of bubble wrap, peanuts, styrene, poly plank, and other packing materials and recycling of cardboard, foam, aluminum cans, plastics, metals, paper and wood waste - - quantified by annual tonnage report provided by the facility.
#23 - inert material recycling - quantified by taking an average of the total facility tonnage for three years and allocating that based on the percentage estimated for the City by the facility contact.
#4 - grasscycling - quantified by mowable acres (209) and a conversion factor of 7.6 tons per acre per year.
#27 - grasscycling and news paper recycling - quantified by mowable acres (128) and a conversion factor of 7.6 tons per acre per year, and monthly tonnage for the newspaper recycling program multiplied by 12 months, respectively.
#2 - grasscycling - quantified by mowable acres (76) and a conversion factor of 7.6 tons per acre per year.
#9 - cardboard, plastic and bone and fat recycling and produce composting - quantification based on report provided by facility contact (corporate).
#29 - quantified by mowable acres (62) and a conversion factor of 7.6 tons per acre per year.
#30 - gypsum recycling - quantification based on receipts of the material purchased for a year.
#33- cardboard and meat recycling and produce reuse (hog farm) - quantification based on number of bales, buckets and boxes of material and conversion factors (cardboard 400 pounds/cubic yard per US EPA, 57 pounds per cubic foot for meat per FEECO and 30 pounds per produce box per facility contact).

Business Audit Diversion for the City of Lincoln (Attachment 9)

Business Survey/Audit Identification Number	Business Type (Example - grocery store, retail, manufacturer) 1/	Material Type (Example - cardboard, glass, plastic, etc.)	Source Reduction (Tons)	Recycling (Tons)	Composting (Tons)	Total Tons	
1	Retail	Assorted items	~~25.00~~ 0.00	0.00	0.00	~~25.00~~ 0.00	
Subtotal -			**~~25.00~~ 0.00**	**0.00**	**0.00**	**~~25.00~~ 0.00**	
2	Golf Course	Grass clippings	577.60	0.00	0.00	577.60	
Subtotal -			**577.60**	**0.00**	**0.00**	**577.60**	
3	Auto Parts (retail)	Scrap metal	~~26.00~~ 0.00	0.00	0.00	~~26.00~~ 0.00	
Subtotal -			**~~26.00~~ 0.00**	**0.00**	**0.00**	**~~26.00~~ 0.00**	
4	Golf Course	Grass clippings	1512.40	0.00		1512.40	
Subtotal -			**1512.40**	**0.00**	**0.00**	**1512.40**	
5	Auto Service	Tires	0.00	76.27	0.00	76.27	
5	Auto Service	Scrap metal	0.00	5.00	0.00	5.00	
Subtotal -			**0.00**	**~~76.27~~ 81.27**	**0.00**	**~~76.27~~ 81.27**	
6	Auto Service	Scrap metal	~~13.00~~ 0.00	0.00	0.00	~~13.00~~ 0.00	
Subtotal -			**~~13.00~~ 0.00**	**0.00**	**0.00**	**~~13.00~~ 0.00**	
7	Retail	Wood waste (pallets)	16.92	0.00	0.00	16.92	
Subtotal -			**16.92**	**0.00**	**0.00**	**16.92**	
8	Auto Service	Scrap metal	0.00	~~4.80~~ 0.00	0.00	~~4.80~~ 0.00	
Subtotal -			**0.00**	**~~4.80~~ 0.00**	**0.00**	**~~4.80~~ 0.00**	
9	Grocery Retail	Cardboard	0.00	289.58	0.00	289.58	
9	Grocery Retail	Plastic	0.00	8.94	0.00	8.94	
9	Grocery Retail	Bone & Fat	0.00	35.75	0.00	35.75	
9	Grocery Retail	Produce	0.00	0.00	158.66	158.66	
Subtotal -			**0.00**	**334.27**	**158.66**	**492.93**	
10	Service	NA	0.00	0.00	0.00	0.00	
Subtotal -			**0.00**	**0.00**	**0.00**	**0.00**	
11	Retail	Paper	2.50	0.00	0.00	2.50	
11	Retail	Cardboard	3.90	0.00	0.00	3.90	
11	Retail	Scrap metal	0.00	0.15	0.00	0.15	
Subtotal -			**6.40**	**0.15**	**0.00**	**6.55**	
12	Manufacturer	Scrap metal	~~28.52~~ 0.55	0.00	0.00	~~28.52~~ 0.55	
12	Manufacturer	Scrap metal	0.00	13.00	0.00	13.00	1993
Subtotal -			**~~28.52~~ 0.55**	**13.00**	**0.00**	**~~41.52~~ 13.55**	
13	Electronic Services	Cardboard	0.00	1123.63	0.00	1123.63	
13	Electronic Services	Foam	0.00	13.62	0.00	13.62	
13	Electronic Services	Bubble	23.94	0.00	0.00	23.94	
13	Electronic Services	Peanuts	3.89	0.00	0.00	3.89	
13	Electronic Services	Styrene	196.47	0.00	0.00	196.47	
13	Electronic Services	Poly Plank	47.94	0.00	0.00	47.94	
13	Electronic Services	Molded EPP & EPE	2.40	0.00	0.00	2.40	
13	Electronic Services	Aluminum Cans	0.00	0.47	0.00	0.47	
13	Electronic Services	Metals	0.00	2.90	0.00	2.90	
13	Electronic Services	Paper	0.00	62.48	0.00	62.48	
13	Electronic Services	Wood waste (pallet)	0.00	301.13	0.00	301.13	
13	Electronic Services	Plastic	0.00	50.15	0.00	50.15	

1/ Each activity should be listed on a separate line.

Business Audit Diversion for the City of Lincoln (Attachment 9)

Business Survey/Audit Identification Number	Business Type (Example - grocery store, retail, manufacturer) 1/	Material Type (Example - cardboard, glass, plastic, etc.)	Source Reduction (Tons)	Recycling (Tons)	Composting (Tons)	Total Tons
13	Electronic Services	Plastic Bottles	0.00	0.08	0.00	0.08
13	Electronic Services	Reuse	1303.94	0.00	0.00	1303.94
13	Electronic Services	Insta Pak	27.92	0.00	0.00	27.92
Subtotal -			**1606.50**	**1554.46**	**0.00**	**3160.96**
14	Service	Wood waste (pallet)	~~11.70~~ .23	0.00	0.00	~~11.70~~ .23
14	Service	Cardboard	3.90	0.00	0.00	3.90
14	Service	Scrap metal	0.00	1.30	0.00	1.30
Subtotal -			**~~15.60~~ 4.13**	**1.30**	**0.00**	**~~16.90~~ 5.43**
15	Manufacturer	Wood waste (pallet)	0.50	0.00	0.00	0.50
Subtotal -			**0.50**	**0.00**	**0.00**	**0.50**
16	Education Services	NA	0.00	0.00	0.00	0.00
Subtotal -			**0.00**	**0.00**	**0.00**	**0.00**
17	Manufacturer	Scrap metal	0.00	30.00	0.00	30.00
17	Manufacturer	Wood waste (pallet)	~~1.80~~ .15	0.00	0.00	~~1.80~~ .15
Subtotal -			**~~1.80~~ .15**	**30.00**	**0.00**	**~~31.80~~ 30.15**
18	Automotive Services	Scrap metal	0.00	~~3.00~~ 0.00	0.00	~~3.00~~ 0.00
18	Automotive Services	Scrap metal	~~3.12~~ 0.00	0.00	0.00	~~3.12~~ 0.00
Subtotal -			**~~3.12~~ 0.00**	**~~3.00~~ 0.00**	**0.00**	**~~6.12~~ 0.00**
19	Manufacturer	Wood waste	0.00	~~1560.00~~ 0.00	0.00	~~1560.00~~ 0.00
Subtotal -			**0.00**	**~~1560.00~~ 0.00**	**0.00**	**~~1560.00~~ 0.00**
20	Manufacturer	Wood waste	0.00	~~465.92~~ 0.00	0.00	~~465.92~~ 0.00
Subtotal -			**0.00**	**~~465.92~~ 0.00**	**0.00**	**~~465.92~~ 0.00**
21	Manufacturer	Wood waste	0.00	~~5.20~~ 0.00	0.00	~~5.20~~ 0.00
Subtotal -			**0.00**	**~~5.20~~ 0.00**	**0.00**	**~~5.20~~ 0.00**
22	Landscaping Service	Plastic	~~5.20~~ 0.10	0.00	0.00	~~5.20~~ 0.10
Subtotal -			**~~5.20~~ 0.10**	**0.00**	**0.00**	**~~5.20~~ 0.10**
23	C&D Processor	Inert	0.00	~~8000.00~~ 10651.21	0.00	~~8000.00~~ 10651.21
Subtotal -			**0.00**	**~~8000.00~~ 10651.21**	**0.00**	**~~8000.00~~ 10651.21**
24	Aviation Services	Electronics	0.60	0.00	0.00	0.60
Subtotal -			**0.60**	**0.00**	**0.00**	**0.60**
25	Aviation Services	Wood waste	0.24	0.00	0.00	0.24
25	Aviation Services	Scrap metal	0.00	~~0.10~~ 0.00	0.00	~~0.10~~ 0.00
25	Aviation Services	Scrap metal	0.00	~~0.25~~ 0.00	0.00	~~0.25~~ 0.00
25	Aviation Services	Cardboard	~~1.56~~ 1.04	0.00	0.00	~~1.56~~ 1.04
25	Aviation Services	Paper	0.52	0.00	0.00	0.52
Subtotal -			**~~2.32~~ 1.80**	**~~0.35~~ 0.00**	**0.00**	**~~2.67~~ 1.80**
26	Retail	Paper	0.52	0.00	0.00	0.52
26	Retail	Cardboard	1.04	0.00	0.00	1.04
Subtotal -			**1.56**	**0.00**	**0.00**	**1.56**
27	Educational Services	Grass clippings	972.80	0.00	0.00	972.80
27	Educational Services	Paper	0.00	68.22	0.00	68.22
~~27~~	~~Educational Services~~	~~Organics~~	0.00	0.00	~~80.00~~ 0.00	~~80.00~~ 0.00

1/ Each activity should be listed on a separate line.

Business Audit Diversion for the City of Lincoln (Attachment 9)

Business Survey/Audit Identification Number	Business Type (Example - grocery store, retail, manufacturer) 1/	Material Type (Example - cardboard, glass, plastic, etc.)	Source Reduction (Tons)	Recycling (Tons)	Composting (Tons)	Total Tons
Subtotal -			**972.80**	**68.22**	~~80.00~~ 0	**~~1121.02~~ 1041.02**
28	Manufacturer	Paper	0.00	0.06	0.00	0.06
28	Manufacturer	Scrap metal	0.00	~~3.00~~ 0.00	0.00	~~3.00~~ 0.00
28	Manufacturer	Scrap metal	0.00	~~0.60~~ 0.00	0.00	~~0.60~~ 0.00
28	Manufacturer	Wood waste (pallet)	~~5.20~~ 0.10	0.00	0.00	~~5.20~~ 0.10
Subtotal -			**~~5.20~~ 0.10**	**~~3.66~~ 0.06**	**0.00**	**~~8.86~~ 0.16**
29	Government	Grass clippings	471.20	0.00	0.00	471.20
Subtotal -			**471.20**	**0.00**	**0.00**	**471.20**
30	Manufacturer	gypson	0.00	~~75.00~~ 214.50	0.00	~~75.00~~ 214.50
30	Manufacturer	clay	~~1125.00~~ 0.00	0.00	0.00	~~1125.00~~ 0.00
Subtotal -			**~~1125.00~~ 0.00**	**~~75.00~~ 214.50**	**0.00**	**~~1200.00~~ 214.50**
31	Retail	Cardboard	~~0.78~~ 0.00	0.00	0.00	~~0.78~~ 0.00
Subtotal -			**~~0.78~~ 0.00**	**0.00**	**0.00**	**~~0.78~~ 0.00**
32	Automotive Services	Scrap metal	0.00	~~1.80~~ 0.00	0.00	~~1.80~~ 0.00
Subtotal -			**0.00**	**~~1.80~~ 0.00**	**0.00**	**~~1.80~~ 0.00**
33	Grocery Retail	Organics	~~76.44~~ 21.84	0.00	0.00	~~76.44~~ 21.84
33	Grocery Retail	Cardboard	0.00	~~182.50~~ 134.81	0.00	~~182.50~~ 134.81
33	Grocery Retail	Meat	0.00	39.63	0.00	39.63
Subtotal -			**~~76.44~~ 21.84**	**~~182.50~~ 174.44**	**0.00**	**~~258.94~~ 196.28**
34	Landfill Material Recovery Facility recovery	Appliances, Scrap Metal, Organics, Inerts, Tire and Wood Waste	0.00	~~20731.82~~ 0.00	0.00	~~20731.82~~ 0.00
Subtotal -			**0.00**	**~~20731.82~~ 0.00**	**0.00**	**~~20731.82~~ 0.00**
35	Buyback centers	Alumunim, Glass, Plastic and BiMetal	0.00	~~132.89~~ 0.00	0.00	~~132.89~~ 0.00
Subtotal -			**0.00**	**~~132.89~~ 0.00**	**0.00**	**~~132.89~~ 0.00**
36	Retail	Cardboard	0.00	32.00	0.00	32.00
Subtotal -			**0.00**	**32.00**	**0.00**	**32.00**
37	Repair Services	Electronics	~~1.50~~ 0.00	0.00	0.00	~~1.50~~ 0.00
Subtotal -			**~~1.50~~ 0.00**	**0.00**	**0.00**	**~~1.50~~ 0.00**
38	Restaurant	Grease	0.00	2.00	0.00	2.00
Subtotal -			**0.00**	**2.00**	**0.00**	**2.00**
39	Retail	Textile	~~1.25~~ 1.30	0.00	0.00	~~1.25~~ 1.30
Subtotal -			**~~1.25~~ 1.30**	**0.00**	**0.00**	**~~1.25~~ 1.30**
40	Automotive Services	Cardboard	~~3.64~~ 0.07	0.00	0.00	~~3.64~~ 0.07
Subtotal -			**~~3.64~~ 0.07**	**0.00**	**0.00**	**~~3.64~~ 0.07**
41	Repair Services	Scrap metal	0.00	~~30.00~~ 0.00	0.00	~~30.00~~ 0.00
Subtotal -			**0.00**	**~~30.00~~ 0.00**	**0.00**	**~~30.00~~ 0.00**
42	Automotive Services	Cardboard	~~3.50~~ 0.07	0.00	0.00	~~3.50~~ 0.07
Subtotal -			**~~3.50~~ 0.07**	**0.00**	**0.00**	**~~3.50~~ 0.07**
43	Automotive Services	NA	0.00	0.00	0.00	0.00
Subtotal -			**0.00**	**0.00**	**0.00**	**0.00**

1/ Each activity should be listed on a separate line.

Business Audit Diversion for the City of Lincoln (Attachment 9)

Business Survey/Audit Identification Number	Business Type (Example - grocery store, retail, manufacturer) 1/	Material Type (Example - cardboard, glass, plastic, etc.)	Source Reduction (Tons)	Recycling (Tons)	Composting (Tons)	Total Tons
44	Community Assn	Grass clippings	0.00	0.00	160.16	160.16
Subtotal -			**0.00**	**0.00**	**160.16**	**160.16**
45	C&D Processor	Wood waste	0.00	~~2820.00~~ 153.00	0.00	~~2820.00~~ 153.00
45	C&D Processor	Inorganic fines	0.00	~~1332.00~~ 0.00	0.00	~~1332.00~~ 0.00
45	C&D Processor	Cardboard	0.00	~~396.00~~ 631.00	0.00	~~396.00~~ 631.00
45	C&D Processor	Metals	0.00	~~408.00~~ 608.00	0.00	~~408.00~~ 608.00
45	C&D Processor	Inerts (hay, straw, waddles)	0.00	~~192.00~~ 132.00	0.00	~~192.00~~ 132.00
45	C&D Processor	Plastics (sheet plastic and CRV bottles)	0.00	~~12.00~~ 110.00	0.00	~~12.00~~ 110.00
~~45~~	~~C&D Processor~~	~~Scrap metal~~	~~0.00~~	~~12.00~~	~~0.00~~	~~12.00~~
45	C&D Processor	Glass	0.00	97.00	0.00	97.00
45	C&D Processor	Concrete processed on-site	0.00	12000.00	0.00	12000.00
Subtotal -			**0.00**	**~~17172.00~~ 13731.00**	**0.00**	**~~17172.00~~ 13731.00**
Grand Total			**5196.59**	**26887.88**	**318.82**	**32403.29**

1/ Each activity should be listed on a separate line.

10. For each restricted waste type (i.e., agricultural waste, inert solids, [e.g. concreter, asphalt, dirt, etc.] scrap metals and white goods [PRC section 41781.2]) and associated program, please provide the following information:

a. If the diversion program started on or after January 1, 1990, complete the following table.

Note: *program name refers to one specific diversion program for that waste type (e.g., "Diversion conducted by city public waste dept.".*

Restricted Waste Type	Specific Program Name	Year Started	Tonnage
Scrap Metal	Scrap metal collection and recycling at the WPWMA	1996	98
Inert Solids	Inerts collection and recycling at the WPWMA	1996	3986
Scrap Metal	Non-residential waste audits #5	1994	5
Scrap Metal	Non-residential waste audits #11	2001	~.15
Scrap Metal	Non-residential waste audits #12	1993	14
Scrap Metal	Non-residential waste audits #13	1996	3

b. If the diversion program started before January 1, 1990 - and if documentation on the program and waste type has not been approved by the Board - on a separate sheet marked "Attachment 10b", provide the documentation that indicates:

- How the diversion was the result of a local action taken by the jurisdiction, which specifically resulted in the diversion (PRC sec. 41781.2 [c] [1]).
- That the amount of that waste type diverted from the jurisdiction in 1990 was less than or equal to the amount of that waste type disposed at a permitted disposal facility by the jurisdiction in any year before 1990. (**Note**: this criterion is applicable to the entire jurisdiction, not to individual programs (PRC sec. 41781.2 [c] [2]). Please include documentation.
- That the jurisdiction is implementing, and will continue to implement, the diversion programs in its source reduction and recycling element.

Note: *If documentation for a waste type and program has already been approved by the Board, you do not have to provide an attachment 10b for that waste type and program.*

Instead please provide date of Board approval of previously submitted information. _____ (Date)

If documentation is not available, go to 10d.

c. If the diversion program started before January 1, 1990, and the documentation requested in 10b is available (but not yet approved by the Board), complete the table below for each program claimed:

Restricted Waste Type	Specific Program Name	New Base Year or Reporting Year Diversion Tonnage
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		

d. If the diversion program started before January 1, 1990, and the documentation requested in 10b is not available, please complete the table below for each program claimed. ***Note** : Only the difference between the new base year/reporting year and 1990 can be counted in the diversion rate calculation.*

Restricted Waste Type	Specific Program Name	New Base Year or Reporting Year Tonnage	1990 Diversion Tonnage	Difference
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				

Section 10 continued

Restricted Waste Type	Specific Program Name	Year Started	Tonnage
Scrap Metal	Non-residential waste audits #14	2001	1.30
Scrap Metal	Non-residential waste audits #17	1996	30.00
Scrap Metal	Non-residential waste audits #23	1994	10651.21
Inerts & Scrap Metal	Non-residential waste audits #45	2000	12740.00

Table A: Site Visit Verification Findings, Diversion Tonnage and Deductions for the City of Lincoln

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
#45	Demolition Company	wood waste	Recycling	2,820.00	Based on a 2002 weight report for one month * 12 months	153.00	Board staff removed the tonnage that was sent to Biomass. Biomass cannot be included in base year generation tonnage.
	Demolition Company	inorganic fines	Recycling	1,332.00	Based on a 2002 weight report for one month * 12 months	0.00	Although staff did verify this diversion activity, this tonnage was removed to avoid double counting (material was used as ADC at local landfill).
	Demolition Company	cardboard	Recycling	396.00	Based on a 2002 weight report for one month * 12 months	631.00	In follow-up to the verification visit, Board staff received a number of monthly tonnage reports (for 2002, 2003 and 2004) as well as a tonnage report for the full 2003 calendar year. To avoid extrapolating data from one month over a 12-month period, Board staff used the diversion data for the full 2003 calendar year. Board staff used the monthly tonnage reports to ensure that the tonnage recommended was reasonable and representative, which was also confirmed with the facility contact.
	Demolition Company	metals	Recycling	420.00	Based on a 2002 weight report for one month * 12 months	608.00	Same as above. Additionally, the operation started in 2000. Therefore, it meets the restricted waste criteria.
	Demolition Company	hay, straw waddles	Recycling	192.00	Based on a 2002 weight report for one month * 12 months	132.00	Same as above.
	Demolition Company	plastics (sheet plastic and CRV bottles)	Recycling	12.00	Based on a 2002 weight report for one month * 12 months	110.00	Same as above.
	Demolition Company	glass	Recycling	0.00	NA	97.00	Same as above.
	Demolition Company	concrete	Recycling	12,000.00	Based on a 2002 weight report for one month * 12 months	12,000.00	Same as above. Additionally, the operation started in 2000. Therefore, it meets the restricted waste criteria.
Subtotal -				**17,172.00**		**13,731.00**	

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
#23	C&D Crushing and Screening Company	inerts	Recycling	8,000.00	Letter from company indicating that between 8,000 - 10,000 tons processed for the City	10,651.21	Board staff verified the diversion activity. To quantify the diversion tonnage the total quantity of material processed was collected for a three-year period (i.e., annual tonnage reports for 2001, 2002 and 2003). The contact indicated that approximately 10% of the material processed is from the City of Lincoln. The operation started in 1994, therefore it meets the restricted waste criteria.
Subtotal -				**8,000.00**		**10,651.21**	
#13	Electronic Services	cardboard	Recycling	1,123.63	Based on internal tonnage report documenting generation and cost savings related to waste reduction program	1,123.63	Board staff verified the recycling and reuse activities and reviewed the detailed tonnage report provided by the facility contact.
#13	Electronic Services	foam	Recycling	13.62		13.62	
#13	Electronic Services	bubblewrap	Reuse	23.94		23.94	
#13	Electronic Services	peanuts	Reuse	3.89		3.89	
#13	Electronic Services	styrene	Reuse	196.47		196.47	
#13	Electronic Services	poly plank	Reuse	47.94		47.94	
#13	Electronic Services	molded EPP & EPE	Reuse	2.40		2.40	
#13	Electronic Services	aluminum cans	Recycling	0.47		0.47	
#13	Electronic Services	metals	Recycling	2.90		2.90	
#13	Electronic Services	paper	Recycling	62.48		62.48	
#13	Electronic Services	pallets	Recycling	301.13		301.13	
#13	Electronic Services	plastics	Recycling	50.15		50.15	
#13	Electronic Services	plastic bottles	Recycling	0.08		0.08	

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
#13	Electronic Services	re-use packing material	Reuse	1,303.94		1,303.94	
#13	Electronic Services	Insta Pak	Reuse	27.92		27.92	
Subtotal -				**3,160.96**		**3,160.96**	
#19	Manufacturer	wood waste	Recycling	1,560.00	3 loads per week of 50 cubic yard dumpsters weighing 10 tons each	0.00	This tonnage was removed because during the verification audit Board staff learned that in the base year (2002) the reported material was actually disposed. Additionally, this company is moving outside of the City of Lincoln in the next 45 days, so this diversion tonnage is not representative.
Subtotal -				**1,560.00**		**0.00**	
#30	Manufacturer	inert material	Reuse	1,125.00	4500 tons out of 50000 tons is a loss that is returned back to process. 25% increase in production since 1990. So, the City claimed 25% of 4500.	0.00	During the verification, Board staff determined that this material was never normally disposed. As a result, this tonnage was deducted.
#30	Manufacturer	gypsum	Recycling	75.00	75 tons of molds that go to wall board plant for a total of 1200	214.50	Upon verification, Board staff received documentation to support the quantification of the gypsum recycling activity (i.e., purchasing invoices).
Subtotal -				**1,200.00**		**214.50**	
#4	Golf Course	grass clippings	Source Reduction	1,512.40	209 mowable acres * 7.6 tons/acre/year	1,512.40	Board staff verified the diversion activity and the mowable acres for grasscycling.
Subtotal -				**1,512.40**		**1,512.40**	
#29	Government	grass clippings	Source Reduction	471.20	62 acres * 7.6 tons/acre/year	471.20	Board staff verified the activity, acreage and diversion tonnage reported.
Subtotal -				**471.20**		**471.20**	
#27	Educational Services	grass clippings	Source Reduction	972.80	128 acres * 7.6 tons per acre per year	972.80	Board staff verified the diversion activity and the mowable acres for grasscycling.

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
#27	Educational Services	newspaper	recycling	68.22	11370 pounds per newspaper per month	68.22	Board staff verified the diversion activity.
#27	Educational Services	organics	composting	80.00	3 composting boxes (12x30x4) filled with leaves at 1000 pounds per cubic yard	0.00	This tonnage was removed because it was already included in Section 8 of the City's Base Year Modification Request Certification. Board staff did, however, verify the diversion activity.
Subtotal -				**1,121.02**		**1,041.02**	
#2	Golf Course	grass clippings	Source Reduction	577.60	76 acres * 7.6 tons/acre/year	577.60	Board staff verified the diversion activity and the mowable acres for grasscycling.
Subtotal -				**577.60**		**577.60**	
#1	Retail	textiles, home items, appliances, furniture	reuse	25.00	pure estimate	0.00	Board staff have removed this tonnage due to a lack of specific calculation supporting the diversion estimate.
Subtotal -				**25.00**		**0.00**	
#3	Auto parts (retail)	scrap metal	reuse	26.00	1000 pounds per week	0.00	Information regarding the restricted waste criteria for this activity was not provided. As a result, Board staff removed the diversion tonnage.
Subtotal -				**26.00**		**0.00**	
#5	Auto Service	scrap metal	recycling	0.00	5 tons a year	5.00	This diversion tonnage was included on the original non-residential waste audit form, but not included in the study data. Board staff collected the information to verify that the restricted waste criteria were met and added the data to the study.
Subtotal -				**0.00**		**5.00**	
#6	Auto Service	scrap metal	recycling	13.00	100 pounds a day (5 days a week)	0.00	Information regarding the restricted waste criteria for this activity was not provided. As a result, Board staff removed the diversion tonnage.

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
Subtotal -				**13.00**		**0.00**	
#8	Auto Service	scrap metal	Recycling	4.80	800 pounds per month	0.00	Information regarding the restricted waste criteria for this activity was not provided. As a result, Board staff removed the diversion tonnage.
Subtotal -				**4.80**		**0.00**	
#12	Manufacturer	scrap metal	reuse	28.52	1,097 pounds per week	0.55	Board staff reduced this reuse estimate to include only the tonnage for single reuse to avoid double-counting.
Subtotal -				**28.52**		**0.55**	
#14	Service	wood waste (pallets)	reuse	11.70	15 pallets a week at 30 pounds per pallet	0.23	Board staff reduced this reuse estimate to include only the tonnage for single reuse (i.e., 15 pallets reused once).
Subtotal -				**11.70**		**0.23**	
#15	Manufacturer	wood waste (pallets)	reuse	0.00	22 pallets a day at 45 pounds per pallet	0.50	Board staff added this reuse estimate which includes tonnage for single reuse only (i.e., 22 pallets reused once).
Subtotal -				**0.00**		**0.50**	
#17	Manufacturer	wood waste (pallets)	Reuse	1.80	10 pallets a month at 30 pounds per pallet	0.15	Board staff reduced this reuse estimate to include only the tonnage for single reuse (i.e., 10 pallets reused once).
Subtotal -				**1.80**		**0.15**	
#18	Automotive Services	scrap metal	reuse	3.12	8 starters a week at 15 pounds each	0.00	Board staff removed this tonnage because the business did not start until after the new base year (2003).
#18	Automotive Services	scrap metal	recycling	3.00	500 pounds per month	0.00	Board staff removed this tonnage because the business did not start until after the new base year (2003).
Subtotal -				**6.12**		**0.00**	

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
#20	Manufacturer	wood waste	recycling	465.92	two 14 feet trucks a week at 10 pounds per cubic foot	0.00	Upon follow-up the City contact was told that this material was disposed in 2002
Subtotal -				**465.92**		**0.00**	
#21	Manufacturer	wood waste	reuse	5.20	200 pounds a week	0.00	This wood waste is provided by the business to the employees, however, it is unclear how the material was diverted, therefore, Board staff deducted this tonnage.
Subtotal -				**5.20**		**0.00**	
#22	Landscaping Service	plastic	reuse	5.20	200 planting buckets a week at 1 pound each	0.10	Board staff added this reuse estimate which includes tonnage for single reuse only (i.e., 200 buckets reused once).
Subtotal -				**5.20**		**0.10**	
#25	Aviation Services	scrap metal	recycling	0.10	200 pounds per year	0.00	Information regarding the restricted waste criteria for this activity was not provided. As a result, Board staff removed the diversion tonnage.
#25	Aviation Services	scrap metal	recycling	0.25	25 starters a year at 20 pounds each	0.00	Information regarding the restricted waste criteria for this activity was not provided. As a result, Board staff removed the diversion tonnage.
#25	Aviation Services	cardboard	reuse	1.56	20 boxes reused a week at 2 pounds each	1.04	The original study data appeared to have an error in the calculation. Board staff corrected the data to be consistent with the formula on the survey form.
Subtotal -				**1.91**		**1.04**	
#28	Manufacturer	scrap metal	recycling	3.00	6000 pounds per year	0.00	Information regarding the restricted waste criteria for this activity was not provided. As a result, Board staff removed the diversion tonnage.

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
#28	Manufacturer	scrap metal	recycling	0.60	1200 pounds per year	0.00	Information regarding the restricted waste criteria for this activity was not provided. As a result, Board staff removed the diversion tonnage.
#28	Manufacturer	wood waste (pallets)	reuse	5.20	5 pallets per week at 40 pounds each	0.10	Board staff reduced this reuse estimate to include only the tonnage for single reuse (i.e., 5 pallets reused once).
Subtotal -				**8.80**		**0.10**	
#31	Retail	cardboard	reuse	0.78	30 pounds of boxes per week	0.00	This cardboard is provided by the business to the employees. Since, Board staff have no way of verifying the activity (e.g., reuse, recycle, incinerated, disposed), which could result in double-counting, this tonnage was removed from the study.
Subtotal -				**0.78**		**0.00**	
#32	Automotive Services	Sacra metal	recycling	1.80	300 pounds per month	0.00	Information regarding the restricted waste criteria for this activity was not provided. As a result, Board staff removed the diversion tonnage.
Subtotal -				**1.80**		**0.00**	
#33	Grocery retail	organics	reuse	76.44	4 30 pound boxes a day to a hog farm.	21.84	The original study data appeared to have an error in the calculation. Board staff corrected the data to be consistent with the formula on the survey form.
#33	Grocery retail	cardboard	recycling	182.50	7 bales a week at 1000 pounds per bale (50 cubic feet at 50 pounds per cubic foot density)	134.81	Board staff adjusted this tonnage to reflect the USEPA conversion factor of 400 pounds per cubic yard of compacted OCC.
#33	Grocery retail	meat	recycling	0.00	4 50-gallon buckets a week for rendering	39.63	Board staff added this tonnage to reflect the meat recycling information provided on the non-residential waste audit survey form (57 pounds per cubic foot of fat (FEECO) and 7.48 gallons per cubic foot).
Subtotal -				**258.94**		**196.28**	

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
#34	Landfill Material Recovery Facility recovery	aluminum, appliances, cardboard, carpet, inerts, glass, mixed paper, newspaper, HDPE, PETE, mixed and film plastics, steel and tires	Recycling	20,731.82	NA--Landfill operator tonnage report	0.00	This tonnage is already included in Section 8 of the City's Base Year Modification Request Certification form and was removed from Attachment 9 for non-residential waste audits to avoid double-counting.
Subtotal -				**20,731.82**		**0.00**	
#35	Buyback Centers	aluminum, glass, PETE, HDPE and bimetal	Recycling	132.89	NA (report from Department of Conservation's Division of Recycling	0.00	This tonnage is already included in Section 8 of the City's Base Year Modification Request Certification form and was removed from Attachment 9 for non-residential waste audits to avoid double-counting.
Subtotal -				**132.89**		**0.00**	
#37	Repair Services	Electronics	Reuse	1.50	3,000 pounds per year	0.00	Board staff removed this tonnage because this material may contain hazardous waste and could not confirm that the material was generated within the jurisdiction.
Subtotal -				**1.50**		**0.00**	
#39	Retail	Textiles	Reuse	1.25	50 pounds per week	1.30	The original study data appeared to have an error in the calculation. Board staff corrected the data to be consistent with the formula on the survey form.
Subtotal -				**1.25**		**1.30**	
#40	Automotive Services	cardboard	reuse	3.64	plastic toters replacing 70 cardboard boxes a week at 2 pounds each	0.07	Board staff reduced this reuse estimate to include only the tonnage for single reuse (i.e., 70 toters reused once).
Subtotal -				**3.64**		**0.07**	

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
#41	Repair Services	scrap metal	recycling	30.00	300 metal doors a year at 200 pounds each	0.00	Board staff removed this tonnage to avoid double-counting. The facility contact indicated the materials are taken to the WPWMA for recycling. Recycling tonnage reported for the WPWMA is already included in the data (see Landfill Salvage).
Subtotal -				**30.00**		**0.00**	
#42	Automotive Services	cardboard	reuse	3.50	Survey form says same as number #40	0.07	Board staff reduced this reuse estimate to include only the tonnage for single reuse (i.e., 70 toters reused once).
Subtotal -				**3.50**		**0.07**	
Grand Total -				**56,545.27**		**31,565.28**	

Miscellaneous Changes (e.g., certification form changes, report year modification, curbside, buybacks, etc.)

