STATE OF CALIFORNIA

Pete Wilson, Governor

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

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

Meeting of the

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

REGULAR MONTHLY BUSINESS MEETING

Tuesday, February 21, 1995
3:00 p.m.
Local Facility Tour

Wednesday, February 22, 1995
9:00 a.m.
La Quinta City Hall
Council Chambers
78-495 Calle Tampico
La Quinta, CA 92253

Thursday, February 23, 1995
9:00 a.m.
Local Facility Tour

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 20 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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THE FOLLOWING WILL TAKE PLACE ON TUESDAY, FEBRUARY 21, 1995, AT 3:00 PM:

1. LOCAL FACILITY TOUR

THE FOLLOWING ITEMS WILL BE CONSIDERED ON WEDNESDAY, FEBRUARY 22, 1995, AT 9:00 AM:

2. REPORTS OF THE BOARD'S COMMITTEES

3. REPORT FROM THE EXECUTIVE DIRECTOR

4. PRESENTATIONS BY LOCAL OFFICIALS

5. PRESENTATIONS BY CALIFORNIA REFUSE REMOVAL COUNCIL

6. PRESENTATION OF 1994 WASTE REDUCTION AWARDS PROGRAM (WRAP) WINNERS

7. CONSIDERATION OF CONSENT AGENDA ITEMS

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OTHER

56. OPEN DISCUSSION

THE FOLLOWING WILL TAKE PLACE ON THURSDAY, FEBRUARY 23, 1995, AT 9:00 AM:

56. LOCAL FACILITY TOUR

57. 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

WEDNESDAY-SATURDAY, FEBRUARY 22-25, 1994
LA QUINTA, CALIFORNIA
ANNUAL CONVENTION OF THE
CALIFORNIA REFUSE REMOVAL COUNCIL

NO OFFICIAL BUSINESS WILL BE CONDUCTED, BUT A QUORUM OF BOARD MEMBERS MAY BE PRESENT AT CONVENTION ACTIVITIES.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

AGENDA ITEM 8

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the Mid-Valley (Fontana) Landfill, San Bernardino County

COMMITTEE ACTION:

The Permitting and Enforcement Committee's recommendations regarding this project were not available at the time this item went to print.

BACKGROUND:

Facility Facts

Name:	Mid-Valley Landfill, Facility No. 36-AA-0055
Facility Type:	Class - III Sanitary Landfill
Location:	3 miles north of the City of Fontana in the incorporated area of the City of Rialto, on the corner of Sierra Avenue and Highland Avenue
Area:	147 acres, 142 acres used currently for landfilling, 5 acres used for ancillary facilities (recycling area and landfill gas flare)
Setting:	Surrounding land uses within 1000' include limited and general manufacturing, residential, and community mixed use
Permitted Daily Capacity:	Approximately 280 tons per day
Proposed Daily Capacity:	An average of 1821 and peak of 4000 tons per day
Operational Status:	60-acre parcel has been active since 1958, and the 82-acre parcel has been active since 1973, permitted since 1978
Waste Type:	Mixed municipal; construction and demolition waste; industrial and commercial wastes; and agricultural wastes

Volumetric Capacity:	24,400,000 cubic yards total capacity, approximately 5,000,000 cubic yards remaining, with a life expectancy of another two and a half years
Owner/Operator:	County of San Bernardino, Solid Waste Management Department Gerry Newcombe, Deputy Director
LEA:	San Bernardino County Department of Environmental Health Services Local Solid Waste Enforcement Agency Ms. Pamella Bennett, Director

Proposed Project

The proposed project would allow the operator to: increase the peak daily tonnage, increase the site capacity, and increase the site personnel and equipment. Additional changes addressed by the proposed project include a change in hours of operation, a change in site acreage; and the addition of environmental controls, a scale house and recycling activities.

