STATE OF CALIFORNIA

Pete Wilson, Governor

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, California 95826

Jesse Huff, Chairman
Wesley Chesbro, Vice Chairman
Sam Egigian, Board Member
Edward G. Heidig, Board Member
Janet Gotch, Board Member
Paul Relis, Board Member

Meeting of the

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

REGULAR MONTHLY BUSINESS MEETING

Wednesday, January 25, 1995

10:00 a.m.

8800 Cal Center Drive
Sacramento, CA 95826

CONSENT AGENDA

The following items have been reviewed by a Board Committee and have been recommended to the Board for consent. The Board will be asked to approve these items at one time without discussion. At the beginning of the meeting, the Chair of the Board will ask Board members or other interested parties or staff who wish to address an item on the Consent Agenda to state their names and the items they wish to address for the record. The Chair or an individual Board Member may request that an item be removed from the Consent Calendar for full hearing. [Items removed from the Consent Calendar will be heard in the originally scheduled order.]

5. CONSIDERATION OF FISCAL YEAR 1994-95 DISCRETIONARY GRANT AWARDS FOR THE HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM (ADMINISTRATION COMMITTEE)

7. CONSIDERATION OF PROPOSED PRIVATE BUY RECYCLED STRATEGY (MARKET DEVELOPMENT COMMITTEE)

14. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR THE EASTERN REGIONAL MATERIALS RECOVERY FACILITY, PLACER COUNTY (PERMITTING AND ENFORCEMENT COMMITTEE)

15. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR THE WEST COAST RECYCLING COMPANY, SAN FRANCISCO COUNTY (PERMITTING AND ENFORCEMENT COMMITTEE)

16. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR SCOTTS SAN JOAQUIN COUNTY REGIONAL COMPOSTING FACILITY, SAN JOAQUIN COUNTY (PERMITTING AND ENFORCEMENT COMMITTEE)

18. SEMI-ANNUAL UPDATE AND PUBLICATION OF THE "INVENTORY OF SOLID WASTE FACILITIES WHICH VIOLATE STATE MINIMUM STANDARDS (INVENTORY)" (PERMITTING AND ENFORCEMENT COMMITTEE)

24. RECONSIDERATION OF THE RECYCLING EQUIPMENT TAX CREDIT REPORT (MARKET DEVELOPMENT COMMITTEE)

25. CONSIDERATION OF RIGID PLASTIC PACKAGING CONTAINER TRADE ASSOCIATION SUBMITTAL OF REPORT; AND CONSIDERATION OF DELEGATION TO EXECUTIVE DIRECTOR TO ENTER INTO AGREEMENTS WITH THE ASSOCIATIONS (REQUIRED BY PUBLIC RESOURCES CODE SECTIONS 42310.1 AND 42310.2) (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

26. CONSIDERATION OF AWARD OF THE COMPREHENSIVE LABORATORY SERVICES CONTRACT (IWM-C4031) (POLICY, RESEARCH AND TECHNICAL ASSISTANCE COMMITTEE)

27. ADOPTION OF THE TIRE RECYCLING PROGRAM ANNUAL REPORT (POLICY, RESEARCH AND TECHNICAL ASSISTANCE COMMITTEE)

29. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF EL MONTE, LOS ANGELES COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

30. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF HAWTHORNE, LOS ANGELES COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

31. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF RANCHO PALOS VERDES, LOS ANGELES COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

32. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF ROLLING HILLS ESTATES, LOS ANGELES COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

33. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SANTA FE SPRINGS, LOS ANGELES COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

34. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SANTA PAULA, VENTURA COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

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36. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SAN BUENAVENTURA, VENTURA COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

37. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF THOUSAND OAKS, VENTURA COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

38. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF CAMARILLO, VENTURA COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

39. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF LA MESA, SAN DIEGO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

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42. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SAN MARCOS, SAN DIEGO (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

43. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SANTEE, SAN DIEGO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

44. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF COLTON, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

45. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ONTARIO, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

46. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF REDLANDS, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

47. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF UPLAND, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

48. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR UNINCORPORATED SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

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50. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF GRAND TERRACE, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

51. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF RIALTO, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

52. CONSIDERATION OF STAFF RECOMMENDATION ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF HIGHLAND, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

53. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR UNINCORPORATED KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

54. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF BAKERSFIELD, KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

55. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF TAFT, KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

56. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF RIDGECREST, KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

57. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF TEHACHAPI, KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

58. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SACRAMENTO, SACRAMENTO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

59. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF PALO ALTO, SANTA CLARA COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

60. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE MULTI-JURISDICTIONAL SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE COUNTY OF SANTA CRUZ AND THE CITIES OF CAPITOLA, SCOTTS VALLEY AND WATSONVILLE, SANTA CRUZ COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

61. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE MULTI-JURISDICTIONAL NONDISPOSAL FACILITY ELEMENT FOR THE COUNTY OF SANTA CRUZ AND THE CITIES OF SCOTTS VALLEY AND WATSONVILLE, SANTA CRUZ COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

62. CONSIDERATION OF STAFF RECOMMENDATION ON THE ADEQUACY OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF CAPITOLA, SANTA CRUZ COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

63. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ALAMEDA, ALAMEDA COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

64. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ROCKLIN, PLACER COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

65. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE MULTI-JURISDICTIONAL SOURCE REDUCTION AND RECYCLING ELEMENTS, HOUSEHOLD HAZARDOUS WASTE ELEMENTS AND NONDISPOSAL FACILITY ELEMENTS FOR THE COUNTIES OF YUBA AND SUTTER AND THE CITIES OF YUBA CITY, MARYSVILLE, WHEATLAND AND LIVE OAK (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

66. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF GRIDLEY, BUTTE COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

For further information contact:

INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, CA 95826

Patti Bertram
(916) 255-2156

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Meeting of the

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

REGULAR MONTHLY BUSINESS MEETING

Wednesday, January 25, 1995

10:00 a.m.

8800 Cal Center Drive
Sacramento, CA 95826

AGENDA

Note:
- *Agenda items may be taken out of order.*
- *Persons interested in addressing the Board must fill out a speaker request form and present it to the Board's Administrative Assistant on the date of the meeting.*
- *If written comments are submitted, please provide 15 two-sided copies.*

Important Notice: The Board intends that Committee Meetings will constitute the time and place where the major discussion and deliberation of a listed matter will be initiated. After consideration by the Committee, matters requiring Board action will be placed on an upcoming Board Meeting Agenda. Discussion of matters on Board Meeting Agendas may be limited if the matters are placed on the Board's Consent Agenda by the Committee. Persons interested in commenting on an item being considered by a Board Committee or the full Board are advised to make comments at the Committee meeting where the matter is first considered.

To comply with legal requirements, this Notice and Agenda may be published and mailed prior to a Committee Meeting where determinations are made regarding which items go to the Board for action. Some of the items listed below, therefore, may, upon recommendation of a Committee, be pulled from consideration by the full Board. To verify if an item will be heard, please call Patti Bertram at (916) 255-2156.

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48. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR UNINCORPORATED SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

49. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF HESPERIA, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

50. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF GRAND TERRACE, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

51. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT, AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF RIALTO, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

52. CONSIDERATION OF STAFF RECOMMENDATION ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF HIGHLAND, SAN BERNARDINO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

53. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR UNINCORPORATED KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

54. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF BAKERSFIELD, KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

55. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF TAFT, KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

56. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF RIDGECREST, KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

57. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF TEHACHAPI, KERN COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

58. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SACRAMENTO, SACRAMENTO COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

59. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF PALO ALTO, SANTA CLARA COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

60. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE MULTI-JURISDICTIONAL SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE COUNTY OF SANTA CRUZ AND THE CITIES OF CAPITOLA, SCOTTS VALLEY AND WATSONVILLE, SANTA CRUZ COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

61. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE MULTI-JURISDICTIONAL NONDISPOSAL FACILITY ELEMENT FOR THE COUNTY OF SANTA CRUZ AND THE CITIES OF SCOTTS VALLEY AND WATSONVILLE, SANTA CRUZ COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

62. CONSIDERATION OF STAFF RECOMMENDATION ON THE ADEQUACY OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF CAPITOLA, SANTA CRUZ COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

63. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ALAMEDA, ALAMEDA COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

64. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ROCKLIN, PLACER COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

65. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE MULTI-JURISDICTIONAL SOURCE REDUCTION AND RECYCLING ELEMENTS, HOUSEHOLD HAZARDOUS WASTE ELEMENTS AND NONDISPOSAL FACILITY ELEMENTS FOR THE COUNTIES OF YUBA AND SUTTER AND THE CITIES OF YUBA CITY, MARYSVILLE, WHEATLAND AND LIVE OAK (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

66. CONSIDERATION OF STAFF RECOMMENDATIONS ON THE ADEQUACY OF THE SOURCE REDUCTION AND RECYCLING ELEMENT, HOUSEHOLD HAZARDOUS WASTE ELEMENT AND NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF GRIDLEY, BUTTE COUNTY (LOCAL ASSISTANCE AND PLANNING COMMITTEE)

67. CONSIDERATION OF STAFF REPORT: CIWMB ENFORCEMENT--FAILURE TO IMPLEMENT A SOURCE REDUCTION AND RECYCLING ELEMENT (SRRE) AND HOUSEHOLD HAZARDOUS WASTE ELEMENT (HHWE) (LOCAL ASSISTANCE AND PLANNING COMMITTEE) 167

<u>OTHER</u>

68. OPEN DISCUSSION

69. ADJOURNMENT

Notice: The Board may hold a closed session to discuss the appointment or employment of public employees and litigation under authority of Government Code Sections 11126 (a) and (q), respectively.

For further information contact:

INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, CA 95826

Patti Bertram
(916) 255-2156

LOCAL PLANNING DOCUMENTS:

IN CONSIDERATION OF THE IN-HOUSE WASTE PREVENTION POLICY, THE JANUARY 11, 1995 LOCAL ASSISTANCE AND PLANNING COMMITTEE AGENDA ITEMS 4 THROUGH 41 ARE NOT INCLUDED IN THIS BOARD PACKET.

PLEASE SAVE THE LOCAL ASSISTANCE AND PLANNING COMMITTEE PACKET COPIES OF THE AGENDA ITEMS. THE LOCAL ASSISTANCE AND PLANNING COMMITTEE AGENDA ITEMS SHOULD BE RENUMBERED TO BECOME AGENDA ITEMS 29 THROUGH 66 IN THE BOARD PACKET FOR THE JANUARY 25, 1995 MEETING.

IF YOU ARE NOT ON THE LOCAL ASSISTANCE AND PLANNING COMMITTEE MAILING LIST, YOU MAY CONTACT PATTI BERTRAM AT (916) 255-2156 TO OBTAIN A COPY OF THESE AGENDA ITEMS.

COMMITTEE ACTION:

AT ITS JANUARY 11, 1995 MEETING, THE LOCAL ASSISTANCE AND PLANNING COMMITTEE VOTED TO STAFF'S RECOMMENDATIONS FOR ALL ITEMS. COMMITTEE ACTION FURTHER RECOMMENDED THAT ITEMS 29 THROUGH 66 BE PLACED ON THE CONSENT AGENDA OF THIS BOARD MEETING, EXCLUSIVE OF THE SOURCE REDUCTION AND RECYCLING ELEMENTS CONTAINED WITHIN ITEMS #33, 36, 44, AND 63.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

Agenda Item #5

ITEM: Consideration of Fiscal Year 1994-95 Discretionary Grant Awards for the Household Hazardous Waste (HHW) Grant Program

I. SUMMARY

In accordance with the Board's Grant Award Process, the Administration Committee makes recommendations for funding based upon the criteria and scoring process established by the appropriate policy committee and the Board. For the current HHW Discretionary Grant cycle, staff adapted the "1993/94 Used Oil Opportunity Grant" scoring process to evaluate the current grant applications. This item presents the proposed staff recommendations for Fiscal Year 1994-95 Discretionary Grant Awards for Household Hazardous Waste Program.

II. PREVIOUS COMMITTEE ACTION

The Administration Committee is scheduled to consider the proposed staff recommendations for the HHW grant awards at its monthly meeting on January 18, 1995. This item was prepared prior to the meeting, so the Committee's action regarding the recommendations cannot be identified at this time.

III. OPTIONS FOR THE BOARD

Board members may wish to:

1. Approve staff recommendations to award grants for the Household Hazardous Waste Discretionary (HHW) Grant Program as set forth in Attachment B and adopt the attached Board Resolution No. 95-85; and direct staff to implement grant agreements with the recommended applicants; or

2. Direct staff to reconsider the proposed discretionary grant awards based upon specified changes in the grant evaluation criteria and forward the item to the Board with a recommendation to direct staff to implement the revised Grant Award proposal for the HHW Discretionary Grant Program. This would require revising criteria and starting the grant application process over again.

IV. STAFF RECOMMENDATIONS

Staff recommends Option 1: the Board adopt Resolution 95-85.

V. ANALYSIS

Background

One of the most successful programs in encouraging the establishment or expansion of household hazardous waste (HHW) efforts is the HHW Grant Program. Through this program, established by Assembly Bill 2448 (Chapter 1315, Statutes of 1987, Eastin), the Board awards discretionary grants to cities, counties, and local agencies for programs that help prevent the disposal of hazardous waste, including HHW, at solid waste landfills.

Discretionary grants are awarded on a competitive basis to provide funding to jurisdictions for new and expanded programs.

In accordance with PRC Section 47200.5, applicant eligibility is limited to cities, counties, and local agencies responsible for waste management. Private owners and operators of landfills and transfer stations who will implement load screening programs or similar programs are not eligible to apply for or receive HHW grants. Jurisdictions that contract with private waste management companies for services such as conducting collection programs or transportation of household hazardous waste remain eligible to receive an award.

Grants are awarded for a variety of activities, including: funding for HHW public education and outreach programs; construction of permanent HHW collection facilities; collection programs including periodic, mobile, and curbside pick-up; recycle-only programs for automotive batteries, latex paint, and used motor oil; load checking programs; and programs that emphasize reducing, reusing, or recycling of HHW.

The grant program was amended by AB 3348 (Chapter 1218, Statutes of 1992, Eastin) to direct funding priorities toward:

(1) New programs for rural areas, underserved areas, and for small cities.
(2) Expansion of existing programs to provide for the collection of additional waste types, innovative or more cost-effective collection methods, or expanded public education services.
(3) Regional household hazardous waste programs.

Assembly Bill 1220 (Chapter 656, Statutes of 1993, Eastin) authorized the Board to provide $4 million in funding for grants for programs implemented in FY 1992/93 and $3 million in grants beginning July 1, 1994 and each year thereafter (PRC Sections 47200 and 47200.5). Also, AB 1220 transferred funds from the

Solid Waste Disposal Site Cleanup and Maintenance Account to the Integrated Waste Management Account (PRC Section 47901). Grants will continue to be awarded under the same funding priorities set forth in AB 3348.

Application Review Process

Board staff undertook a comprehensive mailing to ensure that all potential grant applicants and interested parties were notified of the HHW Grant Program. The "Notice of Funding Availability" outlining the information required to submit a grant application was mailed to cities and counties in the state, as well as to all others requesting a copy. The discretionary grant application period extended from July 1, 1994 through September 30, 1994. During this time, 82 applications were submitted to the Board, representing a total funding request of $7,510,229 for the available $3 million in grant funds.

After the close of the application period, two panels of Board staff reviewed and scored each grant proposal. First, Board staff reviewed all applications to verify that they were complete. When necessary, staff called the applicants to request additional information or clarify information related to their discretionary grant application.

Second, as grant recipients are selected on a competitive basis, the information which was provided Board staff, especially in the Program Report, was evaluated individually and in relationship to all other applications received. Board staff recognized that not all the information required in the application pertained to the applicant's particular program. Applicants were not penalized if a particular component(s) did not apply to their program. Staff evaluated and scored the applications based upon the following criteria:

Points	Description
25	Ability of the applicant to implement or complete the proposed program with the funds from the Board and other sources.
25	Cost effectiveness and soundness of the proposal.
20	Effectiveness of the program in expanding HHW program opportunities and addressing the problems described in the applicant's Program Report.
10	Clarity and thoroughness of the proposal.
10	Proposal establishes new HHW program opportunities for rural areas, underserved areas, or small cities.
5	Expansion of existing programs to provide for the collection of additional waste types, innovative or more cost-effective collection methods, or expanded public education services.
5	Proposal establishes HHW programs that address regional (multi-jurisdictional) needs.
100	MAXIMUM POSSIBLE POINTS

Application Selection:

Staff arrived at funding recommendations by:

1) Determining if the application was complete;
3) Evaluating the application based on the scoring criteria included in the application package.

Due to the limited amount of funds available, staff identified some programs for partial funding. In doing so, staff took into account the funding priorities identified by the applicants and confirmed with them that their ability to implement the program would not be adversely affected by receiving only partial funding.

In the course of evaluating the applications, staff identified 42 of the 82 applications for full or partial grant funding. These 42 applications account for grant awards totaling $3 million.

Reasons for Grant Award Denial:

During the application review period, staff made note of the categories in which applicants most frequently did not provide

adequate responses. These are as follows:

1. Significant sections of the application were deficient. This made evaluating the proposal problematic. Also included in this category, were applicants whose proposals were in the conceptual or formative stages of development and those who were unable to provide sufficient details on how the program was to be carried out.

2. Program goals/objectives or implementation schedules were either lacking, not clearly defined, or not developed in sufficient detail.

3. Applications submitted which were similar in nature to or duplicated the services of other programs in the same geographic area. Also, applications submitted that duplicated those that the Board previously funded in which program implementation has yet to occur.

4. The budget was unrealistic or not cost-effective. Funding estimates for services, products, and materials were not adequately substantiated or justified. Also, no contingency plans or planning for cost overruns were considered.

5. Technical constraints were identified that would adversely affect the chance of a program's success. Examples include: selection of equipment and/or services not based on the applicant's specific need; unrealistic contingency plans to dispose of or store non-recyclable HHW wastes; no consideration or investigation of disposal options for certain types of HHW; and lack of funding commitments to continue the program after implementation.

Staff Recommendations for Discretionary Grant Awards

Staff recommendations are described in Attachment B. Attachment A also lists all applicants and describes the type of the program, the amount of CIWMB grant funds requested, the proposed award, a comment section, and an explanation section.

Based on the review of all grant applications in accordance with the program criteria, staff recommends funding 42 applications totalling $3 million.

VI. FUNDING INFORMATION

Contract Amount: $3,000,000

Fund Source:

- ☐ Used Oil Recycling Fund
- ☐ Tire Recycling Management Fund
- ☐ Recycling Market Development Revolving Loan Account
- X Integrated Waste Management Account
- ☐ Other _____ (Specify)

Approved From Line Item:

- ☐ Consulting & Professional Services
- ☐ Training
- ☐ Data processing
- X Other Local Assistance, Governmental (Specify)

Coding:

1100 (Index) 50435 (PCA) 702 (Object)

Redirection:

If Redirection of Funds: $_____

From: _____ (Index) _____ (PCA) _____ (Object)

VII. ATTACHMENTS:

A. Discretionary Grant Application List
B. Resolution No. 95-85

Prepared by:	Janet Page	Phone:	255-2449
Reviewed by:	Shirley Willd-Wagner	Phone:	255-2705
Reviewed by:	Fernando Berton F.B.	Phone:	255-2470
Reviewed by:	Mitch Delmage MD	Phone:	255-2623
Reviewed by:	Judith Friedman	Phone:	255-2302
Reviewed by:	Marie LaVergne MB 1/16/95	Phone:	255-2269
Legal Review:	1-17-95	Date/Time:	

Attachment A

DISCRETIONARY GRANT APPLICANTS FOR FISCAL YEAR 1994-95

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
Alpine	County of Alpine PO Box 387 Markleeville, CA 96120	Collection Events	$48,000	$48,000		Full funding recommended.
Amador	County of Amador Public Works Agency 108 Court Street Jackson, CA 95642	Collection Events	$60,000	$40,000		One event reduced by $20,000.
Butte	County of Butte Butte County Dept. of Public Works 7 County Center Drive Oroville, CA 95965	Collection Events	$114,023	$104,023		Reduced permits and performance bonds by $2,000; reduced 2 events by $8,000.
Butte	City of Chico PO Box 3420 Chico, CA 95927-3420	Permanent Facility	$94,071	$87,785		Reduced total program by $6,286.
Calaveras	County of Calaveras Department of Public Works 891 Mountain Ranch Road San Andreas, CA 95249	Collection Events/Education	$117,800	$110,000		Reduced personnel services by $7,800.
Contra Costa	West Contra Costa Integrated Waste Management Authority One Alvarado Square San Pablo, CA 94806	Education	$116,500	—	1,4	Program descriptions too brief; cost-effectiveness not substantiated.
El Dorado	County El Dorado 2850 Fairlane Court Placerville, CA 95667	Permanent Facility	$120,000	$102,066		Personnel reduced by $12,934; engineering and permit assistance reduced by $5,000.
Humboldt	County of Humboldt Health Department Environmental Health Division 100 H Street, Suite 100 Eureka, CA 95501	Regional Permanent Facility with Del Norte	$98,164	$95,664		Oil portion reduced by $2,500.
Imperial	City of Brawley 400 Main Street Brawley, CA 92227	Collection Events/ Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated; lack of funding commitments to continue the program after implementation.

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
Imperial	City of Calexico 408 Heber Avenue Calexico, CA 92231	Collection Events/ Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated; lack of funding commitments to continue the program after implementation.
Imperial	City of El Centro 1275 Main Street El Centro, CA 92243	Collection Events/ Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated; lack of funding commitments to continue the program after implementation.
Imperial	County of Imperial Public Works 155 South 11th Street El Centro, CA 92243	Collection Events/ Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated; lack of funding commitments to continue the program after implementation.
Inyo	County of Inyo Dept. of Environmental Health Post Office Box 427 Independence, CA 93526	Collection Events	$104,635	$95,105		Reduced contingency to 5% ($4,529); eliminated auditors administration ($4,983).
Kings	City of Avenal 919 Skyline Blvd. Avenal, CA 93204	Permanent Facility/ Training	$31,397	$27,946		Reduced contingency by $3,451.
Lake	County of Lake Parks and Solid Waste Department 255 N. Forbes Street Lakeport, CA 95453	Permanent Facility/ Regional Mobile Collection Program with Mendocino County	$120,000	$109,720		Reduced equipment by $10,280.
Los Angeles	City of Bellflower Department of Public Works 16600 Civic Center Drive Bellflower, CA 90210	Collection Events/ Permanent Facility/ Education with Lakewood and Artesia	$120,000	—	2,4,5	Goals lacking detail and need more planning; budget not cost effective and not justified; services not based on applicants specific need; several non-HHW activities included.
Los Angeles	City of Covina Environmental Services Department 125 E. College Street Covina, CA 91724-2199	Used Oil Collection Sites	$9,025	$5,530		Reduced signage by $300; reduced tax by $75; reduced oil containers by $3,120.
Los Angeles	City of Downey PO Box 7016 Downey, CA 90241-7016	Collection Events/ Education with La Mirada	$120,000	—	2,4,5	Goals lacking detail and need more planning; budget not cost effective and not justified, several overhead items included ; services not based on applicants specific need; several non-HHW activities included.

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
Los Angeles	City of El Monte 11333 Valley Blvd. El Monte, CA 91732	Education with Covina and West Covina	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated; lack of funding commitments to continue the program after implementation.
Los Angeles	City of Gardena Public Works Department 1700 W. 162nd Street Gardena, CA 90247-3778	Regional Education Program/Loadcheck with Hawthorne and Lomita	$120,000	—	2,4,5	Goals lacking detail and need more planning; budget not cost effective and not justified; several non-HHW activities included.
Los Angeles	City of Glendale - EMC 780 Flower Street Glendale, CA 91201	Collection Events/ Education	$120,000	—	4	Budget unrealistic and not adequately substantiated.
Los Angeles	City of Inglewood PO Box 6500 Inglewood, CA 90301	Education	$47,560	—	1,4	Proposal in the conceptual stage of development– more planning needed;budget not cost-effective.
Los Angeles	City of Long Beach Department of Public Works 2929 East Willow Street Long Beach, CA 90806	Collection Events/ Education	$114,550	—	1,4	Goals not developed in sufficient detail;budget not cost-effective, and not adequately substantiated.
Los Angeles	City of Los Angeles Department of Public Works Bureau of Sanitation 419 S. Spring Street, #800 Los Angeles, CA 90013	HHW Management Guidance Document	$119,910	—	4,5	Budget not cost effective or realistic, several items considered overhead costs; goals do not match HHW grant program objectives.
Los Angeles	City of Lynwood 11330 Bullis Road Lynwood, CA 90262	Collection Events/ Education	$120,000	—	1,2,3,4,5	Several sections of the application in the formative stage of development; goals not specific; Board previously funded program in city– implementation was not completed;budget not adequately substantiated or cost effective; lack of funding commitments to continue the program after implementation.
Los Angeles	City of Monrovia 415 South Ivy Avenue Monrovia, CA 91016	Education	$2,163	$2,163		Full funding recommended.
Los Angeles	City of Monterey Park 320 West Newmark Avenue Monterey Park, CA 91754-2896	Education with Alhambra, Montebello, San Gabriel, San Marino, South Pasadena, and Temple City	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated or cost effective; lack of funding commitments to continue the program after implementation.

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
Los Angeles	City of Norwalk 12700 Norwalk Blvd. Norwalk, CA 90650	Education with Maywood and Pico Rivera	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated or cost effective; lack of funding commitments to continue the program after implementation.
Los Angeles	City of Redondo Beach 415 Diamond Street Redondo Beach, CA 90277	Permanent Facility/Education with Manhattan Beach	$118,138	$102,068		Reduced computer workstation by $5,000; reduced shipping costs by $439.06; reduced public education contract by $4,000; reduced contingency by $6,631.
Los Angeles	City of Santa Clarita 25663 W. Avenue Stanford Santa Clarita, CA 91355	Collection Events/ Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated; lack of funding commitments to continue the program after implementation.
Los Angeles	City of Sierra Madre 232 W. Sierra Madre Blvd. Sierra Madre, CA 91024	Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated or cost effective; lack of funding commitments to continue the program after implementation.
Los Angeles	City of West Hollywood 8611 Santa Monica Blvd. West Hollywood, CA 90069	Education	$14,933	$12,933		Reduced transportation and disposal by $2,000.
Los Angeles	City of Whittier 13230 Penn Street Whittier, CA 90602	Education	$25,000	—	1,2	Proposal in formative stage of development; goals lack sufficient detail.
Madera	County of Madera Environmental Health Department 135 W. Yosemite Avenue Madera, CA 93637	Collection Events/ Education/Permanent BOP Facility	$110,250	$81,000		Budget revised to $86,000; reduced equipment by $5,000.
Marin	County of Marin Office of Waste Management 10 North San Pedro Road, Room 1022 San Rafael, CA 94903	Collection Events	$33,799	$29,799		Reduced one oil pick-up ($4,000).
Marin	City of San Rafael 1039 C Street San Rafael, CA 94901	Permanent Facility	$115,785	$93,060		Reduced contracts by $15,125; equipment reduced by $3,750; computer reduced by $3,850.
Mendocino	County of Mendocino Solid Waste Management Authority PO Box 56 Willits, CA 95490	Regional Mobile Collection Program with Lake County	$120,000	$120,000		Full funding recommended.

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
Mono	County of Mono Annex 1, Bryant Street Bridgeport, CA 93517	Education/Loadcheck/ Training	$50,000	$49,250		Reduced task force coordination by $750.
Monterey	City of Salinas 200 Lincoln Avenue Salinas, CA 93901	Permanent Facility/Collection Events	$120,000	—	2	Application lacked detail and not clearly defined.
Nevada	County of Nevada 950 Maidu Avenue Nevada City, CA 95959	Permanent Facility (ABOP)/Waste Exchange Program	$118,380	$111,935		Contract administration (task 2.2) reduced by $3,508.65; permitting (task 3.2) reduced by $2,936.64
Orange	City of Costa Mesa Costa Mesa Sanitary District 77 Fair Drive PO Box 1200 Costa Mesa, CA 92628-1200	Collection Events/ Education	$120,000	—	1,4,5	Application incomplete in several sections; budget not adequately substantiated; inappropriate program activities identified.
Orange	City of Huntington Beach 2000 Main Street Huntington Beach, CA 92648	Education	$10,000	—	1,2	Application incomplete in several sections; goals not clearly defined or developed.
Orange	City of Laguna Hills 25201 Paseo de Alicia Laguna Hills, CA 92653	Collection Events/ Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated or cost effective; lack of funding commitments to continue the program after implementation.
Orange	City of Laguna Niguel 27801 La Paz Road Laguna Niguel, CA 92656	Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated or cost effective; lack of funding commitments to continue the program after implementation.
Orange	City of Orange 330 E. Chapman Avenue Orange, CA 90808	Education	$120,000	—	1,2,4,5	Several sections of the application in the formative stage of development; goals not specific; budget not adequately substantiated or cost effective; lack of funding commitments to continue the program after implementation.
Orange	City of Santa Ana Public Works Agency 101 W. 4th Street Santa Ana, CA 92701	Collection Events/ Education	$120,000	$60,000		Reduced personnel by $4,870; reduced contracts by $53,790; reduced materials and supplies by $1,340.
Plumas	City of Portola 35 Third Avenue PO Box 1225 Portola, CA 96122	Oil, Antifreeze, Battery Facility/Education/Collection Events	$113,138	$106,138		Reduced collection events by $7,000.

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
Riverside	City of Hemet 450 E. Latham Avenue Hemet, CA 92543	Education	$102,100	—	2,4,5	Goals lacking detail and need more planning; budget not adequately substantiated; services not based on applicant's specific need – directed applicant to Used Oil Program.
Riverside	County of Riverside Health Services Agency Department of Environmental Health Hazardous Materials Management Division PO Box 7600 (AEH) Riverside, CA 92513-7600	Regional Battery, Oil, and Antifreeze Collection/ Education	$120,000	$95,000		Reduced advertising by $20,000; postage reduced by $5,000.
Sacramento	County of Sacramento Department of Solid Waste Management 9700 Goethe Road, Suite E Sacramento, CA 95827-3500	Battery, Oil, Paint Collection Facility	$120,000	$84,389		Reduced personnel services by $35,611.
San Bernardino	City of Chino 13220 Central Avenue PO Box 667 Chino, CA 91708-0667	Regional Education Program with Chino Hills, Fontana, Montclair, Ontario, Rancho Cucamonga, Rialto, and Upland	$102,400	$82,400		Reduced video by $15,000; reduced printing of educational posters by $3,000; reduced licensing fee by $500; reduced project administration by $2,500.
San Bernardino	City of Fontana 8353 Sierra Avenue (P.O. Box 518) Fontana, CA 92335	Improvements to Permanent Collection Center/Education	$47,860	—	4	Budget not cost effective.
San Bernardino	City of Grand Terrace 22795 Barton Road Grant Terrace, CA 92313	Education	$43,595	$42,102		Mileage reduced by $298.97; shipping reduced by $836.55; mailing cost reduced by $357.28
San Bernardino	City of Ontario Public Works Agency 425 S. Bon View Avenue Ontario, CA 91761-4406	Education	$35,689	—	2,3	Goals not clearly defined; program similar to others in same geographic area.
San Bernardino	City of Rancho Cucamonga 10500 Civic Center Drive PO Box 807 Rancho Cucamonga, CA 91729	Collection Events/ Education •	$126,873	—	2,4	Goals not clearly defined or developed; budget not adequately substantiated or cost effective.
San Bernardino	County of San Bernardino Dept. of Environmental Health Services 385 N. Arrowhead Avenue San Bernardino, CA 92415-0799	Employee Training	$32,062	—	2,4	Goals not developed in sufficient detail; budget not cost effective.
San Diego	City of Poway 13325 Civic City Drive Poway, CA 92064	BOP Collection Events/Education	$89,424	$56,662		Reduced one event by $27,708; reduced personnel services by $5,054.40.

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
San Diego	County of San Diego Department of Public Works 5555 Overland Drive San Diego, CA 92123-1295	Permanent Facilities	$120,000	$80,000		Reduced one permanent facility by $40,000.
San Joaquin	County of San Joaquin Department of Public Works 1810 East Hazelton Stockton, CA 95205	Collection Events/Education	$120,000	$92,498		Transportation and disposal reduced by $14,000; on-site services reduced by $10,000; reduced equipment by $3,502.
San Luis Obispo	County of San Luis Obispo Integrated Waste Management Authority 1150 Osos Street, Suite 202 San Luis Obispo, CA 93401	Collection Events	$120,000	—	1,4	Several sections of the application were in the formative stages of development; budget not cost effective or adequately substantiated.
San Mateo	County of San Mateo 590 Hamilton Street Redwood City, CA 94063	Permanent Battery, Oil, Paint Collection Centers	$118,852	—	1,4	Several sections of the application were in the formative stages of development, and not developed in sufficient detail; budget not cost effective.
San Bernardino	City of Victorville Fire Department P.O. Box. 5001 Victorville, CA 92392	Education	$10,000	—	2,4	Goals not clearly defined or developed; budget not cost effective.
Santa Barbara	City of Carpinteria 5775 Carpinteria Avenue Carpinteria, CA 93013	Collection Events/Education	$65,410	$58,795		Personnel reduced by $4076; video and promotional costs reduced by $2,539.
Santa Barbara	City of Lompoc HHW Collection Program 100 Civic Center Plaza Lompoc, CA 93436	Education	$13,500	—	4,5	Budget not cost effective; misclassification of medical waste as HHW.
Santa Barbara	County of Santa Barbara Public Works Department Solid Waste Management Division 123 East Anapamu Street Santa Barbara, CA 93101	Education	$23,500	$23,500		Full funding recommended.
Santa Clara	County of Santa Clara Department of Environmental Health PO Box 28070 San Jose, CA 95159-8070	Education	$120,000	—	1,4	Proposal in formative stages of development and needs more detailed planning; budget not cost effective.
Santa Cruz	City of Scotts Valley One Civic Center Drive Scotts Valley, CA 95066	Collection Events	$26,022	—	1,4	Several sections of the application were incomplete; budget not cost effective

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
Sierra	Sierra County 100 Courthouse Square PO Box 98 Downieville, CA 95936	Loadcheck/Education/ Collection Event	$113,858	$88,858		Contract costs reduced by $25,000.
Siskiyou	County of Siskiyou Department of Public Works 305 Butte Street Yreka, CA 96097	Collection Events, BOP Facility, Education	$120,000	$111,526		Oil program reduced by $3,334; travel reduced by $540; promotional products reduced by $4,600.
Solano	City of Fairfield 1000 Webster Street Fairfield, CA 94533	Regional Collection Events with Suisun City and Solano County	$30,255	$28,755		Contracts reduced by $1,500.
Solano	City of Vacaville 650 Merchant Street Vacaville, CA 95688	Collection Events	$104,581	$34,000		Personnel services reduced by $12,700; contracts reduced by $57,214; direct mailing reduced by $167; other costs reduced by $500.
Stanislaus	County of Stanislaus Department of Environmental Resources 1716 Morgan Road Modesto, CA 95358	Waste Exchange Program	$36,200	$35,700		Fork lift rental cut by $500.
Tulare	County of Tulare Department of Health Services Environmental Health County Civic Center Visalia, CA 93291	Permanent Facility/Mobile Collection Program	$120,000	—	1,4,5	Significant sections of the application were not well defined; budget not adequately substantiated.
Tuolumne	County of Tuolumne 2 South Green Street Sonora, CA 95370	Collection Events	$120,000	$118,720		Materials and supplies reduced by $1,280.
Ventura	City of Fillmore PO Box 487 Fillmore, CA 93016	Collection Events/ Education	$33,434	—	2,4	Goals not clearly developed in sufficient detail; budget unrealistic and not adequately substantiated or justified.
Ventura	City of Moorpark 799 Moorpark Avenue Moorpark, CA 93021	Regional Education Program with Thousand Oaks, Simi Valley, and Ventura County	$91,700	$69,100		Educational kiosk reduced by $22,600.
Ventura	City of Ojai County of Ventura 401 S. Ventura Street PO Box 1570 Ojai, CA 93024	Collection Events with Ventura County	$119,918	$81,645		Reduce event by $38,273.
Ventura	City of Oxnard Refuse Division 305 West Third Street Oxnard, CA 93030	Collection Events/ Education	$95,000	—	2,4	Goals not developed in sufficient detail, more planning needed; budget not cost effective or adequately substantiated.

County	Name of Agency and Address	Type of Program	Requested CIWMB Grant	Proposed Award	Comments	Explanation
Ventura	City of San Buenaventura 501 Poli Street PO Box 99 Ventura, CA 93002-0099	Collection Events/ Paint Recycling Program	$120,000	—	2,4	Goals not developed in sufficient detail, more planning needed; budget not cost effective.
Ventura	City of Santa Paula PO Box 569 Santa Paula, CA 930161	Collection Events	$84,510	$57,990		Event reduced by $26,520.
Yolo	County of Yolo Department of Public Works Division of Integrated Waste Management 600 A Street, Suite 158 Davis, CA 95616	Permanent Facility	$119,755	$96,985		Personnel services reduced by $12,835.31; construction reduced by $9,935.
Yuba/Sutter	Regional Waste Management Authority 1612 Poole Blvd. Yuba City, CA 95993	Regional Collection and Education Program with Sutter County	$96,510	$67,190		Personnel services reduced by $1,609.68; postage reduced by $6,000; education reduced by $6,590; event reduced by $12,000; on-site services reduced by $3,120.

TOTALS: **$7,510,229** **$3,000,000**

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1 Significant sections of the application were deficient. This made evaluating the proposal problematic. Also included in this category, were applicants whose proposals were in the conceptual or formative stages of development and those who were unable to provide sufficient details on how the program was to be carried out.

2 Program goals/objectives or implementation schedules were either lacking, not clearly defined, or not developed in sufficient detail.

3 Applications submitted which were similar in nature to or duplicated the services of other programs in the same geographic area. Also, applications submitted that duplicated those that the Board previously funded in which program implementation has yet to occur.

4 The budget was unrealistic or not cost-effective. Funding estimates for services, products, and materials were not adequately substantiated or justified. Also, no contingency plans or planning for cost overruns were considered.

5 Technical constraints were identified that would adversely affect the chance of a program's success. Examples include: selection of equipment and/or services not based on the applicant's specific need; unrealistic contingency plans to dispose of or store non-recyclable HHW wastes; no consideration or investigation of disposal options for certain types of HHW; and lack of funding commitments to continue the program after implementation.

ATTACHMENT B

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION 95-85
APPROVAL OF DISCRETIONARY GRANTS

WHEREAS, Public Resources Code Section 47200.5 authorizes the Board to award grants to cities, counties, and local agencies with responsibility for waste management for local programs that help prevent the disposal of hazardous waste, including household hazardous waste at solid waste facilities; and

WHEREAS, Board staff solicited applications for Discretionary Grants from July 1, 1994 through September 30, 1994; and

WHEREAS, 82 applications were received before the September 30, 1994 deadline; and

WHEREAS, Board staff evaluated the 82 applications based on the criteria outlined in the application package;

WHEREAS, Board staff is recommending 42 applications for grant funding;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby awards the 42 Household Hazardous Waste Discretionary Grants in the following amounts:

County of Alpine	48,000
County of Amador	40,000
County of Butte	104,023
City of Chico	87,785
County of Calaveras	110,000
County of El Dorado	102,066
County of Humboldt	95,664
County of Inyo	95,105
City of Avenal	27,946
County of Lake	109,720
City of Covina	5,530
City of Monrovia	2,163
City of Redondo Beach	102,068
City of West Hollywood	12,933
County of Madera	81,000
County of Marin	29,799
City of San Rafael	93,060
County of Mendocino	120,000
County of Mono	49,250
County Nevada	111,935

City of Santa Ana	60,000
City of Portola	106,138
County of Riverside	95,000
County of Sacramento	84,389
City of Chino	82,400
City of Grand Terrace	42,102
City of Poway	56,662
County of San Diego	80,000
County of San Joaquin	92,498
City of Carpinteria	58,795
County of Santa Barbara	23,500
County of Sierra	88,858
County of Siskiyou	111,526
City of Fairfield	28,755
City of Vacaville	34,000
County of Stanislaus	35,700
County of Tuolumne	118,720
City of Moorpark	69,100
City of Ojai	81,645
City of Santa Paula	57,990
County of Yolo	96,985
County of Yuba/Sutter WM Authority	67,190
TOTAL	**$3,000,000**

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM #6

ITEM: Consideration of a Letter of Commitment in Support of Rural Community Assistance Corporation's Proposal to the U.S. EPA Environmental Justice Small Grants Program

COMMITTEE ACTION: At the time this item went to print, the Permitting and Enforcement Committee had not taken action on this item.

I. SUMMARY

Rural Community Assistance Corporation (RCAC) is a private nonprofit organization dedicated to improving living conditions throughout an eleven state region. They assist small, rural, and tribal communities, federal, state, and local agencies by providing technical assistance and training. RCAC primarily operates with grants and contracts from government agencies, private foundations and corporations.

RCAC is seeking a letter of commitment in support of their proposal to U.S. EPA's Environmental Justice Small Grants Program. The goal of this project is to foster cooperation with respect to environmental protection among federally recognized tribes in California, the state of California, cities and counties. The long range objective is to assist the tribes, cities and counties to develop multi-jurisdictional integrated solid waste management programs.

To achieve their goals and objectives, the RCAC proposes to conduct two workshops, one in northern California and the other in the south. The target audience for these events are the local enforcement agencies (LEA), California Integrated Waste Management Board (Board), and tribal leaders and environmental program staff. RCAC's role will be to coordinate logistical arrangements for the workshops, including publicity and follow up assistance. The Board will provide staff to participate in the workshops and bring the state's perspective into discussions on integrated solid waste management and provide coordination with local jurisdictions through the LEAs.

II. PREVIOUS BOARD ACTION

None

III. OPTIONS FOR THE BOARD

A. Approve the proposal for a letter of commitment and submit it to the U.S. EPA Region 9

or

B. Disapprove the proposal for a letter of commitment

or

C. The Board may give additional direction and guidance on how to proceed with this proposal.

IV. STAFF RECOMMENDATION

Staff recommend the approval of the proposal to send a letter of commitment to the U.S. EPA Environmental Justice Small Grants Program in support of RCAC's project.

V. ANALYSIS

The strategy to manage California's waste does not address waste generated by the 105 federally-recognized tribes in the state nor the waste disposed on Indian lands. The majority of the tribes do not have solid waste facilities located on reservation. For the most part, tribes use off-reservation facilities or openly dump or burn their waste on reservation.

Minimal input was gathered from the federally-recognized tribes in California during the metamorphosis of the state's solid waste management practices nor during development of the local integrated waste management plans. Fewer than eight tribes in the state have developed tribal integrated waste management plans with limited input from neighboring local jurisdictions.

A higher level of cooperation and information exchange is needed to fully address solid waste management issues in the state. Improper waste disposal on Indian lands is just as much a problem on reservation as it is off reservation, particularly in cases where large amounts of mixed waste are found near surface and ground water sources thereby endangering drinking water quality and the public health.

In California, it is the job of the LEA to enforce state solid waste regulations and to assist local jurisdictions in complying with state regulations. Tribes, however, retain sovereign authority to regulate activities, such as solid waste management, within their territory. Often tribal governments operate with limited to no resources and have higher priorities than solid waste management. RCAC's proposal offers a benefit to all the parties involved by providing a coordinated opportunity for education, dialogue and planning.

VI. ATTACHMENTS

Letter of Commitment

VII. APPROVALS

Prepared by: Marc Arico _____ Phone 255-2402

Reviewed by: H.Thomas Unsell _____ Phone 255-2298

Approved by: Douglas Okumura _____ Phone 255-2285

Legal Review: _____ Date/Time: _____

STATE OF CALIFORNIA

Pete Wilson, Governor

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, California 95826

January 25, 1995

Ms. Lori Lewis
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street (E-1)
San Francisco, California 94105

Dear Ms. Lewis:

The California Integrated Waste Management Board (CIWMB) submits this letter of commitment for the Rural Community Assistance Corporation's (RCAC) proposal to the Environmental Justice Small Grants Program. The CIWMB is committed to reducing California's waste stream, increasing recycling and other waste diversion opportunities, and developing new markets for materials previously buried in landfills. In implementing these strategies, the CIWMB has made great strides in working with local government, the business community, the waste management industry, the environmental community, and the general public. We recognize the need to work more closely with our neighbor tribes.

The purpose of this proposal is to foster cooperation with respect to environmental protection among the state of California, cities and counties, and federally-recognized tribes in California. RCAC will plan and conduct two environmental justice awareness workshops as a means to outreach and educate both local jurisdictions and tribal governments of their roles and responsibilities in integrated solid waste management.

We understand that a majority of tribal governments in the state have limited resources to properly manage solid waste on Indian Lands. RCAC's proposal is intended to help increase intergovernmental communication and move towards the development of integrated solid waste management programs. These programs are needed to protect the public health and safety and the environment on federal, state, tribal, and private lands in California.

RCAC's role will be to coordinate logistical arrangements for the awareness workshops, including publicity and follow up assistance. CIWMB will provide staff to participate in workshops and bring the state's perspective into discussions on integrated solid waste management.

The CIWMB also will provide coordination with local jurisdictions through their Local Enforcement Agency to ensure the highest participation from California cities and counties.

Sincerely,

California Integrated Waste Management Board

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Board Meeting
Agenda
January 25, 1995

AGENDA ITEM #7

ITEM: Consideration of Proposed Private Buy Recycled Strategy

I. SUMMARY

The CIWMB is mandated to develop a Private Buy Recycled campaign to increase demand for recycled-content products (RCPs) among business, industrial and residential consumers (PRC 42600 and 40507, and PCC 12153). Staff prepared a Private Buy Recycled strategy paper for consideration at the November, 1994, Market Development Committee workshop. The paper was disseminated to parties interested in the program's development prior to the workshop for review. Staff were asked to incorporate direction and suggestions by workshop participants, Market Development Committee members and all other interested parties and submit a refined proposal at the January Market Development Committee meeting.

II. PREVIOUS COMMITTEE ACTION

The Market Development Committee approved implementation of the Private Buy Recycled Strategy on January 12, 1995 and forwarded it to the Board for consideration.

III. ACTION BEFORE THE BOARD

Board members may wish to:

1. Direct staff to implement the Private Buy Recycled strategy as recommended,

2. Direct staff to modify the proposal.

IV. ANALYSIS

The proposed Private Buy Recycled program strategy provides for customizing services to groups of businesses or industries that are key to regional secondary material markets. The services are designed to directly assist these focussed groups, or Alliances, to overcome their specific barriers to purchasing recycled content products (RCPs). By addressing these barriers with the businesses that can, and want to, purchase RCPs, the CIWMB acts as a catalyst to increasing the demand for recycled materials.

In the proposed strategy staff highlight five Alliances to work with that can make a significant impact in the secondary materials market in California. Staff recommend specific services to be provided to these Alliances, as well as timeframes for task completion and resource requirements.

Please see Attachment 1, "Proposed Private Buy Recycled Strategy", for specific recommendations.

V. STAFF RECOMMENDATION

Staff recommend that the Board direct staff to:

1. Implement the activities proposed in the Private Buy Recycled Strategy paper (Attachment 1) for the near- and intermediate-term, which includes providing services and other support to specifically mentioned Alliances, and

2. Investigate funding possibilities for emerging Alliances.

VI. ATTACHMENTS

Attachment 1: Proposed Private Buy Recycled Strategy

VII. APPROVALS

Prepared by	:	Bendan Blue	Phone 255-2934
Reviewed by	:	Mindy Fox	Phone 255-2445
Reviewed by	:	John Smith	Phone 255-2582
Reviewed by	:	Daniel Gorfain	Phone 255-2320

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ATTACHMENT 1

PROPOSED PRIVATE BUY-RECYCLED STRATEGY

December 28, 1994

BACKGROUND

Assembly Bill (AB) 939 and subsequent related legislation brought an unprecedented and growing supply of secondary materials to the marketplace[1]. Even if 10 percent waste prevention is achieved, there are still about 7-8 million tons *per year* of postconsumer materials (in excess of what is currently being diverted) that must be diverted from California landfills to achieve the 50 percent diversion rate by the year 2000[2]. To prevent their eventual return to the landfill, these materials must be manufactured into new products, and these new products must be purchased. Developing markets for these recycled-content products (RCPs) is crucial to achieving the goals of AB 939 and building a self-sustaining secondary material market in California.

An efficient and fully developed manufacturing infrastructure that will use collected secondary materials is crucial, yet this relatively new market is faced with the problems of any new market: industry is reluctant to increase investments in infrastructure if there is no proven demand for resulting products, and there is no reliable demand for the products until supply and pricing are more predictable. Therefore, for this market to remain viable as the supply of secondary (and especially postconsumer) materials increases, the demand for RCPs must be bolstered. While the legislature has mandated several public and private programs designed to increase RCP manufacture and demand, demand has not kept pace with supply in the manner needed to attain the 50 percent diversion goal established by AB 939.

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[1] Throughout this document, the term "secondary materials" generally refers to both preconsumer and postconsumer materials diverted from landfills and which have not traditionally been reused in original manufacturing processes. The term "materials" refers to raw material inputs to manufacturing processes, as opposed to "products" (or RCPs), which refers to products which contain recycled materials.

Although "secondary materials" is used in this document for easier reading, postconsumer material has the highest priority for use in recycled-content products.

[2] Compared to SRRE baseline data. See the CIWMB report, "Manufacturer Responsibility Options to Support Integrated Waste Management", 1993.

Unless voluntary means can be devised to increase RCP demand by several-fold[3], the legislature may find it necessary to intervene. Advance disposal fees, additional minimum recycled content requirements, take-back requirements, and tradeable credits are among those potential legislative measures recently considered and which may come to the forefront again. The preferred way to avoid these measures is to stimulate voluntary efforts, and idea supported by recent analysis. The CIWMB's Policy Office lately re-evaluated market development tools and concluded that recycled-content procurement assistance and manufacturing technical assistance are the most flexible and realistic market development options in today's environment[4]. The voluntary nature of this approach helps ensure that program benefits exceed costs, as only those companies that perceive a net benefit are likely to participate. This goal is unanimously supported by President Clinton, Governor Wilson, the Buy Recycled Business Alliance, the Recycled Paper Coalition, and many others.

The resulting benefits of attaining the goal of increased RCP purchases are multidimensional: economic development, resource conservation, and a more flexible and revitalized economy (witness the US steel industry) can also be realized. The CIWMB was thus mandated to develop a private buy-recycled program (PRC 42600 and 40507, and PCC 12153). The effort itself must be focussed and coordinated. Related obstacles to " buying recycled" still include low consumer awareness, scarce information, concerns about RCP quality, reliable availability, and competitive prices. This paper presents a means for the CIWMB, through public/private partnerships, to directly address these and other barriers.

A new approach to improving industry communication and increasing RCP procurement is to establish "Alliances" among stakeholders, organized around commodity types, industry sectors, or other categories appropriate to effecting greater RCP procurement. Stakeholders would typically include consumers, haulers, processors, manufacturers, vendors, local and state government, and non-profit groups. In essence, a stakeholder is any party that is significantly involved in the recycling loop. To actively break down RCP purchasing barriers, the stakeholders within these Alliances must work together to understand and address each other's needs in order to close the recycling loop. This approach has shown some success (e.g. the Recycling Paper Coalition and the Buy Recycled Business Alliance) and provides the core of the strategy discussed in this paper.

On November 1, 1994, the CIWMB's Market Development Committee sponsored a workshop to provide a forum for parties interested in participating in the planning phase of the Private Buy Recycled program. Participant's recommendations were an integral part of the development of the Private Buy Recycled Strategy, and many of these suggestions have been included. The workshop comments centered around themes of Alliance structure and focus, coordination with other "buy recycled" programs, RCP information needs, and

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[3] Since there are no baseline data available regarding recycled-content purchases, it is not possible to give an exact percentage by which purchases must increase.

[4] See the CIWMB report, "Recycled Content Disclosure: A Critical Analysis", 1995.

measuring RCP procurement progress. In general, comments from the participants were fairly consistent, but the group was divided on two main issues: the adequacy of existing RCP guides, and whether or not targeted RCPs should be limited to those containing postconsumer materials. The comments also indicated that different commodity types may require different approaches, solutions, and marketing strategies. A summary of the comments from workshop speakers is presented in Appendix A.

I. PROPOSED PROGRAM STRATEGY AND SPECIFIC ACTIVITIES

The purpose of creating or working with Alliances in this Private Buy Recycled program is to motivate large groups of potential purchasers to procure significant amounts of RCPs. By working with these groups, or "Alliances", the CIWMB would directly facilitate whatever decisions need to be made to overcome barriers and increase RCP purchases by the individual businesses or business groups that comprise the Alliance. Therefore, the program's mission is to initiate, coordinate and maintain Alliances by performing a range of services to these Alliances, as appropriate.

A. Alliance Composition and Structure

Alliances can be regional or statewide in geographic scope, and commodity- or industry-based. A "commodity-based" Alliance could be comprised of one or more industries which predominantly purchase one commodity type. For example, the legal, financial and insurance industries buy large quantities of paper. While they are related, each industry is distinct. If these industries together purchased only recycled-content paper, the market impact would be significant.

An "industry-based" Alliance would be comprised of many businesses involved in one generally related industry which purchases various commodities. An example of this Alliance type would be the building and construction industry. As a whole, this large industry purchases many kinds of commodities that can contain recycled materials, from roofing and structural products to indoor/outdoor furnishings.

Alliances can be developed in the following forms, depending on what is appropriate for the industries involved:

* Statewide and commodity-based,
* Regional and commodity-based,
* Statewide and industry-based, and
* Regional and industry-based.

Participants would be comprised of stakeholders committed to overcoming barriers to RCP procurement. The stakeholders involved in any one Alliance may be very focussed or broad. Alliances would always include the RCP consumers, the CIWMB, and also could include retailers, distributors, processors, manufacturers, haulers, other state and local government agencies, and related non-profit groups (e.g. BRBA[5]), as

[5] The Buy Recycled Business Alliance (BRBA) in particular should be involved in each of the Alliances, assuming each one is appropriate (organic products may not be relevant). The BRBA is a broad-based group of companies committed to increasing RCP procurement by using the business community's resources to educate and lead by example. There are currently 40 members of BRBA in California. The CIWMB and the

appropriate. Alliances should be dynamic entities, their composition changing when barriers change or are overcome.

A debate that warrants ongoing consideration is where the CIWMB will see a greater result: in industries which represent a major market influence but that are not ready to commit resources to the project, or those which wield less power in the market but which have obvious commitment and enthusiasm. As with any new program, the approach should remain flexible, especially in the developmental stage. To guide program development and determine which industries or commodities should be developed into Alliances, staff recommend the following criteria:

* Groups whose potential RCP purchases would significantly impact the market by the year 2000,

* Groups whose enthusiasm, readiness and organizational ability show impending participation which the CIWMB can catalyze,

* Groups which purchase commodities which can immediately and cost-effectively be substituted with RCPs already manufactured and sold,

* Groups which purchase commodities that can be cost-effectively substituted with RCPs made from priority materials[6], and

* Groups which purchase materials or commodities manufactured within the CIWMB's Recycling Market Development Zones (RMDZ).

These criteria have not been prioritized in order to maintain the program flexibility necessary for success in the emerging RCP markets.

B. Methods to Catalyze RCP Procurement

Gathering together related parties is an efficient way to discover and overcome barriers to RCP procurement specific to an industry or commodity user. While many companies want to buy competitively-priced RCPs, they are limited in their ability to effectively network with other RCP users, perform marketing research, and hurdle other significant procurement barriers. Having the related parties in one room

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Department of Conservation co-chair BRBA's California chapter.

[6] "Priority materials" are those materials established as priorities for market development activities necessary for the success of California's diversion efforts. Priority materials are mixed paper, plastic, organics, and construction and demolition materials.

facilitates crucial networking, greater communication and the problem solving that companies typically don't have the time to do in today's lean business environment.

Regardless of the exact Alliance, part of the CIWMB's role would be to assist the Alliance in setting specific objectives for RCP purchasing. Specific objectives could include establishing either specific dollar amounts or a percent of total purchases to be spent on RCPs, overcoming specific barriers to allow them to make procurement goals, and setting timeframes.

The purpose to measuring RCP procurement progress should be prioritized by each Alliance. For instance, Alliance members may determine that it is in their best interest to use RCP purchasing data to justify the significant or growing market for these products to their manufacturers, so that the manufacturers in turn will increase their RCP production and make them even more cost-competitive. Alternatively, an Alliance may decide that the primary reason to measure procurement progress is to promote their progressive environmental behavior. In any event, by establishing the purpose to measuring RCP procurement progress, the Alliance can design the best methodology to suit their needs.

Staff recommend that all Alliances, as part of setting goals and objectives, determine the most appropriate method for their group to measure baseline and future RCP purchases. Concerns about proprietary information that could be inferred from procurement data, as well as the general lack of centralized data even within some companies, contribute to the difficult task of measuring RCP procurement progress. Therefore, staff would help Alliances determine the most realistic measurement methodology that will work for them. The method to determine quantitative improvement could be based on RCP procurement percentage increases, total dollar purchases, or purchases by weight. Information may be gathered and presented by individual businesses, or compiled by a third party for the group as a whole. There may be other measurement methodologies that are more appropriate to specific Alliances of which staff are not yet aware. The important point is that the CIWMB not determine the methodology, but would leave that decision to the Alliance.

Alliance members will be motivated to buy RCPs when they see purchasing barriers dissipating or being eliminated completely. To effect this change, the CIWMB must coordinate several activities which will vary depending on the Alliance type and the barriers expressed to the RCP procurement. General activities for which a need has been expressed include the following:

* Bring major stakeholders together for the purpose of discussing Alliance formation,

* Sponsor and organize workshops to facilitate networking and to promote successful RCP experiences and demonstrations,

* Coordinate product testing and specification development, particularly in the organics/compost and building and construction industries,

* Make available appropriate marketing information on all cost-competitive RCPs,

* Assist Alliances in developing a method to measure RCP purchasing progress. Possibilities include using gross dollar amounts spent on procurement, using a weight-based methodology, using percentages of total dollars spent, and having a neutral party compile data from surveys on behalf of the Alliance,

* Provide administrative and networking services,

* Support on-going Buy Recycled efforts such as those performed by the Department of Conservation (DOC), Department of General Services (DGS), Buy Recycled Business Alliance (BRBA), California Resource Recovery Association (CRRA), Californians Against Waste Foundation (CAWF), Materials for the Future Foundation (MFF), and the Recycled Paper Coalition (RPC), and

* Provide funding for active and successful groups which otherwise would not remain viable. Funding possibilities include matching contributions, grants, and contracts.

It is clear the program must remain flexible in its approach to be able to respond to the basic needs of different Alliances, as well as adapt to their changing needs as the Alliance matures. For that reason staff recommend coordinating all efforts with appropriate staff from other branches and divisions for program implementation.

C. Supporting Program Elements

All industry representatives providing input on the proposed strategy have clearly pointed to the need for performance testing and product specifications, and timely and accessible RCP information (price, specifications, availability, etc). Therefore, to adequately service and support all Alliances, these corollary activities must be simultaneously implemented.

1. RCP Marketing Information

The need for marketing information was stressed by all workshop participants, but there was disagreement regarding who should supply that information. For the CIWMB to establish its own on-line database of all RCPs would be quite costly and resource intensive. Staff therefore recommend that the CIWMB

serve as a clearinghouse to provide all relevant and current statewide/westcoast/national RCP information to requestors.

An analysis of existing guides must be completed prior to formation of the clearinghouse. There may be several hurdles to overcome in acquiring these guides, and it may be that not all RCP guides will be available through the Board. However, this still appears to be the least costly method to compile and disseminate accurate and comprehensive RCP information.

Staff also recommends maintaining a database of California-based RCP manufacturers. This information is currently more limited in scope, but will promote California-based businesses. This information can be acquired through the Recycling Market Development Zone program and probably from such organizations as the California Manufacturer's Association (CMA). A Memorandum of Understanding (MOU) may be necessary with the CMA to ensure coordination of activities and information continuity.

2. Product Testing and Performance Specifications.

The lack of formal, documented product testing and resulting performance specifications has always been a barrier to RCP acceptance, particularly in the area of plastics manufacturing and in the construction trades. Staff recommend coordination with CIWMB engineering staff and entities such as the Center for Manufacturing Excellence, the National Labs and others to perform RCP testing and development of performance standards.

II. NEAR- AND INTERMEDIATE-TERM ACTIVITIES

Staff recommends that the Private Buy Recycled program be goal and result-oriented. To that end, near term (12-18 months) and intermediate term (next five years) goals should be established. Based on staff research and workshop testimony, staff initially propose five areas for Alliance development through the year 2000. These Alliances are:

* the Association of Motion Picture and Television Producers (AMPTP),
* the Recycled Paper Coalition (RPC),
* Bay Area plastics stakeholders (BAPs),
* the building and construction industry, and
* the organic/compost product industry.

Of the five groups, the first three are recommended for immediate development in the near term. These three Alliances and the services that the CIWMB can provide are discussed below:

* The AMPTP is an existing active group which represents all the major studios in the television and motion picture industry, as well as the (nearly 1,000) smaller businesses that support the entertainment industry in the Los Angeles area. This group is actively engaged in efforts to increase their RCP purchases and has detailed specific areas where the Board could assist them initially. They expressed the need for timely and readily accessible information on RCPs, purchasing cooperatives models and contacts, and a workshop hosting private industry representatives that can attest to the performance of recycled automotive products (such as fluids, tires, and paving materials).

* The Recycled Paper Coalition (RPC) is a group of private sector organizations involved in a wide variety of business pursuits who are committed to encouraging paper recycling and stimulating demand for recycled paper products. The RPC boasts over 149 members nationally, and reports its members have eliminated misconceptions about RCP performance, and have found cost-savings, higher employee morale, networking opportunities, and heightened customer image through environmental leadership. The RPC solicits new members and services its existing members; its Southern California chapter is struggling financially and would benefit from financial and perhaps technical assistance to continue the work proposed in this paper.

* Bay Area Plastics Stakeholders (BAPS) is an emerging group of plastics industry representatives brought together by the Oakland Recycling Association to address plastics recycling and reuse barriers. A plastics recycling workshop is scheduled for February, 1995. It is anticipated that a task force will be developed as an outgrowth of the meeting, and CIWMB staff will participate on the taskforce. The workshop is an example of the type of partnership among government agencies that should be an integral part of the Private Buy-Recycled program, as both the Oakland/Berkeley RMDZ and the DOC are sponsoring the event.

The activities mentioned as useful for these Alliances serve to validate the activities discussed in Section II that would be required for a successful program.

The building and construction industry and the organics/compost industry have tremendous diversion potential that cannot be overlooked. Working with these Alliances is an integral aspect of the Private Buy-Recycled strategy and will be accounted for in resource considerations. However, prior to Alliance development in these two areas, additional research and the conclusion of existing activities are necessary. In the organics area, for example, the existing compost demonstration projects and quality standards workshops already provide a strong collaborative effort between the CIWMB and compost producers and

users. Staff recommends deferring additional activities in this area to allow the existing research more time for completion.

In the building and construction industry, staff need additional time to research products, product testing, and potential stakeholders before proceeding with a proposal for the building and construction industry. This proposal might include, for example, working with the industry on product testing and performance specifications, as well as co-sponsoring a major trade show or exhibition on RCBPs. Staff will conduct the research mentioned above and will report recommendations on developing this Alliance at the Market Development Committee meeting in March, 1995.

As shown in the workshop summary (see Section I), there were several requests for the CIWMB to provide financial support to various entities already directly promoting the "buy recycled" ethic. Hence, in the short term, staff are seeking further direction to investigate the possibility of providing seed money to emerging Alliances. Staff also propose to develop FY 1995-1996 contract concepts that would cover additional technical and administrative support to Alliances, as well as co-sponsoring supplementary compost demonstration projects, and a major building and construction products trade show.

In summary, staff propose in the first 18 months to:

A. Immediately initiate activities with the three groups described above, and to provide assistance as requested:

* have the emerging Alliances identify which barriers need to be addressed,
* establish methods to address the barriers,
* identify all stakeholders for inclusion,
* specify RCP purchasing goals, and
* establish methods by which to measure progress for each Alliance.

B. Develop the RCP guides clearinghouse.

C. Maintain a database of California RCP manufacturers.

D. Search for additional funding for existing (or new) compost demonstration projects, through contracts, awards, or grants.

E. Lay the groundwork for RCP testing and performance standards development to support all Alliances in general, and the building and construction industry in particular.

F. Provide seed money for emerging Alliances.

G. Sponsor a major trade show, exhibit, or conference for the building and construction industry.

Additional Alliances may be pursued after evaluating specific industries which have the greatest potential and the most efficient means to make a market impact. These Alliances developed in the first 18 months will be evaluated as models, the results of which will be used to refine the program's focus as it enters the third year.

Through the year 2000, staff propose to seek and build additional Alliances, and to improve and continually refine service provided to existing Alliances. Initiating or creating an Alliance might begin with researching which purchasing groups meet the criteria presented in Section I.A. However, the Private Buy Recycled staff are already proposing three well-defined Alliances to work with through 1996, and two other industries to research in the near future (reference the organics and building and construction industry discussed above).

Therefore, proposed activities for the intermediate term include:

A. Continue to maintain, expand, and support new and/or existing Alliances with previously provided services and additional financial support,

B. Sponsor additional compost demonstration projects, and

C. Implement RCP testing and performance standards development.

III. Staffing

Staff presently anticipate that 1 PY should be able to organize and service two Alliances. As the Alliances develop and grow, additional resources may be required to provide adequate assistance. Resource needs will be evaluated on an ongoing basis and brought to the Committee's attention for consideration as needed.

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APPENDIX A
WORKSHOP SUMMARY

A. General Consensus Issues

* A voluntary program approach received strong support.

* The CIWMB:

  - should assist Alliances according to their needs, not by preconceived ideas of necessary assistance, and

  - should focus primarily on Alliances that procure RCPs made with priority materials (mixed paper, plastic, and organics), and on RCPs that are already manufactured and for sale.

* Some participants believed that only RCPs made from postconsumer materials should be targeted. Other participants thought that a rigid "postconsumer only" criteria for selecting RCPs would be counter productive (i.e. would probably curtail program participation and drain program resources required to trace material origins).

* The promotion of California-based RCP manufacturers is desirable, but it should not be the primary program focus. There was strong group consensus to not discount the benefits of using RCPs outside California, as this indicates positive changes in purchasing behavior and general market improvements. Additionally, markets for diverted materials are regional and even global. Therefore, an increase in the use of RCPs manufactured out of state suggests eventual strength for California's diverted-material market.

* When promoting "buying recycled" with individual companies, it is best to first obtain senior management support within the company before contacting employees responsible for procurement decisions.

* The need was stated for an awards program which recognizes the outstanding waste management practices of some companies, particularly with respect to their RCP purchasing efforts.

B. Focus of Alliances

* Successful Alliances include businesses that: 1) use similar commodities and equipment to promote networking, 2) can initiate RCP purchasing individually

or as part of a purchasing cooperative, 3) will operate around the premise that "the bottom line" and reducing environmental impacts are complementary goals, and 4) are essential for program success.

* The CIWMB:

  - should link buyers with California RCP manufacturers (especially RMDZ manufacturers),

  - should support geographically appropriate Alliances. Some Alliances may be more successful or better served by the CIWMB if they are bound by a common geographic area (i.e. the Bay Area), whereas others may be more efficient in their efforts on a statewide basis,

  - should sponsor workshops either independently or with Alliances that focus on narrowly defined topics (e.g. using recycled paper for utility bills, or showcasing recycled automotive products). Should use "success stories" from related industry representatives to encourage other workshop participants to change their purchasing behavior accordingly, and

  - should not limit its support to large industries or institutions. Local Alliances comprised of smaller businesses can be the driving force behind regional markets.

C. Coordinate with Existing Programs

* The CIWMB:

  - should provide administrative and financial support to existing Alliances,

  - should have primary responsibility for coordinating the program at the local level; the CIWMB should be sure to communicate with local government and Chambers of Commerce to support their existing outreach programs and avoid duplication of efforts. Local government responsibility should entail providing technical assistance to businesses interested in the "buy-recycled" effort, and act as a local clearinghouse about the CIWMB's activities, and

  - should support and promote existing programs and use their resources (educational materials, market information, measurement

methodologies, networking ability, etc.) where appropriate. Avoid adding new program layers or duplicating existing program's efforts.

* An umbrella program is needed to link and support existing programs such as the Buy Recycled Business Alliance (BRBA) and the Recycled Paper Coalition (RPC).

D. RCP Information Needs

* Some participants expressed the need for the CIWMB to develop a regularly updated, single source database listing cost-competitive RCPs. Alternatively, other workshop participants believed it was desirable to work with existing RCP guides and not spend resources duplicating these existing information sources.

* RCP guides need to include technical specifications, specifically for RCPs made from priority materials.

* Case studies (success stories) on existing products are needed.

E. Performance Specifications and Product Testing

* A crucial need was expressed for on-going product testing and performance-based specifications on existing and future RCPs.

F. Measuring RCP Baseline and Procurement Progress

* A method to measure RCP purchasing progress is necessary. (Specifically mentioned were BRBA's measurement methodology, based on dollars spent on RCPs, and contracting with neutral data collection entities.) Some companies expressed their willingness to share data on total RCP purchases in order to measure progress.

* Limited life cycle analysis should be used for certain RCPs to determine their cost-competitiveness (i.e. RCPs made from composite plastic materials often cost more, but will outlast comparable products made from traditional materials).

G. Building and Construction Industry

* Outreach activities should target designers and builders, not contractors.

* Since many procurement decisions are made by architects and engineers at the design level (especially for commercial projects) , the best strategy is to work with building product manufacturers to ensure that their field representatives make information on recycled-content building products (RCBPs) available to architects and designers.

* Liability issues and application problems have caused the construction industry to be very conservative in selecting new building products, especially those with recycled-content. New RCBPs need to be thoroughly tested (i.e. approved and listed by the International Conference of Building Officials, or ICBO) before they will gain widespread acceptance in the industry.

* Staff should solicit input from the American Institute of Architects (AIA) and Bay Area Group of Architects (BAGA), planners and designers for social responsibility. There is a catalog available of RCPs accepted by the AIA.

* Several key groups in California's building industry are: the California Building Officials (CALBO), the California Building Industry Association (CBIA), and local building industry associations (BIAs), which has 20 chapters in California. All are potential Alliance members.

* The CIWMB should work with local government to eliminate local ordinances and codes that pose barriers to the use of RCBPs.

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM #10

ITEM: Consideration of the Board's Alternative Daily Cover (ADC) Policy pertaining to achieving diversion mandates in light of changes in the Biomass Industry

I. SUMMARY

The Board adopted an ADC Policy at its December 1993 meeting. Since then, changes have occurred in the biomass industry due to power purchase contract provisions and proposed actions of the Public Utilities Commission. Waste industry, biomass industry and material processors have testified that materials which would have gone to biomass plants are now going to landfills. Several parties have requested the Board reconsider the cap on use of ADC for diversion credit. The use of ADC may impact alternative markets for the materials, local government waste management/reduction programs, and local government's ability to achieve the State's waste diversion mandates and comply with the waste management planning regulations. The Planning Committee directed that an ADC working group be convened. The group met on November 29, 1994 and on January 5, 1995.

II. PREVIOUS COMMITTEE ACTION

The Local Assistance and Planning Committee considered this item at its monthly meeting on January 11, 1995. The Committee directed staff to gather and analyze additional information on amending the disposal reporting regulations and other options regarding ADC and present it to the Board.

III. OPTIONS FOR THE BOARD

Information was still being gathered and analyzed on the due date for this agenda item. At the Board meeting, staff will present the information requested by the Planning Committee and will present detailed options.

IV. STAFF RECOMMENDATION

Information was still being gathered and analyzed on the due date for this agenda item. At the Board meeting, staff will present detailed options and the staff recommendation.

V. ANALYSIS

The Board's existing ADC policy was developed by balancing issues related to meeting the mandates of the Integrated Waste Management Act, such as achieving the diversion goals, and assuring adequate landfill capacity. The primary concerns raised by different groups were: whether materials placed in a landfill count or do not count as diversion; developing the infrastructure necessary to support further development of composting and recycling through the use of ADC now; and preserving landfill capacity. New issues have emerged since the Board adopted the ADC policy. The proposed Public Utilities Commission's utilities deregulation has had an impact on: the biomass industry; diversion processing activities; markets for materials; and landfill disposal of material that used to be delivered to biomass plants. There is not a single consensus solution for keeping, or modifying, the existing ADC policy. At the Board meeting on October 27, 1994, the Board also directed staff to form an ADC Working Group.

The ADC Working Group's goal was to isolate the issues to be addressed by the group and focus on reaching a consensus position.

Working Group members were requested to send proposals to Caroline Rennie by December 6, 1994, for distribution and further discussion at a future ADC Working Group Meeting. That meeting was tentatively scheduled for December 16, 1994. When only two proposals were received by the December 6, 1994, deadline, the December 16, 1994, meeting was cancelled and rescheduled for January 5, 1995. Several proposals were presented at the meeting on January 5, 1995. Staff updated the Planning Committee on the ADC Working Group meetings on January 11, 1995. There were no clear consensus positions developed by the ADC Working Group.

The Office of Administrative Law (OAL) approved the portion of the Disposal Reporting Regulations (Title 14, California Code of Regulations, Article 9.0, Sections 18800 through 18813) that require ADC tracking and reporting. However, OAL disapproved two subsections on the information to be included in each jurisdiction's annual report (Section 18813, subsections (b) and (c)). These two subsections were disapproved because of the provisions related to ADC "diversion credit".

VI. ATTACHMENTS

None.

VII APPROVALS

Prepared by: John Sitts JS Phone 255-2422

Reviewed by: Lorraine Van Kekerix LVK Phone 255-2670

Reviewed by: Judith Friedman for LVK Phone 255-2302

Legal Review: Elliot Block EB Date/Time 1/17/95 11:45am

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM 11

ITEM: Quarterly Update on the Status of Local Enforcement Agency Evaluations

COMMITTEE ACTION: At the time this item went to print, the Permitting and Enforcement Committee had not taken action on this item.

I. SUMMARY

This item is presented as an informational and discussion item. Committee and Board Members will be updated on the implementation status of LEA Evaluations for the 1994/95 fiscal year second quarter ending December 31, 1994.

II. PREVIOUS COMMITTEE/BOARD ACTION

On May 9, 1994, staff presented the Permitting and Enforcement Committee an updated LEA Evaluation Procedure Implementation Draft version (April 1994). Additionally, staff commented on the status of the first five LEA jurisdictions (Mendocino, Sacramento, San Francisco, San Bernardino, and Imperial) which were at various stages of the process. Board staff requested redirection from the Committee and Board Members. No redirection was given to staff and the process continues to be implemented as discussed before the Committee and Board.

Subsequently on November 9, 1994, Staff presented the Permitting and Enforcement Committee an LEA evaluations update through the quarter ending September 30, 1994. No redirection was given to staff and the process continues to be implemented as discussed before the Committee and Board.

III. OPTIONS FOR COMMITTEE/BOARD

The following options are identified for the Committee or Board to consider as they discuss the LEA Evaluation Quarterly Update:

A. Continue to implement the procedure as it currently exists with aggressive monitoring of the Corrective Workplans, identified within the quarterly Committee and Board update

OR,

B. Direct staff to incorporate any specific redirection the Committee and Board find appropriate and return to

the Committee and Board with an agenda item for consideration.

IV. STAFF RECOMMENDATION

Staff propose to continue the LEA Evaluation Procedure as it currently exists. The next quarterly update will reflect LEA evaluations through March 1995. Staff anticipate the item to be presented before the Committee/Board in April/May 1995.

V. ANALYSIS

The evaluation process for the six LEA jurisdictions (Mendocino, Sacramento, San Francisco, San Bernardino, Imperial, and Butte) is complete. The results are summarized in the attachment (Quarterly Update - Local Enforcement Agency Evaluations). The Colusa County LEA has failed to maintain certification requirements (lack of staff and enforcement program). Therefore, the Board has notified the LEA of its intention to withdraw approval of the agency's designation effective 30 days from receipt of the notification (January 30, 1995). This action would be contingent on the LEA meeting certification requirements by the mentioned date.

Currently, twelve LEA jurisdictions (Ventura, City of West Covina, Santa Clara, Alameda, Madera, Tulare, Siskiyou, Tuolumne, Contra Costa, City of San Jose, Calaveras, and Santa Barbara) are at various stages of the process. Their status and upcoming LEA evaluations for March, April, and May are also reflected in the attachment.

Staff are prepared to discuss the process status and the procedure in more depth if the Committee or Board members have additional concerns or questions.

VI. ATTACHMENTS

Quarterly Update - Local Enforcement Agency Evaluations (Second quarter, FY 94/95)

VII. APPROVALS

Prepared by: Gabe Aboushanab Phone 255-2396

Reviewed by: H. Thomas Unsell Phone 255-2298

Approved by: Doug Okumura Phone 255-2431

ATTACHMENT

Quarterly Update - FY 94/95, 2nd Quarter California Integrated Waste Management Board 1/4/95

Local Enforcement Agency Evaluations

Jurisdiction	(1) Evaluation Begins with LEA Interview	(2) Evaluation Final Mailed Certified	(3) Issues Requiring a Corrective Workplan for LEA Not Fulfilling Their Responsibilities	(4) Workplan Submitted On Time	(5) Administrative Conference Required/held ***	(6) 3 Month Monitoring Satisfactory	(7) 6 Month Monitoring Satisfactory	(8) 9 Month Monitoring Satisfactory	Comments
Sacramento	3/15/94	7/21/94	a,b,c,d,e,g	YES	NO				Plan Accepted 10/17/94
Mendocino	Sep-93	7/15/94	b,c,d,e	YES	NO				Plan Accepted 10/24/94
San Francisco	4/13/94	7/21/94	b,d	NO	NO - not at this time				(4) LEA admonished in writing to comply with ALL due dates and CWP dates; Admin. Conf. will be held immediately if not. Plan Accepted 1/9/95
Imperial	3/8/94	7/19/94	a,b,c,d,e,g	YES	10/5/94				Plan Accepted 11/2/94
San Bernardino	3/19/94	8/31/94	b,c,d,e	YES	11/17/94				
Ventura	9/12/94								Final Underway
City of West Covina	9/13/94								Final Underway
Santa Clara	8/25/94	1/5/95							Fulfilling All Responsibilities
Colusa	10/5/94	N/A	g, No Staff/Program						Withdrawal of Designation Approval Effective 1/30/95, Unless LEA complies
Butte	10/13/94	1/9/95	b,c,d,e						
Alameda County	11/22/94								Draft Underway
Madera County	11/29/94								Draft Underway
Tulare County	11/8/94								Draft Underway
Siskiyou County	11/15/94								Draft Underway
Tuolumne County	11/30/94								Draft Underway

(a) EPP Requirements
(b) Permitting Issues
(c) Inspection Issues
(d) Enforcement Issues
(e) Closure Remediation Issues
(f) Designation Maintenance
(g) Certification Maintenance

***Determination Point for Proceeding with Corrective Workplan or De-Certification

Other Jurisdictions may be Scheduled and/or Dates for Evaluations may Change as urgency Requires

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Jurisdiction	(1) Evaluation Begins with LEA Interview	(2) Evaluation Final Mailed Certified	(3) Issues Requiring a Corrective Workplan For LEA Not Fulfilling Their Responsibilities	(4) Workplan Submitted On Time	(5) Administrative Conference Required/held ***	(6) 3 Month Monitoring Satisfactory	(7) 6 Month Monitoring Satisfactory	(8) 9 Month Monitoring Satisfactory	Comments
Contra Costa County	12/21/94								Draft Underway
City of San Jose	12/14/94								Draft Underway
Calaveras County	12/24/94								Draft Underway
Santa Barbara County	12/20/94								Draft Underway
Kern County	1/25/95								
City of Long Beach	1/24/95								
Lake County	2/2/95								
Mono/Alpine Counties	1/26/95								
Inyo County	1/19/95								
Merced County	March								
El Dorado County	March								
Tehama County	March								
Mariposa County	March								
Monterey County	April								
St. Luis Obispo County	April								
San Joaquin County	April								
San Mateo County	April								
Napa County	April								
Fresno County	May								
Del Norte County	May								
Humboldt County	May								
City of Pittsburg	May								

(a) EPP Requirements
(b) Permitting Issues
(c) Inspection Issues
(d) Enforcement Issues
(e) Closure Remediation Issues
(f) Designation Maintenance
(g) Certification Maintenance

***Determination Point for Proceeding with Corrective Workplan or De-Certification

Other Jurisdictions may be Scheduled and/or Dates for Evaluations may Change as urgency Requires

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM # 13

ITEM: Consideration of An Appeal by Digital Imaging of Southern California, Incorporated, Regarding Eligibility for a Recycling Market Development Zone Loan

I. SUMMARY

On September 13, 1994, Digital Imaging of Southern California, Inc. (DISC) submitted an application for a loan under the Recycling Market Development Loan Program (Program) and was determined not to be eligible. DISC manufactures commercial and fine art lithography along with offset printing with approximately 50% of their work being performed on recycled-content paper. Staff determined that, while procurement and use of recycled paper fills a vital role in the creation of recycling markets, it is beyond the scope of the Program. DISC is appealing staff's eligibility determination to the Market Development Committee.