Type of Change	Material Type			Tons Claimed in Study		Revised Tons	Reason for Change
Certification form change	curbside green waste	green waste	composting	80.00	3 composting boxes (12x30x4) filled with leaves at 1000 pounds per cubic yard	48.00	Board staff reduced this tonnage because the conversion factor provided could not be verified. Board staff used a factor of 600 cubic yards of finished compost from US EPA Region 10
Certification form change	Christmas trees	green waste	composting	9.00	actual tonnage	0.00	Per contact at WPWMA, this tonnage is included in the total for wood waste. As a result, Board staff have removed the tonnage for Christmas tree diversion to avoid double-counting. The wood waste total (813.75 tons) is not include in the generation tonnage as it is sent for Biomass. The tonnage for Biomass is added to the diversion calculation after determining the generation tonnage total and considered by the Board separately.

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
Certification form change	scrap metal	scrap metal	recycling	127.00	actual tonnage	97.92	Board staff adjusted this tonnage to reflect that which was documented for the City's scrap metal program at the WPWMA (i.e., clean scrap metal loads at the landfill). There are also scrap metals recovered through the MSW sorted at the WPWMA MRF, the tonnage for which is included in the Landfill Salvage tonnage.
Certification form change	construction & demolition	inert materials	recycling	25,160.00	actual tonnage	3,985.97	Board staff adjusted this tonnage to reflect that which was reported in the study for the City's construction and demolition program at the WPWMA (i.e., clean concrete and asphalt loads at the landfill). There are also inerts recovered through the MSW sorted at the WPWMA MRF, the tonnage for which is included in the Landfill Salvage tonnage.

Business Audit/Survey Reference Number	Business Type	Material Type	Program Activity	NBY Study Claim (tons)	Conversion Factor	Verification Findings (tons)	Verification Findings Comments and Site Visit Methodology (if different from conversion factor in the study)
Certification form change	Landfill Salvage	(This includes source separated loads of OCC (14.21 tons) and tires (10.76 tons) and recyclables recovered from MSW at the MRF, including aluminum, OCC, carpet, inerts, glass, mixed paper, newspaper, PETE, HDPE, mixed and film plastics, steel, tires and green waste.)	recycling	0.00	actual tonnage	2,145.51	Board staff adjusted this tonnage to reflect that which was reported by the WPWMA for segregated drop-off at the landfill and the MSW MRF recovery. This tonnage includes 465.09 tons of scrap metal and 116.58 tons of inerts.
Certification form change	ADC	green material	ADC	0.00	actual tonnage	27.00	The City did not include ADC it its study. Board added the ADC tonnage to reflect that reported in the Board's Disposal Reporting System.
Grand Total -				**25,296.00**		**6,256.40**	
Additional information:							
Disposal Tonnage	Disposal	NA	NA	14,458.00	actual tonnage	14,858.00	The City made a typo in the disposal tonnage. As a result, Board staff corrected the disposal tonnage to reflect that reported in the Board's Disposal Reporting System.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-42

Title To Consideration Of A Request To Change The Base Year To 2002 For The Previously Approved Source Reduction And Recycling Element For The City Of Lincoln

WHEREAS, Public Resources Code Sections 41031 (Cities) and 41331 (Counties) requires that information submitted by a jurisdiction on the quantities of solid waste it has generated, diverted and disposed, shall include data as accurate as possible to enable the Integrated Waste Management Board (Board) to accurately measure the jurisdiction's achievement of the diversion requirement pursuant to PRC Section 41780; and

WHEREAS, the City of Lincoln (City) submitted documentation requesting to change its base year to 2002, which it claims is as accurate as possible; and

WHEREAS, a portion of the diversion tonnage originally claimed by the City has been modified as a result of staff verification, and is reflected in the staff-revised certification; and

WHEREAS, PRC Section 41783.1 allows a jurisdiction to claim no more than 10 percent diversion credit for materials sent to a biomass conversion facility if the Board determines at a public hearing, based upon substantial evidence in the record, that all of the conditions in that section are met; and

WHEREAS, the City has claimed 0.40 percent for 2002, and has submitted documentation demonstrating it has met the conditions specified in PRC Section 41783.1 for claiming that biomass diversion credit, and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the base-year change to 2002, as revised, for the City of Lincoln, and

NOW, THEREFORE, BE IT RESOLVED, that the Board, as required by PRC Section 41781.1, hereby makes a finding at this public meeting that the City of Lincoln has met the conditions for claiming biomass diversion credit for 2002.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 19

ITEM
Consideration Of The Adequacy Of The Five-Year Review Report Of The Countywide Integrated Waste Management Plan For The County Of Santa Cruz

I. ISSUE/PROBLEM STATEMENT

Santa Cruz County completed the five-year review of its Countywide Integrated Waste Management Plan (CIWMP) required under Public Resources Code (PRC) Sections 41770 and 41822, and submitted its findings to the Board in a Five-Year CIWMP Review Report (Report). The County's Report concludes that a revision to the CIWMP is not necessary at this time. California Integrated Waste Management Board (Board) staff conducted a review of this report and concurs with the County that a revision is not necessary at this time.

II. ITEM HISTORY

No previous Board action has been taken on this item.

III. OPTIONS FOR THE BOARD

1. Approve the County's Five-Year CIWMP Review Report findings that a revision is not necessary.
2. Disapprove the County's Five-Year CIWMP Review Report findings and identify necessary revisions.

IV. STAFF RECOMMENDATION

Board staff recommends Option 1: approve the County's Five-Year CIWMP Review Report findings that a revision is not necessary.

V. ANALYSIS

A. Key Issues and Findings

Board staff has 90 days from the submittal date to review this document and bring it before the Board for approval or disapproval. The Report was delivered to the Board on December 20, 2004; therefore the 90-day review date is March 20, 2004.

1. <u>Background</u>

Existing law (PRC Section 41770) states that "each countywide or regional agency integrated waste management plan, and the elements thereof, shall be reviewed, revised, if necessary, and submitted to the Board every five years in accordance with the schedule set forth under Chapter 7 (commencing with Section 41800)." The requirements of this review are further articulated in Title 14 of the California Code of Regulations (14 CCR), Section 18788, that is,

When preparing the CIWMP or RAIWMP Review Report, the county or regional agency shall address at least the following:
"(A) changes in demographics in the county or regional agency;
(B) changes in quantities of waste within the county or regional agency;

(C) changes in funding sources for administration of the Siting Element and Summary Plan;
(D) changes in administrative responsibilities;
(E) programs that were scheduled to be implemented but were not, a statement as to why they were not implemented, the progress of programs that were implemented, a statement as to whether programs are meeting their goals, and if not what contingency measures are being enacted to ensure compliance with Public Resources Code section 41751;
(F) changes in permitted disposal capacity, and quantities of waste disposed of in the county or regional agency;
(G) changes in available markets for recyclable materials; and
(H) changes in the implementation schedule."

All of the above-listed items were adequately addressed in the County's Report. For additional information on these items, please see the County's 5-Year CIWMP Review Report (Attachment 1).

2. <u>Basis for staff's analysis</u>

Staff's analysis is based upon the information below.

Santa Cruz County has 254,538 residents. The County is located on the Central California coast, covers over 415 square miles and is situated at the northern tip of Monterey Bay.

<u>Demographics:</u> The County has experienced an 11.3 percent growth in population between 1990 and 2000, countywide. The population growth changes in individual jurisdictions has ranged from -1.4 percent to 42.3 percent. On a countywide level, employment increased 6.5 percent from 1990 to 2000. The dollar value of taxable sales transactions increased 59.3 percent and the Consumer Price Index increased 29.5 percent from 1990 to 2000. Additionally, the percentages of single-family, multi-family and mobile homes for the county and many of the individual jurisdictions have changed significantly since 1990.

The County and its Local Task Force (LTF) have determined that the changing demographics will not prevent its jurisdictions from ultimately meeting the goals of AB939. Jurisdictions that have experienced large increases in specific demographics have responded with programs, technical assistance, and new generation studies. In each case, the appropriate documents have been updated (e.g., program implementation data were updated in the Annual Report). Also, the changing demographic profile for the County is accounted for through the adjustment methodology used to calculate each individual jurisdiction's diversion rate. As a result, the County and LTF report that these demographic changes do not necessitate a revision to the elements comprising the CIWMP. Upon review of the data in the County's report and each affected jurisdiction's Annual Report, staff agrees with the County and LTF's assessment.

<u>Waste Disposal</u>: Decreases in waste disposal from 1990 to 2002 range from 288,740 tons to 240,507 tons. Each of the jurisdictions are making progress in implementing their SRREs and achieving the diversion requirements. Specifically, all jurisdictions have Board-approved 1999/2000 Biennial Reviews. Additionally, as reported in the

Unincorporated County's 2001 Annual Report, the county still has 18 years of remaining disposal capacity.

Although disposal tonnages varies from those originally projected in the SRRE, programs implemented by the jurisdictions are making progress in meeting and maintaining the diversion requirements, and the county is maintaining 15 years of remaining disposal capacity.

Funding Sources: There have been no changes in the funding source for the administration of the Countywide Siting Element and the Summary Plan. The County of Santa Cruz continues to be responsible for administering both planning documents. Fulfillment of this responsibility is accomplished through the Santa Cruz Department of Public Works Recycling and Solid Waste Division. Funding for this activity comes from County Service Area 9C.

Administrative Responsibilities: There have been no changes in administrative responsibilities for the Countywide Siting Element and the Summary Plan. The County of Santa Cruz continues to be responsible for administering both planning documents. Fulfillment of this responsibility is accomplished through the Santa Cruz Department of Public Works Recycling and Solid Waste Division.

Program Implementation: The Board receives updates on program implementation under cover of the Annual Reports. Specifically, the Board's data base of annual report information that have been implemented, (PARIS) programs includes updates regarding programs not implemented, (including the reason), alternative programs, planned programs, etc. Nearly all programs selected in the county's CIWMP have been implemented, as well as several alternative programs. Office of Local Assistance staff have visited the jurisdictions and verified program implementation. The goals and objectives the County included in the original CIWMP continue to form the basis of the County's program planning.

The County and the LTF determined that changes to the implementation schedule are sufficiently updated in the Annual Reports to the Board and do not necessitate a revision to any of the planning documents that comprise the CIWMP. Board staff concurs with this finding.

Disposal Capacity: More than 15 years of Countywide disposal capacity remains. Yet, in an effort to remain in compliance with the Countywide CIWMP, the County and its four cities have initiated a study to identify future disposal or other solid waste management systems. The study includes examination of the potential for a new landfill to serve all five jurisdictions, the potential for non-disposal alternatives such as waste-to-energy or conversion technologies, and the potential to export local waste out of the country and/or out of the state. This study will likely be completed in three or four years, at which time any related Non-Disposal Facility Element or Countywide Siting Element amendment would be initiated. Until such a time, the Countywide Siting Element remains accurate and adequate in describing needed disposal facilities.

Markets For Recyclables: There have been no changes in the availability of markets available to the jurisdictions of Santa Cruz County for their recyclable materials.

Upon review of the County's Report and the Annual Reports for the County, Board staff concurs with this determination.

Implementation Schedule: Changes in the implementation schedules have occurred, and jurisdictions have updated the status of program implementation accordingly in their respective Annual Reports. Staff concurs with the County's findings.

Other Changes: The following are other notable changes since the Board approved the CIWMP:

1. The Board has approved a new base year for the jurisdictions of: Santa Cruz Unincorporated, Capitola and Watsonville.
2. The Board has approved an amendment to the City of Watsonville's NDFE.

Annual Reports: Title 14, CCR Sections 18794.3 and 18794.4 require jurisdictions to address in their Annual Reports the adequacy of, or the need to revise, the Solid Waste Generation Study or any other component of the Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element, and Nondisposal Facility Element, and for the county or regional agency to address the adequacy of, or the need to revise, the Countywide Siting Element or Summary Plan. PRC Section 41821 (d) provides that the Board shall use the Annual Report in its determination of whether a jurisdiction's SRRE needs to be revised. Additionally, Title 14, CCR Section 18794 states the Annual Report will serve as a basis for determining if any of the planning documents need to be revised to reflect new or changed local and regional solid waste management programs, facilities, and other conditions.

Upon review of the Annual Report data for the County regarding the adequacy of the planning documents, Board staff did not find any information that would warrant to the revision of any of the elements of the County's CIWMP.

The County's Report summarizes the review by stating: " Much of the overall framework of the CIWMP is still applicable. Most of the goals, objectives, policies, and responsible administrative organizational units noted throughout the CIWMP are still accurately described. The jurisdictions' SRREs, HHWEs, and NDFEs have been updated adequately through the Annual Reports and a Board-approved amendment, and are not in need of revision".

3. Findings

The County and the LTF have determined that no revisions to the CIWMP are necessary at this time. Board staff conducted a review of the County's Report and the applicable Annual Reports, and concurs with the County's findings.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item.

C. Program/Long Term Impacts

Not applicable to this item.

D. Stakeholder Impacts

Not applicable to this item.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

As discussed above, this item represents the process for reviewing and revising, if necessary, the countywide integrated waste management plan, and the elements thereof, as required by PRC Section 41770. It also represents the process for the Board to review and either approve or disapprove the findings of the local countywide review.

G. Environmental Justice

2000 Census Data – Demographics for County of Santa Cruz						
% White	**% Hispanic**	**% Black**	**% Native American**	**% Asian**	**% Pacific Islander**	**% Other**
65.5	26.8	0.8	0.5	3.3	0.1	0.3

2000 Census Data – Economic Data for County of Santa Cruz		
Median annual income *	**Mean (average) income***	**% Individuals below poverty level**
53,998	72,455	11.9

*Per Household

- **Environmental Justice Issues.** According to the jurisdictional representative, there are no environmental justice issues in this community related to this item.
- **Efforts at Environmental Justice Outreach.** Two major groups in the County provide outreach to all residents: Ecology Action and the Community Action Board. Ecology Action conducts free workshops on backyard composting to train master composters throughout the County. The Community Action Board conducts informational recycling presentations, provides community education to promote recycling in Spanish speaking areas, and evaluates waste related issues and formulates proposals for waste diversion. All the Cities in the County work with the County, the Community Action Board and Ecology Action to provide outreach programs.
- **Project Benefits.** There is no project related to this item.

H. 2001 Strategic Plan

This item supports Strategic Plan goal 2, objective 3 (Support local jurisdictions' ability to reach and maintain California's waste diversion mandates), strategy D (Assess and assist local governments' efforts to implement programs and reduce disposal, taking corrective action as needed), by evaluating the County's assessment of the continued relevancy of its planning elements.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Five-year CIWMP Review Report for Santa Cruz County
2. Resolution Number 2005-43

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Terri J. Edwards **Phone:** (916) 341-6733
B. Legal Staff: Elliot Block **Phone:** (916) 341-6080
C. Administration Staff: N/A **Phone:** N/A

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support
County of Santa Cruz

B. Opposition
No known opposition.

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

December 14, 2004

ROSARIO MARIN, CHAIR
California Integrated Waste Management Board
P.O. Box 2815
Sacramento, CA 95812-2815

SUBJECT: SANTA CRUZ COUNTY FIVE-YEAR PLAN REVIEW REPORT

Dear Ms. Marin:

The purpose of this letter is to convey, in accordance with California Code of Regulations Section 18788, comments from the Santa Cruz County Integrated Waste Management Local Task Force (Local Task Force) regarding the adequacy of the Santa Cruz County Countywide Integrated Waste Management Plan (Plan) and the need for any revision to the Plan.

On December 2, 2004, the Local Task Force commented that no revisions to the Plan were required at this time and voted to approve the draft Five-Year Plan Review Report as presented.

If you have any questions regarding this letter, please do not hesitate to contact Dan deGrassi, staff to the Local Task Force, at the Santa Cruz County Department of Public Works, 831-454-3102.

Yours truly,

Scott Hamby

Scott Hamby, Chair
Santa Cruz County Integrated
Waste Management Local Task Force

RPM:mh

Copy to: Santa Cruz County Integrated Waste Management Local Task Force
Terry Edwards, California Integrated Waste Management Board

5yrplanmh

SANTA CRUZ COUNTY

COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN

FIVE YEAR REVIEW REPORT

DECEMBER 10, 2004

PREPARED BY

SANTA CRUZ COUNTY

DEPARTMENT OF PUBLIC WORKS

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SECTION 1 INTRODUCTION

The California Integrated Waste Management Act of 1989 (Assembly Bill 939) requires cities and counties in California to reduce the amount of solid waste disposed in landfills and transformed by 25% by 1995; by 50% by the year 2000 through source reduction, recycling, and composting activities. The Countywide Integrated Waste Management Plan (CIWMP) is the guiding document for attaining these goals.

The California Public Resources Code (PRC) Section 41822 requires each city and county to review its Source Reduction and Recycling Element (SRRE) or the CIWMP at least once every five years to:

(1) Correct any deficiencies in the element or plan;
(2) Comply with the source reduction and recycling requirements established under PRC Section 41780; and
(3) Revise the documents, as necessary.

California Code of Regulations (CCR) Section 18788 states that prior to the fifth anniversary of Board approval of the CIWMP, the Local Task Force (LTF) shall complete a review of the CIWMP to assure that the County's waste management practices remain consistent with the hierarchy of waste management practices defined in PRC Section 40051.

The hierarchy stated in PRC 40051 is:

(1) Source reduction;
(2) Recycling and composting;
(3) Environmentally safe transformation and environmentally safe land disposal.

The process identified in CCR 18788 is summarized as follows:

- Prior to the 5th anniversary, the LTF shall submit ***written comments*** on areas of the CIWMP, which require revision to the county and the Board;

- Within 45 days of receipt of comments, the county shall determine if a revision is necessary and notify the LTF and the Board of its findings in a ***CIWMP Review Report***; and

- within 90 days of receipt of the ***CIWMP Review Report***, the Board shall review the county's findings and, at a public hearing, approve or disapprove the county's findings.

CCR 18788 also identifies the minimum issues, which are to be addressed in the ***CIWMP Review Report***. They are:

(A) Changes in demographics in the county;
(B) Changes in quantities of the waste within the county;

(C) Changes in funding sources for administration of the countywide siting element and summary plan;
(D) Changes in administrative responsibilities;
(E) Program implementation status;
(F) Changes in permitted disposal capacity and quantities of waste disposed of in the County;
(G) Changes in available markets for recyclable materials; and
(H) Changes in the implementation schedule.

The California Integrated Waste Management Board (Board) clarified the five-year CIWMP review process in CCR Section 18788. On October 30, 1998 and again on July 21, 2000, the CIWMB Office of Local Assistance sent letters to jurisdictions clarifying the Board's oversight of the five year revision process. A copy of CCR Section 18788 is included in Section 6 of this ***CIWMP Review Report.***

The July 21st letter stated that the five year anniversary is from the date of final approval by the Board of the CIWMP; that the Board Legal staff determined that jurisdictions can utilize their annual reports to update program information, if a revision is not determined by the jurisdiction to be necessary; and that if a revision is determined to be necessary, it may be submitted with the next annual report.

ABBREVIATIONS USED IN THIS REPORT

CCR	California Code of Regulations
CIWMB	California Integrated Waste Management Board
CIWMP	Countywide Integrated Waste Management Plan
CPI	Consumer Price Index
CSE	Countywide Siting Element
HHWE	Household Hazardous Waste Element
LTF	Local Task Force
NDFE	Non-Disposal Facility Element
PARIS	Planning and Annual Report Information System
PRC	Public Resources Code
SP	Summary Plan
SRRE	Source Reduction and Recycling Element

SECTION 2 BACKGROUND

The Santa Cruz County Countywide Integrated Waste Management Plan contains solid waste planning documents for the County of Santa Cruz and the incorporated cities of Capitola, Santa Cruz, Scotts Valley and Watsonville.

These documents include:

- Source Reduction and Recycling Elements (SRREs) for each city and the county named above;
- Household Hazardous Waste Elements (HHWEs) for each city and the county named above.
- The Non-disposal Facility Elements (NDFE) for each city and the county named above.
- Countywide Siting Element (CSE)
- Summary Plan (SP)

The California Integrated Waste Management Board gave final approval for the Countywide Integrated Waste Management Plan for the County of Santa Cruz and its cities in March 1999. This is the county's first 5-Year Review Report since the approval of the CIWMP.

The purpose of this ***CIWMP Review Report*** therefore is to document the compliance of PRC 41822 and CCR 18788 by Santa Cruz County and its four cities.

Each jurisdiction in the county- the City of Capitola, City of Santa Cruz, City of Scotts Valley, City of Watsonville and Unincorporated County of Santa Cruz, has a diversion requirement of 50% for 2000 and each year thereafter. No petition for a reduction in to the 50% requirement or time extension has been requested by any of the jurisdictions.

SECTION 3 LOCAL TASK FORCE REVIEW

The Santa Cruz County Integrated Waste Management Local Task Force (LTF) includes the following members:

Name (Rep. / Alt.)	Representative Of (e.g., City or County)
Sheryl Ainsworth / Scott Hamby	City of Scotts Valley
Richard De La Paz / Robert Ketley	City of Watsonville
Stephanie Harlan / Lisa Murphy	City of Capitola
David Koch / Nancy Lockwood	City of Watsonville
Bob Nelson / Mary Arman	City of Santa Cruz
Ellen Pirie / Robin Musitelli	County of Santa Cruz
Norm Ploss / Michael Bethke	County of Santa Cruz
Michael Rotkin / Alan Schlenger	City of Santa Cruz
Mardi Wormhoudt / Andy Schiffrin	County of Santa Cruz

In accordance with Title 14 CCR, Section 18788, the LTF reviewed each element and plan included in the CIWMP and finalized its comments at the December 2, 2004 LTF meeting.

The Santa Cruz County Integrated Waste Management Local Task Force had no comments on the CIWMP other than to conclude that no revision was necessary. The Task Force took action to approve the draft Plan Review Report as presented.

The county received these comments from the LTF on December 2, 2004, beginning the 45-day period for submitting the 5-Year CIWMP Review Report to the CIWMB and the LTF.

SECTION 4 ISSUES ANALYSIS

This section addresses not only the areas of change specified in the California Code of Regulations (CCR) Section 18788 (3) (A) through (H), but also provide specific analysis regarding the continued adequacy the planning documents in light of those changes, including a determination as to whether each necessitates a revision to one or more of the planning documents.

Section 4.1 Changes in Demographics in the County

The following tables document the demographic changes in the county since 1990. The analysis addresses the adequacy of the planning documents in light of these changes and the need, if any, for revision.

As can be seen from Table 1, the residential/non-residential generation percentages have not changed significantly since the preparation of the planning documents. Figures in the "Old" column reflect 1990 and those in the "New" column, the year 2000.

Table 1. Sources of Generation

JURISDICTION	RESIDENTIAL PERCENTAGE		NON-RESIDENTIAL PERCENTAGE	
	OLD	NEW	OLD	NEW
City of **Capitola**	**n/a**	**41**	**n/a**	**59**
City of **Santa Cruz**	**46**	**52**	**54**	**48**
City of **Scotts Valley**	**15**	**15**	**85**	**85**
City of **Watsonville**	**39**	**39**	**61**	**61**
Unincorporated County	**34**	**38**	**66**	**62**

Sources: CIWMB, http://www.ciwmb.ca.gov/LGTools/MARS/JurDrSta.asp?VW=In (Report Years: 1995, 1998, 2002)

Table 2 on the following page shows population growth for the ten-year period from 1990 to 2000. Each jurisdiction has kept pace with its population growth through expansion of solid waste management services, including recycling and other diversion programs. Employment, taxable sales and the CPI increases reflect the "dot com" boom of the late 1990s (which crashed shortly thereafter). These changes have been accounted for in the CIWMB adjustment methodology utilized to calculate the individual diversion rates.

Table 2. Demographics

POPULATION			
Population For Each Jurisdiction	**1990**	**2000**	**% Change**
City of **Capitola** Population	10,171	10,033	-1.4
City of **Santa Cruz** Population	49,040	54,593	11.3
City of **Scotts Valley** Population	8,615	11,385	32.2
City of **Watsonville** Population	31,099	44,265	42.3
Unincorporated **County** Population	130,809	135,326	3.5
Countywide Population	229,734	255,602	11.3

EMPLOYMENT			
Employment Factor For Each Jurisdiction	**1990**	**2000**	**% Change**
Countywide Employment	126,800	135,100	6.5

TAXABLE SALES TRANSACTIONS			
Taxable Sales Factor For Each Jurisdiction	**1990**	**2000**	**% Change**
City of **Capitola** Taxable Sales	303,753	463,310	52.5
City of **Santa Cruz** Taxable Sales	480,315	828,500	72.5
City of **Scotts Valley** Taxable Sales	138,614	184,736	33.3
City of **Watsonville** Taxable Sales	284,337	445,077	56.5
Unincorporated County Taxable Sales	442,424	706,494	59.7
Countywide Taxable Sales Transactions	1,649,443	2,628,117	59.3

Consumer Price Index			
Statewide Consumer Price Index	**1990**	**2000**	**% Change**
	135	174.8	29.5

Source: CIWMB Default Adjustment Factors
(http://www.ciwmb.ca.gov/LGTools/DivMeasure/JuAdjFac.asp)

Table 3 below shows changes in the number of dwelling units in the various jurisdictions of Santa Cruz County from 1990 to 2000. Scotts Valley showed the largest increase in single family homes for this period, followed by Watsonville. Capitola and the Unincorporated County showed a decline in the number of multi-family dwellings while the other three jurisdictions had a modest increase in such units.

Table 3. Dwelling Information

Jurisdiction	1990 Single Family Dwellings	2000 Single Family Dwellings	% Change	1990 Multi-Family Dwellings	2000 Multi-Family Dwellings	% Change	1990 Mobile Homes	2000 Mobile Homes	% Change
Capitola	**2282**	**2246**	**-1.6**	**2229**	**2213**	**-0.7**	**771**	**650**	**-15.7**
Santa Cruz	**12,718**	**14,008**	**10.1**	**6240**	**7056**	**13.1**	**406**	**440**	**8.4**
Scotts Valley	**2100**	**2831**	**34.8**	**675**	**788**	**16.7**	**797**	**804**	**0.9**
Watsonville	**6320**	**7524**	**19.1**	**2832**	**3293**	**16.3**	**757**	**872**	**15.2**
Uninc County	**42,272**	**44,686**	**5.7**	**7053**	**6776**	**-3.9**	**4426**	**4486**	**1.4**

Source: http://www.dof.ca.gov/HTML/DEMOGRAP/E-5.xls; http://www.dof.ca.gov/HTML/DEMOGRAP/E-5a.xls

Analysis

These demographic changes do not warrant a revision to any of the countywide planning documents. The basis for this determination is provided below.

The increases in population and housing naturally result in additional generation of solid waste. Diversion programs of all five jurisdictions have been able to expand to meet this growth. Disposal facilities have adequate capacity to accommodate materials destined for landfill disposal. These increases and their resulting impacts on the solid waste management systems described in the CIWMP have been entirely manageable and the Plan remains adequate in its documentation of the waste management strategies used in Santa Cruz County.

Section 4.2 Changes in Quantities of Waste within the County and Changes in Permitted Disposal Capacity and Waste Disposed in the County

1. *Changes in Quantities of Waste within the County (as it relates to diversion program implementation)*

   The data below document changes in reported disposal compared to original Source Reduction and Recycling Element (SRRE) projections. Additionally, the Biennial Review findings for each jurisdiction are provided in Table 6 below to demonstrate progress in implementing the SRRE and achieving diversion mandates. The analysis at the end of this section addresses how these changes are being addressed (e.g., how existing, new or planned programs deal with the reported changes in the quantities of waste) relative to the jurisdictions' ability to meet and maintain the diversion goal and the need, if any, for a revision to one or more of the planning documents.

Generation

The table below shows the average amount of waste generated within Santa Cruz County described in terms of pounds per person per day.

Table 4. Per Capita Generation

	1990	1995	1996	1997	1998	1999	2000	2001	2002
Capitola	11.9	n/a	n/a	n/a	n/a	12.0	12.3	12.2	11.9
Santa Cruz	12.5	11.7	11.9	12.3	12.4	12.8	13.5	13.3	12.6
Scotts Valley	18.7	17.4	17.0	16.1	16.1	16.2	16.8	16.8	16.1
Watsonville	9.2	6.6	6.2	7.6	7.5	15.0	14.6	15.2	15.0
Uninc. County	8.7	5.3	5.4	5.6	5.7	8.5	8.9	8.9	8.6
Countywide	10.1	n/a	n/a	n/a	n/a	11.0	11.4	11.5	11.1
Statewide	9.3	8.6	8.8	8.9	9.4	9.9	10.7	10.8	11.2

Sources: *CIWMB Board Approved Diversion Rate Reports; Department of Finance Population Reports.* Figures for Capitola for the years 1995-1998 are not available from that source.

By and large, generation rates have remained steady over this twelve-year period with Watsonville and the County showing increases in the late 1990s, reflecting the economic growth at that time. The Countywide average has also remained more or less aligned with the statewide average over the period.

Disposal

The following table provides disposal data for the county from the Solid Waste Generation Study (1990) and each jurisdiction's Annual Reports (1995 through 2002). The 1990 figures for Capitola and Scotts Valley may not be accurate as there was some question about the origin studies conducted at the time. Neither city undertook major diversion programs between 1990 and 1995 that resulted in a fifty percent plus reduction in their waste stream.

Table 5. Disposal Totals (Tons)

Year	1990	1995	1996	1997	1998	1999	2000	2001	2002
Capitola	31,384	14,801	12,325	12,018	11,554	12,304	11,753	11,031	10,842
Santa Cruz	77,069	72,076	72,546	75,604	71,549	69,477	81,106	70,791	60,922
Scotts Valley	28,260	14,033	12,284	11,549	14,609	13,764	12,691	11,536	11,836
Watsonville	40,940	33,648	33,756	34,068	39,642	40,269	42,423	36,761	36,097
Uninc. County	111,087	101,799	105,544	106,945	112,603	113,109	121,726	116,836	120,810
Countywide	288,740	236,357	236,455	240,184	249,957	249,923	269,699	246,955	240,507

Sources: *CIWMB Jurisdiction Disposal and Alternative Daily Cover Tons by Facility* http://www.ciwmb.ca.gov/LGCentral/drs/reports/JurDspFa.asp, *Single-year Countywide Origin Detail* at http://www.ciwmb.ca.gov/LGCentral/drs/reports/Orgin/WFOrgin.asp)

Table 6. Comparison of SRRE-2000 Projected Disposal Tonnage vs. 2000 Disposal Totals

The following table is a comparison of the SRRE-projected disposal tonnage to the actual 2000 disposal tonnage reported for each jurisdiction.

Jurisdiction	SRRE 2000 Projected	Disposal 2000 Reported	% Difference
City of **Capitola**	19,537	11,753	-39.8
City of **Santa Cruz**	60,843	81,106	33.3
City of **Scotts Valley**	13,558	12,691	-6.4
City of **Watsonville**	24,742	42,423	71.5
Unincorporated **County**	36,146	121,726	236.8
Countywide	154,826	269,699	74.2

Sources: CIWMB Jurisdiction Disposal and Alternative Daily Cover Tons by Facility http://www.ciwmb.ca.gov/LGCentral/drs/reports/JurDspFa.asp, Single-year Countywide Origin Detail http://www.ciwmb.ca.gov/LGCentral/drs/reports/Orgin/WFOrgin.asp

The cities of Capitola and Scotts Valley show a lower actual disposal quantity for 2000 than was projected in 1990 by their Source Reduction and Recycling Elements. The other three jurisdictions show a higher quantity. There are several reasons for these latter differences. First, the SRRE projections were based on diversion program performance which in some cases assumed very optimistic diversion amounts. Source reduction is one general example. Second, some programs for various reasons were not implemented, or started later than anticipated and these changes have been reflected in the Annual Reports. The most significant case is the Unincorporated County, the SRRE for which identified a four-sort recycling/composting program that was to yield an 84% diversion rate. This program, whose assumed level of diversion was questioned from the start, was

not implemented due to cost. A number of other diversion programs were put into effect instead and these have yielded over a fifty percent diversion rate for the County. The same circumstances, in general, apply to the cities of Santa Cruz and Watsonville. What is more important than the numbers themselves is the fact that none of the jurisdictions have had to deviate in any major way from their planned use of disposal or diversion facilities or strategies and all have successfully reached the 2000 diversion mandate.