Daily permitted maximum tonnage will increase from 280 tons per day of waste to an average of 2642, with a peak of 4000 tons per day of waste. The permitted capacity will increase from 2.2 million cubic yards to 24.4 million cubic yards, which will extend the closure year set forth in the 1978 Solid Waste Facilities Permit (SWFP) from 1985 to April 1997. In the 1978 SWFP, the facility is allowed to operate from 8:00 a.m. to 5:00 p.m., six days a week and the proposed permit would extend the hours to 7:00 a.m. to 5:00 p.m., five days a week and 8:00 a.m. to 5:00 p.m. on Saturday. The facility's original permitted boundary is 160 acres. Due to technology the site is able to be more precisely mapped, resulting in the determination that Mid-Valley Landfill actually consists of 142 acres. The total area of the landfill has not been altered since the original SWFP was issued in 1978 nor does the proposed permit intend to alter the disposal footprint. The proposed permit would decrease the permitted footprint to 142 acres, with five additional acres for ancillary activities. Lastly, environmental controls and monitoring systems, such as landfill gas extraction, monitoring and flare system, and groundwater monitoring wells have been added to the site since the issuance of the 1978 SWFP.

This revision does not include a vertical or lateral expansion. Although the 1978 SWFP did not define vertical limits, it did define the lateral limits of fill, or acreage. The proposed revised permit will define the limits of the fill vertically and laterally.

SUMMERY:

Site History The county has owned and operated this landfill since 1958. In 1978, Mid-Valley Landfill was permitted as what is known today as a Class-III landfill by the state Solid Waste Management Board. The permit allowed an average of 280 tons of waste to be deposited on this 160-acre parcel with a life expectancy of seven years.

The LEA conducted a permit review on October 13, 1989 and later in October 12, 1994 and determined the facility had undergone significant change. The LEA directed the operator to submit an application for permit revision after the October 1989 review. On February 5, 1992, the site was issued a Stipulated Order of Compliance and Agreement (STIP)which expired on August 1, 1992. This STIP was reissued on February 18, 1993, and extended on November 2, 1993, and again reissued on March 28, 1994 and extended on November 15, 1994 with a new expiration date of April 7, 1995.

On November 23, 1992 the City of Rialto wrote a letter to the County requiring the County to obtain a Condition Development Permit. However, the County Counsel later reviewed the request and made the opinion that the County was not required to obtain a Condition Development Permit. According to a conversation with the City of Rialto, the City has accepted the County's legal opinion. However, the City has concerns that the facility is increasing the tonnage, capacity and site life and that the nearby residents have not had an opportunity to respond to the proposed modifications that may impact them.

Project Description: Mid-Valley Landfill is located approximately three miles north of the City of Fontana in the incorporated area of the City of Rialto. Land use in the surrounding environment, extending 1000 feet from the site's boundary, has remained relatively unchanged over the past twelve years except to the south where residential housing has developed. Land use designations in all directions, except to the south, have remained industrial and only one or two new industrial facilities have been developed. Residential housing 700 feet to the south has been developed. Additionally, in the City of Rialto, approximately 2000 feet from the landfill there is an additional residential development.

Beyond 1000 feet, the Rialto Municipal Airport is located 6300 feet from the landfill. Due to the proximity of the airport to the landfill the Federal Aviation Administration (FAA) Order No. 5200.5 A, "Waste Disposal Sites on or Near Airports" applies to the Landfill. The County complied with this order by preparing and submitting a report, *Report of Demonstration Compliance*, in September 1994. The report addressed the three areas necessary to comply with the FAA regulations: 1) notify the airport and the FAA of the construction plans near the airport; 2) perform biological assessment of existing bird conditions and populations at the landfill; 3) preform a historical record search of the bird hits and near misses at the airport. The *Report of Demonstration Compliance* concluded that the landfill and surrounding areas are not a prime habitat for birds. Further, the current operations appear to effectively control birds.

The landfill's active face is covered with at least six inches of soil after every operating day. The operator uses the area fill method to operate the landfill. Two scenarios have been developed to predict the sites projected daily tonnages and site capacity. One scenario assumes the waste generation area remains the same. The second scenario assumes the facility will accept the its present waste stream plus half of Milliken Landfill's waste stream when that facility runs out of capacity.

The proposed permit will only allow the facility to operate until April 1997, consistent with the California Environmental Quality Act (CEQA) document. However, the two site life projections based on capacity are November 1999 and March 2002, respectively. Assuming the second scenario mentioned above the average daily throughput is expected to increase to 1760 tons per day over the next five years.