II. PREVIOUS COMMITTEE ACTION

At its January 12, 1995, meeting, the Market Development Committee voted 2-0-1 to recommend that the Board affirm staff's decision that DISC is not eligible for a loan under the Program.

The Market Development Committee also directed staff to review the policy and objectives of the procurement versus the manufacture of recycled-content paper products in the context of the annual review of objectives.

III. OPTIONS FOR THE BOARD

Board members may decide to:

1. Accept the Market Development Committee's recommendation affirming staff's decision and decline DISC's appeal for Program eligibility; or

2. Modify the Market Development Committee's recommendation and approve DISC's eligibility under the Program and refer the applicant to the Loan Committee for credit evaluation. Staff would present the analysis to the Loan Committee at its meeting tentatively scheduled for June 5, 1995.

IV. STAFF RECOMMENDATION

Staff recommends that the Board affirm staff's decision that DISC is not eligible for a loan under the Program.

V. ANALYSIS

The company began operations in 1989 and has grown to an estimated $16 million in sales in 1994. DISC creates commercial and fine art lithography, offset printing and has complete pre-press color separation capabilities to create film necessary to produce printing plates. DISC employs over 130 people in what they consider to be one of the largest full service print shops in Los Angeles.

They are very environmentally conscious, with approximately 50% of their work being performed on recycled-content paper while recapturing 70% of their waste paper for recycling. If the loan were approved, they would expect to increase the amount of work performed with recycled-content paper to 75% while recapturing 90% of their waste paper.

DISC contends that the costs associated with the modification of existing equipment as well as lower production capabilities result in higher costs not all of which can be passed-on to the consumer. For example they can produce approximately 12,000 sheets per hour using virgin paper versus 6,700 sheets per hour with recycled-content paper. If the $1 million loan were approved, DISC would purchase a press capable of higher production with recycled-content paper, make modifications to existing equipment to better process recycled-content paper, and purchase a bundler for the waste paper.

Staff applauds DISC's efforts to increase usage of recycled-content paper and recovery of waste paper. The purchase and usage of recycled content paper fills a vital link in the recycling chain. However, it does so by the procurement of paper, not the manufacturing of paper. As such, their operations are outside the scope of the Program with its limited funding.

On December 14, 1994, the Board adopted a previously informal policy regarding the eligibility of paper projects (see Attachment #1). That policy determined that primary paper manufacturers and converters are eligible for Program loans, while printers, publishers and other commercial users of recycled-content paper are not eligible.

VI. ATTACHMENTS

1. Copy of December 14, 1994 Board agenda item regarding "Consideration of a Policy for the Recycling Market Development Zone (RMDZ) Loans Regarding the Eligibility of Paper Projects."

VII. APPROVALS

Prepared by: Calvin Young Phone: 255-2486

Reviewed by: Nadine Ford Phone: 255-2295

Reviewed by: Carole Brow 1/12/95 Phone: 255-2575

Reviewed by: Daniel Gorfain 1/12/95 Phone: 255-2619

Reviewed by: Maureen Morrison RFC Phone: 491

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

December 14, 1994

AGENDA ITEM #18

ITEM: Consideration of a Policy for the Recycling Market Development Zone (RMDZ) Loans Regarding the Eligibility of Paper Projects

I. SUMMARY

The primary issue addressed in this item is: are printers, publishers, converters and other commercial users of recycled-content paper, as opposed to the primary manufacturers of that paper, eligible for RMDZ loans?

II. PREVIOUS COMMITTEE ACTION

This item is scheduled to be considered by the Market Development Committee at its December 8, 1994 meeting. Staff will update the Board on the Committee action prior to the Board meeting.

III. OPTIONS FOR THE BOARD

Board members may decide to:

1. Accept the Committee recommendation.

2. Adopt staff recommendation of proposed policy (Option 1 under Analysis) that would determine that paper manufacturers and converters are eligible for RMDZ Loans.

3. Adopt a policy (Option 2) that would determine that only primary paper manufacturers are eligible for RMDZ Loans. All printers, publishers, *converters* and other commercial users of recycled-content paper would not be eligible for RMDZ Loans.

4. Adopt a policy (Option 3) that would determine that all printers, publishers, converters and other commercial users of recycled-content paper are eligible for RMDZ Loans *with increasingly strict postconsumer recycled-content requirements.*

5. Adopt a different policy than the options presented in the item based on further discussion and analysis of the options presented.

6. Take no action today and direct staff to further investigate alternative issues.

IV. STAFF RECOMMENDATION

Staff recommends adoption of the Option 1 proposed policy which would determine that paper manufacturers and converters are eligible for RMDZ Loans. This policy decision would provide businesses, zone administrators, and Board staff with consistent guidelines to determine the eligibility of paper projects for the coming loan cycle in January, 1995.

V. ANALYSIS

Background

Recent inquiries to the Recycling Market Development Zone (RMDZ) loan program have raised new questions regarding the eligibility of certain paper projects for RMDZ loans. Current eligibility for all projects is determined according to the existing RMDZ loan program priorities which were adopted by the Board in January, 1994. However, projects involving paper pose a unique problem in that there is such a long stream of products made from paper, from the initial manufacturing to the final printing and publishing, that clear eligibility criteria for paper projects need to be specifically addressed within the program's goals and objectives.

Recent loan requests which have highlighted the need to clarify the eligibility of paper projects are: A graphic arts printer which utilizes recycled-content paper in its work (although they do not manufacture the paper itself), and a funding request from a paper converter whose total paper output included only a few recycled-content products (and most of whose product was of virgin content). A policy regarding the eligibility of paper projects will allow staff to provide clear and consistent guidance to zone administrators and businesses.

The current RMDZ Loan program priorities established by the Board in January, 1994, to be used when evaluating applicants are the following. The project must:

(1) demonstrate that there is a market demand for recycling the project's type of postconsumer material (set by statute PRC 42145(d)(3)); and

(2) demonstrate the greatest use of other funds in the project and/or the highest degree of effort by the borrower to obtain other funds (set by regulation, 14 CCR 17933); and

(3) satisfy additional statewide recycling market development objectives to be determined by the Board each year.

The objectives adopted by the Board in January 1994 are the following:

Objective #1: Maximize the effectiveness of the RMDZ Loan Program as a market development tool by restricting funding to projects which manufacture recycled-content end-products, or otherwise increase demand for secondary materials which directly support achievement of local waste diversion goals.

Objective #2: Support the Board's Market Development Plan by giving priority consideration to projects which utilize the Board's priority materials, and which utilize the greatest diverted tonnage.

The Board's priority materials are mixed waste paper, compostable materials, high-density polyethylene and mixed plastics.

Objective #3: Support the integrated waste management hierarchy by promoting in order of priority: 1) source reduction; 2) recycling and composting; 3) environmentally safe transformation and environmentally safe land disposal.

This agenda item presents staff's recommendation for a Board policy regarding the RMDZ Loan program's funding of paper projects. The recommendation presented has been developed within the scope of the existing loan program priorities and objectives. The existing objectives are in effect through March 1995. New objectives to guide the RMDZ Loan program from April 1995 through March 1996 will be presented to the Board by February, 1995. However, the staff recommendations presented in this item are consistent with the existing, as well as the upcoming year's proposed objectives.

Key Issues

The primary issue addressed in this item is: are printers, publishers, converters and other commercial users of recycled-content paper, as opposed to the primary manufacturers of that paper, eligible for RMDZ loans?

In addressing this issue, staff relied on the current objectives of the Recycling Market Development Zone Loan program, as stated above, specifically focusing on Objective #1 under the third priority: to fund projects which manufacture recycled-content

products, or projects which otherwise increase demand for secondary materials by directly supporting achievement of local waste diversion goals. The emphasis is on *manufacturing* or otherwise *increasing demand* for secondary material.

It is important to make the distinction between manufacturing market development versus purchasing, or procurement market development. It is clear that the intent of the RMDZ Loan program is to create recycling markets through manufacturing, which is reflected in the recommended policy.

Policy Options Regarding the Eligibility of Paper Projects for RMDZ Loans

Option 1 (Staff proposed option):

Determine that primary paper manufacturers and converters[1] are eligible for RMDZ Loans. All printers, publishers and other commercial users of recycled-content paper are not eligible for loans.

Funding primary paper manufacturers is directly consistent with existing loan objective #1, so there is no question as to the eligibility of such a project. Staff recommends the funding of paper converters as well because they can be considered an extension of the paper manufacturing process. However, since paper converters have less of a direct impact on the demand for recycled paper, staff recommends limiting funding to paper converters that use recycled paper for at least 75 percent of their converting feedstock. Recycled paper would be defined as that containing a minimum of 50 percent secondary material, of which at least 20 percent is postconsumer material. These amounts are consistent with the current state and federal procurement standards.

Furthermore, funding primary paper manufacturers and converters addresses the most significant goal of paper market development: to increase demand for postconsumer and secondary paper ('recovered paper'). By financing primary paper manufacturers and converters, the program can directly stimulate the

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[1] With specific utilization and post-consumer content requirements.

Paper converters are defined as "those who make user products such as envelopes, bags, containers, etc., from finished paper and paperboard. This is sometimes carried out at the paper mill site". Lavigne, John R. Pulp & Paper Dictionary; 1986.

development of recovered paper markets where it is most needed. Printers' and publishers' impact on demand is not nearly as great nor as direct as that of primary paper manufacturers and converters.

If the RMDZ Loan program were to fund other commercial users of recycled-content paper such as printers and publishers, the program would be addressing market development efforts beyond the scope of the RMDZ program. Printers, publishers and other commercial users of recycled-content papers *do* help create demand for recovered paper; however, it is through the procurement of the paper, not the manufacturing of the paper. Creating markets through procurement of recycled-content products is addressed through complementary Board programs such as the recycled-content newsprint certification program and the private buy-recycled campaign. These programs are directed towards the purchasing of recycled-content products (e.g., the purchase of recycled-content newsprint by printers and publishers). Given the RMDZ Loan objectives, it is appropriate to limit funding to primary paper manufacturers and converters.

Additionally, the current availability of funds through the RMDZ loan program further supports the recommendation to limit funding to primary paper manufacturers and converters. As of October 1994, there is an estimated $7.6 million available for the remainder of the 1994-95 fiscal year to lend. Approximately $10 million in funding requests were received during the October loan cycle (~$4.1 million will be recommended for funding), which leaves approximately $4 million available to loan during the remainder of the fiscal year. This situation will most likely make the loan approval process competitive during the first two quarters of 1995. Therefore, it is prudent to limit funds to those businesses that will have the greatest impact on paper market development: primary paper manufacturers and converters.

<u>Option 2:</u> Decide that only primary paper manufacturers are eligible for RMDZ Loans. All printers, publishers, *converters* and other commercial users of recycled-content paper would not be eligible for loans.

Proponents of this option argue that paper converters do not manufacture paper, they simply change its form, as do printers, publishers, and other commercial users of paper. Additionally, they claim paper converting does not create direct demand for recovered paper. In fact, as stated in the definition of "converter", some paper manufacturers perform their own converting, in which case the converting operation would create no additional demand for recovered paper.

Others argue that converters should be considered a type of paper manufacturer since paper, as it emerges from a paper mill, is not ready for use by commercial and retail businesses until it is cut, folded, glued, etc. by converters.

Staff believes that requiring postconsumer content requirements of paper converters adequately addresses these concerns without completely eliminating paper converters from funding eligibility.

Also, eliminating the funding of paper converters would result in very few, if any, RMDZ Loans to paper projects due to the very high capital costs of starting and operating a paper mill. The amount of funds available per loan (up to $1,000,000) represents only a small portion of the financing necessary to fund a paper mill. During the first 18 months of the RMDZ Loan program, there have been no financing requests from paper mills, only paper converters and printers.

Option 3: Decide that all printers, publishers, converters and other commercial users of recycled-content paper are eligible for RMDZ Loans *with increasingly strict postconsumer recycled-content requirements*.

This option creates the most positive impact on paper market development by allowing the greatest number of paper projects to be eligible for RMDZ Loans. If there were no funding restrictions, the Board might want to consider funding of printers and publishers who utilize *solely* recycled-content paper. See Attachment 1.

However, it can be argued that regardless of funding constraints, it is beyond the goals and objectives of the RMDZ Loan program to fund private procurement efforts.

VI. ATTACHMENTS

1. Market Development Staff Recommendation Regarding RMDZ Loan Funding of Paper Projects, by Brian Foran

VII. APPROVALS

Jill Larner, Brian Foran			
Prepared By	Date	Senior	Date
Branch Manager	Date	Deputy Director	Date
Legal	Date		

ATTACHMENT

Market Development Staff Recommendation Regarding RMDZ Loan Funding of Paper Projects
By Brian Foran, Market Development Branch

I support Zone Assistance Branch staff's "Proposed Policy Regarding the Eligibility of Paper Projects for RMDZ Loans" (Option 1). Paper converters *should* be eligible for RMDZ loans, but should also be lower on the priority list than primary recycled paper manufacturers that actually consume secondary materials. By establishing restrictions for converters based on a high utilization of recycled paper, and defining recycled paper with at least 50 percent secondary material, of which at least 20 percent is postconsumer material, staff is ensuring that converters that are awarded RMDZ loans will help increase demand for recovered postconsumer paper.

A distinction needs to be made between "converters" and other companies in the post-production recycled paper products chain: converters *physically alter* paper as it comes from a primary producer, while other post-production companies generally do not physically alter the paper (other than to print on it). This distinction is necessary because the Board might want to consider different loan criteria for companies at different levels in the post-production chain. In the case of printing & writing papers, converters primarily cut unfinished rolls into finished sheets. In the case of boxes, converters cut, fold and glue rolls of paperboard to make their finished product.

If the Board elects to choose Option 3 in staff's proposal, I would recommend that companies that use recycled-content paper, but are further down on the post-production chain than converters, be eligible only if **all** their products are produced from recycled paper. I propose that the recycled paper percentage-use criteria for companies beyond the converting stage be even stricter than for converters, because of the following assumption: the further a company is from primary production (i.e., actual consumption of secondary materials), the less impact they have on secondary materials demand. Thus, if ability to stimulate secondary materials demand is the primary loan objective (as I think it is), then the lack of a company's ability to directly stimulate demand should be offset by criteria that indirectly stimulate demand (such as amount of recycled material purchased).

One other reason to set more stringent loan criteria for those companies further removed from primary production than are converters is to get the" greatest bang for our (loan) buck." Post-production companies other than converters typically do not handle as much paper as converters, and are often involved in activities that do not require paper use. (For example, printers might provide such services as design, layout and other consulting services.) If post-production companies other than converters are to be eligible for RMDZ loans, the Board should try to ensure that those companies stimulate optimal demand for recovered paper by requiring that they use *only* recycled paper in those activities which involve paper.

Summary

I support Zone Assistance Branch staff's recommendation to limit RMDZ loan eligibility for paper projects to primary recycled paper producers and converters. I also support staff's recommendation that to be eligible for loans, converters be required to use recycled paper for at least 75 percent of their converting feedstock, with recycled paper defined as that containing at least 50 percent secondary material, of which at least 20 percent is postconsumer material.

If the Board elects to choose Option 3 of staff's proposal, I would recommend that those companies beyond the converting stage must use recycled paper **exclusively**.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM 14

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for the Eastern Regional Materials Recovery Facility, Placer County

COMMITTEE ACTION:

As of the date that this item went to print, the Permitting and Enforcement Committee had not made a recommendation or decision on this item.

BACKGROUND:

Facility Facts

Name:	Eastern Regional Materials Recovery Facility, Facility No. 31-AA-0625
Facility Type:	Material Recovery and Transfer Facility
Location:	Three miles south of Truckee on Cabin Creek Road
Area:	7.88 acres
Setting:	The facility is located in an (F), Forestry zoned area. The nearest residential occupancy are three mobile homes occupied by Eastern Regional Landfill,Inc. security personnel.
Permitted Daily Capacity:	475 tons per day of refuse and commingled curbside recyclables
Operational Status:	New Materials Recovery Facility. Operation scheduled to commence sometime in January 1995.
Operator:	Mr. Ron Ratto, President Eastern Regional Landfill, Inc.,
Owner:	Ms. Jan Witter, Assistant Director Placer County Department of Public Works
LEA:	Mr. Richard H. Swenson, Director Solid Waste Management Program, Placer County Department of Health Services

Proposed Project

The proposed project is for a new materials recovery facility that will process a maximum of 475 tons per day of commercial, industrial, and residential nonhazardous solid waste. This proposed facility is scheduled to start operation sometime in January 1995.

SUMMARY:

Project Description This proposed new operation is a 7.88 acre Material Recovery Facility (MRF), located adjacent to the Eastern Regional Landfill. The permitting of this facility will result in the closure of the Eastern Regional Landfill operated by Eastern Regional Landfill, Inc (ERL). The facility will consist of a 48,500 square foot steel frame on a concrete base building which will house MRF structures for unloading, storage, and transfer operations.

The proposed facility will be opened to the public from 7:00 a.m. to 5:00 p.m., Monday - Saturday. The facility will be opened to the Tahoe Truckee Sierra Disposal Company seven days a week, 7:00 a.m. to 4:00 p.m. The proposed facility will be designed and operated to receive mixed municipal, commercial, industrial, construction and demolition wastes at an average daily throughput of 184 tons and a maximum capacity of 475 tons per day.

Procedures for material recovery, recycling, and transfer operations at this proposed new facility will be as follows: Vehicles will access the facility from Cabin Creek Road and proceed to the scale house.

After the weigh-ins, the trucks will be directed to the appropriate unloading area according to the type of waste. The loads with high percentages of recyclable materials will be directed to the north end of the material recovery portion of the facility. Waste will be unloaded onto the floor near the northern pit, where large items will be separated and taken directly to the transfer station. The remaining waste will be pushed into the pit containing a conveyor belt. The conveyor belt will transport waste to the picking station, where salvageable material will be removed for consolidation or baling, and eventual transport off site. Non-salvageable material will be transferred on the conveyor belt to the transfer station floor, and then pushed onto transfer trucks.

Waste loads with some degree of contamination will be unloaded in the transfer station area. The area will be divided into public and commercial hauler unloading areas. The two transfer station

areas will be separated by a wall, and will have separate entrances. Spotters will be on duty at each public tipping area to direct traffic. Refuse will be moved by loaders to transfer trailers for transport to Lockwood Landfill in Nevada, for disposal.

Environmental Controls Environmental control measures for impacts from potential problems of dust, litter, noise, odor, vectors, and fire associated with the operations of the facility are proposed.

Impact of dust for the outside environment will be controlled by restricting unloading operations to the interior of the building. The open areas of the facility will be paved for dust control. Inside the Receiving and Processing Building, it is proposed that dust problems will be mitigated by a system of ventilation fans, equipped with filters that will pull particulates upward, and away from the working areas. Additionally, the tipping floor area will periodically be washed down to eliminate the build up of dust and residue.

The proposed procedures for litter control measures include limiting all unloading and processing of solid waste to the interior of the building. All waste shall be stored within the building. The facility yard, driveways, and internal roads will be cleaned daily by facility personnel.

Noise is not expected to be a problem at this facility since all processing of refuse and recyclables is to be conducted inside the building, where sound is greatly attenuated. All on-site vehicles and equipment will be properly sound-proofed and muffled.

Odor is not expected to be a problem at this facility since the removal of refuse will be at frequencies no longer than 48 hours, maximum. In addition, sweeping and cleaning of floors will be employed on a daily basis.

Vector control will be accomplished by requiring that all solid waste handling and transfer activities occur within the enclosed building. Waste will not be stored outdoors. In addition, all areas of the site will be cleared and cleaned daily.

Provision for fire control include, an overhead sprinkler system and fire extinguishers inside the building. A water truck will be available for fire fighting outside of the building.

Resource Recovery The operations of this proposed facility aim at recovering and recycling up to 30% of the incoming waste per day. Recyclables will consist of mixed paper, wood, scrap metals, plastics, and glass. In addition the LEA also placed a requirement in the proposed permit that the facility shall recycle at least 15% of the incoming waste. Additional information regarding resource recovery is provided in Attachment 4.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on December 13, 1994, the last day the Board may act is February 11, 1995.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the permit and supporting documentation, and have found that the proposed permit is acceptable for the Board's consideration of concurrence. In making the determination the following requirements were considered:

1. Conformance with County Solid Waste Management Plan

   The LEA has determined that the proposed facility is in conformance with the Placer County Solid Waste Management Plan (CoSWMP). The Finding of Conformance with the CoSWMP was approved by the Placer County Solid Waste Local Task Force at their meeting on September 9, 1993. Board staff agree with the stated finding.

2. Consistency with General Plan

   The LEA has determined that the proposed facility is consistent with the Placer County General Plan. Board staff agree with the stated determination.

3. Consistency with Waste Diversion Requirements

   Staff of the Board's Diversion, Planning and Local Assistance Division make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would prevent or substantially impair the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the permit would neither

prevent nor substantially impair Placer County from meeting its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act

State law requires the preparation, circulation and certification of an environmental document and adoption of a mitigation reporting or monitoring program.

The Placer County Planning Department (County), acting as the lead agency prepared an Environmental Impact Report (EIR), SCH #93092043, for the proposed project. As required by the California Environmental Quality Act (CEQA), the EIR identified the proposed project's potential significant environmental impacts and provided mitigation measures that would reduce those impacts to less than significant levels. Board staff reviewed the EIR and provided comments to the County on March 23, 1994. The County prepared and submitted an adequate response to comments in the Final EIR. The project was adopted as approved by the Lead Agency and a Notice of Determination (NOD) was filed on June 13, 1994. Resolution No. 94-144 was adopted by the Placer County Board of Supervisors on May 17, 1994.

A Mitigation Reporting or Monitoring Program (MRMP) was adopted. Potential environmental impacts and mitigation measures associated with the proposed project for the establishment and operation of the Eastern Regional Material Recovery Facility, Solid Waste Facilities Permit No. 31-AA-0625, are identified and incorporated in the MRMP.

After reviewing the EIR, responses to comments, and the MRMP for the project, Board staff have determined that the CEQA documents are adequate for the Board's evaluation of the project activities which are within this Agency's expertise and/or powers or which are required to be carried out or approved by the Board.

5. Compliance with State Minimum Standards

The LEA has made the determination that the facility's proposed design and operation are consistent with State Minimum Standards for Solid Waste Handling and Disposal based on a review of the Report of Station Information and supporting documentation. Board staff agree with said determination.

STAFF COMMENTS:

Because a new Solid Waste Facilities Permit is proposed, the Board must either concur with or object to the proposed permit as submitted by the LEA.

Staff recommend that the Board adopt Permit Decision No. 95-38, concurring in the issuance of Solid Waste Facilities Permit No. 31-AA-0625.

ATTACHMENTS:

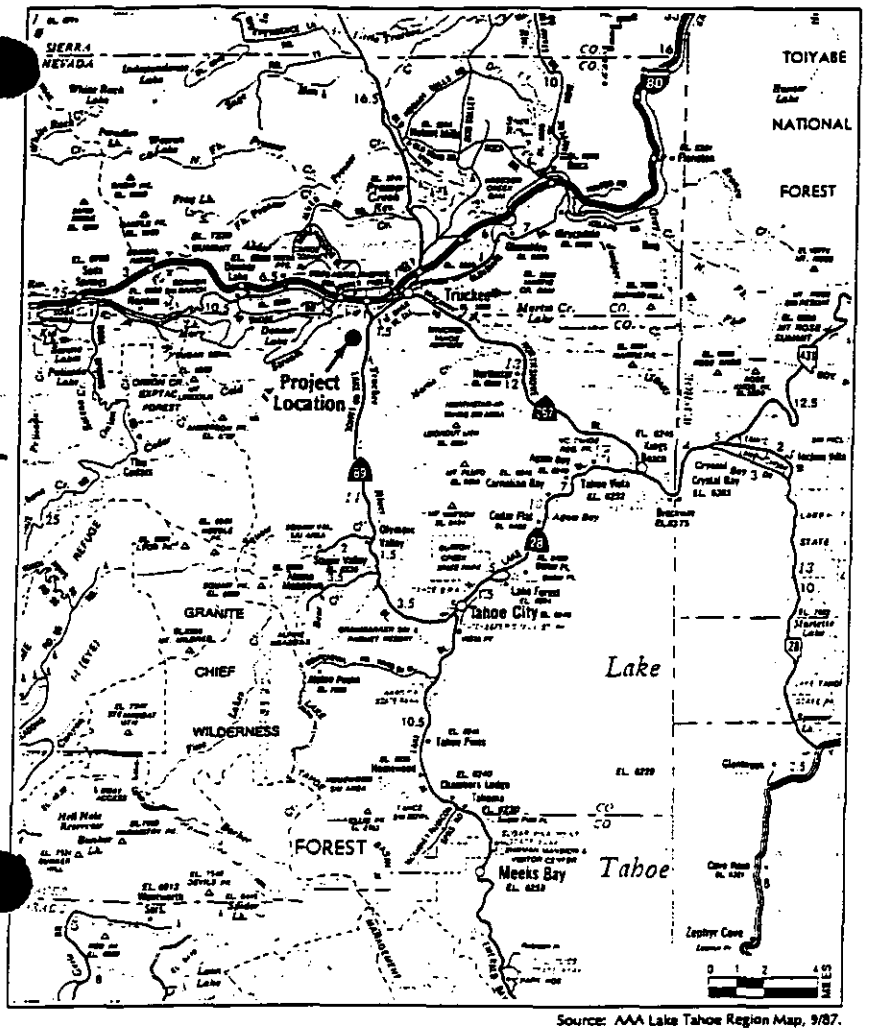
1. Location Map
2. Site Map
3. Permit No. 31-AA-0625
4. AB 2296 Finding of Conformance
5. Permit Decision No. 95-38

Prepared by: Beatrice Poroli BP Phone:255-2331

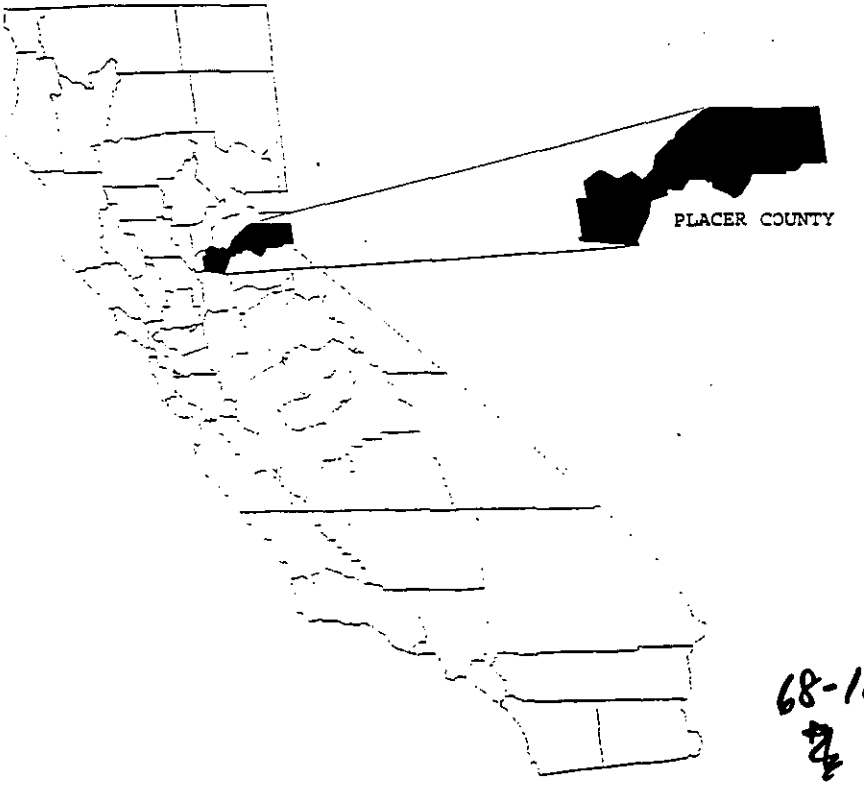
Reviewed by: Cody Begley/Don Dier, Jr. C.B 1/12/95 Phone:255-2327

Approved By: Douglas Okumura Phone:255-2431

ATTACHMENT 1

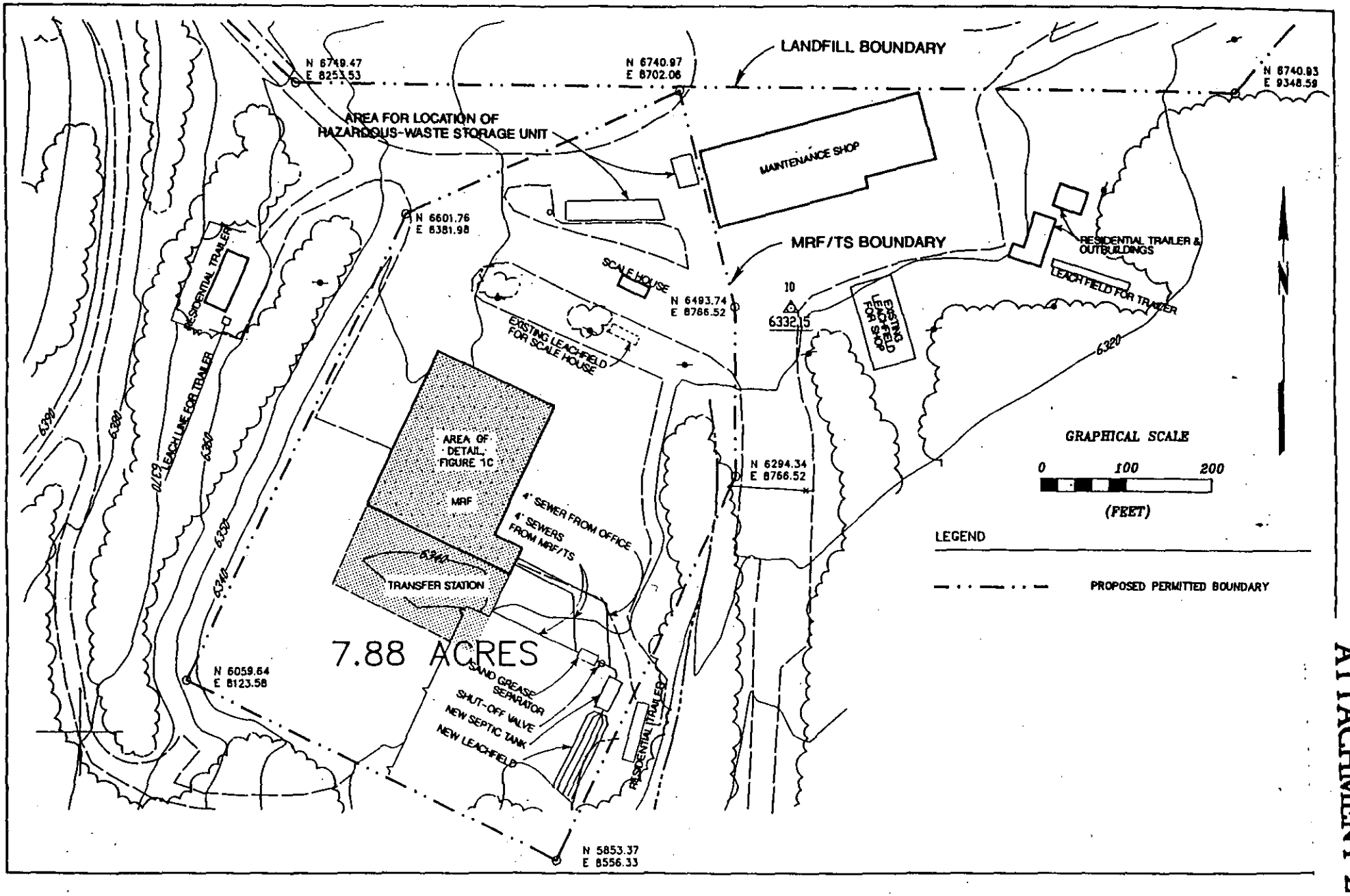


Source: AAA Lake Tahoe Region Map, 9/87.



68-1A

68-2A



ATTACHMENT 2

PROPOSED PERMIT 12-21-94

ATTACHMENT 3

SOLID WASTE FACILITY PERMIT

1. F 31-AA-0625

2. Name and Street Address of Facility:
EASTERN REGIONAL MATERIALS RECOVERY FACILITY
3 MILES SOUTH OF TRUCKEE OFF HIGHWAY 89-PLACER COUNTY,CA

3. Name and Mailing Address of Operator:
EASTERN REGIONAL MATERIALS RECOVERY FACILITY, P.O. BOX 135 TAHOE CITY,CA 96145

4. Name and Mailing Address of Owner:
PLACER COUNTY
DEPT OF PUBLIC WORKS
11444 B AVENUE
AUBURN, CA 95603

5. Specifications:

a. Permitted Operations:

- [ ] Composting Facility (mixed wastes)
- [ ] Composting Facility (yard waste)
- [ ] Landfill Disposal Site
- [x] Material Recovery Facility
- [ ] Processing Facility
- [ ] Transfer Station
- [ ] Transformation Facility
- [ ] Other: _____

b. Permitted Hours of Operation.
7 AM-5 PM MONDAY-SATURDAY
CLOSED SUNDAYS AND MAJOR HOLIDAYS (7 DAYS A WEEK FOR TAHOE-TRUCKEE SIERRA DISPOSAL)

c. Permitted Tons per Operating Day:

Total:	475	Tons/ Day
Non-Hazardous - General	350	Tons/Day
Non-Hazardous - Sludge	40	Tons/Day
Non-Hazardous - Separated or comingled recyclables	60	Tons/Day
Non-Hazardous - Other (See Section 14 of Permit)	25	Tons/Day
Designated (See Section 14 of Permit)	0	Tons/Day
Hazardous (See Section 14 of Permit)	0	Tons/Day

d. Permitted Traffic Volume:

Total:	641	Vehicles/Day
Incoming waste materials	619	Vehicles/Day
Outgoing waste materials (for disposal)	12	Vehicles/Day
Outgoing materials from material recovery operations	10	Vehicles/Day

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

	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	7.88 a	a	a	7.88 a	a	a
Design Capacity		cy	tpd	475 tpd	tpd	tpd
Max. Elevation (Ft. MSL)		ft				
Max. Depth (Ft. BGS)		ft				
Estimated Closure Date						

This permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is no longer valid. Further, 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 supercede the conditions of any previously issued solid waste facility permits.

6. Approval:

Approving Officer Signature

RICHARD H. SWENSON
Name/Title
DIRECTOR, DIVISION OF ENVIRONMENTAL HEALTH

7. Local Enforcement Agency Name and Address:
PLACER COUNTY DEPT OF HEALTH AND MEDICAL SERVICES DIVISION OF ENVIRONMENTAL HEALTH
11454 B AVENUE
AUBURN, CA 95603

8. Received by CIWMB:
DEC 22 1994

9. CIWMB Concurrence Date:

10. Permit Review Due Date:

11. Permit Issued Date:

68-94

PROPOSED PERMIT 12-21-94

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 31-AA-0625

12. Legal Description of Facility (attach map with SEC):
THE SITE IS IN SECTION 28 OF TOWNSHIP 17 NORTH, RANGE 16 EAST, MOUNT DIABLO BASELINE AND MERIDIAN.

13. Findings:

a. This permit is consistent with the County/Solid Waste Management Plan or the County-wide Integrated Solid Waste Management Plan (CIWMP). Public Resources Code, Section 50001. RESOLUTION 93-1

b. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB). Public Resources Code, Section 44010.

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

d. The following local fire protection district has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151. TRUCKEE FIRE PROTECTION DISTRICT.

e. An environmental determination (i.e., Notice of Determination) is filed with the State Clearinghouse for all facilities which are not exempt from CEQA and documents pursuant to Public Resources Code, Section 21081.6.
Resolution 94-144 (SCH 93092043)

f. A County-wide Integrated Waste Management Plan has/has not been approved by the California Integrated Waste Management Board.

g. The following authorized agent has made a determination that the facility is consistent with, and designated in, the applicable general plan: BILL COMBS-PLACER CO. PLANNING DEPT., Public Resources Code, Section 50000.5(a)

h. The following local governing body has made a written finding that surrounding land use is compatible with the facility operation, as required in Public Resources Code, Section 50000.5(b) PLACER CO. PLANNING DEPT.

14. Prohibitions:

The permittee is prohibited from accepting any liquid waste sludge, non-hazardous waste requiring special handling, designated waste, or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable permits.
NON-HAZARDOUS MUNICIPAL WASTE, AGRICULTURAL WASTES, CONSTRUCTION AND DEMOLITION WASTE, TIRES, APPLIANCES, NON-FRIABLE ASBESTOS, DEAD ANIMALS, SLUDGE.

The permittee is additionally prohibited from the following items:
ACCEPTANCE OF LIQUID WASTES, INCLUDING SEPTAGE, ACCEPTANCE OF FRIABLE ASBESTOS CONTAINING MATERIALS/WASTES, ACCEPTANCE OF MEDICAL WASTES.

15. The following documents also describe and/or restrict the operation of this facility (insert document date in spaces):

	Date:		Date:
[x] Report of Facility Information	11-18-94	[ ] Contract Agreements - operator and contract	N/A
[ ] Land Use Permits and Conditional Use Permits	N/A	[X] Waste Discharge Requirements WAVIER	11-8-94
[ ] Air Pollution Permits and Variances	N/A	[ ] Local & County Ordinances	N/A
[X] EIR Notice of Determination(June13,1994)	4/94	[ ] Final Closure & Post Closure Maint. Plan	N/A
[x] Lease Agreements - owner and operator	6-1-93	[X] Amendment to RFI	12-21-94
[ ] Preliminary Closure/Post Closure Plan	N/A	[X] Other(list): NOTICE OF INTENT 91-13 DWO	
[ ] Closure Financial Responsibility Document	N/A		

68-4-A

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 31-AA-0625

16. Self-Monitoring:

a. Results of all self- monitoring programs as described in the Report of Facility Information, will be reported as follows:

Program	Reporting Frequency	Agency Reported To:
1. TONNAGE RECORDS THE OPERATOR SHALL MAINTAIN AND KEEP CURRENT A RECORD OF DAILY TONNAGE FOR EACH TYPE OF MATERIAL WHICH IS HANDLED IN THE FACILITY AND DISPOSITION OF SAME.	MONTHLY	LOCAL ENFORCEMENT AGENCY (LEA) PLACER COUNTY DEPT OF PUBLIC WORKS (DPW)
2. LOG OF SPECIAL OCURRENCES THE OPERATOR SHALL MAINTAIN A DAILY LOG OF SPECIAL OCURRENCES SUCH AS SEVERE STORMS (SNOW,RAIN WIND, ETC.) EARTHQUAKES, FLOODING AND/OR OTHER UNUSUAL OCURRENCES.	ANNUALLY	LEA AND DPW
3. FOR RECYCLABLES, THE OPERATOR SHALL MAINTAIN AND KEEP CURRENT A RECORD OF DAILY VOLUME OF MATERIALS RECOVERED FOR REUSE.	MONTHLY	LEA
4. KEEP RECORDS OF LOAD CHECKING PROGRAM.	MONTHLY	LEA

swfp3.xls

18-5A

PROPOSED PERMIT 12-21-94

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 31-AA-0625

17. LEA Conditions:

A. THE FACILITY SHALL COMPLY WITH ALL FEDERAL, STATE, AND LOCAL REQUIREMENTS AND ENACTMENTS.

B. THE FACILITY'S DESIGN AND OPERATION SHALL COMPLY WITH THE STATE MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL, T-14 CALIFORNIA CODE OF REGULATIONS, SECTION 17401 ET SEQ., AND DIVISION 30 CALIFORNIA PUBLIC RESOURCES CODE.

C. THE FACILITY SHALL RECEIVE NO MORE THAN 475 TONS PER DAY (INCLUDING NON-HAZARDOUS GENERAL NON-HAZARDOUS SLUDGE, NON-HAZARDOUS SEPARATED OR COMINGLED RECYCLABLES, NON-HAZARDOUS OTHER - SEE SECTION 14 OF PERMIT. IF THE FACILITY IS INTENDED TO RECEIVE MORE THAN 475 TONS PER DAY, A REVISION IS REQUIRED.

D. AT ALL TIMES WHEN NO ONE IS PRESENT, THE FACILITY SHALL BE SECURED.

E. AT THE END OF EACH DAY ALL WASTES NOT TRANSPORTED TO A DISPOSAL SITE SHALL BE CONTAINED IN THE BUILDING SO AS TO PREVENT THE INGRESS AND EGRESS OF VECTORS.

F. AT THE END OF EACH DAY THE TIPPING AREA IN THE BUILDING (BOTH THE MUNICIPAL RECOVERY AREA AND THE TRANSFER STATION) SHALL BE CLEANED SO AS TO PREVENT ODOR, VECTOR BREEDING AND LITTER NUISANCES.

G. NO CHANGE IN DESIGN OR OPERATIONS OF THIS FACILITY SHALL BE TAKEN WITHOUT PRIOR APPLICATION TO AND APPROVAL BY THE APPROPRIATE REGULATORY AGENCIES (IE: LOCAL ENFORCEMENT AGENCY (LEA), CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD (CIWMB), LAHOTAN REGIONAL WATER QUALITY CONTROL BOARD, ETC.

H. HAZARDOUS WASTE FROM LOAD CHECKS SHALL BE REMOVED AT LEAST EVERY 90 DAYS.

I. AT THE L.E.A.'s DISCRETION, ADDITIONAL DUST CONTROL MEASURES WILL BE ADDED IF IT BECOMES NECESSARY.

J. THIS FACILITY SHALL RECOVER FOR REUSE OR RECYCLING AT LEAST 15% OF THE TOTAL VOLUME OF THE MATERIAL RECEIVED BY SAID FACILITY.

K. ALL DEAD ANIMALS SHALL BE REMOVED FROM THE FACILITY ON A DAILY BASIS.

68-1n

ATTACHMENT 4

State of California

California Environmental Protection Agency

MEMORANDUM

To: Cody Begley, Senior WMS **Date:** October 25, 1994

From: Catherine Donahue
Catherine Donahue, AWMS
Local Assistance Branch, North
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: REVIEW OF THE PERMIT FOR THE EASTERN REGIONAL MATERIAL RECOVERY FACILITY, FACILITY NO. 31-AA-0625, TO DETERMINE CONFORMANCE WITH AB 2296

The Eastern Regional Material Recovery Facility (ER-MRF) in Placer County requires a solid waste facility permit because it is a new facility. The ER-MRF is located three miles south of Truckee, off Highway 89. The permitted tonnage for this facility will be 475 tons per day.

Based upon review of the documents submitted to the Office of Local Assistance, the proposed permit conforms with the provisions of AB 2296 as follows:

1. The permit is consistent with the state's waste diversion requirements (PRC Section 44009).

2. The facility has been reviewed and approved by the Placer County Local Task Force, in accordance with PRC Section 50000.

3. The facility is consistent with the County's General Plan (PRC Section 50000.5).

PRC Section 44009: Waste Diversion Requirements

The Board approved the Placer County SRRE in February 1994. The County's Source Reduction and Recycling Element describes how the diversion goals will met through such activities as procurement policies, public awareness, backyard composting, curbside recycling, and the material recovery facility (MRF) at the Eastern Regional Landfill. The County also plans another MRF at the Western Regional Landfill. The ER-MRF will recover cardboard, newspaper, glass, wood, inerts, and small amounts of mixed paper, plastic, steel cans, aluminum cans, and scrap metals.

Board staff have reviewed the proposed permit and the SRRE. Based upon this review, Board staff finds that the transfer station will not prevent or impair the County's efforts to achieve its diversion goals.

PRC Section 50000: Consistency with CoSWMP

The MRF has been reviewed and approved by the Placer County Local Task Force. This action meets the requirements of PRC Section 50000.

PRC Section 50000.5: Consistency with General Plan

The Planning Department for Placer County has determined that the Eastern Regional Material Recovery Facility is consistent with the County's General Plan. The facility meets the requirements of PRC Section 50000.5.

ATTACHMENT 5

California Integrated Waste Management Board
Permit Decision No. 95-38
January 25, 1995

Whereas, the Eastern Regional Landfill, Inc., the operator, has submitted to the Local Enforcement Agency (LEA), Placer County Department of Health Services, for its consideration an application for a new solid waste facilities permit (SWFP) to operate a Material Recovery Facility (MRF); and

WHEREAS, the LEA, submitted to the Board for its review and concurrence in, or objection to, a new Solid Waste Facility Permit for the Eastern Regional Materials Recovery Facility; and

WHEREAS, the proposed permit is for a new MRF which will be located on 7.88 acres and process a maximum of 475 tons per day of commercial, industrial, and residential nonhazardous solid waste; and

WHEREAS, Placer County Planning Department (County), the lead agency for CEQA review, prepared an Environmental Impact Report (EIR) for the proposed project and Board staff reviewed the EIR and provided comments to County on March 23, 1994; and the proposed project will not have a significant effect on the environment; and mitigation measures were made a condition of the approval of the proposed project; and the County Board of Supervisors certified the project on May 17, 1994; and

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

WHEREAS, the project description in the CEQA document is consistent with the proposed permit; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including conformance with the County Solid Waste Management Plan, consistency with the General Plan, and consistency with Board standards.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 31-AA-0625.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

IN CONSIDERATION OF THE IN-HOUSE WASTE PREVENTION POLICY

ATTACHMENTS 1 - 4

HAVE BEEN ~~DELETED FROM~~ Included IN THE BOARD PACKET

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM #15

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for West Coast Recycling Company, San Francisco County

COMMITTEE ACTION:

As of the date that this item went to print, the Permitting and Enforcement Committee had not made a recommendation or decision on this item.

BACKGROUND:

Facility Facts

Name:	West Coast Recycling Company Facility No. 38-AA-0006
Facility Type:	Transfer Station/Material Recovery Facility
Location:	1900 17th Street, San Francisco
Area:	1.8 acres
Setting:	Industrial
Operational Status:	Currently operating
Permitted Tonnage:	Maximum of 510 tons per day
Operator:	West Coast Recycling Maureen Hart, General Manager
Owner:	Norcal Waste Systems Micheal Sangiacomo, President and CEO
LEA:	San Francisco Department of Public Health, Bureau of Environmental Health Services, Ben Gale, Director

Proposed Project

West Coast Recycling Company is requesting a new Solid Waste Facilities Permit to operate a transfer station and material recovery facility at its facility in San Francisco. The facility will collect, receive, process, and market both paper rich solid waste and source separated material for recycling.

SUMMARY:

Site History

West Coast Recycling Company has operated this facility (known as the Rhode Island Plant) since the 1970's. The building housing the facility was constructed by Dyer Brothers Golden West Iron Works in 1911 and occupied the facility until 1935. In 1972, Independent Paper Stock, a recycling company became the tenants. Macor, a Norcal subsidiary purchased the property in 1987.

Compliance History

In January 1993 the LEA, the City Attorney, and Board staff conducted and inspection of the West Coast Recycling Company Rhode Island Plant. During the inspection it was determined that the facility was processing solid waste and West Coast Recycling Company was notified that they were required to obtain a Solid Waste Facilities Permit (permit). At this time West Coast Recycling indicated that they were planning to move the facility and did not want to initiate the permitting process. In April of 1993, the operator indicated that their move was postponed due to a lack of funding and they wanted to proceed with permitting the facility. A Notice and Order for Compliance was issued to West Coast Recycling on March 8, 1994. The Notice and Order was issued for violations of Section 44002 of the Public Resources Code, operating without a Solid Waste Facilities Permit. Issuance of a Solid Waste Facilities Permit will correct the violation and render the Notice and Order null and void.

Project Description

West Coast Recycling Company is located at 1900 17th Street in the City and County of San Francisco. The facility covers an entire city block of 1.8 acres in the Potrero Hills District. This facility is also known as the Rhode Island Plant, a name taken from Rhode Island Street that boarders one side of the facility. The facility is owned by Macor Incorporated. Both West Coast Recycling and Macor are subsidiaries of Norcal Waste Systems Incorporated, which is an employee owned company. There are several activities that occur at the Rhode Island Plant

including, sorting of paper rich mixed commercial waste, processing of source separated materials, destruction of confidential documents, and a 20/20 Certified Recycling Center. The facility is open 24 hours a day, seven days a week, however the typical hours of operation are from Sunday 6:00 p.m., to Friday 10:00 p.m., and on Saturday from 6:00 a.m. to 2:00 p.m.. The facility is closed from Saturday 2:00 p.m. to Sunday 6:00 p.m.. The public buy back center is open from 7:00 a.m. to 4:30 p.m. Monday through Friday, and on Saturdays from 7:00 a.m. to 1:00 p.m.. The facility is permitted to accept an average of 240 tons per day with a maximum of 510 tons per day. These tonnages include all of the materials processed at the facility.

Loads of paper rich mixed commercial waste are received from designated office buildings in San Francisco. Loads accepted contain a large percentage of recyclables, primarily paper of various grades including white and colored ledger, facsimile paper, NCR paper, cardboard and newsprint, and bottles and cans. The non-recyclable fraction includes plastic packaging, miscellaneous plastic, and food waste. Incoming materials are dumped onto the floor and pushed by a loader into a below grade conveyor. The conveyor feeds a 36 foot long sorting line that is located on a 13 foot high steel platform. The material moves up the inclined conveyor which feeds the sorting line. The sorting line has work stations on both sides of the conveyor where workers remove cardboard, newsprint, and non-recyclable materials. These materials are dropped through chutes into concrete bunkers under the sorting platform. The cardboard and newsprint are moved by a loader to a baler, and non-recyclables are placed in a drop box for shipment to the transfer station. The sorted mixed paper drops from the conveyor onto a sixteen foot long vibrating screen which removes fines less than 2 inches. The recovered paper then drops into a bunker from where it is fed into a baler. The sorting line has a capacity of 10 tons per hour, based on up to six people sorting. Typically two 8 hour shifts are operated per day, which gives the sorting line a capacity of 160 tons per operating day. The average amount of residual waste generated between March 1993 and February 1994 was 36.9 tons per operating day. The residual waste is removed daily and transferred to the San Francisco Solid Waste Transfer and Recycling Center.

Environmental Controls

All loads received at this facility are subject to random inspection. A minimum of five loads of mixed waste are inspected each week. Trained employees inspect loads as they are dropped in the tipping area adjacent to the mixed waste pile. If any hazardous waste or other prohibited wastes are found during the inspection, staff remove the waste and look for material that

could identify the origin of the waste. If the generator of the waste can be identified, they are contacted and informed that hazardous and prohibited wastes are not accepted at the facility and are requested to pick up the material. The generators are referred to hazardous waste disposal companies and City agencies for assistance in disposing of the waste. If the generator can not be identified, the plant supervisor contacts the Waste Acceptance Control Program at Sanitary Fill Company (who operates San Francisco Solid Waste Transfer and Recycling Center). The Waste Acceptance Control Program staff collect and dispose of the waste. If hypodermic needles are found they are placed in a puncture proof sharps container.

The facility is fully enclosed, which prevents dust from migrating off site. In addition the operator follows the Facility Cleaning and Maintenance Plan which was developed to prevent the accumulation of dust.

Pigeons are a reoccurring problem at this facility. Whenever the population reaches 100, a professional service in contracted to apply an appropriate pesticide. This treatment is effective at reducing the population. A rat control service inspects and treats the facility with a registered bait once a month. The fly population is directly related to the pigeon population. Therefore the controls for the pigeons also help reduce the fly population. If the fly population is a problem a professional service is called.

The operator has instituted a continuous clean up program to control litter. At least once a day employees pick up litter on both sides of the street, on the four blocks surrounding the site. The operator also has developed a Facility Cleaning and Maintenance Plan to regulate the cleaning of the plant.

Resource Recovery

Between March 1993 and February 1994, there were a total of 105 tons per day of source separated materials, and 95.4 tons per day of mixed waste paper received at the facility. Of the 200.4 tons per day received, 36.9 tons were residual that were hauled to the transfer station. The recovery rate for the mixed waste paper sorting line was 39%.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit

Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a

Solid Waste Facilities Permit. Since the proposed permit for this facility was received on December 14, 1994, the last day the Board may act is February 12, 1995.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Plan

   The LEA has determined that the facility is found in the 1988 San Francisco County Solid Waste Management Plan. Board staff agree with said determination.

2. Consistency with General Plan

   The City and County of San Francisco Department of City Planning, and the LEA have determined that the facility is consistent with, and is designated in, the applicable General Plan. Board staff agrees with said finding.

3. Consistency with Waste Diversion Requirements

   Staff of the Board's Diversion, Planning and Local Assistance Division make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would prevent or substantially impair the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit would neither prevent nor substantially impair the City and County of San Francisco from meeting its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

   State law requires the preparation and certification of an environmental document whenever a project requires discretionary approval by a public agency. The City and County of San Francisco Planning Department prepared a Negative Declaration for the proposed project. The document was adopted by the lead agency on November 23, 1994, and a Notice of Determination was filed on November 23, 1994.

   The Negative Declaration for this project had not been circulated to the Board for comment. After notifying the Lead Agency, the Negative Declaration was circulated

through the State Clearinghouse (SCH# 94103005). Board staff provided comments to the Lead Agency on October 28, 1994. In response to comments provided by Board staff, the Lead Agency submitted a letter to the file clarifying the proposed project, with refined vehicle counts for maximum throughput.

After reviewing the Negative Declaration and responses to comments for the proposed project, Board staff have determined that CEQA documents are adequate for the Board's evaluation of the proposed project for those project activities which are within this Agency's expertise and/or powers or which are required to be carried out or approved by the Board.

5. Consistency with State Minimum Standards

The LEA and Board staff made the determination that the facility's design and operation is in compliance with the State Minimum Standards for Solid Waste Handling during an inspection on September 13, 1994.

STAFF RECOMMENDATION:

Because a new Solid Waste Facilities Permit is proposed, the Board must either concur or object to the proposed permit as submitted by the LEA.

Staff recommend that the Board adopt Permit Decision No. 95-39 concurring in the issuance of Solid Waste Facilities Permit No. 38-AA-0006.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Permit No. 38-AA-0006
4. AB2296 Finding of Conformance
5. Permit Decision No. 95-39

Prepared by: Russ J. Kanz — Phone: 255-2336

Reviewed by: Don Dier/Cody Begley — Phone: 255-2453

Approved by: Douglas Y. Okumura — Phone: 255-2431

IN CONSIDERATION OF THE IN-HOUSE WASTE PREVENTION POLICY

ATTACHMENTS 1 - 4

HAVE BEEN ~~DELETED FROM~~ Included in THE BOARD PACKET

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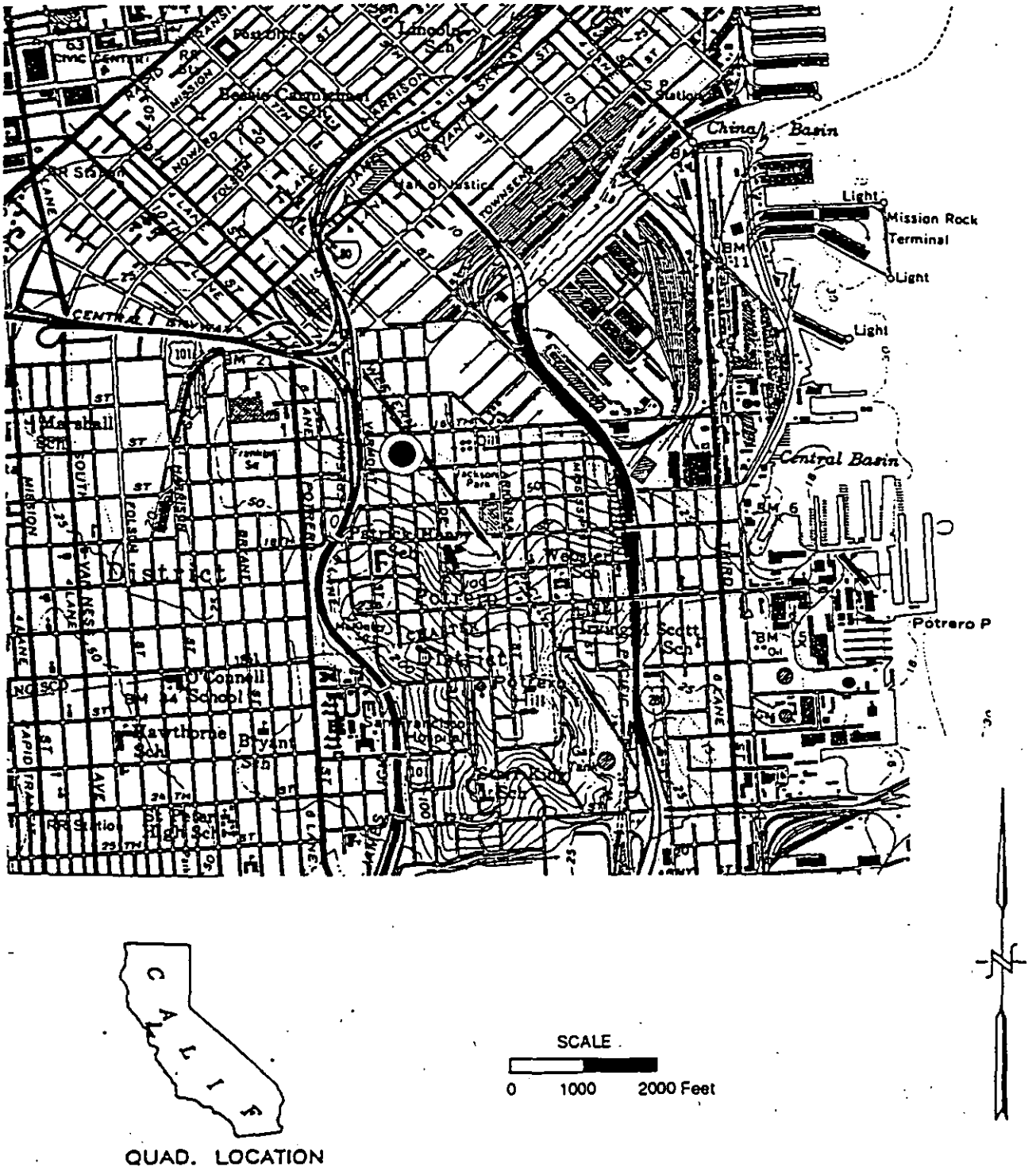


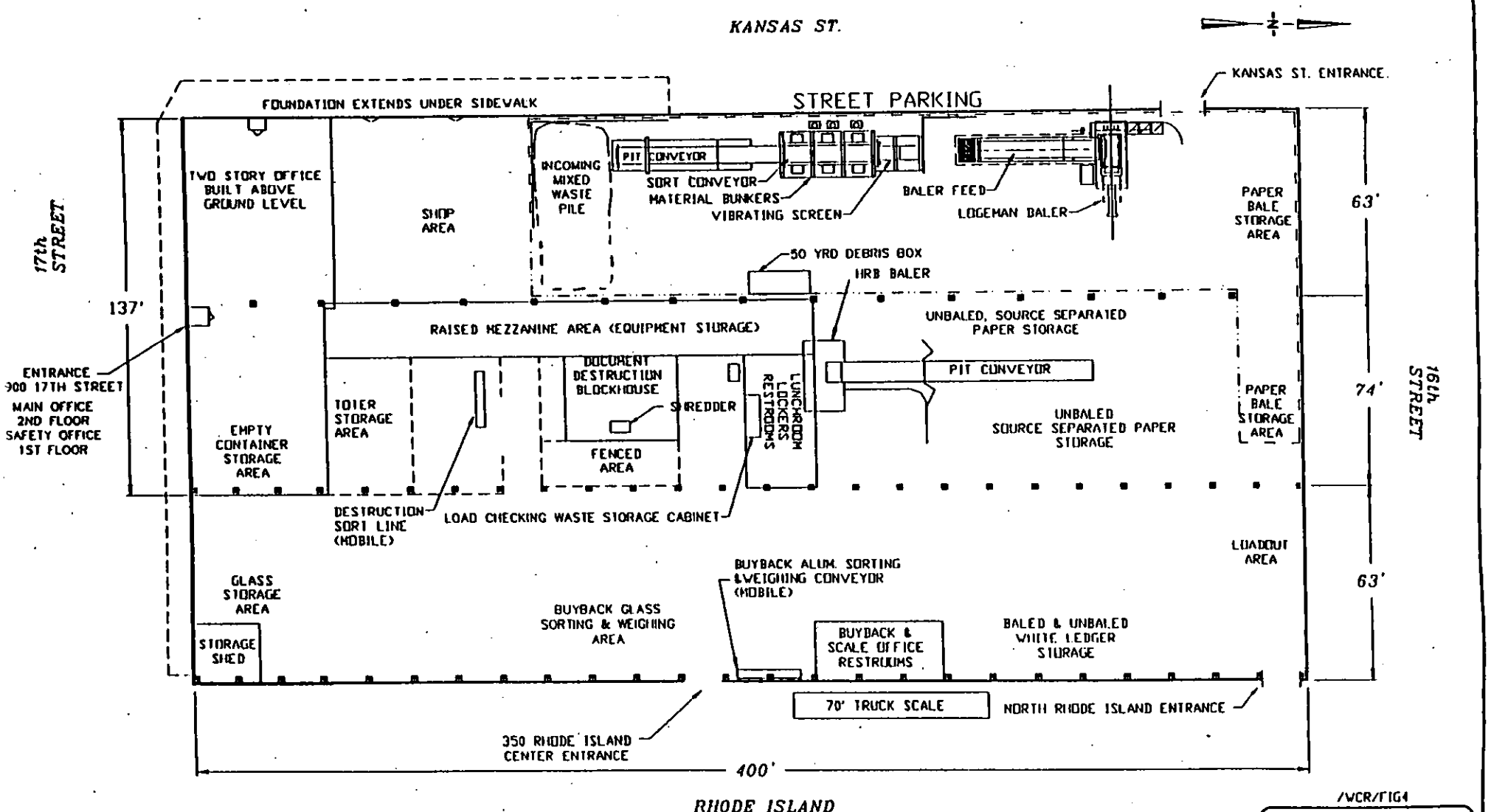
REFERENCE
USGS 7.5 MIN. TOPOGRAPHIC MAP TITLED SAN FRANCISCO NORTH, CALIFORNIA DATED: 1956 REVISED 1973

WEST COAST RECYCLING COMPANY
350 RHODE ISLAND PLANT

SITE LOCATION MAP

Figure 1

DETAILED SITE PLAN / PLANT LAYOUT



FIGURE

Attachment 2

SOLID WASTE FACILITY PERMIT

1. Facility/Permit Number:

38-AA-0006

2. Name and Street Address of Facility:

West Coast Recycling Company
1900 - 17th Street
San Francisco, CA 94103
(415) 621-3840

3. Name and Mailing Address of Operator:

West Coast Recycling Company
1900 - 17th Street
San Francisco, CA 94103
(415) 621-3840

4. Name and Mailing Address of Owner:

Norcal Waste System/Macor
5 Thomas Mellon Circle, #304
San Francisco, CA 94134
(415) 330-1000

5. Specifications:

a. Permitted Operations:

[ ] Composting Facility (mixed wastes)
[ ] Composting Facility (yard waste)
[ ] Landfill Disposal Site
[√] **Material Recovery Facility**
[ ] Processing Facility
[√] **Transfer Station**
[ ] Transformation Facility
[ ] Other:

b. Permitted Hours of Operation for the various Processes are as follows: (1) 24 hours per day, 7 days per week. However, typical hour of operation are from Sunday, 6 p.m to Friday, 10 p.m. and on Saturday from 6 a.m to 2 p.m. The facility is closed from Saturday 2 p.m. to Sunday 6 p.m. (2) The Public Recycling Buyback Center is open from 7 a.m to 4:30 p.m., Monday through Friday, and on Saturdays, from 7 a.m. to 1 p.m. West Coast is closed on major federal holidays.

c. Permitted Tons per Operating Day: 240 (average)/510 (maximum) Tons/Day

Non-Hazardous - General	240 (average)/510 (maximum)	Tons/Day
Non-Hazardous - Sludge	.....N/A	Tons/Day
Non-Hazardous - Separated and comingled recyclables	reported with general tonnage	Tons/Day
Non-Hazardous - Other (See Section 14 of Permit)	reported with general tonnage	Tons/Day
Designated (See Section 14 of Permit)	.....N/A	Tons/Day
Hazardous (See Section 14 of Permit)	.....N/A	Tons/Day

d. Permitted Traffic Volume: Total: 260 (average) Vehicles/Day

Incoming waste materials	..... 24 (average)	Vehicles/Day
Outgoing materials (for disposal and to market)	 18	Vehicles/Day
Incoming materials for material recovery operations	153	Vehicles/Day
Employee	65	Vehicles/Day

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

	Total	Disposal	Transfer	MRF (including transfer)	Composting	Transformation
Permitted Area (sq.ft.)	84,000 sq. ft	none	16,000 sq. ft (approx.)	80,000 sq. ft. (approx.)	none	none
Design Capacity		cy	160 tpd	510 tpd (total --including transfer tonnage)	tpd	tp
Max. Elevation (Ft. MSL)		ft				
Max. Depth (Ft. BGS)		ft				
Estimated Closure Date						

The permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is no longer valid. Further, upon a significant change in design or operation from the described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supercede the conditions of any previous issued solid waste facility permits.

6. Approval:

Approving Officer Signature

Name/Title: Ben Gale, Director, CCSF, Bureau of Environmental Health Services

7. Enforcement Agency Name and Address:

San Francisco Department of Public Health
Bureau of Environmental Health Services, LEA
101 Grove Street, Room 217
San Francisco, CA 94102
(415)554-2770

8. Received by CIWMB: DEC 1 4 1994

9. CIWMB Concurrence Date:

10. Permit Review Due Date:

11. Permit Issued Date:

26
76c

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

38-AA-0006

12. Legal Description of Facility (attach map with RFI):
A complete legal description is provided in the facility's August 1994, Version 3.2, Report of Station Information ("RSI"), page 1 and Appendix A, Figure 1, 2 and 3. In general, the boundaries of the facility lie within the City and County of San Francisco ("CCSF") and is commonly referred to as Assessor's Block #3957, Lot # 1.

13. Findings:

a. This permit is consistent with CCSF's County Solid Waste Management Plan, Public Resources Code, Section 50001. CCSF is currently preparing its Integrated Waste Management Plan (CIWMP). It is anticipated that the facility will conform with the CIWMP.

b. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB), Public Resources Code, Section 44010 and all applicable requirements incorporated in Title 14, California Code of Regulations.

c. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by a review of the facility's August 1994 RSI and an inspection conducted by the LEA and CIWMB staff on Sept. 13, 1994.

d. CCSF's Department of City Planning has adopted and issued on November 23, 1993, a Final Negative Declaration , Project Title # 93.317E, State Clearinghouse #94103005, for this facility pursuant to Public Resources Code, Section 21081.6.

e. A County-wide Integrated Waste Management Plan has not been approved by the CIWMB.

f. The CCSF Department of City Planning has made a determination that the facility is consistent with, and designated in, the applicable general plan, Public Resources Code, Section 50000.5(a).

g. The CCSF Department of City Planning (April 1994) has made a written finding that surrounding land use is compatible with the facility operation, as required in Public Resources Code, Section 50000.5(b).

14. Prohibitions:
The permittee is prohibited from accepting any liquid waste, sludge, non-hazardous waste requiring special handling, designated waste, or hazardous waste unless the acceptance of such waste is authorized by all applicable permits .

All prohibited waste that are inadvertently delivered to and accepted by the facility must be managed, stored and disposed according to applicable local, state and federal laws and regulations.

The permittee is additionally prohibited from accepting the following items:

i. Dead animals, sewage sludge, septic tank pumpings, radioactive materials and burning waste.

15. The following documents also describe and/or restrict the operation of this facility (insert document date in space):

	Date		Date
[√] Report of Facility Information	Aug. 1994	[√] Contract Agreements - operator and contract	N/A
[√] Land Use Permits *Determination of Conformance with General / Master Plan, RSI, Appendix E(2)*	April 28, 1994	[√] CCSF DPW Industrial Wastewater Discharger Permit No. 94-0261 *RSI, Appendix D*	Sept. 8, 1994
[√] Air Pollution Permits and Variances *RSI, Appendix D(6)*	August 30, 1993	[√] Local & County Ordinances *Hazardous Materials Registration RSI, Appendix D(5)*	April 28, 1993
[√] EIR or Negative Declaration *SCH#94103005, RSI Appendix 4(e)*	Nov. 23, 1993	[ ] Final Closure & Post Closure Maintenance Plan	N/A
[ ] Lease Agreements - owner and operator	N/A	[√] Cal DTSC Hazardous Waste Generator ID# CAL000115278	
[ ] Preliminary Closure/Post Closure Plan	N/A	[√] Other (list): State of CA. Dept. of Conservation Certified Recycling Center *RSI, Appendix D(1)*	Oct. 31, 1997 (exp.)
[ ] Closure Financial Responsibility Document	N/A		

26 760

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:
38-AA-0006

18. Self Monitoring:

a. Results of all self-monitoring programs, as described in the Report of Facility Information, will be reported as follows:

Program	Reporting Frequency	Agency Reported To
1. Per operating day, tonnage/volume records are to be maintained for the following West Coast operations: a. Non-hazardous mixed waste received; b. Non-hazardous separated and commingled recyclables received; c. Outgoing waste for disposal; d. Recovered materials transfered to market;	Records for programs 1 through 9 are to be maintained current. To the extent possible, records are to be made available for inspection upon request by the LEA. In the event that the LEA requests copies of records, West Coast operators shall, unless otherwise specified, provide copies within 2 working days.	San Francisco Department of Public Health Bureau of Environmental Health Services Local Enforcement Agency
2. Traffic volume, expressed as # of vehicles per operating day, shall be recorded for the following categories: a. Number of vehicles hauling incoming mixed waste materials; b. Number of vehicles hauling outgoing waste materials for disposal; c. Number of vehicles hauling incoming materials for material recovery operations; and d. Number of vehicles hauling outgoing material from material recovery operations.	2. *Or on a frequency as may be required by the LEA.	
3. A daily log of special occurrences and incidents, i.e., injuries, accidents, fires, illegal disposal, etc., shall be maintained.		
4. A log and copies of inspection reports and enforcement orders resulting from inspections or other regulatory activities conducted by regulatory agencies shall be maintained.		
5. An employee training log with times and dates of training, course description, etc., shall be maintained and kept current.		
6. A log of all "in-house" safety inspection reports, load inspection reports, hazardous waste surveillance reports and facility cleaning and maintenance plan (per RSI Appendix B and F) shall be maintained and kept current.		
7. A log to record all prohibited waste inadvertently received by the facility. Log to include information regarding the type, amount and disposition of the waste. Additionally, maintain a record of the weekly inventory of prohibited waste stored on site that is awaiting disposal.		
8. A log of all written complaints concerning environmental issues received by the facility and corrective steps taken.		
9. A log and copies of the operator's "Cleaning & Maintenance Plan " report.		

76E
27

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

38-AA-0006

17. LEA Conditions:

1. This facility shall comply with all the terms and conditions that are specified within this permit.

2. This facility shall comply with all terms and conditions that are contained in the documents that are referenced in Section 15 of this permit.

3. This facility shall comply with all applicable State Minimum Standards for Solid Waste Handling and Disposal.

4. This facility shall operate in compliance with all applicable federal, state and local laws and regulations. When violations are brought to the attention of the operator by a regulatory agency, the operator shall correct such violations within the time frame specified by the respective regulatory agency .

5. The operator shall provide to the LEA, upon request, any additional information as deemed necessary to inspect or permit this facility.

6. The operator shall maintain current all necessary permits and licenses. Copies of all permits shall to made available, upon request to the LEA for inspection.

7. The operator shall not change any significant aspects of the operation without first having obtained the approval of the LEA and the concurrence of the Integrated Waste Management Board. The operator shall notify the LEA in writing at least 120 days in advance of any proposed significant changes in operation or design. Any changes in operation must comply with all pertinent federal, state and local laws and regulations.

8. The operator shall comply with all applicable laws and regulations pertaining to employee health and safety. The operator shall maintain a written Injury and Illness Prevention Program Plan. The plan shall be made readily available to employees, the LEA and other regulatory agencies. The plan shall include a comprehensive employee training plan that addresses hazard recognition, hazardous material/waste management , etc. Station personnel are to be provided with annual retraining and updates as needed. New employees are to be trained prior to an assignment to a work station.

9. The LEA reserves the right to require the operator to provide more stringent dust control measure if the current and proposed dust control measures are determined to be inadequate.

10. The facility is permitted to accept for processing and transfer, no more than 160 tons-per-day of mixed waste paper. Acceptance of more than this amount may require a permit revision.

11. The LEA, when deemed necessary, reserves the right to suspend or modify waste receiving operations due to any emergency, actual or potential health hazard and or public nuisance.

28 76F

State of California

California Environmental Protection Agency

Memorandum

To : Russ Kanz
Permits Branch, North
Permitting and Compliance Division

Date: 12-30-94

From : Michelle Marlowe-Lawrence
Michelle Marlowe Lawrence
Office of Local Assistance - Bay Area
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: **REVIEW OF THE PERMIT FOR FACILITY NO. 38-AA-0006 FOR CONFORMANCE WITH AB 2296**

The proposed project involves a permit for West Coast Recycling Company. The proposed facility is located within the boundaries of San Francisco and plans to accept 240 tons of waste a day for processing. The site is owned by Norcal Waste Systems, and receives up to 160 tons per day of waste paper from the commercial collection routes within the City.

The facility, operating since 1970 as the West Coast Salvage and Recycling Company, will be adding a conveyor belt sorting system and become a permitted solid waste facility once the Board concurs on this permit application. The proposed permit is for a Material Recovery Facility and Transfer Station. The facility has been a major component of San Francisco's ability to separate recyclables from its wastestream, and will continue to play a major role in San Francisco's ability to recover recyclables from the wastestream. San Francisco has targeted their commercial paper and glass generators with a variety of diversion programs and the commercial wastestream is hauled under an exclusive contract with Norcal, owner of the West Coast Recycling Company. The facility targets all paper, glass, metals and plastics for separation from the commercial wastes it receives and also receives pre-sorted materials which are collected through the City's curbside collection program for processing at the adjacent transfer station.

Based upon review of the submitted documents, and in consultation with the San Francisco City and County Planning Department, the proposed permit conforms with the required planning provisions as follows:

1. The permit revision is consistent with the State's waste diversion requirements (PRC 44009);
2. The facility is in conformance with the County's Solid Waste Management Plan (CoSWMP) (PRC 50000); and

3. The facility is consistent with the General plan for the City (PRC 50000.5).

PRC 44009: WASTE DIVERSION REQUIREMENTS

Existing diversion programs within San Francisco include dropoff/buy back facilities, residential curbside collection, a wide variety of commercial programs, city government programs, and an intensive public education program which offers a variety of printed materials in at least ten different languages. These existing programs resulted in San Francisco obtaining a 25% diversion rate in 1990. Diversion projections for 1995 and the year 2000 are 36% and 51.5%, respectively.

This facility had a throughput of 62,000 tons in 1993 and diverted 80% of the incoming wastes.

Board staff finds that the proposed permit for the facility will not prevent or impair the jurisdiction's achievement of AB 939 diversion goals for the jurisdiction which plans to use this facility.

PRC 50000: CONFORMANCE WITH THE COSWMP

PRC 50000 requires conformance with the most recently adopted CoSWMP until an approved CIWMP is in place. The 1988 CoSWMP identifies this facility and discusses the need for expansion to meet San Francisco's desire to expand recycling activities.

The 1988 CoSWMP describes this facility as one which has been processing mixed commercial and municipal waste since 1970. There has been a change in ownership and a slight name change, but this previously unpermitted facility has been serving San Francisco as a transfer site since 1970.

PRC 50000.5; CONSISTENCY WITH THE GENERAL PLAN

PRC 50000.5 requires consistency with county or city General Plans depending on where the facility is being sited. San Francisco is a city and a county, and on April 4, 1994, the planning department made a determination of conformance with the General Plan and issued the Conditional Use Permit for the modification and permitting of this facility. By taking this action the Planning Department also made a determination that the site is compatible with surrounding land use.

Attachment 5

California Integrated Waste Management Board
Permit Decision No. 95-39
January 25, 1995

WHEREAS, the San Francisco Department of Public Health, Bureau of Environmental Health Services, acting as the Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a new Solid Waste Facilities Permit for West Coast Recycling Company; and

WHEREAS, the City and County of San Francisco Planning Department, the lead agency for CEQA review, prepared a Negative Declaration for the proposed project and Board staff reviewed the Negative Declaration and provided comments to the City and County of San Francisco Planning Department on October 28, 1994; and the proposed project will not have a significant effect on the environment; and mitigation measures were not made a condition of the approval of the proposed project; and the City and County of San Francisco Planning Department did not adopt a Statement of Overriding Considerations: and the City and County of San Francisco Planning Department filed a Notice of Determination with the County Clerk on November 23, 1994; and

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

WHEREAS, it was determined during an inspection on September 13, 1994 that the facility's design and operation is in compliance with the State Minimum Standards for Solid Waste Handling; and

WHEREAS, the project description in the CEQA document is consistent with the proposed permit; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, and consistency with the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 38-AA-0006.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM 16

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for the Scotts San Joaquin County Regional Composting Facility, San Joaquin County

COMMITTEE ACTION:

As of the date that this item went to print, the Permitting and Enforcement Committee had not made a recommendation or decision on this item.

BACKGROUND:

Facility Facts

Name:	Scotts San Joaquin County Regional Composting Facility, Facility No. 39-AA-0026
Facility Type:	Green Waste Compost Facility
Location:	23390 Flood Road, Linden, 12 miles east of Stockton
Area:	75 acre property, 22 acre parcel permitted for compost operations
Setting:	Surrounding land zoned general agricultural
Status:	Proposed (will commence operations following RWQCB approval)
Daily Tonnage:	Permitted to accept a maximum of 500 tons per day not to exceed 75,000 tons per year
Owner:	O.M. Scotts and Sons Company, Hyponex Corporation, Robert M. Wood, Vice-President
Operator:	O.M. Scotts and Sons Company, Hyponex Corporation, Mr. Jerry Woolsey, Contact
Designated LEA:	San Joaquin County Health Services, Environmental Health Division Donna Heran, Director
Proposed Project:	Construction and operation of a green waste compost facility

Site History The Scotts Hyponex Company has operated a soil amendment blending and bagging operation adjacent to the proposed composting site for approximately 15 years. The Scotts Company has been in business for over 120 years and presently receives, processes, and markets over 2.5 million tons of organic material per year.

SUMMARY:

Project Description The Scotts San Joaquin County Regional Composting Facility will be located on a 22 acre parcel at the southern portion of the Scotts 75 acre facility, which includes an operating blending and bagging plant. Surrounding land is designated general agricultural. The facility will be available for receipt of yard trimmings from 6:00 a.m. to 6:00 p.m. Monday through Saturday. It will not, however, be open to the general public.

The facility will be permitted to receive a maximum of 500 tons per day of yard trimmings. The source separated materials include brush, tree trimmings, leaves and grass. The facility will be permitted to process up to 75,000 tons of green material per year but is expected to initially process approximately 30,000 tons per year.

On-site equipment includes: truck scales; front end loader; diesel wood processing system; scarab-type windrow turner; water truck. Back-up equipment is available from the operator's adjacent blending and bagging plant.