Diversion

The Biennial Review findings for the county and associated cities are listed in Table 7 to demonstrate each jurisdiction's progress in implementing its SRRE and achieving the mandated diversion requirements. Additionally, following these data is an explanation of any significant changes in diversion rate trends (e.g., report year tonnage modification, new or corrected Solid Waste Generation Study, newly implemented programs).

Table 7. Biennial Review Data for Santa Cruz County Jurisdictions (1990 to 2002)

		1995	1996	1997	1998	1999	2000	2001	2002
Capitola	Diversion Rate	No Rate	No Rate	No Rate	No Rate	44%	48%	51%	51%
	Biennial Review Status	Compliance Fulfilled	Compliance Fulfilled	Board Accepted	Board Accepted	Board Approved Good Faith Effort	Board Approved Good Faith Effort	Board Approved	Board Approved
Santa Cruz	Diversion Rate	35%	36%	36%	41%	47%	48%	48%	52%
	Biennial Review Status	Board Approved	Board Approved	Board Approved	Board Approved	Board Approved Good Faith Effort	Board Approved Good Faith Effort	Board Approved	Board Approved
Scotts Valley	Diversion Rate	59%	62%	64%	55%	59%	64%	67%	65%
	Biennial Review Status	Board Approved	Board Approved	Board Approved	Board Approved	Board Approved	Board Approved	Board Approved	Board Approved
Watsonville	Diversion Rate	25%	26%	35%	32%	67%	66%	72%	72%
	Biennial Review Status	Board Approved	Board Approved	Board Accepted	Board Accepted	Board Approved with New Base Year	Board Approved	Board Approved	Board Approved
Uninc. County	Diversion Rate	21%	20%	21%	19%	46%	50%	55%	51%
	Biennial Review Status	Board Approved Good Faith Effort	Board Approved Good Faith Effort	Board Accepted	Board Accepted	Board Approved	Board Approved	Board Approved	Board Approved

Source: *CIWMB Countywide, Regionwide and Statewide Jurisdiction Diversion Progress Report* ; http://www.ciwmb.ca.gov/LGTools/MARS/jurdrsta.asp

While not noted in the above CIWMB database, the City of Capitola and the County of Santa Cruz each had a New Base Year approved by the CIWMB in 1999. In both cases, and as with the City of Watsonville also, these jurisdictions documented existing additional diversion that was not identified in the original waste generation studies prepared in 1990. As of 2002, all five jurisdictions are exceeding the state 50% disposal reduction mandate.

A review of the preceding waste generation, disposal and diversion data indicates that the changes in quantities of waste, as they relate to meeting and maintaining the mandated diversion goals do not warrant a revision to any of the countywide planning documents. The diversion facilities identified in each jurisdiction's Non-Disposal Facility Element (NDFE) and in subsequent Annual Reports and NDFE amendments are adequate to meet the changing and increasing quantities of waste generated in the county.

At the time of the preparation of this Five-Year Plan Review Report, the County of Santa Cruz is preparing an amendment to its Non-Disposal Facility Element to identify two yard waste/wood waste chipping and grinding facilities, a Construction and Demolition Waste Recycling Facility and a Research Compost Operation, all of which contribute to the County's diversion strategy.

2. Changes in Permitted Disposal Capacity and Quantities of Waste Disposed in the County or Regional Agency

The following addresses whether changes in permitted disposal capacity and waste quantities (both imported from out of county and generated in the county) affect the county's ability to maintain 15 years of disposal capacity and includes a determination regarding the need for planning document revision.

Despite the inaccuracy of the SRRE based disposal projections, more than 15 years of countywide disposal capacity remains. This is documented in Table 8., below. Nonetheless, in compliance with the Countywide CIWMP, the county and four cities have initiated a study to identify future disposal or other solid waste management options. This study includes examination of the potential for a new landfill to serve all five jurisdictions, the potential for non-disposal alternatives such as waste-to-energy or conversion technologies and the potential for export of local waste out of the county and/or out of the state. This study will likely be completed in three or four years at which time any related NDFE or Countywide Siting Element amendment would be initiated. Until such time, the Countywide Siting Element remains accurate and adequate in describing needed disposal facilities.

Table 8. Remaining Disposal Capacity - Santa Cruz County Landfills

SANTA CRUZ COUNTY
PERMITTED LANDFILL DISPOSAL

	Estimated Closure Year (1)	Maximum Permitted Tonnage 2003 tpd	Actual Tonnage 2003 tpd	Remaining Capacity (yr) (1) mcy	Remaining Capacity 2004 mcy
COUNTY	2019	759	384	6.3 (1999)	4.0
SANTA CRUZ	2037	535	156	6.2 (2003)	6.0
WATSONVILLE	2029	275	97	2.1 (2000)	2.0

tpd = tons per day
mcy = million cubic yards
1200 lbs/cy

Sources: CIWMB Solid Waste Facility Permits (1); Disposal Reporting System; Individual Jurisdiction Landfill Airspace Calculations

Tables 9 and 10 on the following pages provide a snapshot summary of solid waste management activity for Santa Cruz County for 2002 and 2003, the most recent years for which the respective CIWMB data is available. Table 9 shows the nature of the solid waste disposal activity in 2003 for solid waste generated by each of the five jurisdictions of Santa Cruz County. This table shows where that solid waste went for its final resting place. This includes both landfills within the county and out-of-county landfills. It should be noted that the accuracy of some of the numbers for out-of-county landfills are being questioned. Table 10 provides a summary of generation, diversion, disposal quantities for the year 2002 for each of the five jurisdictions in the county. On a countywide basis, for every two tons of solid waste disposed in a landfill, almost three tons were diverted.

TABLE 9. 2003 DISPOSAL - SANTA CRUZ COUNTY

(All figures in tons)

	SANTA CRUZ	CAPITOLA	COUNTY	SCOTTS VALLEY	WATSONVILLE	COUNTYWIDE
TOTAL	**64,618**	**11,229**	**115,899**	**12,923**	**37,504**	**242,173**
TPD (365)	177	31	318	35	103	663
% of countywide total	27%	5%	48%	5%	15%	100%

USE OF SANTA CRUZ COUNTY LANDFILLS BY JURISDICTION

LOCAL DISPOSAL ONLY (does not include refuse received from out-of-county)

Facility Name						Landfill Total
COUNTY OF SANTA CRUZ LANDFILL	7083	1862	114,996	11,808	1530	137,279
% of landfill total	5.2	1.4	83.8	8.6	1.1	
CITY OF SANTA CRUZ LANDFILL	56,385	0	33	0	0	56,418
% of landfill total	99.9	0.0	0.1	0.0	0.0	
CITY OF WATSONVILLE LANDFILL	0	0	0	0	35,133	35,133
% of landfill total	0	0	0	0	100	

USE OF OUT-OF COUNTY LANDFILLS BY JURISDICTION						**Countywide**
tons sent out-of-county	1150	9366	870	1114	842	13,342
% of jurisdiction total disposal	2	83	1	9	2	6

DISPOSAL IN ALL LANDFILLS including OUT-OF-COUNTY						**Countywide Total Disposal**
Facility Name (County)						
ALTAMONT LANDFILL - RESOURCE RECV`RY (Alameda)	5	6		0	235	246
ARVIN SANITARY LANDFILL (Kern)	12			2		14
AZUSA LAND RECLAMATION CO, INC (Los Angeles)	130	14	22		14	180
B - J DROPBOX SANITARY LANDFILL (Solano)		4	35		3	42
BAKERSFIELD S.L.F. (BENA) (Kern)	7			1		8
BUENA VISTA DRIVE SANITARY LANDFILL (Santa Cruz)	7,083	1,862	114,996	11,808	1,530	137,279
CITY OF **SANTA CRUZ** SANITARY LANDFILL (Santa Cruz)	56,385		33			56,418
CITY OF **WATSONVILLE** LANDFILL (Santa Cruz)					35,133	35,133
CRAZY HORSE SANITARY LANDFILL (Monterey)			27		120	147
CWMI - B18 Nonhazardous Codisposal (Kings Waste and Recycling Authority)	3				2	5
FORWARD, INC (San Joaquin)	18				5	23
GUADALUPE SANITARY LANDFILL (Santa Clara)	5			62		67
JOHN SMITH Road Landfill (San Benito County Int Waste Mgmnt Regional Agency)			2			2
MONTEREY REGIONAL WST MGMT DST/MARINA LF (Monterey)	775	9,342	777	1,046	459	12,399
NEWBY ISLAND SANITARY LANDFILL (Santa Clara)	51				4	55
OX MOUNTAIN SANITARY LANDFILL (San Mateo)	11					11
PACHECO PASS SANITARY LANDFILL (Santa Clara)			7			7
POTRERO HILLS LANDFILL (Solano)	49			3		52
ZANKER Material Processing Facility (Santa Clara)	80					80
ZANKER ROAD CLASS III LANDFILL (Santa Clara)	4					4
Totals (Tons)	**64,618**	**11,229**	**115,899**	**12,923**	**37,504**	**242,173**

Source: CIWMB Disposal Reporting System

TABLE 10. SANTA CRUZ COUNTY 2002 GENERATION - DIVERSION - DISPOSAL

	GENERATION		DIVERSION		DISPOSAL		DIVERSION RATE
TOTALS (tons)							
County	211,693		108,679		103,014		51%
Santa Cruz	127,797		66,875		60,922		52%
Watsonville	129,872		93,775		36,097		72%
Scotts Valley	34,180		22,344		11,836		65%
Capitola	21,951		11,109		10,842		51%
Countywide	525,493		302,782		222,711		58%
Annual Per Person	**tons**	**lbs**	**tons**	**lbs**	**tons**	**lbs**	
County	1.58	3153	0.81	1618	0.77	1534	
Santa Cruz	2.31	4614	1.21	2414	1.10	2199	
Watsonville	2.73	5468	1.97	3948	0.76	1520	
Scotts Valley	2.95	5893	1.93	3852	1.02	2041	
Capitola	2.17	4347	1.10	2200	1.07	2147	
Countywide	2.03	4059	1.17	2339	0.86	1720	
Pounds Per Person Per Day (365)							
County		8.6		4.4		4.2	
Santa Cruz		12.6		6.6		6.0	
Watsonville		15.0		10.8		4.2	
Scotts Valley		16.1		10.6		5.6	
Capitola		11.9		6.0		5.9	
Countywide		11.1		6.4		4.7	

Source: CIWMB Diversion Rate Reports

Section 4.3 Changes in Funding Source for Administration of the Countywide Siting Element (CSE) and Summary Plan (SP)

The County of Santa Cruz is responsible for administering the Countywide Siting Element and the Summary Plan. Fulfillment of this responsibility is accomplished through the Santa Cruz Department of Public Works Recycling and Solid Waste Division. Funding for this activity comes from County Service Area 9C. There have been no changes in the funding source for administration of the CSE and SP.

Section 4.4 Changes in Administrative Responsibilities

The County of Santa Cruz is responsible for administering the Countywide Siting Element and the Summary Plan. Fulfillment of this responsibility is accomplished through the Santa Cruz Department of Public Works Recycling and Solid Waste Division. There have been no changes in this administration of the CSE and SP.

Section 4.5 Programs that Were Scheduled to Be Implemented But Were Not

1. Progress of Program Implmentation

a. Source Reduction and Recycling Element (SRRE) and Household Hazardous Waste Element (HHWE)

All program implementation information has been updated in the CIWMB Planning and Reporting Information System (PARIS), including the reason for not implementing programs, if applicable. In particular, the PARIS notes provide detail on the status of program progess for each jurisdiction.

b. Non-Disposal Facility Element (NDFE)

The City of Watsonville amended its NDFE in 2004 to reflect a new diversion facility. The County of Santa Cruz is preparing an amendment to its NDFE to reflect two existing and two new diversion facilities. These facilities include a Chipping & Grinding Operation at the Ben Lomond Transfer Station and at the Buena Vista Landfill (both existing), a C & D Recycling Operation at the Buena Vista Landfill and a Research Composting Operation at the Buena Vista Landfill for food waste composting. This amendment will go to the Local Task Force for review and comment the first week of February 2005. Other than this, there have been no changes in the use of non-disposal facilities.

c. Countywide Siting Element (CSE)

There have been no changes to the information provided in the current Countywide Siting Element.

d. Summary Plan (SP)

There have been no changes to the information provided in the current Summary Plan.

2. Statement regarding whether Programs are Meeting Their Goals

The SRRE and HHWE programs are meeting their goals as evidenced by each jurisdiction in the county having exceeded the 50% disposal reduction mandate.

4.6 Changes in Available Markets for Recyclable Materials

There have been no changes in the availability of markets available to the jurisdictions of Santa Cruz County for their recyclable materials.

programs that were implemented, a statement as to whether programs are meeting their goals, and if not what contingency measures are being enacted to ensure compliance with Public Resources Code section 41751;

(F) changes in permitted disposal capacity, and quantities of waste disposed of in the county or regional agency;

(G) changes in available markets for recyclable materials; and

(H) changes in the implementation schedule.

(4) Within 90 days of receipt of the CIWMP or RAIWMP Review Report, the Board shall review the county's or regional agency's findings, and at a public hearing, approve or disapprove the county's or regional agency's findings. Within 30 days of its action, the Board shall send a copy of its resolution, approving or disapproving the county's or regional agency's findings, to the LTF and the county or regional agency. If the Board has identified additional areas that require revision, the Board shall identify those areas in its resolution.

(b) CIWMP or RAIWMP Revision. If a revision is necessary the county or regional agency shall submit a CIWMP or RAIWMP revision schedule to the Board.

(1) The county or regional agency shall revise the CIWMP or RAIWMP in the areas noted as deficient in the CIWMP or RAIWMP Review Report and/or as identified by the Board.

(2) The county or regional agency shall revise and resubmit its CIWMP or RAIWMP pursuant to the requirements of sections 18780 through 18784 of this article.

(c) The county shall submit all revisions of its CIWMP to the Board for approval. The revised CIWMP shall be reviewed pursuant to the requirements of sections 18784 through 18786 of this article.
(d) The regional agency shall submit all revisions of its RAIWMP to the Board for approval. The revised RAIWMP shall be reviewed pursuant to the requirements of sections 18784 through 18786 of this article.
Note:

Authority:
Section 40502 of the Public Resources Code.

Reference:
Sections 40051, 40052, 41750, 41760, 41770, and 41822 of the *Public Resources Code*.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-43

Consideration Of The Adequacy Of The Five-Year Review Report Of The Countywide Integrated Waste Management Plan For The County Of Santa Cruz

WHEREAS, Public Resources Code (PRC) Sections 41770 and 41822 require the California Integrated Waste Management Board (Board) to review and approve or disapprove each Countywide or Regional Agency Integrated Waste Management Plan Five-Year Review Report; and

WHEREAS, the County of Santa Cruz (County) has submitted a Five-Year Review Report of its Countywide Integrated Waste Management Plan (CIWMP) that concludes no revisions to the County's planning documents are necessary at this time; and

WHEREAS, based on review of the County's Five-Year Review Report, Board staff found that the foregoing requirements have been satisfied and agrees with the County that a revision of its CIWMP is not necessary at this time; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the County of Santa Cruz's Five-Year CIWMP Review Report.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 20

ITEM

Consideration Of A Request To Change The Base Year To 2001 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 2001/2002 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The Sacramento County/City of Citrus Heights Regional Agency, Sacramento County

I. ISSUE/PROBLEM STATEMENT

The Sacramento County/City of Citrus Heights Regional Agency (Agency) requested to change its base year to 2001. The Agency has requested a 55 percent diversion rate for the 2001 new base year. With the California Integrated Waste Management Board (Board) staff-recommended new base year, the Agency's diversion rate would be 56 percent for 2001 and 53 percent for 2002. In addition, Board staff conducted a 2001/2002 Biennial Review of the Agency's Source Reduction and Recycling Element (SRRE) and Household Hazardous Waste Element (HHWE) program implementation to-date and diversion rate achieved, and found that the Agency successfully implemented its SRRE and HHWE diversion programs. A complete listing of the Agency's implemented programs is provided in Attachment 1 of this agenda item. For these reasons, staff is recommending approval of the 2001/2002 Biennial Review findings for the Agency, as well as its base year change request. In its 2002 Annual Report, the Agency reserved the right to request a Senate Bill (SB) 1066 time extension if the Board were to determine that additional program implementation was necessary.

II. ITEM HISTORY

The Board accepted the Agency's 1999/2000 Biennial Review results on February 11, 2003.

III. OPTIONS FOR THE BOARD

The Board may:

1. Approve the 2001/2002 Biennial Review findings of the Agency's SRRE and HHWE and approve the agency's new 2001 base-year.
2. Approve the 2001/2002 Biennial Review findings of the Agency's SRRE and HHWE and approve the Agency's new 2001 base-year with staff's and /or Board suggested modifications.
3. The Board may find that additional program implementation is necessary to meet the requirements of Public Resources Code Sections 41825 and 41780, and allow the Agency 60 days to submit the SB 1066 time extension application, and separately accept staff's findings that the Agency has adequately implemented its HHWE; and approve the Agency's base year change.

IV. STAFF RECOMMENDATION

Staff recommends the Board adopt option No. 2: approve the Agency's request to approve the new 2001 generation base-year with staff modifications, and accept staff's 2001/2002 Biennial Review findings of the Agency's SRRE and HHWE.

V. ANALYSIS

A. Key Issues and Findings

1. Background

Public Resources Code (PRC) Section 41825 requires the Board to review each City, County, and Regional Agency (jurisdiction) SRRE and HHWE at least once every two years. The 2001/2002 Biennial Review is the Board's independent evaluation of a jurisdiction's progress in implementing its SRRE and HHWE programs and in meeting the 50 percent diversion requirement. As a result of this review, the Board may find: a jurisdiction has adequately implemented its diversion programs and has achieved the 50 percent diversion requirement; a jurisdiction has made a good faith effort to implement diversion programs but has not achieved the 50 percent diversion requirement; or a compliance order should be issued to a jurisdiction that has failed to adequately implement its SRRE and/or failed to achieve the diversion requirement. Jurisdictions that fail to meet the provisions of a compliance order may be subject to a fine of up to $10,000 per day. Alternatively, a jurisdiction that is not achieving the diversion requirement may petition for a SB1066 time extension or alternative diversion requirement to the 50 percent diversion requirement.

In addition, PRC Sections 41031 (cities) and 41331 (counties) require information submitted by jurisdictions on the quantities of solid waste generated, diverted, and disposed of, to include data that are as accurate as possible. At its March 1997 meeting, the Board approved methods for jurisdictions to use for improving the accuracy of their base-year generation data. One of the approved methods allows a jurisdiction to establish a more current base year.

2. Basis for staff's analysis

Staff's analysis is based upon the information below.

Existing Jurisdiction Conditions:

Diversion Rate Data (Percent)					Key Jurisdiction Conditions			
					Waste Stream Data			
Base Year	1999	2000	2001	2002	Pounds waste generated per person per day (ppd)	Population	Non-Residential Waste Stream Percentage	Residential Waste Stream Percentage
2001	ND	ND	56	53	12.37	682,700	70%	30%

* These values are based on the City's proposed (2001) base year change, discussed in the "Base Year Change" section below. Note: ND = Not determined, as prior years diversion rates are not recalculated once a jurisdiction establishes a new base year.

Geographic location: Sacramento County encompasses approximately 994 square miles in the middle of the 400-mile long Central Valley. The County is bordered by Contra Costa and San Joaquin Counties on the south, Amador and El Dorado Counties on the east, Placer and Sutter Counties on the north, and Yolo and Solano Counties on the west.

Base-Year Change:

The Agency has requested to change its base year from 1990 to 2001. The Agency's original new base year modification request certification form is included as Attachment 2a. The Agency considers the 2001 data to be more accurate, and are the best available data.

The Agency historically has conducted annual generation studies to ensure that their diversion and disposal activities were being accurately reflected. After completing studies

for 1998 through 2000, the Agency decided to establish 2001 as a new base year so they could focus their efforts on other aspects of their waste diversion program. The Agency will continue to monitor diversion levels to ensure compliance with local ordinances.

The Agency, as well as Board staff, considers the data used in the 2001 base year study to be more representative than what was determined by the 1990 base-year generation study. Staff verified that the data included in the 2001 study is representative data to establish the base year. To estimate the waste generation in 2001, the Agency used disposal data from the Board's Disposal Reporting System and collected diversion information from the activities listed below. Staff conducted numerous site visits to verify these activities.

Program	**Description**
Residential:	
Residential Curbside Recycling	All single-family residences have access to a 90 gallon curbside commingled recycling container collected every other week. Materials accepted through this program include all paper types, glass bottles and jars, beverage containers, empty aerosol cans, tin foil and steel cans. A second 90 gallon container is available at no additional charge.
Residential Drop-off	Drop-off locations for recyclable materials are available at the County's North Area Transfer Station and at Kiefer Road Landfill. Materials accepted include scrap metals, inert materials, green waste, wood waste, white goods, etc.
Residential Buy-back	Fifty plus State Certified Recycling Centers are available to residents throughout Sacramento County and the City of Citrus Heights.
Residential Curbside Green waste Collection	All single-family residences have access to a 90 gallon curbside green waste container that is collected every other week. A second 90 gallon container is available at no additional charge. This material is sent for composting.
Multi-family Recycling	Solid Waste Authority Ordinance 5, passed in February 2000, requires all multi-family complexes with five units or more to provide recycling to their residents. This ordinance was phased in requiring 90% to be participating by December 31, 2001. Service of the recycling containers either needs to be provided by a permitted waste hauler, a recycling service from an independent recycler, or an owner or manager can choose to haul the recyclables themselves.
Commercial:	
Grasscycling	Grasscycling occurs at schools, county parks and recreational facilities, golf courses and cemeteries.
ADC	Greeenwaste is used for ADC at the landfill.
Commercial Self-haul Greenwaste	Both the North Area Transfer Station and Kiefer Road Landfill, operated by the County, offer drop-off locations for greenwaste at decreased tip fees. Additionally, several private companies allow commercial self-haulers to deliver clean loads of greenwaste.
Commercial Self-haul of Recyclables	Numerous commercial businesses self-haul recyclables directly to recyclers. These businesses choose to haul their own recyclables because it is more feasible to back-haul recyclable commodities instead of contracting for on-site collection service.
Commercial On-Site Pick-up	Many commercial businesses receive recycling service through their waste hauler of choice. All commercial waste haulers operating in the Regional Agency boundaries must meet the requirements of Solid Waste Authority Ordinance 2. This ordinance requires all commercial haulers to divert at least 30% of the material they receive.
School Recycling Programs	Many schools within the Regional Agencies boundaries receive recycling service through their chosen waste hauler. Solid Waste Authority Ordinance 2 helps stimulate recycling in schools. Increases in school recycling participation are anticipated in the future.
Concrete/Asphalt/Rubble	Both the North Area Transfer Station and Kiefer Road Landfill accept clean loads of concrete and asphalt that is recycled. Kiefer Landfill offers significantly reduced rates for this clean material while the North Area Transfer Station charges the standard solid waste tip fee. Additionally, several large

	construction firms in the Sacramento area crush and recycle large amounts of concrete and asphalt for use in construction projects. Some of these companies accept concrete and asphalt from individuals for free or significantly reduced rates from disposal.
Supporting:	
Schools (education and curriculum)	Interactive assembly presentations are provided to approximately 65 elementary schools per year. Classroom presentations on recycling are also provided.
Ordinances	The Regional Agency through the Solid Waste Authority uses several ordinances to help drive diversion. The multi-family recycling ordinance requires multi-family housing complexes, with five units or more, to provide recycling service to its residents. Another significant ordinance driving diversion is the 30 percent diversion requirement on all permitted waste haulers.
Economic Incentives	A variable can rate for disposal on a residential level encourages increased usage of the commingled recycling and greenwaste containers. Residents have a choice of a 38-gallon, 60-gallon or 90-gallon container for waste. The larger the container chosen, the more a resident must pay per month. Decreased tipping fees are also charged for clean loads of greenwaste and concrete/asphalt at Kiefer Landfill.

Certification Changes

Originally the Agency claimed a generation-based diversion rate of 55 percent for 2001. (Attachment 2a). Attachment 2b is the Agency's revised Base Year Modification Request Certification prepared by Board staff that provides additional details to support the generation-based diversion rate. Additionally, attachment 3 reflects the specific adjustments made to diversion amounts claimed. As a result of Board staff's site visit/verification of the Agency's claimed diversion; Board staff is recommending a diversion rate revision for 2001 of 56 percent.

Base Year Analysis:

Agency	Disposal	Diversion	Generation
Old Base Year Tons 1990	768,591	171,136	870,916
Jurisdiction New Base Year Tons 2001	678,498	844,283	1,522,781
Board Staff Recommended New 2001 Base Year Tons	681,021	860,294	1,541,315

2001 Diversion Rate using 1990 Base Year	Jurisdiction Claimed 2001 Diversion Rate for the New Base Year	Board Staff-Recommended 2001 Diversion Rate for the New Base Year
35%	55%	56%

In addition to any deductions already made by the Agency and Board staff, the Board has authority to make additional deductions to the diversion tonnage. Public Resources Code Sections 41031, 41033, 41331, and 41333 provide that jurisdictions' waste characterization components (which contain the waste generation studies) shall include data that are as accurate as possible. These statutes provide the basis for allowing jurisdictions to request, and for the Board to approve, new base years. Consequently, in considering new base year requests, the standard used by the Board is whether or not the new base year is as accurate as possible. To the extent that the Board determines that a portion of the new base year is not accurate, the Board may approve the remainder of the new base year, with the inaccurate portion removed.

SRRE Implementation:
Staff conducted a 2001/2002 Biennial Review of the Agency's SRRE in accordance with the Biennial Review Process approved by the Board in May 2004. Staff review indicates that the Agency has adequately implemented the source reduction, recycling, and composting programs selected in its SRRE. This is the scenario described in Scenario I of the amended guidance document "CIWMP Enforcement Part II," approved by the Board in August 2001 (http://www.ciwmb.ca.gov/Agendas). A summary of the status of the Agency's SRRE-selected programs over the past six years is provided in Attachment 1.

HHWE Implementation:
Staff has also conducted a 2001/2002 Biennial Review of the Agency's HHWE implementation and found that the programs have been successfully implemented. These programs include:

- **Permanent Facilities:** Residents have access to several permanent household hazardous waste facilities. Numerous Certified Used Oil Centers are also available to residents.
- **Mobile or Periodic Collection:** The Regional Agency, in conjunction with the City of Sacramento, conducted mobile collection events through the end of 1999 when permanent household hazardous waste options were implemented.
- **Curbside Collection:** Residents may place used oil and oil filters at the curb for collection during curbside recycling collection days.
- **Education Programs:** The Regional Agency promotes household hazardous waste programs through various print and electronic media including the Sacramento County website.

3. Findings
Based on the Agency's 2001/2002 Biennial Review, staff believes that the Agency has met the 50 percent diversion requirement, and has adequately implemented its SRRE and HHWE. Staff believes the Agency adequately documented its request to change its base year to 2001. For this reason, staff is recommending approval of the Agency's new base year request.

B. Environmental Issues
Based on available information, staff is not aware of any environmental issues related to this item.

C. Program/Long Term Impacts
Improving the accuracy of jurisdiction's base year will lead to a more accurate statewide measurement.

D. Stakeholder Impacts
Approving the Agency's new base year will enable the City to more accurately measure the success of its diversion programs and therefore to more accurately report its progress to the Board.

E. Fiscal Impacts
No fiscal impact to the Board results from this item.

F. Legal Issues
As discussed above, this item represents the process for implementing PRC Sections 41031 and 41331 that require jurisdictions to submit data on quantities of waste generated, diverted and disposed that are as accurate as possible. It also represents the

process for implementing PRC Section 41825 that directs the Board to conduct a biennial review to determine a jurisdiction's progress in implementing its SRRE and HHWE.

G. Environmental Justice Community Setting.

2000 Census Data – Demographics for Sacramento Unincorporated						
% White	% Hispanic	% Black	% Native American	% Asian	% Pacific Islander	% Other
64.2	13.3	7.8	0.7	9.0	0.4	0.2

2000 Census Data – Economic Data for Sacramento Unincorporated*		
Median annual income**	Mean (average) income**	% Individuals below poverty level
43,816	56,046	14.1

* Countywide **Per Household

2000 Census Data – Demographics for the City of Citrus Heights						
% White	% Hispanic	% Black	% Native American	% Asian	% Pacific Islander	% Other
79.7	10.0	2.7	0.8	2.8	0.3	0.2

2000 Census Data – Economic Data for City of Citrus Heights		
Median annual income	Mean (average) income	% Individuals below poverty level
43,859	52,080	8.3

*Per Household

- **Environmental Justice Issues.** According to the jurisdictional representative, there are no environmental justice issues in this community.
- **Efforts at Environmental Justice Outreach.** The Agency uses brochures, newsletters, and flyers to promote recycling to all residential and commercial sectors. In addition, staff attends community events and visits the local schools to promote diversion programs available in the community.
- **Project Benefits.** Improving the accuracy of jurisdiction's base year will lead to a more accurate statewide measurement.

H. 2001 Strategic Plan

This item supports Strategic Plan goal 2, objective 3 (Support local jurisdictions' ability to reach and maintain California's waste diversion mandates), strategy (D) (Assess and assist local governments' efforts to implement programs and reduce disposal, taking corrective action as needed) by assessing the Agency's efforts to implement programs and reduce disposal.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. Program Listing for the Sacramento County/City of Citrus Heights Regional Agency
2a. Original Base Year Modification Request Certification submitted by the Agency
2b. Revised Base Year Modification Request Certification prepared by Board staff
3. Site Visit Verification Findings for the Agency
4. Resolution Number 2005-44

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Kyle W. Pogue **Phone:** (916) 341-6246
B. Legal Staff: Elliot Block **Phone:** (916) 341-6080
C. Administrative Staff: N/A **Phone:** N/A

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support
Sacramento County/City of Citrus Heights Regional Agency

B. Opposition
Staff had not received any written opposition at the time this item was submitted for publication.

Program Listing for
Sacramento County/City of Citrus Heights Regional Agency

Date Printed
November 23, 2004

Program Code	Existed?	Slcted?	Pre 1995 Start Date	1995 Status	1995 Reason	1996 Status	1996 Reason	1997 Status	1997 Reason	1998 Status	1998 Reason	1999 Status	1999 Reason	2000 Status	2000 Reason	2001 Status	2001 Reason	2002 Status
1000-SR-XGC Xeriscaping/Grasscycling	N	N	1992	AO		AO		AO		AO		AO		AO		AO		AO
1010-SR-BCM Backyard and On-Site Composting/Mulching	N	Y	1992	SO		SO		SO		SO		SO		SO		SO		SO
1020-SR-BWR Business Waste Reduction Program	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
1030-SR-PMT Procurement	N	Y	1991	SO		SO		SO		SO		SO		SO		SO		SO
1050-SR-GOV Government Source Reduction Programs	N	Y	1992	SO		SO		SO		SO		SO		SO		SO		SO
1060-SR-MTE Material Exchange, Thrift Shops	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2000-RC-CRB Residential Curbside	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2010-RC-DRP Residential Drop-Off	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2020-RC-BYB Residential Buy-Back	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2030-RC-OSP Commercial On-Site Pickup	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO

Status Code Legend

SO = Selected Ongoing
AO = Alternative Ongoing
SI = Selected Implemented
AI = Alternative Implemented
M = Regional Agency did not exist or city was not incorporated or city part of Regional Agency
D = Dropped
DE = Dropped in Earlier Year
NI = Selected and Not Implemented
PF = Planned Future
NA = Program did not exist

Reason Code Legend

1 = Delays in bringing diversion facilities online.
2 = Unavoidable regulatory delays.
3 = Existing contractual or legal problems.
4 = Insufficient funding.
5 = Insufficient staffing.
6 = Lack of cooperation from other entities.
7 = Sufficient diversion without selected program.
8 = Lack of markets necessary to support program.
9 = Other

Application: PARIS

Program Listing for
Sacramento County/City of Citrus Heights Regional Agency

Date Printed
November 23, 2004

Program Code	Existed?	Slcted?	Pre 1995 Start Date	1995 Status	1995 Reason	1996 Status	1996 Reason	1997 Status	1997 Reason	1998 Status	1998 Reason	1999 Status	1999 Reason	2000 Status	2000 Reason	2001 Status	2001 Reason	2002 Status
2050-RC-SCH School Recycling Programs	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
2070-RC-SNL Special Collection Seasonal (regular)	N	N	1991	AO		AO		AO		AO		AO		AO		AO		AO
2080-RC-SPE Special Collection Events	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
3000-CM-RCG Residential Curbside Greenwaste Collection	N	Y	1993	SO		SO		SO		SO		SO		SO		SO		SO
3030-CM-CSG Commercial Self-Haul Greenwaste	N	Y	1991	SO		SO		SO		SO		SO		SO		SO		SO
3060-CM-GOV Government Composting Programs	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
4020-SP-TRS Tires	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
4030-SP-WHG White Goods	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
4050-SP-WDW Wood Waste	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
4060-SP-CAR Concrete/Asphalt/Rubble	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO

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Application: PARIS

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Sacramento County/City of Citrus Heights Regional Agency

Date Printed
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4090-SP-RND Rendering	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
5000-ED-ELC Electronic (radio ,TV, web, hotlines)	N	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
5010-ED-PRN Print (brochures, flyers, guides, news articles)	N	Y	1992	SO		SO		SO		SO		SO		SO		SO		SO
5020-ED-OUT Outreach (tech assistance, presentations, awards, fairs, field trips)	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
5030-ED-SCH Schools (education and curriculum)	N	Y	1991	SO		SO		SO		SO		SO		SO		SO		SO
6010-PI-EIN Economic Incentives	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
6020-PI-ORD Ordinances	N	Y	NA	SI		SO		SO		SO		SO		SO		SO		SO
7010-FR-LAN Landfill	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
7020-FR-TST Transfer Station	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
7030-FR-CMF Composting Facility	N	Y	1995	SI		SO		SO		SO		SO		SO		SO		SO

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Application: PARIS

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Sacramento County/City of Citrus Heights Regional Agency

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7040-FR-ADC Alternative Daily Cover	N	N	NA	NA		NA		AI		AO		AO		AO		AO		AO
8010-TR-BIO Biomass	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
8020-TR-TRS Tires	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
9000-HH-PMF Permanent Facility	N	Y	NA	PF	1	SI		SO		SO		SO		SO		SO		SO
9010-HH-MPC Mobile or Periodic Collection	Y	Y	1982	SO		SO		SO		SO		SO		SO		SO		SO
9020-HH-CSC Curbside Collection	Y	Y	1982	SO		SO		SO		SO		SO		SO		SO		SO
9040-HH-EDP Education Programs	Y	Y	1990	SO		SO		SO		SO		SO		SO		SO		SO
9050-HH-OTH Other HHW	N	N	NA	PF		AI		AO		AO		AO		AO		AO		AO

Add any additional programs below

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STATE OF CALIFORNIA CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Base Year Modification Request Certification

Part 1: Generation Study - No Extrapolation Diversion Data

To request a substitution for a previously approved base year used in calculating the diversion rate for your jurisdiction, please complete and sign this form and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance
1001 I Street, (MS-25)
PO Box 4025
Sacramento, CA 95812-4025

General Instructions:

Please select the **ONE** choice below that best explains your request to the Board.