Refuse comes to the facility in collection trucks and public vehicles. Vehicles carrying waste are stopped at the scalehouse and weighed. Waste loads are also checked for recyclable material, and visually checked for hazardous materials, prior to being directed to proceed to the working face, where the waste is unloaded at the toe of the previous cell. The refuse collection trucks and private vehicles are directed by traffic flow personnel to unload in separate, yet, confined areas. A dozer spreads the waste approximately two feet deep across the working face, then compacts the waste by making several passes over the refuse. At least one employee, trained in hazardous waste load checking, is present at the tipping area to watch each customer unload to ensure no hazardous waste enters the landfill.

Tires are received randomly on a daily basis. Waste tires are separated from the waste stream and stockpiled temporarily away from the active face. On a routine basis the waste tires will be removed by a licensed hauler for off-site recycling or use as fuel in cement plant kilns.

Subsurface records show where asbestos was landfill in the north section of the landfill, but is no longer accepted.

Before the end of the working day the working face is covered with at least 6 inches of compacted soil. Daily and intermediate cover is currently imported from an off-site source located four miles from the site. A approximately 20,000 cubic yards of cover materials are imported and stockpiled each month. Areas anticipated to remain inactive for 180 days are covered with at least 12 inches of compacted soil.

Environmental Controls Environmental control measures for impacts from potential problems of dust, litter, noise, odor, vectors, fire, drainage, groundwater and landfill gas control and monitoring associated with the landfill are addressed in the Report of Disposal Site Information as follows:

Noise levels of the on-site operating equipment are controlled by proper maintenance of mufflers. Although there are receptors within 1000 feet of the landfill, no complaints regarding noise have been received. All equipment will be maintained and in good mechanical condition.

Potential odors associated with refuse are controlled by the application of cover material. The working face will be kept small so as to minimize the area of exposed waste. Additionally, the operator will monitor for landfill gas on a quarterly basis.

Permanent litter fences at various locations around the landfill and portable litter fences are deployed around the active disposal area. The working area and site are policed regularly to pick up any accumulated litter. Operations are often moved during high wind conditions to a location that can provide some wind shielding, and additional litter crews are dispatched. Loads entering the site are required to be covered.

Dust is controlled by well maintained access roads and frequent watering. The road from the site entrance up to the landfill is paved with asphalt. Spraying water on the internal roads, tipping area and cover excavation areas, by a water truck, is conducted several times a day, when conditions might cause the formation of dust.

Voids within the daily cell, which could produce rodent and insect harborage, are minimized by multiple spreading and compacting of waste and cover. If pest activity is noted by site personnel, then traps, poisons, or sprays are utilized to control vectors.

Birds are controlled through the use of various noise-making devices, such as propane cannons, electronic noise makers, and bird whistle guns, that are designed to keep birds from landing on or near the working face. To address the issue of bird use at the landfill, a *Report of Demonstration Compliance* was prepared in September 1994, for submittal to the FAA. Preparation for the report included a field study where numbers and types of birds using the landfill as a food source or for resting were documented. The report concluded that the landfill and surrounding areas are not a prime habitat for birds. Current operations are designed to reduce or eliminate the attraction of birds and other vectors. Operational methods include frequent covering of wastes with soil, minimizing the working face area, and use the bird dispersion techniques.

The scale house and landfill vehicles and equipment are equipped with fire extinguisher. Landfill equipment and vehicles are frequently cleaned to remove oil and grease buildup, and debris and dust from under carriages and engine compartments. Any fire occurring accidentally on the active face of the landfill will be extinguished by the landfill personnel using soil and the water truck. The Rialto and Fontana city fire departments will be contacted if the fire cannot be controlled by on-site personnel and equipment.

The facility's drainage design is planned to direct stormwater runoff away from the landfill in an expedient manner to minimize the potential for leachate production and to protect the site from erosion. The design includes benches and downdrains to collect runoff from the operating deck area and side slopes to perimeter channels for conveyance off-site. The run-on drainage area is limited, by the topography of the surrounding land. The potential run-on is channeled around the landfill by a perimeter drainage ditch.

At least one employee, trained in hazardous waste load checking, is present at the tipping area to watch each customer unload. The employee's job is to identify and remove household hazardous waste the from waste stream and inspect several incoming collection trucks. They also log any vehicle which is seen dumping any hazardous waste. Any hazardous waste incident would be handled by the County's Hazardous Waste Response Team.