The Report of Composting Information (RCI) indicates that all compost operations, including monitoring and turning frequency, will be conducted in compliance with all requirements of the Board's Green Composting Regulations, Title 14 of the California Code of Regulations, Chapter 3.1, Sections 17851 - 17895. Windrow temperatures will be monitored daily by taking temperature readings every 100 feet, maintaining the temperature above 131^{0}F for a minimum of 15 consecutive days.

The operator does not expect contamination to be a problem due to the nature and source separation of the yard trimmings. However, the operator will take one sample every 5,000 cubic yards of finished compost and have it analyzed at a state-certified laboratory. The finished product will be bagged at the operator's adjacent plant for sale to the general public.

Other Regulatory Concerns The Regional Water Quality Control Board (RWQCB) sent a letter to the operator on September 22, 1993, stating that Waste Discharge Requirements for the composting operations were not necessary for this facility and that a Report of Waste Discharge (RWD) was not required. Based on this letter, the LEA accepted the application package as complete. However, the RWQCB has since changed its policy; the operator is now required to submit an RWD and obtain a waiver from WDRs at a regularly scheduled RWQCB meeting.

As this item goes to print, the operator has not received WDRs or a waiver. The LEA has, however, placed a condition in the permit requiring a WDR or waiver issued by the RWQCB before the facility can begin operations. Section 17859(a)(4) states, in part, that applicants of green compost facilities must obtain RWQCB WDRs, or waivers therefrom, and submit copies to the enforcement agency. A waiver from WDR's is scheduled to be considered by the RWQCB at its regularly scheduled monthly meeting on January 27, 1995.

Also, the San Joaquin Valley Unified Air Pollution Control District has issued all necessary Permits to Construct for equipment to be used for the proposed composting operation.

Environmental Controls Site environmental controls for dust, odor, disease vectors, birds, drainage, litter, noise, and, traffic are described in the RCI and are summarized below:

Dust will be controlled by use of a water truck to suppress dust at all processing areas. Grinding operations will be conducted in areas which are designed to minimize the generation of dust and to facilitate easy, continuous clean-up. Site personnel will wet down dry loads as they are tipped.

Vectors and birds will be controlled by implementing the following housekeeping procedures: prohibition of food wastes; regular cleaning; minimizing unnecessary stockpiling; weekly removal and disposal of residual wastes. In addition, the high temperatures maintained during the active composting period and periodic turning of the windrows will control disease vectors and pathogens.

Leachate generated during wet weather composting will be collected and discharged through the facility's storm water management system. The operator has filed a Notice of Intent (NOI) with the RWQCB regarding the proposed discharge. The facility will compost yard trimmings only and the RWQCB had originally stated in a September 22, 1993 letter that the site "should not produce a significant amount of pollutants which

could adversely affect the quality of waters of the state", concluding that an RWD would not be required for the proposed operation. The Water Board has since informed the operator that they must submit a RWD and obtain either a WDR or a waiver. The waiver is scheduled to be heard by the RWQCB on January 27, 1995.

Odors will be minimized by careful monitoring and control of temperature, moisture, and aeration. Windrows will be turned on a regular basis to ensure that anaerobic conditions do not develop. Materials arriving at the facility will be processed within 72 hours of their arrival. High nitrogen materials, such as grass, will be processed within 48 hours. In addition, the operator will reject any loads which are extremely odorous. If necessary, masking materials and deodorizers will be used to mitigate odors.

Litter is not expected to be a problem at this facility due to the nature of the waste. The facility will accept yard trimmings only. Blowing debris will be minimized through the use of wetting, regular cleaning, and if necessary, fencing. Trucks delivering material to the facility will be required to have a tarp or screen cover.

Noise is not expected to create a nuisance; the facility is surrounded by undeveloped agricultural land. All equipment used at the site will meet Cal OSHA noise regulations and be maintained on a routine schedule. In addition, site personnel will be required to follow Cal OSHA standards for noise reduction and hearing protection.

Traffic is expected to increase by an additional 12 trucks entering and exiting the site daily. The facility will not be open to the general public.

Fires will be controlled by diverting any burning materials to an isolated portion of the facility, away form stockpiles and close to on-site water supplies. A water tank, water truck, and fire extinguishers are available on-site. All personnel will receive fire prevention and control training. Finally, the temperature and moisture content of the windrows will be carefully monitored to prevent fires.

Hazardous Wastes will be prevented from entering the composting areas by checking material as it is tipped. The operator does not expect a problem with delivery of hazardous wastes because the yard trimmings are source separated. However, site personnel will be trained to recognize potentially hazardous materials and follow established procedures for clean-up and notification.

Resource Recovery The San Joaquin County Integrated Waste Management Task Force determined on February 16, 1994, that the proposed compost facility is consistent with the goals and policies established by the Task Force for San Joaquin County Integrated Waste Management.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on December 12, 1994, the last day the Board may act is February 10, 1995.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Plan

   The LEA determined that the proposed facility is not in the most recently approved edition of San Joaquin County's Solid Waste Management Plan (CoSWMP). However, on February 16, 1994, the County's Local Task Force reviewed and commented on the site identification and description of the facility in order to satisfy the requirements of PRC 50000(a)(4).

2. Consistency with General Plan

   The LEA has found that the proposed facility is consistent with, and is designated in, the County General Plan. Board staff agree with said finding.

3. Consistency with Waste Diversion Requirements

   Staff of the Board's Diversion, Planning and Local Assistance Division make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would prevent or substantially impair the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit would neither prevent nor substantially impair the County of San Joaquin from meeting its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document whenever a project requires discretionary approval by a public agency. The San Joaquin County Community Development prepared a Negative Declaration (ND) (SCH# 93102034) for the proposed project. The ND was certified as approved by the lead agency on December 1, 1993, and a ND was filed by the lead agency on December 20, 1993.

The Lead Agency submitted a Negative Declaration to the Governor's Office of Planning and Research for distribution to responsible agencies for review and comment. Since the Governor's Office did not forward a copy to the Board, staff did not comment on the ND during its preparation. However, after reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and that the ND is adequate and appropriate for the Board's use in evaluating the proposed permit.

5. Compliance with State Minimum Standards

The LEA has made the determination that the facility is designed and will be operated in compliance with the State Minimum Standards for Solid Waste Handling and Disposal based on their review of the submitted Report of Compost Information and supporting documentation. Since this facility is not yet constructed or operating, no inspection has been conducted.

STAFF RECOMMENDATION:

Because a new Solid Waste Facilities Permit is proposed, the Board must either concur or object to the proposed permit as submitted by the LEA.

Staff recommend that the Board adopt Permit Decision No. 95-36 concurring in the issuance of Solid Waste Facilities Permit No. 39-AA-0026.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Permit No. 39-AA-0026
4. AB2296 Finding of Conformance
5. Permit Decision No. 95-36

Prepared by: Jon Whitehill Phone: 255-2338

Reviewed by: Don Dyer Jr.\Cody Begley Phone: 255-2453

Approved by: Douglas Okumura Phone: 255-2431

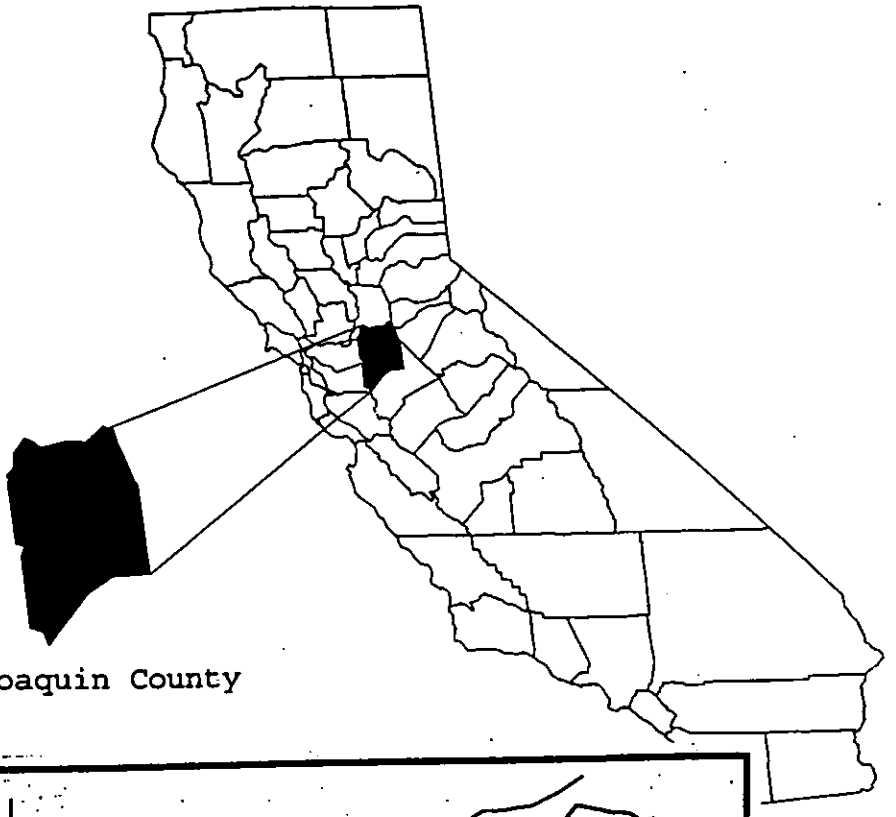
IN CONSIDERATION OF THE IN-HOUSE WASTE PREVENTION POLICY

ATTACHMENTS 1 - 4

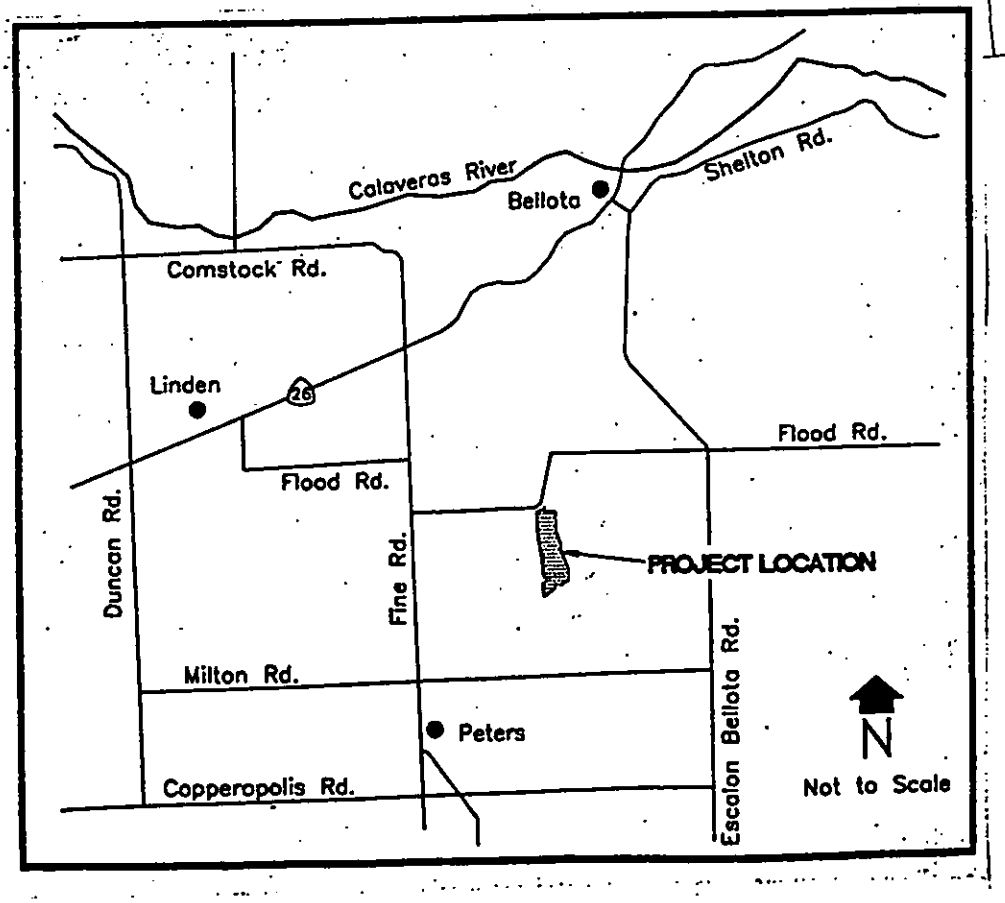
HAVE BEEN ~~DELETED FROM~~ Included IN THE BOARD PACKET

~~PLEASE REFER TO~~ Pulled from THE PERMITTING & ENFORCEMENT COMMITTEE AGENDA PACKET FOR COPIES OF ATTACHMENTS

ATTACHMENT 1



San Joaquin County



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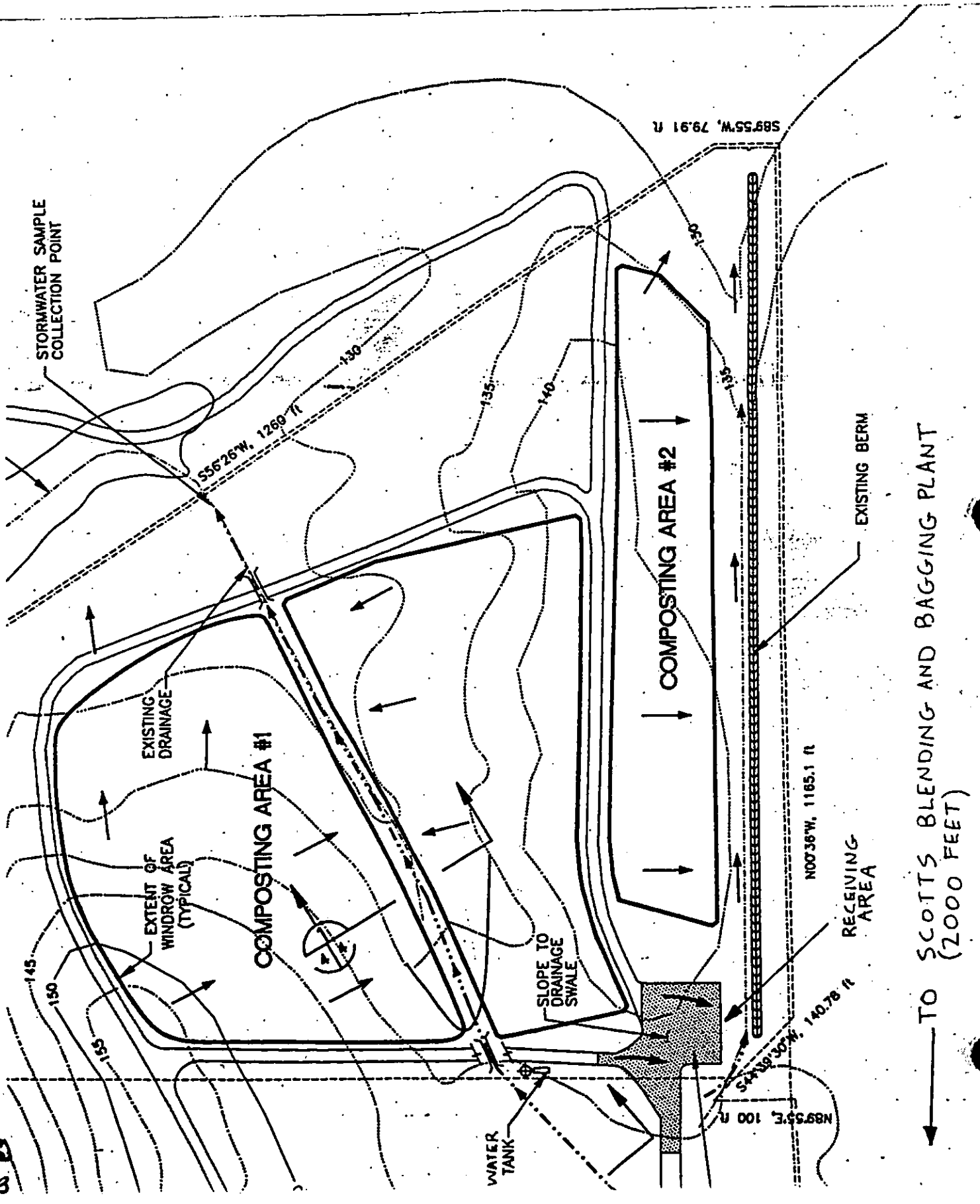
STORMWATER SAMPLE COLLECTION POINT
S56°26'W, 1269 ft
S89°55'W, 79.91 ft
130
135
140
145
150
155
EXISTING DRAINAGE
EXTENT OF WINDROW AREA (TYPICAL)
COMPOSTING AREA #1
COMPOSTING AREA #2
SLOPE TO DRAINAGE SWALE
WATER TANK
N89°55'E, 100 ft
S44°39'30"W, 140.78 ft
N00°36'W, 1165.1 ft
RECEIVING AREA
EXISTING BERM
TO SCOTTS BLENDING AND BAGGING PLANT (2000 FEET)

SOLID WASTE FACILITY PERMIT

ATTACHMENT 3

2. Name and Street Address of Facility:	3. Name and Mailing Address of Operator:	4. Name and Mailing Address of Owner:
SCOTTS SAN JOAQUIN COUNTY REGIONAL COMPOSTING FACILITY 23390 FLOOD ROAD LINDEN, CA 95236	O.M. SCOTTS & SONS COMPANY 23390 FLOOD ROAD LINDEN, CA 95236	O.M. SCOTTS & SONS COMPANY 23390 FLOOD ROAD LINDEN, CA 95236

5. Specification

a. Permitted Operations:

[ ] Composting Facility (mixed wastes)
[X] Composting Facility (yard waste)
[ ] Landfill Disposal Site
[ ] Material Recovery Facility
[ ] Processing Facility
[ ] Transfer Station
[ ] Transformation Facility
[ ] Other: _____

b. Permitted Hours of Operation:
Monday -Saturday 6:00 a.m. to 6:00 p.m.

c. Permitted Tons per Operating Day: Total: 500 Tons/Day

Non-Hazardous - General	Reported with general tonnage	Tons/Day
Non-Hazardous - Sludge	N/A	Tons/Day
Non-Hazardous - Separated or comingled recyclables	N/A	Tons/Day
Non-Hazardous - Other (See Section 14 of Permit)	N/A	Tons/Day
Designated (See Section 14 of Permit)	N/A	Tons/Day
Hazardous (See Section 14 of Permit)	N/A	Tons/Day

d. Permitted Traffic Volume: Total: 25 Vehicles/Day

Incoming waste materials	20	Vehicles/Day
Outgoing waste materials (for disposal)	1	Vehicles/Day
Outgoing materials from material recovery operations	4	Vehicles/Day

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

	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	77 a	a	a	a	77 a	a
Design Capacity		cy	tpd	tpd	1120 tpd	tpd
Max. Elevation (Ft. MSL)		ft				
Max. Depth (Ft. BGS)		ft				
Estimated Closure Date						

The permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, the 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 previous issued solid waste facility permits.

6. Approval:

_____
Approving Officer Signature

DONNA HERAN, R.E.H.S., DIRECTOR OF E.H.D.
Name/Title

7. Enforcement Agency Name and Address:

SAN JOAQUIN COUNTY
PUBLIC HEALTH SERVICES
ENVIRONMENTAL HEALTH DIVISION
P O BOX 388 (445 N SAN JOAQUIN ST)
STOCKTON, CA 95201-0388

8. Received by CIWMB:
DEC 1 2 1994

9. CIWMB Concurrence Date:

10. Permit Review Due Date:

11. Permit Issued Date:

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

39-AA-0026

12. Legal Description of Facility (attach map with RFI):
Parcel one in the northeast quarter of Section thirty (30), Township two (2) North, Range Nine (9) East. Assessors Parcel Number is 093-110-03-11.

13. Findings:

a. This permit is consistent with the Local Task Force pursuant to PRC 50000(a)(4).

b. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB). Public Resources Code, Section 44010.

c. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA and CIWMB on _____.

d. The Linden-Peters Fire District has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151.

e. An environmental determination (i.e. Notice of Determination) #SCH#93102034 is filed with the State Clearinghouse for this facility pursuant to Public Resources Code, Section 21081.6.

f. A San Joaquin County Integrated Waste Management Plan has not been approved by the CIWMB.

g. The following authorized agent has made a determination that the facility is consistent with, and designated in, the applicable general plan: San Joaquin County Community Development Department, Planning Division. Public Resources Code, Section 50000.5(a).

h. On December 20, 1993 the San Joaquin County Community Development Department, Planning Division made a written finding that surrounding land use is compatible with the facility operation, as required in Public Resources Code, Section 50000.5(b). _____

14. Prohibitions:
The permittee is prohibited from accepting any liquid waste sludge, non-hazardous waste requiring special handling, designated waste, or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable permits.

_____
_____
_____
_____

The permittee is additionally prohibited from the following items:

1. Liquid wastes or slurries
2. Medical wastes
3. Dead animals
4. Hazardous wastes and designated wastes
5. Ash
6. Sludges
7. Food wastes
8. Cannery wastes
9. Contaminated soil

15. The following documents also describe and/or restrict the operation of this facility (insert document date in space):

	Date		Date
[X] Report of Facility Information (RCSI)	2/94	[ ] Contract Agreements - operator and contract	____
[X] Land Use Permits and Conditional Use Permits SA-93-41	12/21/93	[ ] Waste Discharge Requirements	See condition No. 7, page 3 of this permit
[X] Air Pollution Permits and Variances	11/9/93	[ ] Local & County Ordinances	____
[X] EIR or Negative Declaration	12/20/93	[ ] Final Closure & Post Closure Maintenance Plan	____
[ ] Lease Agreements - owner and operator	____	[ ] Amendments to RFI	____
[ ] Preliminary Closure/Post Closure Plan	____	[ ] Other (list): _____	
[ ] Closure Financial Responsibility Document	____		

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SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

39-AA-0026

1. Monitoring:

a. Results of all self-monitoring programs as described in the Report of Facility Information, will be reported as follows:

Program	Reporting Facility	Agency Reported To
1. A record of weather conditions shall be maintained. The record shall include: rainfall, wind conditions, and unusual meteorological occurrences.	Keep on site and available upon request of LEA	LOCAL ENFORCEMENT AGENCY (LEA)
2. A report of quantities of yard waste received at the facility, finished product removed from the facility, and waste removed from site, shall be provided to the LEA on a quarterly basis showing monthly breakdowns. The records shall indicate the quantities in tons and include weight and record data. The records shall be submitted to the LEA by the 15th day of the subsequent month.	QUARTERLY	LEA
3. Temperature of the active compost shall be monitored and recorded as specified in the California Code of Regulations, Title 14, Division 7, Articles 3 & 4 (14 CCR). The following records shall be kept for the windrows: number, size and age of windrows, daily temperature and frequency of aeration.	Keep on site and available upon request of LEA	LEA
Special occurrence log must be kept on site . fires, explosions, accidents, inadvertent acceptance of hazardous waste).	Keep on site and available upon request of LEA	LEA
5. In addition to storm water monitoring records a log shall be kept for leachate monitoring. One sample of leachate shall be taken from each of the first five composting batches of feed stock generating leachate and analyzed for organo-phosphates, using EPA method 8140, plus nitrate testing (14 CCR, Section 17876(A)1).	QUARTERLY	LEA, RWQCB
6. One sample per 5000cy of finished compost must be taken and analyzed at a Department of Health Services laboratory. Samples shall be analyzed for constituents required pursuant to 14 CCR, Section 17887.	MONTHLY	LEA
7. Finished compost will be analyzed for metals as specified in 14 CCR, Section 17887.	MONTHLY	LEA
8. A certification that pathogen reduction criteria are met must be completed using CIWMB Form 5000. Submit this to the LEA.	MONTHLY	LEA, CIWMB
9. Submit an annual report to EHD by January 31, of each calendar year summarizing all reporting requirements (i.e. material quantities and test results)	YEARLY	LEA

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

39-AA-0026

17. LEA Conditions:

1. The design and operation of this facility must comply with all applicable federal, state, and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to Public Resources Code, Section 21031.6.

2. The design and operation of this facility must comply with all applicable state minimum standards for solid waste handling and disposal.

3. Additional information concerning the design and operation of this facility must be furnished upon the request of the LEA.

4. A change in operator for this site will require a new solid waste facility permit. The LEA shall be notified in writing of any change in ownership or operator of the facility.

5. The facility shall meet the design and operational standards of the California Code of Regulations, Title 14 (CCR 14), Chapter 3.1, Article 1, Section 17851.

6. Waste water shall not be allowed to discharge off the property or into any waterway.

7. Before composting operation commences a letter must be received from the California Regional Water Quality Control Board clarifying whether or not Waste Discharge Requirements (WDR's) are necessary. If WDR's are necessary an approved WDR plan must be received by this office before operation commences.

8. All incoming green waste shall be inspected for hazardous waste. In the event hazardous waste is inadvertently received it shall be managed, stored and disposed of in an appropriate manner.

9. This permit is subject to review by the LEA and may be modified, suspended, or revoked for sufficient cause following a hearing.

10. All end products that contain chemicals exceeding the STLC or TTLC limits shall be managed as hazardous waste.

11. Yard trimmings must be processed at facility within 72 hours of arrival on site.

12. Specific operational standards which the San Joaquin County Regional Composting Facility must meet are as follows:

    a. Amounts of incoming wastes to be processed must not exceed 75,000 tons per year or 500 tons per day.
    b. Litter: Yard waste will be source separated from any unacceptable material before it reaches the site.
    c. Noise: Noise produced at the facility will comply with the provisions of the San Joaquin County Development Code, Title 9, Section 9-1025.9.
    d. Odors: The windrows will be turned as frequently as necessary and the aerated static piles maintained to prevent anaerobic degradation and migration of attendendant unpleasant odors off-site.
    e. Dust: Dust control shall be maintained to prevent limiting the visibility of personnel on-site and from creating a nuisance off-site.
    f. Vectors: Windrows and static piles will be maintained to prevent the attraction or establishment of flies, rats, or other vectors in the compost.
    g. Fire: Windrows will be monitored for internal temperature and spaced and turned appropriately to prevent fires. In the case of fire, water available on-site will be used for suppression and the emergency number 911 shall be used to summon the California Department of Forestry, Fire Protection and other responders.
    h. Finished compost shall not be stored outside the 22 acre permitted composting area. Storage piles shall be spaced appropriately and not exceed 15 feet in height.
    i. The operator shall maintain a copy of this permit at the facility, available at all times for the operators of the facility.

State of California

ATTACHMENT 4

RECEIVED
DEC 19 1994
MGA

MEMORANDUM

To: Cody Begley
Permits Branch - North
Permitting and Enforcement Division

Date: December 14, 1994

From: Lloyd Dillon
Office of Local Assistance
Governmental & Regulatory Affairs Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: CONFORMANCE FINDING FOR THE SCOTTS SAN JOAQUIN COUNTY REGIONAL COMPOSTING FACILITY, NUMBER 39-AA-0026

The proposed project involves a new permit for the Scotts San Joaquin County Regional Composting Facility (Scotts). The facility will be located on 22 acres in the unincorporated area of San Joaquin County. The 22 acre site will be used to process residential and commercial yard trimmings to produce compost and mulch. The Scotts facility will only accept material delivered by municipal or commercial haulers and will not be open to the general public. The facility will serve the yard waste composting needs for San Joaquin County and adjacent counties.

The proposed project includes: receiving and preprocessing, material size reduction, transport of mulch to existing adjacent bagging plant, windrowing, monitoring of the windrows, and distribution of compost. It will take approximately 14 weeks to convert the yard trimmings into stabilized compost.

PRC 44009: Waste Diversion Requirement

San Joaquin County's Preliminary Draft Source Reduction and Recycling Element (SRRE) describe the programs that they will use to achieve the diversion mandates. The County expects to meet the diversion mandates through a combination of local and regional source reduction, recycling, and composting programs. These programs included the creation of a regional composting facility. The San Joaquin County Integrated Waste Management Task Force (LTF) stated in a February 16, 1994, letter that the proposed Scotts facility *"will be available to help San Joaquin County Jurisdictions meet their waste diversion goals."*

Board staff has reviewed the proposed Scotts facility Solid Waste Facilities Permit, the Report of Facility Information, and the Preliminary Draft Source Reduction and Recycling Element (SRRE) for the unincorporated area of San Joaquin County. Based on this review and in consultation with San Joaquin County staff, Board staff has determined that the new permit for Scotts facility, should not prevent or substantially impair the achievement of the waste diversion mandates.

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Cody Begley
39-AA-0026
December 14, 1994

PRC 50000: Conformance with the CoSWMP

The Scotts facility is a new composting facility and is not identified in the 1986, San Joaquin County Solid Waste Management Plan (CoSWMP). However, the proposed project was submitted to the San Joaquin County Integrated Waste Management Task Force (LTF) during their February 16, 1994, meeting. The proposed project was deemed consistent with the goals and policies established by the LTF for San Joaquin County. Based on this information Board staff concludes that the requirements of PRC 50000 have been met.

PRC 50000.5: Consistency with the General Plan

According to the Proposed Solid Waste Facilities Permit number 39-AA-0026 for the Scotts facility dated December 12, 1994, the San Joaquin County Community Development Department, Planning Division has made the determination that the project is consistent with, and designated in, the County Solid Waste Plan. In addition, the San Joaquin County Community Development Department, Planning Division made a finding on December 29, 1993, that the project is compatible with and conforms to the surrounding land use. This information was verified by Mr. Tom Horton, Solid Waste Manager with San Joaquin County Public Works Department.

Summary of Conclusions

Based upon the review of the submitted documents, the proposed permit conforms with the provision of AB 2296 as follows:

1. The permit is consistent with the State's waste diversion requirements (PRC 44009).

2. The facility is in conformance with the County's Solid Waste Management Plan (CoSWMP) (PRC 50000).

3. The facility is consistent with the San Joaquin County General Plan (PRC 50000.5).

If you have any questions or comments, please call Trevor Anderson at (916) 255-2309.

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California Integrated Waste Management Board
Permit Decision No. 95-36
January 25, 1995

WHEREAS, Scotts Hyponex Co. proposes to construct and operate the Scotts Hyponex San Joaquin County Regional Compost Facility near the City of Linden, Assessors Parcel Number 093-110-03-11; and

WHEREAS, the San Joaquin County Community Development, the lead agency for CEQA review, prepared a Negative Declaration (ND) for the proposed project; and the State Clearing House did not provide a copy of the proposed ND to Board staff for review and comment; and the proposed project will not have a significant effect on the environment; and mitigation measures were not incorporated into the approval of the proposed project; and the San Joaquin County Board of Supervisors adopted the ND (SCH# 93102034) on December 1, 1993, and approved the ND for the project on December 20, 1993; and

WHEREAS, the San Joaquin Board of Supervisors adopted Conditional Use Permit SA-93-41 on December 20, 1993, for the construction and operation of the compost facility; and

WHEREAS, the Regional Water Quality Control Board (RWQCB) waived Waste Discharge Requirements for the Scotts Hyponex Compost Facility on September 22, 1993; and

WHEREAS, the LEA accepted the permit application package as complete on March 18, 1994; and

WHEREAS, the RWQCB later determined on July 7, 1994, that Scotts Hyponex Company would need to submit a Report of Waste Discharge and obtain WDRs or waivers therefrom; and

WHEREAS, Condition 17(7) of the proposed permit states that the operator must verify that the RWQCB has adopted WDRs or granted a waiver before operations commence; and

WHEREAS, the San Joaquin Valley Unified Air Pollution Control District has issued Authority to Construct; and

WHEREAS, San Joaquin County Public Health Services, acting as the Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to, a new Solid Waste Facilities Permit for the Scotts Hyponex Compost Facility; and

WHEREAS, the project description in the CEQA document is consistent with the proposed permit; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board and found the facility design and operation in compliance with State Minimum Standards; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the County General Plan, and compliance with CEQA; and

WHEREAS, the LEA has determined that the facility will be designed to operate in compliance with State Minimum Standards for Solid Waste Handling and Disposal.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 39-AA-0026.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM #17

ITEM:

Consideration of Concurrence in the Issuance of a Modified Solid Waste Facilities Permit for the Tuolumne County Central (Jamestown) Sanitary Landfill, Tuolumne County

SUMMARY:

The Tuolumne County LEA has reviewed the 1983 Solid Waste Facilities Permit (SWFP) for the Jamestown Landfill (Attachment 7) and determined that the design and operation has not significantly changed since 1983. The LEA also concluded, however, that the permit should be updated, or modified, to impose more specific site design parameters, reflect changes in regulations, and reference the true operator. Therefore, as requested by Board staff, the LEA has submitted to the Board for its concurrence in or objection to the issuance of a proposed modified SWFP (Attachment 3).

Generally, the concurrence in insignificant permit changes is delegated to the Deputy Director of the Permitting and Enforcement Division. However, members of the public have asked that the decision to concur or object in the issuance of this permit be made at a public hearing due to the fact that no hearing has been held or will be held at the local level.

COMMITTEE\BOARD ACTION:

The Permitting and Enforcement Committee met on September 14, 1994 and voted 2-1 in favor of concurring in the issuance of the proposed permit. The Board met in Stockton on September 21 and, after hearing lengthy public testimony from three Tuolumne County residents opposing the landfill, voted 4 - 2 in favor of remanding the permit to the Permitting and Enforcement Committee while staff assessed information presented at the Board meeting.

The staff report prepared for the October 19, 1994 Permitting and Enforcement Committee analyzed the points of contention which opponents had presented at the September 21 Board meeting. The Committee forwarded the permit to the Board with no recommendation. After public testimony opposing the issuance of the modified permit, the operator withdrew the application and the permit was returned to the LEA. An analysis of public concerns is presented on pages 6-19 of the October 19, 1994 agenda item which is included as Attachment 4 of this agenda item.

As of the date that this item went to print, the Permitting and Enforcement Committee had not made a recommendation or decision on this item at its January 18, 1995, meeting.

ANALYSIS:

The permit, as proposed by the LEA in September, would have allowed the operator to use the entire 20.4 acres of permitted footprint. The permit application originally asked to retain the entire 20 acre foot print in the permit so that the County would have the option to later fund the necessary liners and extend the life of the landfill to 2003. Due in part to local opposition to the landfill, and because of the cost associated with complying with recent liner and monitoring requirements, the County has decided not to fund the lining of future disposal cells and to close the landfill as soon as a proposed large volume transfer station becomes operational.

On February 24, 1994, the Board concurred in the issuance of a new SWFP for the Cal Sierra Transfer Station. The proposed transfer station, which has not been constructed, is located adjacent to a residential neighborhood. The facility was designed and permitted to accept waste only from commercial haulers for transfer to the Jamestown Landfill.

Now that the landfill faces imminent closure, the transfer station will have to be redesigned and the CUP and SWFP revised to accommodate the general public and to allow an increase in the volume of the anticipated waste stream. A new CEQA determination will also be required. The proposed transfer station will now transfer waste to a landfill in Nevada rather than the Jamestown Landfill.

At the October 19, 1994 Board meeting, Mr. Gary Danielson, who introduced himself as the representative of those opposing the landfill and the proposed permit, stated that the opponents would withdraw their opposition if the LEA would remove the future disposal cells from the permitted fill area and change the closure date from 2003 to 1997 (Please see Attachment 8).

On November 2, 1994, the LEA submitted a new draft of the proposed permit which prohibits the construction of any new waste cells and requires the landfill to close by December 31, 1997. Mr. Danielson subsequently sent a letter to the LEA stating that the permit meets the requirements he presented at the Board Meeting (Please see Attachment 9). More recently, Mr. Danielson and Mr. Richard Harriman, who was also in attendance at the meeting, have renewed their opposition to the permit.

Board staff met with opponents of the landfill on December 7, 1994. At this meeting, opponents indicated that since many of their concerns were related to ground water protection and/or closure of the landfill, they might withdraw their opposition to the permit if they could be assured that the landfill would actually close by the date in the permit, that it would close at an earlier date if a proposed transfer station became operational prior to July, 1996, and that the public would have a chance to comment on the Final Closure Plans.

Regarding public concerns with closure, Section 18260 of the California Code of Regulations (CCR) requires review and comment by the Board, LEA, and RWQCB. In addition, CCR Section 18269 states, in part, that Notice of receipt of final closure plans shall be mailed to those persons who request such notice in writing and that written public comments on the plans shall be received by the LEA for a period of 45 days. The County must also provide the Board with a CEQA document before the Final Closure Plan can be approved.

On December 9, 1994, the Regional Water Quality Control Board (RWQCB) adopted new Waste Discharge Requirements (WDRs) for the Jamestown Landfill. The WDRs require the operator to cease accepting waste at the active disposal cell by July 1, 1996 and to submit a Final Closure Plan by January 1, 1996.

The proposed permit submitted by the LEA now imposes the same closure date and closure plan due date as the WDRs, adding a condition that the landfill must close within 90 days of another permitted solid waste facility becoming operational and capable of handling the county's solid waste needs.

The landfill opponents still contend that the Tuolumne County Planning Department, Lead Agency for CEQA, has not complied with CEQA. On November 9, 1994, the Lead Agency prepared a Notice of Exemption (NOE) from CEQA under CCR Section 15061(b)(3). The NOE will be filed with the County Clerk and the Office of Planning and Research after approval of the project pursuant to CCR Section 15062. The NOE states that "it can be seen with certainty that there is no possibility the changes to the existing SWFP may have a significant effect on the environment. The proposed changes to the existing SWFP would either result in no environmental effect or would serve to reduce existing environmental effects. Therefore, the permit modification is not subject to CEQA" (Attachment 10).

Additionally, the landfill opponents contend that the Board should object to the permit because the operator failed to precisely follow a 1974 "Master Plan". This operations plan, one of many that have been prepared for the landfill, has never been a conditioning document of any permit.

Regardless, the landfill is not operating outside the terms and conditions of the 1983 SWFP.

FACILITY DESCRIPTION:

See Attachment 4, Pages 2-5, for site history and complete description of facility design and operation. Also see Attachments 1, 2, 5, and 6 for maps showing the site area, facility boundaries, and surrounding land uses.

FINDINGS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on December 1, 1994, the last day the Board may act is January 30, 1995.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Solid Waste Management Plan

   Because this is not a new or expanded facility, a finding of conformance with the County Solid Waste Management Plan is not required.

2. Consistency with General Plan

   Because this is not a new or expanded facility, a finding of conformance with the General Plan is not required.

3. Consistency with Waste Diversion Requirements

   The Board's Diversion, Planning and Local Assistance Division staff made an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would prevent or substantially impair achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the

proposed permit would neither prevent nor substantially impair the jurisdiction's achievement of AB 939 waste diversion goals. The analysis used in making this determination is included as Attachment 11.

4. California Environmental Quality Act (CEQA)

On November 9, 1994, the Tuolumne County Planning Department prepared a Notice of Exemption (NOE) from CEQA under CCR Section 15061(b)(3). The NOE will be filed with the County Clerk and the Office of Planning and Research after approval of the project pursuant to CCR Section 15062.

The NOE states that "it can be seen with certainty that there is no possibility the changes to the existing SWFP may have a significant effect on the environment. The proposed changes to the existing SWFP would either result in no environmental effect or would serve to reduce existing environmental effects. Therefore, the permit modification is not subject to CEQA" (Attachment 10). The Planning Department's analysis for this decision is contained in Attachment 13.

5. Consistency with State Minimum Standards

LEA and Board staff conducted a joint inspection of the Jamestown Landfill on December 21, 1994. The inspection noted three violations of State Minimum Standards for Solid Waste and Handling: CCR Section 17682 (Daily Cover); CCR Section 17684 (Intermediate Cover); and CCR Section 17708 (Drainage Control). The operator expects to be in compliance with the above standards prior to the January Permitting and Enforcement Committee meeting.

6. Financial Assurances

Tuolumne County has established an enterprise fund to cover the estimated closure and postclosure maintenance costs for this facility. Based on documentation submitted by the operator, the Board's Financial Assurances Section determined on August 17, 1993, that the financial mechanism meets the requirements of Title 14, California Code of Regulations (CCR), Division 7, Chapter 5, Articles 3.5 and 3.3, Section 18284. Information provided by the operator indicates that the financial mechanism is adequately funded at this time. Staff have also determined that the certificate of liability insurance meets the operating liability requirements of CCR 18236.

7. Compliance with Closure and Postclosure Requirements

The Board's Closure and Remediation Branch deemed the Preliminary Closure and Postclosure Maintenance Plans complete on January 20, 1993. CCR Section 18255(a)(3) states that Final Closure and Postclosre Maintenance Plans are due two years before the anticipated date of closure. Now that the LEA and the RWQCB have imposed a closure date of July 1, 1996, Final Closure Plans are due. The proposed SWFP and the WDRs state that Final Closure Plans are due by January 1, 1996.

STAFF RECOMMENDATIONS:

Because a modified Solid Waste Facilities Permit is proposed, the Board must either object to or concur with the proposed permit as submitted by the LEA.

Staff recommend that the Board adopt Permit Decision No. 95-37 concurring in the issuance of Solid Waste Facilities Permit No. 55-AA-0002. Staff's recommendation is predicated on satisfactory resolution of the violations noted during the December 21, 1994 inspection by the LEA and Board staff.

ATTACHMENTS:

1. Area Map
2. Site Map
3. Proposed Permit
4. October 19, 1994, Board Agenda Item 1
5. Parcel Map
6. 1974 EIR Map
7. 1983 Solid Waste Facilities Permit
8. Pages 52-57, October 19, 1994, Board Transcripts
9. Letter from Gary Danielson, dated November 4, 1994
10. Notice of Exemption, dated November, 9, 1994
11. AB 2296 Conformance
12. Resolution No. 95-37
13. Tuolumne County Planning Department Letter, 10/13/94

Prepared by: Jon Whitehill Jon W. Phone: 255-2338

Reviewed by: Don Dier Jr. / Cody Begley C.B. Phone: 255-2453

Approved by: Doug Okumura Phone: 255-2431

Reviewed by Legal: Kathryn Tobias Phone: 255-2825

IN CONSIDERATION OF THE IN-HOUSE WASTE PREVENTION POLICY

ATTACHMENTS 1 - 11 AND 13

HAVE BEEN ~~DELETED FROM~~ Included IN THE BOARD PACKET

~~PLEASE REFER TO~~ Pulled from THE PERMITTING & ENFORCEMENT COMMITTEE AGENDA PACKET FOR COPIES OF ATTACHMENTS

ATTACHMENT 1

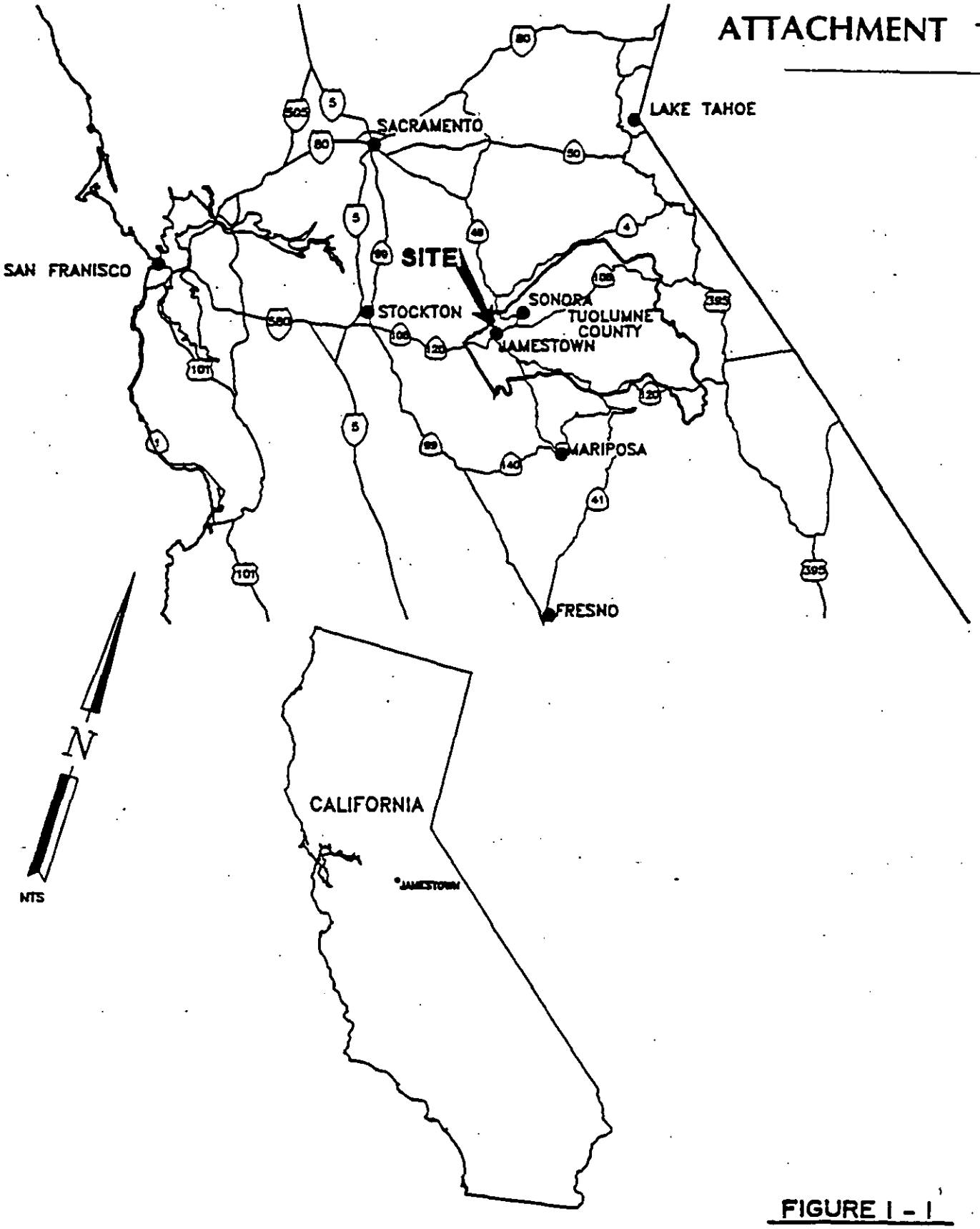

FIGURE 1 - 1

JOB NO. 9387-05	BAS	TUOLUMNE CENTRAL (JAMESTOWN) LANDFILL
DATE 2-1994	BRYAN A. STIRRAT & ASSOCIATES CIVIL AND ENVIRONMENTAL ENGINEERS 3780 ROSIN COURT, SUITE 260 SACRAMENTO, CA 95834-1646 (916) 568-8300	VICINITY MAP
DRAWN BY M.T.B.		
DESIGNED BY M.M.H.		

NAME: E:\JAMESTOWN\FIGURES\1718159.DWG DATE: MAR 04, 1994 TIME: 2:28 PM

ATTACHMENT 2

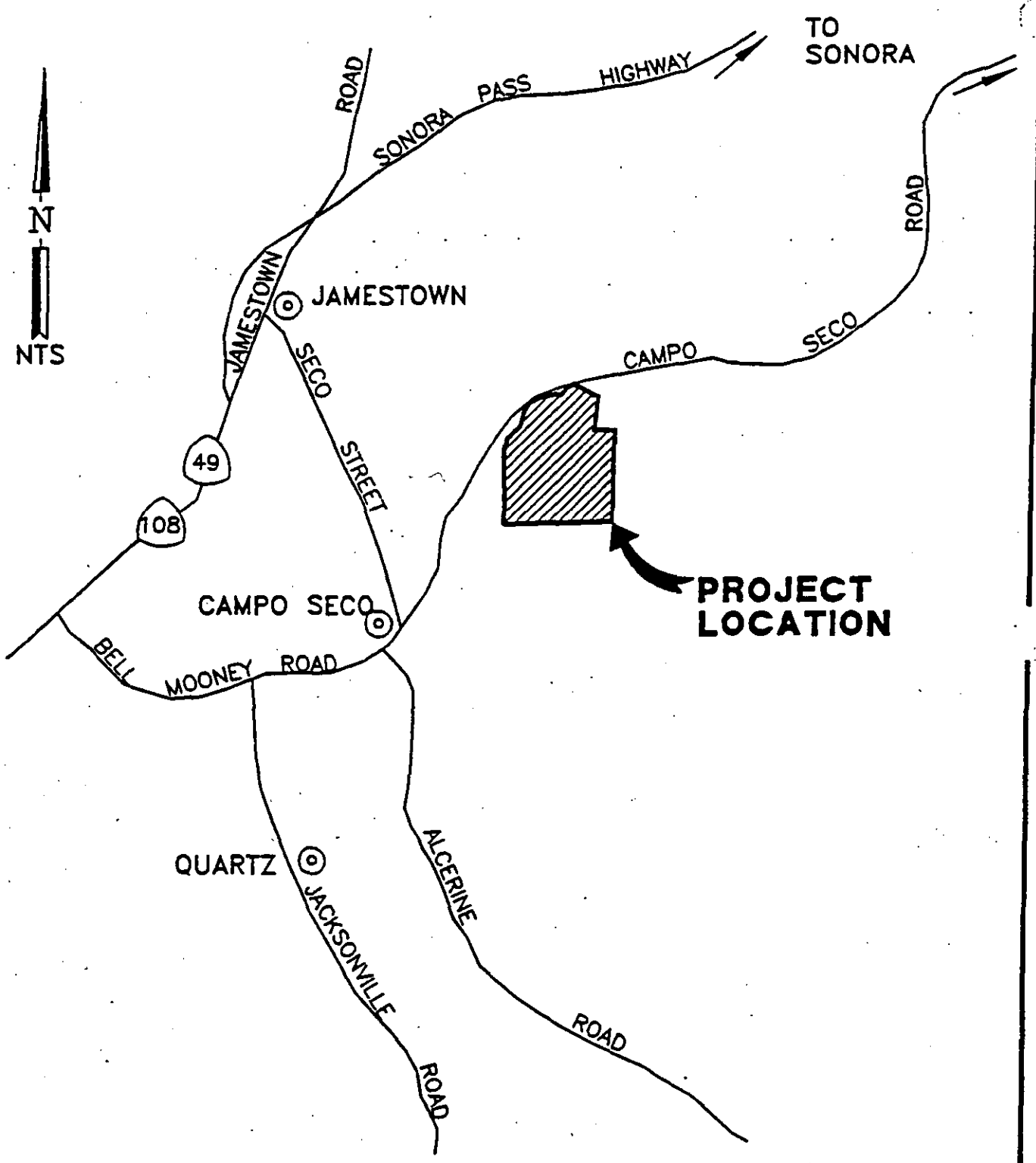

FIGURE 1 - 2

JOB NO. 9387-05 DATE 3-1994 DRAWN BY C.J.G. DESIGNED BY	BAS BRYAN A. STIRRAT & ASSOCIATES CIVIL AND ENVIRONMENTAL ENGINEERS 3780 ROSIN COURT, SUITE 260 SACRAMENTO, CA 95834-1646 (916) 568-6300	TUOLUMNE CENTRAL (JAMESTOWN) LANDFILL SITE LOCATION MAP

NAME: E:\JAMETOWN\FIGURES\1715338.DWG DATE: MAR 04, 1994 TIME: 11:41 AM

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SOLID WASTE FACILITY PERMIT

ATTACHMENT 3

2. Name and Street Address of Facility:	3. Name and Mailing Address of Operator:	4. Name and Mailing Address of Owner:
Tuolumne County Central (Jamestown) Sanitary Landfill 1800 Seco Terrace Drive Jamestown, CA. 95327	County of Tuolumne 2 South Green Street Sonora, CA. 95370	County of Tuolumne 2 South Green Street Sonora, CA. 95370

5. Specifications:

a. Permitted Operations:

[ ] Composting Facility (mixed wastes)
[ ] Composting Facility (yard waste)
[X] Landfill Disposal Site
[ ] Material Recovery Facility
[ ] Processing Facility
[ ] Transfer Station
[ ] Transformation Facility
[ ] Other: _____

b. Permitted Hours of Operation:
Monday through Saturday 7 A.M. through 4 P.M. 10-31 through 4-3 and 7 A.M. to 5 P.M. 4-5 through 10-30. Site is closed on certain National Holidays. (See condition #17(F)).

c. Permitted Tons per Operating Day: Total: Average 92 * see condition #17 (I) Tons/Day

Non-Hazardous - General	Average 92* Tons/Day
Non-Hazardous - Sludge	0 Tons/Day
Non-Hazardous - Separated or comingled recyclables	0 Tons/Day
Non-Hazardous - Other (See Section 14 of Permit)	0 Tons/Day
Designated (See Section 14 of Permit)	0 Tons/Day
Hazardous (See Section 14 of Permit)	0 Tons/Day

d. Permitted Traffic Volume: Total: 300 Vehicles/Day

Incoming waste materials	300 Vehicles/Day
Outgoing waste materials (for disposal)	0 Vehicles/Day
Outgoing materials from material recovery operations	3 Vehicles/Day

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

	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	54 a	20.4 a**	N/A a	N/A a	N/A a	N/A a
Design Capacity		1,925,000 cy**	N/A tpd	N/A tpd	N/A tpd	N/A tpd
Max. Elevation (Ft. MSL)		1900 ft				
Max. Depth (Ft. BGS)		1760 ft				
Estimated Closure Date		*** July 1, 1996				

**Refer to condition #17(G), ***Refer to condition #17(I)

The permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, the 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 previous issued solid waste facility permits.

6. Approval:

_____
Approving Officer Signature

_____
Name/Title Walter L. Kruse, Director of Environmental Health

7. Enforcement Agency Name and Address:

Tuolumne County Environmental Health
2 South Green Street
Sonora, CA. 95370

8. Received by CIWMB: DEC 2 7 1994

9. CIWMB Concurrence Date:

10. Permit Review Due Date:

11. Permit Issued Date:

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:
55-AA-0002

12. Legal Description of Facility (attach map with RFI): Facility is currently class III Solid Waste facility. Street Address is 18000 Seco Terrace Drive Jamestown, California 95327. Southeast ¼ of the Southwest ¼ of Section 11 and operation of the Northeast ¼ of the Northwest ¼ of Section 14, Township 1 North, Range 14 East, Mount Diablo Base and Meridian.

13. Findings:

a. This permit is consistent with the Tuolumne County Solid Waste Management Plan.

b. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB). Public Resources Code, Section 44010.

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

d. The following local fire protection district has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151: CDF: Tuolumne County Fire Department

e. The 1983 SWFP indicates Jesse Weigel, DBA Jamestown Landfill Company as operator. However, Tuolumne County has actually been the owner and operator prior to 1980 and the in fact Jesse Weigel DBA Jamestown Landfill Company was only the contract operator. Further, the 1983 RDSI states Mr. Weigel is the soul proprietor of the firm operating the premises under contract. 1988 Waste Discharge Requirements State "The 54 acre facility is owned by Tuolumne County is currently operated under contract by the Jamestown Landfill Company". The 1974 WDR's also indicate Tuolumne County as operator. The current contract operator for Tuolumne County is Central Sierra Landfill, agreement dated 5/27/94.

f. The Tuolumne County Planning Department found that the changes to the existing SWFP will not have a significant effect on the environment, will result in no environmental effect or would serve to reduce existing environmental effects. Therefore, this permit modification is not subject to CEQA and was deemed exempt. The Notice of Exemption will be filed by County Recorder upon issues of this permit.

14. Prohibitions:

The permittee is prohibited from accepting any liquid waste sludge, non-hazardous waste requiring special handling, designated waste, or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable permits.

A. Triple rinsed containers in accordance with Title 22 CCR Section 66261.7
B. Dead animals or portions thereof, as approved by the LEA.
C. Ashes from household burning.
D. Treated Medical Waste which is rendered solid waste.
E. Medical Waste as defined in Chapter 6.1, division 20 of the California Health and Safety Code.

The permit is additionally prohibited from the following items:

F. Asbestos containing greater than one percent friable asbestos.
G. Hazardous or Designated waste, unless approved by RWQCB. Liquids or semi solid wastes (<50% solids).
H. Sludge, sewage sludge and septic tank pumpings.

15. The following documents also describe and/or restrict the operation of this facility (insert document date in space):

	Date		Date
[X] Report of Disposal Site Information	March 1994	[X] Contract Agreements - operator and contract	May 1993
[ ] Land Use Permits and Conditional Use Permits	_____	[X] Waste Discharge Requirements	94-381
[X] Air Quality Solid Waste Assessment	Feb. 1990	[ ] Local & County Ordinances	_____
[X] Water Quality - Solid Waste Assessment Test	Sept. 1991	[ ] Final Closure & Post Closure Maintenance Plan	_____
[X] Notice of Exemption	Nov.1994	[ ] Amendments to RFI	_____
[X] Preliminary Closure/Post Closure Plan	Dec. 1992	[ ] Other (list): _____	_____
[ ] Closure Financial Responsibility Document	_____		

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:
55-AA-0002

1. Self Monitoring:
a. Results of all self-monitoring programs as described in the Report of Facility Information, will be reported as follows:

Program	Reporting Frequency	Agency Reported To
1. Record of receipt of Notice of Violation: operator shall notify LEA at once following receipt of a Notice of Violation or upon receipt of notification of complaints regarding the facility which has been received by other agencies.		
2. Copies of all complaints against facility to operators action to resolve complaint. Notify LEA of any complaints received within on day.		
3. Leachate monitoring, collection, treatment and disposal program record of quanity produced and disposed, and method of disposal.		
4. Alternate Daily cover (Fabrisoil) - Tarps must be inspected monthly to determine ability to satisfactorly cover waste. Worn areas, tears, rips, etc. should be noted. (See condition #5)		
5. Hazardous Materials load check inspection as noted in RDSI. quantities and types of Hazardous Waste found in waste stream.		
6. Records of mass or volume of waste handled during the previous year.		
7. Listing of dates of special occurances such as fires, injuries or property damage, accidents, explosions, incidents regarding Hazardous Waste, flooding, and other unusual occurances.		
8. Number of vehicles, and types and quantities of waste received each day.		
9. Employee training log.		

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:
55-AA-0002

17. LEA Conditions: REQUIREMENTS

A. This facility shall comply with all the State Standards for Solid Waste Handling Disposal.

B. Any information concerning the design and operation of this facility shall be furnished on request of the LEA.

C. The operator shall maintain a copy of this permit at the facility so as to be available at all times to a facility personnel and to any Enforcement Agency, personnel.

D. Any change in operator shall require a new permit.

E. Alternate Daily Cover (FabriSoil) tarps found unable to properly cover waste (due to worn areas, tears, rips etc.) must be replaced.

F. Refer to all documents that describe and/or restrict the operation of the facility for National Holiday in which the site is closed.

G. No wastes shall be disposed in the area depicted as the " 5 acre cell" in the RDSI. If construction of the "5 acre cell" is proposed, a revised permit application shall be required.

H. The site may accept a maximum of 150 tons/day. This maximum may be exceeded only on occasional 'County Clean Up Days' (average tons per day not to exceed 92 tons per day in a calendar year).

I. The operator shall submit Final Closure and Post Closure Maintenance Plans by January 1, 1996.

J. Landfill is to cease accepting waste July 1, 1996, or 90 days after the Cal Sierra Materials Resource and Recovery Facility is permitted and satisfactorily operational for commercial and self-haulers and hauling out of the county is satisfactorily operational with contracts agreed upon by the County of Tuolumne; whichever is sooner.

K. Closure activities are to begin July 1, 1996.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

SPECIAL BOARD MEETING

October 19, 1994

AGENDA ITEM 1

ITEM:

Consideration of Concurrence in the Issuance of a Modified Solid Waste Facilities Permit for the Tuolumne County Central (Jamestown) Sanitary Landfill, Tuolumne County.

BACKGROUND:

Generally, the concurrence in modified permits is been delegated to the Deputy Director of the Permitting and Enforcement Division. However, members of the public have asked that the decision to concur or object to in the issuance of this permit be made at a public hearing due to the fact that no hearing has been held or will be held at the local level.

BOARD ACTION:

The Board met in Stockton on September 21, 1994 and voted 4 - 2 in favor of remanding the permit to the Permitting and Enforcement Committee while staff assessed information presented at the Board meeting.

COMMITTEE ACTION:

As of the date that this item went to print, the Permitting and Enforcement Committee had not made a recommendation or decision on this item.

FACILITY DESCRIPTION:

Facility Facts

Name:	Tuolumne County Central (Jamestown) Sanitary Landfill, Facility No. 55-AA-0002
Facility Type:	Class III Landfill
Location:	Campo Seco Road, 2 miles East of Jamestown
Area:	54 acres; 20.4 acre disposal area
Setting:	Rural

Operational Status:	Active since 1974
Daily Tonnage:	1983 SWFP: 92 tons per day (TPD) average Proposed SWFP: 100 TPD maximum
Waste Types:	Mixed municipal; construction; demolition; industrial; agricultural
Capacity:	1,925,000 cubic yards
Closure Date:	Approximately 2003
Owner/Operator:	Tuolumne County Contact: Greg Jacob, Public Works
Contract Operator:	Central Sierra Landfill Company
LEA:	Tuolumne County Environmental Health Division, Walter L. Kruse, Director

Site History In 1974, after deciding to close the nearby burn dump, Tuolumne County completed an Environmental Impact Report (EIR) for the operation of a sanitary landfill near Jamestown. The Jamestown Landfill began operations in October of that year and was issued a Solid Waste Facilities Permit (SWFP) in 1983 (Attachment 7).

Although the 1974 EIR and the 1983 SWFP estimated that the site would close in 1989, the most recent estimates of landfill capacity indicate that the site could continue operating until 2003.

Site Description The Jamestown Landfill is located approximately 3 miles southwest of the City of Sonora and 1 mile southeast of Jamestown on Campo Seco Road in Tuolumne County. On-site structures and improvements include a gate house, fuel tank, storm water sedimentation pond. Soil for daily cover operations is excavated outside the permitted boundaries of the site. Additionally, any hazardous materials diverted from the waste stream as part of the facility's load checking program is stored in an off-site shed designed for that purpose.

Land to the immediate south and east are large parcels of grazing lands. Land to the immediate west is woodland owned by the county. Land to the north, across Campo Seco Road, consists of single family homes on five acre parcels, the closest located approximately 700 feet north of the disposal area.

The 20.4 acre disposal area is sited on a 54 acre landfill site which is located within a 57.38 acre parcel. This area is consistent with the 1983 permit and conditioning documents, most of which indicate that the site is a 54 acre landfill. The most restrictive description of the disposal area can be found in the 1983 RDSI which states that "the total

site contains 54 acres but nearly 2/3 of the acreage is reserved for buffer zone and entry road use". In addition to the "nearly" 2/3 acreage buffer contained within the 54 acre parcel, the county has since purchased additional acreage adjacent to the site.

Preparation of future disposal cells will entail the removal of 20,000 cubic yards of refuse and cover soil from an old unlined area. The area to be lined to meet the new liner standards will total approximately 5 acres (including some overlap with the active cell) and will be implemented in three phases. Only the first two phases are allowed by this proposed permit. Any disposal of waste out side Phases 1 and 2 would require additional environmental review and approvals.

The results of the most recent site survey and capacity calculations indicate that the final volume (total "air space") of the landfill is expected to reach 1,925,000 cubic yards. The 1983 permit did not condition or restrict the capacity of the landfill (or design parameters which might effect the capacity such as height, depth, or area) although the application submitted by the operator in 1983 estimated a final capacity at 933,000 cubic yards. While the most recent capacity estimates include the estimated final compacted volume of refuse <u>and</u> cover material, the 1983 figure may have estimated the uncompacted volume of refuse only.

The operator is currently conducting an approved alternative daily cover demonstration project. Since late 1992, the operator has covered the working face with a synthetic fabric material known as "Fabrisoil". The LEA has indicated that the synthetic tarp has performed adequately and expects to submit a revised permit allowing its ongoing use later this year. The LEA has granted an extension of the demonstration project to February, 1995 while the operator prepares the final performance evaluation results and the lead agency prepares the required CEQA document.

<u>Site/Permit Changes Since 1983</u>

The LEA has determined that the site design and operation have not significantly changed since the permit was issued in 1983 and therefore the permit does not need to be revised at this time. The LEA has further determined that any changes that have occurred are a result of improved technology and regulations. Otherwise the landfill is essentially the same facility operating at the same site.

Furthermore, the LEA has determined that, since the operator is not operating outside the terms and conditions of the 1983 permit, the landfill could continue operating as planned without the proposed permit. However, in order to produce a more descriptive, and enforceable permit, the LEA has requested that the operator apply for a modification of the permit.

The implemented and proposed changes in design and operation are listed below. The LEA has determined that the changes are not significant. In addition, the Tuolumne County Planning Department has determined that the project is exempt from CEQA. Also summarized below are the LEA's proposed modifications to the permit.

Site Changes Implemented Since 1983:

1) The operator has installed scales for weighing waste at the entrance gate;

2) The operator has implemented a household hazardous waste loadchecking program and installed a storage locker for hazardous wastes diverted from the disposal area;

3) Leachate is now transported to the public sewer rather than sprayed on fill areas;

4) The operator has initiated improvements to the drainage and sediment control systems;

5) The operator now closes the landfill at 4:00 p.m. in the winter rather than 5:30 p.m.;

6) The operator has initiated an approved alternative daily cover demonstration project.

Proposed Site Changes:

1) Future disposal cells and leachate collection and removal systems will be designed to meet more stringent State and Federal standards;

2) Due to improved calculations and operations, the operator now estimates that the landfill will remain operational 14 years longer than originally anticipated (the 1983 permit estimated that the landfill would reach capacity in approximately 1989; the proposed permit estimates a closure date of 2003).

Proposed Modifications to Permit:

1) The proposed permit establishes a maximum permitted daily tonnage. (The 1983 permit stated only that the site accepted an average of 92 tons per day; the proposed permit will establish a maximum daily tonnage of 100 tons per day);

2) The proposed permit will be modified to establish a maximum permitted disposal area (the 1983 permit only stated that the facility is a 54 acre landfill; the proposed permit limits the disposal area to 20.4 acres)

3) The proposed permit establishes a maximum permitted height (the 1983 SWFP did not restrict the height of the landfill; the proposed permit limits the height of the disposal area to 1,900 feet, mean sea level);

4) The proposed permit specifically lists permitted and prohibited wastes;

5) The proposed permit references revised Waste Discharge Requirements issued in 1988;

6) The proposed permit correctly references Tuolumne County as the operator (the 1983 SWFP inadvertently references the contract operator even though Tuolumne County was, and still is, the owner and operator).

ANALYSIS:

Public Concerns On July 25, 1994, Board staff met with members of the public concerned that this permit action should be considered a revision rather than a modification. At this meeting, the public raised the following specific concerns:

1) the proposed "5-acre cell" is outside the permitted disposal footprint. They say that the project description and the mitigation measures of the 1974 EIR and the 1983 RDSI restrict the disposal footprint to less than the 20.4 acres described in the proposed permit;

2) the site capacity has more than doubled over what is described by a 1983 permit application;

3) the site has exceeded its permitted height;

4) the closure date has significantly changed from 1989 to 2003;

5) the 1983 permit was issued to the contract operator rather than Tuolumne County and therefor this should be a new permit;

6) the west face of the landfill exceeds slope stability standards for final site faces;

7) the proposed 5 acre cell would exacerbate existing leachate problems at the site.

8) discrepancies in the proposed design and existing environmental controls demonstrate that the operator can not be trusted to properly implement the next phase of construction.

These concerns were addressed in the September 14, 1994 agenda item and discussed at the Permitting and Enforcement Committee meeting. However, at the September 21, 1994 Board meeting, the opponents again raised the above concerns in addition to many more which they felt had not been previously identified or adequately analyzed. Staff have reviewed the concerns raised at the Board meeting and offer the following analysis:

The following section first addresses public concerns with ***site design parameters*** *conditioned by the proposed permit:*

1) **Change in Area of Permitted Disposal Footprint** Although the 1983 permit and conditioning documents do not condition the exact size of the disposal area, landfill opponents contend that the filling of the next phase of the "footprint" should be considered an expansion of the landfill. At the September 21, 1994 Board meeting, landfill opponents cited an old operations plan (c. 1970s) which shows a disposal footprint smaller than provided by the proposed permit. The operator and LEA explain that old operations plans were prepared to help the site manager with day to day operations and were not intended as long range planning documents. The operations plans have never been considered conditioning or regulatory documents by any state or local agency.

A September 25, 1991 letter from the RWQCB states that, "our review of WDR Order No. 88-084 indicates that the Jamestown Central Landfill does not have a defined site life or boundary which would preclude development of a small final landfill cell within the flat area at the southeast end. We would not consider the final cell as a significant change which would require revision of WDR order No. 88-084." Regardless, the disposal area conditioned by the proposed permit closely matches the size and shape of the "Designated Fill Area" shown on page 17 of the 1974 EIR (Please see Attachment 6).

As a final point on this matter, the next phase of the fill area has already received waste. The operator failed to install a liner in this cell which contains approximately 20,000 yd^3 of refuse (mostly tires and brush) and cover soil. The waste was most likely put it place between 1980 and 1988 in violation of the 1974 WDRs which required the installation of two feet of impervious material. Although no agency has ordered the operator to remove waste from this area, the County proposes to remediate, or "reuse", this area by excavating the waste so that the entire area can be retrofitted with a liner and leachate collection system that meets "Subtitle D" standards.

CONCLUSION: Staff feels that there is substantial evidence to conclude that operations are currently within the area covered by the EIR and the original permit.The evidence does not support the allegation that the proposed permit would allow operations outside the permitted boundaries. Even without the proposed modifications to the permit, the operator could implement the next phase of the landfill under the 1983 permit. There is not substantial evidence submitted which supports the allegations that the proposed permit would allow operations outside the permitted boundaries.

2) **Change in Permitted Height of Disposal Area** Although the 1983 permit and conditioning documents do not condition the height of the landfill, opponents contend that the proposed permit would allow a significant increase in the permitted final height of the landfill. Landfill opponents cite a copy of an old operations plan which appears to show a final height 40 feet lower than that conditioned in the proposed permit. The operator and LEA explain that old operation plans were prepared to help the site manager with day to day operations and were not intended as long range planning documents.

As stated previously, a review of applicable permits issued to the facility indicates that the referenced operations plans have never been considered conditioning or regulatory documents by any state or local agency.

The 1974 EIR does not specifically describe or limit the final height of the landfill. The 1974 EIR states that the proposed site lies near the crest of a ridge at an elevation varying between 1,700-1,900 feet above mean sea level (MSL) and that the final grades will be designed to fit the surrounding topography. The ridge actually consists of two peaks, one at 1,920 feet and one at 1,850 feet. The LEA therefore wrote the proposed permit to limit the site to a maximum of 1,900 feet MSL.

Nevertheless, Section 17776(e) of the Board's closure regulations states that the operator shall design specific slope configurations and drainage methods depending upon local topography, climate, and postclosure land use. The preliminary closure plans, which are a conditioning document of the permit, show a final grade which varies in height between 1860-1900 feet above MSL, similar to the pre-1974 contours. A CEQA document will be prepared for closure of the landfill.

CONCLUSION: Staff feels that there is substantial evidence to support the LEA and Board staff in their determination that the final height of the landfill will not be significantly higher than previously proposed or permitted and that there is not substantial evidence to support the allegations that the final height will exceed permitted levels.

3) **Doubling Landfill Capacity** Opponents of the landfill contend that the permit proposed by the LEA would allow the capacity of the landfill to double to a final filled capacity of 1,925,000 cubic yards.

At the Board meeting, landfill opponents cited the 1983 permit application which estimates the capacity of the landfill to be 933,000 yd^3. A comparison of the proposed permit with the 1974 EIR indicates that neither the proposed footprint nor the proposed height of the landfill has significantly changed. The capacity of the landfill is not described in the 1974 EIR or conditioned by the 1983 permit or conditioning documents. Since the final area and final height of the landfill have not changed, staff conclude that the capacity estimated in the 1983 application must have either been inaccurate or based on faulty assumptions. The latest estimates of final capacity are based on site dimensions that are not outside the terms and conditions of the 1983 permit or the site description of the 1974 EIR.

Irrespective of the accuracy of the original estimates, improvements in waste management technology and operational controls have enabled the operator to pack more waste into the same space by using less cover material, better compacting the waste and cover material, more efficient preparation of excavated areas, and diversion of bulky items from the waste stream. Also, previous estimates were based on estimates of incoming uncompacted waste. The operator has since installed scales at the site entrance. According to the operator, the only capacity calculations which should be considered accurate are the estimates included in the closure plan because they are the only calculations that use quantifiable engineering analysis.

The LEA has determined that a significant change in design or operation has not occured. In summary, this determination is based upon: the footprint and height of the landfill not being different from the description in the 1974 EIR; improvements in operational control; improvements in waste management technology; and greater accuracy of capacity estimates .

CONCLUSION: There is no substantial evidence to support the allegations that the final capacity of the landfill has significantly changed from that originally provided by environmental documents or permits.

4) **Change in Estimated Closure Date** At the Board meeting, opponents stated that, because the estimated date of closure has changed, the permit should be revised rather than modified. However, the final capacity was originally miscalculated, which resulted in inaccurate site life estimates. In this case, the 1974 EIR and the 1983 permit estimated that the landfill would reach capacity in 1989. The most recent calculations estimate that the site could remain active until 2003, almost twice as long as originally anticipated. The LEA has determined that this does not constitute a significant change in design and operation and that the permit does not need to be revised to reflect this change. Also, the Tuolumne County Planning Department has determined that this change in the estimated closure date is exempt from CEQA.

The 1974 EIR states that "new technology in solid waste disposal has occurred and more significant breakthroughs are expected to evolve during the next ten years and may be incorporated into future planning." The 1974 EIR later predicts that, "as resource recovery becomes economical, Tuolumne County is prepared to incorporate recycling measures into the proposed disposal system." This statement indicates that the decision makers were aware that the landfill might well stay open past the original estimates.

In addition, as mentioned previously, a September 25, 1991 letter from the RWQCB states that, "our review of WDR Order No. 88-084 indicates that the Jamestown Central Landfill does not have a defined site life or boundary which would preclude development of a small final landfill cell within the flat area at the southeast end. We would not consider the final cell as a significant change which would require revision of WDR order No. 88-084."

CONCLUSION: Although the estimated site life has changed, no additional environmental controls are necessary as a result of this change and therefore a revision of the permit is not necessary to reflect this change. The change in estimated closure is due to changes in technology, changes in regulations, miscalculations in capacity, and an increase in recycling.

*The next section addresses **"significant changes"** in site design and operation:*

5) **Change in Facility File Number** At the meeting Mr. Danielson stated that, since the file number on the 1983 permit is 55-AA-002 and the number on the proposed permit is 55-AA-0002, a difference of one zero, the LEA should issue a new permit rather than a modified permit. The file number of the Jamestown Landfill has always been 55-AA-0002. Therefore the file number

referenced on the 1983 permit must have been a typographical error which will be corrected by the proposed modifications.

CONCLUSION: This change is ministerial and should be corrected through a permit modification.

6) **Change in Landfill Classification** At the meeting, Mr. Danielson stated that since the permit was issued in 1983 the landfill classification has changed from Class II-2 to Class III and therefore the LEA should require a new rather than modified permit.

The change in classification of the landfill is a result of State Water Resources Control Board revisions to their regulations in 1984. The classification of landfills that accepted non-hazardous solid waste was changed accordingly from Class II-2 to Class III. The composition of the waste stream has not significantly changed since the permit was issued in 1983.

CONCLUSION: The proposed permit does not change the types of waste to be accepted. This change is ministerial and should be corrected through a permit modification.

7) **Increase in Tonnage** Mr. Danielson stated at the meeting that since the permitted tonnage has changed from an average of 92 tons per day to a peak of 100 tons per day, the permit should be revised rather than modified. The permitted peak tonnage of 100 tons per day is much less than historical peak loads (sometimes over 150 tons per day) and is expected to ensure the average tonnage remains less than 92 tons per day. The landfill currently accepts less than an average of 92 tons per day.

CONCLUSION: Since this change will not allow an increase in tonnage entering the landfill, this change is ministerial and should be corrected through a permit modification.

8) **Decrease in Tonnage** Mr. Danielson stated at the meeting that, since the site is now taking less waste now than it was several years ago before wood waste and green waste were diverted from the site, the permit should be revised rather than modified. It is true that at one time the landfill received average tonnages above 92 tons per day and peak tonnages above 100 tons per day. However, the operator no longer disposes of wood waste, stumps, slash, green waste, cogeneration ash, tires, or white goods and the daily tonnages are now below permitted levels.

CONCLUSION: Since the proposed permit will not allow an increase in tonnage entering the landfill, this change is ministerial and should be corrected through a permit modification.

9) **Change of Operator** Although the County of Tuolumne has always been the owner and operator of the landfill, the permit issued by the LEA in 1983 inadvertently referenced the contract operator hired by the County to perform routine daily site operations. Board staff have historically held the county responsible for all activities and requirements at the landfill.

CONCLUSION: Because the operator has not changed, staff have determined that this proposed change to the permit is ministerial and should be handled as a permit modification.

10) **Operations Outside Permitted Area** At the meeting, Mr. Kessel stated that the landfill is operating outside the permitted 54 acre area making it a 57.38 acre landfill. Apparently the 54 acre site lies within a 57.38 acre parcel. No waste has been disposed outside the permitted 54 acre site or outside the 20.4 acres conditioned by the proposed permit. The operator has removed soil for cover operations from an adjacent county owned parcel of land. The LEA and Board have no jurisdicion over excavations and other activities outside the permitted boundaries of the landfill. Please see Attachment 5 for a detailed map of facility and parcel boundaries.

CONCLUSION: Because the operator does not process, store, or dispose of solid waste outside the permitted boundaries of the landfill, other activities outside the permitted boundaries are not conditioned by the proposed permit.

11) **Household Hazardous Waste Facility** Opponents stated at the Board meeting that the operator has implemented a Household Hazardous Waste Recycling Facility on-site. The County has proposed a collection facility for public drop-off of batteries, oil, paints, and antifreeze (BOP-Stop) which will be operated on outside the 54 acres conditioned by the proposed permit. The county has prepared a Negative Declaration for the proposed BOP-Stop which is currently being circulated for public comment. Hazardous wastes diverted by the landfill's load checking program will also be stored in the same storage locker as wastes collected by the BOP-Stop.

CONCLUSION: Since the BOP-Stop is outside the permitted boundaries of the landfill, this activity is not regulated under the proposed permit. Even if the activity were conducted within the 54 acre landfill boundary, it would be regulated by the Department of Toxic Substances Control, not this Board.

12) **Change in Surrounding Land Use** At the Board meeting, landfill opponents stated that surrounding land use and zoning has changed and therefore further environmental review and a permit revision is required. It is true that homes have been

built within 1/4 mile of the landfill since the 1983 permit was issued. However, homes have existed that close and closer since before the landfill began operations in 1974 and the LEA has determined that the construction of these homes, whose owners were aware of the existence of the landfill prior to purchase, does not require the permit to be revised.

CONCLUSION: There is no substantial evidence to support this allegation. Surrounding land use compatibility is made through the County General Plan rather than the CEQA process. In this case, the county has determined that the landfill is compatible with surrounding land use.

13) **Excavation of Unlined Waste Cell** Mr. Danielson contended at the meeting that the operator had illegally disposed of waste in unlined areas in violation of their WDRs. It is true that the next phase of the fill area has already received waste. A previous contract operator deposited the waste before the county had installed a liner in this cell which now contains approximately 20,000 yd^3 of waste and cover soil. The exact period of disposal is unknown, but the county estimates that waste was placed here between 1980 and 1986. Although no agency has ordered the operator to remove waste from this area, the County proposes to voluntarily remediate and "reuse" this area by excavating the waste so that the entire area can be retrofitted with a liner and leachate collection system that meets "Subtitle D" standards.

CONCLUSION: Staff feels that because the operator will remove waste from this area in order to comply with more stringent liner requirements, this action does not require the permit to be revised at this time. Specific liner requirements are enforced by the RWQCB rather than this Board. The RWQCB is expected to issue new WDRs for the Jamestown Landfill later this year.

14) **Air Quality Data Outdated** At the Board meeting, landfill opponents complained that the Air Quality Solid Waste Assessment Test (AirSWAT) is outdated. According to Mike Waugh, Tuolumne County Air Pollution Control District, "the Air Pollution Control District is not required to retest the Jamestown Landfill for ambient air quality impacts, gas characterization, or gas migration, as was done in August, 1989 pursuant to Section 41805.5 of the Health and Safety Code."