☐ 1. Use a recent generation-based study to calculate our current reporting year generation amount, but not officially change our existing Board-approved base year.

☑ 2. Use a recent generation-based study to officially change our existing Board-approved base year to a new base year.

The shaded cells on these sheets are protected. If you have problems using these sheets, please contact your Office of Local Assistance representative by calling (916) 341-6199.

Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name County of Sacramento/City of Citrus Heights Regional		County Sacramento	
Authorized Signature		Title Director, Dep. of Waste Mgmt & Recycling	
Type/Print Name of Person Signing David A. Peiser, P.E., D.E.E.		Date 1/28/04	Phone ( ) Include Area Code (916) 875-6789
Person Completing This Form (please print or type) Doug Kobold		Title Solid Waste Planner	
Affiliation:	Employee, Dep. Of Waste Mgmt. & Recycling		
Mailing Address 9850 Goethe Road	City Sacramento	State CA	ZIP Code 95827-3561
E-Mail Address	koboldd@SacCounty.net		

Section II: Information for New Generation-Based Study for Existing or New Base Year

Attach additional sheets if necessary—reference each response to the appropriate cell number (e.g.,"4").

Note: New base years must be representative of a jurisdiction's disposal and diversion.

1. Current Board-approved existing base year:	**2.** Proposed new generation-based study year:
1990	**2001**

3. Explain how the proposed generation study year is representative of average annual jurisdiction disposal and diversion:

The proposed generation study represents actual surveyed data collected for Calendar Year 2001 using the same methodologies as were applied to the 1998 through 2000 reporting years based on a generation based calculation of the Regional Agency's diversion rate. The 2000 values were audited by the CIWMB and the State Auditor's Office in 2001 for validity. Further, as shown on "Table A-2: Historical Results of CIWMB Calculator for the RA", on Page A-3 of the attached New Base Year for 2001 Report, the Generation Based Diversion Rate column shows a steady increase in the diversion percentage as programs were implemented, then finally levelling off upon completion of implementation.

4. Enter diversion rate information below.

Diversion rate calculated using existing base year	**a. 18 %**	**Diversion rate calculated using new generation-based study**	**b. 55 %**
For existing base year pounds/person/day based on generation	**8.16**	**For new generation based study pounds/person/day based on generation**	**12.24**
Residential generation 49.3 %	**Non-Residential generation 50.7 %**	**Residential generation 48.6 %**	**Non-Residential generation 51.4 %**
Population existing generation-based study	632,330	**Population new generation-based study**	681,500

5. If there is an increase from 4a to 4b, please explain how the new diversion rate is consistent with your current diversion implementation efforts. If the proposed new generation tonnage results in an increase in your pounds/person/day, please explain how this is consistent with your current diversion implementation efforts and provide any examples (e.g., change in jurisdiction's demographics).

Since 1998, all diversion efforts within the Regional Agency (RA) have been tracked by estimating actual tons diverted using local ordinance reporting requirements and approved survey methodologies. By 1998, the existing base year appeared to be inaccurate when using it to determine the diversion rate each year for the RA (see Table A-2 as referred in in the response to Question 3 above). For Reporting Year 2000, the CIWMB audited the methodologies for determining the generation based accounting method used by the RA for developing the diversion rate for that year. The CIWMB approved the 2000 diversion rate for the RA in February 2003. Using the New Base Year for 2001 to determine the diversion rate for 2002, the result for 2002 is similar to the rates for 2000 & 2001. This is contrary to the results using the existing base year from 1990. The difference for preliminary values for 2002 are 29% vs. 51% using the 1990 vs. 2001 Base Years, respectively.

6. If the difference between the proposed diversion rates in 4a and 4b is greater than 5 percentage points, please explain the specific reasons for the difference. (For example: new/improved curbside diversion programs.)

The difference of 37% between the 1990 Base Year and the 2001 Base Year is based on more current and accurate measurement of the existing diversion taking place now, rather than almost 14 years ago. With all of the proposed SRRE programs being implemented and local ordinances being in-place and enforced since the mid-1990's, a more accurate measurement of actual diversion taking place today is possible.

7. Disposal Tonnage (enter values):	288350	390148	678498
	Residential	Non-Residential	Total

Please select the **ONE** choice below that best explains your **disposal** data and complete the required tables.

☐ a. All tons claimed are from the Board's Disposal Reporting System (No explanation required. Go to Section 8.)

☐ b. All tons claimed are from a 100 percent audit of hauler and self-haul tonnage. (Please complete Reporting Year Tonnage Request and Modification Certification sheet found at www.ciwmb.ca.gov/LGCentral/Forms/rytnmdrq.doc)

☑ c. Some Disposal Reporting System data were corrected. (Please complete Reporting Year Tonnage Modification Request and Certification sheet found at www.ciwmb.ca.gov/LGCentral/Forms/rytnmdrq.doc)

8. In the table below, list the summarized diversion activities, and diversion data records that support your claim and are available for Board audit. **Note**: *The Board expects the jurisdictions to be able to provide all back-up documentation, if requested.* Include type of record and location—for example, weight tickets from transfer stations. This section should capture all diversion tonnage (form will perform all addition calculations). If any diversion is from restricted wastes, agricultural wastes,inert solids [e.g., concrete, asphalt, dirt,] white goods, and scrap metal, please identify those programs/waste types and fill out Section 10. Please mark as Attachment 8 all copies of survey forms.

*Please provide detailed Non-Residential waste information in Section 9.

Note: The Board has indicated that it will be scrutinizing total source reduction amounts greater than 5% of total generation. Please be prepared to provide additional details subsantiating your claim.

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Paris/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Residential Source Reduction Activities					
Backyard composting	3679	0.2%	See Attached New Base Year Report		Consultant Report
Grasscycling	16865	1.1%	See Attached New Base Year Report		Consultant Report
Other Residential Source Reduction (list each program separately)					
Thrift Stores	11401	0.7%	See Attached New Base Year Report		Consultant Report
Diaper Service	107	0.0%	Cloth Diapers	See Attached New Base Year Report	Diaper Service Interview Notes
Enter program name		0.0%			
Enter program name		0.0%			
Enter program name		0.0%			
Subtotal, Residential Source Reduction	32053	2.1%			
Residential Recycling Activities					
Curbside Recycling	58732	3.9%	See Section A - Chart 3 of New Base Year Study Report		
Buyback Centers	11839	0.8%	AB 2020 Program Materials		DOC Records
Drop-off Centers					

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Paris/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Other Residential Recycling (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Residential Recycling	**70571**	**4.6%**			
Residential Composting Activities					
Green Waste Drop-off			Included in Curbside Green Waste Figure		
Curbside Green Waste	92394	6.1%	Curbside Containerized Green Waste, Christmas Trees, County Facilities Self-Haul, Etc.		Tonnage Records
Christmas Tree Program			Included in Curbside Green Waste Figure		
Other Residential Composting (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Residential Composting	**92394**	**6.1%**			
Subtotal, Residential Diversion	**195019**	**12.8%**			
Non-Residential Source Reduction Activities:					
Non-Residential Waste Audits*			**See Section 9**	**See Section 9**	**See Section 9**
Other Non-Residential Source Reduction (list each program separately)					
Enter Program name					
Enter Program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Non-Residential Source Reduction	**0**	**0.0%**			

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Parts/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Recycling					
Non-Residential Waste Audits*			**See Section 9**	**See Section 9**	**See Section 9**
Other Non-Residential Recycling (list each program separately)					
County Facilities Self-Haul	26682	1.8%	Inerts, White Goods, Wood Waste, Tires, CRTs, Etc. (See attached New Base Year Study Report)		Tonnage Records
Private Facilities Self-Haul	97748	6.4%	Card Board, MRF Fines/ADC, Green Waste, Inerts, Metals, Plastics, Etc. (See attached New Base Year Study Report)		Quarterly Survey Forms - Maintained at RA Office
SWA Franchisees (Franchised Commercial Haulers)	105930	7.0%	Card Board, MRF Fines/ADC, Commingled Recyclables, Glass, Green Waste, Inerts, Metals, Plastics, Etc. (See attached New Base Year Study Report)		Quarterly Survey Forms - Maintained at RA Office
Local Recycling Companies	370701	24.3%	Cardboard, Glass, Green Waste, Inerts, Metals, Mixed Paper, Etc. (See attached New Base Year Study Report)		Annual Survey Forms - Maintained at RA Office
Mill Direct Recyclable Marketing	21982	1.4%	Cardboard, Mixed Paper, Newspaper, Etc. (See attached New Base Year Study Report)		Annual Survey Forms - Maintained at RA Office
Subtotal Non-Residential Recycling	**623044**	**40.9%**			
Non-Residential Composting Activities					
Non-Residential Waste Audits*			**See Section 9**	**See Section 9**	**See Section 9**
Other Non-Residential Composting (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal Non-Residential Composting	**0**	**0.0%**			
Subtotal Non-Residential Diversion	**623044**	**40.9%**			
Residential/Non- Residential Diversion Activities					
ADC	14274	0.9%	MRF Fines, Green Waste, C&D Processing Fines		Quarterly Survey Forms - Maintained at RA Office
Sludge					
Scrap Metal	11774	0.8%	Metals Recovered at Facilities & Recycling Companies		Quarterly Survey Forms & Tonnage Data - Maintained at RA Office
Construction and Demolition			Included in County & Private Facilities, SWA Franchisees, Local Recycling Companies		
Landfill Salvage	172	0.0%	Materials Recovered from Tipping Area (Program ended in April, 2001)		Tonnage Data
Subtotal Residential/ Non-Residential Diversion	**26220**	**1.7%**			
Total Res/Non-Res Source Reduction Tons	**32053**	**2.1%**			
Total Diversion Tons	**844283**	**55.4%**			

Diversion Activity	Actual tons	Relative Percent to Total Generation	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Please use the Board's program types. The program type glossary is online at: www.clwmb.ca.gov/LGCentral/Parts/Codes/Reduce.htm	(A)	(A/Total Generation)			
Total Disposal Tons from Sec.7	678498	44.6%			
Total Generation Tons (Div+Dis)	1522781				
Diversion Rate	55%				

9. Specific Non-Residential Sector Waste Audits--Top 10 Non-Residential Generators

Please complete this table for the top 10 non-residential generators that were surveyed. List each non-residential generator separately from largest to smallest, based on total diversion tons. Audit reference number ties to your audit sheets.
(Table will perform all addition calculations).

Type of Non-Residential Generator	Audit Reference Number	Specific/Major Diversion Activities Include Material Type (e.g., paper recycling, grasscycling). (List activities on one line)	Source Reduction Tons	Recycling Tons	Composting Tons	Total Diversion Tons	Percent of Total Generation (Total Diversion Tons/Total Generation in Section 8)	Survey Method Phone (P) Mail (M) On-site (O) Other ___
Totals								

Also provide an attachment 9 which includes all of the generators surveyed. Include for each generator (use type of generator in lieu of specific business name) diversion activity and material type and associated tonnage for each diversion activity/material type, and applicable conversion factors/sources. Include copies of survey form(s) used.

Summarize the non-residential diversion activities for the top 10 generators quantification methodology, and applicable conversion factors and sources (e.g., cardboard recycling: quantified by monthly tonnage receipts provided by the contact person at the business).

10. For each restricted waste type (i.e., agricultural waste, inert solids, [e.g. concreter, asphalt, dirt, etc.] scrap metals and white goods [PRC section 41781.2]) and associated program, please provide the following information:

a. If the diversion program started on or after January 1, 1990, complete the following table.

Note: *program name refers to one specific diversion program for that waste type (e.g., "Diversion conducted by city public waste dept.".*

Restricted Waste Type	Specific Program Name	Year Started	Tonnage
White Goods	County Operated White Goods Program (CFC) at NCU, TS, and LF	1996	2522
Inert Solids	SWA Ord. No. 2 & Resolution 96-01 (drop box/C&D)	1996	337504
Scrap Metal	SWA Ord. No. 2 & Resolution 96-01 (Recovery through Processing)	1996	11774
Pull Down for Waste Types			
Pull Down for Waste Types			
Pull Down for Waste Types			

b. If the diversion program started before January 1, 1990 - and if documentation on the program and waste type has not been approved by the Board - on a separate sheet marked "Attachment 10b", provide the documentation that indicates:

- How the diversion was the result of a local action taken by the jurisdiction, which specifically resulted in the diversion (PRC sec. 41781.2 [c] [1]).
- That the amount of that waste type diverted from the jurisdiction in 1990 was less than or equal to the amount of that waste type disposed at a permitted disposal facility by the jurisdiction in any year before 1990. (**Note**: this criterion is applicable to the entire jurisdiction, not to individual programs (PRC sec. 41781.2 [c] [2]). Please include documentation.
- That the jurisdiction is implementing, and will continue to implement, the diversion programs in its source reduction and recycling element.

Note: *If documentation for a waste type and program has already been approved by the Board, you do not have to provide an attachment 10b for that waste type and program.*

Instead please provide date of Board approval of previously submitted information. _____ (Date)

If documentation is not available, go to 10d.

c. If the diversion program started before January 1, 1990, and the documentation requested in 10b is available (but not yet approved by the Board), complete the table below for each program claimed:

Restricted Waste Type	Specific Program Name	New Base Year or Reporting Year Diversion Tonnage
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		

d. If the diversion program started before January 1, 1990, and the documentation requested in 10b is not available, please complete the table below for each program claimed. ***Note**: Only the difference between the new base year/reporting year and 1990 can be counted in the diversion rate calculation.*

Restricted Waste Type	Specific Program Name	New Base Year or Reporting Year Tonnage	1990 Diversion Tonnage	Difference
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				

Total Waste Generation - 2001

Sacramento County Unincorporated Area & the City of Citrus Heights

Disposal

Kiefer Landfill	North Transfer Station	Florin-Perkins Landfill	L & D Landfill	Sacramento Recycling & Transfer Station	Elder Creek Transfer Station	Other Export		Total
222,364	145,595	20,999	50,289	65,814	160,418	9,092		674,572
						9,250	Forward Correction	683,822 w/Correction
						-5,323	Anderson Correction	678,498 w/Correction

Diversion

County Operations & South Area Contractor	Franchisee	Facilities	Recyclers	Reduction	Mill- Direct	Total
177,981	121,831	103,946	386,491	32,053	21,982	844,283

SUPPORT INFORMATION

SWA City/County Factor: 62.2773%

County Ops./South County*

*Note: Excludes Elk Grove Tonnage

	Tonnage	County Value
Commingled	58,732	58,732
Green Waste Collection	92,394	92,394
Wood at Kiefer	3,050	3,050
Wood at NARS	13,075	8,143
Inerts at Kiefer	9,718	9,718
Salvage at Kiefer	64	64
Salvage at NARS	172	107
Appliances/Metal at Kiefer	1,033	1,033
Appliances/Metal at NARS	2,391	1,489
Tires	344	344
Wood/Brush ADC	153	153
CRT Recycling at Kiefer	7	7
CRT Recycling at NARS	47	29
Other	2,718	2,718
TOTAL	**183,898**	**177,981**
City Share	5,917	

Franchisee

	Tonnage	County Value
Advance Disposal	Confidential	
ARS, Inc.		
Atlas Disposal		
BFI		
Camarillo Waste Removal		
Central Valley Waste		
Coastal Waste and Recycling		
D&D Disposal		
Norcal of Sacramento		
Northwest Recyclers		
Sierra Waste Transportation		
Waste Removal & Recycling		
WMI of Sacramento		
Western Strategic		
TOTAL	**195,626**	**121,831**
City Share	73,798	-

Private Facilities (Self-Haul)

Non-SWA City/County Factor: 58.2678%

	Tonnage	County Value
Elder Creek Transfer	Confidential	
Florin-Perkins		
L&D		
Sacramento Recycling & Transfer		
TOTAL	**178,393**	**103,946**
City Share	62,962	

Reduction

	Tonnage	County Value
Backyard Composting	3,679	3,679
Thrift Stores	19,567	11,401
~~Garage Sales~~	-	-
Diaper Service	172	107
Grasscycling & Mulching	16,865	16,865
TOTAL	**40,283**	**32,053**
City Share	8,231	

Recyclers

	Tonnage	County Value
A1 Metals	Confidential	
C & C Paper Recycling		
Federal Asset Recovery		
Granite Construction		
Ming's Metal Recycling		
Lionudakis Wood & Green Waste		
Pacific Coast Wastepaper		
Progressive Metals		
Schnitzer Steel Products		
Senior Gleaners, Inc.		
Sims Metal America - North		
Sims Metal America - South		
Smurfit Recycling – North		
Smurfit Recycling – South		
Strategic Materials		
Sunshine Padding & Foam Recycling		
Sunshine Steel		
Super Pallet Recycling		
Total Tire Recycling		
WMC&R		
Weyerhauser Co.		
SMUD - Wood Chip Program		
County Dept. of Transportation - Landscape		
County Dept. of Transportation - Paving		
CA Emergency Foodlink		
DC Metals		
CEAR, Inc.		
Teichert Aggregates, Perkins Plant		
HMR Group - Sacramento		
HMR Group - San Francisco		
Hewlett-Packard Company		
Recycling Industries		
Certified AB 2020 Centers (Dept. of Conservation)		
Tri-C Manufacturing, Inc.		
California Concrete Crushing & Recycling		
Riverside Aggregates		
Roseville Aggregates		
Travis Reid Recycling		
The Saints Recycling Service		
EBI Aggregates		
Bell Marine Co., Inc.		
TOTAL	**660,280**	**386,491**
City Share	273,789	

Mill-Direct

	Tonnage	County Value
Albertson's Inc.	Confidential	
Allan Company		
American River Packaging		
Goodwill Industries		
Home Depot		
Raley's & Bel Air		
Ralph's		
Safeway		
Sutta Co.		
Sub-TOTAL	**17,336**	**13,817**
City Share	3,519	

Mill-Direct (Rendering)

	Tonnage	County Value
Albertson's Inc.	Confidential	
Raley's & Bel Air		
Ralph's		
Safeway		
Modesto Tallow Company		
Sacramento Rendering Company		
Sub-TOTAL	**12,179**	**8,165**
City Share	4,014	
MILL-DIRECT TOTAL	**29,515**	**21,982**

Diversion Machine 2001.9.xls

Total Waste Generation - 2001

Sacramento County Unincorporated Area & the City of Citrus Heights

Disposal

Kiefer Landfill	North Transfer Station	Florin-Perkins Landfill	L & D Landfill	Sacramento Recycling & Transfer Station	Elder Creek Transfer Station	Other Export			Total	
222,364	145,595	20,999	50,289	65,814	160,418	9,092			674,572	
						9,250	Forward Correction		683,822	w/Correction
						-5,323	Anderson Correction		~~678,498~~	w/Correction
									681021	

Diversion

County Operations & South Area Contractor	Franchisee	Facilities	Recyclers	Reduction	Mill- Direct				Total	
~~177,981~~	~~121,831~~	103,946	~~386,491~~	~~32,053~~	21,982				~~844,283~~	
177,945	119,102	103,946	425,346	11974	21982				860,295	

SUPPORT INFORMATION — *SWA City/County Factor:* 62.2773%

County Ops./South County*

*Note: Excludes Elk Grove Tonnage

	Tonnage	County Value
Commingled	58,732	58,732
Green Waste Collection	92,394	92,394
Wood at Kiefer	3,050	3,050
Wood at NARS	13,075	8,143
Inerts at Kiefer	9,718	9,718
Salvage at Kiefer	64	64
Salvage at NARS	172	107
Appliances/Metal at Kiefer	1,033	1,033
Appliances/Metal at NARS	2,391	1,489
Tires	344	344
Wood/Brush ADC	153	153
CRT Recycling at Kiefer	7	~~7~~
CRT Recycling at NARS	47	~~29~~
Other	2,718	2,718
TOTAL	**183,898**	~~177,981~~ 177,945
City Share	5,917	

Franchisee

	Tonnage	County Value
Advance Disposal		
ARS, Inc.		
Atlas Disposal		
BFI		
Camarillo Waste Removal		
Central Valley Waste		
Coastal Waste and Recycling		
D&D Disposal		
Norcal of Sacramento		
Northwest Recyclers		
Sierra Waste Transportation		
Waste Removal & Recycling		
WMI of Sacramento		
Western Strategic		
TOTAL	**195,626**	~~121,831~~
City Share	73,796	119,102

Private Facilities (Self-Haul)

Non-SWA City/County Factor: 58.2678%

	Tonnage	County Value
Elder Creek Transfer	14,541	8,473
Florin-Perkins	128,547	74,902
L&D	34,059	19,845
Sacramento Recycling & Transfer	1,246	726
TOTAL	**178,393**	**103,946**
City Share	62,962	

Reduction

	Tonnage	County Value	Board staff version
Backyard Composting	3,679	~~3,679~~	2537
Thrift Stores	19,567	~~11,401~~	9330
~~Garage Sales~~	-	-	
Diaper Service	172	107	107
Grasscycling & Mulching	16,865	~~16,865~~	0
TOTAL	**40,283**	~~32,053~~	11974
City Share	8,231		

Recyclers

	Tonnage	County Value
A1 Metals		
C & C Paper Recycling		
Federal Asset Recovery		
Granite Construction		
Ming's Metal Recycling		
Lionudakis Wood & Green Waste		
Pacific Coast Wastepaper		
Progressive Metals		
Schnitzer Steel Products		
Senior Gleaners, Inc.		
Sims Metal America - North		
Sims Metal America - South		
Smurfit Recycling – North		
Smurfit Recycling – South		
Strategic Materials		
Sunshine Padding & Foam Recycling		
Sunshine Steel		
Super Pallet Recycling		
Total Tire Recycling		
WMC&R		
Weyerhauser Co.		
SMUD - Wood Chip Program		
County Dept. of Transportation - Landscape		
County Dept. of Transportation - Paving		
CA Emergency Foodlink		
DC Metals		
CEAR, Inc.		
Teichert Aggregates, Perkins Plant		
HMR Group - Sacramento		
HMR Group - San Francisco		
Hewlett-Packard Company		
Recycling Industries		
Certified AB 2020 Centers (Dept. of Conservation)		
Tri-C Manufacturing, Inc.		
California Concrete Crushing & Recycling		
Riverside Aggregates		
Roseville Aggregates		
Travis Reid Recycling		
The Saints Recycling Service		
EBI Aggregates		
Bell Marine Co., Inc.		
TOTAL	**660,280**	~~386,491~~
City Share	273,789	425,346

Mill-Direct

	Tonnage	County Value
Albertson's Inc.	2,288	2,288
Allan Company	550	343
American River Packaging	633	394
Goodwill Industries	1,236	769
Home Depot	117	117
Raley's & Bel Air	1,542	1,542
Ralph's	1,683	1,683
Safeway	2,379	2,379
Sutta Co.	6,910	4,303
Sub-TOTAL	**17,336**	**13,817**
City Share	3,519	

Mill-Direct (Rendering)

	Tonnage	County Value
Albertson's Inc.	71	71
Raley's & Bel Air	1,163	1,163
Ralph's	118	118
Safeway	186	186
Modesto Tallow Company	141	88
Sacramento Rendering Company	10,500	6,539
Sub-TOTAL	**12,179**	**8,165**
City Share	4,014	
MILL-DIRECT TOTAL	**29,515**	**21,982**

Diversion Machine 2001.9.xls

STATE OF CALIFORNIA CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Base Year Modification Request Certification

Part 1: Generation Study - No Extrapolation Diversion Data

To request a substitution for a previously approved base year used in calculating the diversion rate for your jurisdiction, please complete and sign this form and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance
1001 I Street, (MS-25)
PO Box 4025
Sacramento, CA 95812-4025

General Instructions:

Please select the **ONE** choice below that best explains your request to the Board.

☐ 1. Use a recent generation-based study to calculate our current reporting year generation amount, but not officially change our existing Board-approved base year.

☑ 2. Use a recent generation-based study to officially change our existing Board-approved base year to a new base year.

The shaded cells on these sheets are protected. If you have problems using these sheets, please contact your Office of Local Assistance representative by calling (916) 341-6199.

Section I: Jurisdiction Information and Certification

All respondents must complete this section.

I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:

Jurisdiction Name County of Sacramento/City of Citrus Heights Regional		County Sacramento	
Authorized Signature		Title	
Type/Print Name of Person Signing		Date	Phone ( ) Include Area Code
		8-Jan-04	(916) 875-6789
Person Completing This Form (please print or type)		Title Solid Waste Planner	
Kyle Pogue/Kaoru Cruz			
Affiliation: CIWMB			
Mailing Address	City	State	ZIP Code
9850 Goethe Road	Sacramento	CA	95827-3561
E-Mail Address			

Section II: Information for New Generation-Based Study for Existing or New Base Year

Attach additional sheets if necessary—reference each response to the appropriate cell number (e.g.,"4").

Note: New base years must be representative of a jurisdiction's disposal and diversion.

1. Current Board-approved existing base year:	**2.** Proposed new generation-based study year:
1990	**2001**

3. Explain how the proposed generation study year is representative of average annual jurisdiction disposal and diversion:

The proposed generation study represents actual surveyed data collected for Calendar Year 2001 using the same methodologies as were applied to the 1998 through 2000 reporting years based on a generation based calculation of the Regional Agency's diversion rate. The 2000 values were audited by the CIWMB and the State Auditor's Office in 2001 for validity. Further, as shown on "Table A-2: Historical Results of CIWMB Calculator for the RA", on Page A-3 of the attached New Base Year for 2001 Report, the Generation Based Diversion Rate column shows a steady increase in the diversion percentage as programs were implemented, then finally levelling off upon completion of implementation.

4. Enter diversion rate information below.

Diversion rate calculated using existing base year	**a. 18 %**	**Diversion rate calculated using new generation-based study**	**b. 56 %**
For existing base year pounds/person/day based on generation	**8.16**	**For new generation based study pounds/person/day based on generation**	**12.37**
Residential generation 49.3 %	**Non-Residential generation 50.7 %**	**Residential generation 30 %**	**Non-Residential generation 70 %**
Population existing generation-based study	632,330	**Population new generation-based study**	682,700

5. If there is an increase from 4a to 4b, please explain how the new diversion rate is consistent with your current diversion implementation efforts. If the proposed new generation tonnage results in an increase in your pounds/person/day, please explain how this is consistent with your current diversion implementation efforts and provide any examples (e.g., change in jurisdiction's demographics).

Since 1998, all diversion efforts within the Regional Agency (RA) have been tracked by estimating actual tons diverted using local ordinance reporting requirements and approved survey methodologies. By 1998, the existing base year appeared to be inaccurate when using it to determine the diversion rate each year for the RA (see Table A-2 as referred in in the response to Question 3 above). For Reporting Year 2000, the CIWMB audited the methodologies for determining the generation based accounting method used by the RA for developing the diversion rate for that year. The CIWMB approved the 2000 diversion rate for the RA in February 2003. Using the New Base Year for 2001 to determine the diversion rate for 2002, the result for 2002 is similar to the rates for 2000 & 2001. This is contrary to the results using the existing base year from 1990. The difference for preliminary values for 2002 are 29% vs. 51% using the 1990 vs. 2001 Base Years, respectively.

6. If the difference between the proposed diversion rates in 4a and 4b is greater than 5 percentage points, please explain the specific reasons for the difference. (For example: new/improved curbside diversion programs.)

The difference of 37% between the 1990 Base Year and the 2001 Base Year is based on more current and accurate measurement of the existing diversion taking place now, rather than almost 14 years ago. With all of the proposed SRRE programs being implemented and local ordinances being in-place and enforced since the mid-1990's, a more accurate measurement of actual diversion taking place today is possible.

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Paris/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Other Residential Recycling (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Residential Recycling	**70571**	**4.6%**			
Residential Composting Activities					
Green Waste Drop-off			Included in Curbside Green Waste Figure		
Curbside Green Waste	92394	6.0%	Curbside Containerized Green Waste, Christmas Trees, County Facilities Self-Haul, Etc.	actual weight	Tonnage Records
Christmas Tree Program			Included in Curbside Green Waste Figure		
Other Residential Composting (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Residential Composting	**92394**	**6.0%**			
Subtotal, Residential Diversion	**174940**	**11.4%**			
Non-Residential Source Reduction Activities:					
Non-Residential Waste Audits*			**See Section 9**	**See Section 9**	**See Section 9**
Other Non-Residential Source Reduction (list each program separately)					
Enter Program name					
Enter Program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal, Non-Residential Source Reduction	**0**	**0.0%**			

7. Disposal Tonnage (enter values):	288350	392671	681021
	Residential	Non-Residential	Total

Please select the **ONE** choice below that best explains your **disposal** data and complete the required tables.

☐ a. All tons claimed are from the Board's Disposal Reporting System (No explanation required. Go to Section 8.)

☐ b. All tons claimed are from a 100 percent audit of hauler and self-haul tonnage. (Please complete Reporting Year Tonnage Request and Modification Certification sheet found at www.ciwmb.ca.gov/LGCentral/Forms/rytnmdrq.doc)

☑ c. Some Disposal Reporting System data were corrected. (Please complete Reporting Year Tonnage Modification Request and Certification sheet found at www.ciwmb.ca.gov/LGCentral/Forms/rytnmdrq.doc)

8. In the table below, list the summarized diversion activities, and diversion data records that support your claim and are available for Board audit. **Note**: *The Board expects the jurisdictions to be able to provide all back-up documentation, if requested.* Include type of record and location—for example, weight tickets from transfer stations. This section should capture all diversion tonnage (form will perform all addition calculations). If any diversion is from restricted wastes, agricultural wastes,inert solids [e.g., concrete, asphalt, dirt,] white goods, and scrap metal, please identify those programs/waste types and fill out Section 10. Please mark as Attachment 8 all copies of survey forms.

*Please provide detailed Non-Residential waste information in Section 9.

Note: The Board has indicated that it will be scrutinizing total source reduction amounts greater than 5% of total generation. Please be prepared to provide additional details subsantiating your claim.