The landfill gas extraction system has been operating since April 1991. Probes are in place in order to determine the effectiveness of the landfill gas extraction system in controlling lateral subsurface mitigation of gas. A Notice of Violation was issued by the South Coast Air Quality Management District on April 8, 1993 and again on May 19, 1994 and a Stipulated Order for Abatement on August 24, 1994. The Notices of Violation and Order were issued because of the operator's failure to control landfill gas migration. Currently, the operator has remedied the problem and no problems were encountered during the most recent LEA and Board staff joint inspection.

Resource Recovery The facility proposes the separation of tires, construction/demolition debris, wood waste, used mattresses, appliances, waste tires, and salvaging of bulky items. Recyclable materials will be moved off site on a schedule approved by the LEA.

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 January 9, 1995 the last day the Board may act is March 10, 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 Plan

   On October 19, 1992, the San Bernardino County Board of Supervisors adopted Resolution Number 92-241 approving Mid-Valley Landfill's site and project description. The LEA has made the determination the facility has complied with the requirement of Public Resources Code 50000, as stated in their letter dated April 15, 1993. Board staff agrees with said determination.

2. Consistency with General Plan

A letter from the City of Rialto Planning Department, dated April 21, 1992 determined that the proposed Mid-Valley Landfill is consistent with the City of Rialto's General Plan and that the landfill is compatible with the surrounding land uses. 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 San Bernardino County 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 adoption of an environmental document and mitigation reporting or monitoring program, when applicable.

The County of San Bernardino Planning Commission (County) prepared a Mitigated Negative Declaration (ND), SCH # 91042005, for the proposed project. As required by the California Environmental Quality Act (CEQA), the ND identified the project's potential significant environmental impacts and provided mitigation measures that would reduce those impacts to less than significant levels. Board staff reviewed the ND and provided comments to the County. The project was adopted as approved by the Lead Agency and a Notice of Determination (NOD) was filed on June 26, 1992.

A Mitigation Monitoring and Compliance Program (MMCP) was submitted to the Board. Potential environmental impacts and mitigation measures associated with the Mid-Valley Landfill, are identified and incorporated in the MMCP.

After reviewing the environmental documentation for the project, Board staff have determined that, the Negative Declaration is adequate and appropriate for the Board's use in evaluating the proposed permit.

5. Consistency with State Minimum Standards

The LEA and Board staff have determined that the facility's design and operation are in compliance with the State Minimum Standards for Solid Waste Handling and disposal based on a review of the submitted Report of Disposal Site Information and addenda thereto and upon monthly site inspections. The most recent LEA and Board staff joint inspection was conducted on January 19, 1995, and the facility was found in compliance with all State Minimum Standards.

6. Closure/Post Closure Maintenance Plans and Financial Mechanism Requirements

Title 14, California Code of Regulations (CCR), Section 18268 requires Closure and PostClosure Plans for landfills. The operator submitted Preliminary Closure Plans on June 23, 1994. Board staff have reviewed these plans and deemed them complete on July 22, 1994.

The County of San Bernardino has established an enterprise fund and pledge of revenue as the financial assurance mechanisms for closure and post closure maintenance of the Mid-Valley Landfill. The mechanisms meet the requirements of Title 14, CCR, Division 7, Chapter 5, Article 3.5, section 18285 and 18290. The enterprise fund balance is at an acceptable level consistent with 14 CCR section 18282(b)(2).

7. Operating Liability

The County of San Bernardino has submitted a Certificate of Self-Insurance and Risk Management to demonstrate operating liability coverage for Mid-Valley Landfill. The Certificate of the Self-Insurance meets the requirements of Title 14, CCR, section 18237.

STAFF RECOMMENDATION:

Because a revised 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. 95-41 concurring in the issuance of Solid Waste Facilities Permit No. 36-AA-0055.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Vicinity Map
4. Permit No. 36-AA-0055
5. AB2296 Finding of Conformance
6. Permit Decision No. 95-41

Prepared by: G. Anderson/S. Hambleton 2/8 Phone:255-2437

Reviewed by: Don Dier, Jr. 2/8/95 Phone:255-2453

Reviewed by: Douglas Okumura 2.9.95 Phone:255-2431

Legal Review: Kathryn J. Jobras 2/9/95 Phone:255-2188

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
February 14, 1995

AGENDA ITEM 18

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the Mid-Valley (Fontana) Landfill, San Bernardino County

BACKGROUND:

Facility Facts

Name:	Mid-Valley Landfill, Facility No. 36-AA-0055
Facility Type:	Class - III Sanitary Landfill
Location:	3 miles north of the City of Fontana in the incorporated area of the City of Rialto, on the corner of Sierra Avenue and Highland Avenue
Area:	147 acres, 142 acres used currently for landfilling, 5 acres used for ancillary facilities (recycling area and landfill gas flare)
Setting:	Surrounding land uses within 1000' include limited and general manufacturing, residential, and community mixed use
Permitted Daily Capacity:	Approximately 280 tons per day
Proposed Daily Capacity:	An average of 1821 and peak of 4000 tons per day
Operational Status:	60-acre parcel has been active since 1958, and the 82-acre parcel has been active since 1973, permitted since 1978
Waste Type:	Mixed municipal; construction and demolition waste; industrial and commercial wastes; and agricultural wastes

Volumetric Capacity:	24,400,000 cubic yards total capacity, approximately 5,000,000 cubic yards remaining, with a life expectancy of another two and a half years
Owner/Operator:	County of San Bernardino, Solid Waste Management Department Gerry Newcombe, Deputy Director
LEA:	San Bernardino County Department of Environmental Health Services Local Solid Waste Enforcement Agency Ms. Pamella Bennett, Director

Proposed Project

The proposed project would allow the operator to: increase the peak daily tonnage, increase the site capacity, and increase the site personnel and equipment. Additional changes addressed by the proposed project include a change in hours of operation, a change in site acreage; and the addition of environmental controls, a scale house and recycling activities.

Daily permitted maximum tonnage will increase from 280 tons per day of waste to an average of 2642, with a peak of 4000 tons per day of waste. The permitted capacity will increase from 2.2 million cubic yards to 24.4 million cubic yards, which will extend the closure year set forth in the 1978 Solid Waste Facilities Permit (SWFP) from 1985 to April 1997. In the 1978 SWFP, the facility is allowed to operate from 8:00 a.m. to 5:00 p.m., six days a week and the proposed permit would extend the hours to 7:00 a.m. to 5:00 p.m., five days a week and 8:00 a.m. to 5:00 p.m. on Saturday. The facility's original permitted boundary is 160 acres. Due to technology the site is able to be more precisely mapped, resulting in the determination that Mid-Valley Landfill actually consists of 142 acres. The total area of the landfill has not been altered since the original SWFP was issued in 1978 nor does the proposed permit intend to alter the disposal footprint. The proposed permit would decrease the permitted footprint to 142 acres, with five additional acres for ancillary activities. Lastly, environmental controls and monitoring systems, such as landfill gas extraction, monitoring and flare system, and groundwater monitoring wells have been added to the site since the issuance of the 1978 SWFP.

This revision does not include a vertical or lateral expansion. Although the 1978 SWFP did not define vertical limits, it did define the lateral limits of fill, or acreage. The proposed revised permit will define the limits of the fill vertically and laterally.

SUMMERY:

Site History The county has owned and operated this landfill since 1958. In 1978, Mid-Valley Landfill was permitted as what is known today as a Class-III landfill by the state Solid Waste Management Board. The permit allowed an average of 280 tons of waste to be deposited on this 160-acre parcel with a life expectancy of seven years.

The LEA conducted a permit review on October 13, 1989 and later in October 12, 1994 and determined the facility had undergone significant change. The LEA directed the operator to submit an application for permit revision after the October 1989 review. On February 5, 1992, the site was issued a Stipulated Order of Compliance and Agreement (STIP)which expired on August 1, 1992. This STIP was reissued on February 18, 1993, and extended on November 2, 1993, and again reissued on March 28, 1994 and extended on November 15, 1994 with a new expiration date of April 7, 1995.

On November 23, 1992 the City of Rialto wrote a letter to the County requiring the County to obtain a Condition Development Permit. However, the County Counsel later reviewed the request and made the opinion that the County was not required to obtain a Condition Development Permit. According to a conversation with the City of Rialto, the City has accepted the County's legal opinion. However, the City has concerns that the facility is increasing the tonnage, capacity and site life and that the nearby residents have not had an opportunity to respond to the proposed modifications that may impact them.

Project Description: Mid-Valley Landfill is located approximately three miles north of the City of Fontana in the incorporated area of the City of Rialto. Land use in the surrounding environment, extending 1000 feet from the site's boundary, has remained relatively unchanged over the past twelve years except to the south where residential housing has developed. Land use designations in all directions, except to the south, have remained industrial and only one or two new industrial facilities have been developed. Residential housing 700 feet to the south has been developed. Additionally, in the City of Rialto, approximately 2000 feet from the landfill there is an additional residential development.