15) **Air Quality District Classification has Changed** At the Board meeting, landfill opponents stated that the classification of the Air Quality Management District (AQMD) has changed from "unclassified" to "non-attainment for ozone". According to Mike Waugh, Tuolumne County Air Pollution Control District, "the Air Resources Board has determined that the District is non-

attainment due to 'overwhelming transport' of ozone and ozone precursors from the San Joaquin Valley." Consequently, the District is not required at this time to develop an attainment plan.

16) **Diesel Emissions not Previously Analyzed** Mr. Harriman stated at the Board meeting that diesel emissions from hauling vehicles similar to the ones the will be used for this facility are on the order of 100 times more toxic and more hazardous than fuels used by facility equipment at the time the landfill began operations. Enforcement of vehicle exhaust emissions is outside the regulatory jurisdiction of this Board.

17) **Hydrocarbon Contaminated Soil Stored On-Site** At the Board meeting, landfill opponents stated that the county was storing "hydrocarbon contaminated soil" on-site. Apparently, an equipment malfunction in May of 1993 caused a fuel spill at the facility which contaminated 50 cubic yards of soil. The soil is still in place at the site while the operator awaits permission to treat or dispose of it.

CONCLUSION: Because the county does not accept hydrocarbon contaminated soils at the landfill, and the operator does not propose to operate a soil processing facility, the proposed permit is not required to contain conditions for soil treatment or processing. In this case, treatment of on-site contaminated soil is an enforcement issue rather than a permit issue.

18) **Change in Final Slopes** At the Board meeting, opponents stated that the operator is proposing to alter the contours of final slopes. Neither the 1983 permit nor the proposed permit conditions final grades at the site. However, page 37 of the 1974 EIR states that "in an effort to minimize erosion, the work area will be kept as small as possible and the final side slopes of the filled area will be no greater than 3:1". The operator now proposes to construct final slopes at a 2:1 slope and will propose alternative erosion control measures in the final closure plan. The county is required to prepare an environmental document addressing closure issues, such as final slopes and erosion control measures, prior to Board approval of the Final Closure and Postclosusre Maintenance Plan.

CONCLUSION: This issue will be addressed by environmental documents required prior to Board approval of the final closure plans.

19) **Slope Stability Reports not Submitted** Landfill opponents alleged that the operator has constructed slopes greater than allowed without first submitting a slope stability report. The Board's closure regulations require that final slopes greater

than 3:1 be supported by a slope stability report to be submitted with the final closure plan. The west face of the landfill has been constructed with slopes greater than 2:1 and will submit a slope stability report prior to placement of final cover. The required slope stability report will be reviewed by Board and LEA staff when the final closure and postclosure maintenance plan is submitted.

CONCLUSION: The Board's closure regulations do not require the operator to submit slope stability reports until the final closure plan is due.

20) **Modification Contradicts Permit Desk Manual** Mr. Harriman stated at the Board Meeting that Board staff's decision to process this modified permit contradicts direction provided on pages 2-1 and 2-2 of the Board's Permit Desk Manual. Page 2-1 states that "an application for revision should be made whenever a change in the design or operation of the facility is proposed which qualifies as a project under the CEQA." The Tuolumne County Planning Department has found that the permit action is exempt from CEQA. Page 2-2 states that "an application for a permit modification is submitted whenever changes in the permit are appropriate, but the implementation of such changes could not lead to physical changes in the environment". In this case, the LEA and the Planning Department have determined that the changes to the permit will not lead to physical changes in the environment.

CONCLUSION: The LEAs decision to submit a modified permit does not contradict the suggested procedures of the Board's Permit Desk Manual.

21) **Modification Contradicts 1987 Report** Mr. Evan Edgar stated at the Board meeting that staff's decision to process the modified permit contradicts the recommendations of the Board's 1987 Report of the Solid Waste Advisory Committee on Significant Change. The 1987 Report lists twelve "'areas of concern' which should serve as possible indicators that a significant change to an existing permit condition has occurred." The 1987 Report states that:

> "the list provides the greatest degree of latitude to the LEA for interpreting 'significant change' within the context of the particular site. This latitude is necessary to ensure: 1) That areas of concern are not defined with such specificity as to limit the ability of the LEA to consider site specific variations throughout the state. 2) That the statutory authority currently vested in LEAs to make local determinations about local health issues is not eroded."

The twelve "areas of concern" include, for example, an increase or decrease in the volume of waste received, a change in permitted area, and a change in closure date. The 1987 Report further states that:

> "The LEA may want to consult with the local environmental review agency for assistance in analyzing the potential for given facility changes to impact environmental quality. Should facts lead the LEA to a determination that no "significant change" has occurred to the conditions that are contained in the current facility permit or that no potential for environmental damage exists as a result of an evaluation of facility operations, a finding should be made that the current permit reflects the operating conditions of the facility. In this case, the permit shall be deemed in full force and effect until either the next five year review occurs or changes are made or occur which require a permit revision."

In this case, the LEA has determined that the permit does not need to be revised at this time. The conclusion of the 1987 Significant Change Report states that "The authority and responsibility for making a determination of significant change rests with the LEA."

CONCLUSION: The LEA's decision to submit a modified permit does not contradict the recommendations of the Board's 1987 Report of the Solid Waste Advisory Committee on Significant Change. In fact, the LEA followed the suggested procedure in the report. The modified permit reflects non-significant changes and provides much clearer language and conditions than the 1983 permit, which provides for better enforcement.

22) Modified vs. Revised Permit At the Board meeting Mr. Danielson asked what triggers a decision to revise or modify a permit. Section 18211 of the California Code of Regulations states that, "Any permittee proposing to make a significant change in the design or operation of the facility shall, at least 120 days prior to the proposed modification, apply for a revision of the permit." Please see Items 20 and 21 above for more information.

*The following section responds to public concerns regarding **CEQA** compliance:*

23) **Lead Agency Did Not Comply With CEQA** Mr. Harriman has accused the County Planning Department of violating Public Resources Code, Sections 21080(c) and (d) and California Code of Regulations, Title 14, Sections 15125, 15124, 15061, and 15063 of the CEQA Guidelines. Following is an analysis by John Loane of the Board's Environmental Review Section staff:

Section 21080(c) & (d) - These two Sections are applicable to Negative Declarations, and do not apply to CEQA Exemptions.

Section 15125 - At the Board meeting, Mr. Harriman stated that the environmental background and setting have changed, in violation of this section. This section states that "an EIR must include a description of the environment in the vicinity of the project, as it exists before the commencement of the project, from both a local and regional perspective." The proposed project in the 1974 EIR was for the construction of a sanitary landfill. The 1974 EIR contains a description of the environment setting including a description of the existing surrounding land uses. This section is applicable only to EIRs. The proposed changes to the permit are consistent with the 1974 EIR. The permit changes have been determined to be exempt by the Lead Agency from the requirements of preparation of an EIR.

Section 15124 - Mr. Harriman stated at the Board meeting that the project description of the 1974 EIR is not stable, finite, and accurate as required by this section. This section requires that the description of the project contain "information for evaluation and review of the environmental impact". This information should include: "the precise location and boundaries of the proposed project", a "statement of objectives", "the intended uses", and a "general description of the project's technical, economic, and environmental characteristics". The 1974 EIR contains these descriptions. The guidelines do not require that the project description be 'stable, finite, and accurate' over the life of the project.

Section 15061(b)(3) - This section requires that "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment". After reviewing the permit application and RDSI the Lead Agency made this determination regarding the proposal in support of their CEQA exemption finding. The activity in question is the updating of information where

only vague or inaccurate information had previously existed in conditioning documents. The Lead Agency further determined that the proposal would serve to reduce existing environmental effects.

Section 15063(c)(5) - This section describes the purpose of an Initial Study in that it is to "Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment". Based on a review of the permit application and RDSI the Lead Agency determined that there is no possibility that the changes to the permit will have a significant effect on the environment. As the Lead Agency was able to make this finding with certainty they are not required to prepare an Initial Study for the proposal.

CONCLUSION: The proposed permit modifications are consistent with the project as proposed in the 1974 EIR. The proposed project in the 1974 EIR is the construction and operation of a sanitary landfill on the particular parcel where the landfill is now situated. The proposal puts limits on landfill operations which where previously only vague or inaccurate information had existed in conditioning documents. The Lead Agency has determined that the proposed changes to the permit will not result in any significant effects on the environment and is therefor exempt from the requirements of CEQA including the development of an Initial Study and either a Negative Declaration or EIR.

24) Initial Study Required for Notice of Exemption At the Board meeting, Mr. Harriman stated that an Initial Study is required for a Notice of Exemption from CEQA. Prior to the preparation of this agenda item staff had determined that an Initial Study is not required for a Notice of Exemption. Appendix A of the CEQA Guidelines displays the "CEQA Process Flow Chart" which clearly shows that the 'process' for determining if the proposed project is exempt from further CEQA evaluation and analysis occurs prior to the preparation of an Initial Study. An Initial Study is developed after a preliminary review to determine if the project will have a significant effect on the environment.

CONCLUSION: An Initial Study is not a prerequisite for determining whether a Notice of Exemption is appropriate for a proposed project before the Lead Agency. During the Lead Agency preliminary review it was determined that the proposal will not have a significant effect on the environment.

25) **<u>1991 Memo from County Planning Director</u>** At the Board meeting, Mr. Danielson presented an internal memorandum, dated June 27, 1991 from James E. Nuzum, former Director of the Tuolumne County Planning Department. The memo states that, "Prior to approval of expansion of the present Jamestown Landfill, environmental review of that project must be conducted pursuant to CEQA. It is quite likely that environmental review would take the form of a Supplemental EIR."

Upon closer review of the 1974 EIR, the current Planning Director has determined that this is not an "expansion" and that all disposal activities take place within the originally proposed and permitted footprint and that no additional CEQA review is necessary. More importantly, the 1991 memo references alternatives to citing a new county landfill and does not allude to activities within the permitted 20.4 acre disposal area. Please refer to the September 22, 1994 letter from the Tuolumne County Planning Director responding to allegations related to the 1991 memo (Attachment 9).

26) **<u>No EIR for Adjacent Borrow Area</u>** Mr. Harriman stated at the Board meeting that the County should have prepared an EIR for excavations of cover material on adjacent county owned properties. In 1991, the County Planning Department prepared an initial study and determined that an EIR was not required for the purchase of adjacent parcels for cover material and drainage control. A Negative Declaration was prepared and certified prior to the use of land for this purpose.

27) **<u>CEQA Settlement Does Not Allow Any Landfill Related Activities on Adjacent Parcels</u>** At the Board meeting, Mr. Harriman stated that a judgement handed down by the Superior Court of California on July 27, 1994, prohibits the County from using the adjacent "New Landfill Site" for any landfill related activities. In order to have a portion of awarded legal fees waived, County Counsel signed a stipulated settlement of action stating that, "Respondents Tuolumne County and the Tuolumne County Board of Supervisors are permanently enjoined and restrained from utilizing the property, owned by Tuolumne County and designated in the Final Environmental Impact Report for the New Jamestown Landfill Facility, or granting any permit or entitlement for a solid waste landfill disposal site on said property either now or at any time in the future."

CONCLUSION: Since no handling, storage, or disposal of waste is now proposed to occur on this property, this is not an issue and is not part of the permit modification.

28) Judgement Found Significant Effects Mr. Harriman stated at the Board meeting that a judgement handed down by the Superior Court of California on January 21, 1994 concludes that there would be significant environmental effects associated with the preparation of the next phases of disposal. What the judgement states is that the EIR for the proposed new landfill did not adequately analyze the potential cumulative impacts of constructing the new landfill while operating the existing landfill.

Other issues:

29) Landfill Leachate has Contaminated Groundwater At the Board meeting, opponents contended that, because leachate trenches and sumps are unlined, one leachate collection access portal was buried in a slide, and some portions of the landfill were filled without liners, that the landfill has contaminated ground water. The operator has installed five ground water monitoring wells and is working with the RWQCB to determine whether the landfill has contaminated ground water and the permit should be revised.

CONCLUSION: The enforcement of groundwater quality standards is within the regulatory jurisdiction of the RWQCB rather than this Board.

30) Cost Analysis Mr. Harriman stated that the Board is required to make a finding that the proposed project is "cost effective" pursuant to PRC Section 40052. Section 40052 states that the purpose of Division 30 of the PRC is:

> "to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible in an efficient and cost effective manner to conserve water, energy and other natural resource, to protect the environment, to improve regulation of existing solid waste landfills, to ensure that new solid waste landfills are environmentally sound, to improve permitting procedures for solid waste management facilities, and to specify the responsibilities of local governments to develop and implement integrated waste management programs."

CONCLUSION: Mr. Harriman has referenced the policy language contained in the General Provisions portion of the California Integrated Waste Management Act of 1989 (AB 939). As such, the Board deals with this as it carries out each of its programs. The Board has never required, suggested, or even implied that a complete permit package should include a cost-benefit analysis.

FINDINGS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on August 22, 1994, the last day the Board may act is October 21, 1994.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Solid Waste Management Plan

   Because this is not a new or expanded facility, a finding of conformance with the County Solid Waste Management Plan is not required.

2. Consistency with General Plan

   Because this is not a new or expanded facility, a finding of conformance with the General Plan is not required.

3. Consistency with Waste Diversion Requirements

   The Board's Governmental and Regulatory Affairs Division staff make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would prevent or substantially impair achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit would neither prevent nor substantially impair the jurisdiction's achievement of AB 939 waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

   On March 22, 1994, the Tuolumne County Planning Department prepared a Notice of Exemption (NOE) from CEQA under CCR Section 15061(b)(3). The NOE will be filed with the County Clerk and the Office of Planning and Research after approval of the project pursuant to CCR Section 15062.

The NOE states that "it can be seen with certainty that there is no possibility the changes to the existing SWFP may have a significant effect on the environment. The proposed changes to the existing SWFP would either result in no environmental effect or would serve to reduce existing environmental effects. Therefore, the permit modification is not subject to CEQA" (Attachment 10).

5. Consistency with State Minimum Standards

LEA and Board staff conducted a joint inspection of the Jamestown Landfill on August 24, 1994. The inspection noted violations of landfill gas monitoring (14 CCR 17258.23), operating record keeping (17258.29), and intermediate cover (17684). The LEA has since verified that the operator has complied with the above standards.

6. Financial Assurances

Tuolumne County has established an enterprise fund to cover the estimated closure and postclosure maintenance costs for this facility. Based on documentation submitted by the operator, the Board's Financial Assurances Section determined on August 17, 1993, that the financial mechanism meets the requirements of Title 14, California Code of Regulations (CCR), Division 7, Chapter 5, Articles 3.5 and 3.3, Section 18284. Information provided by the operator indicates that the financial mechanism is adequately funded at this time. Staff have also determined that the certificate of liability insurance meets the operating liability requirements of CCR 18236.

7. Compliance with Closure and Postclosure Requirements

The Board's Closure and Remediation Branch deemed the Preliminary Closure and Postclosure Maintenance Plans complete on January 20, 1993. Approval of the closure plans is not necessary for Board action at this time. Section 17777 of the Board's closure regulations require that final slopes steeper than 3:1 be supported by a slope stability report. The operator will construct final slopes of 2:1 and submit the required slope stability report with the final Closure and Postclosure Maintenance Plan.

STAFF RECOMMENDATIONS:

Because a modified Solid Waste Facilities Permit is proposed, the Board must either object to or concur with the proposed permit as submitted by the LEA.

Because staff continues to receive and review information as this item is prepared, there is no recommendation made in this report. A recommendation will be presented at the Committee meeting.

ATTACHMENTS:

1. Location Map
2. Area Map
3. Proposed Permit
4. AB 2296 Conformance
5. Parcel Map
6. 1974 EIR Map
7. 1983 Permit
8. Judgements related to proposed new landfill
9. Tuolumne County Planning Department Letter, 9/22/94
10. Notice of Determination, 3/22/94

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Approved by: Doug Okumura Phone: 255-2431

Reviewed by Legal: Kathryn Tobias Phone: 255-2825

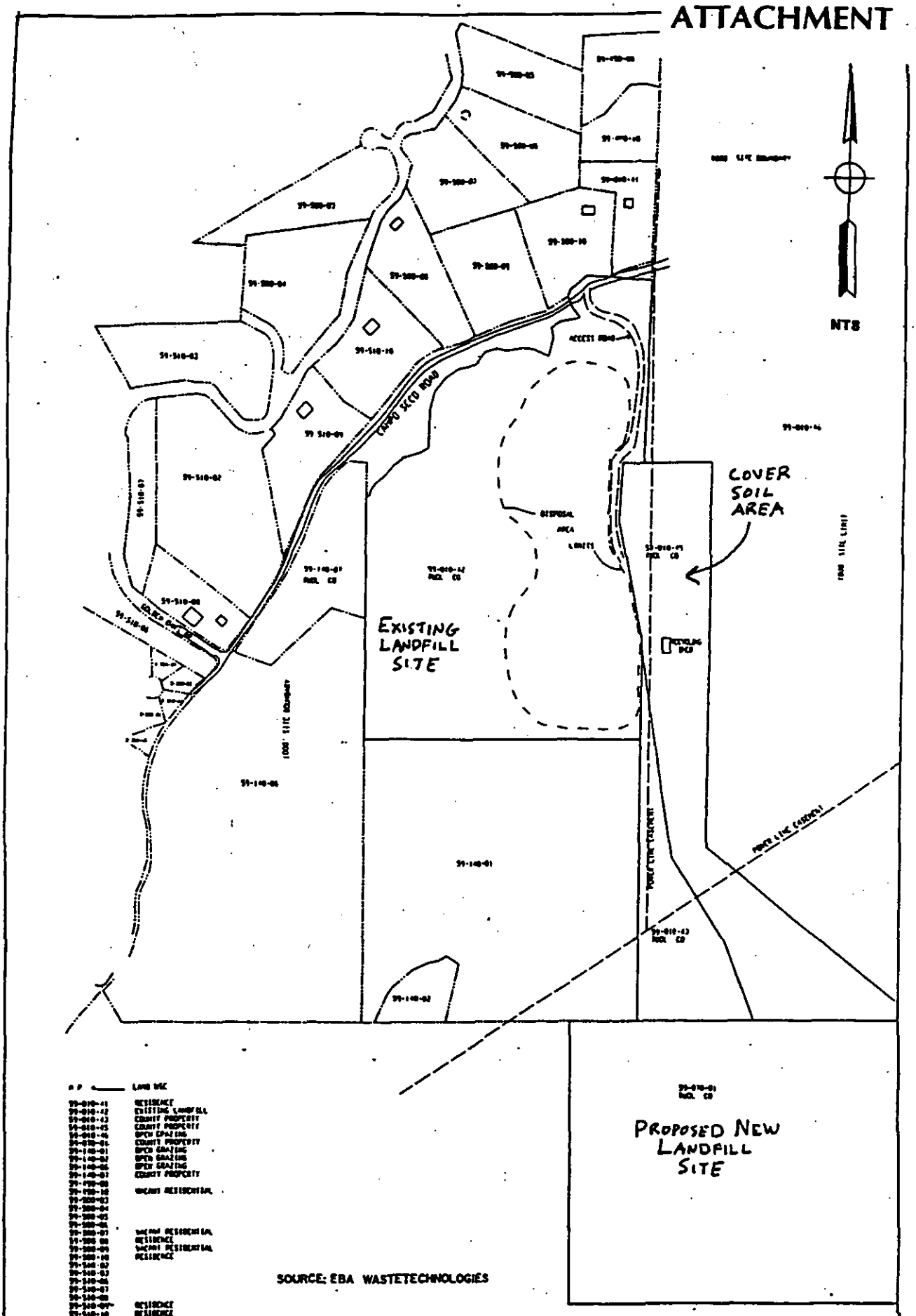
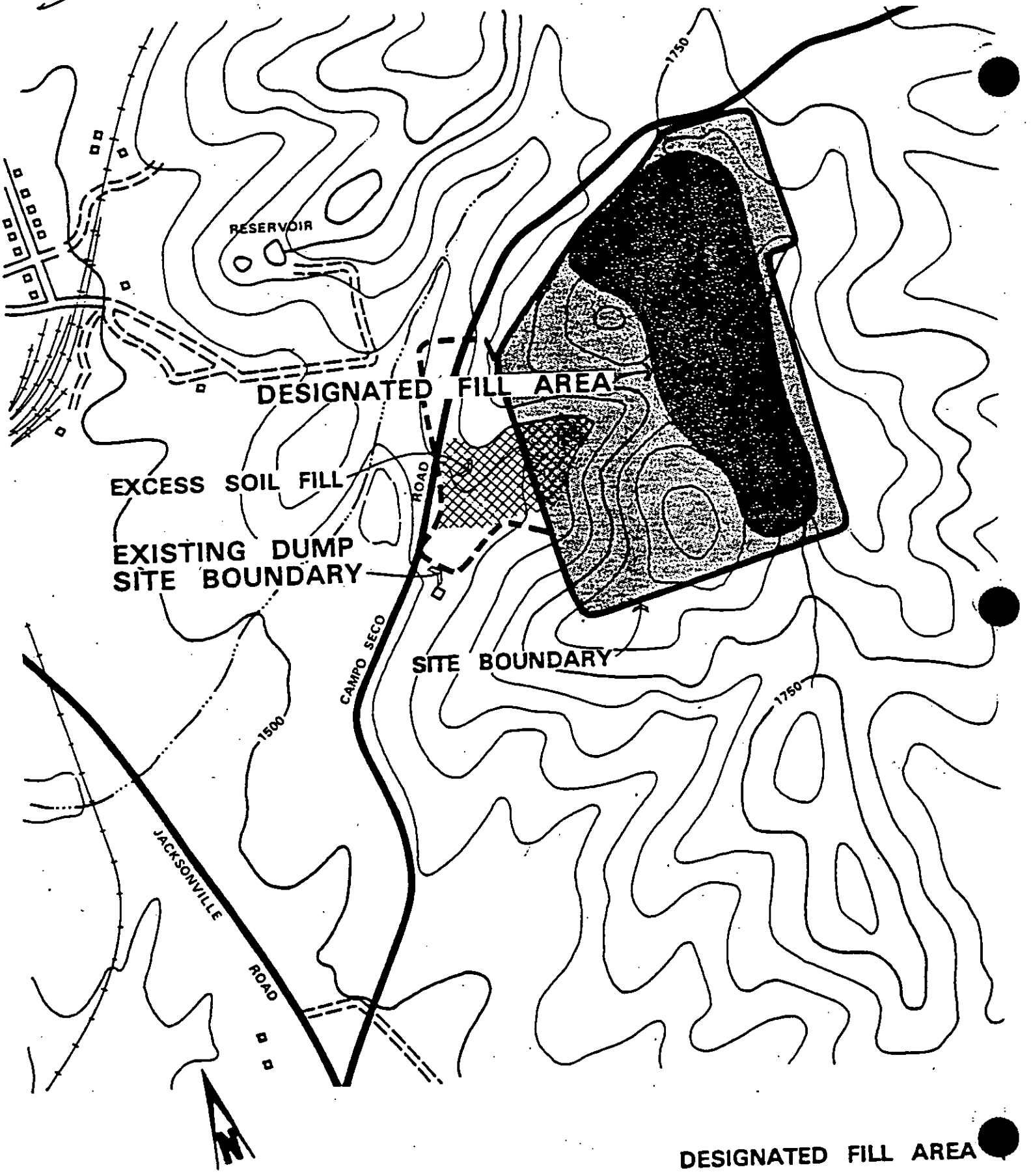


FIGURE 1-4

JOB NO.	BAS BRYAN A. STIRRAT & ASSOCIATES CIVIL AND ENVIRONMENTAL ENGINEERS 3760 ROSIN COURT, SUITE 200 SACRAMENTO, CA 95834-1644 (916) 560-6300	TUOLUMNE CENTRAL (JAMESTOWN) LANDFILL
DATE 7-1994		SURROUNDING LAND USE MAP
DRAWN BY M.M.G.		
DESIGNED BY S.P.D.		

Figure 6

ATTACHMENT 6



DESIGNATED FILL AREA

ATTACHMENT 7

STATE SOLID WASTE MANAGEMENT BOARD

SOLID WASTE FACILITIES PERMIT

SSWMB 2-4-77 (REV. 10/77)

PAGE 1 OF 2

ENFORCEMENT AGENCY	COUNTY	SOLID WASTE FACILITY PERMIT
Health Department	Tuolumne	55-AA-002

FACILITY NAME: TUOLUMNE COUNTY CENTRAL (Jamestown) SANITARY LANDFILL

OPERATOR: Jesse Weigel, DBA Jamestown Landfill Company

FACILITY LOCATION: Approximately 1 mile SE of Jamestown, Bordering on Campo Seco Road

DATE
- PROPOSED: 10-13-83
- SSWMB APPROVAL: NOV 17 1983
- ENFORCEMENT AGENCY APPROVAL: 12-30-83

FINDINGS

This facility is an existing 5.4 acre Class II-2 Sanitary Landfill. This facility began site operations in October, 1974. The site life expectancy is six (6) years. The area method of landfill operation is utilized. This facility is located one (1) mile southeast of Jamestown off Campo Seco Road. An average of 92 tons of wastes are received at this site daily. Types of waste received at this site include:

A. Residential and Commercial wastes
B. Tires
C. Auto Bodies
D. White Goods
E. Wood Wastes
F. Dead Animals

Hazardous wastes are not accepted at this site. Salvage operations are conducted at this site. This site is operated from 8:00 a.m. until 5:30 p.m. 7 days per week, excluding only national holidays. The design and operation of this facility is as specified in the plan of operation and no changes are proposed in the facility's existing operation for implementation in the foreseeable future.

The following documents condition the design and operation of this facility:

A. California Regional Water Quality Control Board, Central Valley Region:
1. Waste Discharge Requirements No. 74-445.
B. Report of Disposal Site Information

Land use within 1,000' of the site is basically woodland and pasture land on the east, south, and west sides, with a light scattering of residences. Land across the street to the north, where occupied, consists of single family dwellings on 5-11 acres parcels. The site began life as a waste disposal facility long prior to the existence of zoning and/or land use controls in Tuolumne County.

This permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is subject to revocation. Upon a significant change in design or operation from that described in this permit or in attachments thereto for the existing design and operation of a facility operating immediately prior to August 15, 1977, or from the approved intended design and operation of a facility which was not operating prior to August 15, 1977, or which herein is granted, a permit modification, this permit is subject to revocation, suspension, modification or other appropriate action.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal. This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

ENFORCEMENT AGENCY: TUOLUMNE COUNTY HEALTH DEPARTMENT

BY (SIGNATURE): Robert L. Tremewan

TYPED NAME: ROBERT L. TREMEWAN

TITLE: DIRECTOR OF ENVIRONMENTAL HEALTH

DATE: October 18, 1983

85

28

This facility's current operations are in compliance with State minimum standards for solid waste handling and disposal.

This permit is consistant with the Tuolumne County Solid Waste Management Plan; and the standards adopted by the State Solid Waste Management Board.

CONDITIONS:

REQUIREMENTS:

1) This facility must comply with all of the State Standards for Solid Waste Handling and Disposal.
2) This facility must comply with all Federal, State, and Local requirements and enactments.
3) Additional information concerning the design and operation of this facility must be furnished upon request to the Enforcement Agency.

PROHIBITIONS:

The following conditions are prohibited at the facility:

1) No open burning of waste shall be permitted.
2) No salvage operations may be conducted by the general public.
3) Acceptance of septic tank pumpings and sewage sludge shall not be permitted.

SPECIFICATIONS:

1) No significant change in design for operation from those described in the findings section is allowed, except for those changes which may be required under the "Conditions" portion of this permit.

PROVISIONS:

1) This permit is subject to review by the Local Enforcement Agency, and may be suspended, revoked, or modified for sufficient cause.

MONITORING PROGRAM:

Annually, a report shall be transmitted to the Enforcement Agency by the 15th day of January. The report shall contain, at a minimum, the following information:

1) Records of mass or volume of waste handled during the previous year.
2) Listings and dates of special occurrences such as fires, injuries or property damage, accidents, explosions, incidents regarding hazardous waste, flooding, and other unusual occurrences.
3) Number of vehicles utilizing the site during a time period.
4) Water quality determinants required by the C.V.R.W.Q.C.B. in their waste discharge requirement monitoring well program.
5) A record of the quantity of leachate produced and disposed, and the method of its disposal.

1 could do just that, and we were turned down.

2 BOARD CHAIRMAN HUFF: Okay. Opponents want to

3 speak?

4 MR. DANIELSON: I'm Gary Danielson, the principal

5 of Gary W. Danielson and Associates.

6 I'm here representing TFALS and the other citizens

7 groups and their members and supporters in opposition to the

8 proposed modified permit before you today. We also spoke at

9 the Stockton meeting.

10 Prior to that, we met with the Permitting and

11 Enforcement Committee, and prior to that, we met with the

12 enforcement branch on July 25.

13 At all those meetings we requested that there be a

14 modification to this permit to remove the five-acre cell and

15 to reduce the date to, say, 1996 or 1997 for closure of this

16 facility. At all of those hearings and meetings, the county

17 has refused to do that.

18 If what we're hearing today is that they are

19 willing to modify that permit to reduce it to a reasonable

20 closure date and to remove the five-acre cell altogether,

21 the opponents in this room would stop our opposition to

22 this.

23 I do feel that the report of disposal site

24 information that is a part of this new -- which is actually

25 a new permit, if you compare it to the 1983 permit, is

1 significantly different.

2 It is about an inch thick compared to about six

3 pages in the 1983 permit.

4 We do concur with the LEA that there is need for

5 all of these changes. We would withdraw our opposition if

6 at this point the county would agree to change the date of

7 closure to 1997 and remove or reduce the capacity to remove

8 out the five-acre cell from this project.

9 I also note that you have agendaized this for your

10 meeting over in San Jose, and most certainly that at least

11 changes if time was waived --

12 BOARD MEMBER RELIS: This is the Board Meeting.

13 MR. DANIELSON: It's on the agenda for the San

14 Jose meeting, also. It was on the last one I got.

15 BOARD MEMBER NEAL: That would have been an error.

16 BOARD MEMBER CHESBRO: The LEA has the opportunity

17 to create that flexibility by withdrawing the permit

18 temporarily.

19 Once we have a 60-day clock ticking, our options

20 are limited.

21 MR. DANIELSON: If they are willing to do that,

22 I'd say that the testimony from the opponents would cease at

23 this point.

24 BOARD CHAIRMAN HUFF: It is on the agenda because

25 at the time we put it on the agenda we did not know whether

1 the LEA would waive the clock.

2 So, to cover ourselves, we put it on the agenda.

3 But that was prior to making the decision to go forth with

4 this meeting.

5 MR. DANIELSON: Correct, but it's already been

6 given notice if in fact there was a change at this meeting.

7 BOARD MEMBER RELIS: As I understand that's not

8 something we can initiate.

9 That's up to the LEA and the county.

10 BOARD CHAIRMAN HUFF: The LEA and county have to

11 do that. It's not in our hands.

12 MR. DANIELSON: I would reserve the right to

13 return to this podium if, in fact, the county had the

14 opportunity to discuss that and make a decision on that.

15 BOARD MEMBER HEIDIG: Mr. Danielson, may I ask,

16 your real objection to this is that five-acre cell that is

17 unlined, and if that were to be removed by time, for

18 example, and you put a two-year limit on this permit, then

19 you would remove your opposition and be supportive of this

20 Board concurring in the permit under that stipulation.

21 Is that correct?

22 MR. DANIELSON: That's correct.

23 BOARD MEMBER HEIDIG: And then the second

24 operation that would be required is that the LEA would have

25 to come and assure us that they would waive the clock, and

1 Murphy's law at this instance would have worked in its
2 positive function despite the fact that it shouldn't be on
3 the agenda.
4 It is on the agenda. We could hear it at the next
5 Board meeting.
6 MR. DANIELSON: That's correct.
7 BOARD CHAIRMAN HUFF: If it's a modification, we
8 may not hear it.
9 MR. DANIELSON: The issues that are of concern of
10 the citizens groups are health and safety matters and on the
11 actual operation of the landfill that has taken place in the
12 past, and most of those issues are going to be addressed in
13 the closure plan.
14 So, we can get to that point when that issue comes
15 up.
16 BOARD MEMBER CHESBRO: Mr. Chairman, this is more
17 general comments, not necessarily directed to you, but I
18 came in here pretty sympathetic to the county, understanding
19 all the difficult pressures that the county is under and --
20 BOARD CHAIRMAN HUFF: Counties have no better
21 friend.
22 BOARD MEMBER CHESBRO: And feeling that there was
23 no -- I had not heard any smoking gun in terms of
24 environmental issues brought up, but I, just guessing,
25 putting my finger in the air, I think the question of having

1 four votes for concurrence with the modification, I believe
2 my terminology is right here is not very likely.
3 So, we're in this crazy cycle of a problem with
4 the county saying they do not need what is before us, the
5 votes probably aren't here to grant that, and so how do we
6 get those two together?
7 I think the best method is for some sort of a
8 voluntary action on the part of the LEA and the county to
9 figure out how to bring this permit into concurrence with
10 what the Board could approve of and get all this crazy
11 amount of time and energy that's been put into this swept
12 away.
13 That is my perspective.
14 MR. HARRIMAN: Richard Harriman speaking. I feel
15 an awful need to go to the bathroom right now, and I think a
16 two- or three-minute recess might work wonders on this
17 process.
18 We have two long testimonies to give if the waiver
19 is not exercised. I think the hint has been given.
20 BOARD CHAIRMAN HUFF: Let's have a five-minute
21 break.
22 (Thereupon a brief recess was taken.)
23 BOARD CHAIRMAN HUFF: Mr. Heidig.
24 BOARD MEMBER HEIDIG: I had an ex parte
25 communication with Supervisor Ken Marks during the recess.

BOARD MEMBER RELIS: So did I.

BOARD MEMBER CHESBRO: Me, too, and the representative of the LEA.

BOARD CHAIRMAN HUFF: Okay. I think that the best way to proceed from here is to call on Mr. Minton.

MR. MINTON: Thank you, again. Mark Minton, County Administrator for Tuolumne County.

We respectfully withdraw our application permit. We will work it out some other way.

Thank you.

BOARD CHAIRMAN HUFF: The permit has been withdrawn.

Is there any need for any action on the part of the Board?

We do not have possession of the permit, is that the understanding?

If we don't have possession of a permit, then we cannot act?

MS. TOBIAS: That's correct.

BOARD CHAIRMAN HUFF: Any other business?

MR. HARRIMAN: Just to make the record that we would like to be notified if that application is reactivated, please.

BOARD CHAIRMAN HUFF: Certainly.

Any other business?

GARY W. DANIELSON & ASSOCIATES
ENVIRONMENTAL IMPACT MITIGATION
DEVELOPMENT PLANNING CONSULTANTS

GARY DANIELSON
PERMITTING/PLANNING CONSULTANT

P.O. BOX 718
JAMESTOWN, CA 95327-0718 PH: (209) 984-3023

ATTACHMENT 9

NOV 0 3 1994

TUOLUMNE COUNTY
ENVIRONMENTAL HEALTH

November 3, 1994

Tuolumne County Health Department
WALTER L. KRUSE, Director/LEA
Environmental Health
2 South Green Street
Sonora, CA 95370

RE: Modified Solid Waste Facilities Permit (MSWFP) for the Tuolumne County Central (Jamestown) Landfill (JLF)(1983)

Dear Mr. Kruse,

I have reviewed the copy of the application for modified SWFP from the County of Tuolumne Department of Public Works dated 10/21/94 that you gave me on October 24, 1994. This morning I reviewed the proposed permit with Ms. Charlotte Ginn, Senior REHS at her office.

As stated on the record at the October 19, 1994 CIWMB meeting, I would withdraw my opposition to the issuance of a MSWFP (1983) for the Jamestown Landfill if the 5 acre cell was removed and closure date would be 1997. THIS MSWFP FOR THE JAMESTOWN LANDFILL MEETS THOSE REQUIREMENTS.

I talked to Ms. Kim Schwab, Associate Engineer Geologist, CWQCB CVR on Friday, October 28, 1994, and she reaffirmed that the 5 acre cell would be removed from the new WDR and that the area where approximately 20,000 cubic yards of refuse was dumped on an unlined portion of the Jamestown Landfill will be clean-closed.

I reserve all rights permitted by law concerning the ultimate capacity of the JLF and the County of Tuolumne Planning Director's and Environmental Coordinator's review of this project.

I look forward to reviewing the Closure and Post Closure Management Plan for the Jamestown Landfill. I hope this Plan will more adequately address the AS-BUILT DESIGN of the West-Face Dam and Leachate Collection System and the true design ultimate capacity.

Sincerely,

GARY W. DANIELSON, Permitting/
Planning Consultant

cc: LAW OFFICES OF
Richard L. Harriman, Esq.
Attorney for TFALS, ET AL.
104 East Seventh Street
P. O. Box 1118
Hanford, CA 93232-1118

Honorable KATHI CAMPANA, Chair
County of Tuolumne
BOARD OF SUPERVISORS
4th Floor, Administration Building
2 South Green Street
Sonora, California 95370

Notice of Exemption **ATTACHMENT 10**

To: ☒ Office of Planning and Research
1400 Tenth Street Room 121
Sacramento, Ca 95814

☒ County Clerk
County of Tuolumne

From: (Public Agency) County of Tuolumne
2 South Green Street
Sonora, CA 95370

Project Title: Jamestown Landfill Permit Modification - Facility File No. 55-AA-0002.
Project Location - Specific: Tuolumne County Assessor's Parcel No. 59-010-42, being a portion of the SE 1/4 of the SW 1/4 of Section 11 and of the NE 1/4 of the NW 1/4 of Section 14, Township 1 North, Range 14 East.
Project Location - City: **Project Location - County:** Tuolumne
Description of Project: Modification of the Solid Waste Facility Permit for the Tuolumne Central (Jamestown) Landfill to reflect the following:

1. Compliance with current Waste Discharge Requirements issued for the facility by the California Regional Water Quality Control Board.
2. Closure date of December 31, 1997.
3. Installation of scales to weigh waste instead of estimating volume.
4. Improved drainage and sediment control.
5. Disposal of leachate at a waste water treatment facility.
6. Restricting use of the landfill to six days per week, excluding Sundays.
7. Maximum height of the Landfill to be 1,900 feet AMSL.
8. Use of the Landfill not to exceed 300 vehicles per day.
9. Disposal not to exceed an average of 92 tons/day, with a maximum of 150 tons/day, to be exceeded only on County Clean-Up Days.
10. Construction of no additional cells to receive solid waste.
11. Change in the name of the operator to reflect the County of Tuolumne.
12. Excavation of approximately 20,000 cubic yards of buried solid waste from an unlined portion of the Landfill and disposal of this waste within the lined portion of the Landfill.

Name of Public Agency Approving Project: Local Enforcement Agency (Tuolumne County Environmental Health Division)
Name of Person or Agency Carrying Out Project: Tuolumne County Department of Public Works, Division of Solid Waste

Exempt Status (check one)

☐ Ministerial (Sec. 210080(b)(1); 15268;

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a);

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c);

☐ Categorical Exemption. State type and section number:

☒ Exemptions. State Code number: Section 15061(b)(3) General Rule

Reasons why project is exempt: The proposed project entails adding restrictions to the use of an existing landfill and enhancing the enforceability of the existing SWFP; consequently it can be seen with certainty that there is no possibility the modifications to the existing Solid Waste Facility Permit may have a significant effect on the environment. The changes to the existing Permit would either result in no environmental effect or would reduce environmental effects. Additionally the changes provide the Local Enforcement Agency additional standards with which to determine compliance with the Permit. Therefore, modification of the Permit is not subject to CEQA.
Lead Agency Contact Person: Mike Laird **Area Code/Telephone/Extension:** (209) 533-5611

Signature: _____ Date: 11/9/94 Title: Environmental Coordinator
Bev Shane, AICP

94 ☒ Signed by Lead Agency Date received for filing at OPR:

☐ Signed by Applicant

State of California

ATTACHMENT 11

MEMORANDUM

To: Jon Whitehill
Permits Branch

Date: December 7, 1994

From: Catherine Donahue
Catherine Donahue
Office of Local Assistance, Rural Section
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: AB 2296 FINDING FOR TUOLUMNE COUNTY CENTRAL (JAMESTOWN) LANDFILL, FACILITY NO. 55-AA-0002

The Tuolumne County Central Sanitary Landfill is a 54 acre Class III landfill located in Jamestown. It will be permitted to dispose of an average of 92 tons per day. The 92 tons per day average is based on a calendar year. This facility will be permitted to accept 150 tons per day which can be exceeded on the occasional "County Clean Up Days". However, the average cannot exceed 92 tons per day. This finding is for a modification of an existing permit. There will be no expansion of the facility. There will not be a significant increase in the amount of solid waste disposed at the landfill.

PRC Section 44009: WASTE DIVERSION REQUIREMENTS

There is no evidence that issuance of the permit will prevent or substantially impair the County's achievement of mandated waste diversion requirements. The permit does not allow expansion nor an increase in disposal.

PRC Section 50000.1: CONFORMANCE WITH CoSWMP

Since the permit modification will not expand nor significantly increase the amount of waste disposed at the landfill, there is no requirement to certify that the facility conforms with the County's Solid Waste Management Plan (CoSWMP). However, the County LEA indicates in the Solid Waste Facility Permit that the permit is in conformance with the CoSWMP.

PRC Section 50000.5: CONSISTENCY WITH THE GENERAL PLAN

Since the permit modification will not expand nor significantly increase the amount of waste disposed at the landfill, there is no requirement to certify that the facility is consistent with the applicable General Plan.

In summary, the Jamestown Landfill conforms to the provisions of AB 2296 as codified in the Public Resources Code Sections 44009, 50000 and 50000.5.

ATTACHMENT 12

California Integrated Waste Management Board
Permit Decision No. 95-37
January 25, 1995

WHEREAS, Tuolumne County owns and has operated the Jamestown Landfill since October of 1974; and

WHEREAS, the Tuolumne County Environmental Health Department, acting as the Local Enforcement Agency (LEA), has reviewed the Solid Waste Facilities Permit issued in 1983 and determined that the design and operation of the facility has not significantly changed; and the 1983 permit does not need to be revised; and

WHEREAS, the LEA determined that the Solid Waste Facilities Permit issued in 1983 should be updated or modified to make it more clear and specific in the following areas:

1. to accurately state the existing statutory and regulatory provisions governing the facility;
2. to state with greater specificity the design conditions and operational parameters which have governed the site since the issuance of the 1983 Solid Waste Facilities Permit; and
3. to reflect ministerial and insignificant changes in design and operation; and

WHEREAS, the Board heard public testimony objecting to the issuance of a modified permit on September 21, 1994, and October 19, 1994; and

WHEREAS, the LEA and operator withdrew the proposed permit on October 19, 1994; and

WHEREAS, the Tuolumne County Planning Department, the lead agency for CEQA review, determined that the proposed changes to the existing Solid Waste Facilities Permit would result in no environmental effects and therefore, the permit modification is not subject to CEQA; and the lead agency prepared a Notice of Exemption on November 9, 1994, which will be filed with the county clerk after the permit is issued; and

WHEREAS, on December 1, 1994, the LEA resubmitted to the Board for its review and concurrence in, or objection to, a modified Solid Waste Facilities Permit reflecting a reduction in the fill area and a closure date of July 1, 1996 or sooner if another facility is permitted to accept the waste currently going to the landfill; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board and found the facility in compliance with State Minimum Standards; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards and compliance with CEQA.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 55-AA-0002.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT 13

PLANNING DEPARTMENT

DIRECTOR OF PLANNING

A. N. Francisco Building
48 West Yaney Street
MAILING:
2 South Green Street
Sonora, CA 95370

October 13, 1994

Ms. Kathryn Tobias
California Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

RE: Background Information Concerning the Environmental Determination for the Modified Solid Waste Facilities Permit for the Tuolumne County Central (Jamestown) Landfill

Dear Ms. Tobias:

During our telephone conversation on Tuesday, you stated that you supported your staff's recommendation to the California Integrated Waste Management Board for concurrence on the Modified Solid Waste Facilities Permit for the Tuolumne County Central (Jamestown) Landfill. You also indicated that you desired additional information concerning my determination to issue a Draft Notice of Exemption (NOE) under the California Environmental Quality Act (CEQA) for this permit modification. In response to your request, I have prepared a short history of the landfill, the impetus behind the application for the Modified Solid Waste Facilities Permit and an analysis of the environmental evaluation conducted for the subject permit modification which is attached for your reference.

However, your question as to why I consider the permit modification to be exempt from CEQA can be addressed in just a few words. The bottom line concerning the subject permit modification and Draft NOE is that the Environmental Impact Report (EIR) prepared in 1974 for the Jamestown Landfill did not include any mitigation measures concerning the landfill's height, configuration within the 54 acre site, site life, amount of daily tonnage or restrictions on operations. The Solid Waste Facilities Permit issued for the Jamestown Landfill in 1983 also did not establish any limitations for the height, configuration, site life, daily tonnage or operation of the landfill. That permit is still valid today, and, under its few conditions, the Jamestown Landfill could continue to be utilized indefinitely by Tuolumne County, the height of the landfill could be as high as the angle of repose allows and the operations at the landfill could occur 7 days a week.

The subject modification to the 1983 Solid Waste Facilities Permit proposes to establish (1) a maximum permitted daily tonnage of 100 tons, (2) a maximum permitted disposal

98

area, (3) a maximum permitted height to 1,900 foot elevation, (4) a list of permitted and prohibited wastes, (5) a reference to Waste Discharge Requirements issued in 1988, and (6) a correction of the name of the landfill operator. As such, these proposed modifications will make the permit more restrictive and enforceable.

Why is the permit modification exempt from CEQA? Because the project does not entail increasing the maximum daily tonnage but rather restricts it to 100 tons per day when the site is open. The project does not increase the size of the disposal area but rather restricts the capacity to 1,925,000 cubic yards. The project does not entail increasing the height of the landfill but rather restricts it from being unlimited to blending with the height of the surrounding hillsides. The project does not entail allowing more types of waste that the landfill can accept but rather restricts the types of waste that can be placed in the Jamestown Landfill. And, finally, the permit does not increase the site life of the landfill but rather reduces that permitted life from infinity to the year 2003. Since the proposed permit modification solely enacts restrictions on the use, configuration and life of the landfill, there is no potential for the change in the permit to create an adverse environmental impact; consequently, pursuant to Section 15061(b)(3) of the CEQA Guidelines, this project is not subject to environmental review. What the proposed change in the permit will result in is a beneficial effect on the environment.

Please feel free to contact me if you have any questions concerning the reasoning behind my issuance of a Draft Notice of Exemption for the Modified Solid Waste Facilities Permit for the Tuolumne County Central (Jamestown) Landfill.

Respectfully,

Bev Shane, AICP
Planning Director/Environmental Coordinator

BJS:bjs
attachment

pc: Paul Griebel, Deputy County Counsel
Gregg Jacob, Solid Waste Manager
Bob Townsend, Director of Public Works
Walt Kruse, LEA
Jon Whitehill, CIWMB

Background Information on Environmental Determination

for

Tuolumne County Central (Jamestown) Landfill

Modified Solid Waste Facilities Permit

Background

As ordered by the State Air Resources Board, Tuolumne County ceased the open burning of solid waste at several burn sites, including the Jamestown Burn Dump off Campo Seco Road, near Jamestown, in Tuolumne County, in 1974. A central landfill was proposed to replace these closed burn dumps and an Environmental Impact Report (EIR) was prepared to address the potential impacts associated with a defined disposal site within a 54 acre parcel purchased by the County specifically for such use. At that time, few jurisdictions in California were preparing EIR's for the development of landfills. At the time of its opening in October of 1974, the Jamestown Landfill was a state of the art facility featuring clay liners and a leachate collection system, features which were a rarity in the State of California at that time.

1974 Environmental Impact Report

The EIR prepared for the Jamestown Landfill in 1974, described the landfill as being on a site of "approximately 54 acres" and "the site operation will be designed to handle a daily average waste volume of approximately 68 tons of domestic waste. Based upon the site capacity and projected waste volumes for the county, the site life has been estimated to be 15 years." The EIR also states that "the proposed landfill is anticipated to operate on a schedule from 7:00 a.m. to 6:00 p.m., 7 days a week." This project description was based on **estimates** and not definitives concerning the capacity and site life of the landfill and the amount of daily tonnage. At that time, it was impossible to ascertain the exact amount of waste which would be disposed of in the Jamestown Landfill since several burn sites were being closed and the waste was proposed to be consolidated at one facility. At that time, no measurements of the volume of waste being incinerated at the burn sites were being taken; consequently, there was no database of waste volume upon which to base the anticipated daily tonnage at the Jamestown Landfill.

Potential impacts relative to dust, noise, traffic, visual quality, erosion, wildlife, odors,

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vectors, leachates, dust, methane gas production and social and economic issues were anticipated to result from the construction and operation of the Jamestown Landfill. Mitigation measures were formulated in the EIR to address these potential impacts. Those mitigation measures are summarized on Table D, on pages 48-50,of the Central Sanitary Landfill Project EIR (1974). None of these mitigation measures established a limit on the life of the landfill, the configuration of the fill area within the footprint, the height of the fill area or the amount of daily tonnage that could be accepted at the landfill. None of the changes described in the Jamestown Landfill Permit Modification application would preclude implementation of these mitigation measures. In fact, several of the changes serve to implement certain of the mitigation measures, such as establishing standards for the ultimate height and final grades of the landfill which will blend with the surrounding topography.

1983 Solid Waste Facilities Permit

Pursuant to the regulations of the California Waste Management Board (CWMB), a Solid Waste Facilities Permit (SWFP) was issued for the Jamestown Landfill on October 18, 1983. That permit describes the landfill as "an existing 54 acre Class II-2 Sanitary Landfill: This facility began site operations in October, 1974. The site life expectancy is six (6) years.....An average of 92 tons of wastes are received at this site daily. Types of waste received at this site include A. Residential and Commercial wastes, B. Tires, C. Auto Bodies, D. White Goods, E. Wood Wastes, F. Dead Animals. Hazardous wastes are not accepted at this site. Salvage operations are conducted at this site. The site is operated from 8:00 a.m. until 5:30 p.m., 7 days per week, excluding only national holidays."

The 1983 permit conditions the design and operation of the Jamestown landfill to comply with the California Regional Water Quality Control Board, Central Valley Region: Waste Discharge Requirements No. 74-445 and the Report of Disposal Site Information. This permit also requires compliance with State and Federal standards for solid waste handling and disposal. No additional restrictions to the site life, capacity, configuration, height or operation of the landfill were imposed by this permit.

The landfill continues to operate under the 1983 SWFP. Additional restrictions on the landfill can only be imposed by State or Federal laws or a change in the 1983 SWFP approved by the LEA with concurrence from the CIWMB. The proposed project entails such a change to add restrictions to the landfill which will have a beneficial effect on the environment.

1988 Review of Solid Waste Facilities Permit

In response to the State-mandated five year review of the SWFP, an application for review of the 1983 permit was submitted to the California Integrated Waste Management Board.

After two years of working with the CIWMB staff to amend the permit and no action being taken by the CIWMB, either to approve or deny, the Tuolumne County LEA ceased pursuing changes to the permit.

1993 Review of Solid Waste Facilities Permit

On January 12, 1994, Tuolumne County's Local Enforcement Agency (LEA) sent a letter to the operator of the Jamestown Landfill, the Solid Waste Division of the County's Public Works Department, stating that a **modification** to the Solid Waste Facilities Permit was required to address changes that had occurred to the operation of the Jamestown landfill since issuance of the 1983 permit. The attached correspondence from the Integrated Waste Management Board confirmed that the following changes were considered insignificant:

1. The operator now weighs waste rather than estimates volumes.

2. The operator has implemented a used oil collection program to prevent waste oil from being disposed at the landfill.

3. The operator has improved drainage and sediment control at the request of the Regional Water Quality Control Board (RWQCB).

4. Leachate is now disposed at a waste water treatment facility rather than being sprayed over the landfill.

5. The operator intends to install a locker for proper storage of household hazardous waste diverted by the load checking program.

6. Daily tonnage at the landfill has decreased from 92 tons to 65 tons.

7. The landfill operator intends to close the facility on Sundays rather than operating 7 days per week.

8. The operator intends to design and construct future waste cells within the permitted disposal footprint to meet the new Subtitle D standards rather than the old Title 23 standards.

In response to this letter from the LEA, Tuolumne County's Solid Waste Division submitted an application for a modification of the Solid Waste Facilities Permit for the Tuolumne County Central (Jamestown) Landfill in March, 1984. The application was referred to the Tuolumne County Planning Department for environmental evaluation on March 17, 1994. The Planning Department reviewed the Report of Disposal Site Information (RDSI) dated March, 1994, Tuolumne County General Plan, Tuolumne County Ordinance Code, Central

Sanitary Landfill Project Environmental Impact Report, dated January, 1974, and the State Guidelines for the Implementation of the California Environmental Quality Act (CEQA) and determined that the proposed modification to the solid waste facilities permit was exempt from review under CEQA.

This determination was primarily based upon the project description itself which is, simply, to modify the 1983 permit to add restrictions and make the permit more enforceable. The proposed modifications to the solid waste facilities permit, as stated in the report prepared by the CIWMB staff dated September 14, 1994, are presented below followed by an analysis of the potential environmental effects of each modification:

1. The proposed permit establishes a maximum permitted daily tonnage. The 1983 permit stated only that the site accepted an average of 92 tons per day while the proposed permit will establish a maximum tonnage of 100 tons per day.

   If the 1983 permit allows an average daily tonnage of 92, then there can conceivably be hundreds of tons deposited on one day and few deposited the next. While the Jamestown Landfill receives a relatively regular stream of waste, the potential does exist, under the current SWFP to increase the amount of waste allowed in the landfill on certain days. While the County has no such plans, the impacts which could result from such an action would be related to dust, noise and odors, since the landfill would have to operate for longer periods of time during those days to provide adequate disposal and coverage. The proposed permit will limit the maximum tonnage allowed per day, and, as such, the potential for adverse environmental effects from unrestricted disposal, such as that currently allowed, will be reduced. Any environmental effects resulting from the imposition of a restriction on the amount of waste that can be deposited on a daily basis would be beneficial.

2. The proposed permit will be modified to establish a maximum permitted disposal area. The 1983 permit only stated that the facility is a 54 acre landfill. The proposed permit limits the disposal area to 20.4 acres.

   This proposed change in the SFWP will serve to bring the size of the landfill's disposal area into conformance with the 1974 EIR. As stated, the 1983 permit does not restrict the size of the disposal area and, consequently, the landfill could be expanded throughout the 54 acre site. The 1974 EIR, however, does include a reference to a defined disposal area and this proposed modification will simply reflect that area described in the EIR. Again, this type of modification to limit the area of the disposal site actually reduces potential impacts on the environment.

3. The proposed permit establishes a maximum permitted height. The 1983 Solid Waste Facilities Permit did not restrict the height of the landfill. The proposed permit limits the height of the disposal area to 1,900 feet, mean sea level.

   Once again, a deficiency in the 1983 SWFP is proposed to be corrected by imposing a height restriction on the Jamestown Landfill. While the 1974 EIR discussed a ceiling on the height to correspond to the surrounding hillsides, this concept was not carried forward into the 1983 permit. Adding such a restriction at this time will reduce the potential impacts on visual quality that could result if the landfill is allowed to develop without limitations on its ultimate height.

4. The proposed permit specifically lists permitted and prohibited wastes.

   The 1983 SFWP does limit the types of waste to be disposed in the Jamestown Landfill to residential and commercial wastes, tires, auto bodies, white goods, wood wastes and dead animals. These limitations are very general and vague and, as such, very difficult to enforce. The proposed project entails adding lists of specific types of wastes that will be allowed or prohibited in the landfill. These lists will reflect State and Federal regulations concerning carcinogens and hazardous wastes. Clarifying and adding restrictions on the types of wastes that can be deposited in the landfill will have a beneficial impact on the environment.

5. The proposed permit references revised Waste Discharge Requirements issued in 1988.

   Since the purpose of Waste Discharge Requirements established by the California Water Quality Control Board is to protect the quality of water from contamination, adding a reference to those requirements in the proposed permit will have a beneficial impact on the environment.

6. The proposed permit correctly references Tuolumne County as the operator. The 1983 SWFP inadvertently references the contract operator even though Tuolumne County was, and still is, the owner and operator.

   Changing the name of the operator on the permit does not entail a physical change in the environment and, as such, is not subject to environment evaluation pursuant to Section 15378 of the CEQA Guidelines.

The proposed permit also entails approval of the following changes to the site:

1. Future disposal cells and leachate collection and removal systems will be designed to meet more stringent State and Federal standards.

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The permit proposes to reaffirm that the State and Federal regulations will apply to future disposal cells within the existing footprint of the landfill. Since these regulations apply even if they are not referenced in the permit, the proposal to include them in the permit is a ministerial action that is not subject to CEQA.

2. Due to improved calculations and operations, the operator now estimates that the landfill will remain operational 14 years longer than originally anticipated. The 1983 permit estimated that the landfill would reach capacity in approximately 1989 while the proposed permit estimates a closure date of 2003.

As stated on page 65 of the 1974 EIR, the Jamestown Landfill will "allow orderly growth in the area to occur without unnecessary nuisance or environmental degradation" and "provide a long-term solution to the problems of solid waste, which is both convenient and reliable". That long-term solution was anticipated to last 15 years. The 1983 RDSI noted that new technology and resource recovery programs were likely to extend the estimated life of the landfill. The landfill has exceeded that estimate by approximately 5 years to date due, as predicted, to improvements in waste disposal technology and recycling efforts. As technology continues to improve and recycling programs serve to continually reduce the waste stream, the life of the Jamestown Landfill will continue to increase. Since the 15 year site life of the landfill cited in the EIR was only an estimate, and there was no mitigation measure mandating a closure date for the facility or a limit to its site life, the continued use of the landfill beyond that time frame is consistent with the EIR.

The following will address the reasons why the extension of the site life does not have the potential for resulting in adverse impacts to the environment:

On page 39 of the 1974 EIR, the traffic estimated to be generated by the Jamestown Landfill was 650 trips per day. In reality, the landfill's trip generation has never exceeded 250 average daily trips (ADT), well below the EIR's estimates. The access road to the landfill, Campo Seco Road, is a County-maintained facility that features a level of service C and a peak hour capacity of 482 vehicles. According to Alan Roberts, Tuolumne County's Assistant Director of Public Works, Campo Seco Road has surplus capacity at this time and, based upon growth projections, is not expected to reach capacity during the site life of the landfill; consequently, extending the life of the landfill to 2003 will not have an effect on the access road to the site.

The Tuolumne County Air Pollution Control Office has stated that they have never found a violation concerning dust and air quality standards at the Jamestown

landfill. According to that agency, the landfill is in compliance with the County's air pollution control standards; consequently, continued use of the landfill facility has no potential to adversely affect air quality.

The LEA has received only 25 complaints concerning the landfill during the past three years, an average of 8 per year. These complaints concerned a myriad of issues, such as noise, odors and garbage not properly covered. Prior to 1991, the LEA received only a handful of complaints concerning the operation of the landfill. Obviously, if environmental problems had surfaced during the 20 years of operation of the Jamestown Landfill, many more complaints would have been filed. Continuing to operate the Jamestown Landfill, in accordance with the 1983 SWFP or the proposed modifications to that permit, and in a manner that has proven to be acceptable to the public would not have a potential adverse effect on the environment.

Summary

The subject modification to the 1983 Solid Waste Facilities Permit proposes to establish (1) a maximum permitted daily tonnage of 100 tons, (2) a maximum permitted disposal area, (3) a maximum permitted height to 1,900 foot elevation, (4) a list of permitted and prohibited wastes, (5) a reference to Waste Discharge Requirements issued in 1988, and (6) a correction of the name of the landfill operator. As such, these proposed modifications will make the permit more restrictive and enforceable. Since the proposed permit modification solely enacts restrictions on the use, configuration and life of the landfill, there is no potential for the change in the permit to create an adverse environmental impact; consequently, pursuant to Section 15061(b)(3) of the CEQA Guidelines, this project is not subject to environmental review. What the proposed change in the permit will result in is a beneficial effect on the environment.

10/13/94

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM 18

ITEM: Semi-annual update and Publication of the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory)

Background:

Public Resources Code (PRC) Section 44104 requires the Board to maintain and publish twice annually an inventory of solid waste facilities which violate State Minimum Standards. Pursuant to PRC 44104, the Board adopted a method for placing facilities on the Inventory on May 28, 1992. Subsequently, Assembly Bill (AB)1220 was passed by the state's lawmakers, mandating changes in the regulatory framework for solid waste facilities. Specifically, AB 1220 mandates that regulatory overlap and duplication of effort between state and local agencies concerning the regulation of solid waste activities be eliminated. Consistent with AB 1220, the Board approved a revised Inventory Policy at their March 30, 1994 meeting. The revised policy gives Local Enforcement Agencies (LEAs) primary responsibility for documenting violations of State Minimum Standards and correction of such violations for purposes of maintaining the Inventory.

Analysis:

Whenever a facility is proposed to be placed on the Inventory for State Minimum Standard violations, a 90 day notice of intent (NOI) is issued to the owner/operator. Board Enforcement Staff issued 150 NOI's between January 1, 1991 and January 1, 1995. As of January 6, 1995, 144 of those facilities which were issued NOIs were documented as having corrected the violations, as verified by LEA and/or Board reinspections. The NOI was rescinded for one facility because of regulatory overlap considerations. Two facilities issued NOI's are awaiting further resolution. One facility was removed from the Inventory after compliance was verified by the LEA. Two facilities that were included on the Inventory before the last update on July 20, 1994 remain on it (See table on page 2).

Inventory of Facilities Which Violate State Minimum Standards as of January 25, 1995

Facility	Operator	SWIS No.	County	Type of Facility	Date of Inclusion	State Minimum Standards Violated
Dixon Pit LF	West Coast Building and Wrecking Company	34-AA-0007	Sacramento	Landfill	December 12, 1992	14CCR 17616, 17658, 17676, 17682, 17689, and 17704
Needles Refuse DS	City of Needles	36-AA-0059	San Bernardino	Landfill	February 24, 1993	14CCR 17716, 17637, 17671, 17672, 17673, 17676, 17682, 17695, 17701, 17703, 17706, 17707, 17710, 17711, 17713 and 17743

STAFF RECOMMENDATIONS:

No action is required by the Permitting and Enforcement Committee to adopt the Updated Inventory, but the item should be forwarded to the full Board. Pursuant to the adopted Inventory Policy (LEA Advisory Number 14), the Board "publishes" the Inventory through a presentation to the Board at one of its monthly business meetings.

Prepared by: Vance Tracy Phone: (909) 798-9391

Reviewed by: Paul Willman Phone: (909) 798-1549

Approved by: Douglas Okumura Phone: (916) 255-2431

Legal Review: Elliot Block Date/Time: December 27, 1994/ 3:56PM

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

Agenda Item 22

ITEM: Consideration Of A Contract Concept With The City of Santa Monica For An Educational Video

I. SUMMARY

The City of Santa Monica has produced a 60-minute video on used oil and household hazardous waste. This video contains an interview with Board Chairman Huff in which he discusses the disposal of used oil. Board staff have been very involved in the planning and scripting of this video. The City of Santa Monica is now in a position to distribute this Los Angeles Emmy winning video to a wide audience. Staff is recommending that the Board enter into a contract with the City of Santa Monica to help fund the cost of reproducing and distributing the video.

II. PREVIOUS COMMITTEE (OR BOARD) ACTION

The Administration Committee was scheduled to consider the proposed staff recommendations for the approval of a contract concept with the City of Santa Monica for an educational video at its monthly meeting on January 18, 1995. This item was prepared prior to the Board meeting, so the Committee's action regarding the recommendations cannot be identified at this time.

III. OPTIONS FOR THE BOARD

Board Members may wish to:

1. Approve the staff recommendation of approval of a $10,000 contract concept with the City of Santa Monica; or

2. Recommend an alternative; or

3. Deny this request for approval.

IV. STAFF RECOMMENDATIONS

Staff recommends Option #1.

V. ANALYSIS

The City of Santa Monica has developed a distribution plan that will include distributing the video and accompanying promotional print materials into the hands of every public television station, municipal, and community access channel in the state. Additional distribution is planned to public television stations

nationally throughout the five regional Public Broadcast Station program cooperatives.

This project was listed as part of the Board's 1994 achievables and will be paid for from the Used Oil Recycling Fund.

The video was nominated and won a 1993 Los Angeles Emmy. It is a professional and informative video that can be utilized by a much broader audience for the purpose of educating the viewers.

VI. FUNDING INFORMATION

Amount Requested in Item: $10,000

Fund Source:

- X Used Oil Recycling Fund
- ☐ Tire Recycling Management Fund
- ☐ Recycling Market Development Revolving Loan Account
- ☐ Integrated Waste Management Account
- ☐ Other _____ (Specify)

Approved From Line Item:

- X Consulting & Professional Services
- ☐ Training
- ☐ Data processing
- ☐ Other _____ (Specify)

Coding:

1100 (Index) 21843 (PCA) 418 (Object)

Redirection:

If Redirection of Funds: $_____

From: _____ (Index) _____ (PCA) _____ (Object)

This project was listed as part of the Board's 1994 achievables and will be paid for from the Used Oil budget.

The video was nominated and won a 1993 Los Angeles Emmy. It is a professional and informative video that can be utilized by a much broader audience for the purpose of educating the viewers.

VI. ATTACHMENTS:

1. Attachment A - Completion and Distribution Budget for "Is It Really Away" video

VII. APPROVALS

Prepared by:	Fernando Berton F.B.	Phone:	255-2470
Reviewed by:	Mitch Delmage MD	Phone:	255-2623
Reviewed by:	Judith Friedman JJF	Phone:	255-2302
Reviewed by:	Marie LaVergne MBL 1/17/95	Phone:	255-2269
Legal Review:		Date/Time:	

Is It Really Away
Completion and distribution budget

Final Post-Production

Opening Title sequence Graphics and computer paint-box input Graphic artist and computer system 10 hours @ 175.00	1,750.00
Computer rendering 25 hours @ 50.00	1,000.00
Final on-line editing Betacam SP with DVE and Dubner graphics Equipment charges and on-line editor 40 hours @ 100.00	4,000.00
Technical director and On-line supervising editor 60 hours @ 25.00	1,500.00
Final sound mixing and sweetening 20 hours @ 125.00	2,500.00

Program Distribution

Design, Production and Printing of Promotional literature	2,000.00
Distribution coordinator 100 hours @ 20.00	2,000.00

Dubbing and duplication	1,000.00
Administrative overhead Phone, FAX, Photocoping, rent Travel, Tape stock, etc.	1,000.00
Total completion budget	
	16,750.00

Funding request to
Waste Management Board 10,000.00

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Meeting Agenda
January 25, 1995

AGENDA ITEM #24

ITEM: Reconsideration of the Recycling Equipment Tax Credit Report

I. SUMMARY

Revenue and Taxation Code (RTC) sections 17052.14 (j) and 23612.5 (j) require the Board to submit a report to the Legislature by March 1, 1994, evaluating the impact of the Recycling Equipment Tax Credit Program. The report was adopted by the Board January 26, 1994, and submitted to CAL/EPA in April.

As part of the Governor's Office review, the Department of Finance had several comments about the report.

The DOF comments focused on two general areas:

1. lack of a quantitative analysis assessing the marginal impact of the tax credit (i.e,, how much equipment was purchased as a direct result of the credit that would not have been purchased in the absence of the credit); and

2. the effects on the General Fund if the Board's recommended changes were adopted

Based on DOF's review, the Governor's Office did not clear the report for submittal to the Legislature in the form adopted by the Board. Cal/EPA requested the Board amend the report, addressing DOF's comments.

II. PREVIOUS COMMITTEE ACTION

At its January 12 meeting, the Market Development Committee unanimously approved the revised report without change for consideration by the Board.

III. OPTIONS FOR THE BOARD

The Board may decide to:

1. Accept the Committee and staff recommended report and direct staff to forward it to Cal/EPA and the Governor's Office.

2. Modify the report and direct staff to forward it to Cal/EPA and the Governor's Office.

3. Not revise the report.

IV. STAFF RECOMMENDATION

Staff recommends Option 1 above: approve the revised report to be forwarded to Cal/EPA and the Governor's Office.

V. ANALYSIS

Staff has amended the report addressing DOF's comments.

Although not able to provide the marginal analysis of the credit as requested by DOF, staff was able to explain the reasons such an analysis was not possible:

1. taxpayers had to purchase and install the equipment before they could apply for the credit. Thus, most assumed no credit would be allowed, but hoped for approval.

2. the credit had only been available for 18 months when staff surveyed taxpayers to prepare the initial report.

   Taxpayers, tax advisors, and equipment manufacturers were just beginning to learn about the credit and the requirements to receive it to begin including the credit in their purchase decisions.

The revised report includes a qualitative assessment of the impacts on the General Fund if the Board's recommended amendments were adopted. The expected costs to the General Fund could be substantially less than if the amendments were not made for two reasons:

1. industries not needing economic incentives to make their equipment purchases cost effective would be excluded from the program. These are industries processing steel and paving materials, and which represented over 50% of the program costs to date; and

2. taxpayers would be required to notify the Board they were going to purchase recycling equipment before the purchase was made. Thus, no one would receive an unexpected tax credit and the tax credit would become a consideration in the purchase decision.

Although not required, staff also updated the statistics of the program concerning the number of applications received and approved, expected tons diverted from landfills, etc.

Nothing was removed from the Board's earlier report and the recommended amendments were not changed.

With these changes, staff has been told the Governor's Office will approve the report for transmittal to the legislature.

VI. ATTACHMENTS

Revised Recycling Equipment Tax Credit Report

VII. APPROVALS

Prepared by: _____ Phone _____

Reviewed by: John D Smith Phone 255-2582

David Goff Phone 255-2320

_____ Phone _____

REPORT TO THE LEGISLATURE:

"IMPACTS OF THE CALIFORNIA RECYCLING EQUIPMENT TAX CREDIT PROGRAM"

Required by California Revenue and Taxation Code §17052.14(j) and §23612.5(j)

California Integrated Waste Management Board

Approved January 26, 1994
Revised January 25, 1995

RECYCLING EQUIPMENT TAX CREDIT

EXECUTIVE SUMMARY

Revenue and Taxation Code (RTC) sections 23612.5(j) and 17052.14 (j) require the California Integrated Waste Management Board (Board) to submit a report to the Legislature by March 1, 1994, evaluating the impact of the Recycling Equipment Tax Credit Program. The report is to include information about the number of taxpayers claiming the credit, dollar amount allocated, type of equipment credit was used for, and to what extent the credit increased recycling activities in California.

The Board received 194 applications for certification, issued 144 certifications, and denied 28. (22 applications were pending as of December 15, 1994, when this report was prepared.) The estimated allowable credit for equipment purchased is $13.9 million with an expected 6.1 million tons of secondary materials[1] used annually by the certified taxpayers. Asphalt/concrete recycling businesses received the largest portion of the credit: 40 certifications with an approximate allowable credit of $4.8 million and an expected 4.7 million tons of postconsumer materials[2] used annually.

Because the Program required the equipment to be purchased and placed in service before the taxpayer could apply for the credit, the tax credit was not a major influence to encourage business to purchase equipment. Modifications to the program could substantially increase its effectiveness in creating markets for materials recovered under Assembly Bill 939 (Sher, 1989) mandates. Experience suggests that this would simultaneously increase investment in recycling equipment, spur markets for collected materials, and encourage new recycling businesses. The modifications proposed include, but are not limited to:

1) allowing lease arrangements to qualify;
2) allowing for specified reuse equipment;
3) focussing on priority secondary materials; and
4) requiring a prefiling in order to ensure the credit becomes more of a factor in a purchase or lease.

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[1]"Secondary Waste" means those products generated within California that, if not recovered, would otherwise be solid waste, and that are intended for sale, use, reuse, or recycling, including preconsumer and postconsumer waste, but excluding manufacturing waste (RTC section 17052.14 (d)(3)).

[2]"Postconsumer Waste" means only those products generated within California by a business or consumer which have served their intended end uses and would normally be disposed of as solid waste, having completed their life cycle as a consumer item (RTC section 17052.14 (d)(2)).

INTRODUCTION

The Board's Recycling Equipment Tax Credit Program (ETC) sunset January 1, 1994. Revenue and Taxation Code sections 23612.5 and 17052.14 allow a 40 percent tax credit for qualified property (equipment) purchased and placed into operation between January 1, 1989, and December 31, 1993. The credit is divided over three years: 20% the first year, 15% the second year and 5% the third year. Any unused credit because of low tax liability is rolled to the following year, and succeeding years if necessary, until the credit is exhausted. The statutes also require the Board to submit a report to the Legislature which includes information about the number of taxpayers claiming the credit, dollar amount allocated, type of equipment credit was used for, and to what extent the credit increased recycling activities in California.

The information in this report is compiled directly from the applications submitted to the Board for certification, staff research, telephone surveys to assess the effectiveness of the tax credit program, and data provided by the State Franchise Tax Board (FTB).

This report is divided into four sections. Section I presents the information on the number of applicants, certifications issued, amount of secondary materials diverted, dollar amount allocated, material used as feedstock to produce a finished product, and type of equipment purchased. Section II evaluates the effectiveness of the program, Section III presents recommendations for improvements, and Section IV summarizes the report.

I. APPLICANT INFORMATION

The Board received 194 applications for certification, issued 144 certifications, and denied 28. (10 of the 25 applications denied were because the applicant leased the subject equipment and statute requires the applicant to both own and operate the equipment.) Twenty-two applications were pending as of December 15, 1994, when this report was prepared. The estimated allowed credit for those certified is approximately $13.9 million with an expected 6.1 million tons of secondary materials used annually by the certified taxpayers. The results are as follow:

Material Recycled	Number Approved	Allowable Credit	Tons Used Annually
Asphalt/Concrete	40	$ 4,813,792	4,755,430
Compost	35	1,731,633	321,932
Fiber (textiles)	1	250,000	13,000
Glass	5	953,985	162,502
Metals	31	2,796,288	550,925
Oil Filters	1	103,200	3,240
Paint	1	3,299	16
Paper	12	1,144,467	263,882
Plastic	13	1,599,724	20,669
Rubber	2	262,339	8,770
Soil	1	62,000	20,000
Wood	2	261,408	35,491
Totals	**144**	**$13,982,135**	**6,155,857**

As indicated above, the majority of the equipment (49%), as well as the dollars expended (54%), is for the asphalt/concrete and metals industries. This equipment includes grinders and crushers to reclaim old concrete and return it to a marketable aggregate; specialized asphalt milling equipment that grinds old asphalt and lays it back into new asphalt; and steel and aluminum furnaces to produce ingot and billet to be used in the manufacture of new products. Other equipment includes grinders and chippers for producing compost and mulch, plastic extruders, and equipment to produce glass cullet. One applicant was approved to clean postconsumer wine bottles for reuse.

The Franchise Tax Board indicates that $1,889,500 have been claimed for the tax credit for 1989 through 1993. This figure differs from the Board's because the FTB figures do not include any 1994 amounts or any unused credit rolled forward for use in subsequent years. Also, for equipment purchased in 1992 and 1993, the full 40 percent tax credit has not yet been claimed. The amount reported by FTB is the actual dollar impact on the State's revenue as of December 1994.

II. EVALUATION

California's tax credit program became effective January 1, 1989, but the statutes were not chaptered until September of 1989. Staff were not hired to implement the tax credit program until September 1990 and the regulatory process to certify the equipment was not completed until September 1991. Full implementation, then, occurred three years into the five year program. Therefore, evaluation of this program is based on a two year time-frame.

Unfortunately, by the way the Program was structured in the Revenue and Taxation Code Sections 17052.14 and 23612.5, the Board is unable to determine the <u>marginal</u> effects of the credit (ie, the increased purchases made by taxpayers as a direct result of the credit). The statute required applicants to purchase and install the equipment <u>before</u> knowing whether or not they would receive the credit.

The ETC application, as required by statute and regulations, is complicated by the inclusion of material feedstock analysis (amount of virgin material used compared to the amount of recovered material, source of the material, whether it otherwise would have gone to a landfill, etc.). Businesses and tax consultants are generally unfamiliar with these concepts which resulted in significant uncertainty by taxpayers as to whether the Board would approve their application. This uncertainty affected the overall effectiveness of the program as an incentive to purchase equipment. Thus, the credit could not be part of their purchase decision. In a vast majority of the cases, decisions were made with the expectation of receiving no credit.

In the last few months of 1994, equipment manufacturers and tax consultants were beginning to learn what equipment, if used in California to produce finished products made from California recycled materials, would qualify for the credit. These manufacturers were beginning to advertise and promote the purchase of their equipment considering the tax credit.

At the time the data for the Report was collected, the Board had less than a year and a half experience administering the Program. Businesses, tax planners, and equipment manufacturers and purchasers were only introduced to the availability of the credit and were unsure exactly what criteria needed to be met to obtain it.

The Recycling Equipment Tax Credit existed between 1989 and 1994. Because the ETC was a new and complicated statute, it required a fairly long lead time for tax consultants to become familiar with and comfortable about recommending it to clients. (As the ETC required complicated feedstock analysis, the tax community did not readily understand the technical requirements of the ETC statute or regulation, nor openly advocated the ETC to industry as a tax incentive to purchase recycling tax credit.) The Board believes that in the last year of the ETC program (1994), more tax consultants understood and advocated the regulation to clients. However, even in the last year, ETC applications prepared by accountants were denied because some still did not fully understand the regulation.

The Board believes, with the passage of time, the ETC regulation did become better understood by the tax and business community and, as such, has become a more effective tool to stimulate the demand for recycling equipment. In the last year, some began to know through experience the types of equipment which had qualified for the credit and were beginning to include the availability of the credit in their economic analysis of marketing activities. For example, a cement recycling equipment manufacturer aggressively began marketing to California concrete firms the fact that its equipment qualified for the credit. According to the manufacturer (when the president called to complain that the credit had expired), at least four purchases were made in late 1993 because of the credit.

Since the program was not operating until September of 1991, many eligible applicants who purchased qualifying equipment in 1989, 1990, and early 1991 were not aware of the credit until after their equipment was purchased. This may explain why the research indicated that sixty-three percent of the equipment purchased was prior to the applicant knowing about the credit. Applicants indicated that if the program is extended they would consider purchasing additional equipment.

As indicated in Section I, the major users of the tax credit are in the asphalt/concrete and steel/metal businesses. These are established profitable industries and the tax credit had minor impact on businesses' decision to purchase new equipment. Research indicates that, during the first years, the tax credit was a windfall for such businesses, yet did not provide adequate incentives for the development of new recycling businesses.

Most start-up businesses have little profit during their first few years and low tax liability. Consequently, the tax credit offered little incentive for such businesses; their earned credit was simply rolled into future years so was not actually available to the businesses until a California tax liability was incurred. One viable option to obtain qualifying equipment is through leasing or third-party investments. Unfortunately, as currently worded, the tax credit

cannot be claimed by either party since the equipment must be both owned and operated by the same taxpayer.

Currently, many manufacturers and processors of reused products are unable to take advantage of the tax credit. Refillables are not considered postconsumer waste if they are in fact intended to be reused or refilled and, thus, have not "completed their life cycle as a consumer item." Such containers, though, may have limited acceptance by container users (dairies, breweries, soft drink producers, etc.) unless incentives are available to help offset the costs of the washing and cleaning equipment necessary to reuse the containers. Since each time a container is refilled reduces a container from being generated for diversion or landfilling, refillables can contribute significantly to reducing California's waste management problems.

Board staff contacted 23 other states that have a recycling tax credit program to compare the effectiveness of their programs to California's program. Staff found that little information was available from other states because their programs were new and evaluations had not been performed. The states were unable to comprehensively evaluate their own programs for the same reasons California was unable to thoroughly evaluate its tax credit program.

While this section presents shortcomings in the existing program, the following section presents recommendations to improve the tax credit if it is extended.

III. RECOMMENDATIONS

Although the existing tax credit does not appear to have a major impact to increase recycling, if changes are made in the program to remedy the problems discussed above, more recycling businesses could take advantage of the credit. The Board makes the following recommendations:

1. The tax credit should be allowed for third party investors and in lease purchase agreements. This would allow businesses with limited capital to obtain new equipment.