Diversion Activity Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Parts/Codes/Reduce.htm	Actual tons (A)	Relative Percent to Total Generation (A/Total Generation)	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Residential Source Reduction Activities					
Backyard composting	2537	0.2%	grass clippings and food scraps	577lbs/hh/yr (grass) 225lbs/hh/yr (food)	Consultant Report
Grasscycling	0	0.0%			
Other Residential Source Reduction (list each program separately)					
Thrift Stores	9330	0.6%	See Attached New Base Year Report		Consultant Report
Diaper Service	107	0.0%	Cloth Diapers	See Attached New Base Year Report	Diaper Service Interview Notes
Enter program name		0.0%			
Enter program name		0.0%			
Enter program name		0.0%			
Subtotal, Residential Source Reduction	11974	0.8%			
Residential Recycling Activities					
Curbside Recycling	58732	3.8%	See Section A - Chart 3 of New Base Year Study Report	actual weight	Haulers reports
Buyback Centers	11839	0.8%	AB 2020 Program Materials	actual weight	DOC Records
Drop-off Centers					

Diversion Activity	Actual tons	Relative Percent to Total Generation	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Paris/Codes/Reduce.htm	(A)	(A/Total Generation)			
Total Disposal Tons from Sec.7	681021	44.2%			
Total Generation Tons (Div+Dis)	1541315				
Diversion Rate	56%				

Diversion Activity	Actual tons	Relative Percent to Total Generation	Specific Material Type(s) (List operation w/multiple materials in one box)	Specific Conversion Factor Used (if any) and Source	Type of Record and Location of Record
Please use the Board's program types. The program type glossary is online at: www.ciwmb.ca.gov/LGCentral/Parts/Codes/Reduce.htm	(A)	(A/Total Generation)			
Recycling					
Non-Residential Waste Audits*			See Section 9	See Section 9	See Section 9
Other Non-Residential Recycling (list each program separately)					
County Facilities Self-Haul	26646	1.7%	Inerts, White Goods, Wood Waste, Tires, CRTs, Etc. (See attached New Base Year Study Report)	actual weight	Tonnage Records
Private Facilities Self-Haul	97748	6.3%	Card Board, MRF Fines/ADC, Green Waste, Inerts, Metals, Plastics, Etc. (See attached New Base Year Study Report)	actual weight	Quarterly Survey Forms - Maintained at RA Office
SWA Franchisees (Franchised Commercial Haulers)	105930	6.9%	Card Board, MRF Fines/ADC, Commingled Recyclables, Glass, Green Waste, Inerts, Metals, Plastics, Etc. (See attached New Base Year Study Report)	actual weight	Quarterly Survey Forms - Maintained at RA Office
Local Recycling Companies	409557	26.6%	Cardboard, Glass, Green Waste, Inerts, Metals, Mixed Paper, Etc. (See attached New Base Year Study Report)	actual weight	Annual Survey Forms - Maintained at RA Office
Mill Direct Recyclable Marketing	21982	1.4%	Cardboard, Mixed Paper, Newspaper, Etc. (See attached New Base Year Study Report)	actual weight	Annual Survey Forms - Maintained at RA Office
Subtotal Non-Residential Recycling	**661864**	**42.9%**			
Non-Residential Composting Activities					
Non-Residential Waste Audits*			See Section 9	See Section 9	See Section 9
Other Non-Residential Composting (list each program separately)					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Enter program name					
Subtotal Non-Residential Composting	**0**	**0.0%**			
Subtotal Non-Residential Diversion	**661864**	**42.9%**			
Residential/Non- Residential Diversion Activities					
ADC	11545	0.7%	MRF Fines, Green Waste, C&D Processing Fines	actual weight	Quarterly Survey Forms - Maintained at RA Office
Sludge					
Scrap Metal	11774	0.8%	Metals Recovered at Facilities & Recycling Companies	actual weight	Quarterly Survey Forms & Tonnage Data - Maintained at RA Office
Construction and Demolition			Included in County & Private Facilities, SWA Franchisees, Local Recycling Companies		
Landfill Salvage	172	0.0%	Materials Recovered from Tipping Area (Program ended in April, 2001)	actual weight	Tonnage Data
Subtotal Residential/ Non-Residential Diversion	**23491**	**1.5%**			
Total Res/Non-Res Source Reduction Tons	**11974**	**0.8%**			
Total Diversion Tons	**860294**	**55.8%**			

9. Specific Non-Residential Sector Waste Audits--Top 10 Non-Residential Generators

Please complete this table for the top 10 non-residential generators that were surveyed. List each non-residential generator separately from largest to smallest, based on total diversion tons. Audit reference number ties to your audit sheets.
(Table will perform all addition calculations).

Type of Non-Residential Generator	Audit Reference Number	Specific/Major Diversion Activities Include Material Type (e.g., paper recycling, grasscycling). (List activities on one line)	Source Reduction Tons	Recycling Tons	Composting Tons	Total Diversion Tons	Percent of Total Generation (Total Diversion Tons/Total Generation in Section 8)	Survey Method Phone (P) Mail (M) On-site (O) Other ___
Totals								

Also provide an attachment 9 which includes all of the generators surveyed. Include for each generator (use type of generator in lieu of specific business name) diversion activity and material type and associated tonnage for each diversion activity/material type, and applicable conversion factors/sources. Include copies of survey form(s) used.

Summarize the non-residential diversion activities for the top 10 generators quantification methodology, and applicable conversion factors and sources (e.g., cardboard recycling: quantified by monthly tonnage receipts provided by the contact person at the business).

10. For each restricted waste type (i.e., agricultural waste, inert solids, [e.g. concreter, asphalt, dirt, etc.] scrap metals and white goods [PRC section 41781.2]) and associated program, please provide the following information:

a. If the diversion program started on or after January 1, 1990, complete the following table.

Note: *program name refers to one specific diversion program for that waste type (e.g., "Diversion conducted by city public waste dept.".*

Restricted Waste Type	Specific Program Name	Year Started	Tonnage
White Goods	County Operated White Goods Program (CFC) at NCU, TS, and LF	1996	2522
Inert Solids	SWA Ord. No. 2 & Resolution 96-01 (drop box/C&D)	1996	375605
Scrap Metal	SWA Ord. No. 2 & Resolution 96-01 (Recovery through Processing)	1996	11774
Pull Down for Waste Types			
Pull Down for Waste Types			
Pull Down for Waste Types			

b. If the diversion program started before January 1, 1990 - and if documentation on the program and waste type has not been approved by the Board - on a separate sheet marked "Attachment 10b", provide the documentation that indicates:

- How the diversion was the result of a local action taken by the jurisdiction, which specifically resulted in the diversion (PRC sec. 41781.2 [c] [1]).
- That the amount of that waste type diverted from the jurisdiction in 1990 was less than or equal to the amount of that waste type disposed at a permitted disposal facility by the jurisdiction in any year before 1990. (**Note**: this criterion is applicable to the entire jurisdiction, not to individual programs (PRC sec. 41781.2 [c] [2]). Please include documentation.
- That the jurisdiction is implementing, and will continue to implement, the diversion programs in its source reduction and recycling element.

Note: *If documentation for a waste type and program has already been approved by the Board, you do not have to provide an attachment 10b for that waste type and program.*

Instead please provide date of Board approval of previously submitted information. _____ (Date)

If documentation is not available, go to 10d.

c. If the diversion program started before January 1, 1990, and the documentation requested in 10b is available (but not yet approved by the Board), complete the table below for each program claimed:

Restricted Waste Type	Specific Program Name	New Base Year or Reporting Year Diversion Tonnage
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		
Pull Down for Waste Types		

d. If the diversion program started before January 1, 1990, and the documentation requested in 10b is not available, please complete the table below for each program claimed. ***Note**: Only the difference between the new base year/reporting year and 1990 can be counted in the diversion rate calculation.*

Restricted Waste Type	Specific Program Name	New Base Year or Reporting Year Tonnage	1990 Diversion Tonnage	Difference
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				
Pull Down for Waste Types				

Table A: Site Visit Verification Findings, Diversion Tonnage and Deductions for the Sacramento County/City of Citrus Heights Regional Agency

Generator Identification	Material Type/Prgrm Activity	Regional Agency Claim (tons)	NBY Methodology	Verification Findings (tons)	Verification Findings/Site Visit Methodology
Residential backyard composting	greenwaste and food waste	3,679.00	577lbs/hh/yr for grass 225lbs/hh/yr for foodwaste	2,537.00	The Board staff determined the methodology to quantify the backyard composting to be adequate. From that the study concluded that 2,537 tons of materials were composted by residents in 2001. The RA also quantified diversion from backyard composting through the number of attendees at workshops from 1993-2001 (10,690 total). The RA used the same allocation percentages and lbs/per household/yr conversion factor as used in the study mentioned above. The end result was 3,680 tons of diversion claimed. The RA did not actually survey these attendees to determine if they were still composting. Although the 3,680 tons claimed is small relative to the overall generation amount, this methodology makes assumptions that are not substantiated through sufficient data.
Subtotal #1		**3,679.00**		**2,537.00**	**1,142.00**
Residential grasscycling	grass clipping	16,865.00	350lbs/sqft/yr	0.00	The Regional Agency did not verify the methodology (# of mulch mower sales and its correlation of grasscycling practice and amount), they used to calculate the estimated amount.
Subtotal #2		**16,865.00**		**0.00**	**16,865.00**
Recycler	Inerts (e.g., concrete and asphalt)	66,043.00	Scale Weights	75,981.60	Weights are tracked on an outbound scale after they are processed for recycling. Business contact verified the tonnage amount claimed. This program started in 1998. There was a miscalculation in the allocation of the diversion tonnage due to the incorrect application of the restricted waste criteria. The correction to this tonnage is reflected in the "verification finding" column. The restricted waste criteria were met.
Subtotal #3		**66,043.00**		**75,981.60**	**-9,938.60**
Thrift Stores	Various	11,401.00	conversion factors for each item	9,330.00	The City surveyed 19 thrift stores and used conversion factors for items they catalogued. However, some stores did not respond or refused to meet with the City staff; therefore, the City used a conversion factor (lbs/employee) to estimate the diversion amount. The Board staff recommends only to accept the surveyed amount.
Subtotal #4		**11,401.00**		**9,330.00**	**2,071.00**
Recycler	Inerts (e.g., concrete and asphalt)	51,010.00	Scale Weights	58,687.00	Tonnage amounts are substantiated with weight receipts, and origin of material is substantiated by a detailed recordkeeping system this company maintains. There was a miscalculation in the allocation of the diversion tonnage due to the incorrect application of the restricted waste criteria. The correction to this tonnage is reflected in the "verification finding" column. The restricted waste criteria were met.
Subtotal #6		**51,010.00**		**58,687.00**	**-7,677.00**
Recycler	Inerts (e.g., concrete and asphalt)	871.00	Scale Weights	871.00	Tonnage amounts are substantiated with weight receipts, and origin of material was substantiated because all County projects are for County roads. The restricted waste criteria were met.
Subtotal #7		**871.00**		**871.00**	**0.00**

Generator Identification	Material Type/Prgrm Activity	Regional Agency Claim (tons)	NBY Methodology	Verification Findings (tons)	Verification Findings/Site Visit Methodology
Recycler	Inerts (e.g., concrete and asphalt)	39467.00	Scale Weights	45,406.00	Tonnage amounts are based upon weight tickets and origin of material was confirmed by the Recycler contact person. Staff increased this tonnage due to an incorrect application of the restricted waste criteria by regional agency staff. The increased tonnage amount reflects the restricted waste criteria accurately.
Subtotal #8		**39,467.00**		**45,406.00**	**-5,939.00**
Recycler	Inerts (e.g., concrete and asphalt)	36,479.00	Scale Weights	41,966.00	Tonnage amounts are based upon weight tickets and origin of material was confirmed by the Recycler contact person. Staff increased this tonnage due to an incorrect application of the restricted waste criteria by regional agency staff. The increased tonnage amount reflects the restricted waste criteria accurately.
Subtotal #9		**36,479.00**		**41,966.00**	**-5,487.00**
Recycler	Inerts (e.g., concrete and asphalt)	28,676.00	Scale Weights	32,988.00	Tonnage amounts are based upon weight tickets and origin of material was confirmed by the Recycler contact person. Staff increased this tonnage due to an incorrect application of the restricted waste criteria by regional agency staff. The increased tonnage amount reflects the restricted waste criteria accurately.
Subtotal #10		**28,676.00**		**32,988.00**	**-4,312.00**
Recycler	Inerts (e.g., concrete and asphalt)	37,339.00	Scale Weights	42,956.00	Tonnage amounts are based upon weight tickets and origin of material was confirmed by the Recycler contact person. Staff increased this tonnage due to an incorrect application of the restricted waste criteria by regional agency staff. The increased tonnage amount reflects the restricted waste criteria accurately.
Subtotal #11		**37,339.00**		**42,956.00**	**-5,617.00**
ADC	greenwaste, C&D, MRF fines	14,274.00	Actual weights	11,545.00	The submitted tonnage was different from reported ADC tonnage in the DRS; therefore, it was corrected.
		14,274.00		**11,545.00**	**2,729.00**
CRT Recycling	CRT	151.00	Actual weights	0.00	CRT's are hazardous waste; therefore the amount was deducted.
		151.00		**0.00**	**151.00**
TOTAL		**306,255.00**		**322,267.60**	**-16,012.60**
Disposal Modification					
Disposal		678498.00		681,021.00	The Regional Agency submitted the disposal modification request after submittal of certification form. The Board staff reviewed the request and the latest information was used for the staff certification form.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-44

Consideration Of A Request To Change The Base Year To 2001 For The Previously Approved Source Reduction And Recycling Element; And Consideration Of The 2001/2002 Biennial Review Findings For The Source Reduction And Recycling Element And Household Hazardous Waste Element For The Sacramento County/City Of Citrus Heights Regional Agency, Sacramento County

WHEREAS, Public Resources Code Sections 41031 (Cities) and 41331 (Counties) requires that information submitted by a jurisdiction on the quantities of solid waste it has generated, diverted and disposed, shall include data as accurate as possible to enable the Integrated Waste Management Board (Board) to accurately measure the jurisdiction's achievement of the diversion requirement pursuant to PRC Section 41780; and

WHEREAS, the Sacramento County/City of Citrus Heights Regional Agency (Agency) submitted documentation requesting to change its base year to 2001, which it claims is as accurate as possible;

WHEREAS, a portion of the diversion tonnage originally claimed by the Agency has been modified as a result of staff verification, and is reflected in the staff-revised certification; and

WHEREAS, PRC Section 41821 requires a jurisdiction to annually submit to the Board by August 1 a report on its progress in implementing its Source Reduction and Recycling Element (SRRE) and Household Hazardous Waste Element and in achieving the diversion requirements of PRC Section 41780; and

WHEREAS, PRC Section 41825 requires the Board to review each City, County, and Regional Agency's (jurisdiction) SRRE and HHWE at least once every two years; and

WHEREAS, by conducting the Biennial Review in accordance with Title 14 California Code of Regulations Section 18772 based in large part on a jurisdiction's annual reports, the Board will determine if a jurisdiction has implemented its SRRE and HHWE programs, and if a jurisdiction is meeting the diversion requirements as specified under PRC Section 41780; and

WHEREAS, by conducting the Biennial Review in accordance with Title 14 California Code of Regulations Section 18772 and the Board's CIWMP Enforcement Policy Part II revised August 14-15, 2001 [authorized by PRC Section 41850(d)(3)], the Board determines if the jurisdiction has implemented its SRRE and HHWE programs, and if the jurisdiction is meeting the diversion requirements as specified under PRC Section 41780; and

(over)

WHEREAS, based on the Biennial Review of the SRRE and HHWE for the jurisdictions listed above, Board staff found that the Agency adequately complied with the SRRE and HHWE implementation and 50 percent diversion rate requirements, and recommends the Board accepts this finding; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the base-year change, as modified, to 2001 for the Agency.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board hereby accepts the finding that the Sacramento County/City of Citrus Heights Regional Agency is adequately implementing its SRRE and HHWE and is meeting the 50 percent diversion requirement.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 21

ITEM

Consideration Of Scope Of Work And Interagency Agreement With The Department Of General Services (DGS) For The Development And Integration Of The State Contract And Procurement Registration System (SCPRS) And An Electronic State Agency Buy Recycled Campaign (SABRC) Reporting System

I. ISSUE/PROBLEM STATEMENT

This item requests the California Integrated Waste Management Board (CIWMB) to consider and approve the Scope of Work (SOW) (Attachment 1) and enter into an Interagency Agreement (IAA) with the Department of General Services (DGS) as the Contractor for the development and integration of the State Contract and Procurement Registration System (SCPRS) with the CIWMB's State Agency Buy Recycled Campaign (SABRC) reporting system. The purpose of this IAA is to minimize the amount of effort and time spent by the CIWMB and State agencies and facilities responsible for reporting the total revenues spent on "Buy Recycled". CIWMB staff, from both the State Organization Facility Assistance Section (SOFA) and Information Management Branch (IMB), has worked with DGS program and IMB staff to develop the SOW for the development and testing of the internet based reporting system. Full implementation of this system will not only increase the overall credibility of the reported information required, but also make it available in "real-time".

II. ITEM HISTORY

SABRC is a joint effort between DGS and the CIWMB to implement State law. Public Contract Code (PCC) sections 12200–12320 require State agencies, large State facilities, and the Legislature to purchase recycled-content products (RCP) instead of non-RCPs. State agencies, facilities, and the Legislature are mandated to ensure that at least 50 percent of the dollars they spend on products within eleven (11) product categories and 25 percent of the dollars in a twelfth category are spent on RCPs. These entities report their purchases annually to the CIWMB, which is collecting the data on behalf of DGS. State law also requires product suppliers to certify the recycled content of all products offered or sold to the State.

The SABRC was established by AB 4 (Eastin, Chapter 1094, Statutes of 1989) and AB 11 (Eastin, Chapter 960, Statutes of 1993). The Public Contract Code, commencing with section 12150, requires State agencies to buy RCPs. This complements the efforts of the Integrated Waste Management Act (IWMA) to reduce the amount of waste going to California's landfills. The intent of the SABRC is to develop markets for products made from materials that State and local government programs divert from landfills in complying with the IWMA.

State agencies and large State facilities have a major impact on RCP purchasing. The State estimates that it spends more than six (6) billion dollars on goods and services each year.

With the recent reallocation of programs and resources within the CIWMB's structure, a new and more efficient reporting program needed to be identified and implemented.

CIWMB staff, in researching for a streamlined program, identified the SCPRS program operated by DGS. Through the modifications identified in the attached Scope of Work, significant program efficiencies will be made in every aspect of the program.

III. OPTIONS FOR THE BOARD

For the SOW, the Board may consider the following options:

1. Approve the proposed SOW, and adopt Resolution Number 2005-45, or
2. Approve the proposed SOW with specific changes, and adopt Resolution Number 2005-45 or
3. Take no action on the SOW at this time.

For the IAA, the Board may consider the following options:

A. Approve the IAA with DGS for the development and integration of the SCPRS system with the CIWMB's SABRC reporting system, and adopt Resolution Number 2005-46 or
B. Approve the IAA with DGS with specific changes for the development and integration of the SCPRS system with the SABRC reporting system and adopt Resolution Number 2005-46, or
C. Disapprove the proposed IAA.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve Options 1 and A, approving the proposed SOW and the IAA with DGS for the development and integration of the SCPRS system with the CIWMB's SABRC reporting system, and adopt Resolution Numbers 2005-45and 2005-46, respectively.

V. ANALYSIS

A. Key Issues and Findings

The amount of effort and time spent by the CIWMB, DGS, and State agencies and facilities responsible for reporting the total revenues spent on "Buy Recycled" is very cumbersome and labor intensive. To help streamline the process of reporting, the CIWMB staff has worked with DGS staff to develop an SOW for the development and testing of an internet-based reporting system. This system will allow for continuous submittal and tracking of all purchases, both RCP and non-RCP. Full implementation of this system is not only expected to increase the overall credibility of the reported information required, but also make it available in "real-time". Additionally, by using an electronic tracking and reporting system the CIWMB will be able to capture and understand who the State of California is buying from. This will allow staff the opportunity to easily research and reach out to the business community to further understand who is providing SABRC-compliant RCP products to the State, and which of the 12 categories these products are meeting. The system will also allow us the ability to identify who is selling the State of California reportable products that are not meeting the SABRC standards and contact them to determine what the barriers are in achieving the mandates. With the continued reduction in total resources available to the State, the efficiencies developed by this system will significantly help.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item.

C. Program/Long Term Impacts

The SABRC Program serves to further the Board's mission in promoting market development, resource conservation, waste management, and recycling. The implementation of this IAA will result in long-term effective and efficient reporting to help demonstrate how State government promotes the environmental and economic benefits of buying recycled. Additionally, the information collected by way of this IAA will identify in real-time who the State of California is purchasing from and who is selling the State of California RCPs. By identifying suppliers, the CIWMB will be able to work jointly with DGS to enter into agreements to help drive down the cost of RCPs and, in the future, work to identify and promote Environmentally Preferable Products (EPPs), all of which will assist state and local government agencies in meeting their procurement mandates.

D. Stakeholder Impacts

Based on available information, staff is not aware of any stakeholder impacts related to this item.

E. Fiscal Impacts

In fiscal year 1999-2000, $100,000 was continuously allocated as part of Finance Letter #3 for activities to increase the overall effectiveness and efficiency of the State Recycling and Buy Recycled Campaigns. The IAA being requested in this item will be funded out of the Integrated Waste Management Account (IWMA).

F. Legal Issues

Based on available information, staff is not aware of any legal issues related to this item.

G. Environmental Justice

The Contractor and any subcontractors will be required to perform this IAA in a manner consistent with the principles of Environmental Justice as defined in Government Code Section 65040.12.

H. 2001 Strategic Plan

This contract supports the Board's Strategic Plan as follows:

Goal 1: Increase participation in resource conservation, integrated waste management, product stewardship waste prevention to reduce waste and create a sustainable infrastructure:

- ***Objective 1***: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services.

Goal 2: Assist in the creation and expansion of sustainable markets to support diversion efforts and ensure that diverted materials return to the economic mainstream.

- ***Objective 2***: Encourage the use of materials diverted from California landfills and the use of environmentally preferable practices, products, and technologies.

Goal 7: Promote a "zero-waste California" where the public, industry, and government strive to reduce, reuse, or recycle all municipal solid waste materials back into nature or the marketplace in a manner that protects human health and the environment and honors the principles of California's Integrated Waste Management Act.

VI. FUNDING INFORMATION

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
IWMA	$100,000	$100,000	$0	C&P

VII. ATTACHMENTS

1. Scope of Work
2. Resolution Number 2005-45 (SOW)
3. Resolution Number 2005-46 (Agreement)

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Trevor O'Shaughnessy **Phone:** (916) 341-6203
B. Legal Staff: Deborah Borzelleri **Phone:** (916) 341-6056
Holly Armstrong **Phone:** (916) 341-6060
C. Administration Staff: Cecilia Frederick **Phone:** (916) 341-6095

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support
Staff had not received any written support at the time this item was submitted for publication.

B. Opposition
Staff had not received any written opposition at the time this item was submitted for publication.

Statement of Work

Enhancements to
State Contracts Procurement Registration System (SCPRS)

California Integrated Waste Management Board
And
Department of General Services

December 22, 2004

1. Overview

The State Agency Buy Recycled Campaign (SABRC) is a joint effort between the California Integrated Waste Management Board (CIWMB) and the Department of General Services (DGS) to implement State law requiring State agencies and the Legislature to purchase products with recycled content. It complements the efforts of the Integrated Waste Management Act (AB 939, Sher, Chapter 1095, Statutes of 1989), which was enacted to reduce the amount of waste going to California's landfills. State agencies are under the State mandate to use the DGS web application 'State Contracts Procurement Registration System (SCPRS)' to report on all contracts with $5,000 or more in value. However the system can and is used to report contracts with a value less than $5,000. CIWMB and DGS have mutually agreed to modify SCPRS to also track information on SABRC.

2. Background

The SCPRS application is designed to facilitate the collection of contract information of all state agencies. The SCPRS application provides all state agencies, departments, and boards a place to register and track all of their procurements and contracts above $5,000 in value as required by Management Memo 03-09. Customers may also utilize SCPRS to track contracts and purchases below $5,000.

The SCPRS application has the following features:

- Secure Interface (https://www.scprs.dgs.ca.gov/default.asp)
- User account set up and maintenance.
- A web based interface for user entry of the contracts and procurement activities and retrieval of data.
- A web-based interface for searching contracts/amendments to view details.
- Interface for amending contracts previously entered.
- Interface for administrators to edit contracts/amendments previously entered for typos or wrong data entry upon user's request.
- Interface for administrators to delete contracts/amendments previously entered for wrong data entry or duplicate entry upon user's request.
- Admin Interface to administer the site.
- Email notification to users at completion of data entry.
- A help section that supports users to easily learn and interact with the data.
- Application built using
  - ASP
  - SQL 2000 Server
  - VB Script
  - Java Script
  - SMTP email service
- The system does not currently interact with any existing systems in DGS or other state systems.

3. Business Objectives

- Upgrade SCPRS to support fiscal year breakdowns of contracts and sub contractors while maintaining a simple and user-friendly interface.
- Capture SABRC information from end user at the time a user is entering contracts in SCPRS.
- Allow CIWMB to store and maintain SABRC data and keep it in synch with SCPRS data.
- Create a simple technical interface between SCPRS and CIWMB that appears (relatively) seamless to the end user.

4. Scope

The scope of work required involves modifications to the existing SCPRS system to accommodate collection of some SABRC- required data.

First, several general changes are required to SCPRS to fully support the CIWMB's SABRC requirements. SCPRS will have to be modified to allow the users to report multi-year contracts by fiscal year, as the SABRC records are tracked by the fiscal year. Second, DGS and CIWMB both will benefit from having the subcontractor contact information on hand. SCPRS will need to be modified to allow the users to input information in SCPRS about subcontractors and certification details. This will primarily be used in the case where a DVBE is selected. *Lastly, another toggle would need to be added to SCPRS for non profit veteran service agency (NPVSA) to comply with or the requirements of Assembly Bill 323. (Need to agree that this is CIWMB related—awaiting conversation with PD & CIWMB)*

Other specific changes are required in SCPRS to accommodate collection of CIWMB's SABRC data. At present, SCPRS collects data on the contractor name and the FEIN Number, in addition to information about the contract. CIWMB needs additional information on the contractor (e.g., address information) so that they can promote doing business with them for meeting or exceeding the SABRC requirements. These additional fields will be collected regardless of whether the contract was SABRC reportable or not.

When creating a new contract or amendment, a "SABRC reportable" toggle will be added to the screen (similar to the other toggles for small business or disabled veteran). Upon submission of contract, the user will see the contract confirmation screen and receive an email as exists today. But if the "SABRC reportable" toggle was selected "Yes", the confirmation screen will contain a button and a statement such as "Click here to proceed with the SABRC reporting". This form button will forward data entered by the user and redirect the user to the SABRC reporting form housed on the CIWMB servers, where they can enter data on monies spent in the 12 product categories, such as antifreeze, compost, glass, etc. Any information submitted by the user related to SABRC (other than SABRC reportable "Yes" or "No") will be stored on CIWMB side. Upon completion of this SABRC entry the user will be redirected back to the DGS server where they can choose to enter another contract or browse through the SCPRS website. An interface for CIWMB staff to

view or change SABRC data pertinent to a particular contract once it is submitted will be handled by CIWMB.

The following list summarizes the modifications anticipated to SCPRS as a result of this SOW:

- Manage Contracts by Fiscal Year
  - New contracts broken down by fiscal year starting with Fiscal Year 2005/2006
  - Existing contracts left as is (i.e. no data conversion done).
- Capture & maintain additional Contractor Data in SCPRS for contracts and amendments:
  - Contractor Address (as a required field)
  - Contractor City (as a required field)
  - Contractor State(as a required field)
  - Contractor Zip Code (as a required field)
  - Contractor Email address (as an optional field)
- Capture & maintain Sub contractor Data in SCPRS for contracts and amendments:
  - All current data in SCPRS captured for contractors, as well as additional information requested in this SOW:
    - Subcontractor Address (as a required field)
    - Subcontractor City (as a required field)
    - Subcontractor State(as a required field)
    - Subcontractor Zip Code (as a required field)
    - Subcontractor Email address (as an optional field)
- Capture and maintain a “Nonprofit Veteran Service Agency” (NPVSA) attribute on a contract (similar to the small business, disabled veteran and micro business toggles currently in SCPRS).
- Capture and maintain a “SABRC Reportable” attribute on a contract (similar to the small business, disabled veteran and micro business toggles currently in SCPRS).
- Interface to CIWMB maintained page(s) to collect data for “SABRC reportable” contracts including passing of data and user’s SCPRS session info (return URL).
- Upon completion of data entry on CIWMB site, SCPRS should receive the user’s session back from CIWMB to allow them to enter another contract, or otherwise continue to use the SCPRS site, if desired.
- Support SABRC data capture during “Add Contract” or “Add Amendment” functions by passing required data to CIWMB in the link:
  - Contract ID, Contract/Amendment Registration Number, Purchase Order, Date entered, Contractor contact information, Sub Contractor information, Contract Description & Total purchase amount will be passed in the URL to the CIWMB.
- Administrative changes or deletes to Contracts or Amendments in SCPRS will be detected by SCPRS and relevant information fed to

CIWMB using email in a specified format. CIWMB would require manual input of the changes to their system.

Changes to CIWMB will be done by the programming staff in that department, and are outside of the scope of this SOW, but are listed here to provide context. CIWMB site will be created to:

- Manage interface between SCPRS and CIWMB under a secure site.
- Receive data passed in URL from SCPRS on a contract or amendment creation.
- Collect data on portion of contract spent in each of 12 recycled content categories.
- Collect data in a similar screen design as SCPRS to promote a seamless appearance to the end-user.
- Return user to SCPRS screen upon completion of SABRC data entry.
- Maintain data in synch with SCPRS contract information.
- Manage manual update and delete of SABRC information on contracts.
- Run required reports on SABRC data.

5. Assumptions

- SCPRS and the CIWMB data are loosely linked. That is, for those contracts where "SABRC Reportable" is "Yes," the system will not require (but will encourage) entry of SABRC data in order to complete the Contract. For example, if the end user does not choose to complete SABRC data entry, their contract will still have been saved to the SCPRS database and they will receive their email confirmation.
- CIWMB's SABRC site availability will not impact SCPRS data entry. That is, if the site is down at CIWMB, the user will still be able to complete their SCPRS contract entry, and provisions must be made to capture SABRC data at another time.
- Calls to SCPRS help desk that are SABRC related will be forwarded to CIWMB SABRC help desk.

6. Contractor Tasks

The Contractor shall perform the following tasks during this engagement:

- Define detailed requirements for modifications to SCPRS, working with PD, OTR & CIWMB, including:
  - Screen Changes.
  - Interface requirements to CIWMB.
- Obtain written approval of requirements documentation from appropriate management within DGS & CIWMB.
- Develop and document a detailed design of the required changes, including:
  - SCPRS Database changes required to support requirements.

    - Detailed technical interface specifications for each interface to CIWMB (e.g., Add Contract, Add Amendment, Change Contract, Delete Contract).
- Obtain written approval of design documentation from appropriate management within DGS & CIWMB.
- Code and unit test changes to SCPRS according to approved design.
- Perform integration testing with CIWMB to ensure the interface works as designed.
    - Document test plan.
    - Execute tests.
    - Record defects.
    - Resolve all high priority defects.
- Support DGS User Acceptance testing of the changes by fixing valid defects raised during this test.
- Manage scope and process changes through a formal change request process.
- Modify existing SCPRS documentation as appropriate to account for application changes introduced by this SOW.
- Provide written bi-weekly status reports to management in PD, OTR and CIWMB on progress.

7. Contractor Deliverables

The Contractor will be responsible for delivering the following items to the State during this engagement:

- Requirements Specification, to include at a minimum:
    - Screen prototypes for all changes.
    - Data migration requirements (if applicable).
    - Updates to existing SCPRS documentation.
    - Data transfer specification to the CIWMB web interfaces.

- Detailed Design documentation, to include:
    - Data model changes.
    - Interface requirements specified between SCPRS & CIWMB for each interface.

- Unit Tested Product, including:
    - Updated Code (asp pages, VB or Java script changes, etc.).
    - Updated Database Schema.
    - Migrated data (if applicable).

- Written Integration Test Plan & executed scripts.

- Migration Plan for production deployment, which clearly outlines files changed and step by step process to implement changes in production.

- Bi-Weekly status report of development work. The report will include a synopsis of work performed, problems and issues resolved, and open issues needing attention and, where possible, a recommendation for resolution.

8. State Responsibilities

The successful completion of the SABRC reporting requirements requires the cooperation of several groups within the state.

DGS-OTR

- Review & approve requirements and design deliverables.
- System Test application changes.
- Provide on-site facilities for contractor to perform work:
    - Hardware
    - Software
    - SCPRS development/test environment
- Provide access to existing SCPRS documentation.
- Provide technical expertise on SCPRS application.
- Support SCPRS post-production.

DGS-PD

- Provide business expertise on SCPRS throughout the contract.
- Provide input to requirements.
- Review & approve requirements.
- User Acceptance Testing.
- Update online documentation where needed, such as User Guide or Quick Reference Guide.
- Update Training materials.

CALEPA-CIWMB

- Provide business expertise on SABRC requirements.
- Review & approve requirements and design deliverables.
- Integration Test planning and execution support.
- User Acceptance testing.
- Support CIWMB post-production.

9. Payment Schedule

The total amount of this SOW for the SCPRS application changes should not exceed $100,000. The Contractor shall invoice *DGS* monthly in arrears detailing the actual hours and dollars expended for each deliverable specified in the work plan and schedule. All costs associated with travel, telephone usage, parking, printing, training materials, etc. are the responsibility of the Contractor.