Beyond 1000 feet, the Rialto Municipal Airport is located 6300 feet from the landfill. Due to the proximity of the airport to the landfill the Federal Aviation Administration (FAA) Order No. 5200.5 A, "Waste Disposal Sites on or Near Airports" applies to the Landfill. The County complied with this order by preparing and submitting a report, *Report of Demonstration Compliance*, in September 1994. The report addressed the three areas necessary to comply with the FAA regulations: 1) notify the airport and the FAA of the construction plans near the airport; 2) perform biological assessment of existing bird conditions and populations at the landfill; 3) preform a historical record search of the bird hits and near misses at the airport. The *Report of Demonstration Compliance* concluded that the landfill and surrounding areas are not a prime habitat for birds. Further, the current operations appear to effectively control birds.

The landfill's active face is covered with at least six inches of soil after every operating day. The operator uses the area fill method to operate the landfill. Two scenarios have been developed to predict the sites projected daily tonnages and site capacity. One scenario assumes the waste generation area remains the same. The second scenario assumes the facility will accept the its present waste stream plus half of Milliken Landfill's waste stream when that facility runs out of capacity.

The proposed permit will only allow the facility to operate until April 1997, consistent with the California Environmental Quality Act (CEQA) document. However, the two site life projections based on capacity are November 1999 and March 2002, respectively. Assuming the second scenario mentioned above the average daily throughput is expected to increase to 1760 tons per day over the next five years.

Refuse comes to the facility in collection trucks and public vehicles. Vehicles carrying waste are stopped at the scalehouse and weighed. Waste loads are also checked for recyclable material, and visually checked for hazardous materials, prior to being directed to proceed to the working face, where the waste is unloaded at the toe of the previous cell. The refuse collection trucks and private vehicles are directed by traffic flow personnel to unload in separate, yet, confined areas. A dozer spreads the waste approximately two feet deep across the working face, then compacts the waste by making several passes over the refuse. At least one employee, trained in hazardous waste load checking, is present at the tipping area to watch each customer unload to ensure no hazardous waste enters the landfill.

4

Tires are received randomly on a daily basis. Waste tires are separated from the waste stream and stockpiled temporarily away from the active face. On a routine basis the waste tires will be removed by a licensed hauler for off-site recycling or use as fuel in cement plant kilns.

Subsurface records show where asbestos was landfill in the north section of the landfill, but is no longer accepted.

Before the end of the working day the working face is covered with at least 6 inches of compacted soil. Daily and intermediate cover is currently imported from an off-site source located four miles from the site. A approximately 20,000 cubic yards of cover materials are imported and stockpiled each month. Areas anticipated to remain inactive for 180 days are covered with at least 12 inches of compacted soil.

Environmental Controls Environmental control measures for impacts from potential problems of dust, litter, noise, odor, vectors, fire, drainage, groundwater and landfill gas control and monitoring associated with the landfill are addressed in the Report of Disposal Site Information as follows:

Noise levels of the on-site operating equipment are controlled by proper maintenance of mufflers. Although there are receptors within 1000 feet of the landfill, no complaints regarding noise have been received. All equipment will be maintained and in good mechanical condition.

Potential odors associated with refuse are controlled by the application of cover material. The working face will be kept small so as to minimize the area of exposed waste. Additionally, the operator will monitor for landfill gas on a quarterly basis.

Permanent litter fences at various locations around the landfill and portable litter fences are deployed around the active disposal area. The working area and site are policed regularly to pick up any accumulated litter. Operations are often moved during high wind conditions to a location that can provide some wind shielding, and additional litter crews are dispatched. Loads entering the site are required to be covered.

Dust is controlled by well maintained access roads and frequent watering. The road from the site entrance up to the landfill is paved with asphalt. Spraying water on the internal roads, tipping area and cover excavation areas, by a water truck, is conducted several times a day, when conditions might cause the formation of dust.

Voids within the daily cell, which could produce rodent and insect harborage, are minimized by multiple spreading and compacting of waste and cover. If pest activity is noted by site personnel, then traps, poisons, or sprays are utilized to control vectors.