2. Manufacturers have developed, and are continuing to develop, refillable containers for beverages and other consumer products. These containers require specific cleaning equipment to prepare the containers to re-enter the market place. The tax credit should be expanded to qualify equipment which cleans and processes refillable containers.

3. As indicated in the report, the largest portion of equipment certified is in the asphalt/concrete recycling industries. To better target the tax incentives, secondary materials eligible for the credit should be more carefully selected to focus on those emerging industries needing financial assistance. For example, asphalt, pavement, and scrap metal other than white goods and steel cans could be excluded, or the priority materials from the Market Development Plan (mixed paper, compostables, and unsorted plastics) could be targeted. This way, funds would go

directly to material recycling most in need of market development.

4. Since the report indicates that most of the applicants had been unaware of the tax credit prior to the purchase of the equipment, the law should require a prefiling by the taxpayer. A requirement that the taxpayers file a notice with the Board prior to the purchase of the equipment would ensure the tax credit was a consideration in the decision to purchase recycling equipment.

The Board does not have the available information to assess whether these recommendations would pose a significant expansion to the program. The first recommendation was suggested to the Board by a variety of small business owners who wanted to expand their activities but did not have the resources or lines of credit to purchase the needed equipment. Tax credit eligibility in lease arrangements would significantly allow start-up firms to participate in the benefits of the program and promote the expansion of small businesses throughout the State.

The Board also does not have research to indicate that the leasing option would improve the tax credit effectiveness. The Board, though, had received numerous inquiries and recommendations from taxpayers to include an allowance for tax credit benefits in leasing agreements. Late in the Program implementation, the Franchise Tax Board released an opinion reversing an earlier opinion (which did not allow lease options) to allow certain lease arrangements to qualify for the credit under the original statute. This recommendation, then, would simply make this allowance more visible to taxpayers.

The second recommendation was also based on suggestions from an investor to improve the Program. The recommendation is included to reflect the Board's waste management hierarchy; reuse has a higher priority than recycling, so it should also qualify for the credit. The Board expects this option to have minimal impact on the General Fund, since very few containers in the waste stream can be reused directly after only being cleaned.

The information available to the Board indicates, however, that the reuse industry in California is fledgling. Of the 78 loan applications received by the Board's Recycling Market Development Loan Program, only three were for reuse purposes. In addition, of the 194 ETC applications received, only two were for equipment purchased to recondition previously used containers. While this information was not obtained from a statistically representative sampling technique, the results do provide an indication of the relatively small size of the reuse industry vis-a-vis the recycling industry in California.

The Board believes that if recommendation three was included in a revised tax credit program, the impact on the General Fund would not increase. This would occur as most metal and inert (pavement, concrete, etc.) recycling activities would be excluded. Metal and inerts constituted 54% ($7.6 million) of the total approved credits and have been shown to be extremely cost effective without a tax credit incentive. We believe the dollar credits for the lease and refill options (numbers 1 and 2 above) will not impact the General

Fund significantly, certainly less than the tax credit reductions from the elimination of metal and inert recycling equipment.

Finally, recommendation four is included to increase General Fund revenues. By eliminating eligibility for taxpayers unfamiliar with the credit when they make their purchases, the credit would be reserved for those who actually considered the credit in their equipment decisions.

IV. Conclusions

Based only on the information presented in this Report, the effectiveness of the Program is uncertain. However, before that conclusion can definitely be drawn, certain other factors must be taken into account.

First, the Report was prepared after only 18 months of experience. Businesses, tax advisors, and equipment manufacturers and purchasers were unfamiliar with the Program requirements, with the Board's review criteria, and with the many nuances that would determine equipment eligibility (in one application the equipment would qualify, but the same equipment in a different situation might not). Consequently, purchase decisions were made exclusively on economic considerations without the tax credit. However, as the Program became better understood, purchasers were able to begin factoring in the tax credit as they were considering their purchases. We believe, if the credit were to continue, that it would become an incentive to purchase recycling equipment and spur business development in the State, especially for small businesses.

Secondly, if the recommendations presented in the Report were implemented, we believe the costs to the General Fund would decrease from the costs during the initial years of the credit. The exclusion of inerts and most metals from allowable feedstock can reduce costs by up to 54% (based on Program history); the inclusion of reuse and refill equipment may increase tax credit eligibility, but insignificantly due to the few containers in the waste stream capable of being reused following only a washing. The inclusion of leased equipment to qualify does not change current provisions; it only would make that allowance more visible to small businesses.

Finally, the Board does not believe the tax credit should be reviewed as an isolated program addressing only waste management issues. Rather, its benefits should be reviewed from more of a systems approach. Working in conjunction with other waste management programs, the credit can be an incentive for economic, business, and employment development; it can reduce air pollution from reduced waste hauling to landfills as collected materials are used locally for new products feedstock; energy savings can increase as manufacturers switch from virgin feedstock to recycled feedstock since less energy is needed to process the latter; California has less reliance (and vulnerability) on foreign materials as it begins to use more and more of its own resources recovered from the waste stream.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Meeting Agenda
January 25, 1995

AGENDA ITEM #25

ITEM: Consideration of Rigid Plastic Packaging Container Trade Association Submittal of Reports; and Consideration of Delegation to Executive Director to Enter into Agreements With the Associations (Required by Public Resources Code Sections 42310.1 and 42310.2)

I. SUMMARY

The Board's Rigid Plastic Packaging Container Program requires manufactures of food and cosmetic products to file a report with the Board by December 1, 1995. The Program further allows trade associations to report on behalf of their members. Those associations who chose to report to the Board were required to notify the Board of their intent by December 1, 1994, and the Board is required to notify the associations of its decision to enter into an agreement within 60 days.

II. PREVIOUS COMMITTEE ACTION

The Local Assistance and Planning Committee unanimously approved the staff recommendation to accept the trade association submittals and delegate approval of the agreement with the associations to the Executive Director.

III. OPTIONS FOR THE BOARD

The Board members may decide to:

1. Accept the letters of intent from the trade associations and direct the Executive Director to enter into an agreement with them.

2. Accept the letters of intent from the trade associations and direct staff to draft an agreement for later Board consideration.

3. Require each food and cosmetic product manufacturer to individually file the required report with the Board by December 1, 1995.

IV. STAFF RECOMMENDATION

Staff recommends the Board adopt the Committee and staff recommendation (option 1 above) to accept the letters of intent from the trade associations and direct the Executive Director to enter into an agreement with them.

V. ANALYSIS

Background

PRC §42310.1(c)(1) requires food and cosmetic product manufacturers not in compliance with the Board's Rigid Plastic Packaging Container Program (RPPC) to submit a report to the Board by December 1, 1995. The report shall demonstrate that the manufacturer is taking all feasible actions to ensure the reduction, recycling, or reuse of the rigid plastic packaging containers and the development and expansion of markets for rigid plastic packaging containers.

PRC §42310.2(c) allows the Board to enter into a contract, or other legally binding agreement with one or more trade associations to report on behalf of their members. The agreement allows the trade associations to submit the report in lieu of individual manufacturers. The statute further requires the Board to enter into an agreement with the trade associations if two conditions are met:

1. the agreement ensures that the report will contain sufficient information which otherwise would be required to be submitted by individual manufacturers; and

2. the agreement ensures that each manufacturer which elects to be a party to the agreement and which is a member of the trade association which submits the report shall be liable for the full amount of any civil penalties which may be imposed by the Board.

CCR Title 14 Section 17948(g) of the Board's RPPC Regulations requires trade associations planning to submit reports on behalf of their members to file a written request with the Board by December 1, 1994. It further requires the Board to notify the associations of its decision to enter into an agreement with them within 60 days.

On November 23, 1994, the Grocery Manufacturers of America, Inc.,

the National Food Processors Association, the Distilled Spirits Council of the United States, the California League of Food Processors, the Dairy Institute of California, and the American Frozen Food Institute submitted a single request to the Board to compile and submit the required report on behalf of their members.

The Cosmetic, Toiletry, and Fragrance Association (CTFA) submitted a request on behalf of its members on November 29, 1994.

Findings

Both the industry coalition and the CTFA submitted their requests within the time period specified in the Board's regulations and are prepared to submit reports complying with the requirements in statute. The agreement with the associations will contain the required information and liability provisions and is an administrative function. The Board will not procure any supplies or services nor will any funds change hands as the result of the agreements.

VI. ATTACHMENTS

1. Request letter from industry coalition
2. Request letter from the Cosmetic, Toiletry, and Fragrance Association

VII. APPROVALS

Prepared by: Bill Hust Phone 255-2482

Reviewed by: John Smith Phone 255-2582

David Gorfi Phone 255-2320

Blackheim Phone 2191

November 23, 1994

Ms. Jan Welch
California Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

Dear Ms. Welch:

This letter regards the Rigid Plastic Packaging Container Program adopted by the California Integrated Waste Management Board on June 29, 1994, Title 14 of the California Code of Regulations, Division 7, Chapter 4, Article 3 Sections 17942-17949.

Pursuant to Section 17948(g), the trade associations Grocery Manufacturers of America, National Food Processors Association, Distilled Spirits Council of the United States, California League of Food Processors, Dairy Institute of California, and the American Frozen Food Institute request the Board's approval to compile and submit the reports required by Section 17948 on behalf of their member product manufacturers. The information required by Section 17948(g) is attached.

Thank you for your assistance.

Sincerely,

C. Manly Molpus
President and CEO
Grocery Manufacturers of America, Inc.

John R. Cady
President and CEO
National Food Processors Association

Fred A. Meister
President and CEO
Distilled Spirits Council of the United States

T. Jeffrey Boese
President and CEO
California League of Food Processors

Craig S. Alexander
Executive Director
Dairy Institute of California

Steven C. Anderson
President and CEO
American Frozen Food Institute

Grocery Manufacturers of America, Inc.
1010 Wisconsin Avenue, NW
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Washington, D.C. 20007
Contact: Judith M. Thorman
Senior Director, State Affairs
(202) 337-9400

National Food Processors Association
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Washington, D.C. 20005
Contact: Laurel A. Nelson, Esq.
Director and Counsel
(202) 639-5919

Distilled Spirits Council of the United States
1250 Eye Street, NW
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Washington, D.C. 20005
Contact: Monita Fontaine
Director of State Government Relations
(202) 628-3544

California League of Food Processors
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Sacramento, CA 95814
Contact: Bill Grigg
Vice President of Government Affairs
(916) 444-9260

Dairy Institute of California
1127 Eleventh Street
Suite 718
Sacramento, CA 95814
Contact: Rachel Kaldor
Director of Legislation
(916) 441-6921

American Frozen Food Institute
1764 Old Meadow Lane. Suite 350
McLean, VA 22102
Contact: Dina Moses Land
Vice President of Member Services and Legislative Affairs
(703) 821-0770

C T F A

THE COSMETIC, TOILETRY, AND FRAGRANCE ASSOCIATION

November 29, 1994

E. EDWARD KAVANAUGH
PRESIDENT

Janice Welch
Associate Waste Management Specialist
California Integrated Waste Management Board
8000 Cal Center Drive
Sacramento, California 95826

Dear Ms. Welch:

The Cosmetic, Toiletry, and Fragrance Association (CTFA) is notifying the Board of its intent to submit a progress report by December 1, 1995 on behalf of interested CTFA member companies pursuant to Title 14 of the California Code of Regulations, Division 7, chapter 4, Article 3, Sections 17948 (e) and (g) of the California rigid plastic container rule.

CTFA is the national trade association representing the personal care products industry. We represent over 500 companies directly involved in the manufacture, distribution and marketing of these products. This includes over 260 companies that manufacture and distribute cosmetics and over-the-counter drugs in California and throughout the United States. Many of these companies are international in scope, selling U.S.-made products globally. The remaining approximately 280 companies in CTFA's membership are suppliers of goods and services to manufacturers and distributors of personal care products. These include suppliers of raw ingredients, packaging and dispensing technology, and other materials as well as those who provide services such as advertising.

CTFA will either submit its own trade association report on behalf of interested cosmetic companies or CTFA will be part of a larger FDA-regulated products report with the food industry. Currently, CTFA is exploring participation in a multi-industry trade association report on progress by food and cosmetic companies in meeting the rigid plastic container law. In the future agreement with the Board, CTFA will specify in greater detail the type of trade association report it will prepare.

1101 17TH ST., N.W., SUITE 300 WASHINGTON, D.C. 20036-4702
202.331.1770 FAX 202.331.1969
SECURING THE INDUSTRY'S FUTURE SINCE 1894

To contact CTFA regarding the association's request to submit a trade association report, please contact:

Cathy Beckley
Legal and Regulatory Counsel
The Cosmetic, Toiletry, and Fragrance Association
1101 17th Street, N.W., Suite 300
Washington, D.C. 20036-4702
Phone: 202/331-1770.

Sincerely,

Cathy Beckley

Cathy Beckley
Legal and Regulatory Counsel

cc: Robert Conheim, Esq.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

January 25, 1995

AGENDA ITEM 26

ITEM: Consideration of Award of the Comprehensive Laboratory Services Contract (IWM-C4031)

I. SUMMARY

This item presents the information necessary for Board members to determine whether to award the contract for Comprehensive Laboratory Services to the lowest qualified bidder.

II. PREVIOUS BOARD ACTION

The contract concept for the Comprehensive Laboratory Services Invitation for Bid (IFB) was approved by the Board at its August 31, 1994 meeting. The amount authorized for this contract was $90,000. This item same will be presented to the Policy, Research and Technical Assistance Committee at it's January 19, 1994 meeting.

III. OPTIONS FOR THE COMMITTEE

Board members may elect to:

1. Award the contract to the lowest qualified bidder.

2. Decline to award the contract.

IV. STAFF RECOMMENDATION

Staff recommends that the Board award the contract to the lowest qualified bidder.

V. ANALYSIS

Purpose of Contract

The purpose of this contract is to provide the Board with laboratory services for environmental testing, materials testing, and industrial hygiene sample analysis.

Environmental testing includes analyses of water, gases, soils, leachate, wastes, etc. in support of the Board's regulatory functions at solid waste facilities. Materials testing includes methods to determine the quality, mechanical properties, or performance of compost and products made with recycled materials in support of the Board's market development programs. Industrial hygiene sample analyses provides support to the Board's health and safety program

Lowest Qualified Bidder

The Board approved a $90,000 budget to implement this contract at its August 31, 1994 meeting. A scope of work was developed, reviewed by committee advisors and incorporated into the IFB. The IFB was advertised in the State Contracts Register on October 14, 1994. Copies of the IFB were mailed to all interested parties. The deadline for submitting bids to the Board was 4:00 p.m. on November 30, 1994.

Three bids were received. One bidder was disqualified for failure to provide documentation required in the IFB. From the remaining two, the lowest bidder for the selected analyses used in pricing the bid was EMS Laboratory in Pasadena with a bid of $14,054.

Staff examined references, current state laboratory accreditation status, and the laboratory itself and determined that EMS Laboratory meets the Board's minimum bid requirements and is, therefore, the lowest qualified bidder.

VII. APPROVALS

Prepared by:	David Volden	Phone:	255-2439
Reviewed by:	Martha Gildart, P.E.	Phone:	255-2619
Approved by:	Daniel Gorfain, P.E.	Phone:	255-2320

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

JANUARY 25, 1995

AGENDA ITEM 27

ITEM: ADOPTION OF THE TIRE RECYCLING PROGRAM ANNUAL REPORT

I. SUMMARY

PRC §42884 requires the Board to report to the Legislature annually on the number of tires recycled or diverted from disposal in landfills or stockpiles by May 1. The *Tire Recycling Program Annual Report* (Report), which fulfills this requirement, has been included as an appendix to the Board's *Annual Report* for the last two years. Due to the change in format this year, the Board's Annual Report will not include the Report as an appendix. Therefore, this year the Report requires separate Board approval.

II. PREVIOUS BOARD ACTION

The Board has adopted three previous reports. The last two reports were included in the Board's 1992 and 1993 Annual Reports.

III. PREVIOUS COMMITTEE ACTION

The Policy, Research, and Technical Assistance Committee did not meet prior to the submittal of this Item.

IV. OPTIONS FOR THE BOARD

The Board may decide to:

1. adopt the *Tire Recycling Program Annual Report* and forward it to CalEPA; or

2. provide direction to staff for revision of the *Tire Recycling Program Annual Report*.

V. STAFF RECOMMENDATION

Staff recommends the Board adopt the *Tire Recycling Program Annual Report* and forward it to CalEPA.

VI. ANALYSIS

Background

The *Tire Recycling Program Annual Report* (Report) has been prepared to fulfill the reporting requirements of PRC §42884 which requires the Board to report to the Legislature annually on the number of tires recycled or diverted from disposal in landfills or stockpiles. This Report is the fourth in four years that staff has prepared for Committee approval.

The report is organized into three sections. Section I, *Used Tire Markets and Quantification*, provides estimates of used tire generation, consumption, and disposal in California. Sections II, *Tire Recycling Grant Program*, provides background information on the program and lists all business development, innovative research, and local government grant awards to date. Section III, *Contracts*, provides information on other related activities including waste tire facility regulation, hauler registration, public education, and marketing and technical research contracts.

Findings

Quantification

Due to population increases in the nation and the state, the number of vehicle miles traveled and the amount of vehicle fuel consumed also increases. These indicators also signify an increase in the number of used tires generated. Because tire shipment figures are only available for the nation, staff estimated the number of used tires generated primarily by population increases and state industry approximations.

Board staff has conservatively estimated the population of the United States in 1994 at about 258 million. Staff estimates California's population, 12.3% of the national estimate, at about 31.7 million for 1994. Based on this figure and industry approximations, staff estimates that about 29 million used tires (light-duty and heavy-duty) were generated in 1994.

Board staff has estimated that of the 29.0 million used and waste tires generated in 1994, approximately 17.9 million were diverted for varying alternatives including reuse, retreading, and combustion (see Attachment 1, *Tire Recycling Program Annual Report*, page 3).

In 1994, approximately 17.9 million used and waste tires (62%) were diverted from disposal (up from 34% in 1990). The remaining number of tires requiring landfill disposal or stockpiling was about 11.1 million tires or about 38% of the annual used tire waste stream. According to these figures, California has seen a 28% increase in waste tire diversion since 1990. Because of the uncertainty of some recycling or diversion estimates, however, these figures are only approximations.

Tire Recycling Grant Program

Public Resources Code §42872 authorized the Board to develop and implement a grant program aimed at promoting alternatives to landfill disposal and stockpiling of whole waste tires. Grants are awarded competitively for business development, innovative research, and local government programs.

In FY 1992-93, the Board offered a total of $1,973,000 from the California Tire Recycling Management Fund through two programs: the Local Government Innovation Program ($473,000) and the Tire Recycling Grant Program ($1,500,000).

The Board awarded $447,115 out of a possible $473,000 to 17 local governments through the Local Government Innovation Program (see Attachment 1, page 9). With matching funds included, the program amount totaled $887,302. The grants will be used for activities including development of new uses for waste tires, for collection demonstration programs, for public education on illegal dumping, and for tire pile cleanups.

The Board received 99 applications from private businesses and local governments for funding through the Tire Recycling Grant Program. Of the 99, 28 were awarded a total of $1,497,275 out of the $1,500,000 (see Attachment 1, page 10). The grants will be used for business development and innovative research for tire recycling.

The Board continued offering assistance through the tire grant program in FY 1993-94 by offering $1,000,000 from the Fund for business development, innovative research, and local government assistance. The Board received 96 applications for funding and 22 were awarded a total of $1,000,000 (see attachment 1, page 12).

For FY 1994-95, the Board has allocated $1,357,023 for tire recycling grants, offering $700,000 for business development and research and $657,023 for local government programs.

The FY 1994-95 allocation for local government programs is more than double last year's. The increase is intended to provide more incentive for local governments to clean up stockpiled and illegally dumped tires, including having them combusted at cement manufacturing facilities.

Contracts

Besides awarding grants, revenue from the California Tire Recycling Management Fund has been used to fund contracts

for program activities including waste tire facility regulation, hauler registration, public education, and marketing and technical research. For a list of all current contracts, please see attachment 1, pages 14-16.

VII. ATTACHMENTS

1. *Tire Recycling Program Annual Report*

VIII. APPROVALS

Prepared by: Thomas Dietsch TD 1/18/94 Phone 255-2578

Reviewed by: Martha Gildart MCG 1/18/94 Phone 2552619

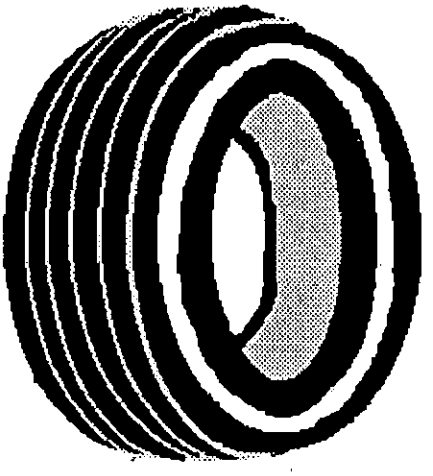
Reviewed by: Dan Gorfain Phone 255-2320

Legal review: Phone

INTEGRATED WASTE MANAGEMENT BOARD

TIRE RECYCLING PROGRAM ANNUAL REPORT

REPORT TO THE LEGISLATURE



May 1, 1995

130.

Prepared by:

California Environmental Protection Agency's

California Integrated Waste Management Board

publication # 432-95-007

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TIRE RECYCLING PROGRAM ANNUAL REPORT

Assembly Bill 1843 of 1989 (PRC §42800 et. seq.) established the California Tire Recycling Act (Act), requiring the California Integrated Waste Management Board (CIWMB or Board) to initiate a tire recycling program. The goal of the program is to promote and develop alternatives to the landfill disposal of whole waste tires.

Within the Act, PRC §42885 created the California Tire Recycling Management Fund (Fund), which is used to support tire recycling activities. Revenue is generated by a disposal fee of $0.25 that is collected from persons leaving used tires for disposal with tire dealers. Monies are remitted to the Fund, and are appropriated to the Board annually.

This annual report has been prepared to fulfill the reporting requirements of PRC §42884 of the Act. This section requires the Board to report to the Legislature on the number of tires recycled or otherwise diverted from disposal in landfills or stockpiles, and the comparative costs and benefits of the recycling or conversion processes funded from the Fund.

This report is organized into three sections. Section I, *Used Tire Markets and Quantification*, provides estimates of used tire generation, consumption, and disposal in California. Section II, *Tire Recycling Grant Program*, provides background information on the program and lists all business development, innovative research, and local government grant awards to date. Section III, *Contracts*, provides information on other related activities including waste tire facility regulation, hauler registration, public education, and marketing and technical research.

I USED TIRE MARKETS AND QUANTIFICATION

Due to population increases in the nation and the state, the number of vehicle miles traveled and the amount of vehicle fuel consumed also increases. These indicators also signify an increase in the number of used tires generated. Because tire shipment figures are only available for the nation, the Board estimated the number of used tires generated primarily by population increases and state industry approximations.

Based on a 1994 estimate of U.S. population of 258 million and a California fraction of 12.3%, the Board estimates California's population at about 31.7 million for 1994. Based on this figure and industry approximations, the Board estimates that about 29 million used tires (light-duty and heavy-duty) were generated in California in 1994.

The Board has estimated that of the 29.0 million used and waste tires generated in 1994, approximately 17.9 million were diverted for varying alternatives including reuse, retreading, and combustion (see Table 1).

Because of the lack of detailed information available on tire recycling activities in California (due to the historic lack of a formal system for tracking used tire shipments and for creating and maintaining a database of used tire haulers, shredders, processors and recyclers), the Board has estimated the quantity of tires recycled or diverted from landfill disposal and stockpiling based primarily on industry contacts who transport, process, and/or recycle large quantities of used tires. Any recycling trends discussed have been based on information from industry contacts as well as staff estimates.

In the future, the Board will have access to waste tire manifests collected from the tire hauler registration program currently being implemented. This information will enable staff to better determine waste tire generation.

Reuse

An alternative to disposal is tire reuse. After the purchase of new tires, the remaining used tires which still have a legal tread depth can be re-sold by the tire dealer. Rather than being disposed of prematurely, these tires are commonly reused, often beyond that which the law allows. Based upon industry sources and trends, of the estimated 29.0 million used tires generated this year, about 1.3 million were reused.

Retreading

Tire retreading is a viable option for renewing used tires by reusing the tire casing after the legal tread has been worn off. Based upon surveys, industry contacts, and tire retreading trends and statistics, about 2.4 million retreaded tires were sold in 1994.

Export

Tire export (consisting of both *used* and *waste* tires) reduces the number of tires requiring disposal in California. According to industry contacts, approximately 1.3 million *used* tires were exported (mainly to Mexico) for reuse and retreading in 1994. Historically *waste* tires have been exported to Mexico and have

TABLE 1

USED TIRE RECYCLING AND DISPOSAL
(Numbers in Millions)

Year	California Population	Estimated # of Tires Generated	Reused	Retreaded		Exported	Imported[1]	Combusted for Energy Production[2]	Combusted as Fuel Supplement[3]	Other Uses[4]	Total # Tires Diverted[6]	Remaining # Tires Disposed of	% Tires Diverted[6]
				Light	Heavy								
1990	29.5	27.0	1	0.9	1.4	1.3	0	2.4	1.6	.6	9.2	17.8	34%
1991	30.1	27.5	1	0.8	1.4	1.3	0.4	4.1	1.7	.8	10.7	16.8	39%
1992	30.7	28.2	1.1	0.7	1.4	1.3	0.6	4.7	2.1	1.1	11.8	16.4	42%
1993	31.1	28.6	1.3	0.7	1.4	1.3	0.3	4.7	3.0	1.5	13.6	14.9	48%
1994	31.7	29.0	1.3	0.7	1.7	1.3	0.2	5.7	5.7	1.7	17.9	11.1	62%

1. Imported tires combusted as a fuel supplement.

2. Because additional tires from an existing tire pile are used, the *total* number combusted is higher (about 5.2 million for 1992 & 1993 and 6.0 million for 1994). The figure represents the number of tires combusted from the annual waste tire stream.

3. Because additional tires from an existing tire pile are used, the *total* number combusted is higher (about 6.0 million for 1994). To determine the number of *California* tires combusted as a fuel supplement, subtract the number of tires imported.

4. In actuality, more *tire rubber* is used than these figures depict. However, the extra rubber used is tire buffings from tire retread operations. These tires are already accounted for in the retreaded tire category.

5. Determined by summing the number Reused, Retreaded, Exported, Combusted for Energy Production, Combusted for Fuel Supplement, and subtracting the number Imported. This figure represents the total number of tires recycled from the annual waste stream, although in 1994 approximately 18.7 million tires were recycled.

6. This figure represents the number of tires diverted from the annual waste stream.

reportedly been stockpiled there rather than reused. Due to environmental protection efforts by the Mexican government however, *waste* tires cannot be legally imported until all *waste* tires in Mexico are first reused or cleaned up. It may be years before *waste* tires can again be exported legally to Mexico.

Combustion

Tire combustion significantly reduces the number of tires requiring landfill disposal or stockpiling. In 1994, about 12.0 million tires were combusted as fuel in California (of which 11.2 million were from California's *annual* waste stream). Of the 12.0 million tires combusted, approximately 6.0 million (0.3 million from the existing stockpile) were combusted at the Modesto Energy Project in Westley, California. The facility generates about 14 megawatts of electrical power which is sold to a local utility. Because the facility's 10 year Power Purchase Agreement with PG&E will expire in Spring 1998, however, its future is uncertain.

Calaveras Cement Company in Redding, California, combusted approximately 2.2 million tires in 1994, of which about 0.2 million were imported from Oregon. Of the total fuel consumption at this facility, 30% is supplied by waste tires. Due to process limitations, it is not anticipated that this facility will increase its tire use significantly.

Southwestern Cement Company in Victorville, California, combusted about 1.3 million tires in 1994. In the future, company officials hope to combust waste tires in a second "long" kiln at the facility. If permitted, the Southwestern Cement Company in Victorville could combust up to about 2.3 million tires per year.

Mitsubishi Cement Company in Lucerne Valley, California, combusted about 2.3 million tires in 1994, 0.3 million from existing stockpiles. Approximately 10% of their total fuel requirement is now supplied by waste tires. A permanent waste tire handling system is currently being installed at the facility. Company officials hope to increase their tire consumption to 25% of their fuel requirement, potentially combusting 5.0 million tires annually.

California Portland Cement Company in Mojave, California, is currently test burning tires as a fuel supplement. It is estimated that 1.5 million tires could be consumed annually.

Riverside Cement Company in Oro Grande, California, is in the process of obtaining a permit to construct a tire handling system and test-burn tires as fuel. It is anticipated that the facility could consume 3.0 million tires annually.

Other Uses

Based upon industry contacts and staff estimates, about 1.7 million tires were used for other alternatives including Asphalt-Rubber, Rubber-Modified Asphalt Concrete, playground cover, crash barriers, mats, and other various cut, stamped, or molded products.

In 1991, Congress enacted the Intermodal Surface Transportation Efficiency Act (ISTEA) which requires, starting in 1994, that five percent of the asphalt placed (by tonnage) in projects that are financed by Federal funds use some form of Rubberized Asphalt Concrete (RAC). This amount increases by five percent each year, to a maximum of 20% in 1997. If only the federal requirements are met, the potential tire consumption from RAC in California will grow from 1.2 million tires currently to 5-7 million in 1997. Due to lobbying by the conventional paving contractors, the ISTEA requirements were not enforced by the Federal Highway Administration (FHWA) for 1994 and will not be enforced in 1995 (requirement - 10% RAC). Caltrans is continuing to use RAC in California paving applications regardless of the outcome.

Quantification Summary

The remaining number of tires requiring landfill disposal or stockpiling in 1994 was about 11.1 million tires or about 38% of the annual used tire waste stream. Approximately 17.9 million used and waste tires (62%) were diverted from disposal (up from 34% in 1990). Because of the uncertainty of some recycling or diversion estimates, however, these numbers are only approximations.

The Board is confident in the values assigned for the categories of tires retreaded, imported, combusted for energy production, and combusted as a fuel supplement. The Board has less confidence, however, in the values assigned to the categories of reused, exported, and other uses due to the lack of sufficient information.

Outlook

Based primarily upon industry contacts and trends, it is apparent that tire disposal and stockpiling is decreasing, while waste tire recycling is increasing (see Figure 1). From 1990 through 1994, the Board has observed a 28% increase in the tire recycling rate. In 1990, the Board estimated that 9.2 million tires were diverted from landfill disposal and stockpiling. In 1994, the Board estimates that approximately 17.9 million tires were diverted from the annual waste stream.

By far, waste tire combustion consumes the majority of the tires recycled in the state, accounting for almost 40% of the total recycled in 1994 (see Figure 2). The cement manufacturing industry has shown the greatest increase in waste tire consumption since 1990, and demonstrates the greatest potential for continued growth in the future (see Figure 3).

Figure 1

ESTIMATED USED AND WASTE TIRE RECYCLING AND DISPOSAL

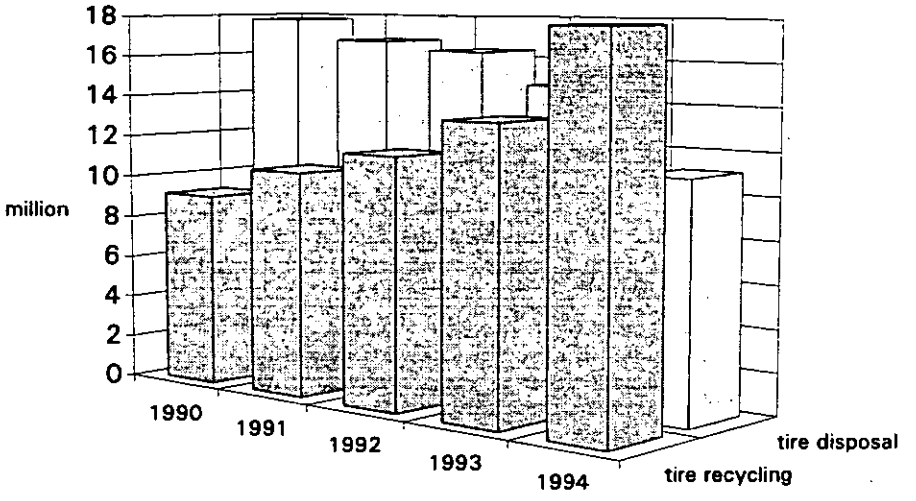

Figure 2

ESTIMATED USED AND WASTE TIRE RECYCLING AND DISPOSAL 1994 (numbers in millions)

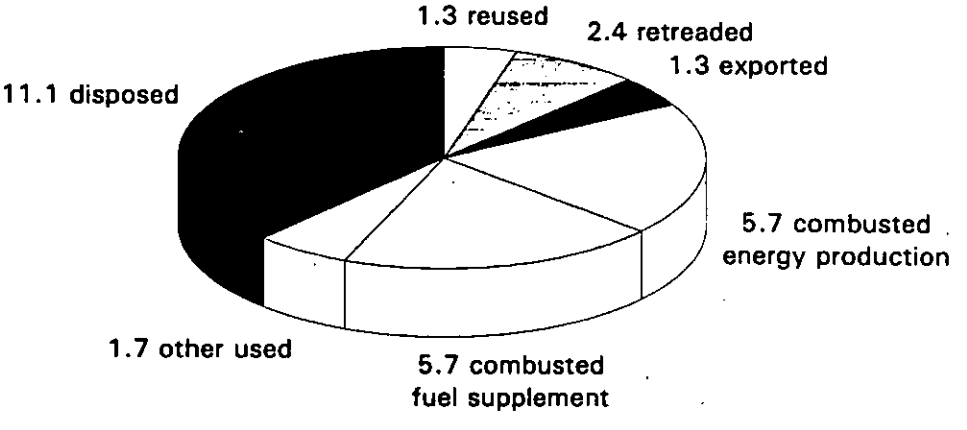

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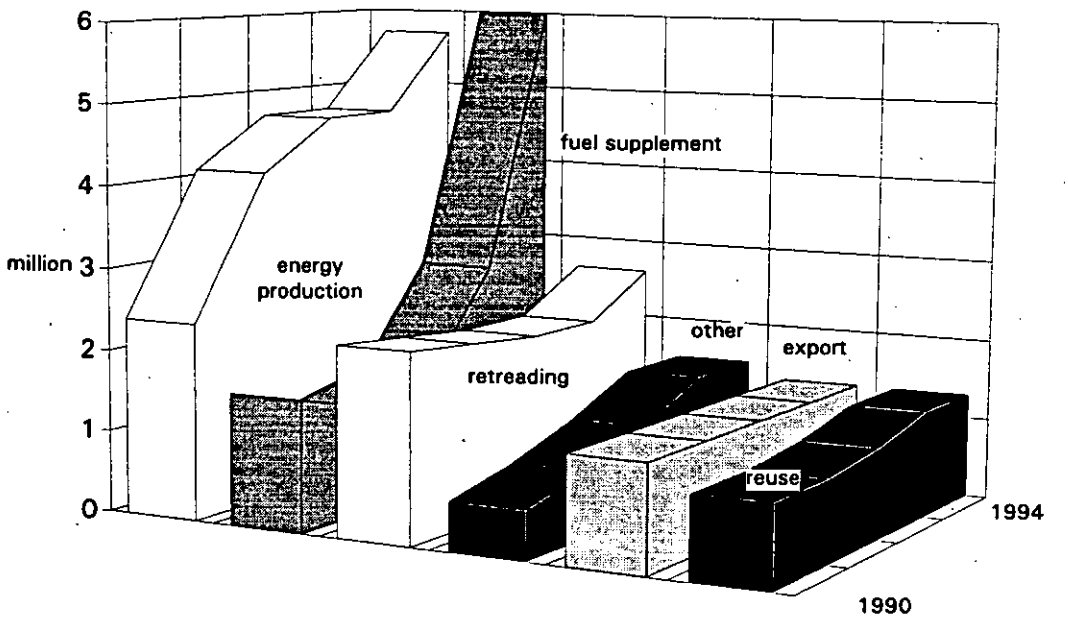
Figure 3

ESTIMATED USED AND WASTE TIRE RECYCLING



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II TIRE RECYCLING GRANT PROGRAM

Public Resources Code §42872 authorized the Board to develop and implement a grant program aimed at promoting alternatives to landfill disposal and stockpiling of whole waste tires. Grants are awarded competitively for business development, innovative research, and local government programs.

FY 1992-93

In its first year, the Board offered a total of $1,973,000 from the California Tire Recycling Management Fund in FY 1992-93 through two programs: the Local Government Innovation Program ($473,000) and the Tire Recycling Grant Program ($1,500,000).

Local Government Innovation Program Awardees

The Board awarded $447,115 out of a possible $473,000 to 17 local governments through the Local Government Innovation Program. With matching funds included, the total program amount totaled $887,302. The grants will be used for activities including development of new uses for waste tires, for collection demonstration programs, for public education on illegal dumping, and for tire pile cleanups. The following list identifies the projects approved.

GRANTEE	PROJECT	AMOUNT
City of South Lake Tahoe	"Earthship" tire building	$40,000
City of Huntington Beach	Asphalt Rubber paving job	$40,000
Shasta County	Illegal tire pile cleanup & public education	$22,500
Sonoma County	Cleanup day & public education	$12,000
City of San Diego	Market research & recruitment efforts	$4,945
Humboldt County	Business plan & business recruitment	$24,270
Kern County	Processing oversized tires	$30,000
Kern County	Program to prevent illegal dumping	$30,000
San Diego County	Rural tire collection network	$17,600

City of Los Angeles	Asphalt Rubber paving job	$34,950
City of Los Angeles	Residential collection operation	$30,000
Alameda County	Illegal tire pile video and booklet	$30,000
Sacramento Regional County Solid waste Authority	business recruitment plan	$40,000
Lake County	Diversion program & public education	$14,700
City of Oakland	Business plan development for recruitment	$40,000
City of Milpitas	Dropoff event & public education	$9,900
Yolo County	Research on tires as a alternative daily cover	$26,250

Tire Recycling Grant Program Awardees

The Board received 99 applications from private businesses and local governments for funding through the Tire Recycling Grant Program. Of the 99, 28 were awarded a total of $1,497,275 out of the $1,500,000. The grants will be used for business development and innovative research for tire recycling. The following list identifies the projects approved.

GRANTEE	PROJECT	AMOUNT
AET Systems	Sub-surface effluent dispersion system	$50,000
Action Engineering	Tire/concrete railroad tie	$30,000
BAS Recycling	Playground safety mat	$100,000
Burke Industries	Residential roofing "shake"	$94,025
CA Recycling Co.	Highway noise barrier	$50,000
Champion Recycling	Carbon black market development	$50,000

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Dave's Tire & Wheel	Backfill demonstration project	$30,000
Enviro-Med	Playground safety surface	$20,000
Geremia/Pasztor/Sadler	Self-compacting, flowable concrete	$20,000
Hap Fisher Assoc.	Plastic/rubber utility poles	$50,000
Jin Cheng Corp.	Rubber reclaiming	$30,000
Lydia M. Frezel	Ultra high pressure water jetting	$49,445
Manhole Adjusting, Inc.	Crumb rubber plant	$50,000
Marine Forests Society	Tire Mussel reef	$100,000
Mortimer Tree Service	Tree root barriers	$36,000
PACE	Playground surfacing	$30,000
PRK International	Carbon black market development	$30,000
Reco-Tech International, Inc.	Ozone treatment	$60,000
SRI International	Electromagnetic radiation absorbers	$68,847
The Tireless Effort	Traffic delineators	$60,000
City of Long Beach	Rubberized surfacing	$81,400
University of Ca., Davis	State tire policy analysis	$55,858
University of Ca., Davis	Crumb rubber for VOC adsorption	$53,664
Eldorado County	Earthship tire house	$60,983
City of Lancaster	Compost bins	$96,120

City of Lancaster	Crumb rubber as soil amendment	$50,000
City of Lancaster	Carbon black in asphalt sealant	$50,000
Sacramento County	Sound barrier prototype	$49,250

Results from the first grant cycle will be obtained between July 1994 and July 1995, depending on the individual completion dates. Because approximately 31 of the 36 grant recipients are using the money for technical research, public education, public collection programs, or tire pile cleanups, however, cost and benefit comparisons will not be applicable to these projects. Many projects, however, may have long term payoffs (not readily computable) resulting from completed research, removal of technical barriers, opening of new markets, creation of new recycling businesses, and increased public awareness toward the environment.

The funds made available FY 1992-93 assisted grant recipients to recycle approximately 750,000 waste tires, most from remediation efforts of local governments. This figure is expected to increase when these grant projects close June 30, 1995.

FY 1993-94

The Board continued offering assistance through the tire grant program in FY 1993-94 by offering $1,000,000 from the Fund for business development, innovative research, and local government assistance. The Board received 96 applications for funding and 22 were awarded a total of $1,000,000.

Tire Recycling Grant Program Awardees

GRANTEE	PROJECT	AMOUNT
Carsonite International	Rubber/foam extruded products	$63,125
Oliver Rubber	Education/clean-up	$47,007
Tire Retread Information Bureau	Education/clean-up	$60,000
Ecocontract	Sound walls	$75,000
Champion Recycling, Inc	Poly-stermic bicycle tires	$75,000

Fargo Rubber and Tire Co.	Retread testing	$74,228
BAS Recycling	Cryogenic fine grinding	$75,000
Leonard Walde	Market analysis and strategy	$60,300
Marine Forest Society	Tire mussel reef study	$30,000
Jackson and Church	Market analysis and strategy	$75,000
Tak Consulting	Rubberized slurry	$65,340
Stanislaus County	Amnesty day program	$30,000
Merced County	Amnesty day programs	$60,000
City of San Bernardino	Tire rack and collection program	$37,280
Alpine County	Amnesty day program	$2,700
Ventura County	Education and amnesty day program	$15,000
City of Fresno	Amnesty day program	$18,700
County of Kern	Education/abatement/amnesty	$38,500
San Diego County	Amnesty day program	$10,000
Trinity County	Education/amnesty program	$4,970
City of West Sacramento	Amnesty/clean-up program	$7,850
San Bernardino County	Education/clean-up/tracking	$75,000

FY 1994-95

The Board has allocated $1,357,023 for tire recycling grants for FY 1994-95, providing $700,000 for business development and research and $657,023 for local government programs. The FY 1994-95 allocation for local government programs is more than double last year's. The increase is intended to provide more incentive for local governments to clean up stockpiled and illegally dumped tires, including having them combusted at a cement manufacturing facility.

III CONTRACTS

Besides awarding grants, revenue from the California Tire Recycling Management Fund has been used to fund contracts for program activities including waste tire facility regulation, hauler registration, public education, and marketing and technical research. The following section is a status of the contracts still in progress.

FY 1991-92

An Interagency Agreement (IAA), for the amount of $500,000, was awarded to Caltrans, Division of New Technology, Materials, and Research, for creating a database of paving jobs containing tire rubber, for performing emissions testing during the recycling of pavement containing tire rubber, for purchasing several pieces of testing equipment, and for developing specifications for the use of tire rubber in asphalt concrete. The database is being created, the equipment has been ordered and, the emissions testing will be scheduled. It is anticipated that specifications for construction of asphalt concrete projects containing tire rubber will be developed by mid-1995.

This contract is important because it will assist in the development of specifications for the use of rubber in asphalt concrete. Once developed and distributed, the specifications will facilitate the increased use of rubber in asphalt concrete at the local level.

The California Air Resources Board (CARB) was awarded an IAA for $160,000 to provide emissions testing of tire derived fuel (TDF) combusted at a cement manufacturing facility and a biomass combustion facility. These results would benefit other facilities in the state interested in combusting waste tires by further demonstrating the use of TDF to the local Air Pollution Control Districts and Air Quality Management Districts. A TDF testburn was conducted at a biomass facility in May 1994. Results are anticipated by Spring 1995.

FY 1992-93

An IAA for $500,000 was awarded to Caltrans to install 15 test maintenance strategies of various "recipes" of asphalt rubber pavements, provide ongoing monitoring and testing, and provide biennial reports to the Board for up to 15 years. The test strategies have been placed and the final project report (to include information on methodology, application specifications, processes, materials and equipment used, work performed, problems and solutions, cost comparisons, and testing schedules) will be available by early 1995. Beginning mid 1997, biennial progress

reports including information on current status, test results and evaluations, strategy performance and failures, and life-cycle analyses will also be available.

A contract was awarded to Calrecovery, Inc., for $69,000 to research existing pyrolysis projects in the nation. A draft report has been received and is currently being reviewed. Preliminary recommendations indicate that pyrolysis, gassification, and liquefaction technologies are not yet commercially viable. A final report will be available by mid 1995.

R. W. Beck & Associates have been awarded a contract for $40,000 to research the characteristics and possible uses of tire combustion ash. The final report will be available in early 1995.

An IAA for $350,659 was awarded to the State Fire Marshal to develop a waste Tire Fire Prevention Program. Tasks included developing a training program, training local fire authorities, producing a video, and identifying waste tire sires in California. The IAA terminated on October 1, 1994.

FY 1993-94

An IAA was awarded to Lawrence Livermore National Laboratory for $50,000 to investigate the environmental effects of waste tires on the environment. The project requires a literature search, a review and assessment of information obtained, and recommendations for additional study. Results are anticipated by early 1996.

Two IAA's were awarded to the University of California, Davis, for a total of $100,000 to investigate the domestic and foreign markets for waste tires and tire rubber; identify existing recycling technologies, recycling programs, and recycling ordinances and laws; identify and research industry trends and tire supplies; and to provide findings and recommendations. Results are anticipated by 1996.

Two IAAs totaling $100,000 ($50,000 each) were awarded to Dr. James Crossfield, CSU, Fresno, and Dr. Eugene Tseng, UCLA Extension, for development of a methodology for estimating the number of tires contained in a waste tire pile. The development of the methodology is in its initial stages. Results are expected in 1996.

FY 1994-95

The Board allocated $250,000 for Permitting and Enforcement waste tire programs which include the development of a database of waste tire haulers for the Waste Tire Hauler Registration Program.

The Board allocated $1,000,000 for the Waste Tire Abatement Program to identify and remediate tire sites in California. Staff will develop a method of prioritizing the sites and create a list which ranks them. Funds will be used for Board contracts and in cooperation with other governmental agencies. At this time no remedial actions have been approved.

The Board allocated $35,000 for the development and production of the Second Biennial Waste Tire Conference. Staff is currently pursuing an IAA with several universities and anticipate entering into an agreement by January 1995. The conference is tentatively planned for Summer 1995.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Meeting Agenda
January 25, 1995

AGENDA ITEM #28

ITEM: RECONSIDERATION OF STAFF REPORT TO THE LEGISLATURE ASSESSING THE EXEMPTION OF HAZARDOUS MATERIAL CONTAINERS FROM THE RIGID PLASTIC PACKAGING CONTAINER PROGRAM

I. SUMMARY

Public Resources Code Section 42340(d) requires the Board to report to the Legislature by January 1, 1995 on the following:

1. the basis for the federal Department of Transportation's (DOT) prohibition on the use of postconsumer plastic in containers used to ship hazardous materials;

2. the likelihood this regulation will be amended by DOT in the foreseeable future; and

3. the Board's recommendation whether to continue the current exemption to the State's Rigid Plastic Packaging Container (RPPC) Program for these containers.

The Board staff completed an investigation and prepared a report for Board consideration.

II. PREVIOUS BOARD ACTION

The Board considered the report at its December meeting, and unanimously agreed the exemption for containers used to ship hazardous materials should be extended beyond the current sunset date of January 1, 1996. The Board was unable, though, to reach a decision on the length of the extension; half supported an indefinite extension while the other half supported an extension until January 1, 1998.

III. OPTIONS FOR THE BOARD

Staff is recommending the Board consider two alternative options. If one is adopted, it would be shown in the report to the legislature as the official Board recommendation. The two options are:

1. The Board unanimously agrees that the exemption for containers used to ship hazardous materials contained in PRC section 42340(d) should be extended beyond the current sunset date of January 1, 1996. The Board is unable,

though, to reach a decision on the length of the extension; half supports an indefinite extension while the other half supports an extension until January 1, 1998.

2. a. The Board recommends that the exemption contained in PRC section 42340(d) for containers used to ship hazardous materials should be extended indefinitely; and

b. The Board shall report to the Legislature, by January 1, 1997, on whether the exemptions in section 42340(b) [exempting drugs, medical food and devices], section 42340(c) [exempting products regulated by the federal Insecticide, Fungicide, and Rodenticide Act], and section 42340(d) [exempting hazardous materials] should be continued based upon the status of federal requirements and preemptions, and advances in postconsumer plastic resin processing technologies, and container manufacturing design and techniques.

IV. STAFF RECOMMENDATION

The staff recommends the Board accept option 2 above. Option 1 does not allow the Board to sponsor or support legislation to extend the exemption.

V. ANALYSIS

PRC requires the Board to prepare a report to the legislature and recommend whether to extend the exemption for containers used to ship hazardous materials and regulated by the federal Department of Transportation. As such, the Board should reconsider this item.

VI. ATTACHMENTS

Staff draft report to the Legislature.

VII. APPROVALS

Prepared by: _____ Phone _____

Reviewed by: John D Smith Phone 255-2582

Daniel Gaj Phone 255-2320

_____ Phone _____

STATE OF CALIFORNIA

Pete Wilson, Governor

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, California 95826

REPORT TO THE LEGISLATURE

"Assessment of the Federal Department of Transportation's Prohibition of the Use of Used Plastics in Hazardous Material Containers (Section 178.509 of Title 49 of the Code of Federal Regulations)"

Required by California Public Resources Code, Section 42340(d).

-FINAL STAFF DRAFT-
SUBJECT TO REVISION

November 21, 1994

-- Printed on Recycled Paper --

EXECUTIVE SUMMARY

On and after January 1, 1995, Section 42310 of the California Public Resources Code (PRC) requires every rigid plastic packaging container, on average, to meet one of the following criteria:

1. contain at least 25% postconsumer material;
2. be source reduced at least 10%;
3. be refillable;
4. be reusable; or
5. be recycled at one of three specified rates.

By definition, the requirements apply only to containers having a minimum capacity of 8 ounces and a maximum capacity of 5 gallons.

PRC §42340 provides several exemptions to the California Rigid Plastic Packaging Container Program for containers holding specified products. Subpart (d) states:

> *(d) Rigid plastic packaging containers which are manufactured for use in the shipment of hazardous materials and are prohibited from being manufactured with used material by federal packaging material specifications and testing standards set forth in Section 178.509 of Title 49 of the Code of Federal Regulations.*

The statute further requires the California Integrated Waste Management Board (CIWMB) to determine the basis for the federal Department of Transportation regulations and the likelihood of that regulations being amended in the foreseeable future. The CIWMB must report its determination and recommendation on whether to continue this exemption to the Legislature on or before January 1, 1995.

The CIWMB has determined the basis of the federal regulation prohibiting the use of used (postconsumer) material:

1. to avoid the risk of permeation of the container walls by the hazardous material, and
2. to achieve consistency with the regulations of other federal agencies and foreign countries, which also prohibit the use of used material in the construction of containers for the transport of hazardous materials.

The federal regulations provide that an "equivalent container" containing used plastic material may be approved if it can pass a series of tests demonstrating it has an integrity equivalent to containers using virgin material. Two approvals have been given by the Department of Transportation (DOT) for plastic drums containing an inner and outer layer of virgin plastic (HDPE) and a middle layer of regrind or used plastic of the same type.

The CIWMB found that DOT is not likely to amend the regulation prohibiting the use of used material until approved "equivalent containers" have established a history of satisfactory performance in the transport of hazardous materials in a wide variety of situations. Even if the DOT is convinced used plastic material can be used in particular situations, it would not amend the regulation without first petitioning the United Nations committee which established the prohibition against the use of postconsumer plastic. The U.N. Recommendations are established as the international standard for regulations adopted by most countries. Amending the DOT regulations and making them inconsistent with international regulations would be contrary to the DOT National Transportation Policy and the Trade Agreements Act.

The CIWMB found information to indicate the amount of rigid plastic containers in the California waste stream that might be subject to the exemption in PRC §42340 is a very small proportion of the total HDPE waste generated.

Contacts with DOT staff, several plastic manufacturers associations and individual manufacturers did not yield information concerning the significance of the exemption to the plastics industry. Therefore, a notice was sent to all persons on the mail list for the pending Rigid Plastic Packaging Container regulations advising them of the availabilty of the report and the opportunities to comment. Comments may still be received for consideration.

The CIWMB assessed three alternatives regarding the exemption to the State's Rigid Plastic Packaging Container Program:

1. Retain the exemption in PRC §42340(d) indefinitely;
2. Retain the Exemption in PRC §42340(d) Until January 1, 1997; and
3. Discontinue the exemption in PRC §42340(d) on January 1, 1996, as currently mandated.

RECOMMENDATION

[PENDING BOARD DECISION]

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I. INTRODUCTION

The California Integrated Waste Management Act of 1989 (Sec. 40000 et. seq. Public Resources Code (PRC)) requires cities and counties within California to develop integrated waste management plans which would achieve the diversion of 50 percent of all solid waste by January 1, 2000, through source reduction, recycling, and composting activities (PRC §41780). The Legislature also adopted various laws intended to reduce the amount of solid waste going to landfill disposal sites and, among other things, increase the use of recycled materials in the manufacture of articles being used or sold for use in the state. PRC §42310, adopted in 1991, requires every rigid plastic packaging container sold or offered for sale in the state on and after January 1, 1995, to, on the average, meet one of five listed criteria:

1. contain at least 25% postconsumer material;
2. be source reduced at least 10%;
3. be refillable;
4. be reusable; or
5. be recycled at one of three specified rates.

By definition, the requirements apply only to containers having a minimum capacity of 8 ounces and a maximum capacity of 5 gallons.

Although PRC §42310 applied to "every rigid plastic packaging container", PRC §42340 provided exemptions for certain categories of containers. Included in the exempted containers were those used for the shipment of hazardous materials:

> (d) *Rigid plastic packaging containers which are manufactured for use in the shipment of hazardous materials and are prohibited from being manufactured with used material by federal packaging material specifications and testing standards set forth in Section 178.509 of the Title 49 of the Code of Federal Regulations...* [Note: This exemption remains in effect only until January 1, 1996.]

The statute further requires the California Integrated Waste Management Board (CIWMB) to determine the basis for the federal Department of Transportation regulations and the likelihood of that regulations being amended in the foreseeable future. The CIWMB must report its determination and recommendation on whether to continue this exemption to the Legislature on or before January 1, 1995, so that the legislature may consider whether to continue the exemption through a statutory change.

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II. BACKGROUND

The state exemption for containers used to ship hazardous materials will expire on January 1, 1996. As directed by the legislation, the CIWMB staff assessed the reasons for the federal Department of Transportation (DOT) restrictions on the use of postconsumer materials in these containers and the likelihood the regulations would (could) be changed in the near future. A letter was sent to DOT requesting specific information, and staff talked directly with DOT program staff and representatives from the Plastic Shipping Container Institute.

For clarification, the term "rigid plastic packaging containers" as defined by PRC §42301(d) includes containers having a minimum capacity of eight fluid ounces and a maximum capacity of five fluid gallons. Because of the specified size limitations, the term does not apply to plastic barrels or other such containers having a maximum capacity in excess of five fluid gallons.

Federal Regulations

1. Manufacturing Requirements For Rigid Plastic Packaging Containers

Sec. 178.509 of Title 49, Code of Federal Regulations (hereinafter, 49 CFR 178.509) is a part of the federal Department of Transportation's Hazardous Materials Regulations (HMR; 49 CFR, parts 171-180). These regulations apply to the interstate, and, in some cases, intrastate transportation of hazardous materials in commerce. The hazardous materials are grouped in "Hazard Classes" with Class 1 being explosives, Class 2-flammable gases, Class 3-flammable and combustible liquids, Class 4-flammable solids, Class 5-oxidizers, Class 6-poisonous and infectious materials, Class 7-radioactive materials, Class 8-corrosive materials, and Class 9-miscellaneous materials. In addition, there are some "other regulated materials", referenced as "ORM D" materials and not given a class number, which are considered to be low hazard materials. The Hazardous Materials Table in 49 CFR 172.101 includes a list of each hazardous material, its hazard class and its allowed packaging methods and materials.

As related to PRC §42340(d), 49 CFR 178.509 provides, in part:

> *(b) Construction requirements for plastic drums and jerricans are as follows:*
>
> > *(1) The packaging must be from suitable plastic material and be of adequate strength in relation to its capacity and intended use. No used material other than production residues or regrind from the same manufacturing process may be used...*"(emphasis added). [Note: The definitions for "drums and jerricans." do not define a size range.]

Thus, the only containers regulated by 49 CFR 178.509 which would be of interest with relation to the CIWMB's Rigid Plastic Packaging Container Program and the current exemption, are plastic "jerricans" and plastic drums having capacities within the range of eight ounces to five gallons.

2. Equivalent Rigid Plastic Packaging Containers

It is important to note that the federal regulations provide that packaging which does not meet the construction standards in Sec. 178.509 may receive special approval as follows:

> *Sec. 178.601 General Requirements (in part)*
>
> > *(h) Approval of equivalent packaging. A packaging having specifications different from those in Sections 178.505-178.523 of this part ... may be used if approved by the Associate Administrator for Hazardous Materials Safety. Such packagings must be shown to be equally effective...*

III. BASIS FOR THE FEDERAL DEPARTMENT OF TRANSPORTATION REGULATIONS

Purpose of the Current Form of Regulations

In order to determine the basis for the DOT regulations, the CIWMB staff reviewed the Federal Register for December 21, 1990, which provided background information leading to the adoption of the regulations in their present form. The federal agency responsible for administering the regulations is the Research and Special Programs Administration (RSPA) within DOT. On August 8, 1994, a letter was sent to Alan I. Roberts, Associate Administrator, HazMat Safety, to request information on the basis for the federal regulations, the likelihood of amendment of the regulation providing for the prohibition of used material, and the procedures for approval of equivalent containers.

Contacts with the RSPA staff and their response to the letter of August 8 led to the CIWMB's understanding that the adoption of a regulation prohibiting the use of used materials was necessary as part of a larger goal which included: (1) implementation of the Federal Transportation Policy, and (2) achieving consistency with The Trade Agreements Act of 1979.

1. Implementation of Federal Policy

The DOT regulations were revised and published in final form in the Federal Register on December 21, 1990 (55 FR 52402). The revision was undertaken to implement the Department's National Transportation Policy which states it is federal policy to:

- Adopt hazardous materials packaging standards that are based on performance criteria rather than on detailed

design specifications, to accommodate technical innovation, and

- Implement Federal hazardous materials standards for movements by the various modes that are, to the maximum extent possible, consistent with safety, compatible with international standards, in order to facilitate foreign trade and maintain the competitiveness of U.S. goods.

Prior to their revision, the HMR regulated packaging by a series of standards and detailed specifications, largely based on industry standards and technical findings. They were regarded as extremely complex, cumbersome, outdated, and generally not in alignment with international regulations based on the "*United Nations Recommendations on the Transport of Dangerous Goods, Second Edition, 1990*". (UN Recommendations). Alignment with the UN Recommendations was of particular importance because most regulations governing the international transport of hazardous materials, including those of other federal agencies and other nations, were consistent with the UN Recommendations.

The final revision of the DOT regulations was an effort to harmonize domestic regulations with international regulations, remove artificial barriers to international trade, and help promote a worldwide system of consistent regulatory requirements. This effort was believed to be consistent with congressional policy, as expressed by the Trade Agreements Act of 1979.

2. Consistency With Congressional Actions

Title IV of The Trade Agreements Act of 1979 (PL 96-39) addressed technical barriers to trade, in pertinent part, as follows:

> *No federal agency may engage in any standards-related activity that creates unnecessary obstacles to the foreign commerce of the United States... Each Federal Agency, in developing standards, shall take into consideration international standards and shall, if appropriate, base the standards on international standards...*
>
> *Each Federal Agency shall, if appropriate, develop standards based on performance criteria, such as those relating to the intended use of a product and the level of performance that product must achieve under defined conditions, rather than on design criteria, such as those relating to the physical form of the product or the types of material of which the product is made.*(Sec. 401 et. seq. 93 STAT. 242)

3. Consistency With International Regulations

The UN Recommendations are not regulations but rather are suggestions developed by an expert committee which has international representation. The adoption of regulations based on the UN Recommendations provides a stability for international

commerce important to all countries. The Research and Special Programs Administration of the DOT represents the U.S. on this committee and its subsidiary bodies. The DOT also represents the U.S. on four other international organizations which are responsible for systems of regulations, all of which are based on the UN Recommendations.

With adoption of the final regulations in 1990, the DOT achieved consistency with an international system of regulations governing packaging requirements for the transport of hazardous materials. In particular, Revision 8 of the Recommendations for Transport of Dangerous Materials (Chapter 9.6.1 of the UN Recommendations) specifies that no used material other than production residues or regrind from the same manufacturing process may be used in the manufacture of plastic drums and jerricans.

Features of the Federal Regulations Relating to Plastic Containers.

1. Basis For Construction Material Requirements

Concern has been expressed regarding the requirement in Sec. 178.509(b) that no used materials be used in the construction of plastic drums and jerricans, other than production residues or regrind. The requirement was perceived by some to be arbitrary and a barrier to recycling objectives. The CIWMB staff has been informed by DOT staff that the reason the U.N. Recommendations prohibit used material is because there is a greater risk that used material, as compared to virgin material, will be permeable to the contained hazardous substance (Romo 1994).

General requirements for packages used for the transport of hazardous materials are included in 49 CFR 173.24. Sec. 173.24(e)(3) states:

> "*(3) Plastic packagings and receptacles. (i) Plastic used in packagings and receptacles must be of a type compatible with the lading and may not be permeable to an extent that a hazardous condition is likely to occur during transportation, handling or refilling.*" (Emphasis added).

49 CFR 173.24(e)(iii) provides for alternative procedures or rates of permeation if they are specifically approved by the Associate Administrator for Hazardous Materials Safety.

Appendix B to Part 173 describes the test for permeation. The test consists of filling containers with the hazardous liquid and storing them under specific time and temperature conditions. The rate of permeation is measured by the loss of hazardous material contents during the test, expressed as a percentage of the original weight. For materials defined as poisons, a rate of permeation in excess of 0.5% is cause for test failure. For all other materials, a rate of permeation in excess of 2.0% constitutes failure of the test. After storage, the container is emptied, rinsed, filled with water and dropped from a specified

height onto a flat, rigid, horizontal surface. After the test container is dropped, failure includes evidence of swelling, crazing, cracking, oxidation, embrittlement, leakage or rupture.

The permeability of plastic is important because if the container walls are permeable to the hazardous material, it may result in leakage of the material. Even a thin film of a toxic material on the outside of a container may pose a danger to persons loading or unloading the containers. Leakage of flammable materials may cause a risk of fire.

The test for permeability also measures the ability of the plastic to absorb the hazardous material. Material absorbed in the container wall may cause breakdown of the container plastic and result in a dangerous condition to shippers. Absorbed material may remain in the plastic and not be removed entirely during washing for reuse of the container, or during reprocessing for use as postconsumer material. If this occurs, the absorbed material may contaminate the next material being transported, or adversely affect the manufacturing process.

The properties of virgin HDPE reduce the risk of permeation and associated causes of container failure. Used HDPE, which may be classified as "production residue", "regrind", "postconsumer plastic material" or "recycled plastic material", has a history of being heated, extruded and exposed to aging factors some number of times. These factors may cause molecular breakdown which reduces the strength of the plastic and increases the risk of permeation failure. If the used HDPE is from a different manufacturing process, or has been reprocessed by washing and pelletizing, it may have additives or contaminants which reduce the desirable properties and lead to failure of the new container.

As an example, mineral oil and many compounds derived from oil are absorbed in HDPE. One company found their commercial 200 liter oil containers, reprocessed and returned for reuse, contained approximately 1.3% hexane extractable material. In a controlled experiment, regrind HDPE from the same process was shredded and exposed to 10% motor oil. The shredded HDPE was washed by a commercial reprocessor but not repelletized. The regrind not exposed to oil showed 0.5% hexane extractable material by weight, while the regrind exposed to oil showed 5.7% extractable material prior to reprocessing, and 2.8% after reprocessing.

In the above example, the reprocessed regrind HDPE was made into containers which passed the UN recommended drop and compression tests, but failed the stack test. In addition, the UN permeation test is failed by a rate of permeation exceeding 2.0%. The containers smelled distinctly of "burned oil" which remained evident after several weeks (van Keimpema 1992).

2. Responsibility For Performance Tests

The HMR address a variety of non-bulk rigid plastic containers, including drums, carboys, jerricans and inside containers. The HMR include general requirements for materials, construction and a maximum capacity. In addition, the strength and integrity of the containers are established by a series of performance tests which the container must pass before it is authorized for use with hazardous materials. This concept is the basis for the term, "performance-oriented packaging standards".

3. Exceptions To Construction Material and Testing Requirements.

The DOT has stated that within the broad and general construction requirements of these performance oriented standards, packaging manufacturers are free to exercise their design and production ingenuity to produce packagings which are both cost-effective, as determined by the marketplace, and safe, as determined by conformance to performance standards. Such testing must be approved by the Associate Administrator for Hazardous Materials Safety of the Research and Special Programs Administration of the DOT.

At the time this report was prepared, DOT had given two approvals for equivalent containers which contain 25% recycled material "sandwiched" between inner and outer layers of virgin material (Whitney 1994, Gramer 1994).

"Combination packaging" is the term used by DOT to describe a single package consisting of one or more inner packages, such as plastic bottles, in an outer protective packaging such as a box or drum. Combination packaging is allowed for many hazardous materials in the moderate and low hazard classes. The DOT staff has stated the inner plastic containers for transport of such hazardous materials are not subject to the prohibition of used (postconsumer) material in their manufacture, as a result of administrative decision. The inner containers of combination packages may have certain size limits depending on the class of hazardous material (Gramer, 1994).

"Consumer commodity" is the term applied to materials packaged and distributed in a form intended or suitable for sale through retail sales agencies for consumption by individuals. Containers for low hazard materials fitting this definition, such as quart motor oil containers in a cardboard box, are not prohibited from having used plastic in their construction.

It is assumed that a significant proportion of the total number of rigid plastic containers, within the size regulated by state law, would qualify as consumer commodities or combination packaging and not be prohibited from having postconsumer material in their construction. Therefore, such containers are not covered by the exemption in PRC §42340(d).

4. Significance of the Exemption on the California Waste Stream.

No direct information is available on the number or weight of rigid plastic packaging containers, subject to the exemption in PRC §42340(d), that appear in the California waste stream. However, it is possible to gain some information from published estimates.

Figure 1 in "*Annual Report 1993*", published by the CIWMB in March, 1994, includes estimates of the waste generated, diverted and disposed in California in 1990. More recent data are not available at this time. The following Table 1 was derived from Figure 1 in the annual report:

Table 1. Estimated HDPE Containers Disposed in California-1990

WASTE TYPE	TONS DISPOSED	DISPOSAL RATE %	TONS DIVERTED	DIVERSION RATE %	TONS GENERATED
Total Waste	38,963,796	87.5	5,549,057	12.5	44,512,853
All Plastic	2,670,634	97.1	80,051	2.9	2,750,685
HDPE Containers	280.061	93.9	18,313	6.1	298,374

From the above, it would be estimated that HDPE containers constitute about 0.7% of the total tons of waste generated in California. By coincidence, the data show that HDPE containers make-up about 0.7% of the total waste disposed. An unknown proportion of the total HDPE containers disposed would be milk and water jugs, household cleaner and detergent bottles, and the myriad of other containers that are not used to transport hazardous materials. Thus, it can be said from the above that less than 0.7% of the total waste disposed in California in 1990 was HDPE hazardous waste containers.

Some indication of the proportion of HDPE containers that might be used to transport hazardous materials may be gained from the following estimates published in "*Bottlemaking Technology and Market News 1994/5*".

Table 2. Bottle Resins By Market, USA, Million Pounds

MARKET	HDPE	ALL OTHER RESINS	TOTAL USA
Food/Beverage	971	1219	2190
Household Chem	440	91	531
Indus/ins cleaner	189	0	189
Spec/Ag/Ind chem	80	12	92
Auto aftermarket	338	37	375
Toil/cosmetic	153	67	220
Medical/Health	97	123	220
Total non-food	1297	376	1673
TOTAL RESIN	2268	1595	3863

Source: *Bottlemaking Technology and Market News 1994/5*; page 5

The only market category in the above list assumed to include containers for hazardous materials subject to 49 CFR 178.509(b)(1) is "Spec/Ag/Ind chem". That category constitutes about 4% of the total HDPE marketed in the USA. An unknown proportion of that 4% would not fit the size definition in PRC §42340(d), or would be exempted by PRC §42340(c) because they are regulated by the Federal Insecticide, Fungicide, and Rodenticide Act. Another unknown proportion would not be subject to 49 CFR 178.509(b)(1) because they are allowed to be shipped as "combination" or "consumer packaging". If the HDPE marketed in California is in the same proportion as shown in Table 2, it may be possible to estimate that less than 4% of the total waste HDPE containers generated in California are used for the transport of hazardous waste and subject to the prohibition of used (postconsumer) material in their construction. Thus, at a maximum, 4% of the 0.7%, or 0.028%, of the total waste generated in California might be HDPE containers used for the transport of hazardous materials.

The above information has led the CIWMB staff to conclude the exemption of rigid plastic containers for the transport of hazardous materials would not have a significant effect on the California waste stream.

5. Significance of the Exemption to the RPPC Industry

During the preparation of this report, representatives of the DOT, several associations of plastic manufacturers, and some individuals in the industry, were contacted. Prior to completion of this report, these efforts did not yield information which would provide an indication of the significance of the exemption to the RPPC industry. Therefore, a notice was sent to all persons on the CIWMB mail list for the pending RPPC regulations to describe the investigation, make the staff draft report available, and request comments. The notice stated comments received prior to November 18, 1994 would be included in the

report, and that interested persons could present comments at the December 1, 1994 meeting. No comments have been received to this time.

IV. FINDINGS

A. Basis for the Federal DOT Regulations

The current federal regulations for the transport of hazardous materials (HMR) were adopted in December, 1990 in order to achieve consistency with the regulations of other federal agencies, the *United Nations Recommendations For The Transport Of Dangerous Goods*, and the Trade Agreements Act of 1979. The UN Recommendations and the regulations of other countries included the prohibition against used materials in the manufacture of plastic containers used for the transport of dangerous materials. The DOT regulations include that prohibition in 49 CFR 178.509.

The technical basis for the prohibition of used plastic in 49 CFR 178.509(b)(1) is the risk of permeation. Some hazardous materials can "permeate", or pass through, some grades of HDPE used in the manufacture of plastic containers. If this occurs, it presents a hazard to workers and to transporting vehicles. The standard test for permeation also measures absorption of the hazardous material in the container walls. Some hazardous materials, such as petroleum-based materials, may be absorbed in HDPE and cause changes in the properties of the HDPE. The changes may result in cracking and embrittlement, leading to leakage or container breakdown. Recycled HDPE has a greater risk of these problems than virgin material.

B. Likelihood that DOT Will Amend the Federal Regulations

It is unlikely the HMR will be changed in any significant way in the near future. The achievement of consistency with international regulations in December 1990 was believed necessary to harmonize domestic regulations with international regulations for the transport of hazardous materials and remove artificial barriers to trade. In particular, the specification that no used material be used in the manufacture of rigid plastic containers came from the UN Recommendations which had been accepted by other agencies and nations regulating international transport of hazardous materials. Therefore, it is unlikely the DOT would wish to proceed unilaterally to change the requirement that no used material be used in the manufacture of rigid plastic containers.

There is a provision in the United Nations procedures to allow changes in the recommendations so it is possible to have the matter considered. Since the Research and Special Programs Administration (RSPA) of the DOT represents the United States on the United Nations Committee of Experts on the Transport of Dangerous Goods, it would be necessary to solicit their

assistance. As a practical matter, the RSPA would need to be convinced that:

(a) the ability to use used material in rigid plastic containers would not compromise the integrity of the containers;
(b) the issue was of significant economic importance; and
(c) other agencies and their representatives on the U.N. committees would not have strong opposition to the proposal.

The RSPA conducts public meetings on proposed U.S. positions in cooperation with the Hazardous Materials Advisory Council's (HMAC) International Regulations Committee (INTEREC). These meetings are held prior to each U.N. session to describe and seek comment on U.S. positions, as well as those submitted by other governments or observer groups.

Although plastics recycling is generally accepted as desirable by most large nations in Europe and North America, there appears to be little opposition to the UN Recommendation that no recycled plastic be used in the manufacture of containers for the transport of hazardous materials. The concerns related to permeability appear valid.

The plastics industry is proceeding to finance research on designs of containers that will achieve goals for postconsumer content and hazardous materials safety. There appears to be a general understanding that equivalent containers can be approved under special circumstances.

C. Approval of Equivalent Containers

In recognition of the fact that governmental agencies in the United States and Europe were requiring the recycling of plastic materials and the use of recycled and postconsumer plastic in the manufacture of new plastic products, some manufacturers began seeking ways to comply with such regulations for postconsumer product content, and comply with international regulations for the transport of hazardous materials.

One avenue of research was with the manufacture of extruded containers using a barrier layer of virgin plastic, usually HDPE, an inner layer of mixed recycled plastic, and an outer layer of virgin material. For example, one type of container developed for non-food materials in Great Britain consisted of the following:

Inner container layer	Virgin HDPE, 10% total
Center container layer	Recycled, including postconsumer material, 70% total
Outer container layer	Virgin HDPE, 20% total

The overall use of postconsumer material in the container was a minimum of 25% (Hancock 1992).

The initial container developed for the transport of motor oil was successful. It was followed by containers using the same principle for the packaging of detergents and other non-food materials. Further tests resulted in a similar container design intended for the transport of hazardous materials. This design passed all required tests and was submitted for certification.

The DOT has approved the equivalent containers of two manufacturers: U.S. Container, Inc. of Maumee, Ohio and Sonoco Products Co. of Lombard, Illinois. Both approvals were for drums using the multi-layer or "sandwich" process. As described in the approval, the inner and outer layers of the drum are made of virgin resin, and the middle layer includes recycled resin, either postconsumer regrind or post-industrial regrind. The middle layer may contain up to 65% of the sidewall thickness. The approvals also contain special requirements which specify the source and preparation of the resins, tests which must be performed on the blended resin material, and the tests which must be performed on each different drum design or different resin.

The above approvals provide some insight to the requirements which must be met by future applicants. It is not known if there are more applications being considered at this time. However, it does appear the door is open to approvals using materials and processes which are already available to container manufacturers.

D. Significance of the Exemption in PRC §42340(d) to the California Waste Stream.

Based on available information for 1990, it appears the total tons of HDPE containers was about 0.7% of the total tons of waste generated in California in that year. If the total quantity of HDPE marketed in California is used for the same purposes, and in the same proportions, as it is in the U.S., less than 4% of the HDPE used would include containers for the transport of hazardous materials. If the used containers appear in the waste generated in the same proportion as the HDPE marketed, less than 4% of the 0.7% would be subject to the prohibition in 49 CFR 178.509(b)(1) and, therefore, exempted by PRC §42340(d).

V. ALTERNATIVES

A. Retain the Exemption in PRC §42340(d) Indefinitely

No direct information was available during the preparation of this report on the number of containers or the number of manufacturers that would be affected. However, containers used for hazardous material transport, and subject to 49 CFR 178.509(b)(1), are certainly a small percentage of the total number of plastic containers sold or offered for sale in California. Many hazardous materials are allowed to be shipped in "combination" packages which contain inner containers in an outer container such as a box. The inner containers, within certain sizes are not subject to 49 CFR 178.509. As noted

earlier, most of the hazardous material containers subject to 49 CFR 178.509 are larger than those subject to the CIWMB's Rigid Plastic Packaging Container Program. For example, 20 liter (5.28 gallon) and 200 liter (52.8 gallon) containers are standard sizes.

The exemption would be consistent, in concept, with the existing permanent exemptions for containers regulated by the Food and Drug Administration [PRC §42340(b)] and the Federal Insecticide, Fungicide, and Rodenticide Act [PRC §42340(c)]. These other containers are also subject to very specialized and technical federal regulations.

If the state develops future information indicating RPPC subject to 49 CFR 178.509 are a significant factor in the California waste stream, and it would be desirable to discontinue the exemption, an investigation could be conducted to determine the feasibility of doing so.

B. Retain the Exemption in PRC §42340(d) Until January 1, 1997

Currently, food and cosmetic containers have a two year waiver from the Rigid Plastic Packaging Container Program to allow adequate time for the product and container manufacturers to further develop recycled content technologies ("sandwich" containers and postconsumer resin processing) and obtain federal Food and Drug Administration approvals. Since these technologies are similar to those beginning to be used for hazardous material containers, a full two year waiver may be equally valid for them. Additionally, if the food, cosmetic, and hazardous material container and product manufacturers were to work cooperatively to perfect these emerging technologies on a similar timetable, research, development, and testing costs could be shared.

C. Discontinue the Exemption in PRC §42340(d) on January 1, 1996

To discontinue the exemption, no action is necessary; statute will automatically cancel the exemption on January 1, 1996.

Staff research indicates few containers are actually exempted through this provision, that new technologies are being developed to allow the use of postconsumer materials in these few containers, and that product manufacturers have other compliance options available to meet the California Rigid Plastic Packaging Container Program objectives (source reduction, refill, recycling rate).

VI. RECOMMENDATION

[PENDING BOARD DECISION]

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #F29

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of El Monte, Los Angeles County

STAFF COMMENTS:

The City of El Monte's SRRE projects diversion for 1995 as 41.9% and 52.3% for the year 2000. However, adjustments to remove restricted wastes change these percentages to 39.5% for 1995 and 50.4% for the year 2000. The removal of restricted wastes results in the projected achievement for both the 1995 mandate and the year 2000 mandated diversion goal.

The City plans to continue and expand the existing residential curbside recycling program. The City also plans to implement a mobile/stationary drop-off collection system for multifamily dwellers and initiate a business-wide recovery program that begins with at-source separation and colleciton. The City may participate with a Material Recovery Facility. The City plans to expand the in-house recovery effort to provide a good example to area businesses. The program will include all City divisions and facilities with office workers, and it will be extended to any organization currently receiving support from the City. The City will also promote on-site composting, mulching, and grasscycling. The City also plans to implement programs to target tires, construction and demolition waste and white goods.

Staff recommend approval for the City of El Monte's Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

Planning Areas of Concern:

Composting Component- Information on market development was limited in the SRRE. Staff recommend that the City more fully develop a market development strategy for recyclables. The City should include their strategy, along with changes in markets, in their first Annual report to the Board.

Funding Component - Staff has concerns regarding the evaluation of funding mechanisms to accommodate potentially changing economic conditions and flexibility. The City should include the evaluation of their funding mechanisms, identifying any changes in funding sources, in their first Annual Report to the Board.

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. "Hazardous waste is not "normally disposed". Staff have subtracted 6 tons of commercial and industrial hazardous waste from generation and diversion in the baseyear, 1995 and 2000."

Restricted Materials. No documentation of diversion claims for 3,803 tons of restricted waste types has been received. Therefore 3,803 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern:

The composting contingency plan states mulch or wood chips may be used for refuse derived fuel (RDF) and the city sends yard waste to a fiber fuel company. New legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. Statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit f both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

Green (yard) waste used as Alternative Daily Cover (ADC) was claimed as diverted in 1995 and the year 2000. Green (yard) waste diverted for use as Alternative Daily Cover (ADC) may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997, this material may not be counted as diversion in 2000. Green waste diverted for use as ADC can only count for up to 7 % diversion through 1997. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995. The City's letter dated December 1, 1994 states the City will follow the Boards policy for ADC.

El Monte	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	67,227	22,959	90,186	54,845	39,573	94,418	46,442	50,922	97,364
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-1,642)	(-1,642)	0	(-1,642)	(-1,642)	0	(-1,642)	(-1,642)
Scrap metals	0	(-2,093)	(-2,093)	0	(-2,093)	(-2,093)	0	(-2,093)	(-2,093)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-68)	(-68)	0	(-68)	(-68)	0	(-68)	(-68)
Subtotal	0	(-3,803)	(-3,803)	0	(-3,803)	(-3,803)	0	(-3,803)	(-3,803)
Hazardous Waste	(-6)		(-6)	(-6)		(-6)	(-6)		(-6)
Corrected Totals	67,221	19,156	86,377	54,839	35,770	90,609	46,436	47,119	93,555
Claimed diversion rates		25.5%			41.9%			52.3%	
Corrected diversion rates		22.2%			39.5%			50.4%	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in the County-sponsored programs which include periodic Household Hazardous Collection events, a HHW hotline for event information, and flyers publicizing the events. The County will also implement a mobile collection program that will operate approximately 96 days a year. The County also plans to expand the education and public information program to educate all County residents on HHW.