10. Budget Detail and Payment Provisions

Invoicing and Payment:
For services satisfactorily rendered, and upon receipt and approval of monthly invoices, DGS/EI agrees to pay the Contractor in arrears for said services in accordance with Government Code Section 927 seq. The State will not accept an invoice for which work has not been approved and will return the invoice as a disputed invoice to the Contractor.

Small business contractors must identify their certified small business status on the invoice.

Invoices shall provide supporting documentation that properly details all charges, expenses, direct and indirect costs including staff timesheets. All invoices submitted by the Contractor to DGS/EI must identify the Purchase Order Number provided by DGS. Any invoices submitted without the referenced information may be returned to the Contractor for further re-processing. Send invoices to:

Payment Unit
Department of General Services
Office of the Chief Information Officer/PPAS
707 3rd Street, 3rd Floor
West Sacramento, CA 95605

Budget Contingency Clause:
It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program; this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.

If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either: cancel this Agreement with no liability occurring to the State, or offer an Agreement Amendment to Contractor to reflect the reduced amount.

Prompt Payment Clause:
Payment will be made in accordance with and within the time specified in Government Code, Chapter 4.5 (commencing with Section 927).

11. Contract Start Date

The DGS expects to select a vendor and initiate the contract in March 2005, and conclude the contract on or about June 2005.

This contract may be amended to add additional hours and/or time at the same rate identified in the contractor's response.

This contract maybe terminated with a 30-day prior notice.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-45

Consideration Of Adoption Of The Scope Of Work For The Development And Integration Of The State Contract And Procurement Registration System (SCPRS) And An Electronic State Agency Buy Recycled Campaign (SABRC) Reporting System

WHEREAS, AB 4 (Eastin, Chapter 1094, Statutes of 1989) and AB 11 (Eastin, Chapter 960, Statutes of 1993) established the State Agency Buy Recycled Campaign (SABRC) and assigns responsibility to both the Department of General Services and the California Integrated Waste Management Board (Board); and

WHEREAS, The Public Contract Code, commencing with section 12150, requires State agencies to buy Recycled Content Products, and

WHEREAS, The Scope of Work complements the efforts of the Integrated Waste Management Act (IWMA) to reduce the amount of waste going to California's landfills while meeting the intent of the SABRC to develop markets for products made from materials that State and local government programs divert from landfills in complying with the IWMA, and

WHEREAS, the Department of General Services and Board staff jointly developed a Scope of Work for the development and testing of the internet based reporting system through the State Contract and Procurement Registration System (SCPRS) to collect and meet the requirements of the (SABRC).

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Scope of Work for the Development and Integration of the State Contract and Procurement Registration System and an Electronic State Agency Buy Recycled Campaign reporting system for the amount of one hundred thousand dollars ($100,000).

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-46

Consideration Of Award Of Interagency Agreement (IAA) With The Department Of General Services (DGS) For The Development And Integration Of The State Contract And Procurement Registration System (SCPRS) And An Electronic State Agency Buy Recycled Campaign (SABRC) Reporting System In The Amount Of One-Hundred Thousand Dollars ($100,000)

WHEREAS, AB 4 (Eastin, Chapter 1094, Statutes of 1989) and AB 11 (Eastin, Chapter 960, Statutes of 1993) established the State Agency Buy recycled Campaign (SABRC) and assigns responsibility to both the Department of General Services and the California Integrated Waste Management Board (Board); and

WHEREAS, the Public Contract Code, commencing with section 12150, requires State agencies to buy Recycled Content Products, and

WHEREAS, the Scope of Work complements the efforts of the Integrated Waste Management Act (IWMA) to reduce the amount of waste going to California's landfills while meeting the intent of the SABRC to develop markets for products made from materials that State and local government programs divert from landfills in complying with the IWMA, and

WHEREAS, the Board approved the Scope of Work for the development and testing of the internet-based reporting system through the State Contract and Procurement Registration System (SCPRS) to collect and meet the requirements of the State Agency Buy Recycled Campaign (SABRC).

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Department of General Services as the Contractor for the Interagency Agreement (IAA) for the Development and Integration of the State Contract and Procurement Registration System (SCPRS) and an Electronic State Agency Buy Recycled Campaign reporting system, in the amount of one hundred thousand dollars ($100,000).

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005

Dated:

Mark Leary
Executive Director

California Integrated Waste Management Board

Board Meeting

February 15-16, 2005

AGENDA ITEM 22

ITEM

Consideration and Request for Direction on Proposed Revisions to the California Uniform Waste and Used Tire Manifest System

I. ISSUE/PROBLEM STATEMENT

At Board Member direction, CIWMB staff developed and implemented the current automated California Uniform Waste and Used Tire Manifest System (WTMS) in 2003-04, in response to the requirements of SB 876. The WTMS is an integral part of the Board's overall tire enforcement program, as it provides a regulatory process under which all of the participants must report all tire transactions. The current WTMS has been in operation since July 1, 2003, and has encountered a number of challenges, including: lack of funding for additional CIWMB staff to support the WTMS; the addition of a newly regulated community of 10,000-12,000 tire dealers and generators who had to be identified and educated on WTMS requirements; and, a high volume of reporting forms generated by the entire regulated community of tire dealers, haulers and end use facility operators.

In early 2004, staff were directed to accelerate review of the tire manifest program and develop options for the Board to consider that would simplify the waste tire tracking and reporting process, improve the efficiency of the Waste Tire Manifest System and reduce the paperwork volumes. In November 2004, the Special Waste Committee directed staff to conduct a stakeholder workshop to obtain comments on proposed changes to the WTMS. The workshop was held on January 24, 2005, and the comments received are summarized in this agenda item.

The purpose of this item is for the Board to consider the WTMS as currently structured and to review proposed revisions that could improve the efficiency and effectiveness of the tracking system by reducing the amount of paperwork, while maintaining the ability of the Board to achieve the Waste Tire enforcement and market development objectives. These objectives are discussed in greater detail in November 2004 Board Agenda Item 3, which was presented to the Special Waste Committee in November 2004, and is included as Attachment 1. These proposals are:

1. Utilizing the existing WTMS, more fully implement electronic submittal of data, through Electronic Data Transfer (EDT) and a Web-based data entry site for waste tire haulers to enter their information via the Web. The EDT and Web-based data entry allow the hauler to report on behalf of the generator and the end-use facility, using their own CIWMB approved invoice. If a majority of haulers do not participate in EDT and Web-based data entry, the WTMS may remain primarily a paper-based system because generators and end-use facilities will have to continue to use paper reporting documents. As part of this proposal, staff could develop software that would maintain customer lists and print client information on the manifest and/or trip logs to assist the generator, hauler and end-use facility with the paperwork burden.

2. Develop a Comprehensive Trip Log (CTL) form that would be completed and submitted by the hauler on behalf of the generator and the end-use facility, in place of the current manifest form and trip log. This option is based on a new form to be completed by haulers who are not participating in electronic data submittal. The form provides trip log "receipts" which are given to the generator and the end use facility. The information required on the CTL could be submitted electronically, or via paper format for data input, based on the hauler's invoice.Develop a summary reporting system that requires all waste tire haulers, generators and end use facilities to submit a quarterly report to the CIWMB summarizing the number of waste tires generated, hauled or put to an end use, by TPID number, in place of the current manifest form and trip log. This option is based on a hauler invoice, with all entities reporting. Quarterly reports could be submitted electronically, or via paper format for electronic scanning.

II. ITEM HISTORY

Board staff have summarized the lengthy history of the Board's efforts in the area of waste tire manifests in the attached November 2004 agenda item (Attachment 1). More recently, Board action included:

- On August 19 and September 8, 2004 workshops were held in Sacramento and Diamond Bar to obtain stakeholder input on ways to improve the efficiency and simplify the process used in the Waste and Used Tire Manifest System. Some suggested remedies included a simpler manifesting document, the "Comprehensive Trip Log," and further expanding the use of EDT and a Web-Based Data Entry for haulers to input their manifest information and minimize their reporting requirements.
- On January 24, 2005, another workshop was held in Sacramento to obtain input from stakeholders concerning the "Comprehensive Trip Log" and the "Quarterly Summary Report" and to demonstrate the ease of using the Web Based Data Entry option for haulers interested in using their own forms and submitting electronic reports to the Board. Both the Comprehensive Trip Log and Web Based Data Entry were well received by these stakeholders.

III. OPTIONS FOR THE BOARD

Following are the actions the Board may take, based upon the proposed options below, to modify the Waste and Used Tire Manifest System (WTMS).

The Board may:

- Direct staff to implement any of the proposed options listed below;
- Modify and then direct staff to implement any of the proposed options listed below;
- Direct staff to provide additional information, and bring the proposed options back to a future meeting of the Board.

A. Proposed Modifications to the California Uniform Waste and Used Tire Manifest System (WTMS) for Board Consideration

The following is a summary of three proposed options for Board consideration. Each option is described in more detail in Attachment 1, the November 2004 Board Agenda Item on the WTMS.

<u>Option 1 – More fully implement electronic data submittal for the existing paper based Waste and Used Tire Manifest System.</u>

Continue to implement the current paper-based WTMS that requires every generator, hauler and end-use facility to document each tire transaction and then to submit a copy of that transaction in the form of a completed manifest or trip log to the CIWMB for tracking and reconciliation. Implementation would continue with the suggested improvements detailed below:

- Continue the paper form process and expand the Pilot Electronic Data Transfer (EDT) project. The EDT module allows haulers to report on behalf of the generator and end-use facility, and to send data from their tire transactions to the Board electronically on a monthly schedule. The data is generated through software programmed to extract the data from the participating hauler's internal accounting system or operation. This project is based on use of the hauler's invoice, as approved by the CIWMB to ensure it captures all required information.
- Test and implement a new Web-based data entry option that has been developed by staff, which would allow the hauler to report on behalf of the generator and end-use facilities, using the hauler's own invoice form, once it is reviewed and approved by the CIWMB to ensure all required information is captured. The Web-based data entry allows anyone with an Internet connection to access the Board's Tire website where all tire transaction information can be entered, in lieu of submitting the paper forms.
- Develop a software package that would allow haulers who cannot or prefer not to utilize EDT or Web-based data entry to input their client base onto a trip log or similar document. The client information would be retained by the hauler and updated when needed. The software would simplify the process and make it easier to complete the forms.

Pros and Cons -- Option 1

The November 2004 agenda item (Attachment 1) provides a more detailed description and discussion of this option.

Pros:

- If EDT or Web-based data entry is selected, the hauler reports on behalf of the generator and the end-use facility, allowing staff efforts to focus only haulers, which staff believes is the most beneficial in terms of accuracy of data, compliance with requirements, and most effective use of resources.
- With EDT or Web-based data entry, the generator and end-use facility would not be required to submit forms or report directly to the CIWMB, but would still be part of the system by maintaining records for 3 years for audit and enforcement purposes.
- With EDT and Web-based data entry, reporting by the hauler would be based on their own Board approved invoice which simplifies reporting, and which should decrease completion errors, and increase data quality.
- This option captures all key information for enforcement purposes: pick up and delivery transactions and dates; quantities of tires exchanged; truck and decal information; specific information regarding the generator, hauler and end use facility by tying the TPID of generator, hauler and end use facility to specific pick up and deliveries; and driver information.
- Provides cross-referencing ability at the trip level between all three parties for enforcement purposes.
- Use of EDT and Web-based data entry would significantly reduce the number of forms required to be completed and submitted by all reporting parties and significantly reduce staff time expended mailing out forms and processing forms upon receipt.

- Although the hauler will be reporting on behalf of the end-use facility, these facilities would still be required to submit information on unregistered haulers to the CIWMB, ensuring that the Board can still follow up on this information.

Cons:

- EDT and Web-based data entry would place the majority of the responsibility on the hauler to submit information on behalf of the generator and end-use facility.
- EDT and Web based data entry will not be mandatory, so the Board may not obtain the full benefits that full participation would bring because many generators, haulers and end-use facilities will continue to use the paper-based forms.
- Generators, haulers and end-use facilities that use a hauler who is unwilling or unable to participate in EDT or Web-based data entry would still be required to submit the existing manifest and trip log forms.
- This option will be more time consuming for both the regulated community and for Board staff in terms of time to complete the forms, number of forms, and required reporting by all if not using EDT or Web-base data entry.
- It would not reduce the paperwork burden on the regulated community or simplify the process, or reduce the burden and cost to the Board.

Option 2 – Implement a Comprehensive Trip Log (CTL) based system in place of the existing manifest and trip log.

This option would eliminate the existing manifest and trip log forms, and instead would require completion of a single, paper Comprehensive Trip Log (new form) by the Hauler for transportation of waste or used tires. It builds from the "only the hauler reports" approach currently used with the EDT and Web-based reporting mechanisms. Like the above approach, it allows the hauler to report tire transactions on behalf of the generator and end-use facility using a single form.

Under this option, the hauler would 1) obtain and report all required information on tire transactions, including the identification of the generator and the end use facility, 2) provide the generator and end use facility with a Trip Log Receipt for each load; and 3) submit the CTL form to the CIWMB within 14 days of the tire transaction. The Trip Log receipts provided to the generator and end use facility would be maintained by them for 3 years at their facility location for enforcement purposes.

Reporting of the information collected under this option would be by electronic data submittal through EDT and Web-based data entry, as well as by the paper form.

Pros and Cons -- Option 2

The November 2004 agenda item (Attachment 1) provides a more detailed description and discussion of this option.

Pros:

- The hauler would report on behalf of the generator and the end-use facility, allowing staff efforts to focus only haulers, which staff believes is the most beneficial in terms of accuracy of data, compliance with requirements, and most effective use of resources.
- The generator and end-use facility would not be required to submit forms to the CIWMB, but would still be part of the system by maintaining records for 3 years for audit and enforcement purposes.

- Reporting by the hauler would be based on their own Board approved invoice if using EDT or Web-based data entry, which will lessen the burden, simplify the process, and increase data quality.
- Reporting using the new Comprehensive Trip Log will be simpler, which should decrease completion errors and increase data quality.
- For enforcement purposes captures all key information except trip information.
- Provides a level of cross referencing down to the load level.
- Would significantly reduce the number of forms required to be completed and submitted (75%); and significantly reduce staff time in mailing out forms and processing forms upon receipt.
- Would reduce costs for CIWMB from pre-paid postage and postage out-going as only haulers not participating in EDT or Web-based data entry will submit forms to the CIWMB (800 haulers only vs. 11-13,000 generators, haulers and end use facilities).
- Although the hauler will be reporting on their behalf, end-use facilities would still be required to submit information on unregistered haulers to the CIWMB, ensuring that the Board can still follow up on this information.

Cons:

- Would place the majority of the responsibility on the hauler to submit information on behalf of the generator and end-use facility.
- EDT and Web-based data entry will not be mandatory, so may not obtain the full benefits that full participation would bring.
- Will show individual pick up and delivery of tires, but does not associate a specific pickup or delivery to a specific trip. Therefore the Comprehensive Trip Log option tracks at the load level but not at the trip level.
- Will require regulatory changes.
- Information not captured by the CTL format: import; export; hauler exemption information categories; in transit load information; date on tire types and amounts; intended use; comments.

Option 3 – Implement a Summary Quarterly Reporting system for all generators, haulers, and end-use facilities

This option would eliminate the existing manifest and trip log forms, and instead would require **each** generator, hauler and end-use facility to submit to the CIWMB a quarterly summary report, in a reporting format developed by the Board.

The report would provide summary information only on the number of tires generated, the tire generator's location, the number of tires hauled by a registered hauler, and the number of tires processed by the end use facility, along with identifying information such as names, addresses, and TPID numbers.

Reporting of this information would be done by electronic data submittal through EDT and Web-based data entry, as well as the paper form.

Pros and Cons -- Option 3

The November 2004 agenda item (Attachment 1) provides a more detailed description and discussion of this option.

Pros:

- As currently described, the generator, hauler, and end-use facility would all be required to report, so they would all be a part of the system and would be required to maintain records for 3 years for audit and enforcement purposes.
- Would greatly simplify reporting for the generator, hauler and end-use facility because reporting would be based on invoices rather than multiple forms, and only one summary report per quarter would be required.
- It may be possible to allow the hauler to report on behalf of the generator and end-use facility, if using EDT or Web-based data entry.
- Would provide a summary of number of tires by quarter, by generator, hauler and end use facility and TPID number for enforcement and market development purposes.
- Provides cross-referencing ability between all three parties at a summary level.
- Would place less burden on the generator, hauler and end-use facility as transaction specific manifests and logs would not be required to be completed and would thus significantly reduce the number of forms required to be submitted by the generator, hauler, and end-use facility (between 40-45%).
- Would significantly reduce staff time in mailing out forms and processing forms upon receipt.
- Would reduce costs for CIWMB from pre-paid postage and postage out-going as only generators, haulers and end-use facilities not participating in EDT or We-based data entry will submit paper forms to the CIWMB.
- End-use facilities would still be required to submit information on unregistered haulers to the CIWMB, ensuring that the Board can still follow up on this information.

Cons:

- For enforcement purposes, will not provide load dates, load amounts, type, hauler registration or truck decal information. Invoices would have to be reviewed at the generator/hauler/end-use location for this information.
- Places more of a burden on the generator, hauler and end-use facility to maintain accurate record of tire usage for a 90-day period in order to prepare report, rather than capturing or recording information at time of each transaction, which could result in data accuracy problems.
- Could create a workload management issue, as staff will be receiving all quarterly reports at once versus receiving a constant flow of forms.
- Haulers that act in the multiple roles of generator, hauler and end-use facility will be required to complete more than one quarterly report.
- Will require statutory and regulatory changes.
- Implementation will require substantial data management system development, requiring a substantial staff and resource allocation.
- EDT and Web-based data entry will not be mandatory, so may not obtain the full benefits that full participation would bring.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve Option 2 and further asks the Board to direct staff to initiate emergency regulations to incorporate the “Comprehensive Trip Log” into existing regulations.

V. ANALYSIS

A. Key Issues and Findings

Attachment 1, the November 2004 Board agenda item on the WTMS provides a detailed discussion of the background, history and critical issues considered during analysis of proposed changes to the WTMS.

Special Waste Committee WTMS Workshop

As directed by the Special Waste Committee, staff conducted a workshop on January 24, 2005 in Sacramento in order to obtain comments from stakeholders regarding options for revising the Waste Tire Manifest System. Staff provided background and a description of the three options proposed in this agenda item. In summary, the majority of the participants expressed support for Option 2, the Comprehensive Trip Log, and particularly for the use of Electronic Data Submittal and Web-based Data Submittal. Concerns were expressed about accountability in any system that allows the hauler to report on behalf of the other parties to tire transactions; and how generators and end-use facilities can ensure that the information that is submitted on their behalf by the hauler is correct. Staff clarified that retreaders can continue to use the Retreader Trip Log that was recently implemented for them; and that end-use facilities will still be required to report unregistered haulers to the Board. In addition, it was suggested that the CIWMB consider an incentive program (bounty) for haulers submitting the Comprehensive Trip Log to the Board, to encourage compliance with the requirements.

A more detailed summary of questions and answers is included as part of this agenda item as Attachment 2.

B. Environmental Issues

If any revisions to the regulations are adopted by the Board, staff will conduct any environmental analysis required under CEQA and submit any required environmental documents to the Board for its consideration.

C. Program/Long Term Impacts

The Waste Tire Manifest System has been in production for just over one year. In that time the Board has received over 300,000 paper manifest/log forms and 130,000 electronic WTMS records. As noted previously, the WTMS paper process is staff intensive and is somewhat problematic in data quality and completeness. The EDT data, by contrast, is complete and is of generally higher accuracy. The current EDT process and proposed Web-based data entry have a significantly lower staff preparation time and are submitted on a set schedule established between the participants and the Board.

The Waste Tire program is considered foundational to the mission of this Board and to the state as a whole, as past Board actions reflect. If the Board is to continue to support a Waste Tire program, it must have some form of a Waste Tire Manifest System and an Enforcement program as components. The question is how to do this given the current fiscal and staffing constraints. The regulated community associated with the waste tire program is large - 10,000 – 12,000 generators, 800 registered haulers, and 200 plus end-use facilities, and California is a large and populated state with many automobiles and a very large number of waste and used tires. These tires must be accounted for and dealt with in a systematic and efficient way that recognizes

the needs of industry and the Board to work cooperatively to manage the environmental hazard that waste and used tires represent. Given the above options and the stated need for an effective manifest and tire enforcement program, EDT and Web-based data entry are sound and accessible alternatives that provide for lower data collection costs, higher data accuracy and more timely data submission. Using these two data entry options has the least impact on the participant's current business processes. Any option selected by the Board should include electronic data submittal as the principal method used by the regulated entities wherever possible.

To begin to achieve a more workable manifest system and to provide support to the Board's emerging Tire Enforcement program, it is critical that the Board seek, with appropriate oversight and criteria, the ability to enable waste tire industry businesses to participate in the EDT and Web Based Data Entry programs. The Board can do this by providing technical assistance to those members of the regulated community who might best benefit and by leveraging the Board's own existing data resources. In addition the Board should seek to align any paper manifest processes that will be required with the EDT and Web based EDT approach where "only the hauler reports." This approach has proved workable and acceptable to the regulated community as evidenced in the three recent public hearings on various manifest options and as reviewed by the larger haulers in the State.

The objectives of SB 876 - tracking the movement of waste and used tires; identifying illegal haulers and disposal; an enhanced enforcement program; and reliable data for market development - all derive from accurate and complete data within the WTMS. An opportunity exists now to potentially lower the cost for that data collection by providing some level of assistance to the regulated community from whom the WTMS data is being generated.

D. Stakeholder Impacts

Option 1 –Paper Manifests, Electronic Data Transmission and Web Based Data Entry under current WTMS

Staff anticipate that many generators, haulers and end-use facilities will continue to use the paper-based manifests and trip logs. A number of participants under the current WTMS process use an electronic process for reporting tire transaction data to the Board. Of the two, electronic data submittal is considered more accurate and convenient than the paper. Staff is hopeful that more haulers, both large and small, can utilize the EDT and Web-based data entry processes for the submission of their records. It is believed that once in production and available to the waste tire haulers, this process will be received well and widely used in lieu of the existing paper manifesting forms. Web-based data entry is a very viable approach that would broaden the use of EDT and allow participants to submit data easily and securely through the Internet to the Board's website.

Option 2 - Comprehensive Trip Log

The Comprehensive Trip Log option aligns the paper manifest process with the "only the hauler reports "EDT and Web-based data entry approaches. It provides for the collection and reporting of pertinent information on the pick up and delivery of tires. It identifies the generator, hauler and/or end user to each transaction. And while it does not provide "reconciliation" to each Hauler trip, it does provide specific information on the date, time, name and address, trucks and tire load amounts for the

tracking and enforcement of waste tire haulers, generator and end users. The form as introduced to the stakeholders in the workshops both in Sacramento and Diamond Bar appeared to be acceptable to the community, as they liked its format and simplicity. If the Comprehensive Trip Log form option is selected it will still provide an adequate enforcement and tracking ability while reducing the paper volume for stakeholders by up to 60%.

This option strikes a common sense compromise between the existing manifest system and tracking program needs for basic tire enforcement. It reduces business overhead for the hauler, generator and end-use facility. For the Board, it reduces paper form printing, handling and processing.

It provides a common and uniform approach to Waste Tire data gathering by having both **paper and electronic data processes whereby the hauler is the responsible reporting party**, regardless of reporting options. And finally, it meets the intent of SB 876 for accountability of all parties in the tire transaction while providing the information necessary for auditing, enforcement of the State's growing tire problem.

Option 3- Quarterly Summary Reporting Proposal
This option will reduce the paperwork burden somewhat, but require a different type of reporting by all entities. In this option, each generator, hauler and end-use facility will be required to maintain records upon which to base a quarterly report summarizing their tire transaction activities. In contrast to Options 1 and 2, the hauler will not report on behalf of the over 10,000 generators, or the end-use facilities. As with the above, EDT and Web-based data entry are viable reporting means.

E. Fiscal Impacts

Option 1 - Electronic Data Transmission and Web Based Data Entry under current WTMS
Funding was approved in March 2004 for expanded uses of the EDT and Web-based processes and existing monies could be used to develop the software package in this option. Ongoing form processing costs for the current Manifest and Trip logs forms are estimated to be $300,000. These funds are being allocated from the current Tire Fund. Additional developmental costs for improvements to the system should be minimal, as the major costs have already been incurred.

Option 2 - Comprehensive Trip Log
Funding will be required to reconfigure the existing WTMS database and for the development of the Comprehensive Trip Log. Developmental costs to expand the use of WTMS to incorporate the Comprehensive Trip Log will include development of the form, and printing and processing costs. These costs are expected to be moderate, as the CTL process will be built upon the existing WTMS, and those developmental costs have already been incurred. The additional funds can be allocated from the current Tire Fund.

Option 3 – Quarterly Summary Report Proposal
Additional funding will be required to reconstruct the existing WTMS database to accommodate a Quarterly Summary Report and for the development of the Quarterly Summary Report form. Developmental costs for what will amount to a new system are anticipated to be major, as the system will have to be reconstructed, a process that

will not be able to take advantage of the existing WTMS structure. These funds can be allocated from the current Tire Fund.

F. Legal Issues

It appears that Option 2, the Comprehensive Trip Log will require regulatory changes and Option 3, the **Quarterly Summary Report**, will require statutory changes prior to adopting regulations. For example, Public Resources Code section 42961.5 is currently very specific in its requirements concerning the definition of a manifest and the need to maintain manifests by generators, haulers, and end-users. A regulation that proposes less stringent requirements than the statute could be found to be invalid.

G. Environmental Justice

The "California Uniform Waste and Used Tire Manifest System." is equally and uniformly applied to all applicable parties throughout the state of California regardless of income, population density, race, or ethnic origin.

H. 2001 Strategic Plan

With the implementation of these enhancement alternatives to assist in the EDT process, this item directly relates to the following goals and objectives of the Board's 2001 Strategic Plan:

- **Goal 1**—Increase participation in resource conservation, integrated waste management, waste prevention, and product stewardship to reduce waste and create a sustainable infrastructure:

  Objective 1: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services.

- **Goal 3**—Educate the public to better understand and participate in resource conservation and integrated waste management strategies.

  Objective 1: Increase the level of environmental education and technical assistance support provided to all Californians about resource conservation and integrated waste management strategies.

- **Goal 5**—Improve the efficiency and effectiveness of the California Integrated Waste Management Board in pursuit of its mission.

  Objective 3: Improve the exchange of and access to information internally and externally.

- **Goal 7**—Promote a "zero-waste California" where the public, industry, and government strive to reduce, reuse, or recycle all municipal solid waste materials back into nature or the marketplace in a manner that protects human health and the environment and honors the principles of California's Integrated Waste Management Act.

  Objective 1: Promote source reduction to minimize the amount of waste generated.

VI. FUNDING INFORMATION

The $1.1 million allocated in Table 10 of the Waste and Used Tire Hauler Program and Manifest System Budget of the Board-approved Five-Year Plan should be adequate to accommodate the proposed program modifications to the WTMS, including new forms, computer program modifications, and development of regulations.

VII. ATTACHMENTS

1. Board Agenda Item 3 – November 9-10, 2004
2. Summary of Comments – January 24, 2005 Special Waste Committee Workshop on Waste Tire Manifest System
3. Resolution Number 2005-53

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

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IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

No letters of Support were submitted for these proposals

B. Opposition

One letter of Opposition to Option 3, the "Quarterly Summary Report" was submitted by a hauler who felt that a heavy burden would be placed upon them to report in this manner. In addition, one letter was sent not opposing any of the options, but to show concern for Option 2, the "Comprehensive Trip Log" as confidential information may be shown to competitors when the proprietor is required to initial the form. The hauler also felt that a quarterly/annual report was still warranted for the generator and end-use facility to ensure the "Comprehensive Trip Log" was submitted by the Hauler.

Two additional letters were received by the Board that requested the Board to look at a "Bounty Incentive" for each manifest form submitted by the hauler, as an incentive to ensure the forms were correctly and promptly sent in. This "Bounty Incentive" was also mentioned at the January 24th Manifest workshop.

California Integrated Waste Management Board

Board Meeting

November 9-10, 2004

AGENDA ITEM 3

ITEM

Discussion and Request for Direction on Proposed Revisions to the California Uniform Waste and Used Tire Manifest System

I. ISSUE/PROBLEM STATEMENT

At Board Member direction, CIWMB staff developed and implemented the current automated California Uniform Waste and Used Tire Manifest System (WTMS) in 2003-04, in response to the requirements of SB 876. The WTMS is an integral part of the Board's overall tire enforcement program, as it provides a regulatory process under which all of the participants must report all tire transactions. The current WTMS has been in operation since July 1, 2003, and has encountered a number of challenges, including: lack of funding for additional CIWMB staff to support the WTMS; the addition of a newly regulated community of 10,000-12,000 tire dealers and generators who had to be identified and educated on WTMS requirements; and, a high volume of reporting forms generated by the entire regulated community of tire dealers, haulers and end use facility operators.

In early 2004, staff were directed to accelerate review of the tire manifest program and develop options for the Board to consider that would simplify the waste tire tracking and reporting process, improve the efficiency of the Waste Tire Manifest System and reduce the paperwork volumes.

The purpose of this item is for the Board to consider the WTMS as currently structured and to review proposed revisions that could improve the efficiency and effectiveness of the tracking system by reducing the amount of paperwork while maintaining the ability of the Board to achieve the stated Waste Tire enforcement and market development objectives (see section V, Background, Critical Issues to Consider). These proposals are:

1. Utilizing the existing WTMS, more fully implement electronic submittal of data, through Electronic Data Transfer (EDT) and a Web-based data entry site for waste tire haulers to enter their information via the Web. The EDT and Web- based date entry allow the hauler to report on behalf of the generator and the end- use facility, using their own CIWMB approved invoice. The WTMS will remain primarily a paper-based system, as staff anticipate that many haulers will be unable or unwilling to use EDT and Web-based data entry, and instead will continue to use paper reporting documents. As part of this proposal, staff would develop software that would maintain customer lists and print client information on the manifest and/or trip logs to assist the generator, hauler and end-use facility with the paperwork burden.

2. Develop a Comprehensive Trip Log (CTL) form that would be completed and submitted by the hauler on behalf of the generator and the end-use facility, in place of the current manifest form and trip log. This option is based on a new form completed by the hauler, who provides trip log "receipts" to the generator and the end use facility. The CTL could be submitted electronically, or via paper format for electronic scanning.

3. Develop a summary reporting system that requires all waste tire haulers, generators and end use facilities to submit a monthly report to the CIWMB, summarizing the number of waste tires generated, hauled or put to an end use, by TPID number, in place of the current manifest form and trip log. This option is based on a hauler invoice, with all entities reporting. Monthly reports could be submitted electronically, or via paper format for electronic scanning.

II. ITEM HISTORY

The Board has a long and involved history with waste tires as shown below in past legislation and Board action:

- Senate Bill (SB) 744 (McCorquodale, 1993) established the Waste Tire Hauler Registration Program and required the Board to adopt regulations for the Waste Tire Hauler Registration and Manifesting Programs. These regulations became effective on May 9, 1996. Under this system, the waste tire hauler was required to register his business and vehicles annually. In addition, each generator, hauler and end-use facility was required to complete a portion of a manifest form for tire transactions, and maintain a copy of the manifest form for 3 years. These entities were not required to submit copies to the CIWMB.
- Assembly Bill (AB) 117 (Escutia, 1998) required the Board to prepare a report to the Legislature on the waste tire program in effect at that time, and to make recommendations by June 30, 1999 for needed changes. The Board adopted the final version of the report entitled "California Waste Tire Program Evaluation and Recommendations" at its June 22, 1999 meeting. This report recommended that the manifest system in place at that time be continued, with the following modifications:
  - "Close the loop" on accountability, i.e. have copies of each manifest returned to the Board for monitoring.
  - Account for imported scrap and used tires.
  - Provide for "one time hauls" to support amnesty days and individual clean up of small tire piles.
  - Increase from five to ten the maximum number of waste and used tires that could be transported without having to obtain a waste tire hauler permit.
  - Develop a process to allow a hauler to temporarily substitute a replacement vehicle for a permanently registered vehicle.
- SB 876 (Escutia, 2000) requires copies of each manifest to be submitted to the Board for monitoring tire loads and the movement of tires within California. Based on this, Board staff modified the Waste Tire Manifest and Waste Tire Hauler Registration and manifesting regulations in effect at that time to incorporate these changes so that the Board would receive a copy of the completed manifest document for each transaction performed by the waste tire generator, hauler, and waste tire end-use facility. This legislation also required the Board to enhance the manifest system and make the manifest available in electronic format, which would make it possible to submit information to the CIWMB electronically.
- Board staff conducted public workshops in November 2001 to discuss and obtain comments on the proposed "California Uniform Waste and Used Tire Manifest System." Numerous comments were received from industry concerning this new manifest system. These comments were considered during the initial design and development of the documents.
- In March 2002, staff conducted a "testing phase" of the new form prototypes by

selecting a small group of waste tire generators, haulers, and end-use facilities to participate in using these documents for a two-week period. The information collected during this "testing phase" was crucial and resulted in the development of the final prototypes for implementation in the summer of 2003.