Staff recommend an approval for the City of El Monte's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction	X		
Transfer Station descriptions - outside a jurisdiction	X		

he City's Nondisposal Facility Element identifies 10 facilities they are currently utilizing to reach the mandated goals.

Staff recommend approval for the City of El Monte's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-86 Approval for the SRRE for the City of El Monte
2: Resolution # 95-87 Approval for the HHWE for the City of El Monte
3: Resolution # 95-88 Approval for the NDFE for the City of El Monte

Prepared by: Traci R. Perry Phone: 255-2311

Prepared by: Barbara Baker Phone: 255-2655

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 12/27/94 2:00 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-86

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF EL MONTE

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the city will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of El Monte.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-87

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF EL MONTE

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of El Monte drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of El Monte submitted their final HHWE to the Board for approval which was deemed complete on September 27, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of El Monte.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-88

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF EL MONTE

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of El Monte. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1994.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #5 30

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element , and Nondisposal Facility Element for the City of Hawthorne, Los Angeles County.

STAFF COMMENTS:

The City of Hawthorne's SRRE projects diversion for 1995 as 45% and 57% for the year 2000. However, adjustments to remove restricted wastes change these percentages to 42.1% for 1995 and 54.8% for the year 2000. The removal of restricted wastes results in the projected achievement for both the 1995 and the year 2000 mandated diversion goals.

The City plans to promote on-site composting, mulching, and grasscycling. The City plans to provide technical assistance to nonresidential generators by providing on-site waste evaluations and written information regarding source reduction practices. The City also plans to implement single-family residential curbside recycling and mobile/stationary drop-off collection system for multifamily dwellers. The City plans to expand the in-house recovery effort to provide a good example to are businesses. The program will include all City divisions and facilities with office workers, and it will be extended to any organization currently receiving support from the City. The City will also encourage commercial generators to implement separation systems for recoverable waste.

Staff recommend approval for the City of Hawthorne's Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

Planning Areas of Concern:

Composting Component- Information on market development was limited in the SRRE. Staff recommend that the City more fully develop a market development strategy for recyclables. The City should include their strategy, along with changes in markets, in their first Annual report to the Board.

Funding Component - Staff has concerns regarding the evaluation of funding mechanisms to accommodate potentially changing economic conditions and flexibility. The City should include the evaluation of their funding mechanisms, identifying any changes in funding sources, in their first Annual Report to the Board.

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Restricted Materials. No documentation of diversion claims for 7,055 tons of restricted waste types has been received. Therefore 7,055 tons were subtracted from diversion and generation.

Normally Disposed of. "Hazardous waste is not "normally disposed of". Staff have subtracted 19 tons of commercial and industrial hazardous waste from generation and diversion in the base-year, 1995, 2000."

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern:

The composting contingency plan states mulch or wood chips may be used for refuse derived fuel (RDF) and the city sends yard waste to a fiber fuel company. New legislation regarding biomass conversion and transformation contained in AB 688 w be effective January 1, 1995. Statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

Green (yard) waste diverted for use as Alternative Daily Cover (ADC) may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997, this material may not be counted as diversion in 2000. Green waste diverted for use as ADC can only count for up to 7% diversion through 1997. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995. Green waste used as ADC may not be claimed as diverted in 2000.

Hawthorne	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	114,456	21,068	135,524	76,443	62,555	138,998	61,256	81,212	142,468
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-312)	(-312)	0	(-312)	(-312)	0	(-312)	(-312)
Scrap metals	0	(-6,743)	(-6,743)	0	(-6,743)	(-6,743)	0	(-6,743)	(-6,743)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-7,055)	(-7,055)	0	(-7,055)	(-7,055)	0	(-7,055)	(-7,055)
Hazardous Waste	(-19)		(-19)	(-19)		(-19)	(-19)		(-19)
Corrected Totals	114,437	14,013	128,450	76,424	55,500	131,924	61,237	74,157	135,394
Claimed diversion rates		15.5%			45.0%			57.0%	
Corrected diversion rates		**10.9%**			**42.1%**			**54.8%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in the County-sponsored programs which include periodic Household Hazardous Collection events, a HHW hotline for event information, and flyers publicizing the events. The County will also implement a mobile collection program that will operate approximately 96 days a year. The County also plans to expand the education and public information program to educate all County residents on HHW.

Staff recommend an approval for the City of Hawthorne's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction	X		

The City's Nondisposal Facility Element identifies two existing materials recovery facilities, two transfer station, two recycling facilities that the City is using to reach the mandated goals. The City also identified a proposed material recovery facility the City plans to use in the future.

Staff recommend approval for the City of Hawthorne's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-89 Approval for the SRRE for the City of Hawthorne
2: Resolution # 95-90 Approval for the HHWE for the City of Hawthorne
3: Resolution # 95-91 Approval for the NDFE for the City of Hawthorne

Prepared by: Traci R. Perry TRP Phone: 255-2311

Prepared by: Barbara Baker BB Phone: 255-2655

Reviewed by: Lloyd Dillon LD Phone: 255-2303

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: LB Date/time: 12/27/94 2:20pm

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ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-89

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF HAWTHORNE

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the city will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Hawthorne.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-90

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF HAWTHORNE

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Hawthorne drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Hawthorne submitted their final HHWE to the Board for approval which was deemed complete on October 13, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Hawthorne.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-91

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF HAWTHORNE

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Hawthorne. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1994.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #~~6~~ 31

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element for the City of Rancho Palos Verdes, Los Angeles County

STAFF COMMENTS:

The City of Rancho Palos Verdes' SRRE projects diversion for 1995 as 57.7% and 71.8% for the year 2000. However, adjustments to remove restricted wastes change these percentages to 49.2% for 1995 and 66% for the year 2000. The removal of restricted wastes results in the projected achievement of both the 1995 and year 2000 mandated diversion goals.

The City plans to continue the curbside collection service for 11,000 single family and multifamily households. The City plans to expand the program in the medium term planning period to include more materials and green waste. The City also plans to continue the tree trimming program and the recovered wood is reused primarily on horse riding trails. Due to the large yard waste stream in the City, the City plans to implement an on-site composting program. The City will provide composting bins to residents who participate in the program. The City also plans to provide technical assistance to residents and businesses on the practices of source reduction and recycling. The City will also implement supportive policies such as an ordinance requiring all haulers to provide recycling services and a policy encouraging the utilization of trail maintenance programs for wood wastes.

Staff recommend approval for the City of Rancho Palos Verdes' Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

Planning Areas of Concern:

Funding Component - Staff has concerns regarding the evaluation of funding mechanisms to accommodate potentially changing economic conditions and flexibility. The City should include the evaluation of their funding mechanisms, identifying any changes in funding sources, in their first Annual Report to the Board.

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the table below.

Restricted Materials. The Total Diversion table shows diversion of 11,109 tons of restricted materials, including 15 tons of ferrous metals, 1 ton of non-ferrous metals, and 55 tons of white goods). Documentation of the diversion claim for 11,109 tons of restricted waste was not received. Therefore, 11,109 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

AREAS OF CONCERN:

The Composting Element contains a selected program that will use yard waste for landfill cover as a diversion alternative. Please note that yard waste used as ADC may be counted towards 7% of the 25% diversion goal in 1995, as stated in the Board's ADC policy. The Board's policy expires on December 31, 1997 and ADC may not be counted as diversion in 2000.

The SRRE mentions that woody yard waste may be sold as fuel to co-generation power plants. Legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. Please note that one of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include testing and properly disposing of the resulting ash, and the jurisdiction implementing all feasible SRRE programs.

Rancho Palos Verdes	Base year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	33,495	27,081	60,576	28,028	38,208	66,236	18,336	46,652	64,988
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-11,038)	(-11,038)	0	(-11,038)	(-11,038)	0	(-11,038)	(-11,038)
Scrap metals	0	(-16)	(-16)	0	(-16)	(-16)	0	(-16)	(-16)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-55)	(-55)	0	(-55)	(-55)	0	(-55)	(-55)
Subtotal	0	(-11,109)	(-11,109)	0	(-11,109)	(-11,109)	0	(-11,109)	(-11,109)
Corrected Totals	33,495	15,972	49,467	28,028	27,099	55,127	18,336	35,543	53,879
Claimed diversion rates		44.7%			57.7%			71.8%	
Corrected diversion rates		**32.3%**			**49.2%**			**66.0%**	

ATTACHMENTS:

1: Resolution # 95-92 Approval for the SRRE for the City of Rancho Palos Verdes

Prepared by: Traci R. Perry Phone: 255-2311

Prepared by: Claire Miller Phone: 255-2418

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Lorraine Van Kekerix for LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EJS Date/time: 12/27/94 1:35 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-92

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF RANCHO PALOS VERDES

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the city will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Element for the City of Rancho Palos Verdes.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #32

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element for the City of Rolling Hills Estates, Los Angeles County

STAFF COMMENTS:

The City of Rolling Hills Estates' SRRE projects diversion for 1995 as 44.1% and 57.7% for the year 2000. However, adjustments to remove restricted wastes change these percentages to 43.9% for 1995 and 57.5% for the year 2000. The removal of restricted wastes results in the projected achievement of the 1995 and substantial compliance with the year 2000 mandated diversion goals.

The City plans on continuing the residential curbside recycling program and wood waste chipping program. The City plans to implement a curbside green waste collection program and on-site composting. The City will provide composting bins to residents at a wholesale price for participating in the programs. The City also plans to implement an office paper recycling for all City divisions and facilities with office workers. The City also plans to pass a policy encouraging the utilization of trail maintenance programs for wood wastes. To educate the citizens, the City will provide technical assistance and general information on source reduction, recycling, and composting.

Staff recommend approval for the City of Rolling Hills Estates' Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

Planning Areas of Concern:

Funding Component - Staff has concerns regarding the evaluation of funding mechanisms to accommodate potentially changing economic conditions and flexibility. The City should include the evaluation of their funding mechanisms, identifying any changes in funding sources, in their first Annual Report to the Board.

The SWGS, as submitted, does not meet the following criteria. Changes in tonnages are listed in the following table.

Restricted Materials. Insufficient documentation of diversion claims for 88 tons of restricted waste types has been received. Therefore, 88 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Rolling Hills Estates	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	14,582	6,048	20,630	11,601	9,168	20,769	8,913	12,156	21,069
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-64)	(-64)	0	(-64)	(-64)	0	(-64)	(-64)
Scrap metals	0	(-14)	(-14)	0	(-14)	(-14)	0	(-14)	(-14)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-10)	(-10)	0	(-10)	(-10)	0	(-10)	(-10)
Subtotal	0	(-88)	(-88)	0	(-88)	(-88)	0	(-88)	(-88)
Corrected Totals	14,582	5,960	20,542	11,601	9,080	20,681	8,913	12,068	20,981
Claimed diversion rates		29.3%			44.1%			57.7%	
Corrected diversion rates		**29.0%**			**43.9%**			**57.5%**	

ATTACHMENTS:

1: Resolution # 95-93 Approval for the SRRE for the City of Rolling Hills Estates

Prepared by: Traci R. Perry TRPerry Phone: 255-2311

Prepared by: Barbara Baker BB Phone: 255-2655

Reviewed by: Lloyd Dillon for Phone: 255-2303

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 12/30/94 9:30am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-93

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF ROLLING HILLS ESTATES

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the city will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Rolling Hills Estates.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # 8-33

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Household Hazardous Waste Element for the City of Santa Fe Springs, Los Angeles County

STAFF COMMENTS:

The City of Santa Fe Springs projects diversion for 1995 as 27.2% and 64.1% for the year 2000. However, adjustments to remove restricted wastes and new composting program which was included in the September 21, 1994 letter, but not selected in the SRRE, change these percentages to 26.8% for 1995 and 34.3% for the year 2000. For this reason, staff is recommending the City of Santa Fe Springs receive a Notice of Deficiency.

The City plans to continue the use of 20/20 centers and expand to include mobile stations. The City plans to implement a voluntary program of recycling consisting of at-source separation program including the development of City facilities and initiate a business-wide materials recovery program. For the medium-term planning period, the City plans to participate with a Material Recovery Facility. The City also plans to implement waste evaluations for businesses and technical assistance to businesses to develop a waste exchange directories. The City will also encourage voluntary commercial and residential self-haul to existing collection sites as a primary means of collection of yard waste.

As stated above, the City's projections drop below the 50% mandated goals, staff recommend disapproval for the City of Santa Fe Springs' Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

Planning Areas of Concern:

Composting Component- Information on market development was limited in the SRRE. Staff recommend that the City more fully develop a market development strategy for recyclables.

Funding Component - Staff has concerns regarding the evaluation of funding mechanisms to accommodate potentially changing economic conditions and flexibility. The City should include the evaluation of their funding mechanisms, identifying any changes in funding sources.

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed". Staff subtracted 310 tons of commercial and industrial hazardous waste from disposal and generation in the base-year, 310 tons from disposal, 9 tons from diversion and 319 tons from generation in 1995, and 11 tons from diversion, 310 tons from disposal and 321 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 23,638 tons of restricted waste types has been received, therefore 23,638 tons were subtracted from diversion and generation in the base-year. The City did not include this diversion in its 15 year projections in its letter dated September 21, 1994, therefore no restricted materials were subtracted in 1995 and 2000.

Computation Errors. Projected diversion and disposal tonnages showing SRRE implementation were not provided in the SWGS. Projections provided in a letter dated September 21, 1994 were not accurately computed. Staff added 977 tons to disposal, 534 tons to generation, and subtracted 443 tons from diversion in 1995. Staff added 3,262 tons to disposal, 1,052 tons to generation, and subtracted 2,210 tons from diversion in 2000. Base-year tonnages provided were also inaccurate. Staff subtracted 32 tons from disposal and generation in the base-year.

Projections. Correction for the issues discussed above and subtracting a new program identified in the City's September 21, 1994 letter and projections will change the City's 1990 base-year diversion rate from 30% (43,336 tons) to 16.3% (19,698 tons), their projected 1995 diversion rate from 27.2% (33,631 tons) to 26.8% (33,179 tons), and their projected 2000 diversion rate from 64.1% (81,059 tons) to 34.3% (43,640 tons).

Comparable Data. The City used data from Culver City to determine its multifamily residential waste composition and data from the City of Glendale to estimate its self-haul waste composition. Combined, these sectors account for less than 4% of the City's base-year waste generation. No discussion was provided to demonstrate the comparability of these jurisdictions.

Area of Concern:

New legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. Statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 an 41783 for transformation; a jurisdiction may not claim future diversion credit for

both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

Santa Fe Springs	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	101,340	43,336	144,676	90,094	33,631	123,725	45,383	81,059	126,442
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-10,440)	(-10,440)	0	0	0	0	0	0
Scrap metals	0	(-13,198)	(-13,198)	0	0	0	0	0	0
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-23,638)	(-23,638)	0	0	0	0	0	0
Hazardous waste	(-310)	0	(-310)	(-310)	(-9)	(-319)	(-310)	(-11)	(-321)
New program in 9/21 letter and projections.	0	0	0	0	0	0	35,198	(-35,198)	0
Computation errors	(-32)	0	(-32)	977	(-443)	534	3,262	(-2,210)	1,052
Corrected Totals	100,998	19,698	120,696	90,761	33,179	123,940	83,533	43,640	127,173
Claimed diversion rates		30.0%			27.2%			64.1%	
Corrected diversion rates		**16.3%**			**26.8%**			**34.3%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in the County-sponsored programs which include periodic Household Hazardous Collection events, a HHW hotline for event information, and flyers publicizing the events. The County will also implement a mobile collection program that will operate approximately 96 days a year. The County also plans to expand the education and public information program to educate all County residents on HHW.

Staff recommend an approval for the City of Santa Fe Springs' Household Hazardous Waste Element.

ATTACHMENTS:

1: Resolution # 95-94 Disapproval for the SRRE for the City of Santa Fe Springs
2: Resolution # 95-95 Approval for the HHWE for the City of Santa Fe Springs

Prepared by: Traci R. Perry TRP Phone: 255-2311

Prepared by: Mitch Weiss MW Phone: 255-2664

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Lorraine Van Kekerix VK Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 12/27/94 2:15pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-94

FOR CONSIDERATION OF DISAPPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SANTA FE SPRINGS

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq. describe the requirements to be met by cities when developing and implementing integrated waste management plans; and

WHEREAS, PRC Section 41000 requires that each city prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that after adjustments to remove restricted wastes and new programs which were not selected in the SRRE; and

WHEREAS, this adjustment resulted in the aforementioned jurisdiction's diversion projections to fall short of the mandated diversion goals; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the Source Reduction and Recycling Element for the City of Santa Fe Springs due to the adjusted projection levels falling short of the mandated diversion goals, and directs staff to draft Notice of Deficiency which identify the measures to be taken to rectify the discrepancies and details a timeline for doing so.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-95

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SANTA FE SPRINGS

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Santa Fe Springs drafted and adopted their Final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Santa Fe Springs submitted their Final HHWE to the Board for approval which was deemed complete on September 28, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Household Hazardous Waste Element for the City of Santa Fe Springs.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM #~~9~~ 34

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Santa Paula, Ventura County

STAFF COMMENTS:

The City of Santa Paula Source Reduction and Recycling Element (SRRE) projects diversion for 1995 and 2000 as 33.4 percent and 51.1 percent, respectively. However, Board staff adjustments to remove restricted materials and commercial hazardous wastes change these percentages to 27.9 percent for 1995 and 47.5 percent for 2000. The removal of restricted materials and commercial hazardous wastes results in 2000 diversion goal of less than 50 percent. Staff notified the City in a letter dated September 28, 1994 of the excluded wastes issue. In addition, staff contacted the City and discussed the issue in a phone conversation on November 22, 1994. City staff indicated that they would consider submitting additional information on how the City plans to reach the mandated 2000 diversion goal. However, staff did not receive this information by the time this item was prepared.

The City's source reduction activities include the implementation of a local government procurement program, cold inplace pavement reuse, onsite compost assistance program, and technical assistance to industry, consumer organizations and source reduction businesses. The City's recycling activities include continued use of the existing buyback recycling center, the implementation of dropoff recycling centers, continued implementation of curbside collection, and the implementation and expansion of multifamily/mobile collection. To encourage yard waste recycling the City plans on introducing tipping fee incentives, collection rate incentives, yard and wood waste dropoffs at transfer and disposal facilities, and curbside collection of yard and wood waste.

Staff recommends conditional approval for the City of Santa Paula's SRRE based on excluded waste types in the base-year that result in projections that fall below the 50 percent mandated goal. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 50 percent mandated goal.

ANALYSIS:

SRRE Adequacy

Santa Paula SRRE Adequacy	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The Solid Waste Generation Study (SWGS), as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Commercial hazardous waste and hazardous waste containers are not defined as "normally disposed of." Staff, therefore, subtracted 173 tons of commercial hazardous waste and hazardous waste containers from base year, 1995 and 2000 disposal and generation.

Restricted Materials. No documentation of diversion claims for 2,866 tons of restricted waste types has been received. Staff have subtracted 2,866 tons from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Santa Paula	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	26,020	7,156	33,176	24,659	12,374	37,033	19,421	20,288	39,709
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-980)	(-980)	0	(-980)	(-980)	0	(-980)	(-980)
Scrap metals	0	(-47)	(-47)	0	(-47)	(-47)	0	(-47)	(-47)
Agricultural waste	0	(-1,758)	(-1,758)	0	(-1,758)	(-1,758)	0	(-1,758)	(-1,758)
White goods	0	(-81)	(-81)	0	(-81)	(-81)	0	(-81)	(-81)
Subtotal	0	(-2,866)	(-2,866)	0	(-2,866)	(-2,866)	0	(-2,866)	(-2,866)
Commercial Hazardous Waste	(-173)	0	(-173)	(-173)	0	(-173)	(-173)	0	(-173)
Corrected Totals	25,847	4,290	30,137	24,486	9,508	33,994	19,248	17,422	36,670
Claimed diversion rates		21.6%			33.4%			51.1%	
Corrected diversion rates		14.2%			27.9%			47.5%	

Area of Concern

The Composting Component indicates a program to divert yard waste for co-composting (mixing of sludge with composted yard waste) may be utilized as a contingency measure. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in Title 14, California Code of Regulations (14 CCR) Section 18775.2.

Household Hazardous Waste Element (HHWE) Adequacy

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

Santa Paula HHWE Adequacy	Yes	No	Santa Paula HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The household hazardous waste (HHW) programs for the City of Santa Paula are conducted by the Ventura Regional Sanitation District. The selected HHW programs are as follows: the City may use any of the Recyclable Household Hazardous Waste Stations; public education and information; periodic household hazardous waste collection days; and waste load checking program.

Staff recommends approval of the City of Santa Paula HHWE.

Nondisposal Facility Element (NDFE) Adequacy

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

Santa Paula NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

Gold Coast Recycling is the only nondisposal facility planned to be used by the City of Santa Paula to meet diversion and program implementation goals. Gold Coast Recycling is an existing materials recovery facility located in the City of Ventura. The facility receives and processes loads of commingled recyclables, segregated commercial and industrial recyclables, and mixed waste. The facility will divert an estimated 3,050 tons of material from the City of Santa Paula waste stream in 1995.

Staff recommends approval of the City of Santa Paula NDFE.

ATTACHMENTS:

1. Resolution #96 Conditional Approval for the SRRE for the City of Santa Paula
2. Resolution #97 Approval for the HHWE for the City of Santa Paula
3. Resolution #98 Approval for the NDFE for the City of Santa Paula

Prepared by: Chris Deidrick CD Phone: 255-2308

Prepared by: Claire Miller CM Phone: 255-2419

Reviewed by: Lloyd Dillon LD Phone: 255-2303

Reviewed by: John Sitts JS Phone: 255-2422

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 12/30/94 8:05am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-96

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SANTA PAULA, VENTURA 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 Section 41000 requires that each city prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that, when adjusted for excluded waste types, the plan only projects a diversion rate of 47.5% for the year 2000; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved, and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the SRRE for the City of Santa Paula. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 50% mandated goal.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-97

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SANTA PAULA, VENTURA 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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, the City of Santa Paula drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, the City of Santa Paula submitted their final HHWE to the Board for approval which was deemed complete on September 28, 1994, and the Board has 120 days to review and approve or disapprove of the HHWE; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the HHWE for the City of Santa Paula.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-98

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SANTA PAULA, VENTURA COUNTY

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq. describe the requirements to be met by cities when developing and implementing integrated waste management plans; and

WHEREAS, PRC Section 41730 et seq. requires that each city 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the NDFE for the City of Santa Paula. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM #~~10~~ 35

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Fillmore, Ventura County

STAFF COMMENTS:

The City of Fillmore Source Reduction and Recycling Element (SRRE) projects diversion for 1995 and 2000 as 26.5 percent and 50.5 percent, respectively. However, Board staff adjustments to remove restricted and hazardous wastes change these percentages to 18.0 percent for 1995 and 45.3 percent for 2000. The removal of restricted and hazardous materials results in the shortfall in the 1995 diversion goal of 25 percent and the 2000 diversion goal of 50 percent. Staff notified the City in a letter dated September 28, 1994 of the excluded wastes issue. On December 5, 1994 Board staff discussed this issue on the phone with City staff. City staff indicated they would consider submitting additional information on the City's plans to reach mandated diversion goals. However, Board staff did not receive this information by the time this item was prepared. For this reason, staff is recommending the City of Fillmore receive a Notice of Deficiency based on excluded waste types in the base year diversion claims which have not been substantiated pursuant to Public Resources Coded (PRC) Section 41801.5.

The source reduction activities in the City at this time include cold inplace pavement reuse, onsite compost assistance program, and technical assistance to industry, consumer organizations, and source reduction businesses. The City recycling programs include buy back and drop-off facilities, continue curbside recycling, implementation of multifamily/mobile home collection, implement segregated commercial/industrial bin collection program, commercial yard and wood waste recycling, and nonsegragated commercial recycling. To encourage yard waste recycling the City plans on introducing tipping fee incentives, collection rate incentives, yard and wood waste dropoffs at transfer and disposal facilities, and curbside collection of yard and wood waste.

Staff recommends disapproval for the City of Fillmore's SRRE based on excluded waste types in base year that result in projections that fall below the 25 and 50 percent mandated goals.

ANALYSIS:

SRRE Adequacy

Fillmore SRRE Adequacy	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)	X	
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The Source Reduction and Recycling Study (SWGS), as submitted, does not meet the following criteria. Changes in tonnage are listed in the table below.

Restricted Materials. No documentation of diversion claims for 1,411 tons of restricted waste types has been received. Staff subtracted 1,411 tons from diversion and generation. The waste type "Organic Compostables" includes agricultural waste, therefore, staff subtracted 17 tons of agricultural waste.

Normally Disposed. Hazardous waste is not "normally disposed." Therefore, 8 tons of commercial hazardous waste were subtracted from disposal and generation. The SWGS, as corrected, meets the SWGS criteria.

Area of Concern:

1. The Composting Component indicates that a program to divert yard waste for co-composting (mixing of sludge with composted yard waste) may be utilized as a contingency measure. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in Title 14, California Code of Regulations (CCR) Section 18775.2.

2. The Recycling Component (Page 4-31) indicates that wood waste may be sent to transformation facilities. Legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. Staff have therefore not changed your 2000 projections for biomass diversion. The statute requires that jurisdictions meet the appropriate conditions in Public Resources Code (PRC) Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. Please note that one of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the baseyear. Other conditions for either biomass conversion or transformation include the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

FILLMORE	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	10,345	2,178	12,523	10,004	3,612	13,616	7,335	7,471	14,806
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-792)	(-792)	0	(-792)	(-792)	0	(-792)	(-792)
Scrap metals	0	(-2)	(-2)	0	(-2)	(-2)	0	(-2)	(-2)
Agricultural waste	0	(-610)	(-610)	0	(-610)	(-610)	0	(-610)	(-610)
White goods	0	(-7)	(-7)	0	(-7)	(-7)	0	(-7)	(-7)
Subtotal	0	(-1,411)	(-1,411)	0	(-1,411)	(-1,411)	0	(-1,411)	(-1,411)
HHW	(-8)		(-8)	(-8)		(-8)	(-8)		(-8)
Corrected Totals	10,337	767	11,104	9,996	2,201	12,197	7,327	6,060	13,387
Claimed diversion rates		17.4%			26.5%			50.5%	
Corrected diversion rates		6.9%			18.0%			45.3%	

Household Hazardous Waste Element (HHWE) Adequacy

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

Fillmore HHWE Adequacy	Yes	No	Fillmore HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The household hazardous waste (HHW) programs for the City of Fillmore are conducted by the Ventura Regional Sanitation District. The selected HHW programs are as follows: use of the recyclable HHW stations; HHW public information and education; periodic HHW collection days; and support the load checking program at Bailard landfill.

Staff recommends approval of the City of Fillmore HHWE.

Nondisposal Facility Element (NDFE) Adequacy

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

Fillmore NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

Gold Coast Recycling is the only nondisposal facility planned to be used by the City of Santa Paula to meet diversion and program implementation goals. Gold Coast Recycling is an existing materials recovery facility located in the City of Ventura. The facility receives and processes loads of commingled recyclables, segregated commercial and industrial recyclables, and mixed waste. The facility will divert an estimated 3.1 percent of material from the City of Santa Paula waste stream.

Staff recommends approval of the City of Fillmore NDFE.

ATTACHMENTS:

1. Resolution #99 Disapproval for the SRRE for the City of Fillmore
2. Resolution #100 Approval for the HHWE for the City of Fillmore
3. Resolution #101 Approval for the NDFE for the City of Fillmore

Prepared by: Chris Deidrick/Lloyd Dillon Phone: 255-2308

Prepared by: Claire Miller/John Sitts Phone: 255-2419

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 12/28/94 8:40am

ATTACHMENT 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-99

FOR CONSIDERATION OF DISAPPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF FILLMORE, VENTURA 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 Section 41000 requires that each city prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that there was insufficient documentation to claim diversion for excluded waste types specified in PRC Section 41781.2 and subsequently adjusted the base year diversion claims and projected diversion levels, as called for in PRC Section 41801.5; and

WHEREAS, this adjustment resulted in the aforementioned jurisdiction's diversion projections to fall to 18.0% for 1995 and 45.3% for 2000; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the SRRE for the City of Fillmore due to the adjusted projection levels falling short of the mandated diversion goals, and directs staff to send a Notice of Deficiency which identifies the measures to be taken to rectify the discrepancies and details a timeline for doing so.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-100

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF FILLMORE, VENTURA 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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, the City of Fillmore drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, the City of Fillmore submitted their final HHWE to the Board for approval which was deemed complete on September 28, 1994, and the Board has 120 days to review and approve or disapprove of the HHWE; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the HHWE for the City of Fillmore.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-101

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF FILLMORE, VENTURA COUNTY

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq. describe the requirements to be met by cities when developing and implementing integrated waste management plans; and

WHEREAS, PRC Section 41730 et seq. requires that each city 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the NDFE for the City of Fillmore. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1994

AGENDA ITEM # ~~11~~ 36

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of San Buenaventura, Ventura County

STAFF COMMENTS:

The City of San Buenaventura Source Reduction and Recycling Element (SRRE) projects diversion for 1995 and 2000 as 27.0 percent and 50.8 percent, respectively. However, Board staff adjustments to remove restricted and hazardous wastes change these percentages to 18.7 percent for 1995 and 44.9 percent for 2000. The removal of restricted materials and hazardous wastes results in the shortfall in the 1995 diversion goal of 25 percent and the 2000 diversion goal of 50 percent. Staff notified the City in a letter dated September 28, 1994 of the excluded wastes issue. On November 28, 1994 Board staff received additional documentation for the base-year diversion claims for restricted materials from the City. Board staff reviewed the documentation and determined the City's diversion claims were still below mandated goals. For this reason, staff is recommending the City of San Buenaventura receive a Notice of Deficiency based on excluded waste types in the base-year diversion claims which have not been substantiated pursuant to Public Resources Code (PRC) Section 41801.5.

The source reduction activity alternatives in the City of San Buenaventura include: local government purchasing preferences; technical assistance, education, and promotional programs (waste evaluations, backyard composting, and public recognition); regulatory programs; and rate structure modification programs. The City recycling and composting program alternatives include: buy back and drop-off facilities; continue curbside recycling; implementation of multifamily and mobile home collection; commercial yard and wood waste recycling; private recycler collection; yard waste mulching and wood waste chipping; regional composting facility; and a regional material recovery and mixed waste processing facility.

Staff recommends disapproval for the City of San Buenaventura's SRRE based on excluded waste types in base year that result in projections that fall below the 25 and 50 percent mandated goals.

ANALYSIS:

SRRE Adequacy

San Buenaventura SRRE Adequacy	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)		X
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

The table below shows waste disposal, diversion and generation claimed in the SWGS (tables 7-1 through 7-4 and table 8-9). Because these numbers differ from those found in the text of the SWGS and the SRRE and because marine wastes were not accounted for [14 CCR Section (i)(5)], Board staff is unable to determine whether the City of San Buenaventura has accurate base-year numbers from which to measure achievement of the diversion as required in 14 CCR Section 18722(j).

Diversion Tonnages. Diversion tonnage provided was not accurate. In quantifying base-year diversion, the City estimated that "the existence of a variable can rate system results in an additional diversion of 1%." Because the City did not provide any basis for this assumption, staff subtracted 551 tons from diversion and generation in the base-year, 1995 and 2000. The SWGS and SRRE also contain numerous discrepancies in diversion tonnages. These include:

1. The tonnages for base-year recycling programs described on appendix pages A-41 through A-43 do not match those shown in appendix tables 7-2 and 7-3.

2. The total base-year recycling tonnage in the text on page 4-3 (35,840 tons) does not match either the accompanying table or tables 7-2 and 7-3 (30,203 tons).

3. The quantity of Christmas trees recycled in the base-year as shown in the table on page 4-3 (820 tons) conflicts with the description of the program on pages 4-19 and 4-20 (42 tons) and is greater than the base-year yard waste diversion shown in table 8-9 (650 tons). Page 4-20 states that the "end uses for the chipped trees included ... sludge co-composting." If the City plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2. Staff subtracted 42 tons from diversion and added it disposal in the base-year, 1995 and 2000.

4. The quantity of telephone books and newspapers recycled in the base-year as shown in the table on page 4-3 (90 tons) conflicts with the description of the programs on pages 4-23 (790 tons of newspaper) and 4-24 (32 tons of telephone books).

Disposal Tonnages. Disposal tonnage provided was not accurate. There have been changes in statute since 1990 regarding sewage sludge and counting sewage sludge disposal. Sewage sludge disposal on pages 6-1 and 6-2 was not included in the SWGS. Staff added 5,920 tons to disposal and generation in the base-year, 6,545 tons to disposal and generation in 1995, and 6,875 tons to disposal and generation in 2000. Additionally, the base-year industrial disposal shown on table 8-7 (22,954 ton) is not the same as that given on page A-15 (28,478 tons).

Normally Disposed. Hazardous waste is not "normally disposed". Staff subtracted 383 tons of commercial and industrial hazardous waste from disposal and generation.

Restricted Materials. The City submitted documentation regarding their base-year diversion claims for restricted materials. This documentation did not adequately demonstrate that the three criteria were met. Staff subtracted 17,740 tons from diversion and generation.

Areas of Concern:

The Composting and Special Waste components indicates that sewage sludge co-composting may be utilized as a contingency measure. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

The final SRRE indicates that biomass conversion ("cogeneration") may be selected as a diversion program in the future (pages 4-22 and B-11 through B-13). New legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10% of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. It is unclear how the green waste discussed on page 4-20 was treated in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

San Buenaventura	Base year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	139,045	31,233	170,278	142,091	52,529	194,620	109,350	112,730	222,080
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-14,648)	(-14,648)	0	(-14,648)	(-14,648)	0	(-14,648)	(-14,648)
Scrap metals	0	(-2,446)	(-2,446)	0	(-2,446)	(-2,446)	0	(-2,446)	(-2,446)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-646)	(-646)	0	(-646)	(-646)	0	(-646)	(-646)
Subtotal	0	(-17,740)	(-17,740)	0	(-17,740)	(-17,740)	0	(-17,740)	(-17,740)
Hazardous waste	(-383)	0	(-383)	(-383)	0	(-383)	(-383)	0	(-383)
Sewage sludge	5,920	0	5,920	6,545	0	6,545	6,875	0	6,875
Christmas trees	42	(-42)	0	42	(-42)	0	42	(-42)	0
Variable can rate	0	(-551)	(-551)	0	(-551)	(-551)	0	(-551)	(-551)
Corrected Totals	144,624	12,900	157,524	148,295	34,196	182,491	115,884	94,397	210,281
Claimed diversion rates		18.3%			27.0%			50.8%	
Corrected diversion rates		8.2%			18.7%			44.9%	

Household Hazardous Waste Element (HHWE) Adequacy

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

San Buenaventura HHWE Adequacy	Yes	No	San Buenaventura HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The Ventura Regional Sanitation District (VRSD) has established three Regional Household Hazardous Waste Stations (RHHWS) that accept paint, oil, and batteries for recycling. These stations are located at the Santa Clara Recycling Center located at the Bailard Landfill in Oxnard, the Toland Road Landfill in Santa Paula, and the Ojai Anti-Litter Station in Ojai. The City of San Buenaventura's household hazardous waste diversion is under the direction and management of the VRSD. The City utilizes these RHHWS throughout the year and also holds Household hazardous waste collection days. In addition, the City will implement a public education and information program and continue support of the load checking program at Bailard Landfill.

Staff recommends approval of the City of San Buenaventura HHWE.

Nondisposal Facility Element (NDFE) Adequacy

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

San Buenaventura NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

Gold Coast Recycling is the only nondisposal facility planned to be used by the City of San Buenaventura to meet diversion and program implementation goals. Gold Coast Recycling is an existing materials recovery facility located in the City of San Buenaventura. The facility is expected to divert about 28,200 tons per year (20 percent) of the disposed waste generated yearly in the City. It is expected that the diversion rate will remain constant, unless additional material types are recycled form the City's waste stream.

Staff recommends approval of the City of San Buenaventura NDFE.

ATTACHMENTS:

1. Resolution #102 Disapproval for the SRRE for the City of San Buenaventura
2. Resolution #103 Approval for the HHWE for the City of San Buenaventura
3. Resolution #104 Approval for the NDFE for the City of San Buenaventura

Prepared by: Chris Deidrick/Lloyd Dillon Phone: 255-2308

Prepared by: Mitchell Weiss/John Sitts MW/SO Phone: 255-2664

Reviewed by: Lorraine Van Kekerix SO for Phone: 255-2670

Reviewed by: Judith J. Friedman JJF for JJF Phone: 255-2302

Legal Review: EB Date/time: 12/30/94 8:00 am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-102

FOR CONSIDERATION OF DISAPPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SAN BUENAVENTURA, VENTURA 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 Section 41000 requires that each city prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that there was insufficient documentation to claim diversion for excluded waste types specified in PRC Section 41781.2 and subsequently adjusted the base year diversion claims and projected diversion levels, as called for in PRC Section 41801.5; and

WHEREAS, this adjustment resulted in the aforementioned jurisdiction's diversion projections to fall to 18.7% for 1995 and 44.9% for 2000; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the SRRE for the City of San Buenaventura due to the adjusted projection levels falling short of the mandated diversion goals, and directs staff to send a Notice of Deficiency which identifies the measures to be taken to rectify the discrepancies and details a timeline for doing so.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-103

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SAN BUENAVENTURA, VENTURA 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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the City; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, the City of San Buenaventura drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, the City of San Buenaventura submitted their final HHWE to the Board for approval which was deemed complete on September 28, 1994, and the Board has 120 days to review and approve or disapprove of the HHWE; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the HHWE for the City of San Buenaventura.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-104

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SAN BUENAVENTURA, VENTURA COUNTY

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq. describe the requirements to be met by cities when developing and implementing integrated waste management plans; and

WHEREAS, PRC Section 41730 et seq. requires that each city 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the NDFE for the City of San Buenaventura. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM #~~42~~ 37

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Thousand Oaks, Ventura County.

STAFF COMMENTS:

The City of Thousand Oaks Source Reduction and Recycling Element (SRRE) projects diversion for 1995 and 2000 as 24.9 percent and 50.4 percent, respectively. However, Board staff adjustments to remove restricted materials and household hazardous wastes change these percentages to 23.0 percent for 1995 and 49.4 percent for 2000. The removal of restricted materials and household hazardous wastes results in 1995 diversion goals of less than 25 percent and 2000 diversion goals of less than 50 percent. Staff notified the City in a letter dated September 23, 1994 of the excluded wastes issue. In addition, staff discussed the issue with City staff in a phone conversation on November 14, 1994. On November 29, 1994 Board staff received a faxed letter from the City which indicated that City staff would present additional diversion data at the January meeting of the Local Assistance and Planning Committee.

The City's source reduction activities include educational/technical assistance, rate structure modifications, procurement programs, and regulatory programs. The City's recycling activities include source separation programs, such as, dropoff centers, buyback centers, residential curbside collection, commercial/ industrial collection, and yard waste collection. To encourage yard waste recycling the City plans on implementing residential, commercial, and industrial yard waste collection.

Staff recommends conditional approval for the City of Thousand Oaks's SRRE based on excluded waste types in base year that result in projections that fall below the 25 percent mandated goals. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 25 percent mandated goal.

ANALYSIS:

SRRE Adequacy

Santa Paula SRRE Adequacy	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The Solid Waste Generation Study (SWGS), as submitted, does not meet the following criteria. Changes in tonnage are listed in the table below.

Accuracy of Data. Tables 2-1 through 2-4, and the Appendix 2-B 15-year projections contain numerical errors. For example, Table 2-5, Page 2-10, incorrectly totals generation at 232,765 tons. The generation number should equal 226,764 (disposal 191,175, and diversion 35,589 equals 226,764). The Disposal Capacity Component contains different Diversion, Disposal and Generation numbers than the values given in the 15-year projections in the Appendix. Staff recommends the corrected information for the SRRE tables be submitted in the first Annual Report.

Restricted Materials. No documentation of diversion claims for 6,586 tons of restricted waste types has been received. Staff substracted 6,586 tons from diversion and generation.

Normally Disposed. Household Hazardous waste is not "normally disposed." Therefore, 1,713 tons of commercial and industrial hazardous wastes were subtracted from disposal and generation.

The SWGS, as corrected, meets the SWGS criteria.

Area of Concern: The Composting Component indicates that a program to divert yard waste for co-composting (mixing of sludge with composted yard waste) may be utilized as a contingency measure. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in Title 14, California Code of Regulations (14 CCR) Section 18775.2.

THOUSAND OAKS	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	191,175	35,589	226,764	183,700	60,939	244,639	127,647	129,471	257,118
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-6,253)	(-6,253)	0	(-6,253)	(-6,253)	0	(-6,253)	(-6,253)
Agricultural waste	0	(-272)	(-272)	0	(-272)	(-272)	0	(-272)	(-272)
White goods	0	(-62)	(-62)	0	(-62)	(-62)	0	(-62)	(-62)
Subtotal	0	(-6,586)	(-6,586)	0	(-6,586)	(-6,586)	0	(-6,586)	(-6,586)
HHW	(-1,713)		(-1,713)	(-1,713)		(-1,713)	(-1,713)		(-1,713)
Corrected Totals	189,462	29,003	218,465	181,987	54,353	236,340	125,934	122,885	248,819
Claimed diversion rates		15.7%			24.9%			50.4%	
Corrected diversion rates		13.3%			23.0%			49.4%	

Household Hazardous Waste Element (HHWE) Adequacy

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

Thousand Oaks HHWE Adequacy	Yes	No	Thousand Oaks HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City of Thousand Oaks household hazardous waste recycling efforts for the short-term include: expanding the existing recyclables collection facility, conduct periodic collection for nonrecyclable hazardous waste every 18 months until a subregional mobile collection facility is implemented, support load checking at the Simi Valley and Calabasa landfills, and continue operation of the City's used oil recycling program. For the medium-term the City plans on the following: continue the permanent hazardous waste recyclables facility, participate in a subregional mobile collection facility to work in conjunction with the recyclables only permanent collection facility, continue to support load checking at landfills, and continue practice of recycling used oil, paint, antifreeze, and car batteries.

Staff recommends approval of the City of Thousand Oaks HHWE.

Nondisposal Facility Element (NDFE) Adequacy

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

Thousand Oaks NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

Gold Coast Recycling is the only nondisposal facility planned to be used by the City of Thousand Oaks to meet diversion and program implementation goals. Gold Coast Recycling is an existing materials recovery facility located in the City of Ventura. The facility receives and processes loads of commingled recyclables, segregated commercial and industrial recyclables, and mixed waste. Two of the City's four franchised haulers use Gold Coast for recovering recyclable materials. In 1993, the facility processed 3,580 tons of residential and 1,750 tons of commercial and industrial source separated recyclables. This is a diversion rate of 2.2 percent of the total solid waste

generated in the City, using 1990 baseline data. The City is planning on expanding its source-separated commercial and industrial program, which should result in a diversion rate of about 3.1 percent for Gold Coast processed materials by January, 1995.

Staff recommends approval of the City of Thousand Oaks NDFE.

ATTACHMENTS:

1. Resolution #105 Approval for the SRRE for the City of Thousand Oaks
2. Resolution #106 Approval for the HHWE for the City of Thousand Oaks
3. Resolution #107 Approval for the NDFE for the City of Thousand Oaks

Prepared by:	Chris Deidrick	Phone:	255-2308
Prepared by:	Claire Miller	Phone:	255-2419
Reviewed by:	Lloyd Dillon	Phone:	255-2303
Reviewed by:	John Sitts	Phone:	255-2422
Reviewed by:	Lorraine Van Kekerix	Phone:	255-2670
Reviewed by:	Judith J. Friedman	Phone:	255-2302
Legal Review:		Date/time:	12/27/94 2:05pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-105

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF THOUSAND OAKS, VENTURA 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 Section 41000 requires that each city prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that the plan only projects a diversion rate of 23.0% for the year 1995; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved, and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the SRRE for the City of Thousand Oaks. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach

the 25% mandated goal.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-106

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF THOUSAND OAKS, VENTURA 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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, the City of Thousand Oaks drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, the City of Thousand Oaks submitted their final HHWE to the Board for approval which was deemed complete on September 23, 1994, and the Board has 120 days to review and approve or disapprove of the HHWE; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the HHWE for the City of Thousand Oaks.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-107

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF THOUSAND OAKS, VENTURA COUNTY

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq. describe the requirements to be met by cities when developing and implementing integrated waste management plans; and

WHEREAS, PRC Section 41730 et seq. requires that each city 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the NDFE for the City of Thousand Oaks. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM # 38

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Camarillo, Ventura County

STAFF COMMENTS:

The City of Camarillo Source Reduction and Recycling Element (SRRE) projects diversion for 1995 and 2000 as 28.1 percent and 51.0 percent, respectively. However, Board staff adjustments to remove restricted materials and household hazardous wastes change these percentages to 22.7 percent for 1995 and 47.7 percent for 2000. The removal of restricted materials and household hazardous wastes results in 1995 diversion of less than 25 percent and 2000 diversion of less than 50 percent. Staff notified the City in a letter dated September 30, 1994 of the excluded wastes issue. In addition, staff discussed the issue with City staff in a phone conversation on November 22, 1994. City staff indicated that they would consider submitting additional information on how the City plans to reach the mandated diversion goal. However, Board staff did not receive this information by the time this item was prepared.

The City's source reduction activities include: variable can rate, reduced or waived business license fees, onsite compost assistance, educational/technical assistance, and regulatory programs. The City's recycling activities include: further implementation of the curbside recycling program, commercial yard and wood waste collection, buyback centers, segregate and nonsegregated commercial collection, multifamily collection, and a regional mixed waste processing facility.

Staff recommends conditional approval for the City of Camarillo's SRRE based on excluded waste types in base year that result in projections that fall below the 25 and 50 percent mandated goals. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 25 and 50 percent mandated goal.

ANALYSIS:

SRRE Adequacy

Santa Paula SRRE Adequacy	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The Solid Waste Generation Study (SWGS), as submitted, does not meet the following criteria. Changes in tonnage are listed in the table below.

Restricted Materials. No documentation of diversion claims for 7,197 tons of restricted waste types has been received. Staff has therefore subtracted 7,197 tons from diversion and generation.

Normally Disposed. Hazardous waste is not "normally disposed". Staff have therefore subtracted 141 tons of commercial and industrial hazardous waste from disposal and generation.

Areas of Concern:

The Special Waste Component states on page 6-2 that "Since late 1990, Camarillo has been composting its sludge" and page 6-12 lists the anticipated diversion quantities from continuing the composting program and establishing alternative programs. The base-year and projection tables in Chapter 10 do not show any disposed or diverted amounts listed in the sludge categories, and it is not clear if another waste type such as "other organics" includes these amounts. Clarification should be provided in the first annual report. Jurisdictions claiming diversion for programs involving sludge, must follow the procedure outlined in Title 14, California Code of Regulations (14 CCR) Section 18775.2. In addition, the jurisdiction must also demonstrate, per Public Resources Code (PRC) Section 41781 and 14 CCR 18720 (44), that sludge was normally disposed of at permitted landfills or transformation facilities as of January 1, 1990 (at least 0.001% of the total weight disposed); and the disposal facilities used by the jurisdiction must be permitted to accept sludge.

Page 6-13 of the SRRE, states a potential end-use for chemically fixed sludge is landfill daily cover. Page 5-34, states landfill daily cover is a potential end-use for compost. Jurisdictions claiming diversion for alternative daily cover (ADC), must follow the Board's most current policy on ADC.

The SRRE indicates that biomass conversion may be selected as a diversion program in the future. New legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

Please address these concerns in the first annual report.

Camarillo	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	75,473	16,483	91,956	73,682	28,733	102,415	55,932	58,156	114,088
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-4,342)	(-4,342)	0	(-4,342)	(-4,342)	0	(-4,342)	(-4,342)
Scrap metals	0	(-2,537)	(-2,537)	0	(-2,537)	(-2,537)	0	(-2,537)	(-2,537)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-318)	(-318)	0	(-318)	(-318)	0	(-318)	(-318)
Subtotal	0	(-7,197)	(-7,197)	0	(-7,197)	(-7,197)	0	(-7,197)	(-7,197)
Hazardous Waste	(-141)	0	(-141)	(-141)	0	(-141)	(-141)	0	(-141)
Corrected Totals	75,332	9,286	84,618	73,541	21,536	95,077	55,791	50,959	106,750
Claimed diversion rates		17.9%			28.1%			51.0%	
Corrected diversion rates		11.0%			22.7%			47.7%	

Household Hazardous Waste Element (HHWE) Adequacy

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

Thousand Oaks HHWE Adequacy	Yes	No	Thousand Oaks HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The Ventura Regional Sanitation District (VRSD) has established three Regional Household Hazardous Waste Stations (RHHWS) that accept paint, oil, and batteries for recycling. The City of Camarillo's household hazardous waste diversion is under the direction and management of VRSD. The City, primarily utilizes the Santa Clara Recycling Center RHHWS through out the year for household hazardous waste collection. The City is also involved in periodic household hazardous waste collection days, and providing the public with education and information on household hazardous waste.

Staff recommends approval of the City of Camarillo HHWE.

Nondisposal Facility Element (NDFE) Adequacy

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

Thousand Oaks NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

Gold Coast Recycling is the only nondisposal facility planned to be used by the City of Thousand Oaks to meet diversion and program implementation goals. Gold Coast Recycling is an existing materials recovery facility located in the City of Ventura. The facility receives and processes loads of commingled recyclables, segregated commercial and industrial recyclables, and mixed waste. Two of the City's four franchised haulers use Gold Coast for recovering recyclable materials. Gold Coast estimates that their facility will divert about 5,800 tons of material from the City's waste stream in 1994. The City's adjusted waste disposal figure for 1994 is projected to be about 54,000 tons. Therefore, the facility will be diverting about 11 percent of the City's waste stream. The diversion rate is expected to increase as new commercial recycling programs are implemented.

Staff recommends approval of the City of Camarillo NDFE.

ATTACHMENTS:

1. Resolution #108 Conditional Approval for the SRRE for the City of Camarillo
2. Resolution #109 Approval for the HHWE for the City of Camarillo
3. Resolution #110 Approval for the NDFE for the City of Camarillo

Prepared by: Chris Deidrick CD Phone: 255-2308

Prepared by: Claire Miller CM Phone: 255-2419

Reviewed by: Lloyd Dillon LD Phone: 255-2303

Reviewed by: John Sitts JS Phone: 255-2422

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 12/27/94 2:10 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-108

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF CAMARILLO, VENTURA 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 Section 41000 requires that each city prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that the plan only projects a diversion rates of 22.7% for 1995 and 47.5% for the year 2000; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the SRRE for the City of Camarillo. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 50% mandated goal.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-109

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF CAMARILLO, VENTURA 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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, the City of Camarillo drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, the City of Camarillo submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the HHWE; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the HHWE for the City of Camarillo.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-110

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF CAMARILLO, VENTURA COUNTY

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq. describe the requirements to be met by cities when developing and implementing integrated waste management plans; and

WHEREAS, PRC Section 41730 et seq. requires that each city 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the NDFE for the City of Camarillo. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM # ~~14~~ 39

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of La Mesa, San Diego County

STAFF COMMENTS:

The City of La Mesa has identified numerous programs to achieve the mandates of the California Integrated Waste Management Act of 1989. The City's projected diversion rates are 33.0% for 1995 and 58.6% for 2000. Corrected SRRE diversion rates are 28.5% for 1995 and 55.9% for 2000.

Based on the information provided in the SRRE, it appears that the City will meet the diversion goals. However, Board staff is unable to determine whether the City's base year numbers for disposal, diversion, and generation are accurate. The City's Solid Waste Generation Study (SWGS) lacks information on representative sampling, as required by regulation [14 CCR Section 18722(h) and (i), and PRC Sections 41030 and 41330]. Furthermore, because the sampling methodologies are not included in the SRRE, staff is unable to verify the accuracy of the tonnages. Board staff requested information concerning representative sampling and sampling methods in the comments on the Preliminary Draft SRRE, dated June 2, 1992. The comments were not adequately addressed in the Final SRRE.

Currently the City and its residents are active in source reduction, recycling, and public information/education activities. The City adopted a Mandatory Recycling Ordinance in August 1992, conducts a city office paper recycling program, operates a periodic chipping and mulching program for yard waste, and revised the City's purchasing manual to include a preference for recycled-content products where feasible. The City, in conjunction with the City's franchised trash hauler, now operates a full range of recycling programs, including citywide curbside recycling, commercial recycling, apartment and condominium recycling, and separated yard waste collection.

Proposed programs include revising city procurement specifications and implementing volume-based rates; incorporating the yard waste collection as part of the residential curbside collection program; and implementing a public education program for diversion practices for construction and demolition debris. The public information and education program highlights newsletters, public service announcements, participation in school and other community workshops and seminars, development of a Community Speakers Bureau, and promotional events.

Staff recommends that the Committee conditionally approve the Source Reduction and Recycling Element for the City of La Mesa given that the SWGS, as submitted, does not meet the SWGS criteria in the areas of representative sampling and sampling methods. As a condition, the City must provide additional information in its first Annual Report to the Board explaining how the disposal and diversion tonnages in the SRRE were derived. This information is needed to substantiate the City's base-year claims, and to determine whether the claims are representative and accurate.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

Planning Areas of Concern:

Recycling Component - Information on market development was limited in the SRRE. Staff recommend that the City more fully develop a market development strategy for recyclables. The City should include their strategy, along with changes in markets, in the revised SRRE.

Funding Component - The funding component lacks information on costs associated with selected programs and revenue sources to support these programs in the Public Education and Information and Special Waste components. The City should include a breakdown of program costs and revenue sources for all selected programs identified in each component and submit the information in the revised SRRE.

SWGS ANALYSIS:

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the table below.

1. Representative Sampling. A jurisdiction's waste generation information must be representative of the solid waste generated within and disposed of by the jurisdiction. [14 CCR Section 18722 (h) and (i); and PRC Sections 41030 and 41330].

> The City's SRRE states that quantification of waste disposal tonnages were from San Diego County, Department of Public Works, landfill scale (ScaleWare) data. The resulting waste stream quantities were disaggregated to the jurisdictions within San Diego County by a hauler survey. The methodologies used for the hauler survey are not included in the SRRE. Staff is unable to verify the accuracy of the disposal tonnages.

Base-year diversion tonnage are not explained. The SRRE accounts for 3,513 tons of non-restricted diversion and claimed 5,020 tons of restricted waste (inerts). The total diversion claimed for 1990 was 9,520 tons. The remaining 687 tons of diversion were disallowed because the sources of diversion tonnages are unexplained. Documentation of the diversion claim for 5,020 tons of inerts was not received. Therefore, 5,020 tons of restricted materials were subtracted from diversion and generation. The 987 tons of diversion unexplained were also subtracted from diversion and generation.

The SRRE submitted to Board staff for review is insufficient to determine representative sampling for diversion quantities for the City's waste stream. The SRRE contains references to studies, the methodology of which is not included in the final SRRE. Without the sampling methodology, staff is unable to verify the accuracy of the diversion tonnages.

Board staff requested the above information concerning representative sampling in comments on the initial SWGS, in a letter addressed to the City, dated June 2, 1992.

2. Characterization Sampling Methods : A jurisdiction is required to use one or more specified sampling methods to characterize its disposed and diverted waste stream. A discussion of the selected method(s), used by the jurisdiction to characterize its waste is necessary for Board staff to determine whether the data accurately characterizes the City's waste stream by categories & types [14 CCR Section 18722(j)] .

Characterization of solid waste disposed as based on the San Diego County, Department of Public Works data. The data was collected using the ScaleWare data system. The SRRE does not explain how the County used this data to characterize the disposal waste stream for the City.

Board staff requested the above information concerning characterization sampling methods in comments on the initial SWGS in a letter addressed to the City, dated June 2, 1992.

Staff is including a table to show waste generation claimed in the SRRE. Because the SWGS lacks information on representative sampling, Board staff is unable to determine whether the City has accurate base-year numbers for disposal, diversion, and generation.

Additional Areas of Concern:

Sewage sludge: The City has included 245 tons of special waste disposal in the base-year. The Special Waste Component identifies sewage sludge as a special waste. Special Waste is a waste category, however, the City is also required to identify solid waste generated by waste type [14CCR Section 18722(j)]. The SRRE also states that the sewage sludge is generated at the Metro Sewage system (located in Point Loma, in the unincorporated county). Therefore, the sewage sludge is not generated in the City and should not be included in the amounts disposed, diverted, or generated.

The Special Waste Component also mentioned that sludge may be co-composted with yard waste, incinerated, or used as Alternative Daily Cover (ADC). Because the sludge is generated at a facility outside the City's boundaries, it is not part of the City's waste stream. In addition, please note that material diverted for use as ADC may count for up to 7% of the 25% diversion goal in 1995. Because the Board's policy expires on December 31, 1997, ADC may not be counted as diversion in 2000. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995.

La Mesa	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	82,167	9,520	91,687	63,436	31,286	94,722	40,468	57,394	97,862
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-5,020)	(-5,020)	0	(-5,020)	(-5,020)	0	(-5,020)	(-5,020)
Scrap metals	0	0	0	0	0	0	0	0	0
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-5,020)	(-5,020)	0	(-5,020)	(-5,020)	0	(-5,020)	(-5,020)
disallowed diversion		(-987)	(-987)		(-987)	(-987)		(-987)	(-987)
Corrected Totals	82,167	3,513	85,680	63,436	25,279	88,715	40,468	51,387	91,855
Claimed diversion rates		10.4%			33.0%			58.6%	
Corrected diversion rates		4.1%			28.5%			55.9%	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in San Diego County's countywide HHW program, which includes periodic collection events, permanent household hazardous waste collection facilities, loadchecking programs at county landfills, and a public education and information program.

Staff recommends approval of the City's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			
Transfer Station descriptions - outside a jurisdiction			

The City has identified one composting facility that it may use in the future to implement its waste diversion goals.

Staff recommends approval of the City's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-125 Conditional Approval for the SRRE for the City of La Mesa
2: Resolution # 95-126 Approval for the HHWE for the City of La Mesa
3: Resolution # 95-127 Approval for the NDFE for the City of La Mesa

Prepared by: Sharron L. Leaon SL for SL Phone: 255-2666

Prepared by: Claire Miller SJ for CM Phone: 255-2419

Reviewed by: Lloyd Dillon for LED Phone: 255-2303

Reviewed by: John Sitts SJ Phone: 255-2422

Reviewed by: Lorraine Van Kekerix SJ for LVK Phone: 255-2670

Reviewed by: Judith J. Friedman for JJF Phone: 255-2302

Legal Review: LB Date/time: 1/3/95 9:20am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-125

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF LA MESA

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that the City's Solid Waste Generation Study (SWGS) does not meet the SWGS criteria in the areas of representative sampling and characterization sampling methods; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Element for the City of La Mesa. As a condition, the City mustprovide additional information in its first Annual Report to the Board explaining how the disposal and diversion tonnages in the SRRE were derived.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-126

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF LA MESA

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the City; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of La Mesa drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of La Mesa submitted their final HHWE to the Board for approval which was deemed complete on September 28, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC Section 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of La Mesa.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-127

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF LA MESA

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of La Mesa. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM # ~~13~~ 40

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Poway, San Diego County

STAFF COMMENTS:

The City of Poway has identified numerous programs to achieve the mandates of the California Integrated Waste Management Act of 1989. The City's projected diversion rates are 25.4% for 1995 and 50.3% for 2000. Corrected SRRE diversion rates are 25.2% for 1995 and 50.2% for 2000.

Based on the information provided in the SRRE, it appears that the City will meet the diversion goals. However, Board staff is unable to determine whether the City's base year numbers for disposal, diversion, and generation are accurate. The City's Solid Waste Generation Study (SWGS) lacks information on representative sampling, as required by regulation [14 CCR Section 18722(h) and (i), and PRC Sections 41030 and 41330]. Furthermore, because the sampling methodologies are not included in the SRRE, staff is unable to verify the accuracy of the tonnages. Board staff requested information concerning representative sampling and sampling methods in the comments on the Preliminary Draft SRRE, dated June 2, 1992. The comments were not adequately addressed in the Final SRRE.

Currently the City and its residents are active in source reduction, recycling, and public information and education activities. Proposed programs in the SRRE include implementation of a multi-material residential collection program, incorporation of yard waste collection as part of the curbside program, expansion of the City office paper recycling program, development of a waste separation ordinance to include commercial establishments, and a pilot yard waste/sewage sludge composting program. The public education program includes direct mailings, public service announcements, a speakers bureau, and development of non-English materials.

Staff recommends that the Committee conditionally approve the Source Reduction and Recycling Element for the City of Poway given that the SWGS, as submitted, does not meet the SWGS criteria in the areas of representative sampling and sampling methods. As a condition, the City must provide additional information in its first Annual Report to the Board explaining how the disposal and diversion tonnages in the SRRE were derived. This information is needed to substantiate the City's base-year claims, and to determine whether the claims are representative and accurate.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

Planning Areas of Concern:

Recycling Component - Information on market development was limited in the SRRE. Staff recommend that the City more fully develop a market development strategy for recyclables. The City should include their strategy, along with changes in markets, in the revised SRRE.

Funding Component - The funding component lacks information on costs associated with all selected programs and revenue sources to support these programs. The City should include a breakdown of program costs and revenue sources for all selected programs identified in each component and submit the information in the revised SRRE.

SWGS ANALYSIS:

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the table below. Staff used the tables in the body of the SRRE, as the Addendum says revised tables will be included in the final SRRE.

1. Representative Sampling : A jurisdiction's waste generation information must be representative of the solid waste generated within and disposed of by the jurisdiction [14 CCR Section 18722 (h) and (i); and PRC Sections 41030 and 41330].

The City's SRRE states that quantification of waste disposal tonnages were from San Diego County, Department of Public Works, landfill scale (ScaleWare) data. The resulting waste stream quantities were disaggregated to the jurisdictions within San Diego County by a hauler survey. The methodologies used for the hauler survey are not included in the SRRE. Staff is unable to verify the accuracy of the disposal tonnages.

Base-year diversion tonnages are not explained. The SRRE accounts for 4,044 tons of diversion, but 4,251 tons of diversion were claimed in 1990. Therefore, 207 tons of diversion are disallowed because the sources of diversion tonnage are unexplained. This tonnage was subtracted from diversion and generation.

The SRRE submitted to Board staff for review is insufficient to determine representative sampling for diversion quantities for the City's waste stream. The SRRE contains references to surveys, the methodology of which is not included in the final SRRE. Without the sampling methodology, staff is unable to verify the accuracy of the diversion tonnages.

Board staff requested the above information concerning representative sampling in comments on the initial SWGS, in a letter addressed to the City, dated June 2, 1992.

2. Characterization Sampling Methods : A jurisdiction is required to use one or more specified sampling methods to characterize its disposed and diverted waste stream. A discussion of the selected method(s) used by the jurisdiction to characterize its waste is necessary for Board staff to determine whether the data accurately characterizes the City waste stream by categories & types [14 CCR Section 18722(j)] .

Characterization of solid waste disposed, was based on the San Diego County Department of Public Works data. The data was collected using the ScaleWare data system. The SRRE does not explain how the County used this data to characterize the disposal waste stream for the City.

Board staff requested the above information concerning characterization sampling methods in comments on the initial SWGS, in a letter addressed to the City, dated June 2, 1992.

Staff is including a table to show waste generation claimed in the SRRE. Because the SWGS lacks information on representative sampling, Board staff is unable to determine whether the City has accurate base-year numbers for disposal, diversion, and generation [14 CCR Section 18722(j)].

Area of concern:

The City has included 409 tons of special waste disposal in the base-year. The Special Waste Component identifies sewage sludge as a special waste. Special wastes is a waste category, however the City is also required to identify solid waste generated by waste type [14 CCR Section 18722(j)]. The SRRE also states that the sewage sludge is generated at the San Diego County Metropolitan Wastewater Treatment Facility, in Point Loma (unincorporated area of the County of San Diego). Therefore, the sewage sludge is not generated in the City, and should not be included in the amounts disposed, diverted, or generated.

The Special Waste Component also mentioned that sludge may be co-composted with yard waste, incinerated, or used as alternative daily cover (ADC). The because the sludge is generated at a facility outside the City boundaries, it is not part of the City's waste stream. In addition, please note that material diverted for use as ADC may be counted towards 7% of the 25% diversion goal in 1995. The Board's policy expires on December 31, 1997, ADC may not be counted as diversion in 2000.

Poway	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	66,738	4,251	70,989	57,217	19,512	76,729	39,531	40,069	79,600
Changes to claimed tonnages: disallowed diversion		(-207)	(-207)		(-207)			(-207)	(-207)
Corrected Totals	66,738	4,044	70,782	57,217	19,305	76,729	39,531	39,862	79,393
Claimed diversion rates		6.0%			25.4%			50.3%	
Corrected diversion rates		**5.7%**			**25.2%**			**50.2%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City will participate in San Diego County's countywide HHW program, which includes periodic collection events, an education and public information program, and loadchecking at county landfills.

Staff recommends approval of the City's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			
Transfer Station descriptions - outside a jurisdiction			

To implement its waste diversion goals, the City has identified one materials recovery facility and one proposed recycling facility that it may use in the future to mulch and recycle green wastes.

Staff recommends approval of the City's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-128 Conditional Approval for the SRRE for the City of Poway
2: Resolution # 95-129 Approval for the HHWE for the City of Poway
3: Resolution # 95-130 Approval for the NDFE for the City of Poway

Prepared by: Sharron L. Leaon Phone: 255-2666

Prepared by: Claire Miller Phone: 255-2419

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: John Sitts Phone: 255-2422

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: CTB Date/time: 1/3/95 8:30 am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-128

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF POWAY

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that the City's Solid Waste Generation Study (SWGS) does not meet the SWGS criteria in the areas of representative sampling and characterization sampling methods; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Element for the City of Poway. As a condition, the City must provide additional information in its first Annual Report to the Board explaining how the disposal and diversion tonnages in the SRRE were derived.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-129

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF POWAY

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Poway drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Poway submitted their final HHWE to the Board for approval which was deemed complete on September 28, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Poway.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-130

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF POWAY

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 Section 41730 et seq. requires 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 NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Poway. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # ~~30~~ 41

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Nondisposal Facility Element for the City of San Diego, San Diego County

STAFF COMMENTS:

The City of San Diego has undertaken a range of source reduction, recycling, and composting programs in response to AB 939. The City's projected diversion rates are 34.0% for 1995 and 50.5% for 2000. The corrected SRRE diversion rates are 19.2% for 1995 and 41.5% for 2000. Staff notified the City in a letter dated November 28, 1994, of the excluded waste issue. The City subsequently provided additional information, which staff found to be inadequate as described on page two under Restricted Materials. For this reason, staff is recommending that the City of San Diego receive a Notice of Deficiency based on excluded waste types in the base-year diversion claims which have not been substantiated pursuant to Public Resources Code Section 41801.5.

The City has selected a range of source reduction, recycling, and composting programs for implementation. The City plans to implement a backyard composting program and a City-operated materials exchange, expand its curbside yard waste collection program which currently serves 48,000 homes to 125,000 homes, expand collection of recyclables from single and multi-family sources by providing convenient community collection points.

To address construction and demolition (C&D) debris, the City plans to investigate the feasibility of requiring on-site reuse and recycling of C&D materials, and consider development of a demonstration aggregate recycling program. Key to the City's integrated approach to waste management is the development of a materials recovery facility, anticipated to be on line by 1997, to process 300,000 tons of mixed municipal waste and divert a minimum of 150,000 tons annually from Miramar Landfill.

The City of San Diego is a member of both the San Diego Recycling Market Development Zone (RMDZ) and the North San Diego County RMDZ. The City will focus on development of a binational Recycling Market Development Zone within the border industrial areas of both the Cities of Tijuana and San Diego to stimulate regional markets for recyclable materials.

The City's public education and information program highlights school programs--curricula development, development of educational materials, including bilingual materials, presentations, and internships. The City will continue to distribute its recycling directory, which serves as a multilingual/multicultural reference tool.

Staff recommend that the Committee disapprove the Source Reduction and Recycling Element for the City of San Diego based on excluded waste types in the base year that result in projections that fall below the 25% and 50% mandated goals.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

SWGS ANALYSIS:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnag are listed in the table below.

Restricted Materials: A total of 402,409 tons of restricted materials was claimed as diversion in the base-year. This included 11 tons of scrap metals, 13,678 tons of white goods, and 388,720 tons of inert solids. Therefore 402,409 tons were subtracted from diversion and generation.

Information was submitted by the City to document the diversion of these materials on July 1, 1994, and in subsequent submittals. Board Staff has reviewed this material and responded to the City in a letter dated November 28, 1994. The information provided was insufficient to document that the restricted material diversion meets the criteria in PRC Section 41781.2.

Transformation: Legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10% of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. Please note that one of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs. Transformation/biomass cannot count as diversion except toward the 50% diversion goal. Therefore 22,854 tons of transformation were subtracted from diversion and added to disposal in the base-year. For 1995, the 36,630 tons of transformation were subtracted from diversion and added to disposal.

Area of concern:

Sewage Sludge: The Special Waste Component identifies sewage sludge as a special waste. The SRRE also states that the sewage sludge is generated at the San Diego County Metropolitan Wastewater Treatment Facility (Metro), in Point Loma (unincorporated area of the County of San Diego). Therefore, the sewage sludge is not generated in the City, and should not be included in the amounts disposed, diverted, or generated. The Special Waste Component also mentioned that sludge may be co-composted with yard waste, and/or incinerated, or used as alternative daily cover. Because the sludge is generated at a facility outside the City's boundaries, it is not part of the City's waste stream in addition, please note that material used as ADC may be counted towards 7% of the 25% diversion goal in 1995, as stated in the Board's ADC policy. The Board's policy expires on December 31, 1997, and ADC may not be counted as diversion in 2000.

San Diego	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	1,540,442	715,280	2,255,722	1,616,967	831,609	2,448,576	1,296,977	1,323,696	2,620,673
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-388,720)	(-388,720)	0	(-388,720)	(-388,720)	0	(-388,720)	(-388,720)
Scrap metals	0	(-11)	(-11)	0	(-11)	(-11)	0	(-11)	(-11)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-13,678)	(-13,678)	0	(-13,678)	(-13,678)	0	(-13,678)	(-13,678)
Subtotal	0	(-402,409)	(-402,409)	0	(-402,409)	(-402,409)	0	(-402,409)	(-402,409)
Transformation	22,854	(-22,854)		36,630	(-36,630)				
Corrected Totals	1,563,296	290,017	1,853,313	1,653,597	392,570	2,046,167	1,296,977	921,287	2,218,264
Claimed diversion rates		31.7%			34.0%			50.5%	
Corrected diversion rates		**15.6%**			**19.2%**			**41.5%**	

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			
Transfer Station descriptions - within a jurisdiction			
Transfer Station descriptions - outside a jurisdiction			

The City has identified the following NDFEs located within the City it uses or may use in the future to implement its SRRE: two compost facilities and a proposed materials recovery facility.

Staff recommends approval of the City of San Diego's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-134 Disapproval for the SRRE for the City of San Diego
2: Resolution # 95-135 Approval for the NDFE for the City of San Diego

Prepared by: Sharron L. Leaon Phone: 255-2666

Prepared by: Claire Miller SLM Phone: 255-2419

Reviewed by: Lloyd Dillon Phone: 255-2359

Reviewed by: John Sitts JS Phone: 255-2422

Reviewed by: Lorraine Van Kekerix SLG for LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF for JJF Phone: 255-2302

Legal Review: EB Date/time: 1/3/95 8:40am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-134

FOR CONSIDERATION OF DISAPPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SAN DIEGO

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that there was insufficient documentation to claim diversion for excluded waste types specified in PRC Section 41781.2 and subsequently adjusted the base year diversion claims and projected diversion levels, as called for in PRC Section 41801.5; and

WHEREAS, this adjustment resulted in the aforementioned jurisdiction's diversion projections to fall short of the mandated diversion goals;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the Source Reduction and Recycling Element for the City of San Diego due to the adjusted projection levels falling short of the mandated diversion goals, and directs staff to draft Notices of Deficiencies which identify the measures to be taken to rectify the discrepancies and detail a timeline for doing so.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-135

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SAN DIEGO

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of San Diego. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM # ~~47~~ 42

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of San Marcos, San Diego County

STAFF COMMENTS:

The City of San Marcos has identified numerous programs to achieve the mandates of the California Integrated Waste Management Act of 1989. The City's projected diversion rates are 25.5% for 1995 and 50.0% for 2000. Corrected SRRE diversion rates are 22.7% for 1995 and 48.4% for 2000.

In addition, Board staff is unable to determine whether the City's base-year numbers for disposal, diversion, and generation are accurate. The City's Solid Waste Generation Study (SWGS) lacks information on representative sampling, as required by regulation [14 CCR Section 18722(h) and (i), and PRC Sections 41030 and 41330]. Furthermore, because the sampling methodologies are not included in the SRRE, staff is unable to verify the accuracy of the tonnages. Board staff requested information concerning representative sampling and sampling methods in the comments on the Preliminary Draft SRRE, dated June 2, 1992. The comments were not adequately addressed in the Final SRRE.

Currently the City and its residents have undertaken various source reduction, recycling, and composting activities. Programs identified in the SRRE include revising city procurement specifications, expanding the use of drop-off bins and the curbside collection program, encouraging a commercial/industrial recycling program, implementing a voluntary green waste recycling program, and implementing a public education program for diversion of white goods and construction and demolition debris. Public education efforts will focus on newsletters and direct mailings, public service announcements and public workshops, a Community Speakers Bureau, production of non-English materials, and recycling promotions and events.

Staff recommends that the Committee conditionally approve the Source Reduction and Recycling Element for the City of San Marcos given that the City's adjusted projections are 22.7% in 1995 and 48.4% in 2000, and because the SWGS, as submitted, does not meet the SWGS criteria in the areas of representative sampling and sampling methods. As a condition, the City must provide additional information in its first Annual Report to the Board explaining how the disposal and diversion tonnages in the SRRE were derived. This information is needed to substantiate the City's base-year claims, and to determine whether the claims are representative and accurate.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

Planning Areas of Concern:

Recycling Component - Information on market development was limited in the SRRE. Staff recommend that the City more fully develop a market development strategy for recyclables. The City should include their strategy, along with changes in markets, in the revised SRRE.

Funding Component - The funding component lacks information on costs associated with selected programs and revenue sources to support these programs in the Public Education and Information and Special Waste components. The City should include a breakdown of program costs and revenue sources for all selected programs identified in each component and submit the information in the revised SRRE.

SWGS ANALYSIS:

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the table below. Staff used the tables in the body of the SRRE, as the Addendum says revised tables will be included in the final SRRE.

1. Representative Sampling: A jurisdiction's waste generation information must be representative of the solid waste generated within and disposed of by the jurisdiction [14 CCR Section 18722 (h) and (i); and PRC Sections 41030 and 41330].

The City's SRRE states that quantification of waste disposal tonnages were from San Diego County, Department of Public Works, landfill scale (ScaleWare) data. The resulting waste stream quantities were disaggregated to the jurisdictions within San Diego County by a hauler

survey. The methodologies used for the hauler survey are not included in the SRRE. Staff is unable to verify the accuracy of the disposal tonnages.

Base-year diversion tonnages are not explained. The SRRE accounts for 1,692 tons of diversion (using 141 tons/month from curbside) and 3,940 tons of sewage sludge (see discussion below), but 6,973 tons of diversion were claimed in 1990. Therefore, 1,341 tons of diversion are disallowed because the sources of diversion tonnages are unexplained. This tonnage was subtracted from diversion and generation.

The SRRE submitted to Board staff for review is insufficient to determine representative sampling for diversion quantities for the City's waste stream. The SRRE contains references to surveys, the methodology of which is not included in the final SRRE. Without the sampling methodology, staff is unable to verify the accuracy of diversion tonnages.

Board staff requested the above information concerning representative sampling in comments on the initial SWGS, in a letter addressed to the City, dated June 2, 1992.

2. Characterization Sampling Methods : A jurisdiction is required to use one or more specified sampling methods to characterize its disposed and diverted waste stream. A discussion of the selected method(s) used by the jurisdiction to characterize its waste is necessary for Board staff to determine whether the data accurately characterizes the city's waste stream by categories & types [14 CCR Section 18722(j)].

Characterization of solid waste disposed was based on the San Diego County Department of Public Works data. The data was collected using the ScaleWare data system. The SRRE does not explain how the County used this data to the characterize the disposal waste stream for the City.

Board staff requested the above information concerning characterization sampling methods in comments on the initial SWGS, in a letter addressed to the City dated June 2, 1992.

3. Sewage Sludge: The City included 3,940 tons of special waste as diversion and 251 tons of special waste disposal in the base-year. Special wastes is a waste category, however, the City is also required to identify solid waste generation by waste type [14 CCR Section 18722(j)]. The Special Waste Component identifies sewage sludge as a special waste, and page 2-19 states the City diverts "approximately 3,940 tons per year of sludge." The SRRE also states that the sewage sludge is generated at the Encina Water Pollution Control Facility located in Carlsbad. Therefore, the sewage sludge was not generated in the City, and should not be included in the amounts disposed, diverted, or generated. The Special Waste Component also mentioned that sludge may be co-composted with yard waste, incinerated of used as alternative daily cover (ADC). Because the sludge is generated at a facility outside the City's boundaries, it is not part of the City's waste stream. Staff have subtracted 3,940 tons from diversion and generation. In addition, please note that material diverted for use as ADC may count for up to 7% of the 25% diversion goal in 1995. Because the Board's policy expires on December 31, 1997, it may not be counted as diversion in 2000.

Staff is including a table to show waste generation claimed in the SRRE. Because the SWGS lacks information on representative sampling, Board staff is unable to determine whether the City has accurate base-year numbers for disposal, diversion, and generation.

San Marcos	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	110,037	6,973	117,010	107,717	36,825	144,542	83,331	83,379	166,710
Disallowed Diversion		(-1,341)	(-1,341)		(-1,341)	(-1,341)		(-1,341)	(-1,341)
Sewage Sludge		(-3,940)	(-3,940)		(-3,940)	(-3,940)		(-3,940)	(-3,940)
Corrected Totals	110,037	1,692	111,729	107,717	31,544	139,261	83,331	78,098	161,429
Claimed diversion rates		6.0%			25.5%			50.0%	
Corrected diversion rates		**1.5%**			**22.7%**			**48.4%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City will participate in San Diego County's countywide HHW program, which includes periodic collection events, permanent household hazardous waste collection facilities, loadchecking program at county landfills, and a public education and information program.

Staff recommends approval of the City's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City identified the utilization of three material recovery facilities and one green waste processing center as nondisposal facilities necessary to implement the City's waste diversion goals.

Staff recommends approval of the City's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-136 Conditional Approval for the SRRE for the City of San Marcos
2: Resolution # 95-137 Approval for the HHWE for the City of San Marcos
3: Resolution # 95-138 Approval for the NDFE for the City of San Marcos

Prepared by: Sharron L. Leaon Phone: 255-2666

Prepared by: Claire Miller SJ for CM Phone: 255-2419

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: John Sitts SJ Phone: 255-2422

Reviewed by: Lorraine Van Kekerix SJ for LVK Phone: 255-2670

Reviewed by: Judith J. Friedman DR for JJF Phone: 255-2302

Legal Review: EB Date/time: 1/3/95 8:05am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-136

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SAN MARCOS

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that there was insufficient documentation to claim diversion for sewage sludge and other unexplained diversion tonnage and subsequently adjusted the base year diversion claims and projected diversion levels; and

WHEREAS, this adjustment resulted in the aforementioned jurisdiction's diversion projections to fall short of the mandated diversion goals; and

WHEREAS, the City's Solid Waste Generation Study (SWGS) does not meet the SWGS criteria in the areas of representative sampling and characterization sampling methods; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Element for the City of San Marcos. As a condition, the City must provide additional information in its first Annual Report to the Board explaining how the disposal and diversion tonnages in the SRRE were derived.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-137

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SAN MARCOS

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of San Marcos drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of San Marcos submitted their final HHWE to the Board for approval which was deemed complete on October 7, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of San Marcos.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-138

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SAN MARCOS

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of San Marcos. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM # ~~18~~ 43

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Santee, San Diego County

STAFF COMMENTS:

The City of Santee has identified numerous programs to achieve the mandates of the California Integrated Waste Management Act of 1989. The City's projected diversion rates are 29.0% for 1995 and 56.3% for 2000. Corrected SRRE diversion rates are 28.8% for 1995 and 56.1% for 2000.

Based on the information provided in the SRRE, it appears that the City will meet the diversion goals. However, Board staff is unable to determine whether the City's base year numbers for disposal, diversion, and generation are accurate. The City's Solid Waste Generation Study (SWGS) lacks information on representative sampling, as required by regulation [14 CCR Section 18722(h) and (i), and PRC Sections 41030 and 41330]. Furthermore, because the sampling methodologies are not included in the SRRE, staff is unable to verify the accuracy of the tonnages. Board staff requested information concerning representative sampling and sampling methods in the comments on the Preliminary Draft SRRE, dated June 2, 1992. The comments were not adequately addressed in the Final SRRE.

Currently the City and its residents have undertaken various source reduction, recycling, and composting activities. The City is formulating education programs on source reduction for commercial businesses, has operated a residential curbside program since 1990, conducts a city yard and wood waste compost program utilized by the Parks Department, and coordinates its public education and information program with San Diego Recycling, the city's hauler, which has implemented a hotline, newsletter, and program performance reports.

Proposed programs identified in the SRRE include revising city procurement specifications and developing city-sponsored technical assistance programs; expanding the city's multi-material residential curbside collection program to serve all single family homes; developing an on-call collection service of recyclables to commercial establishments; incorporating the yard waste collection as part of the residential curbside collection program. The public information and education program focuses on direct mailing of newsletters, public service announcements, participation in school and other community workshops and seminars, development of a Community Speakers Bureau, and promotional events.

Staff recommends that the Committee conditionally approve the Source Reduction and Recycling Element for the City of Santee given that the SWGS, as submitted, does not meet the SWGS criteria in the areas of representative sampling and sampling methods. As a condition, the City must provide additional information in its first Annual Report to the Board explaining how the disposal and diversion tonnages in the SRRE were derived. This information is needed to substantiate the City's base-year claims, and to determine whether the claims are representative and accurate.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

Planning Areas of Concern:

Recycling Component - Information on market development was limited in the SRRE. Staff recommend that the City more fully develop a market development strategy for recyclables. The City should include their strategy, along with changes in markets, in the revised SRRE.

Funding Component - The funding component lacks information on costs associated with selected programs and revenue sources to support these programs in the Public Education and Information and Special Waste components. The City should include a breakdown of program costs and revenue sources for all selected programs identified in each component and submit the information in the revised SRRE.

SWGS ANALYSIS:

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the table below. Staff used the tables in the body of the SRRE, as the Addendum says revised tables will be included in the final SRRE.

1. Representative Sampling: A jurisdiction's waste generation information must be representative of the solid waste generated within and disposed of by the jurisdiction [14 CCR Section 18722 (h) and (i); and PRC Sections 41030 and 41330].

> The City's SRRE states that quantification of waste disposal tonnages were taken from San Diego County, Department of Public Works, landfill scale (ScaleWare) data. The resulting waste stream quantities were disaggregated to the jurisdictions within San Diego County by a hauler survey. The methodologies used for the hauler survey are not included in the SRRE. Staff is unable to verify the accuracy of the disposal

tonnages.

Base-year diversion tonnages are not explained. The SRRE accounts for 1,732 tons of diversion but 1,959 tons of diversion were claimed in 1990. Therefore, 227 tons of diversion are disallowed because the sources of the diversion tonnages are unexplained. This tonnage was subtracted from diversion and generation.

The SRRE submitted to Board staff for review is insufficient to determine representative sampling for diversion quantities for the City's waste stream. The SRRE contains references to surveys, the methodology of which is not included in the final SRRE. Without the sampling methodology, staff is unable to verify the accuracy of the diversion tonnages.

Board staff requested the above information concerning representative sampling in comments on the initial SWGS, in a letter addressed to the City, dated June 2, 1992.

2. Characterization Sampling Methods: A jurisdiction is required to use one or more specified sampling methods to characterize its disposed and diverted wastestream. A discussion of the selected method(s) used by the jurisdiction to characterize its waste is necessary for Board staff to determine whether the data accurately characterizes the City's waste stream by categories & types [14 CCR Section 18722(j)].

Characterization of solid waste disposed was based on the San Diego County Department of Public Works data. The data was collected using the ScaleWare data system. The SRRE does not explain how the County used this data to characterize the disposal waste stream tonnages for the City.

Board staff requested the above information concerning characterization sampling methods in comments directed to the initial SWGS, in a letter addressed to the City, dated June 2, 1992.

Staff is including a chart to show waste generation claimed in the SRRE. Because the SWGS lacks information on representative sampling, Board staff is unable to determine whether the City has accurate base-year numbers for disposal, diversion, and generation.

Area of Concern:

Sewage Sludge: The City has included 70 tons of special waste disposal in the base-year. The Special Waste Component identifies sewage sludge as a special waste. Special waste is a waste category; however, the City is also required to identify solid waste generated by waste type [14 CCR Section 18722(j)]. The SRRE also states that the sewage sludge is generated at the San Diego County Metropolitan Wastewater Treatment Facility (Metro), in Point Loma (unincorporated area of the County of San Diego). Therefore, the sewage sludge is not generated in the City, and should not be included in the amounts disposed, diverted, or generated. The Special Waste Component also mentioned that sludge may be co-composted with yard

waste, incinerated, or used as alternative daily cover (ADC). Because sludge is generated at a facility outside the City boundaries, it is not part of the City's waste stream. In addition, please note that material diverted for use as ADC may count up to 7% of the 25% diversion goal in 1995. Because the Board's policy expires on December 31, 1997, ADC may not be counted as diversion in 2000.

Santee	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	70,989	1,959	72,948	56,308	23,026	79,334	38,412	49,388	87,800
Changes to claimed tonnages: disallowed diversion		(-227)	(-227)		(-227)	(-227)		(-227)	(-227)
Corrected Totals	70,989	1,732	72,721	56,308	22,799	79,107	38,412	49,161	87,573
Claimed diversion rates		2.7%			29.0%			56.3%	
Corrected diversion rates		**2.4%**			**28.8%**			**56.1%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City will participate in San Diego County's countywide HHW program, which includes periodic collection events, permanent household hazardous waste collection facilities, loadchecking at county landfills, and a public education and information program.

Staff recommends approval of the City's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City is not presently using any state-permitted solid waste facility, other than Sycamore Canyon landfill's greenwaste diversion area, and knows of no specific locations or general areas where new or expanded NDFEs will be sited in order to implement the City's SRRE. The City will amend its NDFE if it elects to use such facilities in the future to implement its SRRE programs.

Staff recommends approval of the City's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-131 Conditional Approval for the SRRE for the City of Santee
2: Resolution # 95-132 Approval for the HHWE for the City of Santee
3: Resolution # 95-133 Approval for the NDFE for the City of Santee

Prepared by: Sharron L. Leaon Phone: 255-2666

Prepared by: Claire Miller Phone: 255-2419

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: John Sitts Phone: 255-2422

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 1/1/95 8:55am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-131

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SANTEE

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that the City's Solid Waste Generation Study (SWGS) does not meet the SWGS criteria in the areas of representative sampling and sampling methods; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Element for the City of Santee. As a condition, the City must provide additional information in its first Annual Report to the Board explaining how the disposal and diversion tonnages in the SRRE were derived.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-132

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SANTEE

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Santee drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Santee submitted their final HHWE to the Board for approval which was deemed complete on September 29, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Household Hazardous Waste Element for the City of Santee.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-133

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SANTEE

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Santee. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #~~19~~ 44

ITEM: Consideration of Staff Recommendations on the Adequacy on the Source Reduction and Recycling Element and Nondisposal Facility Element for the City of Colton, San Bernardino County

STAFF COMMENTS:

The City of Colton SRRE projects diversion for 1995 as 40.6 percent and 50 percent for the year 2000. However, adjustments to remove restricted wastes change these percentages to 22.6 percent for 1995 and 38.5 percent for the year 2000. Staff notified the City in a letter dated September 28, 1994 of the excluded waste issue. The City provided additional diversion data in a letter dated December 5, 1994, that documented a green waste diversion program was diverting more than was initially projected. The amended data is a clarification to the original 1995 and 2000 diversion claims and increases the 1995 and 2000 diversion projection by 3,310 tons. This also increases the corrected year 1995 projection from 17.5 percent to 22.6 percent and the corrected year 2000 projection from 34.3 percent to 38.5 percent. However, both the year 1995 and the year 2000 projections remain below the 25 percent and 50 percent mandated goals. For this reason, staff are recommending the City of Colton receive a Notice of Deficiency based on excluded waste types in base year diversion claims which have not been substantiated pursuant to Public Resources Code section 41801.5.

The City of Colton plans to implement several source reduction, recycling, composting and special waste diversion programs to meet the mandated goals. Such programs include: backyard composting; curbside collection of separated materials (single and multifamily residences); industrial/commercial recycling; buy-back centers; and, residential and drop-off collection of yard waste. The City plans to educate its citizens through residential promotional campaigns, community newsletters, media promotions, and promotion at community events.

Staff recommend disapproval for the City of Colton Source Reduction and Recycling Element based on excluded waste types in base year that result in projections that fall below the 25 percent and 50 percent mandated goals.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed". Staff subtracted 148 tons of commercial hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 25,000 tons of restricted waste types has been received. Therefore 25,000 tons were subtracted from diversion and generation.

Additional Diversion. Data was submitted documenting that several implemented programs and contingency programs are diverting more than initially was projected. This amended data is clarification to the original diversion for 1995 and 2000.

Areas of Concern

1. The Composting Component indicates that a contingency program to divert yard waste for co-composting (mixing of sludge with yard waste) may be utilized as a contingency measure. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

2. Compost may be used as Alternative Daily Cover (ADC) diverted for use as ADC may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997 this material may not be counted as diversion in 2000. Chemically fixed sludge and compost diverted for use as ADC can only count for up to 7% diversion through 1997. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995.

COLTON	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	43,767	30,193	73,960	53,110	36,251	89,361	52,382	52,382	104,764
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-20,000)	(-20,000)	0	(-20,000)	(-20,000)	0	(-20,000)	(-20,000)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-5,000)	(-5,000)	0	(-5,000)	(-5,000)	0	(-5,000)	(-5,000)
Subtotal	0	(-25,000)	(-25,000)	0	(-25,000)	(-25,000)	0	(-25,000)	(-25,000)
Green Waste Programs				(-3,270)	3,270		(-3,270)	3,270	
Hazardous Waste	(-148)		(-148)	(-148)		(-148)	(-148)		(-148)
Corrected Totals	43,619	5,193	48,812	49,692	14,521	64,213	48,964	30,652	79,616
Claimed diversion rates		40.8%			40.6%			50.0%	
Corrected diversion rates		**10.6%**			**22.6%**			**38.5%**	

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Colton identified two proposed nondisposal facilities to be located within its jurisdiction and two existing nondisposal facilities located outside its jurisdiction which may be used to achieve the diversion goals.

Staff recommend the approval for the City of Colton Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-17 Disapproval for the SRRE for the City of Colton
2: Resolution # 95-18 Approval for the NDFE for the City of Colton

Prepared by: Tabetha Willmon TW Phone: 255-2659

Prepared by: Barbara Baker BB Phone: 255-2655

Reviewed by: Lloyd Dillon LD Phone: 255-2303

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF on SJF Phone: 255-2302

Legal Review: CB Date/time: 12/30/94 9:00 am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-17

FOR CONSIDERATION OF DISAPPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF COLTON

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 Section 41000 requires that each city prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that there was insufficient documentation to claim diversion for excluded waste types specified in PRC 41781.2 and subsequently adjusted the base year diversion claims and projected diversion levels, as called for in PRC 41801.5; and

WHEREAS, this adjustment resulted in the aforementioned jurisdiction's diversion projections to fall short of the mandated diversion goals; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the Source Reduction and Recycling Element for the City of Colton due to the adjusted projection levels falling short of the mandated diversion goals, and directs staff to draft Notices of Deficiencies which identify the measures to be taken to rectify the discrepancies and details a timeline for doing so.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-18

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF COLTON

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Colton. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # 45

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Ontario, San Bernardino County

STAFF COMMENTS:

The City of Ontario's SRRE projects diversion for 1995 as 32.8% and 52.4% for the year 2000. However, adjustments to remove restricted waste and hazardous waste changed the 1995 percentages to 28.1% and the 2000 percentages to 49.4%. Even with the restricted wastes removed the projected diversion rates are sufficient to achieve the mandated goals. Achieving these goals is accomplished through a number of source reduction, recycling, and composting programs that will assist the City in reaching the mandated goals. Some of these programs include buy-back centers, commercial and office recycling programs, residential curbside collection, rate structure modifications, economic incentives, a regional material recovery facility and public education and information programs. Some of the educational programs include promotional campaigns, school curricula development, and general publicity and awareness of the City's programs.

Staff recommend approval for the City of Ontario's Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)		X
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

Planning Areas of Concern:

CIWMB Draft Comments - The Board provided comments on the preliminary draft SRRE to the City on July 3, 1991. Some of these comments were not addressed in the Final document.

Recycling and Composting Component - Information on market development was limited in the SRRE. Staff recommend that the City more fully develop a market development strategy for recyclables and compost. The City should include their strategy, along with changes in markets, in their first Annual report to the Board.

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Diversion Tonnages. Diversion tonnage provided was not accurate. Christmas trees were chipped and 64 tons were sent as boiler fuel in 1990. Transformation at a facility without a SWFP was claimed as diverted prior to 2000. Staff have therefore subtracted 64 tons from base-year diversion and generation.

Restricted Materials. No documentation of diversion claims for 14,852 tons of restricted waste types has been received. Therefore, 14,852 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern:

1. The Special Waste Component indicates that a program to divert yard waste for co-composting (mixing of sludge with composted yard waste) may be utilized as a contingency measure. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.?.

2. The diversion of sewage sludge may be used for use as Alternative Daily Cov (ADC). Sewage sludge diverted for use as ADC may be counted towards reaching the 25% diversion goal in 1995 if it meets the conditions in the Board's ADC policy. However, because the Board's policy expires on December 31, 1997 this material may not be counted as diversion in 2000. Sewage Sludge diverted for use as ADC can only count for up to 7% diversion through 1997. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995.

3. Christmas trees being used for boiler fuel. Legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

4. The Special Waste Component on pages 6-7 and 6-9, states tires may be used for boiler fuel. Waste sent to facilities which do not have a Solid Waste Facilities Permit is not considered to be disposed and should not be included in disposal tonnages.

ONTARIO	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	164,073	40,102	204,175	153,581	74,843	228,424	121,142	133,204	254,346
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-7,000)	(-7,000)	0	(-7,000)	(-7,000)	0	(-7,000)	(-7,000)
Scrap metals	0	(-7,852)	(-7,852)	0	(-7,852)	(-7,852)	0	(-7,852)	(-7,852)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-14,852)	(-14,852)	0	(-14,852)	(-14,852)	0	(-14,852)	(-14,852)
Transformation		(-64)	(-64)						
Corrected Totals	164,073	25,186	189,259	153,581	59,991	213,572	121,142	118,352	239,494
Claimed diversion rates		19.6%			32.8%			52.4%	
Corrected diversion rates		**13.3%**			**28.1%**			**49.4%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City of Ontario participates in the County of San Bernardino's household hazardous waste programs. The City and County have been in an agreement since October 1, 1991. The programs that the City participates in are the Ontario permanent collection center, one-day collection events, and public education and information programs.

Staff recommend approval for the City of Ontario's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction	X		
Transfer Station descriptions - outside a jurisdiction	X		

The City of Ontario identifies the utilization of three facilities to help implement the City's waste diversion goals. These facilities are the Ontario Transfer Station, the Western Waste Industries Resource Recovery Facility, and the West Valley Material Recovery Facility and Transfer Station.

Staff recommend approval for the City of Ontario's Nondisposal Facility Element.

Attachments

1: Resolution # 95-04 Approval for the SRRE for the City of Ontario
2: Resolution # 95-05 Approval for the HHWE for the City of Ontario
3: Resolution # 95-06 Approval for the NDFE for the City of Ontario

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Barbara Baker Phone: 255-2655

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 12/20/94 12:10pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-04

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF ONTARIO

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Ontario.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-05

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF ONTARIO

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Ontario drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Ontario submitted their final HHWE to the Board for approval which was deemed complete on October 27, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Ontario.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-06

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ONTARIO

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Ontario. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # 46

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Redlands, San Bernardino County

STAFF COMMENTS:

The City of Redlands plans to implement several source reduction, recycling, composting and special waste diversion programs to meet the mandated goals. Such programs include: in-house source reduction; backyard composting; awards and business recognition programs; quantity based user fees; curbside collection of separated materials (single and multifamily residences); industrial/commercial recycling; buy-back and drop-off centers; and, residential curbside collection of yard waste. The City plans to educate its citizens through development of residential volunteer leaders, school curricula, facility tours for students, public service announcements, and promotion at community events. The City currently promotes their programs through flyers, Recycling Coordinator speaking engagements, the County of San Bernardino newsletter, fact sheets, booklets, and stickers.

Staff found the SRRE content to be adequate but after adjusting the base year data for excluded waste types, the year 1995 projection fell from 24.9 percent to only [illegible].2 percent, and the year 2000 projection fell from 49.8 percent to 45.8 percent. The City provided additional diversion data in a letter dated December 13, 1994, that documented the expansion of their pilot green waste diversion program and that the program is diverting more than was originally projected in the City's SRRE. The amended data is a clarification to the original 1995 and 2000 diversion claims and increases the 1995 diversion projection by 6,100 tons, which also increases the corrected year 1995 projection from 18.2 percent to 25.3 percent. This amendment also increases the year 2000 diversion projection by 4,107 tons, which increases the corrected year 2000 projection from 45.8 percent to 50.2 percent. For this reason, staff are recommending approval for the City of Redlands Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnag are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed". Staff subtracted 254 tons of commercial hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 7,733 tons of restricted waste types has been received. Therefore 7,733 tons were subtracted from diversion and generation.

Additional diversion data was submitted documenting that several implemented programs and contingency programs are diverting more than initially was projected. This amended data is clarification to the original diversion for 1995 and 2000.

The SWGS, as corrected, meets the SWGS criteria.

Area of Concern:

1. The Compost Element states compost will be used for use as Alternative Daily Cover (ADC). Compost diverted for use as ADC may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997 this material may not be counted as diversion in 2000. Waste diverted for use as ADC can only count for up to 7% diversion through 1997. The County's letter dated December 8, 1994 states the City will not diverting compost for ADC in 1995 and 2000. Therefore, no changes to the County's projections are needed.

REDLANDS	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	68,088	17,343	85,431	70,769	23,485	94,254	51,813	51,467	103,280
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-2,500)	(-2,500)	0	(-2,500)	(-2,500)	0	(-2,500)	(-2,500)
Scrap metals	0	(-171)	(-171)	0	(-171)	(-171)	0	(-171)	(-171)
Agricultural waste	0	(-5,063)	(-5,063)	0	(-5,063)	(-5,063)	0	(-5,063)	(-5,063)
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-7,733)	(-7,733)	0	(-7,733)	(-7,733)	0	(-7,733)	(-7,733)
Composting programs				(-6,100)	6,100		(-4,107)	4,107	
Hazardous Waste	(-254)		(-254)	(-254)		(-254)	(-254)		(-254)
Corrected Totals	67,834	9,610	77,444	64,416	21,852	86,267	47,453	47,841	95,293
Claimed diversion rates		20.3%			24.9%			49.8%	
Corrected diversion rates		**12.4%**			**25.3%**			**50.2%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in the County-sponsored programs which includes curbside collection of household hazardous waste upon request, permanent collection sites, a landfill load check program, and education and public information regarding the programs. The City plans to expand the education and public information program through mail announcements, posters, stickers, and flyers.

Staff recommend an approval for the City of Redlands Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Redlands identifies one nondisposal facility, One Stop Landscape Supply Center, within its jurisdiction which will be used to achieve its diversion goals.

Staff recommend an approval of the City of Redlands Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-27 Approval for the SRRE for the City of Redlands
2: Resolution # 95-28 Approval for the HHWE for the City of Redlands
3: Resolution # 95-29 Approval for the NDFE for the City of Redlands

Prepared by: Tabetha Willmon TW Phone: 255-2659

Prepared by: Barbara Baker BB Phone: 255-2655

Reviewed by: John Sitts JS Phone: 255-2422

Reviewed by: Lloyd Dillon LD Phone: 255-2303

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 12/20/94 12:25pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-27

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF REDLANDS

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Redlands.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-28

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF REDLANDS

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Redlands drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Redlands submitted their final HHWE to the Board for approval which was deemed complete on September 29, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Redlands.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-29

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF REDLANDS

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Redlands. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # 47

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Nondisposal Facility Element for the City of Upland, San Bernardino County.

STAFF COMMENTS:

The City of Upland plans to implement several source reduction, recycling, composting and special waste diversion programs to meet the mandated goals. Such programs include: backyard composting; City government preference policies; residential curbside collection; buy-back and drop-off centers; commercial/industrial recycling; and, residential curbside collection and composting of yard wastes. The City currently educates its citizens through a residential sector promotional campaign. This campaign delivers preprinted materials to residents. The City also supports a "Block Leader" program in which volunteers participate in educating their neighbors on existing programs. The City plans to further educate their citizens through media releases, development of a school curricula, and student tours of facilities.

Staff found the SRRE content to be adequate but after adjusting the base year data for excluded waste types, the year 2000 diversion projection fell to 47.6 percent. The 1995 diversion projection remained above the required diversion rate, falling only to 26.0 percent. For this reason, staff are recommending conditional approval of the City of Upland SRRE. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs, or additional programs, that will be implemented to reach the 50% mandated goal.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Restricted Materials. No documentation of diversion claims for 966 tons of restricted waste types has been received. Therefore, 966 tons were subtracted from diversion and generation.

Areas of Concern:

1. Transformation of tires at a facility without a Solid Waste Facility Permit (SWFP) can not be claimed as diverted in 1995 and the year 2000. Compost may be used as boiler fuel. The final SRRE indicates that biomass conversion may be selected as a diversion program in the future. Please note that new legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. The Board will determine how to implement the statutory changes. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

2. Compost and chipped tires diverted for use as Alternative Daily Cover (ADC) may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997, this material may not be counted as diversion in 2000. Waste diverted for use as ADC can only count for up to 7% diversion through 1997. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995. The City's letter dated December 1, 1994 states the City will not divert waste for ADC in 1995 and 2000. Therefore no changes to the City's projections are needed.

UPLAND	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	72,000	5,730	77,730	64,576	23,670	88,246	52,117	48,280	100,397
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-966)	(-966)	0	(-966)	(-966)	0	(-966)	(-966)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-966)	(-966)	0	(-966)	(-966)	0	(-966)	(-966)
Corrected Totals	72,000	4,744	76,764	64,576	22,704	87,280	52,117	47,314	99,431
Claimed diversion rates		7.4%			26.8%			48.1%	
Corrected diversion rates		**6.2%**			**26.0%**			**47.6%**	

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction	X		

The City of Upland does not have a nondisposal facility located in its jurisdiction; however, the NDFE did identify three nondisposal facilities (two resource recovery/intermediate processing centers and one transfer facility) located outside the City's jurisdiction which may be used to reach diversion goals.

Staff recommend approval of the City of Upland Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-19 Conditional approval for the SRRE for the City of Upland
2: Resolution # 95-20 Approval for the NDFE for the City of Upland

Prepared by: Tabetha Willmon TW Phone: 255-2659

Prepared by: Barbara Baker BB Phone: 255-2655

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: John Sitts Phone: 255-2422

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 12/27/94 8:35am

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-19

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF UPLAND

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that the plan only projects a diversion rate of 47.6% for the year 2000; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Elements for the City of Upland. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 50% mandated goal.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-20

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF UPLAND

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Upland. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #~~25~~ 48

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the Unincorporated Area of San Bernardino County

STAFF COMMENTS:

The County of San Bernardino plans to implement several source reduction, recycling, composting and special waste diversion programs to meet the mandated goals. Such programs include: in-house source reduction; backyard composting; business reporting requirements; residential curbside collection; industrial/commercial recycling, buy-back and drop-off centers; residential curbside collection and supervised drop-off sites for yard waste. The County plans to educate its citizens through community newsletters, a "School Grants For Teachers" grant program, AB 939 presentations, technical assistance seminars, media releases and special events.

Staff found the SRRE content to be adequate but after adjusting the base year data for excluded waste types, the year 2000 diversion projection fell to 45.3 percent. The 1995 diversion projection remained above the required diversion rate, falling only to 25.7 percent. For this reason, staff are recommending conditional approval for the County of San Bernardino SRRE. As a condition, the County must provide further information in their first Annual Report describing expansion of existing programs, or additional programs, that will be implemented to reach the 50% mandated goal.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:
The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed". Staff have subtracted 1,710 tons of commercial and industrial hazardous waste from generation and diversion in the base-year, 1995, and 2000.

Restricted Materials. No documentation of diversion claims for 10,160 tons of restricted waste types has been received. Therefore 10,160 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern:

1. The contingency plans for using auto shredder waste (page 7-5) and compost (page 6-36) shows the diversion of auto shredder waste and compost for use as Alternative Daily Cover (ADC). Auto shredder waste and compost diverted for use as ADC may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997 this material may not be counted as diversion in 2000. Waste diverted for use as ADC can only count for up to 7% diversion through 1997. The County's letter dated December 1, 1994 states the City will not diverting waste for ADC in 1995 and 2000. Therefore no changes to the County's projections are needed.

2. For those new city(ies) which have incorporated since the time the County's SRRE was prepared, the County should dis-aggregate the waste generation data and subtract the new city's(ies') portion of waste tonnage from the County's data. The County will also need to recalculate its projection tables to reflect the changes in the SWGS data caused by the separation of newly incorporated City(ies) from the County. Staff recommends revised data be provided in the County's Annual Report. If the dis-aggregated data in the Annual Report shows that the County will no longer meet their mandated waste reduction goals, the County shall also specify how their programs have been reorganized or supplemented to divert the needed additional waste tonnage.

UNINCORPORATED AREA	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	287,115	21,666	308,781	264,739	100,959	365,698	226,907	196,297	423,204
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-6,424)	(-6,424)	0	(-6,424)	(-6,424)	0	(-6,424)	(-6,424)
Scrap metals	0	(-3,486)	(-3,486)	0	(-3,486)	(-3,486)	0	(-3,486)	(-3,486)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-250)	(-250)	0	(-250)	(-250)	0	(-250)	(-250)
Subtotal	0	(-10,160)	(-10,160)	0	(-10,160)	(-10,160)	0	(-10,160)	(-10,160)
Hazardous Waste	(-1,710)		(-1,710)	(-1,710)		(-1,710)	(-1,710)		(-1,710)
Corrected Totals	285,405	11,506	296,911	263,029	90,799	353,828	225,197	186,137	411,334
Claimed diversion rates		7.0%			27.6%			46.4%	
Corrected diversion rates		**3.9%**			**25.7%**			**45.3%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The County of San Bernardino sponsors programs which are made available to the cities within the County. These programs include permanent collection facilities, periodic collection events, a landfill load check program, and education and public information regarding the programs.

Staff recommend an approval for the County of San Bernardino Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction	X		
Transfer Station descriptions - outside a jurisdiction	X		

The County of San Bernardino identified five nondisposal facilities within its jurisdiction (four existing and one proposed) and eleven nondisposal facilities located outside its jurisdiction (eight existing and three proposed) which may be used to achieve diversion goals. The County also identified three transfer stations within its jurisdiction (two existing and one proposed) and one located outside its jurisdiction (proposed).

Staff recommend an approval of the County of San Bernardino Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-30 Conditional Approval for the SRRE for the County of San Bernardino
2: Resolution # 95-31 Approval for the HHWE for the County of San Bernardino
3: Resolution # 95-32 Approval for the NDFE for the County of San Bernardino

Prepared by: Tabetha Willmon Phone: 255-2659

Prepared by: Barbara Baker Phone: 255-2655

Reviewed by: John Sitts Phone: 255-2422

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 12/30/94 8:10am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-30

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE UNINCORPORATED AREA OF SAN BERNARDINO COUNTY

WHEREAS, Public Resources Code (PRC) Sections 40900 et seq. describe the requirements to be met by counties when developing and implementing integrated waste management plans; and

WHEREAS, PRC Section 41300 requires that each county prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41301 requires that the County's SRRE include a program for the management of solid waste generated within the County, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the County's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the County's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that, when adjusted for excluded waste types, the plan only projects a diversion rate of 45.3% for the year 2000; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the County's SRRE be conditionally approved; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Elements for unincorporated San Bernardino County. As a condition the County must provide further information in their Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 50% mandated goal.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-31

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE UNINCORPORATED AREA OF SAN BERNARDINO 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 Section 41510 requires that each county draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the unincorporated area of the county; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, San Bernardino County drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, San Bernardino County submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the unincorporated area of San Bernardino County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-32

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE UNINCORPORATED AREA OF SAN BERNARDINO 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for unincorporated San Bernardino County. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # 49

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Hesperia, San Bernardino County.

STAFF COMMENTS:

The City of Hesperia joined together with the Desert and Mountain Coalition of San Bernardino to develop a Multi-Jurisdictional SRRE. The collaborative effort between the members of the Coalition was to implement cost effective programs and maximize waste diversion for each city. Within the Multi-Jurisdictional SRRE the City of Hesperia projects diversion for 1995 as 36.5% and 52.2% for the year 2000. Minor adjustments to remove restricted waste were made and did not change the diversion percentages for the mandated goals. Achieving these goals is accomplished through a number of joint source reduction, recycling, and composting programs that will assist the City in reaching the mandated goals. Some of these programs include commercial, industrial and governmental recycling, drop-off centers, public recycling receptacles, intermediate and mixed waste processing facilities, residential backyard composting, and supportive policies that will aid these programs. These supportive policies include procurement guidelines, tipping fee differentials, and variable can rates. Educational programs such as media campaigns for residential and nonresidential sectors, school curricula development, and technical assistance are scheduled to be implemented.

Staff recommend approval for the City of Hesperia's Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Restricted Materials. No documentation of diversion claims for 83 tons of restricted waste types has been received. Therefore 83 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern:

1. The composting contingency plan states one alternative for the diversion of woody material is for sale as fuel. The final SRRE indicates that biomass conversion may be selected as a diversion program in the future. Please note that new legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. The Board will determine how to implement the statutory changes. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

2. The Composting Component indicates that a program to divert yard waste for co-composting (mixing of sludge with yard waste or mixed municipal solid waste) may be utilized as a contingency measure. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

HESPERIA	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	50,581	3,636	54,217	41,874	23,830	65,704	36,617	40,032	76,649
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	0	0	0	0	0	0	0	0
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-83)	(-83)	0	(-83)	(-83)	0	(-83)	(-83)
Subtotal	0	(-83)	(-83)	0	(-83)	(-83)	0	(-83)	(-83)
Corrected Totals	50,581	3,554	54,135	41,874	23,747	65,721	36,617	39,949	76,566
Claimed diversion rates		6.7%			36.5%			52.2%	
Corrected diversion rates		**6.6%**			**36.5%**			**52.2%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

As with the SRRE, the City of Hesperia joined a Coalition of cities and created a Multi-Jurisdictional HHWE. The Multi-Jurisdictional HHWE lists a number of programs the will be used by the City. These programs include: public education and information programs, a load checking program, permanent household hazardous waste facilities, and periodic household hazardous waste collection events. The Coalition also plans on working with the County to expand the current education and public information programs.

Staff recommend approval for the City of Hesperia's Household Hazardous Waste Element.

NDFE

This Nondisposal Facility Element adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Hesperia has identified the use of a material recovery facility to achieve the City's waste diversion goals as defined in its SRRE. The facility described in the Nondisposal Facility Element is the Advanced Disposal Material Recovery Facility, Bestway Disposal, Inc.

Staff recommend approval for the City of Hesperia's Nondisposal Facility Element.

Attachments

1: Resolution # 95-01 Approval for the SRRE for the City of Hesperia
Resolution # 95-02 Approval for the HHWE for the City of Hesperia
Resolution # 95-03 Approval for the NDFE for the City of Hesperia

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Barbara Baker Phone: 255-2655

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 12/20/94 9:30am.

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-01

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF HESPERIA

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Hesperia.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-02

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF HESPERIA

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Hesperia drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Hesperia submitted their final HHWE to the Board for approval which was deemed complete on October 27, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Hesperia.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-03

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF HESPERIA

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Hesperia. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # 50

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Grand Terrace, San Bernardino County

STAFF COMMENTS:

The City of Grand Terrace plans to implement several source reduction, recycling, composting and special waste diversion programs to meet the mandated goals. Such programs include: in-house source reduction; backyard composting; quantity based user fees; curbside collection of commingled materials (single and multifamily residences); industrial/commercial recycling, buy-back and drop-off centers; and, residential curbside collection of yard waste. The City plans to educate its citizens through residential promotional campaigns (multifamily residence information volunteer and residential "Block Leaders"), school curricula development, public service announcements, and development of a speakers bureau to give presentations at public events.

Staff found the SRRE content to be adequate. After adjusting the base year data for excluded waste types, the year 1995 projection changed from 39.0 percent to 39.2 percent and the year 2000 projection changed from 56.0 percent to 56.3 percent. Both of these projections exceed the compliance goals. For this reason, staff are recommending approval for the City of Grand Terrace Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed". Staff subtracted 118 tons of commercial hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 37 tons of restricted waste types has been received. Therefore 37 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Area of Concern:

The composting contingency plan states one of the contingency plans as the diversion of compost for use as Alternative Daily Cover (ADC). Green (yard) waste diverted for use as ADC may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997, this material may not be counted as diversion in 2000. Green waste diverted for use as ADC can only count for up to 7% diversion through 1997. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995. Compost used as ADC may not be claimed as diverted in 2000.

GRAND TERRACE	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	9,960	2,850	12,810	8,532	5,451	13,983	6,674	8,492	15,166
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-37)	(-37)	0	(-37)	(-37)	0	(-37)	(-37)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-37)	(-37)	0	(-37)	(-37)	0	(-37)	(-37)
Hazardous Waste	(-118)		(-118)	(-118)		(-118)	(-118)		(-118)
Corrected Totals	9,842	2,813	12,655	8,414	5,414	13,828	6,556	8,455	15,011
Claimed diversion rates		22.3%			39.0%			56.0%	
Corrected diversion rates		**22.2%**			**39.2%**			**56.3%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in the County-sponsored programs which includes permanent collection sites, a landfill load check program, curbside collection of waste oil upon request, and education and public information regarding the programs.

Staff recommend an approval for the City of Grand Terrace Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Grand Terrace does not identify any nondisposal facilities within its jurisdiction; however, it does identify six nondisposal facilities (three existing and three proposed) located outside its jurisdiction which may be used to achieve its diversion goals.

Staff recommend an approval of the City of Grand Terrace Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-21 Approval for the SRRE for the City of Grand Terrace
2: Resolution # 95-22 Approval for the HHWE for the City of Grand Terrace
3: Resolution # 95-23 Approval for the NDFE for the City of Grand Terrace

Prepared by: Tabetha Willmon TW Phone: 255-2659

Prepared by: Barbara Baker BB Phone: 255-2655

Reviewed by: John Sitts Phone: 255-2422

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 12/20/94 12:25 pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-21

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF GRAND TERRACE

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Grand Terrace.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-22

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF GRAND TERRACE

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Grand Terrace drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Grand Terrace submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Grand Terrace.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-23

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF GRAND TERRACE

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Grand Terrace. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #26 57

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Rialto, San Bernardino County

STAFF COMMENTS:

The City of Rialto plans to implement several source reduction, recycling, composting and special waste diversion programs to meet the mandated goals. Such programs include: waste audits; quantity-based user fees; local procurement policies; drop-off and buy-back centers; backyard composting; commercial/industrial collection; and, curbside and self-haul/drop-off collection and composting of yard waste. The City plans to educate its citizens through the local newsletter, "On Rialto", which is published quarterly, preprinted materials, public service announcements, a recycling video, school waste reduction curricula, and other school activities.

Staff found the SRRE content to be adequate but after adjusting the base year data for excluded waste types, the year 1995 projection fell to 24.1 percent and the year 2000 diversion projection fell to 49.7 percent. Both of these projections fall within the limits of substantial compliance. For this reason, staff are recommending approval for the City of Rialto Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed". Staff subtracted [illegible] tons of commercial hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 1,066 tons of restricted waste types has been received. Therefore 1,066 tons were subtracted from diversion and generation.

Area of Concern:

The composting contingency plan states one of the contingency plans as the diversion of compost for use as Alternative Daily Cover (ADC). Green (yard) waste diverted for use as ADC may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997, this material may not be counted as diversion in 2000. Green waste diverted for use as ADC can only count for up to 7% diversion through 1997. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995. Compost used as ADC may not be claimed as diverted in 2000.

RIALTO	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	106,521	8,259	114,780	115,758	37,655	153,413	93,804	93,574	187,378
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-716)	(-716)	0	(-716)	(-716)	0	(-716)	(-716)
Agricultural waste	0	(-350)	(-350)	0	(-350)	(-350)	0	(-350)	(-35[illegible]
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-1,066)	(-1,066)	0	(-1,066)	(-1,066)	0	(-1,066)	(-1,066)
Hazardous waste	(-310)		(-310)	(-310)		(-310)	(-310)		(-310)
Corrected Totals	106,211	7,193	113,405	115,448	36,589	152,037	93,494	92,508	186,002
Claimed diversion rates		7.2%			24.5%			49.9%	
Corrected diversion rates		**6.3%**			**24.1%**			**49.7%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in the County-sponsored programs which includes periodic household hazardous waste collection events, permanent collection centers, lead-acid battery and used oil collection centers, public education and outreach, and load check programs at local landfills. The County also plans to expand the education and public information program to educate all County residents on HHW and develop a permanent collection facility.

Staff recommend an approval for the City of Rialto Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Rialto does not have a nondisposal facility located in its jurisdiction; however, it did identify two nondisposal facilities located outside its jurisdiction. These facilities are the proposed West Valley Materials Recovery Facility and World Wood Processing Facility.

Staff recommend an approval of the City of Rialto Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-33 Approval for the SRRE for the City of Rialto
2: Resolution # 95-34 Approval for the HHWE for the City of Rialto
3: Resolution # 95-35 Approval for the NDFE for the City of Rialto

Prepared by: Tabetha Willmon TW Phone: 255-2659

Prepared by: Barbara Baker BB Phone: 255-2655

Reviewed by: John Sitts JS Phone: 255-2422

Reviewed by: Lloyd Dillon LD Phone: 255-2303

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: OB Date/time: 12/20/94 12:30pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-33

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF RIALTO

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Rialto.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-34

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF RIALTO

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Rialto drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Rialto submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Rialto.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-35

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF RIALTO

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Rialto. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # 52

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Highland, San Bernardino County

STAFF COMMENTS:

The City of Highland plans to implement several source reduction, recycling, composting and special waste diversion programs to meet the mandated goals. Such programs include: local product bans; in-house source reduction; backyard composting; business reporting requirements; curbside collection of commingled materials; industrial/commercial recycling, buy-back and drop-off centers; and, residential curbside collection of yard waste. The City plans to educate its citizens through residential promotional programs (multifamily residence information volunteers and residential "Block Leaders"), school curricula development, student assemblies and field trips, recycling videos, newsletters and surveys, and development of a speakers bureau for promotion at community events.

Staff found the SRRE content to be adequate but after adjusting the base year data for excluded waste types, the year 2000 diversion projection fell to 47.8 percent. The 1995 diversion projection remained above the required diversion rate, falling only to 25.8 percent. For this reason, staff are recommending conditional approval for the City of Highland SRRE. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs, or additional programs, that will be implemented to reach the 50% mandated goal.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:
The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed". Staff subtracted 48 tons of commercial hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 2,587 tons of restricted waste types has been received. Therefore 2,587 tons were subtracted from diversion and generation.

Area of Concern:

The composting contingency plan includes a contingency plan for use of compost as Alternative Daily Cover (ADC). Green (yard) waste diverted for use as ADC may be counted towards reaching the 25% diversion goal in 1995. However, because the Board's policy expires on December 31, 1997, this material may not be counted as diversion in 2000. Green waste diverted for use as ADC can only count for up to 7% diversion through 1997. The actual amount the City can claim will be determined as a percent of the actual tons generated in 1995. Compost used as ADC may not be claimed as diverted in 2000.

HIGHLAND	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	24,783	4,617	29,399	22,251	10,311	32,562	17,290	18,406	35,696
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-96)	(-96)	0	(-96)	(-96)	0	(-96)	(-9
Scrap metals	0	(-87)	(-87)	0	(-87)	(-87)	0	(-87)	(-87)
Agricultural waste	0	(-2,400)	(-2,400)	0	(-2,400)	(-2,400)	0	(-2,400)	(-2,400)
White goods	0	(-4)	(-4)	0	(-4)	(-4)	0	(-4)	(-4)
Subtotal	0	(-2,587)	(-2,587)	0	(-2,587)	(-2,587)	0	(-2,587)	(-2,587)
Hazardous Waste	(-48)		(-48)	(-48)		(-48)	(-48)		(-48)
Corrected Totals	24,735	2,030	26,764	22,203	7,724	29,927	17,242	15,819	33,061
Claimed diversion rates		15.7%			31.7%			51.6%	
Corrected diversion rates		**7.6%**			**25.8%**			**47.8%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in the County-sponsored programs which includes permanent collection facilities, periodic collection events, a landfill load check program, and education and public information regarding the programs.

Staff recommend an approval for the City of Highland Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Highland does not identify any nondisposal facilities within its jurisdiction; however, it does identify three nondisposal facilities located outside its jurisdiction which may be used to achieve diversion goals. These include the following: Burrtec MRF and Transfer Facility, Consolidated Volume Transportation MRF and Transfer Facility, and CST Organic Recycling.

Staff recommend an approval of the City of Highland Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-24 Conditional Approval for the SRRE for the City of Highland
2: Resolution # 95-25 Approval for the HHWE for the City of Highland
3: Resolution # 95-26 Approval for the NDFE for the City of Highland

Prepared by: Tabetha Willmon TW Phone: 255-2659

Prepared by: Barbara Baker BB Phone: 255-2655

Reviewed by: John Sitts Phone: 255-2422

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 12/27/94 8:30am

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-24

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF HIGHLAND

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that the plan only projects a diversion rate of 47.8% for the year 2000; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Highland. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 50% mandated goal.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-25

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF HIGHLAND

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Highland drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Highland submitted their final HHWE to the Board for approval which was deemed complete on September 28, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Highland.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-26

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF HIGHLAND

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Highland. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM #~~28~~53

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Nondisposal Facility Element for Unincorporated Kern County

STAFF COMMENTS:

The Unincorporated Kern County's Source Reduction and Recycling Element (SRRE) projects diversion for 1995 at 42.0% and 50.2% for the year 2000. Staff found the SRRE content to be adequate but after adjusting the base-year data for excluded waste types, the year 1995 projection fell to 40.1% and the year 2000 diversion projection fell to 48.7%. The 1995 projection remained above the mandated 25% goal and the year 2000 goal of 50% falls within the limits of substantial compliance.

The County is using a wide range of programs to meet the diversion mandates. Source Reduction programs being implemented include variable can rates, special and advanced disposal fees, government waste reduction programs, and development of procurement policies. Recycling and Composting programs selected include landfill/transfer station recycling/recovery programs, drop-off and buy-back centers, yard waste compost/mulching programs, and recovery of construction and demolition debris. The Public Education and Information component targets residential, business and industry, government agencies and schools.

Staff recommend approval of the Source Reduction and Recycling Element for Kern County.

ANALYSIS:

SRRE

SRRE ADEQUACY FOR KERN COUNTY	YES	NO
All required documentation submitted	X	
CIWMB draft comments addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Restricted Materials. The County submitted documentation regarding their base-year diversion claims for restricted materials. This documentation did not adequately demonstrate that the three criteria were met. Staff have subtracted 19,500 tons from diversion and generation.

The solid waste generation study, as corrected, meets the SWGS criteria.

Areas of Concern:.

1. The Composting Component indicates that, while the County did not claim any base-year diversion credit for sludge co-composting and alternative daily cover in the base-year, it may divert materials through these programs in the future. Please note that green waste diverted for use as ADC may count for up to 7 of the 25% diversion goal in 1995, but because the Board's policy expires on December 31, 1997, it may not be counted as diversion in 2000. If the County plans to use sludge in diversion programs, it should follow the procedure as outlined in 14 CCR Section 18775.2.

2. The Composting Component also indicates that the County will participate with the City of Bakersfield in a green waste and wood waste diversion program, and that materials processed through this program may go to incinerators in the area. Please note that new legislation regarding biomass conversion and transformation contained in AB 688 will be effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

KERN COUNTY UNINCORP.	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	511,766	36,117	547,883	354,299	256,562	610,861	339,177	341,901	681,078
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-19,500)	(-19,500)	0	(-19,500)	(-19,500)	0	(-19,500)	(-19,500)
Scrap metals	0	0	0	0	0	0	0	0	0
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-19,500)	(-19,500)	0	(-19,500)	(-19,500)	0	(-19,500)	(-19,500)
Corrected Totals	511,766	16,617	528,383	354,299	237,062	591,361	339,177	322,401	661,578
Claimed diversion rates		6.6%			42.0%			50.2%	
Corrected diversion rates		**3.1%**			**40.1%**			**48.7%**	

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE ADEQUACY FOR UNINCORPORATED KERN COUNTY	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction	X		
Transfer Station descriptions - outside a jurisdiction			X

The County has identified 33 facilities that may be used to reach their diversion mandates. Most of these facilities are located within the Unincorporated County. Fifteen of these facilities are existing, while the remaining 18 are proposed. The types of facilities to be used are transfer stations, composting facilities, intermediate processing facilities, greenwaste facilities, dropoff bins, and a materials recovery facility.

Staff recommends approval for Kern County's Nondisposal Facility Element.

ATTACHMENTS:

1. Resolution #95-07, Approval for the SRRE for Kern County.
2. Resolution #95-08, Approval for the NDFE for Kern County.

Prepared by: Kevin Taylor KST Phone: 255-2310

Prepared by: Nancy Carr NC Phone: 255-2420

Reviewed by: Lloyd Dillon Phone: 255-2653

Reviewed by: John Sitts JS Phone: 255-2656

Reviewed by: Lorraine Van Kekerix SJ LVK Phone: 255-2670

Reviewed by: Judith Friedman Phone: 255-2302

Legal Review: CTS Date/time: 12/30/94 1:45pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-07

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE COUNTY OF KERN

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 Section 41300 requires that each county prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41301 requires that the County's SRRE include a program for the management of solid waste generated within the County, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the County's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the County's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the County of Kern.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-08

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE COUNTY OF KERN

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the County of Kern. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1994

AGENDA ITEM #~~29~~ 54

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Nondisposal Facility Element for the City of Bakersfield, Kern County

STAFF COMMENTS:

The City of Bakersfield's Source Reduction and Recycling Element (SRRE) projects diversion for 1995 at 35.2% and 74.4% for the year 2000. However, Board staff adjustments to remove restricted materials change these percentages to 21.9% for 1995 and 69.6% for 2000. The removal of restricted materials results in a shortfall of the 1995 diversion goal of 25 percent, but not the 2000 diversion goal of 50 percent.

The City is using a wide range of programs to meet the diversion mandates. Source Reduction programs being implemented include: the development of a procurement program, collection and/or award programs, disposal bans, waste audits, and consumer awareness campaign. Recycling and Composting programs selected include: Residential drop-off and automated cart programs, commercial and industrial recycling programs, residential and commercial collection of yard and wood waste, and a city materials recovery and compost facility. The Public Education and Information component targets residential, businesses, government agencies and schools through a technical assistance and resource center, a consumer awareness program, business seminars and implementation of school curriculums.

Staff recommend a disapproval for Bakersfield's Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more	X	

SWGS ANALYSIS:

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Restricted Materials. No documentation of base-year diversion claims for 70,621 tons of restricted materials has been received. Staff have subtracted 70,621 tons from diversion and generation.

The City submitted additional information on diversion occurring in 1994, but the information did not include revised diversion projections for 1995 for these programs. Therefore staff did not revise diversion projections for 1995.

Areas of Concern

The Special Waste Component indicates that the City may consider participating in a program using auto shredder fluff as Alternative Daily Cover (ADC). Please note that material diverted for use as ADC may count for up to 7 of the 25% diversion goal in 1995, but because the Board's policy expires on December 31, 1997, it may not be counted as diversion in 2000.

The Composting Component states that material collected through yard waste and wood waste collection programs may be sold for energy. The City states in the Special Waste Component that it may investigate tire-derived fuel as a diversion option. New legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

BAKERSFIELD	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	290,994	93,160	384,154	269,000	145,866	414,866	114,988	333,649	448,637
Changes to claimed tonnages									
Restricted materials:									
Inert solids	0	(-59,122)	(-59,122)	0	(-59,122)	(-59,122)	0	(-59,122)	(-59,122)
Scrap metals	0	(-11,499)	(-11,499)	0	(-11,499)	(-11,499)	0	(-11,499)	(-11,499)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-70,621)	(-70,621)	0	(-70,621)	(-70,621)	0	(-70,621)	(-70,621)
Corrected Totals	290,994	22,539	313,533	269,000	75,245	344,245	114,988	263,028	378,016
Claimed diversion rates		24.3%			35.2%			74.4%	
Corrected diversion rates		7.2%			21.9%			69.6%	

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE ADEQUACY	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Bakersfield has identified 3 facilities that may be used to reach their diversion mandates. The three facilities are operated by Bakersfield All America City Recycling Center which has wood and green waste recycling facility, a material recovery and waste transfer facility, and an inert and demolition material processing facility.

Staff recommends approval for Bakersfield's Nondisposal Facility Element.

ATTACHMENTS:

1. Resolution #95-09, Approval for the SRRE for the City of Bakersfield.
2. Resolution #95-10, Approval for the NDFE for the City of Bakersfield.

Prepared by: Kevin Taylor KJT Phone: 255-2310

Prepared by: Nancy Carr NC Phone: 255-2420

Reviewed by: Lloyd Dillon Phone: 255-2653

Reviewed by: John Sitts SJ Phone: 255-2656

Reviewed by: Lorraine Van Kekerix SJ LVK Phone: 255-2670

Reviewed by: Judith Friedman JR for JF Phone: 255-2302

Legal Review: EB Date/time: 12/30/94 8:35 am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-09

FOR CONSIDERATION OF DISAPPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF BAKERSFIELD

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 Section 41000 requires that each city prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that there was insufficient documentation to claim diversion for excluded waste types specified in PRC 41781.2 and subsequently adjusted the base year diversion claims and projected diversion levels, as called for in PRC 41801.5; and

WHEREAS, this adjustment resulted in the aforementioned jurisdiction's diversion projections to fall short of the mandated diversion goals; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the Source Reduction and Recycling Element for the City of Bakersfield due to the adjusted projection levels falling short of the mandated diversion goals, and directs staff to draft Notices of Deficiencies which identify the measures to be taken to rectify the discrepancies and details a timeline for doing so.

CERTIFICATION

The undersigned Executive Director 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 October 27, 1994.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-10

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF BAKERSFIELD, KERN 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Bakersfield, Kern County. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM #~~30~~ 55

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Nondisposal Facility Element for the City of Taft, Kern County.

STAFF COMMENTS:

The City of Taft's Source Reduction and Recycling Element (SRRE) projects diversion for 1995 at 34.4% and 69.2% for the year 2000. However, Board staff adjustments to remove restricted materials change these percentages to 31.7% for 1995 and 68.0% for 2000. The projections result in the achievement for both the 1995 mandates and the year 2000 mandated diversion goal.

The City is using a wide range of programs to meet the diversion mandates. Source Reduction programs being implemented include: the development of a procurement policy, waste audits, a commercial recycling ordinance, and consumer awareness campaign. Recycling and Composting programs selected include: Residential drop-off, buyback, and bagged curbside recycling programs drop-off and buy-back centers, yard waste compost/mulching programs, and the development of a materials recovery and compost facility. The Public Education and Information component targets residential, businesses, government agencies and schools through a technical assistance and resource center, business seminars and implementation of school curriculums.

Staff recommend approval for Taft's Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

SWGS ANALYSIS

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Restricted Materials. No documentation of base-year diversion claims for 1,054 tons of restricted materials has been received. Staff have subtracted 1,054 tons from diversion and generation.

The solid waste generation study, as corrected, meets the SWGS criteria.

Areas of Concern:

The Composting Component indicates that the City may use compost as alternative daily cover in the future, and the Special Waste Component indicates the City may participate in a possible future program using auto shredder fluff as ADC. Please note that any ADC program must go through a year-long demonstration period and be approved by the Board. Material diverted for use as ADC may count for up to 7 of the 25% diversion goal in 1995, but because the Board's policy expires on December 31, 1997, it may not be counted as diversion in 2000.

The Special Waste Component indicates that the City will investigate the use of tires as a fuel. If tires are sent to a Board-permitted transformation facility, transformation credit may be claimed in 2000. New legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

According to the Kern County SRRE, all County landfills were audited in 1993, and 1990 disposal tonnages were modified because of this audit. The Waste Characterization Report states that the tonnage figures used are based on the 1990 figures as reported to the Board, but no discussion is provided to indicate whether figures have been modified because of the audit. The City should clarify whether tonnage figures have been adjusted, and if not, make any necessary corrections in the base-year tables and projections, in the first Annual Report.

TAFT	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	23,157	2,268	25,425	17,385	9,135	26,520	8,513	19,156	27,669
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-42)	(-42)	0	(-42)	(-42)	0	(-42)	(-42)
Scrap metals	0	(-1,012)	(-1,012)	0	(-1,012)	(-1,012)	0	(-1,012)	(-1,012)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-1,054)	(-1,054)	0	(-1,054)	(-1,054)	0	(-1,054)	(-1,054)
Corrected Totals	23,157	1,214	24,371	17,385	8,081	25,466	8,513	18,102	26,615
Claimed diversion rates		8.9%			34.4%			69.2%	
Corrected diversion		5.0%			31.7%			68.0%	

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE ADEQUACY	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Taft has identified 3 facilities that may be used to reach their diversion mandates. One facility is a proposed materials recovery facility to be located in Taft. The other two facilities are: Rose Recycling, a buy-back center; and the City of Taft Green/Wood waste yard. Both of these facilities are also located within the City of Taft.

Staff recommends approval for Taft's Nondisposal Facility Element.

ATTACHMENTS:

1. Resolution #95-11, Approval for the SRRE for the City of Taft.
2. Resolution #95-12, Approval for the NDFE for the City of Taft.

Prepared by: Kevin Taylor KJT Phone: 255-2310

Prepared by: Nancy Carr NC Phone: 255-2420

Reviewed by: Lloyd Dillon Phone: 255-2653

Reviewed by: John Sitts JS Phone: 255-2422

Reviewed by: Lorraine Van Kekerix JS for LVK Phone: 255-2670

Reviewed by: Judith Friedman DR for JJF Phone: 255-2302

Legal Review: EB Date/time: 12/30/94 8:40 am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-11

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF TAFT, KERN 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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Taft, Kern County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-12

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF TAFT, KERN 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Taft, Kern County. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM #~~31~~ 56

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for the City of Ridgecrest, Kern County

STAFF COMMENTS:

The City of Ridgecrest's Source Reduction and Recycling Element (SRRE) projects diversion for 1995 at 39.2% and 59.1% for the year 2000. However, Board staff adjustments to remove restricted materials change these percentages to 31.2% for 1995 and 54.1% for 2000. The projections result in the achievement for both the 1995 mandates and the year 2000 mandated diversion goal.

The City is using a wide range of programs to meet the diversion mandates. Source Reduction programs being implemented include: the development of a procurement program, collection and/or disposal bans, awards program, waste audits, and consumer awareness campaign. Recycling and Composting programs selected include: Residential drop-off and buy-back programs, and a municipal mulching and composting facility. The Public Education and Information component targets residential, businesses, government agencies and schools through a technical assistance and resource center, a consumer awareness program, business seminars and implementation of school curriculums.

Staff recommend an approval for Ridgecrest's Source Reduction and Recycling Element.

SRRE

SRRE ANALYSIS

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

SWGS ANALYSIS:

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Restricted Materials. No documentation of diversion claims for 10,633 tons of restricted waste types has been received. Staff have subtracted 10,633 tons from diversion and generation. The City submitted additional information which demonstrated that 14,034 tons of inerts were diverted through a program which started after January 1, 1990. Therefore, the base-year diversion claim for inerts was allowed.

The solid waste generation study, as corrected, meets the SWGS criteria.

Areas of Concern

The Composting Component indicates that the City may use compost as Alternative Daily Cover (ADC) in the future, and the Special Waste Component indicates the City may participate in a possible future program using auto shredder fluff as ADC. Please note that any ADC program must go through a year-long demonstration period and be approved by the Board. Material diverted for use as ADC may count for up to 7% of the 25% diversion goal in 1995, but because the Board's policy expires on December 31, 1997, it may not be counted as diversion in 2000.

The Special Waste Component indicates that the City will investigate the use of tires as a fuel. If tires are sent to a Board-permitted transformation facility, transformation credit may be claimed in 2000. New legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10 of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

According to the Kern County SRRE, all County landfills, including the Ridgecrest Landfill, were audited in 1993, and 1990 disposal tonnages were modified because of this audit. The Waste Characterization Report states that the tonnage figures used are based on the 1990 figures as reported to the Board, but no discussion is provided to indicate whether figures have been modified because of the audit. The City should clarify whether tonnage figures have been adjusted, and if not, make any necessary corrections in the base-year tables and projections, in the first Annual Report.

RIDGECREST	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	58,829	27,193	86,022	55,574	35,793	91,367	39,699	57,373	97,072
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-10,633)	(-10,633)	0	(-10,633)	(-10,633)	0	(-10,633)	(-10,633)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-10,633)	(-10,633)	0	(-10,633)	(-10,633)	0	(-10,633)	(-10,633)
Corrected Totals	58,829	16,560	75,389	55,574	25,160	80,734	39,699	46,740	86,439
Claimed diversion rates		31.6%			39.2%			59.1%	
Corrected diversion rates		**22.0%**			**31.2%**			**54.1%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City participates in the County-sponsored programs which includes periodic collection programs, used oil collection facilities, source reduction activities such as a school curriculum and an HHW information call-in line, and a landfill load checking program.

Staff recommend approval for the City of Ridgecrest's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE ADEQUACY	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

The City of Ridgecrest has identified 10 facilities that may be used to reach their diversion mandates. A composting facility and a materials recovery facility are proposed, and several recycling facilities for oil, beverage containers, and auto batteries are currently operating.

Staff recommends approval for Ridgecrest's Nondisposal Facility Element.

ATTACHMENTS:

1. Resolution #95-13, Approval for the SRRE for the City of Ridgecrest.
2. Resolution #95-14, Approval for the HHWE for the City of Ridgecrest.
3. Resolution #95-15, Approval for the NDFE for the City of Ridgecrest.

Prepared by: Kevin Taylor KST Phone: 255-2310

Prepared by: Nancy Carr NC Phone: 255-2420

Reviewed by: Lloyd Dillon Phone: 255-2653

Reviewed by: John Sitts SJ Phone: 255-2656

Reviewed by: Lorraine Van Kekerix SJ for LVK Phone: 255-2670

Reviewed by: Judith Friedman JF for JF Phone: 255-2302

Legal Review: PB Date/time: 12/30/94 8:50 am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-13

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF RIDGECREST, KERN 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 Section 41300 requires that each county and city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, PRC Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41301 requires that the City's SRRE include a program for the management of solid waste generated within the County, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Ridgecrest, Kern County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 94-14

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF RIDGECREST, KERN 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 Section 41510 requires that each county draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the unincorporated area of the county; and

WHEREAS, PRC Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Ridgecrest, drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Ridgecrest submitted their final HHWE to the Board for approval which was deemed complete on October 1, 1994 and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Ridgecrest.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-15

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF RIDGECREST, KERN 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Ridgecrest, Kern County. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM #~~92~~57

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element for the City of Tehachapi, Kern County.

STAFF COMMENTS:

The City of Tehachapi's Source Reduction and Recycling Element (SRRE) projects diversion for 1995 at 40.8% and 50.5% for the year 2000. However, Board staff adjustments to remove restricted materials change these percentages to 40.7% for 1995 and 50.4% for 2000. The projections result in the achievement for both the 1995 mandates and the year 2000 mandated diversion goal.

The City is using a wide range of programs to meet the diversion mandates. Source Reduction programs being implemented include: the development of a procurement policy, waste audits, variable can rates, ban on yard waste and a home composting program. Recycling and Composting programs selected include: Residential drop-off, franchised hauler materials recovery facility, and curbside collection of residential and commercial green and wood waste. The Public Education and Information component targets residential and businesses through a technical assistance and resource center, consumer awareness campaigns, and dairy waste education project.

Staff recommend approval for Tehachapi's Source Reduction and Recycling Element.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criterion. Changes in tonnage are listed in the table below.

Restricted Wastes - No documentation of diversion claims for 32 tons of restricted waste types has been received. 32 tons were subtracted from diversion and generation.

The solid waste generation study, as corrected, meets the SWGS criteria.

TEHACHAPI	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	21,326	1,438	22,764	16,611	11,425	28,036	17,646	17,967	35,613
Changes to claimed tonnages									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-32)	(-32)	0	(-32)	(-32)	0	(-32)	(-32)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-32)	(-32)	0	(-32)	(-32)	0	(-32)	(-32)
Corrected Totals	21,326	1,406	22,732	16,611	11,393	28,004	17,646	17,935	35,581
Claimed diversion rates		6.3%			40.8%			50.5%	
Corrected diversion rates		6.2%			40.7%			50.4%	

ATTACHMENTS:

1.Resolution #94-16, Approval for the SRRE for the City of Tehachapi.

Prepared by: Kevin Taylor KJT Phone: 255-2310

Prepared by: Nancy Carr NC Phone: 255-2420

Reviewed by: Lloyd Dillon Phone: 255-2653

Reviewed by: John Sitts SJ Phone: 255-2656

Reviewed by: Lorraine Van Kekerix SJ for LVK Phone: 255-2670

Reviewed by: Judith Friedman JF for JF Phone: 255-2302

Legal Review: CB Date/time: 12/30/94 8:45 am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-16

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF TEHACHAPI, KERN 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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the County's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Tehachapi, Kern County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #~~69~~ 58

ITEM: Consideration of Staff Recommendations on the Nondisposal Facility Element for the City of Sacramento, Sacramento County

STAFF COMMENTS:

NDFE

The Element identifies seven facilities that may be used by the City to achieve the diversion mandates. The facilities which are located within the jurisdiction are South Area Transfer Station, L & D Recycling, and K & M Industries. The facilities which are located outside of the jurisdiction are North Area Transfer Station and Kiefer Pilot Composting Area at the Kiefer Landfill. A proposed yard waste composting facility and a proposed material recovery facility are also identified as future facilities to enhance the participating jurisdictions' ability to meet the 50 percent diversion mandate.

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction	X		
Transfer Station descriptions - outside a jurisdiction	X		

Staff recommends approval for the County of Sacramento's Nondisposal Facility Element.

ATTACHMENTS:

1:Resolution # 95-142 Approval of the Nondisposal Facilities Element for the City of Sacramento, Sacramento County

Prepared by: Kaoru F. Cruz KFC Phone: 255-2660

Reviewed by: Dianne Range DR Phone: 255-2304

Reviewed by: Judith J. Friedman DR for JJF Phone: 255-2302

Legal Review: EB Date/time: 1/4/95 12:20 pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-142

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SACRAMENTO, SACRAMENTO 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Sacramento. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM # ~~34~~ 59

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and the Nondisposal Facility Element for the City of Palo Alto, Santa Clara County

STAFF COMMENTS:

The City of Palo Alto's SRRE projects an adjusted diversion rate for 1995 of 47.1% from 47.5% and 50.9% from 51.2% for the year 2000. Even with the restricted wastes removed, the projected diversion rates are sufficient to achieve the mandated goals. Achieving these goals is accomplished through a variety of programs. The City currently offers a number of source reduction activities and opportunities. The City provides technical assistance for backyard composting, as well as other types of technical assistance and public education efforts; the City offers waste evaluations to businesses and sponsors an annual public recognition and awards program for businesses actively involved in source reduction and recycling. Recycling activities include: corrugated cardboard recycling by businesses, yard waste recovery, 20/20 redemption centers, at-source separation and collection for City facilities and local businesses; participation in regional materials recovery operations; yard waste composting and hosting a regional composting facility since 1979; used tire, construction/demolition, and white goods recycling programs; as well as residential education and information programs.

Staff recommends approval of the City of Palo Alto's Source Reduction and Recycling Element.

ANALYSIS:

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Disposal Tonnages. Disposal tonnage provided was not accurate. Transformation of tires at a facility without a SWFP was claimed as disposal. Staff have therefore subtracted 469 tons of tires from disposal and generation.

Normally Disposed of. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 26 tons of commercial and industrial hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 1,582 tons of restricted waste types has been received. Staff have therefore subtracted 1,582 tons from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Area of Concern:

The final SRRE indicates that biomass conversion may be selected as a diversion program in the future. Legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10% of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions include the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

Planning Areas of Concern:

While staff recognizes the City of Palo Alto has been a leader in municipal recycling programs since the late 1970's, and was one of the first communities to offer curbside collection and a regional composting site to its residents, the Source Reduction and Recycling Element should still contain an implementation schedule which details the monitoring, evaluation, and public education efforts t City will be making through the year 2000 to ensure that all of the implemented diversion programs are on track. This revised Implementation Schedule should be part of the city's first annual report, due in 1996.

Palo Alto	Base-Year			1995			2000		
Santa Clara	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	115,724	24,591	140,315	77,423	70,049	147,472	75,638	79,357	154,995
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-500)	(-500)	0	(-500)	(-500)	0	(-500)	(-500)
Scrap metals	0	(-1,034)	(-1,034)	0	(-1,034)	(-1,034)	0	(-1,034)	(-1,034)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-48)	(-48)	0	(-48)	(-48)	0	(-48)	(-48)
Subtotal	0	(-1,582)	(-1,582)	0	(-1,582)	(-1,582)	0	(-1,582)	(-1,582)
Transformation	(-469)	0	(-469)	(-469)	0	(-469)	(-469)	0	(-469)
Hazardous Waste	(-26)	0	(-26)	(-26)	0	(-26)	(-26)	0	(-26)
Corrected Totals	115,229	23,009	138,238	76,928	68,467	145,395	75,143	77,775	152,918
Claimed diversion rates		17.5%			47.5%			51.2%	
Corrected diversion rates		**16.6%**			**47.1%**			**50.9%**	

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HHWE

The HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas.

HHWE ADEQUACY	Yes	No	HHWE ADEQUACY	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City of Palo Alto provides a comprehensive program including periodic collection events, curbside pickup of used motor oil, auto battery and used motor oil collection at the Palo Alto Drop Off Center, public education programs to reduce the use of Household Hazardous Waste products, and a load-checking program at the Palo Alto Landfill.

Staff recommends approval for the City of Palo Alto's Household Hazardous Waste Element.

NDFE

The NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE ADEQUACY	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction	X		

The City of Palo Alto identified two facilities that they currently use, and will be using to reach their mandates. One facility is the Palo Alto Green Composting Facility in operation since 1979, and the other facility is the Sunnyvale Materials Recovery and Transfer Station (SMaRT) which is located in the city of Sunnyvale and which the city of Palo Alto built in partnership with the cities of Mt. View and Sunnyvale.

Staff recommends approval for the City of Palo Alto's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution #95-111 Approval for the SRRE for the City of Palo Alto
2: Resolution #95-112 Approval for the HHWE for the City of Palo Alto
3: Resolution #95-113 Approval for the NDFE for the City of Palo Alto

Prepared by: Michelle Marlowe Lawrence MML Phone: 255-2307

Prepared by: Sherri Sala-Moore SSM Phone: 255-2649

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Catherine Cardozo Phone: 255-2656

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 12/30/94 8:26am

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-111

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF PALO ALTO, SANTA CLARA 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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the city will achieve the diversion mandates of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Element for the City of Palo Alto.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-112

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF PALO ALTO, SANTA CLARA 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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Palo Alto drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Palo Alto submitted their final HHWE to the Board for approval which was deemed complete on May 18, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Household Hazardous Waste Element for the City of Palo Alto.

CERTIFICATION

The undersigned Executive Director 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 Janauary 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-113

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF PALO ALTO, SANTA CLARA 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Palo Alto. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM ~~35~~ 60

ITEM: Consideration of Staff Recommendations on the Adequacy of the Multi-Jurisdictional Source Reduction and Recycling Element for the County of Santa Cruz and the Cities of Capitola, Scotts Valley and Watsonville, Santa Cruz County

STAFF COMMENTS:

Waste diversion efforts within the County currently divert approximately 23% (adjusted) through source reduction, recycling, composting, and transformation. Corrected diversion projections indicate that the unincorporated County plans to achieve a 65.2% diversion rate by 1995 and almost 80% by the year 2000. The main focus of the Source Reduction and Recycling Element for the County is the development of a cooperative effort between the jurisdictions of Scotts Valley and Watsonville for programs and to fund and build a Material Recovery Facility. The cities have selected a variety of diversion programs which complement one another and focus on the hierarchy of source reduction, recycling, and composting. The cities will use procurement policies to enhance source reduction, recycling, and composting programs. They will also work cooperatively on the development of a Master Composter Program and establishing a regional composting facility. The City of Capitola has an adjusted baseyear diversion of 6.0% from 16.6% with adjusted diversion projections of 24.8% from 29.3% in 1995, and 47.6% from 50.6% for the year 2000, projecting a shortfall of the diversion mandates. The City of Scotts Valley had an adjusted baseyear diversion rate of 6.6% from 15.0%, and adjusted diversion projections of 55.4% from 58.4% for 1995 and 65.3% from 67.1% for the year 2000. The City of Watsonville has an adjusted baseyear diversion rate of 9.8% from 24.3% and adjusted projections of 51.0% from 58.4%, and 56.5% from 61.9% for 1995 and the year 2000, respectively. The selected programs are adequately funded, have public education efforts associated with them, monitoring and evaluation methods have been detailed and contingencies selected. Staff recommends approval of the Final Source Reduction and Recycling Element for the County of Santa Cruz and the cities of Scotts Valley and Watsonville, and a conditional approval of the Final Source Reduction and Recycling Element for the city of Capitola.

UNINCORPORATED COUNTY OF SANTA CRUZ

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Diversion Tonnages. Diversion tonnage provided was not accurate. Transformation (incineration) was claimed as diverted prior to 2000. Staff have therefore subtracted 19,947 tons from the diversion and generation amounts in the base-year.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 225 tons of commercial and industrial hazardous waste from disposal and generation. Diversion was claimed for 865 tons of white goods and 125 tons of auto bodies but there were no base-year disposal amounts for these types of wastes (these tonnage claims are corrected in the "Restricted Materials" section). Diversion was claimed for tires but there was no base-year disposal amount for this type of waste. Staff have therefore subtracted 3 tons from diversion and generation as this was not shown to be a waste type that was normally disposed of (and a correction for another 9 tons of tires was already included under "Diversion Tonnages" for incineration).

Restricted Materials. No documentation of diversion claims for 54,923 tons of restricted waste types (scrap metals, including auto bodies; inert solids; and white goods) has been received. Staff have therefore subtracted 54,923 tons from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Area of Concern:

The County included transformation in its diversion projections for 2000. Legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires that jurisdictions meet t

appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10% of the 50% diversion mandate for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages for the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

Unincorporated	Base-Year			1995			2000		
Santa Cruz	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	111,087	88,297	199,384	45,285	139,419	184,704	35,629	191,741	227,370
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-52,744)	(-52,744)	0	(-52,744)	(-52,744)	0	(-52,744)	(-52,744)
Scrap metals	0	(-1,314)	(-1,314)	0	(-1,314)	(-1,314)	0	(-1,314)	(-1,314)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-865)	(-865)	0	(-865)	(-865)	0	(-865)	(-865)
Subtotal	0	(-54,923)	(-54,923)	0	(-54,923)	(-54,923)	0	(-54,923)	(-54,923)
Transformation	0	(-19,947)	(-19,947)	0	0	0	0	0	0
Normally Disposed	0	(-3)	(-3)	0	(-3)	(-3)	0	(-3)	(-3)
Hazardous Waste	(-225)	0	(-225)	(-225)	0	(-225)	(-225)	0	(-225)
Corrected Totals	110,862	13,424	124,286	45,060	84,493	129,553	35,404	136,815	172,219
Claimed diversion rates		44.3%			75.5%			84.3%	
Corrected diversion rates		**10.8%**			**65.2%**			**79.4%**	

Staff recommends approval of the SRRE for unincorporated Santa Cruz County.

CITY OF CAPITOLA

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Diversion Tonnages. Diversion tonnage provided was not accurate. Transformation (incineration) was claimed as diverted prior to 2000. Staff have therefore subtracted 2,018 tons from the diversion and generation amounts of the base-year.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 15 tons of commercial and industrial hazardous waste from disposal and generation. Diversion was claimed for 70 tons of white goods and 175 tons of auto bodies but there were no base-year disposal amounts for these types of waste (these tonnage claims are corrected in the "Restricted Materials" section). Diversion was claimed for 40 tons of bulky waste (furniture) and for 7 tons of tin & bi-metal cans but there were no base-year disposal amounts for these types of wastes. Staff have therefore subtracted 47 tons from diversion and generation as these were not shown to be waste types that were normally disposed of.

Restricted Materials. No documentation of diversion claims for 2,186 tons of restricted waste types (inert solids, scrap metals including auto bodies, and white goods) has been received. Staff have therefore subtracted 2,186 tons from diversion and generation. Adjustments result in diversion projections falling short of the diversion mandates.

Area of Concern:

The City included transformation in its diversion projections for 2000. Legislati regarding biomass conversion and transformation contained in AB 688 became effecti January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10% of the 50% diversion mandate for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages for the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include that the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

Capitola Santa Cruz	Base year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	31,383	6,246	37,629	25,790	10,711	36,501	19,537	19,973	39,510
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-1,870)	(-1,870)	0	(-1,870)	(-1,870)	0	(-1,870)	(-1,870)
Scrap metals	0	(-246)	(-246)	0	(-246)	(-246)	0	(-246)	(-246)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-70)	(-70)	0	(-70)	(-70)	0	(-70)	(-70)
Subtotal	0	(-2,186)	(-2,186)	0	(-2,186)	(-2,186)	0	(-2,186)	(-2,186)
Transformation	0	(-2,018)	(-2,018)	0	0	0	0	0	0
Normally Disposed	0	(-47)	(-47)	0	(-47)	(-47)	0	(-47)	(-47)
Hazardous Waste	(-15)	0	(-15)	(-15)	0	(-15)	(-15)	0	(-15)
Corrected Totals	31,368	1,995	33,363	25,775	8,478	34,253	19,522	17,740	37,262
Claimed diversion rates		16.6%			29.3%			50.6%	
Corrected diversion rates		**6.0%**			**24.8%**			**47.6%**	

Staff is recommending Conditional Approval of Capitola's SRRE because the diversion projections fall short of the diversion mandates for 1995 and 2000. However, the shortfall for the 1995 diversion mandate falls within the acceptable range to be considered in substantial compliance. As a condition of the Board approval, the City will need to identify how it will make up the shortfall for the diversion projection for the year 2000. Staff requests that the jurisdiction identifies the measures to be taken to rectify the discrepancies at the time of their first annual report. The jurisdiction may submit additional documentation for excluded waste types within 60 days of Board action.

CITY OF SCOTTS VALLEY

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage

are listed in the following table.

Diversion Tonnages. Diversion tonnage provided was not accurate. Transformation (incineration) was claimed as diverted prior to 2000. Staff have therefore subtracted 682 tons from the base-year diversion and generation amounts.

Normally Disposed . Hazardous waste is not "normally disposed". Staff have therefore subtracted 127 tons of commercial and industrial hazardous waste from disposal and generation. Diversion was claimed for 63 tons of white goods and 125 tons of auto bodies but there were no base-year disposal amounts for these types of waste (these tonnage claims are corrected in the "Restricted Materials" section). Diversion was claimed for 65 tons of bulky waste (furniture) but there was no base-year disposal amount for this type of waste. Staff have therefore subtracted 65 tons from diversion and generation as this was not shown to be a waste type that was normally disposed of.

Restricted Materials. No documentation of diversion claims for 2,284 tons of restricted waste types (scrap metals, including auto bodies; inert solids; and white goods) has been received. Staff have therefore subtracted 2,284 tons from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern:

The City included transformation in its diversion projections for 2000. Legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10% of the 50% diversion goal for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation include the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

There is a discrepancy in the projected disposal amounts for 1995 and 2000 between the Solid Waste Generation Study (SWGS) and the Source Reduction and Recycling Element (SRRE). The 1995 projections are listed as 13,789 in the SWGS and as 14,962 in the SRRE. The 2000 projections are listed as 13,558 in the SWGS and as 14,723 in the SRRE.

As directed by Dan De Grassi, Integrated Waste Management Program Coordinator, per a telephone conversation, staff used the projected disposal amounts shown in the SWGS. As of December 7, 1994, staff have not received written confirmation from Mr. De Grassi. Staff recommends that the corrected projection tables be included in the first annual report.

Scotts Valley	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	28,620	5,052	33,672	13,789	19,318	33,107	13,558	27,632	41,190
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-2,036)	(-2,036)	0	(-2,036)	(-2,036)	0	(-2,036)	(-2,036)
Scrap metals	0	(-185)	(-185)	0	(-185)	(-185)	0	(-185)	(-185)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-63)	(-63)	0	(-63)	(-63)	0	(-63)	(-63)
Subtotal	0	(-2,284)	(-2,284)	0	(-2,284)	(-2,284)	0	(-2,284)	(-2,284)
Transformation	0	(-682)	(-682)	0	0	0	0	0	0
Normally Disposed	0	(-65)	(-65)	0	(-65)	(-65)	0	(-65)	(-65)
Hazardous Waste	(-127)	0	(-127)	(-127)	0	(-127)	(-127)	0	(-127)
Corrected Totals	28,493	2,021	30,514	13,662	16,969	30,631	13,431	25,283	38,714
Claimed diversion rates		15.0%			58.4%			67.1%	
Corrected diversion rates		**6.6%**			**55.4%**			**65.3%**	

Staff recommends approval of the SRRE for the City of Scotts Valley.

CITY OF WATSONVILLE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Diversion Tonnages. Diversion tonnage provided was not accurate. Transformation (incineration) was claimed as diverted prior to 2000. Staff have therefore subtracted 313 tons from the base-year diversion and generation amounts.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have

therefore subtracted 245 tons of commercial and industrial hazardous waste from disposal and generation. Diversion was claimed for 202 tons of white goods and 1. tons of auto bodies but there were no base-year disposal amounts for these types of wastes (these tonnage claims are corrected in the "Restricted Materials" section). Diversion was claimed for 77 tons of tires and 130 tons of bulky waste (furniture) but there were no base-year disposal amounts for these types of wastes. Staff have therefore subtracted 207 tons from diversion and generation as these were not shown to be waste types that were normally disposed of (and a correction for another 230 tons of tires was already included under "Diversion Tonnages" for incineration).