- During the October 7, 2002 Special Waste and Market Development Committee meeting, staff was directed to commence the 45-day comment period to implement regulatory changes that were consistent with SB 876 and the newly created "California Uniform Waste and Used Tire Manifest System."
- On December 6, 2002, the proposed changes to the Waste Tire Hauler Registration and Manifesting Regulations were publicly noticed with the Office of Administrative Law, which initiated the 45-day comment period ending on January 27, 2003.
- On February 4, 2003, the Special Waste and Market Development Committee held a public hearing for the 45-day public comment period for these regulations. Staff was directed to publicly notice the proposed changes to the Waste Tire Hauler Registration and Manifesting Regulations for an additional 15-Day Comment Period.
- On April 16, 2003 the Waste Tire Hauler Registration and Manifesting Regulations were submitted to the Office of Administrative Law (OAL). OAL approved these regulations on May 28, 2003, and they took effect on July 1, 2003.
- In June 2004, the Special Waste Division brought the Emergency Regulations for Retreaders to the Board, in order to alleviate some of the workload for the retread industry. The Retreader Trip Log (CIWMB 180) was introduced to accomplish the capture of information, provide a document for use while transporting tire casings, and to reduce the burdensome requirements of the manifest system for this group of haulers. Less regulatory scrutiny is required to monitor tire casings, because tire casings are a valuable commodity so there is no incentive to illegally dispose of them.
- On August 19 and September 8, 2004 workshops were held in Sacramento and Diamond Bar to obtain stakeholder input on ways to improve the efficiency and simplify the process used in the Waste and Used Tire Manifest System. Some suggested remedies included a simpler manifesting document, the " Comprehensive Trip Log," and further expanding the usefulness of EDT and a Web-Based Data Entry for haulers to input their manifest information and minimize their reporting requirements.

III. OPTIONS FOR THE BOARD

Following are the actions the Board may take, based upon the proposed options below, to modify the Waste and Used Tire Manifest System (WTMS).

The Board may:

A. Direct staff to implement any of the proposed options listed below;
B. Modify and then direct staff to implement any of the proposed options listed below;
C. Direct staff to provide additional information, and bring the proposed options back to a future meeting of the Board.
D. Direct staff to further develop the options and seek stakeholder input and bring the proposed options back to a future meeting of the Board.

A. Proposed Modifications to the California Uniform Waste and Used Tire Manifest System (WTMS) for Board Consideration

The following is a summary of three proposed options for Board consideration. Each option is described in more detail in attachments to this agenda item.

Option 1 – More fully implement electronic data submittal for the existing paper based Waste and Used Tire Manifest System.

Continue to implement the current paper-based WTMS that requires every generator, hauler and end-use facility to document each tire transaction and then to submit a copy of that transaction in the form of a completed manifest or trip log to the CIWMB for tracking and reconciliation. Implementation would continue with the suggested improvements detailed below:

- Continue the paper form process and expand the Pilot Electronic Data Transfer (EDT) project. The EDT module allows haulers to report on behalf of the generator and end-use facility, and to send data from their tire transactions to the Board electronically on a monthly schedule. The data is generated through software programmed to extract the data from the participating hauler's internal accounting system or operation. This project is based on use of the hauler's invoice, as approved by the CIWMB to ensure it captures all required information.
- Test and implement a new Web-based data entry option that has been developed by staff, which would allow the hauler to report on behalf of the generator and end-use facilities, using the hauler's own invoice form, once it is reviewed and approved by the CIWMB to ensure all required information is captured. The Web-based data entry allows anyone with an Internet connection to access the Board's Tire website where all tire transaction information can be entered, in lieu of submitting the paper forms.
- Develop a software package that would allow haulers who cannot or prefer not to utilize EDT or Web-based data entry to input their client base onto a trip log or similar document. The client information would be retained by the hauler and updated when needed. The software could be created specifically for each hauler upon request and would simplify the process and make it easier to complete the forms.

Discussion of Option 1

This option proposes to fully implement electronic submittal of data, through the current paper manifest and trip logs, Electronic Data Transfer (EDT) and Web-based data entry. For EDT and Web-based data entry, waste tire haulers will enter their information via the Internet, and will report on behalf of the generator and the end-use facility, using their own CIWMB-approved invoice. This option also includes the development of software for those haulers that would continue to use paper documents. The benefit of this software would be that it helps the business maintain customer lists and would allow the hauler to print client information on the WTMS manifest, trip log or similar document.

Issues arising from the use of the current manifest and trip log forms.

Time to complete the form. According to participants attending the workshops, the current manifest and trip log forms take too much time to complete. Estimates are that it takes from about 90 seconds to 180 seconds per form depending on the individual and whether the hauler or generator is using a rubber stamp to provide some of the standard information like name and address. Beyond these factors there are basically no other 'costs' to the generator, hauler or end use facility. The CIWMB supplies all forms and

pays for postage.

It should be noted that the haulers have prior experience with the CIWMB in the use and submittal of manifests, because, in the manifesting system in place in the 1990's, haulers and generators were requested, not required, to submit tire load manifests to the Board for reporting purposes. Manifesting is a common business practice.

Form Completion. Many forms are not being completed correctly, so the automated readability is a significant problem, which contributes to the administrative burden for the Board. Also, many participants are not providing complete and accurate information (e.g, entering "whole tire count" with a fractional value or not checking the box indicating whether the load is a "pickup" or "delivery").

Form handling by regulated community. The manifest and trip logs are designed to function as pre-paid mailers that are returned to the CIWMB when they are completed. Many of the forms are returned damaged or improperly sealed (i.e., taped, stapled or other mail affixed to them), which slows or interrupts the automated form processing, requiring manual processing and significantly increasing administrative overhead.

Required reporting. There is a 90-day mandated reporting deadline for submitting manifest information to the CIWMB. There is inconsistent adherence to reporting requirements, which makes reconciling pickups and deliveries within the WTMS difficult. There is also difficulty in reconciling a report of inconsistent load type, which can be based on count, volume, or weight, since volume measures are often inaccurate and 'counts' don't translate very accurately to weight (4 truck tires may actually weigh more than 10 passenger car tires). So, unless the reporting of the load type is consistent between the generators, haulers, and end-users, the reconciliation of a particular load will be difficult to accomplish.

Expanded use of EDT and Web-based data entry will, to some extent, address the problems noted above and improve responsiveness. In addition, continued use and expansion of the current system, with the more detailed information it captures, will provide the benefits discussed below.

<u>Use of data from existing WTMS.</u>
Reconcilation of Waste Tire Hauler Trips. The existing system has the ability to provide reconciliation of tire transactions at the load level,(i.e, to track each load of tires from pickup to ultimate delivery), which provides for the best method of ensuring the "closed loop on accountability" discussed in the AB 117 report. This potential has not been realized to date, however, because of the data entry and other problems noted above.

Ability to track registered hauler violations. Under the current Manifest Program, staff have the ability to identify hauler violations. For example, by January 1 of each year, haulers are required to renew their Hauler Registration for the new calendar year. Typically, more than 20% (twenty percent) of the haulers fail to renew their registrations, and there are a small number of haulers (<2%) that fail to renew their registrations after cancellation has occurred, but that continue to haul waste tires illegally. The current Manifest System now conceptually allows for staff to track these non-renewals and determine if they are continuing to haul waste tires without the required registration

(since each tire transaction is supposed to be reported and there are cross-checks because of the linked submittals by the hauler, generator and end-user).

In addition, the end-use facility is required to complete a manifest for any unregistered hauler that brings 10 (ten) or more waste tires to their location. With this form, staff is able to identify the unregistered hauler and determine if this is a single time occurrence or if a business is removing their tires to circumvent the law. The CIWMB receives approximately 10-30 (ten to thirty) notifications per month.

With the submission of the manifest and trip log forms, staff is also able to identify those individuals that are using the incorrect decal assigned for a particular vehicle. This may be the result of not affixing the current year decal or mismatching the assigned decal to the proper vehicle. In either situation, staff is able to contact the operator and advise them of this error.

WTMS data as an enforcement tool. To date, the manifest system has identified over 50 haulers operating without the required registration, decals, or certified vehicles. In addition, approximately 7,500 generators may be operating outside the current requirements of the waste tire requirements. This information was found as a result of reviewing tire locations that have not submitted any manifesting paperwork.

A preliminary study shows that 34% of these facilities are currently out of compliance. Staff are attempting to relieve some of the reporting requirements and reduce the paper documentation needed with this process. Smaller, less advanced waste tire haulers who do not have the electronic capability of EDT or Web-based data entry will be able to continue to use a scannable paper format of the manifest and trip log.

Table 1 in Attachment A provides a more detailed description of this option, along with a summary of pros and cons.

Option 2 – Implement a Comprehensive Trip Log (CTL) based system in place of the existing manifest and trip log.

This option would eliminate the existing manifest and trip log forms, and instead would require completion of a single, paper Comprehensive Trip Log (new form) by the Hauler for transportation of waste or used tires. It builds from the "only the hauler reports" approach currently used with the EDT and Web-based reporting mechanisms. Like the above approach, it allows the hauler to report tire transactions on behalf of the generator and end-use facility using a single form.

Under this option, the hauler would 1) obtain and report all required information on tire transactions, including the identification of the generator and the end use facility, 2) provide the generator and end use facility with a Trip Log Receipt for each load; and 3) submit the CTL form to the CIWMB within 14 days of the tire transaction. The Trip Log receipts provided to the generator and end use facility would be maintained by them for 3 years at their facility location for enforcement purposes.

Reporting of the information collected under this option would be by electronic data submittal through EDT and Web-based data entry, as well as by the paper form.

Discussion of Option 2

In lieu of the existing manifest and trip log forms, staff has developed a draft "Comprehensive Trip Log" which captures required information that is currently on both the manifest and trip log forms, yet offers an easier and less time consuming process for the haulers. Under this option the haulers will be responsible for the submission of the information on behalf of the generators and end use facilities using the "only the hauler reports" approach of the EDT and Web-based data entry.

As currently envisioned, the Comprehensive Trip Log would have two major sections. The top section contains information on the hauler (name, address, registered hauler decal, license plate number, etc.). The bottom portion would consist of small perforated sheets or receipts that would be filled out by the hauler and used as an invoice receipt to be given to the generator or end-use facility, showing a legitimate pick up or delivery. The generator and end-use facility would retain the invoice receipt as a record for 3 years. The hauler would send the full copy of the Comprehensive Trip Log form to the CIWMB, and would maintain a second copy of the full form for his records. The CTL form provides the mechanism for the hauler to report tire transaction data on behalf of the generator and end-use facility, thus eliminating the need for either the generator or end-user to report to the Board.

The submitted Comprehensive Trip Log information would be received by CIWMB, scanned into the WTMS database and be viewable by the generator or end-use facility for verification via the Web on the Board's Tire Site.

Staff has developed the CTL format to relieve the burden of the current manifest reporting requirements and to reduce the paper documentation needed with this process while maintaining the capability to capture the pertinent information useful as regulatory and enforcement tools to determine if waste tire haulers, generators and end-use facilities are complying with the requirements of the Waste Tire statutes.

It is anticipated that the Comprehensive Trip Log option could reduce the overall submission of paper records to the CIWMB up to 75%, which would result in a significant cost savings to the Board by reducing the number of forms processed, and scanned, with similar reductions printing and postage. This Option would still allow for accountability for all parties.

Table 2, Attachment B provides a more detailed description of this option, along with a summary of pros and cons.

Option 3 – Implement a Summary Monthly Reporting system for all generators, haulers, and end-use facilities

This option would eliminate the existing manifest and trip log forms, and instead would require **each** generator, hauler and end-use facility to submit to the CIWMB a monthly summary report, in a reporting format developed by the Board.

The report would provide summary information only on the number of tires generated, the tire generator's location, the number of tires hauled by a registered hauler, and the number of tires processed by the end use facility, along with identifying information such as names, addresses, and TPID numbers.

Reporting of this information would be done by electronic data submittal through EDT and Web-based data entry, as well as the paper form.

Discussion of Option 3 –
This system proposes to eliminate the current Waste Tire Manifest System and replace it with a monthly Summary Report of various tire transactions. Under this option, the hauler, generator and end-use facilities would be no longer be required to complete the manifest and trip logs, or submit them to the Board for review.

Instead, like the current WTMS, each hauler, generator and end-use facility would be required to report. Each would prepare and submit a monthly summary report on the number of waste or used tires removed from their location, hauled, or received at their location, by TPID number. Reporting would use hauler invoices and receipts as the basis for recordkeeping. Copies of invoices and receipts would be required to be maintained at the place of business for 3 years for enforcement purposes.

The responsibility for this mandatory reporting falls upon each entity that is part of the tire transaction. It does not provide for the hauler to report on behalf of the generator and end-use facility, as with Options 1 and 2 above. Each entity will have to use an existing internal tracking system, or create one, that will allow them to accurately compile and maintain records upon which to base the monthly summary report. This may result in significant data accuracy problems and possible burdens for the hauler, generator and end-user to maintain and secure records each month for the required reporting.

It is anticipated that the Summary Monthly Reporting option could reduce the overall submission of paper records to the CIWMB by approximately 40-45%, which would result in a significant cost savings to the Board by reducing the number of forms processed, and scanned, with similar reductions printing and postage.

The information compiled through the Monthly Summary Reports on tire transactions would provide a information on transactions between generators, haulers and end use facilities in terms of total tires handled for each month, but would not provide individual load dates or amounts, type of tires, or information regarding hauler registrations and truck decal information. With Monthly Summary Reports, it would not be possible to reconcile tire trips or track pickup and deliveries by a particular hauler for a particular point in time. Copies of invoices that support the Monthly Summary Report on tire transactions will be required to be kept at each generator, hauler and end use location, so that enforcement staff can examine them as part of an inspection; however any level of "reconciliation" of tires would be difficult and enforcement staff intensive as invoices at each location would have to be reviewed and compared to each entity's monthly summary, and then substantiated with generators and end-use facilities with whom the hauler did business.

Table 3, Attachment C provides a more detailed description of this option, along with a summary of pros and cons.

IV. STAFF RECOMMENDATION

Staff have not provided a recommendation, as this item is presented for discussion and direction from the Board.

V. ANALYSIS

A. Key Issues and Findings

Background

Prior to July 2003, when the new manifest system became effective, each party to tire transactions -- the generator, hauler and end-use facility -- completed a portion of a 4-page, 3-part manifest form, and retained a copy of the form for 3 years. The CIWMB did not receive any documentation from these transactions, which meant that it was not possible to follow the tires from point of generation to the end use, since the manifests were not required to be submitted to the Board, where they could be audited for enforcement purposes. These problems were addressed in the AB 117 report and in the requirements enacted in SB 876.

In 2000, the Legislature enacted Senate Bill 876 (Escutia, Statutes of 2000, Chapter 838), a comprehensive measure to manage waste and used tires in California. One of the key provisions of the statute requires the CIWMB to prepare a five-year plan for the state's tire management program and update the plan every two years. The program elements identified in the statute that must be included in the plan are:

- Enforcement and regulations relating to the storage of waste and used tires;
- Cleanup, abatement, or other remedial actions related to tire stockpiles throughout the state;
- Research directed at promoting and developing alternatives to the landfill disposal of tires;
- Market development and new technology activities for used tires and waste tires; and
- **Development of a used and waste tire hauler program and manifest system.**

Over the last several years, Board staff have been working to implement a Waste Tire Manifest Program pursuant to the requirements of Senate Bill (SB) 876 and Board Member direction. The Waste Tire Manifest Program was built to work in conjunction with another key component of the Board's tire management program, the Waste Tire Hauler Registration Program. The purpose of the Waste Tire Hauler Registration Program is to ensure that waste and used tires are picked up and disposed properly by waste tire haulers who are registered by the Board so that the illegal dumping, disposal and stockpiling of waste tires at non-permitted facilities or sites throughout the state can be stopped.

These two components of the Board's tire management program both complement and support the Board's overall tire enforcement efforts, which encompass inspections done by grantees and field staff; enforcement actions by grantees, the Board, District Attorneys, and the Attorney General's office; permitting of tire facilities; complaint investigation; and aerial surveillance to identify illegal tire piles.

At the highest level, the primary intent of California laws relating to waste tires is:

- To reduce illegal storage and disposal of tires to minimize the effect on public health and the environment, and
- To foster alternative uses or reuse of waste tires.

More specifically, the variety of changes included in SB 876 related to the "California Uniform Waste and Used Tire Manifest" system sought:

- To provide an accurate accounting that tracks waste tires from the point of generation to disposal in the state, for the purposes of both tire enforcement

activities and market development, by requiring that tire manifests be submitted to CIWMB.

- To close the loop on accountability by requiring each party to a waste tire transaction (generator, hauler, and end-use facility) to submit a copy of the Manifest Form/Trip Log to CIWMB.

The initial implementation of the WTMS was based on the use of paper forms, with the intent to provide electronic data transfer of tire transaction data after the program had been in existence for a year or two. However, in light of reduced staffing, working with a newly regulated community and a high volume of paper forms, it was immediately recognized that, it was critical to expand the program to include Electronic Data Transmission (EDT) on a pilot program basis, and to begin development of an option for Web-based data entry. The WTMS paper form and EDT reporting options were implemented on July 1, 2003 after extensive workgroups, pretests, training, and orientation sessions were provided by Tire Program staff and the Information Management Branch at various locations statewide from Redding to San Diego.

In an effort to make this new manifest system work, hundreds of hours have been devoted to developing a Waste Tire Management System Guidance Manual, Field Reference Guides and informative bookmarks, all in English and Spanish, and individually training the regulated community through, the Boards field inspectors. In addition, the IWMB maintains an extensive Web site that contains information on how to become a registered waste tire hauler, how to order and complete manifests or log forms and how to obtain a TPID. This Web site can be viewed by going to www.ciwmb.ca.gov/tires.

The IWMB now receives over 300,000 manifest and log forms for processing annually. Problems identified both internally and by external stakeholders, which have led to an evaluation of the need for revisions to the WTMS, include: a high incidence of missing data; forms that are difficult to read, or that may be partially destroyed through the mailing process; the need for significant amounts of staff processing and handling prior to database input given current staffing levels; complaints from stakeholders regarding the amount of time required to complete the forms; and the amount paper work required to document tire pick ups and deliveries. Unfortunately, these issues have resulted in limiting the Board's ability to reconcile information in WTMS in support of the Board's enforcement program.

In response to these concerns, the Board has directed staff to present alternative approaches to the WTMS that would simplify the tracking and reporting process, improve the efficiency of the system, and reduce the paperwork burden.

Critical Issues to Consider

Many in the regulated community continue to question the "need" for manifesting, contending that there must be simpler ways to accomplish the same purpose. However, they also acknowledge that illegal tire disposal is a problem with significant potential for adverse consequences (reference the tire fires at Fresno, Tracy and Westley, and the millions of dollars expended in their cleanup). Staff acknowledges that some of the reporting requirements in the existing paper based WTMS are burdensome and could be changed or modified for the benefit of the regulated community (particularly the reporting by generators and end users). These

changes would also benefit CIWMB in terms of staff time and administrative overhead in processing paper forms and in data entry.

There are three critical areas to consider as the Board determines whether and how to revise the WTMS:

- In the area of enforcement, Tire Program enforcement objectives must be clear. Specifically, the objective is to actively pursue enforcement of current statute and regulations, so that illegal dumping, unregistered haulers, generators working outside the law are identified and stopped. In order to do that, the Program must identify what data is needed to achieve that objective; and ensure its availability; and there must be a clear understanding of how such information will be used in the enforcement process.
- In the area of market development, SB 876 called for better techniques for identifying data to provide information for market development efforts.
- In the area of waste tire transaction data capture: how such data can be captured most efficiently and effectively must be determined, i.e. paper vs. electronic data transmission or some combination of the two methods, realizing that not all regulated community participants have the access or capability to use electronic data transfer options.

Enforcement

The primary goal of the Tire Enforcement Program is to reduce the illegal storage and disposal of tires to minimize the effect on public health and the environment. In addition, many stakeholders have commented that failure to enforce, or inconsistent enforcement of, statutes and regulations creates major problems for legitimate businesses. Law-abiding businesses have difficulty competing with those that willfully ignore the rules and thereby avoid costs associated with the regulatory process like the Waste and Used Tire Manifest System (WTMS).

In order to achieve these goals, the Tire Enforcement Program focuses on two objectives:

1. Ensuring that tires are transported to an authorized end-use facility; and
2. Ensuring that tires are stored legally and safely.

The Tire Enforcement Program uses the Hauler Registration Program and the WTMS to ensure that tires are transported to an authorized end-use facility. The Permitting Program, inspections of sites for fire and vector control standards and surveillance efforts all contribute to ensuring that tires are stored legally and safely. The enforcement program focuses on: 1) the generator to ensure they are using a registered hauler; and if they are storing tires, to ensure that they are stored legally and properly; 2) the hauler to ensure they are registered so that tires can be tracked to a proper end use ; and 3) the end-use facility to ensure tires are stored properly.

The Waste and Used Tire Manifest System is a critical tool in achieving Tire Enforcement Program goals and objectives. Although the potential of current WTMS has not yet been fully reached or even explored, due to data problems, Enforcement staff believe that the following information from a manifest system could form the basis for a strong tire enforcement program. Staff can use:

1. A report of the WTMS that identifies generators not submitting manifests. Inspections are scheduled to determine if the business is either sold or closed,

not complying with the manifest system, or something that would need further investigation or follow up by the CIWMB

2. A survey of TPID numbers cross checked against hauler registrations to identify haulers with expired registrations. The Waste Tire Hauler Registration & Manifest Program staff investigate this information to determine if this is a one-time event, or the hauler is not complying with the waste tire hauler requirements. If it is a one-time event, a letter of violation is sent out by the Hauler program. If it appears that the hauler is attempting to circumvent the process, then staff further investigate this hauler, by preparing a package of information for the field enforcement staff, including the waste tire hauler renewal history and any related manifests documenting the illegal transportation of waste or used tires while not being registered. Field enforcement staff then conduct a more in depth investigation to substantiate the allegations and, if necessary, prepare an enforcement case for the legal office.
3. A cross check the Hauler Registration Decal # with the vehicle information and the TPID number to determine if the hauler mistakenly placed the wrong decal on the wrong vehicle or if the operator may be using vehicles not reported to the CIWMB in violation of the 14 CCR requirements.
4. A report of unregistered hauler from end-use facilities. Staff will review the manifest documents to determine if this is a one-time event, or a hauler is not complying with the waste tire hauler requirements. As stated above, if it is a one-time event a letter of violation is sent out by the Hauler program, otherwise staff will prepare an enforcement package for the field enforcement staff to further investigate and take appropriate action.
5. A report, based on manifests and trip logs, comparing tires picked up by a hauler as compared to tires delivered as an indication of improper storage of tires.
6. A report reconciling the manifest information from a generator with the hauler manifest and trip log, and with the end-use facility manifest to identify tires that may not be accounted for as an indication of potential illegal tire activity.
7. A report detailing any individual hauler's tire transaction activities over a specified period of time, to check for hauling and storage patterns that may indicate illegal activity.
8. Reports that summarize the generators and haulers in any particular area, with a comparison to illegal dump sites in that area to check for patterns.

Market Development

One of the Board's primary goals is to "assist in the creation and expansion of sustainable markets to support diversion efforts and ensure that diverted materials return to the economic mainstream. In order to focus efforts in this area relative to tires, information from a manifest system such as the current WTMS, or a monthly summary reporting system, is critical. Useful information includes quantity and flow of tires regionally, statewide, out of state, and out of the country. Aggregate tire transaction data on point of tire entry into the system, where and how they are stored, and how they are moved from generator to end use facilities is all information that can inform market development efforts. Additionally, reports summarizing the types and sizes of generators, haulers and end-use facilities, as well as how they are distributed through out the state, can help inform market development efforts.

Data Submittal – EDT and Web-based Data Entry

Following is a detailed discussion of two methods of electronic data submittal that should form the foundation for any of the manifest system options selected by the Board. As noted above, each of the manifest system options presented in this agenda item is predicated on the use of some form of electronic data transfer (EDT) and Web-based data entry as a the principal method of data capture, with the addition of a paper-based format for entities unable or unwilling to report electronically.

Issues with Paper-based System. The CIWMB has limited staff resources to collect the paper-form-based manifest data under the current Waste Tire Manifest System. In reviewing the manifests and trip logs, staff find that many documents are not completely or accurately filled out; the forms are damaged or destroyed by the U.S. Postal Service; or, in some cases, forms are tampered with by the operator, by stapling or taping. Additional challenges currently faced by the Tire Program staff include difficulty in the timely processing associated with the high volume of forms being received, and insufficient staff and time to resolve missing or incorrect tire data submitted on the paper form. Overall data quality and completeness on the submitted manifest forms is problematic and present a challenge to staff's ability to accurately and efficiently "reconcile" waste tire loads and to identify violators.

Tire Program staff are attempting to address these problems by sending advisory letters to haulers, generators, and end users on form errors and data quality. In some instances, CIWMB Tire Program field staff or local enforcement grantees are making follow-up visits to these tire businesses. However, these actions, while proactive and showing some success in improving the data quality, are not sufficient to effectively administer a predominantly paper-based system.

Electronic Data Transfer (EDT). EDT is a system developed by staff that is currently in use as a pilot project under the current manifest system. Under this system, approved participating haulers assume responsibility on behalf of their customers for reporting information to the CIWMB regarding each pickup and delivery in which they are involved. The hauler provides trip verification receipts or invoices to the Generator and end use facility. This is done through the hauler's invoicing system, so that the necessary information is extracted from their accounting system in a "batch" file format covering some period of days and then submitted to the CIWMB electronically. CIWMB verifies the EDT data upon receipt to ensure that all required WTMS data is present and to verify to the extent possible the accuracy of the information as it is submitted. The ability to electronically accept and verify the data at the time of submission has saved thousands of hours of staff time that might otherwise be spent reviewing paper forms.

Industry EDT participants are supportive of this approach and sought to work with the Board early on in achieving a mutually beneficial means of providing the required data and submitting it in an efficient and accurate manner. A key factor in the success of the EDT program is that it uses data already collected electronically by the hauler as part of their normal invoicing and accounting procedures, and reformats the data as required to meet WTMS standards, regardless of the option selected by the Board.

Web-based Data Entry. The Web-based data entry system is similar to the EDT system but is broader in its application and more accessible to the regulated

community. In this option, the hauler enters information from their own invoice at a Web site, which again reflects use of data already collected by the hauler as part of their normal invoicing and accounting procedures. Haulers also report on behalf of their clients in the same way that EDT "batch" haulers do. The tire transaction data is transmitted to the Board via the Internet or Web rather than in a "batch" mode. Web-based data entry has the hauler link to the Board's Web site to enter the day's tire transaction data via secure data entry screens that are pre-populated with the hauler's known clients and registered vehicles. The Web-based data entry hauler then quickly enters the required data, which is verified for accuracy and completeness electronically at the time of submittal. The approach of Web-based data entry is similar to ordering merchandise or requesting information on commercial Internet sites. Web-based data entry is available to anyone with an Internet connection.

The Web-based data entry reporting option provides the regulated community with easy access for tire transaction data submittal, timely reporting, and provides the Board with high quality data, verification of data submittal, and the ability to cross reference haulers, generators, and end-users electronically, to ensure appropriate levels of data quality control.

Impact on Regulated Community. EDT and Web-based data entry require complete data records on tire pick up, deliveries and trips or the data is rejected. This puts more responsibility on the EDT or Web-based data entry participant to ensure complete and accurate data at the time of submission. Given the potential for significant cost savings/avoidances for the Board and the waste tire industry through increased waste tire hauler participation in the EDT Pilot Program, staff discussed the practicality and benefit of the EDT with many large, medium and small waste tire businesses over the last year. These businesses acknowledged the potential advantages to EDT submittal but indicated that they do not have the in-house technical expertise to make the jump to the EDT process, although many of these businesses currently have some level of automated data collection in their current business environment. They also indicated they would welcome some sort of assistance from the Board in this area.

Indications are that many of these businesses would seriously consider the Web-based electronic data entry. Given the lack of in-house technical expertise with haulers, Web-based data entry is the easiest and most practicable approach to data submittal to implement since it can be used by anyone with an Internet connection, whether they are large, medium or small waste tire hauling businesses.

Use of Contractor for Data Entry. A final issue for future discussion is the potential use of a contractor to perform the data entry for paper forms that the Board will likely continue to receive from haulers unable or unwilling to use EDT or Web-based data entry. This is an option that staff is currently exploring to determine potential costs and potential time savings. It could result in significant cost savings, and could further streamline and make more efficient the paper form intake process.

Conclusion. The EDT and Web-based data entry options provide a cost effective and timely response to the biggest costs associated with implementation of a new program, data collection and processing, by using existing data collected by haulers and by using the Internet to submit such data online at lower cost and higher

accuracy. Based on initial analysis of the EDT and Web-based data entry Pilot Program to date, there is significant potential for cost savings for the Board and waste tire industry participants because there is less staff time for both the Board and the regulated community involved in preparing and processing WTMS information.

Under these electronic options for data submittal, the Board would receive large volumes of records through electronic transfer and automated processing, which avoids work for staff that must prepare and process the paper-based form for input into the WTMS database. Based on the analysis of more than 270,000 paper forms processed through WTMS to date, staff have estimated that it may be possible to reduce paper processing volumes by as much as one-third through a moderate expansion of the EDT pilot project. (Based on the volume of paper forms submitted, the top 20% of registered tire haulers, in volume of tires hauled, account for nearly 80% of the total tires hauled in the state.) Reformatting of the data is a minor one-time cost and can pay big dividends in cost avoidance as the EDT and Web-based data entry participant continues to use their existing business processes and forms.

B. Environmental Issues

If any revisions to the regulations are adopted by the Board, staff will conduct any environmental analysis required under CEQA and submit any required environmental documents to the Board for its consideration.

C. Program/Long Term Impacts

The Waste Tire Manifest System has been in production for just over one year. In that time the Board has received over 300,000 paper manifest/log forms and 130,000 electronic WTMS records. As noted previously, the WTMS paper process is staff intensive and is somewhat problematic in data quality and completeness. The EDT data, by contrast, is complete and is of generally higher accuracy. The current EDT process and proposed Web-based data entry have a significantly lower staff preparation time and are submitted on a set schedule established between the participants and the Board.

The Waste Tire program is considered foundational to the mission of this Board and to the state as a whole, as past Board actions reflect. If the Board is to continue to support a Waste Tire program, it must have some form of a Waste Tire Manifest System and an Enforcement program as components. The question is how to do this given the current fiscal and staffing constraints. The regulated community associated with the waste tire program is large - 10,000 – 12,000 generators, 800 registered haulers, and 200 plus end-use facilities, and California is a large and populated state with many automobiles and a very large number of waste and used tires. These tires must be accounted for and dealt with in a systematic and efficient way that recognizes the needs of industry and the Board to work cooperatively to manage the environmental hazard that waste and used tires represent. Given the above options and the stated need for an effective manifest and tire enforcement program, EDT and Web-based data entry are sound and accessible alternatives that provide for lower data collection costs, higher data accuracy and more timely data submission. Using these two data entry options has the least impact on the participant's current business processes. Any option selected by the Board should include electronic data submittal as the principal method used by the regulated entities wherever possible.

To begin to achieve a more workable manifest system and to provide support to the Board's emerging Tire Enforcement program, it is critical that the Board seek, with appropriate oversight and criteria, to enable waste tire industry businesses to participate in the EDT and Web Based Data Entry programs. The Board can do this by providing technical assistance to those members of the regulated community who might best benefit and by leveraging the Board's own existing data resources. In addition the Board should seek to align any paper manifest processes that will be required with the EDT and Web based EDT approach where "only the hauler reports." This approach has proved workable and acceptable to the regulated community as evidenced in the two public hearings on various manifest options and as reviewed by the larger haulers in the State.

The objectives of SB 876 - tracking the movement of waste and used tires; identifying illegal haulers and disposal; an enhanced enforcement program; and reliable data for market development - all derive from accurate and complete data within the WTMS. An opportunity exists now to potentially lower the cost for that data collection by providing some level of assistance to the regulated community from whom the WTMS data is being generated.

D. Stakeholder Impacts

Option 1 –Paper Manifests, Electronic Data Transmission and Web Based Data Entry under current WTMS

Staff anticipate that many generators, haulers and end-use facilities will continue to use the paper-based manifests and trip logs. A number of participants under the current WTMS process use an electronic process for reporting tire transaction data to the Board. Of the two, electronic data submittal is considered more accurate and convenient than the paper. Staff is hopeful that more haulers, both large and small, can utilize the EDT and Web-based data entry processes for the submission of their records. It is believed that once in production and available to the waste tire haulers, this process will be received well and widely used in lieu of the existing paper manifesting forms. Web-based data entry is a very viable approach that would broaden the use of EDT and allow participants to submit data easily and securely through the Internet to the Board's website.