Restricted Materials. No documentation of diversion claims for 8,202 tons of restricted waste types (scrap metals, including auto bodies; inert solids; and white goods) has been received. Staff have therefore subtracted 8,202 tons from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Area of Concern:

The City included transformation in its diversion projections for 2000. Legislation regarding biomass conversion and transformation contained in AB 688 became effective January 1, 1995. The statute requires that jurisdictions meet the appropriate conditions in PRC Sections 40106, 41781.2 (g), and 41783.1 to claim up to 10% of the 50% diversion mandate for biomass conversion, or PRC Sections 40201 and 41783 for transformation; a jurisdiction may not claim future diversion credit for both biomass conversion and transformation. One of the conditions for claiming diversion from biomass conversion is that the jurisdiction include in its base-year disposal tonnages the amount of material disposed at the biomass conversion facility in the base-year. Other conditions for either biomass conversion or transformation inclu the resulting ash be tested and properly disposed, and the jurisdiction is implementing all feasible SRRE programs.

Watsonville	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	40,940	13,167	54,107	22,441	31,466	53,907	24,742	40,197	64,939
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-7,150)	(-7,150)	0	(-7,150)	(-7,150)	0	(-7,150)	(-7,150)
Scrap metals	0	(-850)	(-850)	0	(-850)	(-850)	0	(-850)	(-850)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-202)	(-202)	0	(-202)	(-202)	0	(-202)	(-202)
Subtotal	0	(-8,202)	(-8,202)	0	(-8,202)	(-8,202)	0	(-8,202)	(-8,202)
Transformation	0	(-313)	(-313)	0	0	0	0	0	0
Normally Disposed	0	(-207)	(-207)	0	(-207)	(-207)	0	(-207)	(-207)
Hazardous Waste	(-245)	0	(-245)	(-245)	0	(-245)	(-245)	0	(-245)
Corrected Totals	40,695	4,445	45,140	22,196	23,057	45,253	24,497	31,788	56,285
Claimed diversion rates		24.3%			58.4%			61.9%	
Corrected diversion rates		**9.8%**			**51.0%**			**56.5%**	

Staff recommends approval of the SRRE for the City of Watsonville.

ATTACHMENTS:

1: Resolution #95-114 Approval for the SRRE for the County of Santa Cruz
2: Resolution #95-115 Conditional Approval for the SRRE for the City of Capitola
3: Resolution #95-116 Approval for the SRRE for the City of Scotts Valley
4: Resolution #95-117 Approval for the SRRE for the City of Watsonville

Staff recommends approval for the Source Reduction and Recycling Element for the County of Santa Cruz and the cities of Scotts Valley and Watsonville and conditional approval of the Source Reduction and Recycling Element for the City of Capitola.

Prepared by: Michelle Marlowe Lawrence MML Phone: 255-2307

Prepared by: Sherrie Sala-Moore SSM Phone: 255-2649

Reviewed by: Lloyd Dillon DR on LD Phone: 255-2303

Reviewed by: Catherine Cardozo CC for CC Phone: 255-2656

Reviewed by: Lorraine Van Kekerix LVK for LVK Phone: 255-2670

Reviewed by: Judith J. Friedman DR for JJF Phone: 255-2302

Legal Review: EB Date/time: 12/30/94 8:55am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-114

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE COUNTY OF SANTA CRUZ

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 Section 41300 requires that each county prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41301 requires that the County's SRRE include a program for the management of solid waste generated within the County, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the County's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the county will achieve the diversion mandates of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the County's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Element for the County of Santa Cruz.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-115

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF CAPITOLA, SANTA CRUZ 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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. except that, when adjusted for excluded waste types, the plan only projects a diversion rate of 47.6% for the year 2000; and

WHEREAS, CCR Section 18785 provides that the Board may conditionally approve SRREs, and Board staff recommends that the City's SRRE be conditionally approved; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Elements for the City of Capitola. As a condition, the City must provide further information in their first Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 50% diversion mandate.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-116

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SCOTTS VALLEY, SANTA CRUZ 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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the city will achieve the diversion mandates of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Element for the City of Scotts Valley.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #4

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-117

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF WATSONVILLE, SANTA CRUZ 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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the city will achieve the diversion mandates of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Element for the City of Watsonville.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM ~~96~~ 61

ITEM: Consideration of Staff Recommendations on the Adequacy of the Multi-Jurisdictional Nondisposal Facility Element for the County of Santa Cruz and the Cities of Scotts Valley and Watsonville, Santa Cruz County

STAFF COMMENTS:

The County of Santa Cruz and the cities of Scotts Valley and Watsonville identified one facility that they currently use and two facilities that they may use to reach their diversion mandates. The three jurisdictions plan to construct a Materials Recovery Facility and a composting facility.

The NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE ADEQUACY	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction	X		
Transfer Station descriptions - outside a jurisdiction			X

Staff recommends approval for the Nondisposal Facility Element for the County of Santa Cruz and the cities of Scotts Valley and Watsonville.

ATTACHMENTS:

1: Resolution #95-118 Approval for the NDFE for the County of Santa Cruz
2: Resolution #95-119 Approval for the NDFE for the City of Scotts Valley
3: Resolution #95-120 Approval for the NDFE for the City of Watsonville

Prepared by: Michelle Marlowe Lawrence MML Phone: 255-2307

Reviewed by: Lloyd Dillon DL for LED Phone: 255-2303

Reviewed by: Judith J. Friedman DL for JJF Phone: 255-2302

Legal Review: EB Date/time: 12/29/94 10:35 am

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-118

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE UNINCORPORATED COUNTY OF SANTA CRUZ

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the County of Santa Cruz. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-119

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SCOTTS VALLEY

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Scotts Valley. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-120

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF WATSONVILLE

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Watsonville. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM # 62

ITEM: Consideration of Staff Recommendations on the Adequacy the Nondisposal Facility Element for the City of Capitola, Santa Cruz County

STAFF COMMENTS:

The City of Capitola has identified one new facility that they may use to reach their mandated goals. The City intends to use the Castroville Material Recovery Facility which will be located in Monterey county when it is constructed.

The NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE ADEQUACY	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

Staff recommends approval for the City of Capitola's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution #95-121 Approval for the NDFE for the City of Capitola.

Prepared by: Michelle Marlowe Lawrence MML Phone: 255-2307

Reviewed by: Lloyd Dillon DR for LED Phone: 255-2303

Reviewed by: Judith J. Friedman DR for JJF Phone: 255-2302

Legal Review: EB Date/time: 12/29/94 10:50am

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-121

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF CAPITOLA, SANTA CRUZ 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Capitola. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM # ~~30~~ 63

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element, and the Nondisposal Facility Element for the City of Alameda, Alameda County

STAFF COMMENTS:

The City of Alameda's SRRE reflects diversion projections, when adjusted to excluded undocumented restricted wastes, that fall short of the diversion mandates. The City's diversion projections adjusted for 1995 are from 42.0% to 22.6% and from 52.5% to 36.8% for the year 2000. Plans for achieving these goals, which are detailed in the SRRE, include the expansion of existing variable can rates, residential curbside collection, and white paper collection programs in city offices to include additional materials and to expand to additional service areas. In addition, the City has proposed: City-sponsored construction projects direct loads of inerts to existing commercial facilities for recycling; establishment of consumer environmental awareness labeling program and public information campaigns. The City will participate in a regional composting facility through initiating source-separated collection of yard waste.

Staff recommends disapproval of the City of Alameda's Source Reduction and Recycling Element due to insufficient documentation to claim diversion credit for excluded waste types as specified in Public Resources Code 41781.2

ANALYSIS:

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed	X	
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more		X
2000 corrected diversion projection is 50% or more		X

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the tables below. Some of the amounts in this analysis may differ from the preliminary figures reported in the Board's completeness letter to the jurisdiction.

Restricted Materials: No documentation of diversion claims for 38,467 tons of restricted waste types (inert solids and scrap metals) has been received. Staff therefore has subtracted 38,467 tons from diversion and generation.

Areas of Concern:

In a letter to staff dated December 8, 1994, the jurisdiction requested a 10% credit for 311 tons of scrap tires burned for energy at the Oxford Tire Recycling Facility. Diversion credit for transformation at Board permitted transformation facilities, or biomass conversion is only allowed in 2000. The Oxford Facility does not possess a solid waste facilities permit approved by the Board, and tires are not included in the definition of biomass, so no diversion credit for the 311 tons of scrap tires transformed at this facility may be allowed. The 102 tons of recycled and retreaded tires will count towards diversion.

In the same letter the City stated that after adjusting the base-year generation figures to account for changes in population and economics, using the Board approved method, the City will meet the 1995 diversion goal. No data were provided to support this claim. Even if the claim is correct, the SRRE approval process is based on plan adequacy, not implementation adequacy. Therefore, using the Board's Adjustment Method to show the City will meet the 1995 goal is not part of the plan; and does not address the shortfall shown in the 2000 projection. Board staff recommend the City submit additional documentation for excluded waste types within 60 days of Board action, or make revisions to their final SRRE detailing programs they will implement to ensure that they achieve the diversion mandates. If the City determines that it needs more time, they make request an extension in writing before the 120 day time period has expired.

City of Alameda	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	96,383	55,420	151,803	89,228	64,571	153,799	73,444	81,310	154,754
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-37,315)	(-37,315)	0	(-37,315)	(-37,315)	0	(-37,315)	(-37,315)
Scrap metals	0	(-1,152)	(-1,152)	0	(-1,152)	(-1,152)	0	(-1,152)	(-1,152)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-38,467)	(-38,467)	0	(-38,467)	(-38,467)	0	(-38,467)	(-38,467)
Corrected Totals	96,383	16,953	113,336	89,228	26,104	115,332	73,444	42,843	116,287
Claimed diversion rates		36.5 %			42.0%			52.5%	
Corrected diversion rates		15.0%			22.6%			36.8%	

HHWE

The HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas.

HHWE ADEQUACY	Yes	No	HHWE ADEQUACY	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City of Alameda participates in the County sponsored Household Hazardous Waste Programs. These programs include periodic collection events, a hotline for event information, and flyers publicizing the events. In addition, the education and public information program will be expanded for all County residents, and the City will focus on mini-business generators and establish three permanent collection facilities.

Staff recommends approval for the City of Alameda's Household Hazardous Waste Element.

NDFE

The NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE ADEQUACY	Yes	No	N/A
Facility descriptions - within a jurisdiction			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction	X		

The City of Alameda identified one facility that they will use to reach their diversion mandates. The City intends to use the Davis Street Transfer Station in San Leandro, Alameda County, to assist in meeting the mandates.

Staff recommends approval for the City of Alameda's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution #95-122 Disapproval for the SRRE for the City of Alameda
2: Resolution #95-123 Approval for the HHWE for the City of Alameda
3: Resolution #95-124 Approval for the NDFE for the City of Alameda

Prepared by: Michelle Marlowe Lawrence MML Phone: 255-2307

Prepared by: Chris Schmidle SO for CS Phone: 255-2425

Reviewed by: Dianne Range DR Phone: 255-2304

Reviewed by: Catherine Cardozo SO for CC Phone: 255-2656

Reviewed by: Lorraine Van Kekerix SO for LVK Phone: 255-2670

Reviewed by: Judith J. Friedman DR for JJF Phone: 255-2302

Legal Review: CB Date/time: 12/30/94 1:00pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-122

FOR CONSIDERATION OF DISAPPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE JURISDICTION OF ALAMEDA

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 section 41000 requires that each city shall prepare and adopt a Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, PRC section 41001 requires that the SRRE include a program for the management of solid waste generated within the jurisdictions, consistent with the waste management hierarchy provided in Section 40051; and

WHEREAS, the diversion programs selected must show how the jurisdiction will achieve the diversion goals of 25 and 50 percent mandated by PRC 41780; and

WHEREAS, based on review of the SRRE, Board staff found that there was insufficient documentation to claim diversion credits for excluded waste types specified in PRC 41781.2 and subsequently adjusted the base year diversion claims and projected diversion levels, as called for in PRC 41801.5; and

WHEREAS, this adjustment resulted in the aforementioned jurisdictions diversion projections to fall short of the mandated diversion goals; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the Source Reduction and Recycling Elements for the jurisdiction of Alameda due to the adjusted projection levels falling short of the diversion mandates, and directs staff to draft a Notice of Deficiency to this jurisdiction which identifies the measures to be taken to rectify the discrepancies and details a timeline for doing so.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-123

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF ALAMEDA, ALAMEDA 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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Alameda drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Alameda submitted their final HHWE to the Board for approval which was deemed complete on October 20, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Alameda.

CERTIFICATION

The undersigned Executive Director 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 Janauary 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-124

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ALAMEDA, ALAMEDA 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Alameda. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM #~~59~~ 64

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Nondisposal Facility Element, and the Household Hazardous Waste Element for the City of Rocklin, Placer County

STAFF COMMENTS:

The City of Rocklin has selected a variety of programs to reduce the amount of waste that it landfills. The City projects it will comply with the diversion mandates with corrected diversion projections of 25.3% from 26% for 1995 and 52.5% from 52.9% for 2000. Source Reduction programs include variable can rate, public education and information, backyard composting, and government and commercial waste reduction information program. Recycling programs include buybacks, drop-off locations, curbside separation, commercial separation, and participation in a regional material recovery facility (MRF). A regional composting program is planned to be implemented in the medium term. The education programs target residences, businesses, and government generators. The program includes a Multi-purpose Educational Center at the MRF, a school program, a speakers bureau, and a variety of informational items. The City is part of the Recycling Market Development Zone in Placer County. Board staff recommend approval of the SRRE for the City of Rocklin.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	x	
CIWMB draft comments adequately addressed	x	
LTF comments addressed	x	
Meets SRRE criteria (in CIWMP Adequacy Report)	x	
Meets SWGS criteria (in CIWMP Adequacy Report)		x
1995 corrected diversion projection is 25% or more	x	
2000 corrected diversion projection is 50% or more	x	

SWGS ANALYSIS:

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Commercial, industrial or "other" hazardous waste (HW) are not considered "normally disposed of." Staff have subtracted 2 tons of HW from

1995 disposal and generation, and 159 tons from diversion and generation; and 4 tons of HW from year 2000 disposal and generation, and 133 tons from diversion and generation.

Restricted Materials. No documentation of base-year diversion claims for 99 tons of restricted waste types has been received. Staff have subtracted 99 tons from diversion and generation. The SWGS, as corrected, meets the SWGS criteria.

City of Rocklin	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	22,915	1,542	24,457	22,285	7,810	30,095	16,135	18,110	34,244
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-83)	(-83)	0	(-83)	(-83)	0	(-83)	(-83)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-16)	(-16)	0	(-16)	(-16)	0	(-16)	(-16)
Subtotal	0	(-99)	(-99)	0	(-99)	(-99)	0	(-99)	(-99)
Hazardous Waste	0	0	0	(-2)	(-159)	(-161)	(-4)	(-133)	(-137)
Corrected Totals	22,915	1,443	24,357	22,283	7,552	29,835	16,131	17,877	34,008
Claimed diversion rates		6.3%			26.0%			52.9%	
Corrected diversion rates		**5.9%**			**25.3%**			**52.5%**	

Staff recommends approval of the SRRE.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction			x
Facility descriptions - outside a jurisdiction	x		
Transfer Station descriptions - within a jurisdiction			x
Transfer Station descriptions - outside a jurisdiction			x

The NDFE describes the Regional MRF that the City of Rocklin will use to sort its waste. The facility is planned to be operational in 1995. Staff recommends approval of the NDFE.

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	x		Program Implementation	x	
Existing Conditions	x		Monitoring and Evaluation	x	
Alternatives Evaluation	x		Education and Public Information	x	
Program Selection	x		Funding	x	

The City of Rocklin is planning an educational program to provide information on safe alternatives to HHW, a mobile collection program, a load checking program, and participation in the countywide collection program for HHW. Board staff recommend approval of the HHWE for the City of Rocklin.

ATTACHMENTS:

1: Resolution # 95-139: Approval for the SRRE for the City of Rocklin, Placer County

2: Resolution # 95-140: Approval for the NDFE for the City of Rocklin, Placer County

3: Resolution # 95-141: Approval for the HHWE for the City of Rocklin, Placer County

Prepared by: Catherine Donahue Phone: 255-2315

Prepared by: Becky Shumway Phone: 255-2420

Reviewed by: John Nuffer Phone: 255-2368

Reviewed by: Catherine Cardozo Phone: 255-2656

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 12/29/94 8:10am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-139

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF ROCKLIN, PLACER 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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the City will substantially achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Element for the City of Rocklin, Placer County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-140

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ROCKLIN, PLACER 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Rocklin. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-141

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF ROCKLIN, PLACER 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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Rocklin, Placer County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
JANUARY 11, 1995

AGENDA ITEM # ~~40~~ 65

ITEM: Consideration of Staff Recommendations on the Adequacy of the Multi-Jurisdictional Source Reduction and Recycling Elements, Household Hazardous Waste Elements, and Nondisposal Facility Elements for the Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak

STAFF COMMENTS:

The Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak have been working together on solid waste management issues since 1972. In mid-1990, the jurisdictions entered into a Joint Powers Agreement (JPA) to jointly address the provision of waste management services, and to form the Bi-County Waste Management Authority (Bi-County Authority).

The Bi-County Authority jurisdictions (jurisdictions) reached a 15.1 percent diversion rate in the 1990/91 base year. All the jurisdictions expect to meet or exceed the 1995 and 2000 diversion goals.

The Source Reduction and Recycling Element (SRRE) for the Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak is adequate and contains a variety of programs that will be used to reach the mandated diversion goals. Programs that are or will be implemented in order to achieve the solid waste disposal mandates include: Waste Audits and Public Awareness Program; Regulatory Programs; Newspaper Collection Programs; Commercial and Industrial Source Separation Programs; Establishment of a CA certified redemption center in north Yuba County; Establishment of a second shift at the existing Integrated Waste Recovery Facility; Establishment of an Infectious Waste Information Campaign; and Expansion of Existing Education and Information Programs.

Based on the documents submitted by the jurisdictions, Board staff recommends approval of their Multi-jurisdictional SRRE, HHWE and NDFE.

ANALYSIS:

SRRE

UNINCORPORATED AREA OF YUBA COUNTY

SWGS ANALYSIS:

SRRE ADEQUACY	YES	NO
CIWMB draft comments adequately addressed	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 25 tons of commercial hazardous waste from disposal and generation.

The SWGS, as corrected, meets the SWGS criteria.

Unincorporated Area of Yuba County	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	30,563	8,581	39,144	31,589	13,036	44,625	25,860	25,873	51,733
Changes to claimed tonnages:									
Hazardous Waste	(-25)		(-25)	(-25)		(-25)	(-25)		(-25)
Corrected Totals	30,538	8,581	39,119	31,564	13,036	44,600	25,860	25,873	51,708
Claimed diversion rates		21.9%			29.2%			50.0%	
Corrected diversion rates		**21.9%**			**29.2%**			**50.0%**	

UNINCORPORATED AREA OF SUTTER COUNTY

SUTTER COUNTY (UNINCORPORATED) SRRE ADEQUACY	YES	NO
CIWMB draft comments adequately addressed	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 18 tons of commercial hazardous waste from disposal and generation.

The SWGS, as corrected, meets the SWGS criteria.

Unincorporated Area	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	28,290	4,487	32,777	29,797	12,852	42,649	28,163	28,107	56,270
Changes to claimed tonnages:									
Hazardous Waste	(-18)		(-18)	(-18)		(-18)	(-18)		(-18)
Corrected Totals	28,272	4,487	32,759	29,779	12,852	42,631	28,163	28,107	56,252
Claimed diversion rates		13.7%			30.1%			50.0%	
Corrected diversion rates		**13.7%**			**30.1%**			**50.0%**	

CITY OF YUBA CITY

CITY OF YUBA CITY SRRE ADEQUACY	YES	NO
CIWMB draft comments adequately addressed	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 47 tons of commercial hazardous waste from disposal and generation.

The SWGS, as corrected, meets the SWGS criteria.

Yuba City	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	59,637	8,032	67,669	59,511	19,853	79,364	43,284	50,520	93,804
Changes to claimed tonnages:									
Restricted materials:									
Inert solids									
Scrap metals									
Agricultural waste									
White goods									
Subtotal									
Hazardous Waste	(-47)		(-47)	(-47)		(-47)	(-47)		(-47)
Corrected Totals	59,590	8,032	67,622	59,464	19,853	79,317	43,284	50,520	93,757
Claimed diversion rates		11.9%			25.0%			53.9%	
Corrected diversion rates		**11.9%**			**25.0%**			**53.9%**	

CITY OF MARYSVILLE

CITY OF MARYSVILLE SRRE ADEQUACY	YES	NO
CIWMB draft comments adequately addressed	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 21 tons of commercial hazardous waste from disposal and generation.

The SWGS, as corrected, meets the SWGS criteria.

Marysville	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	13,117	2,673	15,790	11,286	4,553	15,839	8,041	8,034	16,075
Changes to claimed tonnages:									
Hazardous Waste	(-21)		(-21)	(-21)		(-21)	(-21)		(-21)
Corrected Totals	13,096	2,673	15,769	11,265	4,553	15,818	8,041	8,034	16,054
Claimed diversion rates		16.9%			28.7%			50.0%	
Corrected diversion rates		**17.0%**			**28.8%**			**50.0%**	

CITY OF WHEATLAND

CITY OF WHEATLAND SRRE ADEQUACY	YES	NO
CIWMB draft comments adequately addressed	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 1 ton of commercial hazardous waste from disposal and generation.

The SWGS, as corrected, meets the SWGS criteria.

Wheatland	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	1,857	180	2,037	2,164	722	2,886	2,073	2,070	4,143
Changes to claimed tonnages:									
Hazardous Waste	(-1)		(-1)	(-1)		(-1)	(-1)		
Corrected Totals	1,856	180	2,036	2,163	722	2,885	2,073	2,070	4,142
Claimed diversion rates		8.8%			25.0%			50.0%	
Corrected diversion rates		**8.8%**			**25.0%**			**50.0%**	

CITY OF LIVE OAK

SWGS ANALYSIS:

SRRE ADEQUACY	YES	NO
CIWMB draft comments adequately addressed	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 11 tons of commercial hazardous waste from disposal and generation.

The SWGS, as corrected, meets the SWGS criteria.

Live Oak	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	4,097	459	4,556	3,926	1,387	5,313	3,142	3,137	6,279
Changes to claimed tonnages:									
Hazardous Waste	(-11)		(-11)	(-11)		(-11)	(-11)		(-11)
Corrected Totals	4,086	459	4,545	3,915	1,387	5,302	3,142	3,137	6,268
Claimed diversion rates		10.1%			26.1%			50.0%	
Corrected diversion rates		**10.1%**			**26.2%**			**50.0%**	

HHWE

The Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak prepared and submitted a HHWE document. This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak provide a comprehensive household hazardous waste collection program through the Bi-County Waste Management Authority. The two existing HHW collection facilities are augmented by a number of public education and information programs.

NDFE

The Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak also prepared and submitted a NDFE. This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction	X		
Transfer Station descriptions - outside a jurisdiction			X

The Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak identified the Yuba-Sutter Integrated Waste Recovery Facility, two transfer stations, and a proposed composting facility.

ATTACHMENTS:

1:Resolution # 95-152 Approval for the SRRE for the County of Yuba
2:Resolution # 95-153 Approval for the HHWE for the County of Yuba
3:Resolution # 95-154 Approval for the NDFE for the County of Yuba
4:Resolution # 95-143 Approval for the SRRE for the County of Sutter
5:Resolution # 95-144 Approval for the HHWE for the County of Sutter
6:Resolution # 95-145 Approval for the NDFE for the County of Sutter
7:Resolution # 95-146 Approval for the SRRE for the City of Yuba City
8:Resolution # 95-147 Approval for the HHWE for the City of Yuba City
9:Resolution # 95-148 Approval for the NDFE for the City of Yuba City
10:Resolution # 95-155 Approval for the SRRE for the City of Marysville
11:Resolution # 95-156 Approval for the HHWE for the City of Marysville
12:Resolution # 95-157 Approval for the NDFE for the City of Marysville
13:Resolution # 95-158 Approval for the SRRE for the City of Wheatland
14:Resolution # 95-159 Approval for the HHWE for the City of Wheatland
15:Resolution # 95-160 Approval for the NDFE for the City of Wheatland
16:Resolution # 95-149 Approval for the SRRE for the City of Live Oak
17:Resolution # 95-150 Approval for the HHWE for the City of Live Oak
18:Resolution # 95-151 Approval for the NDFE for the City of Live Oak

Prepared by: Alan White APW Phone: 255-2306

Prepared by: Yasmin Satter Phone: 255-2421

Reviewed by: John Nuffer Phone: 255-2368

Reviewed by: Catherine Cardozo Phone: 255-2656

Reviewed by: Lorraine Van Kekerix DK Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 12/30/94 9:00 am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-152

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE UNINCORPORATED AREA OF YUBA 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 Section 41300 requires that each county prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41301 requires that the County's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the County's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the County's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the unincorporated area of Yuba County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-153

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE UNINCORPORATED AREA OF YUBA 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 Section 41510 requires that each county draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the unincorporated area of the county; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, Yuba County drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, Yuba County submitted their final HHWE to the Board for approval which was deemed complete on November 10, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the unincorporated area of Yuba County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-154

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE UNINCORPORATED AREA OF YUBA 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the unincorporated area of Yuba County. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #4

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-143

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE UNINCORPORATED AREA OF SUTTER 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 Section 41300 requires that each county prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41301 requires that the County's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the County's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the County's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the unincorporated area of Sutter County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #5

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-144

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE UNINCORPORATED AREA OF SUTTER 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 Section 41510 requires that each county draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the unincorporated area of the county; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, Sutter County drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, Sutter County submitted their final HHWE to the Board for approval which was deemed complete on November 10, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the unincorporated area of Sutter County.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #6

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-145

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE UNINCORPORATED AREA OF SUTTER 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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the unincorporated area of Sutter County. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #7

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-146

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF YUBA CITY

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Yuba City.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #8

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-147

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF YUBA CITY

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Yuba City drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Yuba City submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Yuba City.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #9

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-148

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF YUBA CITY

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Yuba City. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #10

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-155

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF MARYSVILLE

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Marysville.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #11

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-156

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF MARYSVILLE

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Marysville drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Marysville submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Marysville.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #12

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-157

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF MARYSVILLE

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Marysville. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #13

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-158

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF WHEATLAND

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Wheatland.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #14

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-159

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF WHEATLAND

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Wheatland drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Wheatland submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Wheatland.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #15

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-160

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF WHEATLAND

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Wheatland. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #16

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-149

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF LIVE OAK

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Live Oak.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #17

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-150

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF LIVE OAK

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Live Oak drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Live Oak submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Live Oak.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #18

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-151

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF LIVE OAK

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Live Oak. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
January 11, 1995

AGENDA ITEM #~~11~~ 66

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, Household Hazardous Waste Element and Nondisposal Facility Element for the City of Gridley, Butte County

STAFF COMMENTS:

For several years, the City of Gridley has participated in the Sutter-Yuba (Bi-County) Integrated Waste Management Authority. Non diverted waste is disposed of at the class 111 landfill located in Marysville, in Yuba County. On July 1, 1994 the Bi-County Integrated Waste Management Authority was amended to include the City of Gridley and to change the name of the entity to the "Regional Waste Management Authority". The Authority is preparing a regional agency agreement pursuant to PRC Sections 40970-40976. When the Regional Agency Agreement is submitted to the CIWMB (anticipated in spring, 1995), and approved by the CIWMB, diversion goals shall be for the entire regional agency and not by individual jurisdiction.

The City of Gridley's existing diversion is 19.2%. The City of Gridley's SRRE projects diversion for 1995 as 27.3% and 50.0% for the year 2000. Adjustments to remove restricted wastes change these percentages to 27.4% for 1995 and 50.1% for the year 2000. These adjustments do not affect the projected achievement of the 1995 and 2000 mandates.

To reach the mandated goals, the City plans a mix of source reduction, recycling, public education-information, and composting programs. Selected source reduction programs include: waste audits, public awareness campaign, zoning ordinances and procurement policies for the City. Selected recycling programs include: increased residential curbside newspaper collection, increase OCC collection route, redemption center and increased use of the Bi-County MRF. The selected composting program is: participation in use of the Bi-County composting facility. Selected public education and information programs include: K-12th grades school curricula addressing integrated waste management, residential and commercial sector informational materials, annual awards, and construction and demolition diversion information for contractors.

The City of Gridley's Source Reduction and Recycling element (SRRE) is adequate and contains a variety of programs that will be used to reach the mandated diversion goals. Based on the documents submitted by the City, Board Staff recommends approval of the City's SRRE, HHWE, and NDFE.

ANALYSIS:

SRRE

SRRE ADEQUACY	YES	NO
All required documentation submitted	X	
CIWMB draft comments adequately addressed		X
LTF comments addressed	X	
Meets SRRE criteria (in CIWMP Adequacy Report)	X	
Meets SWGS criteria (in CIWMP Adequacy Report)	X	
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The final draft did not change reference of "Infectious Waste" to medical waste.

Planning Areas of Concern:

Recycling Component - Information on market development was limited to identification of end markets. Staff recommends that the City in conjunction with the Bi-County Authority, prepare a market development strategy for recyclables. The strategy, along with changes in markets, should be addressed in the first Annual Report to the Board.

Composting Component - Information on market development was also limited. Staff recommend that the City in conjunction with the Bi-County Authority, prepare a market development strategy for compost. The strategy, along with changes in markets, should be addressed in the first Annual Report to the Board.

Public Education and Information Component - Staff recommend that the CIWMB media kit be used to supplement local efforts. Also, the City and Bi-County Authority should evaluate the need for bi-lingual materials to be used in its program, and present its findings in the first Annual Report to the Board.

SWGS ANALYSIS:

SRRE ADEQUACY	YES	NO
CIWMB draft comments adequately addressed	X	
Meets SWGS criteria (in CIWMP Adequacy Report)		X
1995 corrected diversion projection is 25% or more	X	
2000 corrected diversion projection is 50% or more	X	

Explanation of any "No" responses:

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

sposal Tonnages. Disposal tonnage provided was not accurate.

Normally Disposed of. Hazardous waste is not "normally disposed of". Staff have therefore subtracted 8 tons of commercial hazardous waste from disposal and generation.

The SWGS, as corrected, meets the SWGS criteria.

Gridley	Base year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	5,294	1,260	6,554	4,913	1,847	6,760	3,732	3,732	7,464
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	0	0	0	0	0	0	0	0
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	0	0	0	0	0	0	0	0
Hazardous Waste	(-8)		(-8)	(-8)		(-8)	(-8)		(-8)
Corrected Totals	5,286	1,260	6,546	4,905	1,847	6,752	3,732	3,732	7,456
Claimed diversion rates		19.2%			27.3%			50.0%	
orrected diversion rates		**19.2%**			**27.4%**			**50.1%**	

Staff recommend an approval for the City of Gridley's Source Reduction and Recycling Element.

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas:

HHWE Adequacy	Yes	No	HHWE Adequacy	Yes	No
Goals and Objectives	X		Program Implementation	X	
Existing Conditions	X		Monitoring and Evaluation	X	
Alternatives Evaluation	X		Education and Public Information	X	
Program Selection	X		Funding	X	

The City selected the following programs: a permanent HHW collection facility to be provided by Yuba Sutter Disposal Inc., a HHW recycling and transfer facility that will be incorporated with non-HHW collection and recycling operations, and public education and information.

Staff recommend an approval for the City of Gridley's Household Hazardous Waste ement.

Planning Areas of Concern:

Staff recommend use of the CIWMB's media kit to supplement local efforts. The City in conjunction with the Bi-County Authority, should assess the need to use bilingual public education-information materials and present findings in the first Annual Report to the Board.

NDFE

The City of Gridley is included in a joint NDFE document with the Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak also prepared and submitted a NDFE. This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas:

NDFE Adequacy	Yes	No	N/A
Facility descriptions - within a jurisdiction	X		
Facility descriptions - outside a jurisdiction			X
Transfer Station descriptions - within a jurisdiction	X		
Transfer Station descriptions - outside a jurisdiction			X

The City of Gridley and the Counties of Yuba and Sutter, and the Cities of Yuba City, Marysville, Wheatland and Live Oak identified the Yuba-Sutter Integrated Was Recovery Facility, two transfer stations, and a proposed composting facility as the facilities that they will be using to reach the mandated goals.

Staff recommend an approval for the City of Gridley's Nondisposal Facility Element.

ATTACHMENTS:

1:Resolution # 95-161 Approval for the SRRE for the City of Gridley
2:Resolution # 95-162 Approval for the HHWE for the City of Gridley
3:Resolution # 95-163 Approval for the NDFE for the City of Gridley

Prepared by: Steven Hernandez SH for SH Phone: 255-2316

Prepared by: Yasmin Satter YS for YS Phone: 255-2421

Reviewed by: John Nuffer Phone: 255-2368

Reviewed by: Lorraine Van Kekerix SJ for LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF for JJF Phone: 255-2302

Legal Review: EB Date/time: 12/30/94 8:15am

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-161

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF GRIDLEY

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 Section 41000 requires that each city prepare and adopt a SRRE which includes all of the components specified; and

WHEREAS, California Code of Regulations Title 14, Section 18767 requires that jurisdictions ensure their SRRE has complied with the California Environmental Quality Act and provides a Notice of Determination from the State Clearinghouse as required; and

WHEREAS, PRC Section 41001 requires that the City's SRRE include a program for the management of solid waste generated within the City, consistent with the waste management hierarchy provided in PRC Section 40051; and

WHEREAS, the City's SRRE shall place emphasis on implementation of all feasible source reduction, recycling, and composting programs while identifying the amount of landfill and transformation capacity that will be needed for solid waste which cannot be reduced at the source, recycled, or composted; and

WHEREAS, PRC Section 41780 and its implementing regulations require that the SRRE show how the County and cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the City's SRRE, Board staff found that all of the foregoing requirements have been satisfied and the SRRE substantially complies with PRC Section 41000, et seq. and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Source Reduction and Recycling Elements for the City of Gridley.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-162

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF GRIDLEY

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 Section 41500 requires that each city draft and locally adopt a Household Hazardous Waste Element (HHWE) which identifies a program for the safe collection, recycling, treatment, and disposal of household hazardous waste for the city; and

WHEREAS, California Code of Regulations (CCR) Title 14, Section 18767 requires that each jurisdiction ensure that the California Environmental Quality Act has been complied with prior to adopting a HHWE; and

WHEREAS, The City of Gridley drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Gridley submitted their final HHWE to the Board for approval which was deemed complete on September 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the Household Hazardous Waste Element for the City of Gridley.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-163

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF GRIDLEY

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 Section 41730 et seq. requires 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 Section 41780; and

WHEREAS, the NDFE may include the identification of specific locations or general areas for new solid waste facilities that will be needed to implement the SRRE; and

WHEREAS, based on review of the NDFE, Board staff found that all of the foregoing requirements have been satisfied and the NDFE substantially complies with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Nondisposal Facility Element for the City of Gridley. Pursuant to Public Resources Code Section 41736, at the first revision of the SRRE, the NDFE should be incorporated with the SRRE to become one document which may be modified, as necessary, to accurately reflect the existing and planned nondisposal facilities which will be used by a jurisdiction.

CERTIFICATION

The undersigned Executive Director 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 January 25, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

January 25, 1995

AGENDA ITEM 67

ITEM: Consideration of Staff Report: CIWMP Enforcement - Failure to Implement a Source Reduction and Recycling Element (SRRE) and Household Hazardous Waste Element (HHWE)

COMMITTEE ACTION:

At the January 11, 1995, Local Assistance and Planning Committee meeting, the Committee considered the staff report and recommended the report and policy be considered by the Board at the January meeting. The Committee directed staff to revise the report based on the League of California Cities' comments. The Committee also directed staff to contact and advise the California State Association of Counties (CSAC) that the report will be heard at the January Board meeting. Per the Committee's direction, staff revised the report and notifed CSAC.

BACKGROUND:

Public Resources Code (PRC) Section 41780 requires each city and county to develop a Source Reduction and Recycling Element (SRRE) that outlines the achievement of a 25% and 50% reduction in waste disposed by 1995 and 2000, respectively. PRC Section 41500 et seq. requires each city and county to prepare and implement a Household Hazardous Waste Element (HHWE) that outlines the programs to be used to safely treat, recycle, and dispose of household hazardous wastes generated within the jurisdiction. PRC Section 41850 gives the California Integrated Waste Management Board (Board) authority to fine a jurisdiction up to $10,000 per day for failing to implement either its SRRE or HHWE.

State law requires the Board to determine whether a local jurisdiction's SRRE and HHWE have been implemented. The attached revised draft report contains proposed criteria to explain and determine implementation of a SRRE and HHWE, potential consequences to jurisdictions failing to implement these elements, recommended procedures the Board will use with local jurisdictions to achieve compliance, and a proposed fine structure for jurisdictions failing to implement.

The staff draft report was first presented to the Local Assistance and Planning Committee on May 5, 1994. The Committee directed Board staff to release the draft report for a 45-day public comment period, which ended August 10, 1994. Staff mailed the draft report to more than 1,400 interested persons. Board staff received 26 letters from cities and counties, the League of California Cities, private industry, waste management

authorities, Californians Against Waste, the Coachella Valley Association of Governments, and the Local Government Technical Advisory Committee during the public comment period.

The major theme of public comments received included:

1. Define good faith efforts;
2. Clarify that jurisdictions who may not be implementing some or all of the diversion programs in a SRRE but are meeting the diversion requirements are not subject to civil penalties or fines;
3. Add an intermediate level of monetary fines; and
4. Criteria viewed as micro-managing or second-guessing local government decisions.

As a result of public comments and changes to the law (e.g., AB 688), the staff draft report has been revised and rewritten. Modifications to the report (which are shown in redline text) include:

1. Regional agencies;
2. Transformation and biomass;
3. Additional criteria from public comments;
4. Good faith effort definition;
5. Disposal reporting;
6. Uniform method for adjustment;
7. Time extensions;
8. Compliance measurements;

ANALYSIS:

The staff draft report constitutes Part 2 of the CIWMP Enforcement Report. The Board must determine, for each jurisdiction, whether the SRREs and HHWEs have been implemented. Annual reports will be used in combination with biennial reviews to determine implementation for both the SRREs and HHWEs. The staff draft report recommends criteria the Board will use during the biennial review to determine implementation, mechanisms the Board and local jurisdictions will use to achieve compliance with diversion requirements, and the structure of penalties that may be imposed on jurisdictions failing to implement their SRREs and HHWEs.

Staff recommend that a SRRE is implemented if it both carries out the described programs and achieves the diversion requirements. Staff recommend a HHWE is implemented by determining that a jurisdiction is following the HHWE implementation schedule.

STAFF COMMENTS:

Staff have identified four scenarios to use in determining SRRE implementation. Scenarios I and II are not subject to civil penalties or fines. Scenarios III and IV are subject to civil penalties or fines. Staff recommend using the identified criteria to determine the extent to which a jurisdiction has implemented, or shown a good faith effort to implement, their selected diversion programs. The criteria are "illustrative" and are provided to serve as an example to local jurisdictions. The criteria are not prescriptive; they are not a checklist. The criteria reflect the issues that will be examined when the Board performs its biennial reviews. There is no intent in the report to mandate that each criterion be adhered to, and that, if not, then a local jurisdiction would be a "failure" situation.

Staff recommend using the identified criteria to determine if HHWE programs were implemented by a local jurisdiction. Staff recommend that jurisdictions implementing HHW programs are not subject to civil penalties or fines by the Board.

Before any civil penalties or fines could be imposed on a local jurisdiction by the Board, the Board shall first issue an Order of Compliance with a specific schedule for achieving compliance. In addition, statute allows the Board to consider certain circumstances when determining the amount of the civil penalty.

Board staff recommend that the Board consider and adopt Part 2 of the CWIMP Enforcement Report -- Failure to Implement a Source Reduction and Recycling Element and Household Hazardous Waste Element. When the report is adopted by the Board, staff will send the final version to local jurisdictions.

ATTACHMENTS:

CWIMP Enforcement Report -- Failure to Implement a Source Reduction and Recycling Element and Household Hazardous Waste Element

Prepared by: Toni Galloway TG Phone: 255-2653

Reviewed by: Judith J. Friedman JJF Phone: 255-2670

Legal review: EB Date/Time 1/17/95 11:55am

STAFF ANALYSIS
CIWMP ENFORCEMENT

PART II: FAILURE TO IMPLEMENT A SRRE AND HHWE

Report to the Local Assistance and Planning Committee
Prepared by the Office of Local Assistance and the
Waste Characterization and Analysis Branch

January 1995

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BACKGROUND

On November 17, 1993, the California Integrated Waste Management Board (Board) approved Part 1 of the Staff Analysis, CIWMP Enforcement report. Part 1, entitled "Adequacy of CIWMP and Elements," outlines the procedures Board staff will use to determine the adequacy of Countywide Integrated Management Plans (CIWMPs), Source Reduction and Recycling Elements (SRREs), Household Hazardous Waste Elements (HHWEs), Non-Disposal Facility Elements (NDFEs), and Siting Elements (SEs).

This report constitutes Part 2 of the CIWMP Enforcement report. The Board must determine, for each jurisdiction, whether the SRREs and HHWEs have been implemented. Annual reports submitted by the jurisdictions will be used, in combination with the Board's biennial review and other information, to determine implementation. This report recommends criteria the Board will use during the biennial review to determine whether local jurisdiction SRREs and HHWEs have been implemented, mechanisms the Board and local jurisdictions will use to achieve compliance with implementation mandates, and the structure of penalties that may be imposed on jurisdictions failing to implement their SRREs and HHWEs.

WHAT IS IMPLEMENTATION?

Implementation, for the purposes of this report, includes executing the programs as described in the SRRE and HHWE, and achieving the diversion requirements. Criteria for SRRE and HHWE implementation are outlined separately.

Board staff will refer to the various components of the SRRE and HHWE, information from a jurisdiction's annual report, the Board's biennial review, and other sources to determine how fully a jurisdiction has implemented its SRRE and HHWE.

SRRE IMPLEMENTATION

Criteria for SRRE Implementation

Each SRRE outlines the source reduction, recycling, composting, and public education and information programs a jurisdiction will implement. Additionally, the SRRE identifies funding mechanisms and monitoring for these programs, and describes their integration into a comprehensive waste diversion program. A fully implemented SRRE both carries out the described programs and achieves the diversion requirements.

Board staff have identified four scenarios to use in determining SRRE implementation:

I. Implementing all programs and meeting diversion requirements;

II. Not implementing all programs, but meeting diversion requirements;

III. Implementing some/all programs, but not meeting diversion requirements; and

IV. Not implementing programs and not meeting diversion requirements.

To determine SRRE implementation, staff would use annual reports submitted by local jurisdictions, the Board's biennial review process, and provide technical assistance, when requested, to local jurisdictions to determine SRRE implementation. This would apply to all four scenarios.

Staff recommend using the following criteria to determine the extent to which a jurisdiction has implemented, or shown a good faith effort to implement, their selected diversion programs. These criteria reflect the four scenarios above, and may not be all inclusive. These illustrative criteria are provided to serve as an example. The criteria are not prescriptive and they are not a "checklist". They indicate the issues that will be examined when the Board performs its biennial reviews. There is no intent in this report to mandate that each criterion be adhered to, and that, if not, then a local jurisdiction would be in a "failure" situation.

It is not the Board's intention to micro-manage local jurisdiction's decisions on which diversion programs have been identified and selected for implementation. The Board will attempt, with the identified criteria, to assist local jurisdictions who may need help in identifying why implementation of diversion programs is failing to achieve the results expected, or is failing to meet the diversion requirements.

In scenarios I and II, jurisdictions are not subject to fines. Staff recommend using the criteria described in Scenarios I and II to determine if a jurisdiction fits one of the categories. The criteria in these categories will be examined by staff and with the local jurisdiction. Information gathered from this examination will be used to track future trends that cities and counties are encountering in their progress toward achieving the waste reduction requirements.

I. Implementing All Programs and Meeting Diversion Requirements.

Jurisdictions implementing programs and meeting diversion requirements are not subject to fines by the Board. Staff recommend using the following criteria to determine if a jurisdiction fits this scenario.

- What are the projected, adjusted, and measured diversion rates?
- What programs have been implemented, or what existing programs have been continued or expanded, to achieve the diversion requirements?
- Will these programs maintain the desired level of diversion?
- Are contingency programs selected and available to implement, if necessary, to maintain diversion levels?

II. Not Implementing All Programs, but Meeting Diversion Requirements.

Staff, and the Board, anticipate situations where local jurisdictions are meeting the diversion requirements, even though not all identified selected diversion programs have been implemented. Jurisdictions meeting diversion requirements and not implementing all possible diversion programs are not subject to fines by the Board. Jurisdictions will be required to submit information to the Board stating why diversion programs identified in SRREs have not been implemented.

Staff recommend using the following criteria to determine if a jurisdiction fits this scenario.

- What are the projected, adjusted, and measured diversion rates?
- What are the projected, adjusted, and measured diversion rates?
- What programs have been implemented, or what existing programs have been continued or expanded, to achieve the diversion requirements?
- Will these programs maintain at least the desired level of diversion?
- Are contingency programs selected and available to

implement, if necessary, to maintain diversion levels?

III. Implementing Some/All Programs, but not Meeting Diversion Requirements.

If a jurisdiction is implementing some or all selected diversion programs and yet not achieving the diversion requirements, it may be that the SRRE is in need of revision. Staff recommend investigating the extent to which a jurisdiction has tried to meet the diversion requirements through their selected diversion programs, and the reasons they have failed to implement some or all of those diversion programs. Staff may recommend to the Board that a jurisdiction be fined in accordance with statute. Fines, if determined to be appropriate, will be decided by the Board on a case-by-case basis, and could be assessed to up to $10,000 per day.

Staff recommend using the following criteria to assess the specific conditions that may have prevented a jurisdiction from meeting the diversion requirements, and whether a good faith effort was made by the jurisdiction to meet the requirements. Have some/all selected diversion programs been implemented? If **yes**, then what may be the cause for not reaching the requirements?

- For example, were waste quantification problems encountered when calculating diversion (25/50%) achievement?

- For example, have participation and effectiveness been low?
  - → Has the jurisdiction utilized public education and information programs to promote their diversion programs? Has the jurisdiction targeted the appropriate sector (commercial/residential/industrial) in their public education and information campaign?
  - → Is the program accessible to the targeted audience? Have language barriers been addressed?
  - → Have incentives for participation been used (cash for recyclables, free/reduced cost compost bins for workshop attendance, reduced disposal costs, etc.)?
  - → What other program alternatives have been used to promote waste prevention and reduction programs (increased tip fees, local land use restrictions, increased business fees, etc.)?
  - → Has the jurisdiction utilized the Board's free public information materials?

- For example, have markets for diverted materials continually remained low or poor?
  - → Has the jurisdiction investigated local and regional marketing options?

- → Has the jurisdiction investigated development opportunities with the private sector?
- → Has the jurisdiction worked with the Board's market development program?
- → Has the jurisdiction applied to the Recycling Market Development Zone (RMDZ) program?

- For example, were all significant waste materials selected in the SRRE targeted in the implemented programs?
  - → Have conditions changed to make these materials less targetable and/or marketable?
  - → Have waste generation characteristics changed such that selected programs would no longer be feasible or appropriate?

- For example, were sufficient funds available to implement programs?
  - → Has the jurisdiction investigated grants and loans available from the Board, the California Department of Conservation (DOC), the U. S. Environmental Protection Agency (US EPA), etc.?
  - → Has the jurisdiction investigated regional approaches to programs and expenses?
  - → Has the jurisdiction investigated all financial options selected in the SRRE?

- For example, have time frames projected in the SRRE been met?
  - → What factors have affected these time frames?
  - → Will time frames be adjusted to continue program implementation?

- For example, were local diversion programs implemented but the jurisdiction had disposal increases due to a regional diversion facility generating and disposing significant amounts of residue within the "host" jurisdiction's borders?

- For example, have other state-mandated programs affected solid waste disposal tonnages (such as a doubling of street sweeping activities due to Clean Water Act requirements on certain cities)?

- What other problems has the jurisdiction encountered in program implementation?

Have all selected diversion programs been implemented? If **no**, then what may be the cause for not implementing the programs?

- For example, what diversion programs were not implemented? Why weren't programs implemented?

- For example, what diversion facilities (material recovery, composting, transfer stations) are not on-line yet?

- For example, did financing options for a diversion facility (material recovery, composting, transfer station) fail?

- For example, did a jurisdiction face unavoidable regulatory delays? If so, explain the regulatory delays and how if affected the project time lines.

- For example, did a jurisdiction elect to recover a certain type of material (e.g. cardboard), but the hauler/operator will not cooperate and recover the waste type on behalf of the jurisdiction? Was it due to logistical problems?

- Were diversion requirements not achieved because programs were not implemented or were there other reasons? Does a jurisdiction anticipate achieving the 25% and 50% requirements at a later date? When?

- For example, were insufficient funds available to implement programs?
  - → Has the jurisdiction investigated grants and loans available from the Board, DOC, US EPA, etc.?
  - → Has the jurisdiction investigated regional approaches to programs and expenses?
  - → Has the jurisdiction investigated all financial options selected in the SRRE, including contingency funding?

- For example, was insufficient staff available to implement programs?
  - → Has the jurisdiction investigated volunteer or internship programs?
  - → Has the jurisdiction investigated regional approaches to programs, expenses, and staffing?
  - → Was there a turnover in staff?
  - → Did the jurisdiction allot reasonable resources?

- For example, have time frames projected for program implementation in the SRRE been met?

  - → What factors have affected these time frames?
  - → Have time frames been adjusted to continue program implementation?

- For example, have waste generation characteristics changed (a change could include a military base closure, or a manufacturing/industry relocated or closed) such that selected programs would no longer be feasible or appropriate?

- For example, have contingency diversion programs been implemented to reach the diversion requirements?
  - → If contingency programs are significant in scale, has that caused a delay?

- For example, have existing contractual or legal issues prohibited a jurisdiction from implementing programs?
  - → Can the jurisdiction amend franchise agreements? If not, when do the agreements expire?
  - → Can the jurisdiction prepare a request for proposal(s) for the implementation of programs and facilities?

- What technical assistance can the CIWMB provide to assist local jurisdictions in implementing diversion programs?

IV. Not Implementing Programs and not Meeting Diversion Requirements.

Staff will investigate the reasons a jurisdiction has failed to implement any diversion programs, thus not meeting the diversion requirements. Staff will prepare a summary of their investigative findings and forward the information to the Board. Staff may recommend the Board fine these jurisdictions, after considering input from the jurisdiction, up to the maximum of $10,000 per day.

Staff recommend using the following criteria to determine if a jurisdiction fits this scenario.

- Why weren't programs implemented?

- Were insufficient funds available to implement programs? Explain, if sufficient funds were available, why they weren't dedicated to implement programs.
  - → For example, did the jurisdiction investigate grants and loans available from the Board, DOC, US EPA, etc.?
  - → For example, did the jurisdiction investigate regional approaches to programs and expenses?
  - → For example, did the jurisdiction investigate all financial options selected in the SRRE?

- Is there a lack of markets for diverted materials, therefore programs were not implemented?

- → For example, did the jurisdiction investigate local and regional marketing options?
- → For example, did the jurisdiction work with the Board's market development program and apply for market development zone designation?

- Was sufficient staff available to implement programs? Was staff allocated?
  - → For example, did the jurisdiction investigate volunteer or internship programs?
  - → For example, did the jurisdiction investigate regional approaches to programs, expenses, and staffing?

- Have existing contractual or legal issues prohibited a jurisdiction from implementing programs?
  - → For example, can the jurisdiction amend franchise agreements?
  - → Can the jurisdiction prepare a Request For Proposal(s) for the implementation of programs and facilities?

- What other problems has the jurisdiction encountered that resulted in no diversion program implementation?

Additional Considerations for SRRE Implementation

Statute provides for specific variations to the 25 and 50 percent diversion requirements. These variations include: (1) 10 percent diversion, toward the 50 percent diversion requirement, may be used for a city, county, or regional agency's use of a Board-permitted transformation project or a biomass conversion project (PRC section 41783 and 41783.1); (2) petitions for reduction; (3) regional and rural regional agency formation; (4) a one-year extension (PRC section 41820); (5) a two-year time extension for rural jurisdictions (PRC section 41787.4); (6) a time extension granted by the Board to a city that incorporated after January 1, 1990, (PRC section 41820.5); (7) if a city or county chooses not to use a transformation project to achieve the 50 percent diversion requirement and the Board determines that a jurisdiction's SRRE will not achieve the 50 percent requirement; and; (8) a reduction of the diversion requirements of PRC section 41780 for any city or county which, on or before January 1, 1990, disposed of 75 percent or more of its solid waste, collected by the jurisdiction or its authorized agents or contractors, by transformation if certain conditions exist (PRC section 41786).

Staff recommend that the following criteria, as applicable, be considered in addition to the previous criteria outlined above.

Rural Jurisdictions

- Has the rural jurisdiction utilized the Board's rural assistance information and programs?

- Has the rural jurisdiction investigated regional approaches to program implementation?

- Is the rural jurisdiction qualified to petition for a reduction in diversion requirements?

- What other considerations, including but not limited to market development obstacles, population density, waste generation rates, dominant waste generation categories and types, and geographic, demographic and economic factors, have affected the rural jurisdiction's ability to meet the diversion requirements?

Approved Petition for Reduction

- Are rural cities and rural counties, who are members of a rural regional agency, eligible for a reduction in diversion requirements? If so, then the rural regional agency may be eligible for a reduction of the diversion requirements of PRC section 41780. Has the rural regional agency petitioned the Board for a reduction in the diversion requirements?

- Has a jurisdiction, who qualifies for a reduction, petitioned for a reduction in the diversion requirements?

- Did a jurisdiction petition for a reduction in diversion requirements and receive a reduced diversion requirement? If so, were the conditions of the petition reduction request met by the jurisdiction?

- If the jurisdiction has a Board-approved reduced diversion requirement, was the reported total 1995 disposal tonnage equal to or less than the maximum allowable disposal for that reduced disposal percentage?

- Has the jurisdiction implemented the programs specified in the approved petition?

- Are there any other considerations that affect the jurisdiction's ability to meet their reduced diversion requirements?

Extensions

- Has the jurisdiction been granted a one-year time extension (PRC Section 41820)?

- Did a newly incorporated city (incorporated after January 1, 1990) receive a time extension from the diversion requirements (PRC Section 41820.5)?

- Has the rural city, rural county, or rural regional agency been granted a two-year time extension (PRC Section 41787.4)?

- Is the jurisdiction achieving the maximum feasible amount of source reduction, recycling, and composting within its jurisdiction?

- What steps has the jurisdiction taken to ensure diversion requirements will be met within the extension period?

Regional Agencies

Jurisdictions that form a regional agency to share planning and diversion requirements of the Integrated Waste Management Act are required by PRC section 40975(b)(2) to describe the method by which any civil penalties imposed will be allocated among the agency members. Each member of a regional agency, which is formed to allow its members to share diversion, is liable for the sum of the penalties that may be imposed against each member of the regional agency. Thus, a regional agency that has five members would be subject to a maximum penalty of $50,000 per day.

However, the Board may consider the relevant circumstances that resulted in a regional agency (as described in PRC sections 40970-40976) not achieving the diversion requirements and the individual members who may have contributed to the circumstances that resulted in a failure to achieve the diversion requirements.

For example, PRC Section 40974 establishes the maximum liability for civil administrative penalties imposed pursuant to PRC Section 41813 or PRC Section 41850 at $10,000 per day for each member of a regional agency. The remainder of PRC Section 40974 may be interpreted to provide an option for members of a regional agency to agree among themselves to a different maximum liability through an apportionment of the sum of the penalties which may be imposed against each member of the regional agency. The Board may consider a regional agency's joint powers agreement that specifies that all liability for fines rests with the agency member with no liability assigned to the regional agency or the authority.

An apportionment of penalties on agency members and not the regional agency may provide for flexibility for the regional agency to continue to resolve the issue that is causing the agency members to not meet the diversion requirements. Limitation of penalties to a maximum of $10,000 per day may be considered by the Board if a member's failure does not cause other members or the regional agency to fail to implement the programs in the regional SRRE. Consideration of no fines or penalties on a member or the regional agency may be given by the Board if the agency member has demonstrated to the satisfaction of the Board to have made good faith efforts to implement the programs assigned in the regional SRRE.

- Is the jurisdiction part of a regional agency?
- Is the jurisdiction part of a rural regional agency?
- Is the regional agency implementing its programs and meeting its diversion requirements?
- If a regional agency was dissolved, will the agency members meet the 25 percent and 50 percent diversion requirements?

Transformation and Biomass

- Did the jurisdiction claim a portion, up to 10 percent of the 50 percent diversion requirement, by using a Board-permitted transformation facility (PRC section 41783)?
- Did the jurisdiction claim a portion, up to 10 percent of the 50 percent diversion requirement, by using a biomass conversion facility (PRC section 41783.1(a)?
- Did the jurisdiction dispose of 75 percent or more of its solid waste by transformation, providing certain statutory conditions were met?
- Did a jurisdiction choose not to use a transformation facility and thus did not meet the 50 percent diversion requirement?

HHWE IMPLEMENTATION

Each HHWE describes programs for the safe collection, recycling, treatment and disposal of hazardous wastes generated by households, a monitoring program, funding sources, and a specific implementation time frame. Board staff recommend using the following criteria to determine whether selected programs were implemented, and to assess the reasons a jurisdiction has failed to implement its program. Board staff will also determine if the

jurisdiction is following the HHWE implementation schedule. Jurisdictions failing to fully implement their HHWE may be fined up to $10,000 per day.

Criteria for HHWE Implementation

Programs Implemented

Staff recommend the following criteria be used to determine if programs were implemented. Jurisdictions implementing programs are not subject to fines by the Board.

- For example, was a HHW event or a permanent collection facility made available to all households in the jurisdiction, regardless of actual participation?

- For example, what expenditures have been devoted to HHW collection, treatment, recycling, and disposal?

- For example, what efforts have been made to inform the public about HHW and HHW collection events and/or facilities?

- For example, have the time frames specified in the HHWE for implementing programs been followed (considering reasonable barriers to implementation)?

Programs not Implemented

Staff recommend investigating the extent to which a jurisdiction has implemented programs, and the reasons they have failed to implement programs. Staff may recommend to the Board that a jurisdiction be fined, in accordance with statute. Fines can be up to $10,00 per day, which would be decided by the Board, on a case-by-case basis.

- For example, what programs were not implemented?

- For example, has the jurisdiction investigated local and regional waste exchange, recycling and reuse options?

- For example, were insufficient funds available to implement programs?
  - → Has the jurisdiction investigated grants available from the Board, the DOC, the US EPA, etc.?
  - → Has the jurisdiction investigated regional approaches to programs and expenses?
  - → Has the jurisdiction investigated all financial options selected in the HHWE?

- For example, have time frames projected in the HHWE been met?
  - → What factors have affected these time frames?
  - → Will time frames be adjusted to continue program implementation?

- For example, what other problems has the jurisdiction encountered in program implementation?

- For example, was insufficient staff available to implement programs?
  - → Has the jurisdiction investigated volunteer or internship programs?
  - → Has the jurisdiction investigated regional approaches to programs, expenses, and staffing?

- For example, have existing contractual or legal issues prohibited a jurisdiction from implementing programs?

DETERMINATION OF SRRE AND HHWE IMPLEMENTATION

Board staff will refer to the various components of the SRRE and HHWE, information from a jurisdiction's annual report, the Board's biennial review, and other information sources to determine how fully a jurisdiction has implemented its SRRE and HHWE.

Annual Reports

SRRE Annual Reports

Each jurisdiction is required to submit an annual report to the Board. The annual report will summarize the jurisdiction's progress in achieving the diversion requirements. Waste disposal tonnages, and adjustments to waste disposal quantities to account for changes in population, economics and other appropriate factors, should be included in the annual report. Annual reports must be submitted to the Board no later than 90 days after the anniversary date of a Board approved SRRE. A model annual report will be provided to local jurisdictions by the Board in 1995.

Annual reports submitted in 1995 will include an update on a jurisdiction's progress toward meeting the waste diversion requirements. Achievement of the 1995 diversion requirements will be based on total 1995 disposal tonnage (i.e., January 1, 1995 - December 31, 1995). Therefore, annual reports submitted to the Board after 1995 will contain data on the achievement of the mandated diversion requirements.

HHWE Annual Reports

Each jurisdiction is required to submit an annual report to the Board. The report will summarize the household hazardous waste programs selected and implemented. Jurisdictions may use Form 303, Household Hazardous Waste Collection Information when submitting their annual report. Written criteria for evaluating the program's effectiveness; monitoring of accurately maintained records of the volumes and types of household hazardous waste collected; and monitoring the achievement of jurisdiction's objectives in reducing or eliminating household hazardous waste shall also be included in the annual report.

Biennial Review

The Board will conduct an independent review of Board-approved SRREs and HHWEs, along with the annual reports, at least once every two years (PRC Section 41825) to assess each jurisdiction's progress towards meeting the diversion requirements. The Board will determine if SRRE and HHWE programs are being implemented, and if the jurisdiction is meeting the diversion requirements of its SRRE. The Board will take into consideration changes in generation amounts due to adjustment factors, including but not limited to population, economics, climate/weather, disasters, and special events. Board staff will continue to work closely with the jurisdictions to monitor progress and provide assistance.

Other Sources

Board staff, in consultation with local jurisdictions, will investigate the extent a jurisdiction monitored the reductions in solid waste and whether a jurisdiction's SRRE should have been revised in order to meet the requirements of PRC section 41780.

Compliance Measurements

Achievement of the waste diversion requirements is based on a disposal reporting system. Disposal reporting requirements for a jurisdiction are described in 14 CCR, Chapter 9, Sections 18800-18813. A jurisdiction will determine tonnage of solid waste disposed from January 1, 1995 to December 31, 1995 and shall use this disposal amount for purposes of measuring achievement of the 25% diversion requirement. A jurisdiction shall also determine the tonnage of solid waste disposed from January 1, 2000 to December 31, 2000 and shall use this disposal amount for purposes of measuring achievement of the 50% diversion requirement.

A jurisdiction will be able to measure its progress toward achieving the waste diversion requirements by comparing its total 1995 disposal tonnage to the estimated 1995 generation amount.

The total amount of waste disposed in 1995 should not be more than 75% of the estimated 1995 generation amount (the adjusted base-year waste generation amount), after adjusting for: (1) any excluded "restricted" waste types (see Appendix C, "Policy on Base-Year Diversion Claims for Restricted Waste Types," adopted by the Board on December 15, 1993) in the base-year; and (2) changes in economics or population; (3) disaster-related wastes; and (4) and other factors that affect waste generation.

Waste diversion measurements for jurisdictions with a Board-approved "Petition for Reduction" will be based on the Board-approved level of diversion. For example, a jurisdiction with a reduced diversion requirement of 15% should have a 1995 disposal rate not exceeding 85% of their base-year generation, after accounting for the adjustments mentioned above.

Criteria for Measuring Diversion Requirements

Staff recommend using the following criteria to determine whether the diversion requirements have been achieved. Information will be obtained from the annual report, information provided by the jurisdiction, and other sources as necessary.

Meeting Diversion Requirements

- Is that portion of the base-year waste generation amount made up of restricted materials diversion (agricultural wastes, inert solids, scrap metals and/or white goods) approved by the Board?

- Is the base-year generation amount adjusted using the Board-adopted adjustment method?

- Is the total 1995 or 2000 disposal amount reported in the jurisdiction's annual report equal to or less than the maximum amount of disposal allowable to meet the diversion requirements of PRC Section 41780, or reduced Board-approved diversion requirements?

  - → Is the adjusted total 1995 or 2000 disposal amount equal to or less than 75 percent or 50 percent, respectively, of its adjusted base-year waste generation amounts?

  - → If the jurisdiction is a regional agency, is the adjusted sum total 1995 or 2000 disposal amount for all the member jurisdictions equal to or less than 75 percent or 50 percent, respectively, of the adjusted base-year waste generation amounts?

- If the total 1995 or 2000 disposal amount is greater than the maximum allowable disposal tonnage, as determined using the method described in statute, did the jurisdiction implement the diversion programs selected in their SRRE?

Not Meeting Diversion Requirements

- If the total 1995 or 2000 disposal amount is greater than the maximum allowable disposal tonnage, as determined using the method described in statute, how much greater is it?

ENFORCEMENT

The preceding sections entitled "SRRE Implementation" and "HHWE Implementation" outline the criteria Board staff recommend using to determine implementation. This section outlines the enforcement processes recommended to be used by the Board.

Steps Toward Compliance

The Board's biennial reviews will be used to assess implementation of the SRRE and HHWE. After the biennial review has been conducted, and if the Board believes that a jurisdiction is failing to implement its SRRE or HHWE, then the Board will hold a public hearing. To the extent possible, this hearing will be held in the local or regional agency's jurisdiction. The purpose of this hearing will be to hear testimony on the element and the deficiencies identified by the Board.

If the Board finds, after the public hearing, that a jurisdiction has failed to implement its SRRE and/or HHWE, the Board will issue an Order of Compliance, including a compliance schedule. The compliance order will identify the programs of the SRRE and/or HHWE which are not being implemented or attained by the jurisdiction, or identify areas of the SRRE and/or HHWE which require revision. Staff recommend that the Board set a specific schedule for the jurisdiction to act on these findings, to be determined on a case-by-case basis.

If the jurisdiction failed to meet the diversion requirements due to the inability to count the excluded wastes (agricultural waste, inert solids, scrap metals and white goods), PRC Section 41850(b) states that in determining the amount of any penalties imposed, including penalties imposed due to the exclusion of solid waste pursuant to PRC section 41781.2 which results in a reduction in the quantity of solid waste diverted by a city or county, the Board shall consider only those relevant circumstances which have prevented a city or county from meeting the diversion requirements. Therefore, the Board shall take that

into consideration when deciding whether to impose penalties if the diversion amount is reduced because the jurisdiction cannot count all or part of the four excluded waste types, identified above.

Statutory Relief Considerations

The preceding criteria will be used to recommend to the Board whether a jurisdiction has implemented their SRRE or HHWE. Civil penalties of up to $10,000 per day per SRRE and HHWE may be levied on jurisdictions failing to implement these elements; however, statute allows the Board to consider the following circumstances when determining the amount of the civil penalty.

- Disasters or acts of nature, such as the Northridge, Ferndale, and Loma Prieta earthquakes, the Oakland Hills and Malibu fires, or the mudslides that are common to California, which result in short-term increases in the amount of wastes sent to landfills and short-to-long-term redirection of city and county personnel who must respond to the health and safety issues resulting from the acts of nature.

- Budgetary conditions within a jurisdiction which could not be remedied by the imposition or adjustment of solid waste fees. Examples include high unemployment, a limited tax base, or existing solid waste contracts that cannot be altered.

- Work stoppages which directly prevent a jurisdiction from implementing its source reduction and recycling element. This may include unanticipated industry closures, closure of privately-owned composting or materials recovery facilities, strikes by city or county labor unions, or work stoppages in private industries that provide support and/or materials to a jurisdiction through a public-private partnership.

- The extent to which a jurisdiction has implemented additional source reduction, recycling, and composting activities to comply with the diversion requirements. This would include the implementation of programs not initially selected in the SRRE, but chosen to make up for an unanticipated diversion shortfall in a selected program or to adjust to meet changes in the composition of the jurisdiction's waste stream.

- The extent to which a jurisdiction is meeting the diversion requirements.

- The extent to which a jurisdiction has made good faith efforts to implement its source reduction and recycling elements or household hazardous waste elements. "Good faith effort" is shown when a city, county, or regional agency has made all reasonable and feasible efforts to implement those programs or activities identified in its SRRE or HHWE, or alternative programs or activities that achieve the same or similar results. A jurisdiction will be required to demonstrate to the Board its good faith efforts. The Board will determine the adequacy of the effort, as described by the city, county or regional agency.

Compliance Order and Schedule

Jurisdictions that the Board determines have not met their diversion requirement, and/or implemented their SRRE and/or HHWE, will be monitored by staff throughout the compliance period. A compliance schedule will be developed by the Board. In determining the appropriate compliance schedule, staff recommend that the Board consider the following:

a) Existing budgetary and/or personnel constraints or other compelling issues within the jurisdiction (for example, time required to solicit proposals, conduct bid processes, establish pilot programs, generate funding);

b) Alternative programs the jurisdiction may undertake to meet the diversion requirements;

c) Local regulatory or zoning conditions that would prohibit or postpone compliance; and

d) Impacts of the compliance schedule to public health and the environment.

Staff recommend that the Board include specific requirements in the compliance schedule to ensure compliance is attained, including, but not limited to, the following:

a) A date by which the jurisdiction will achieve compliance with the requirements set forth by the Board; and

b) A specific monitoring schedule for the Board to assess progress toward compliance.

Time frames for monitoring a jurisdiction's performance may include periodic progress reports of the jurisdiction's efforts to attain compliance.

Penalty Structure

The Board may impose fines only after a jurisdiction fails to adhere to the compliance order and schedule requirements. Fines would be levied according to the cause of failure to implement a SRRE and/or HHWE, as listed below. Staff will recommend to the Board an appropriate level of penalty, based on an analysis of the above-mentioned criteria.

(1) "Serious" failure includes jurisdictions that fail to implement their SRRE or HHWE without reason or justification. The fine recommended for this type of violation would be no less than $5,000 and up to the maximum $10,000 per day.

(2) "Moderate" failure includes jurisdictions that fail to implement their SRRE or HHWE due to mitigating circumstances that have no bearing on natural disasters, budgetary constraints and work stoppages. Mitigating circumstances would be determined on a case-by-case basis by the Board. The fine recommended for this type of violation would be $1,000 to $5,000 per day.

(3) "Minor" failure includes jurisdictions that have implemented some or all programs, but have failed to meet the diversion requirements to some extent. Fines will be based on information provided by jurisdictions as outlined in the above criteria for implementation, and on statutory relief considerations. Fines, if determined to be appropriate, will be decided by the Board on a case-by-case basis, and would range from $1 to up to $1,000 per day.

Not withstanding the above penalty structure, if a jurisdiction demonstrates that it has made a good faith effort to implement its SRRE, including achieving the diversion requirements, the Board, on a case-by-case basis, shall not impose any penalties.

REMOVAL OF PENALTIES

Jurisdictions may only be fined after failing to adhere to the compliance order and schedule. Fines will continue until a jurisdiction has implemented the programs as outlined in the compliance order.

CONCLUSION

Board staff have prepared this report which explains the method and criteria staff recommend using to determine whether local jurisdiction SRREs and HHWEs have been implemented. It also proposes a process that the Board and local jurisdictions would use to achieve compliance with implementation requirements, and the structure of penalties that may be imposed on jurisdictions who fail to implement their SRREs and HHWEs.

APPENDIX A

DEFINITIONS

"Disasters/Acts of Nature" includes the proclamation by the Governor or a local governing body of the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state or local area caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake or other conditions which, by reason of their magnitude, are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city.

Disposal Reporting -- The maximum allowable disposal amount for 1995 is calculated by multiplying the estimated 1995 generation by 75%. Each jurisdiction will compare the calculated maximum allowable 1995 disposal tonnage to the actual 1995 disposal tonnage to determine whether the jurisdiction has met the 25 percent diversion requirement. Each jurisdiction will compare the calculated maximum allowable 2000 disposal tonnage to the actual 2000 disposal tonnage to determine whether the jurisdiction has met the 50 percent diversion requirement. The calculation for determining achievement of the diversion requirements may be modified if a jurisdiction has wastes related to Board-defined unusual circumstances (e.g., earthquakes, fire, or other natural or man-made disasters). Such wastes will be subtracted from the 1995 actual disposal amount. The Board adopted the "Adjustment Method" on June 29, 1994. The adjustment method will be adopted as regulations in 1995.

Estimated generation amounts -- The estimated 1995 generation amount is calculated by adjusting the base-year generation for changes in population and economics. The uniform method for adjusting waste disposal to account for changes in population and economics adjusts the 1995 maximum allowable disposal amount using a combination of the ratios of base-year to target-year population, employment and taxable retail sales factors. Residential waste tonnages are calculated separately from commercial/industrial wastes and then added together, as the factors influence residential and commercial/industrial wastes in a slightly different way.

"Excluded waste types" (also referred to as "restricted waste types") means a jurisdiction's base-year diversion claims for agricultural wastes, inert solids, scrap metals, and white goods

which are disallowed for base-year diversion claims unless the Board receives documentation showing that three specific criteria are met.

"Good Faith Effort" means all reasonable and feasible efforts by a city, county, or regional agency to implement those programs or activities identified in its source reduction and recycling element or household hazardous waste element, or alternative programs or activities that achieve the same or similar results.

"Implementation" means the accomplishment of the program tasks, including the achievement of waste diversion requirements, as identified in each component of the Source Reduction and Recycling Element or Household Hazardous Waste Element.

"Jurisdiction" means the city, county, or regional agency responsible for preparing and implementing the Source Reduction and Recycling Element or Household Hazardous Waste Element.

APPENDIX B

RELEVANT WASTE REDUCTION STATUTES

- PRC Section 40973* states that the regional agency, and not the cities or counties which are member agencies of the regional agency, may be responsible for compliance (Section 41780) if specified in the agreement pursuant to which the regional agency is formed. PRC Section 40973(c) states that if all member jurisdictions of a regional agency are rural cities or rural counties, as defined, respectively, in PRC Sections 40183-40184, the regional agency may be eligible for a reduction of the diversion requirements of PRC Section 41780.

- PRC Section 40974 states that notwithstanding PRC Section 40972, each city or county which is a member agency of a regional agency is liable for any civil penalties which may be imposed by the Board pursuant to PRC Section 41813 or 41850. However, an agreement which establishes a regional agency may apportion any civil penalties between or among the cities or counties which are member agencies of the regional agency if the total amount of civil penalties which may be imposed against the regional agency is equivalent to that amount which is the sum of the penalties which may be imposed against each city or county which is a member agency of the regional agency.

- PRC Section 41780 requires jurisdictions to reduce the amount of waste sent to landfills by 25 percent by 1995 and 50 percent by the year 2000.

- PRC Section 41782* allows the Board to make adjustments to the amounts reported pursuant to subdivisions (a) and (c) of PRC Section 41821.5, if the city, county, or regional agency demonstrates, and the Board concurs, based on substantial evidence in the record, that achievement of the diversion requirements of PRC Section 41780 is not feasible due to the fact that a medical waste treatment facility, as defined in Health and Safety Code Section 25025(a), untreated medical waste, which was generated outside of the jurisdiction, for purposes of treatment, and the medical waste, when treated, becomes solid waste.

- PRC Section 41783* allows a jurisdiction submitting a SRRE after January 1, 1995, to include diversion of not more than 10 of the 50 percent diversion requirement through transformation if statutory requirements are met.

- PRC Section 41783.1* allows a jurisdiction submitting a SRRE after January 1, 1995, to include diversion of not more than 10 percent of the 50 percent diversion requirement through biomass conversion if all statutory conditions are met.

- PRC Section 41820 allows the Board to grant a one-year time extension from the requirements of PRC Section 41780 to any city or county if statutory conditions are met.

- PRC Section 41825* states that at least once every two years, the Board shall review each city, county, or regional agency SRRE and HHWE. If, after a public hearing, which, to the extent possible, is held in the local or regional agency's jurisdiction, the Board finds that the city, county, or regional agency has failed to implement its SRRE or its HHWE, the Board shall issue an order of compliance with a specific schedule for achieving compliance. The compliance order shall include those conditions which the Board determines to be necessary for the local agency or regional agency to complete in order to implement its SRRE or HHWE.

- PRC Section 41850* allows the Board, after holding a public hearing and issuing an order of compliance, to impose civil penalties of up to ten thousand dollars per day on jurisdictions who fail to implement their SRRE or HHWE. This section describes relevant circumstances which have prevented a jurisdiction from meeting the diversion requirements. This section also describes "good faith efforts".

- PRC Section 41850.5* states that any administrative civil penalty imposed by the Board shall be deposited in the Local Government Assistance Account. Funds deposited in that account shall be used solely for the purposes of assisting local governments in complying with the diversion requirements.

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* Denotes changes to statute as a result of the passage of AB 688.

APPENDIX C

GUIDANCE ON MEETING CRITERIA FOR BASE-YEAR DIVERSION CREDIT

To receive base-year diversion credit, a city, county or regional agency must satisfy the three criteria in PRC Section 41781.2. The section only pertains to the calculation of base-year diversion, therefore it only applies to diversion activities occurring before January 1, 1990. Only base-year diversion of these materials is restricted; diversion of these materials after 1990 is not. Public Resources Code Section 41781.2. is reproduced below in its entirety.

> 41781.2. (a)(1) It is the intent of the legislature in enacting this section not to require cities, counties, and regional agencies to revise source reduction and recycling elements prior to their submittal to the board for review and approval, except as the elements would otherwise be required to be revised by the board pursuant to this part. Pursuant to Sections 41801.5 and 41811.5, compliance with this section shall be determined by the board when source reduction and recycling elements are submitted to the board pursuant to Section 41791.5. However, any city or county may choose to revise its source reduction and recycling element or any of its components prior to Board review of the source reduction and recycling element for the purpose of complying with this section.
> (2) It is further the intent of the Legislature in enacting this section to ensure that compliance with the diversion requirements of Section 41780 shall be accurately determined based upon a correlation between solid waste which was disposed of at permitted disposal facilities and diversion claims which are subsequently made for that solid waste.
> (b) For the purposes of this section, the following terms have the following meaning:
> (1) "Action by a city, county, regional agency or local governing body" means franchise or contract conditions, rate or fee schedules, zoning or land use decisions, disposal facility permit conditions, or activities by a waste hauler, recycler, or disposal facility operator acting on behalf of a city, county, regional agency, or local governing body, or other action by the local governing body, if the local government action is specifically related to the claimed diversion.
> (2) "Scrap metal" includes ferrous metals, nonferrous metals, aluminum scrap, other metals, and auto bodies, but does not include aluminum cans, steel cans, or bimetal cans.
> (3) "Inert solids" includes rock, concrete, brick, sand, soil, fines, asphalt, and unsorted construction and demolition waste.

(4) "Agricultural wastes" includes solid wastes of plant and animal origin, which result from the production and processing of farm or agricultural products, including manures, orchard and vineyard prunings, and crop residues, which are removed from the site of generation for solid waste management. Agriculture refers to SIC Codes 011 to 0291, inclusive.

(c) For purposes of determining the base amount of solid waste from which the diversion requirements of this article shall be calculated, "solid waste" does not include the diversion of agricultural wastes; inert solids, including inert solids use for structural fill; discarded, white-coated, major appliances; and scrap metals; unless all of the following criteria are met:

(1) The city, county, or regional agency demonstrates that the material was diverted from a permitted disposal facility through an action by the city, county, or regional agency which specifically resulted in the diversion.

(2) The city, county or regional agency demonstrates that, prior to January 1, 1990, the solid waste which is claimed to have been diverted was disposed of at a permitted disposal facility in the quantity being claimed as diversion. If historical disposal data is not available, that demonstration may be based upon information available to the city, county or regional agency which substantiates a reasonable estimate of disposal quantities which is as accurate as is feasible in the absence of the historical disposal data.

(3) The city, county or regional agency is implementing and will continue to implement, source reduction, recycling, and composting programs, as described in its source reduction and recycling element.

(d) If a city, county, or regional agency source reduction and recycling element submitted pursuant to this chapter includes the diversion of any of the waste specified in subdivision (c) for years preceding the year commencing January 1, 1990, that diversion shall not apply to the diversion requirements of Section 41780, unless the criteria in subdivision (c) are met.

(e) If a city, county or regional agency source reduction and recycling element submitted pursuant to this chapter does not contain information sufficient for the city, county, or regional agency to demonstrate to the board whether the criteria in subdivision (c) have been met, the city, county, or regional agency may provide additional information following board review of the source reduction and recycling element pursuant to section 41791.5. In providing the additional information, Sections 41801.5 and 41811.5 shall apply.

(f) In demonstrating whether the requirements of paragraph

(1) of subdivision (c) have been met, the city, county or regional agency shall submit information to the board on local government programs which are specifically related to the claimed diversion.

Jurisdictions that wish to include base-year diversion of restricted waste types must submit documentation which satisfies the three criteria and demonstrates the material was both disposed and diverted prior to 1990. A summary of criteria is: 1) the diversion was a direct result of jurisdiction action; 2) the diversion claimed equals the amount disposed; and 3) a jurisdiction is fully implementing the diversion programs described in its Source Reduction and Recycling Element (SRRE).