Option 2 - Comprehensive Trip Log

The Comprehensive Trip Log option aligns the paper manifest process with the "only the hauler reports " EDT and Web-based data entry approaches. It provides for the collection and reporting of pertinent information on the pick up and delivery of tires. It identifies the generator, hauler and/or end user to each transaction. And while it does not provide a "reconciliation" to each Hauler trip, it does provide specific information on the date, time, name and address, trucks and tire load amounts for the tracking and enforcement of waste tire haulers, generator and end users. The form as introduced to the stakeholders in the workshops both in Sacramento and Diamond Bar appeared to be acceptable to the community, as they liked its format and simplicity. If the Comprehensive Trip Log form option is selected it will still provide an adequate enforcement and tracking ability while reducing the paper volume for stakeholders by up to 60%.

This option strikes a common sense compromise between the existing manifest system and tracking program needs for basic tire enforcement. It reduces business overhead for the hauler, generator and end-use facility. For the Board, it reduces paper form printing, handling and processing.

It provides a common and uniform approach to Waste Tire data gathering by having both **paper and electronic data process whereby the hauler is the responsible reporting party**, regardless of reporting options. And finally, it meets the intent of SB 876 for accountability of all parties in the tire transaction while providing the information necessary for auditing, enforcement of the State's growing tire problem.

Option 3- Monthly Summary Reporting Proposal

This option will reduce the paperwork burden somewhat, but require a different type of reporting by all entities. In this option, each generator, hauler and end-use facility will be required to maintain records upon which to base a monthly report summarizing their tire transaction activities. In contrast to Options 1 and 2, the hauler will not report on behalf of the over 10,000 generators, or the end-use facilities. As with the above, EDT and Web-based data entry are viable reporting means.

E. Fiscal Impacts

Option 1 - Electronic Data Transmission and Web Based Data Entry under current WTMS

Funding was approved in March 2004 for expanded uses of the EDT and Web-based processes and existing monies could be used to develop the software package in this option. Ongoing form processing costs for the current Manifest and Trip logs forms are estimated to be $300,000. These funds are being allocated from the current Tire Fund. Additional developmental costs for improvements to the system should be minimal, as the major costs have already been incurred.

Option 2 - Comprehensive Trip Log

Funding will be required to reconfigure the existing WTMS database and for the development of the Comprehensive Trip Log. Developmental costs to expand the use of WTMS to incorporate the Comprehensive Trip Log, develop the form, printing, and processing costs are expected to be moderate, as the CTL process will be built upon the existing WTMS, and those developmental costs have already been incurred. The additional funds can be allocated from the current Tire Fund.

Option 3 - Hauler Reporting Requirements Proposal

Additional funding will be required to reconstruct the existing WTMS database to accommodate a monthly summary report and for the development of the monthly summary report form. Developmental costs for what will amount to a new system are anticipated to be major, as the system will have to be reconstructed, a process that will not be able to take advantage of the existing WTMS structure. These funds can be allocated from the current Tire Fund.

F. Legal Issues

It appears that Option 2 and Option 3, the comprehensive trip log and the summary reports, will require statutory cleanup changes prior to adopting regulations to address several issues. For example, Public Resources Code section 42961.5 is currently very specific in its requirements concerning the definition of a manifest and the need to

maintain manifests by generators, haulers, and end-users. A regulation that proposes less stringent requirements than the statute could be found to be invalid.

G. Environmental Justice

The "California Uniform Waste and Used Tire Manifest System." is equally and uniformly applied to all applicable parties throughout the state of California regardless of income, population density, race, or ethnic origin.

H. 2001 Strategic Plan

With the implementation of these enhancement alternatives to assist in the EDT process, this item directly relates to the following goals and objectives of the Board's 2001 Strategic Plan:

- **Goal 1**—Increase participation in resource conservation, integrated waste management, waste prevention, and product stewardship to reduce waste and create a sustainable infrastructure:

  Objective 1: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services.

- **Goal 3**—Educate the public to better understand and participate in resource conservation and integrated waste management strategies.

  Objective 1: Increase the level of environmental education and technical assistance support provided to all Californians about resource conservation and integrated waste management strategies.

- **Goal 5**—Improve the efficiency and effectiveness of the California Integrated Waste Management Board in pursuit of its mission.

  Objective 3: Improve the exchange of and access to information internally and externally.

- **Goal 7**—Promote a "zero-waste California" where the public, industry, and government strive to reduce, reuse, or recycle all municipal solid waste materials back into nature or the marketplace in a manner that protects human health and the environment and honors the principles of California's Integrated Waste Management Act.

  Objective 1: Promote source reduction to minimize the amount of waste generated.

VI. FUNDING INFORMATION

The $1.1 million allocated in Table 10 of the Waste and Used Tire Hauler Program and Manifest System Budget of the Board-approved Five-Year Plan should be adequate to accommodate the proposed program modifications to the WTMS, including new forms, computer program modifications, and development of regulations.

VII. ATTACHMENTS

1. Table 1 – Current Tire Manifest System with More Fully Implemented EDT and Web-based Data Entry Proposal
2. Table 2 – Comprehensive Trip Log Proposal
3. Table 3 -- Summary Monthly Reporting Proposal
4. Table 4 – Comparison of Options 1, 2 and 3

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

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IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

No letters of Support were submitted for these proposals

B. Opposition

No letters of Opposition were submitted for these proposals

Table 1 – Option 1

Current Paper-Based CA Uniform Waste and Used Tire Manifest System

Generator	Hauler	End Use Facility
← **Manifest**	**Trip Log**, Hauler only	**Manifest** →
California Uniform Waste and Used Tire Manifest System (either paper/electronic format); Submitted within 14 days of the transaction. **MANIFEST FORM, PART II** • Standardized Report Form (either EDT, web-based, or paper form developed by CIWMB) • Unique Numbered Document • Name, address, and phone number of Generator • Generator TPID • Type of load (whole count, lbs., tons, cubic yards) • Quantity of tires • Optional Data: Types of tires and intended uses • Name and signature of Generator and date	California Uniform Waste and Used Tire Manifest System (either paper/electronic format); Submitted within 14 days of the transaction. **MANIFEST FORM, PART I** • Standardized Report Form (either EDT, web-based, or paper form) • Unique Numbered Document • Pick up or delivery • Name, address, and phone number of Hauler • Load Date • Corresponding Log Number • Vehicle information: Decal number, License plate number and state of issuance • Exemption status: Government; LEA Exempt, Agricultural, Common Carrier • Status: In transit or unregistered hauler • Name and signature of Hauler and date **TRIP LOG FORM** • Standardized Report Form (either EDT, web-based, or paper form) • Unique Numbered Document • Master Log Number • Decal Number • Initial Trip Date • Name, address, and phone number of Hauler • Manifest number Entry (10 entries available) • Load pick up or delivery (10 entries available) • Type of load: whole count, lbs., tons, cubic yards (10 entries available) • Quantity of tires (10 entries available) • Driver's name, signature and date of transaction	California Uniform Waste and Used Tire Manifest System (either paper/electronic format); Submitted within 14 days of the transaction. **MANIFEST FORM, PART II** • Standardized Report Form (either EDT, web-based, or paper form developed by CIWMB) • Unique Numbered Document • Name, address, and phone number of End-Use Facility • End-Use Facility TPID • Type of load (whole count, lbs., tons, cubic yards) • Quantity of tires • Optional Data: Types of tires and intended uses • Name and signature of End-Use Facility and date
The Generator is requested to submit the completed manifest form within 14 days of the transaction; however regulation dictates within 90 days of the transaction. One form per transaction, Part I is completed by the Hauler and Part II is completed by the Generator. A copy of the Manifest form is used during the transportation of waste or used tires. A copy of Manifest form must be maintained at site for 3 years for enforcement follow up.	The Hauler completes Part I of the manifest form and also completes the Tire Trip Log form with all transactions listed on the Tire Trip Log form. The Hauler is then requested to submit the Tire Trip Log form to the CIWMB within 14 days of the transaction; however regulation dictates within 90 days of the transaction. Up to 10 entries or transactions can be entered on one Tire Trip Log. Copies of all Manifest and Tire Trip Log forms completed by the Hauler must be in possession of the Hauler during the transportation of waste or used tires. Copies of all Manifest and Tire Trip Log forms must be maintained at site for 3 years for enforcement follow up.	The End-Use Facility is requested to submit the completed manifest form within 14 days of the transaction; however regulation dictates within 90 days of the transaction. One form per transaction, Part I is completed by the Hauler and Part II is completed by the End-Use Facility. A copy of the Manifest form is used during the transportation of waste or used tires. A copy of Manifest form must be maintained at site for 3 years for enforcement follow up.

Table 1 -- Option 1
Current Tire Manifest System with More Fully Implemented EDT and Web Based Data Entry

Generator	Hauler	End Use Facility
	Invoice or Trip Receipt	Invoice or Trip Receipt
The generator receives a trip verification receipt or copy of invoice from the Hauler. The generator would be required to maintain the receipt at the generator's location for 3 years for enforcement follow up. The **hauler** submits the transaction or trip information to the CIWMB on behalf of the generator via EDT or Web-based data entry. The current Manifest form will still be required to be submitted to the Board by the generator, if using a hauler that is unable or unwilling to use EDT or Web-based data entry.	The hauler uses their own Board approved invoice for transportation of waste or used tires. The hauler would provide the generator and the end- use facility with a trip verification receipt or copy of invoice. The hauler would submit the tire transaction or trip information to the CIWMB on behalf of the generator and the end- use facility within 14 days, via EDT or Web-based data entry.. A copy of the invoice would be maintained at the hauler's location for 3 years for enforcement follow up. Using the hauler's own Board approved invoice, hauler will submit data in an electronic format using an EDT process or the a Web-Based system provided by the CIWMB, containing following: • Unique Numbered Document • Vehicle information required (decal, license plate, state of DMV issuance) • Name, address, TPID and phone number of Hauler • Driver's name • Pick up or delivery • Date of transaction • Type of load (whole count, lbs., tons, cubic yards) • Quantity of tires • Generator name, TPID, address, and phone number End-Use Facility name, TPID, address, and phone number	The end-use facility receives a receipt or copy of invoice from the hauler. The end-use facility would be required to maintain the receipt or invoice at the end-use facility's location for 3 years for enforcement follow up. The **hauler** submits the transaction or trip information to the CIWMB on behalf of the end-use facility via EDT or Web-based data entry. The current Manifest form will still be required to be submitted to the Board by the end-use facility, if using a hauler that is unable or unwilling to use EDT or Web-based data entry. The generator and end-use facility will still be required to submit a report of unregistered hauler to the Board.

Table 1 -- Option 1
Current Tire Manifest System with More Fully Implemented EDT and Web Based Data Entry

PRO:	CON:
• The hauler would report on behalf of the generator and the end-use facility, allowing staff efforts to focus only haulers, which staff believes is the most beneficial. • The generator or end-use facility would not be required to submit forms to the CIWMB, but would still be part of the system by maintaining records for 3 years for audit and enforcement purposes. • Reporting by the hauler would be based on their own Board approved invoice which simplifies reporting, and which should decrease completion errors, and increase data quality. • For enforcement purposes, captures all key information: pick up and delivery transactions and dates; quantities of tires exchanged; truck and decal information; specific information regarding the generator, hauler and end use facility by tying the TPID of generator, hauler and end use facility to specific pick up and deliveries; and driver information. • Provides cross-referencing ability at the trip level between all three parties for enforcement purposes. • Would significantly reduce the number of forms required to be completed and submitted by the Hauler (no receipt of paper forms from EDT or Web-based data entry haulers). • Would significantly reduce staff time expended mailing out forms and processing forms upon receipt. • Would reduce costs for CIWMB from pre-paid postage and postage out-going as only haulers not participating in EDT or Web-based data entry will submit forms to the CIWMB (800 haulers vs. 11-13,000 generators, haulers and end-users).	• Would place more responsibility on the hauler to submit information on behalf of the generator and end-use facility. • Generators and end-use facilities would still be required to submit information on unregistered haulers to the CIWMB. • Hauler would be accountable for all information completed. • EDT and Web based data entry will not be mandatory, so may not obtain the full benefits that full participation would bring because many haulers will continue to use the paper-based forms. • May require statutory or regulatory changes to fully implement. • Generators, haulers and end-use facilities that use a hauler who is unwilling or unable to participate in EDT or Web-based data entry would still be required to submit the existing manifest and trip log forms.

Table 2 -- Option 2
Comprehensive Trip Log (CTL) Proposal

Generator	Hauler	End Use Facility
← Comprehensive Trip Log Receipt		Comprehensive Trip Log Receipt →
The generator receives a Trip Log Receipt from the hauler. The Generator would be required to maintain the trip receipt at their location for 3 years for enforcement follow up. The **hauler** submits the Comprehensive Trip Log to the CIWMB on behalf of the generator, through EDT, Web-based data entry, or via paper format.	A Comprehensive Trip Log completed by the **hauler** would be used for transportation of waste or used tires. The hauler would provide the generator and the end-use facility with a Trip Log Receipt and the hauler would submit the completed CTL to the CIWMB on behalf of the generator and the end-use facility within 14 days of the tire transaction. A copy of the CTL would be maintained at the hauler's location for 3 years for enforcement follow up. **Comprehensive Trip Log** to be submitted in either scannable paper or electronic format using a standardized form provided by the CIWMB, containing following: • Unique Numbered Document • Vehicle information required (decal, license plate, state of DMV issuance) • Name, address, TPID and phone number of Hauler • Driver's name, signature and date of transaction • Pick up or delivery • Date of transaction • Type of load (whole count, lbs., tons, cubic yards) • Quantity of tires • Generator name, TPID, address, and phone number • Initials of generator indicating receipt is correct • End-use facility name, TPID, address, and phone number • Initials of end-use facility indicating receipt is correct	The end-use facility receives a Trip Log Receipt from the hauler. The end-use facility would be required to maintain the trip receipt at their location for 3 years for enforcement follow up. The **hauler** submits the Comprehensive Trip Log to the CIWMB on behalf of the end-use facility, through EDT, Web-based data entry, or via paper format.

Table 2 -- Option 2
Comprehensive Trip Log (CTL) Proposal

PRO:	CON:
• The hauler would report on behalf of the generator and the end-use facility, allowing staff education and enforcement efforts to focus only on 800 haulers, which would be more efficient and effective. • The generator and end-use facility would not be required to submit forms to the CIWMB, but would still be part of the system by maintaining records for 3 years for audit and enforcement purposes. • Reporting by the hauler would be based on the CTL, which is simpler and should decrease completion errors, and increase data quality. • For enforcement purposes captures all key information except trip information. • Provides a level of cross referencing down to the load level. • Would significantly reduce the number of forms required to be completed and submitted (75%). • Would significantly reduce staff time in mailing out forms and processing forms upon receipt. • Would reduce costs for CIWMB from pre-paid postage and postage out-going as only haulers not participating in EDT or Web-based data entry will submit forms to the CIWMB (800 haulers only vs. 11-13,000 generators, haulers and end use facilities).	• Would place more responsibility on the hauler to submit information on behalf of the generator and end-use facility. • Hauler would be accountable for all information completed. • EDT and Web-based data entry will not be mandatory, so may not obtain the full benefits that full participation would bring. • Will show individual pick up and delivery of tires, but does not associate a specific pickup or delivery to a specific trip. Therefore the CTL option tracks at the load level but not at the trip level. • May require statutory or regulatory changes. • Information not captured by the CTL format: import; export; hauler exemption information categories; in transit load information; date on tire types and amounts; intended use; comments.

Table 3 -- Option 3
Summary Monthly Reporting Proposal

Utilizes hauler invoice only

Utilizes invoice or tipping receipt

Generator

The generator would submit a summary report (monthly) to the CIWMB reporting the number of waste or used tires removed from their location by a registered waste tire hauler during the specified period. If multiple haulers are used then the generator would report each hauler and the number of tires removed by that hauler during that time period. No Manifest or Trip Log would be used for transportation of waste or used tires; only a hauler invoice that contains specific CIWMB required information. Copy of invoice must be maintained at site for 3 years for enforcement follow up.

Generator's Summary report to be submitted in either scannable paper or electronic format) containing following:

- Using standardized form developed by CIWMB
- Reporting time period will be pre-printed on form
- Name and Address of Generator
- TPID of Generator
- Number of tires removed during that previous quarter
- Name of Hauler(s)
- TPID of Hauler(s)

Hauler

The hauler would submit a summary report (monthly) to the CIWMB reporting the number of waste or used tires hauled to or from their location during the specified period. If multiple generator locations are listed then the hauler would need to report each generator location and the number of tires picked up from that location during that quarter. If multiple end-use locations are used then the hauler would need to report each end-use location and the number of tires taken to that location during that quarter. No Manifest or Trip Log would be used for transportation of waste or used tires; only an invoice and tipping receipts that contain specific CIWMB required information. Invoice would be used for verification of load by CHP during transit. Copy of invoice must be maintained at site for 3 years for enforcement follow up.

Hauler's Summary Report to be submitted in either scannable paper or electronic format) containing following:

- Using standardized form developed by CIWMB
- Reporting time period will be pre-printed on form
- Name, Address and TPID of hauler
- Total number of tires picked up by hauler during that previous quarter from each generator.
- Name and TPID of Generator(s)
- Number of tires shipped to authorized end-use locations during that previous quarter
- Name and TPID of authorized end-use locations(s)
- TPID of authorized End-Use locations(s)

End Use Facility

The end-use facility would submit a summary report (monthly) to the CIWMB reporting the number of waste or used tires received at their location during the specified period, listed by each hauler. No Manifest or Trip Log will be required for the acceptance of waste or used tires; only a tipping receipt will be issued by the end-use facility. Copy of tipping receipt must be maintained at site for 3 years for enforcement follow up.

End-use facility's Summary Report to be submitted in either paper/electronic format); Board may request report on monthly basis

- Standardized Report Form (either EDT, web-based, or paper form developed by CIWMB)
- Reporting time period (already printed on form)
- Name, Address and TPID of end-use facility
- Total number of tires received from each Registered Hauler during that previous quarter.
- Name and TPID of Hauler(s)
- Total number of tires received by unregistered haulers during that previous quarter.
- Number of tires processed during that previous quarter, i.e., land-filled, incinerated, transformed
- Number of tires shipped off site during that previous quarter

Table 3 -- Option 3
Summary Monthly Reporting Proposal

PRO:	CON:
• The generator, hauler, and end-use facility would all be required to report, so they would all be a part of the system and would be required to maintain records for 3 years for audit and enforcement purposes. • Would greatly simplify reporting for the generator, hauler and end-use facility because reporting would be based on invoices rather than multiple forms, and only one report per month would be required. • For enforcement and market development purposes, would provide a summary of number of tires by month, by generator, hauler and end use facility and TPID number. • Provides cross-referencing ability between all three parties at a summary level. • Would place less burden on the generator, hauler and end-use facility as transaction specific manifests and logs would not be required to be completed and would thus significantly reduce the number of forms required to be submitted by the generator, hauler, and end-use facility (between 40-45%). • Would significantly reduce staff time in mailing out forms and processing forms upon receipt. • Would reduce costs for CIWMB from pre-paid postage and postage out-going as only generators, haulers and end-use facilities not participating in EDT or We-based data entry will submit paper forms to the CIWMB.	• For enforcement purposes, will not provide load dates, load amounts, type, hauler registration or truck decal information. Invoices would have to be reviewed at the generator/hauler/end-use location for this information. • Places more of a burden on the generator, hauler and end-use facility to maintain accurate record of tire usage for a 30-day period in order to prepare report, rather than capturing or recording information at time of each transaction, which could result in data accuracy problems. • Unless each entity provides a monthly report, regardless of whether they had any tire transactions in that month, staff will be unable to determine who is not reporting due to non-compliance with the requirement, and who is not reporting due to lack of tire transactions. • Could create a workload management issue, as staff will be receiving all monthly reports at once versus receiving a constant flow of forms. • Creates more of a reporting burden for haulers that act in the multiple roles of generator, hauler and end-use facility. • May require statutory or regulatory changes. • Generators and end-use facilities would still be required to submit information on unregistered haulers to the CIWMB. • EDT and Web-based data entry will not be mandatory, so may not obtain the full benefits that full participation would bring.

2

Waste Tire Manifest System

Table 4
Comparison of WTMS Options

November 2004

Description of WTMS Options and Information	Option 1 WTMS	Option 2 Comprehensive Trip Log	Option 3 Monthly Summary Report Proposal	Comments, and Notes
Form Information Captured (Detailed)*				**Description of data captured by Monthly Report proposal**
Generator Information	X	X	**Summary Reports Only**	Generator reports Total Tires generated to Haulers by Hauler Name, Address and TPID.
Hauler Information	X	X	**Summary Reports Only**	Hauler reports Total Tires picked up by Generators and their TPID's and Total Tires delivered by End Use Facility and TPID
End User Information	X	X	**Summary Reports Only**	End Use Facility reports Total Tires delivered by Registered Haulers and their TPID's and Unregistered Haulers. End Use Facility reports Total Tire processed,disposed or movement.
Adaptable for High Speed Scanning and Optical Character Recognition for data capture.	**Yes**	**Yes**	**Yes**	
Load Tracking Capability - Individual Load Amts / Measurement	**Yes**	**Yes**	**No**	
Trip Reconciliation Capability	**Yes**	**No**	**No**	
Potential of data captured for Waste Tire Enforcement actions	**High**	**High**	**Low**	
Market Information Potential				
Summary Reports on Quantities of Tires Handled	X	X	X	
Summary Reports on Tire Flow information	X	X	X	
Summary Reports on Tire Types Handled	X	X	X	
Forms Submitted Annually				
Manifest and Trip Log	X			**300,000** Current Annual Rate (Does not include 132,000 EDT records.1 record = 1 form)
Comprehensive Trip Log (Est.)		X		**75,000** Potential Savings of 225,000 forms *Excludes possible Web Based EDT Entry*
Summary Report Submittal (Est.)			X	**132,000** Potential Savings of 168,000 forms *Excludes possible Web Based EDT Entry*
Reporting Frequency				
Within 14 Days after a transaction occurs	X	X		
Monthly -- Mandatory Reporting for Generator, Hauler and End User			X	
Regulated Community Participants Required to Report by Option				**No. of Regulated Community Participants by Category**
Generator	X**		X	**10,000 to 12,000** Generators
Registered Hauler	X	X	X	**800** Registered Hauler
End Use Facility	X**		X	**200** End Use Facility Operators
Reporting Options for Regulated Community				
Paper Form Submittal	X	X	X	
Batch EDT	X	X	**To be developed**	
Web Based EDT	X	X	**To be developed**	
Automated System Currently in Production to Support Option	**Yes**	**Yes**	**No**	**Monthly Summary report would require a new automated system be developed**

*** Detailed Data** includes - Generator, Hauler, End User Name and Address, TPID numbers, Driver Name and Signature,Truck license plate and decal numbers, pick up / delivery, Load date, Import/Export, Tire Count, Tire Measurement, Intended Use, Generator or End Use facility representative name and signature.

**** Under Batch EDT and Web Based EDT Hauler reports for Generator and End Use Facility.**

Prepared by Doug Ralston, IMB

Special Waste Committee
Waste Tire Manifest System Workshop
January 24, 2005

The following are comments, questions or issues raised by persons who attended the workshop.

1. **An individual from the Oakland Housing Authority wanted clarification about that agency's role as a generator, hauler, or end use facility.**

   Answer: As a government agency, the Housing Authority is not required to be registered as a waste tire hauler; however, they are required to comply with the manifesting requirements if they are hauling 10 or more tires at one time. The agency was told that they must obtain a Tire Program Identification (TPID) number for their use and to list the addresses of clean up sites in the comment box of the existing manifest form.

2. **How does the Comprehensive Trip Log affect Retreaders?**

   Answer: The Retreaders can continue to use the existing Retreader Trip Log should they wish to do so. The Comprehensive Trip Log is very similar and Retreaders would be able to use this form as well, which gives them a choice of two forms.

3. **A Generator expressed concern about tracking with the new form and wants guaranteed accountability.**

   Answer: Use of the Comprehensive Trip Log requires the hauler to report on behalf of the generator and end-use facility. In order to provide the ability for the generator and end-user to verify that the hauler is reporting accurately on their behalf, both the generator and end-use facility would be provided access to their information on a CIWMB web site. In this way, they could view and verify information on shipments of waste and used tires being picked up or delivered to that site. If they did not have accessibility to the Internet and to the CIWMB web site, they would be able to contact the CIWMB Waste Tire Hauler Registration & Manifest Program and obtain a report of information regarding their site, as reported by the hauler on their behalf. Additionally, for quality control purposes, the CIWMB will be conducting random checks of Electronic Data Transfer or Web Based Data Entry participants by verifying receipts provided by generators or end-use facilities and comparing that information to what has been submitted to the CIWMB. As a second alternative staff could provide a written report, on an annual

basis, to all generators and end use facilities of tires reportedly being picked up or disposed of at that location.

It was also mentioned that the Board may want to still require a quarterly or annual report from the generator and end use facilities, for use in verifying what the hauler had reported.

4. **How do we rectify the accounting method at the landfill for unregistered haulers?**

   Answer: In either Option 2 or 3, the CIWMB would still require the end-use facility to submit the current manifest form (CIWMB 647) to report unregistered haulers that bring 10 or more tires to the end-use facility.

5. **Is there anything different using the new form for retreaders? Does it separate waste tire haulers from retreaders in any way?**

   Answer: Please see question number # 2

6. **In the Web based Data Entry system, is there any way to identify retread vs. waste tires for pick up in the optional area?**

   Answer: Yes, that can be feature that the CIWMB may want to add to the Web based system.

7. **How often does data need to be entered on new form?**

   Answer: For both, the Comprehensive Trip Log or Web Based Data Entry system, submittal of the information must be within 14 days of the initiating the form.

8. **Can EDT be used to provide the Quarterly Summary Report information?**

   Answer: Yes, both EDT and Web Based Data Entry can be used as a mechanism to provide the Quarterly Summary Report should this option be selected by the CIWMB. Any of the three options can be met by either the EDT or Web Based Data Entry process as well as the paper process.

9. **It was asked if a Quarterly Summary Report could be replaced with an Annual Summary Report.**

   Answer: No, statute mandates that manifest forms be submitted to the CIWMB every quarter.

10. **What is required of generators to ensure correct information is entered by the hauler?**

    Answer: Ultimately, the generator still retains liability should the tires be disposed of illegally; therefore it is in the best interest of the generator to deal with a reputable hauler and to check the Board's website to verify that the tire transaction information was reported accurately.

11. **Questions were raised regarding transporting tires from Air Force Bases to out-of- state. What are the requirements?**

    Answer: The military are subject to the same requirements. If 10 or more waste or used tires are transported from a military base onto public roads, the military base needs to haul the tires in government vehicles, use a registered hauler, or common carrier (with a back haul exemption letter issued by the CIWMB). The waste or used tires must be manifested by all parties within the state and it is strongly encouraged that the out of state entity sign off receipt of the tires.

12. **Will this manifest system be integrated with the waste disposal system? EDT seems compatible with the waste disposal system.**

    Answer: The CIWMB is looking into this, but this may be down the road before such information can be provided in one reporting form.

13. **When will a decision on revisions affect industry?**

    Answer: Staff will take the proposals and workshop comments to the 2005 Special Waste Committee meeting and request direction. If Option 2, the Comprehensive Trip Log, is approved, emergency regulations and form printing would be required, so the earliest date for use of this new form would be June 2005. If Option 3 is selected, the Quarterly Summary Report, the process would be several months beyond June 2005. In either situation, the CIWMB will ensure that the regulated community is apprised of any regulatory and form changes prior to implementation of the new process.

14. Regulatory vs. Statutory changes for each new option discussed with attorney?

Answer: The CIWMB Legal Office has stated that if the Board selects Option 2, only emergency regulations would be required before implementation. If Option 3 is selected, statutory changes would be required before that system could be implemented. Such changes if obtained would not be before January 2006.

15. Can paper be eliminated with use of web-based system?

Answer: Yes, if you are using the Web Base Data Entry or EDT, you are not required to submit paperwork for those transactions. You only need to retain the paper forms (receipts or invoices) for 3 years at your place of business.

16. Will Inspectors Be Able To Access the Internet?

Answer: Yes, the enforcement agencies working with the CIWMB will eventually be able to access the internet and retrieve pertinent information from the WTMS in order for them to carry out their job responsibilities.

17. For Haulers Using EDT, if something is incorrect, are the haulers obligated to go into the system to check?

Answer: Since the hauler is legally responsible for the shipment of waste or used tires, it would be advantageous for the hauler to periodically examine the tire shipments listed under that registration to confirm the information is correct.

18. The draft Comprehensive Trip Log & Manifest form has multiple receipts on the same page requiring an initial which means that Joe's Tire Shop will see how many scrap tires his competitor just up the street had that week.

Answer: We understand that this may be a problem unless we can change the statute which currently requires a signature approval from the generator and end use facility. With this in mind, we can only ask that the hauler cover the form to protect the client's information.

19. **Pertaining to EDT, we will always want to be able to modify the manifest to use as an invoice even though some of that that information is not transmitted to you—therefore, there are space issues.**

    Answer: We are not sure what additional space needs there are for your EDT receipt format. We require certain information on the receipt along with the EDT logo. Aside from those requirements, if you want to add anything else to your receipts this is ok, as long as you provide us with a current EDT receipt form.

20. **Reporting responsibility: My biggest concern is that this program relies on the haulers exclusively. There must be an obligation on every generator at least once a year, or quarterly, or whatever to tell you how many tons or tires (waste) they produced and the name of the licensed hauler (s) to whom those were released. Every TPID # which is currently active should have to produce this report. The generator should be charged with that one simple responsibility just as they are charged with keeping manifests on file for three years to show a local inspector where their waste tires are going. We may never know who all the people are who are hauling tires but we really do have a good grasp on who generates scrap tires.**

    Answer: We agree that we cannot leave it solely upon the haulers for accurate reporting; therefore the generator or end use facility will have the ability to go into the CIWMB's web site and determine the transaction dates, quantity of tires, and the haulers they transacted with during any period of time. If they do not have internet ability, they can call the CIWMB and request this information to be sent to them. Additionally, staff may determine that an annual report be sent to the regulated community advising them of this transaction information and allow them to review the documentation and inform the CIWMB of any errors reported. Staff believes that any additional reporting beyond the Comprehensive Trip Log would create an additional burden upon staff and the regulated community and place us in a situation similar to the one we are in now with the Manifest form and Tire Trip Log.

21. **End use facilities: All end use facilities should have to report monthly or quarterly the names of haulers from whom they receive tires. The end use facilities are a known quantity. We know that we don't want tires dumped so end use facilities should never be stopped from receiving tires from anyone regardless of whether they are a licensed hauler or not. But, we need to be charged with reporting haulers to you. It appears right now that the license of non registered haulers is not being transmitting to you through EDT.**

    Answer: Please see the answer stated above for the end-user reporting requirements. For unregistered haulers, the current manifest form will still be

utilized to report those hauls of 10 or more tires being accepted at an end use faculty. The form will still need to be submitted to the CIWMB as a paper form document only, not submitted electronically as this can be used as evidence in an enforcement case.

General Comments

Staff:

- EDT/Web based Data Entry relieves the hauler from having to fill out forms.
- Concerns expressed that selected option must be cost-effective.
- Manifest numbers and load numbers are important requirements for enforcement purposes.
- Enforcement Grantees feel that Option 2 contains adequate reporting data that can be used for enforcement cases.

Regulated Community:

- The CIWMB should look into an incentive program for haulers submitting the Comprehensive Trip Log to the CIWMB which would encourage complete and punctual reporting on behalf of the hauler.
- After either Option 2 or 3 is selected, the CIWMB should closely look to see if the program objectives are being met.
- Several of the regulated community expressed preference for Option 2, the Comprehensive Trip Log.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-53

Consideration And Request For Direction On Proposed Revisions To The California Uniform Waste And Used Tire Manifest System

WHEREAS, the Public Resources Code (PRC), commencing with Section 42950, vests the Board with the responsibility for the administration of waste tire hauler and manifesting programs; specifically, the Board must protect public health, safety and the environment by establishing technical standards and a registration program for waste tire haulers and technical standards for manifesting waste and used tires for the waste tire generator, tire dealer, waste tire hauler, and end use facility; and

WHEREAS, the Board adopted revisions to the Waste Tire Hauler Registration and Manifesting regulations amending Title 14, California Code of Regulations, Division 7, Chapter 6, Article 8.5, which became effective July 1, 2003; and

WHEREAS, the current California Uniform Waste and Used Tire Manifest System (WTMS) is an integral part of the Board's overall tire enforcement program, as it provides a tool that allows the Board to track waste tires to ensure proper storage and disposal; and

WHEREAS, the Board has directed staff to revise the WTMS to simplify the waste tire tracking and reporting process, improve the efficiency of the system, and reduce the paperwork burden;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the revisions to the WTMS described in Option 2, Comprehensive Trip Log, and directs staff to implement the proposed revisions; and

BE IT FURTHER RESOLVED that the Board directs staff to prepare and submit emergency regulations for approval as needed to implement the Option 2 revisions to the WTMS.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated: February 15, 2005

ORIGINAL SIGNED BY

Mark Leary
Executive Director