Birds are controlled through the use of various noise-making devices, such as propane cannons, electronic noise makers, and bird whistle guns, that are designed to keep birds from landing on or near the working face. To address the issue of bird use at the landfill, a *Report of Demonstration Compliance* was prepared in September 1994, for submittal to the FAA. Preparation for the report included a field study where numbers and types of birds using the landfill as a food source or for resting were documented. The report concluded that the landfill and surrounding areas are not a prime habitat for birds. Current operations are designed to reduce or eliminate the attraction of birds and other vectors. Operational methods include frequent covering of wastes with soil, minimizing the working face area, and use the bird dispersion techniques.

The scale house and landfill vehicles and equipment are equipped with fire extinguisher. Landfill equipment and vehicles are frequently cleaned to remove oil and grease buildup, and debris and dust from under carriages and engine compartments. Any fire occurring accidentally on the active face of the landfill will be extinguished by the landfill personnel using soil and the water truck. The Rialto and Fontana city fire departments will be contacted if the fire cannot be controlled by on-site personnel and equipment.

The facility's drainage design is planned to direct stormwater runoff away from the landfill in an expedient manner to minimize the potential for leachate production and to protect the site from erosion. The design includes benches and downdrains to collect runoff from the operating deck area and side slopes to perimeter channels for conveyance off-site. The run-on drainage area is limited, by the topography of the surrounding land. The potential run-on is channeled around the landfill by a perimeter drainage ditch.

At least one employee, trained in hazardous waste load checking, is present at the tipping area to watch each customer unload. The employee's job is to identify and remove household hazardous waste the from waste stream and inspect several incoming collection trucks. They also log any vehicle which is seen dumping any hazardous waste. Any hazardous waste incident would be handled by the County's Hazardous Waste Response Team.

The landfill gas extraction system has been operating since April

1991. Probes are in place in order to determine the effectiveness of the landfill gas extraction system in controlling lateral subsurface mitigation of gas. A Notice of Violation was issued by the South Coast Air Quality Management District on April 8, 1993 and again on May 19, 1994 and a Stipulated Order for Abatement on August 24, 1994. The Notices of Violation and Order were issued because of the operator's failure to control landfill gas migration. Currently, the operator has remedied the problem and no problems were encountered during the most recent LEA and Board staff joint inspection.

Resource Recovery The facility proposes the separation of tires, construction/demolition debris, wood waste, used mattresses, appliances, waste tires, and salvaging of bulky items. Recyclable materials will be moved off site on a schedule approved by the LEA.

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 January 9, 1995 the last day the Board may act is March 10, 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 Plan

   On October 19, 1992, the San Bernardino County Board of Supervisors adopted Resolution Number 92-241 approving Mid-Valley Landfill's site and project description. The LEA has made the determination the facility has complied with the requirement of Public Resources Code 50000, as stated in their letter dated April 15, 1993. Board staff agrees with said determination.

2. Consistency with General Plan

A letter from the City of Rialto Planning Department, dated April 21, 1992 determined that the proposed Mid-Valley Landfill is consistent with the City of Rialto's General Plan and that the landfill is compatible with the surrounding land uses. 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 San Bernardino County 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 adoption of an environmental document and mitigation reporting or monitoring program, when applicable.

The County of San Bernardino Planning Commission (County) prepared a Mitigated Negative Declaration (ND), SCH # 91042005, for the proposed project. As required by the California Environmental Quality Act (CEQA), the ND identified the project's potential significant environmental impacts and provided mitigation measures that would reduce those impacts to less than significant levels. Board staff reviewed the ND and provided comments to the County. The project was adopted as approved by the Lead Agency and a Notice of Determination (NOD) was filed on June 26, 1992.

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STAFF RECOMMENDATION:

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Staff recommend that the Board adopt Permit Decision No. 95-41 concurring in the issuance of Solid Waste Facilities Permit No. 36-AA-0055.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Vicinity Map
4. Permit No. 36-AA-0055
5. AB2296 Finding of Conformance
6. Permit Decision No. 95-41

Prepared by: G. Anderson/S. Hambleton THH for SH 1/30/95 Phone: 255-2437

Reviewed by: Don Dier, Jr. DSD 1/31/95 Phone: 255-2453

Reviewed by: Douglas Okumura DSD for DO 1/31/95 Phone: 255-2431

Legal Review: Kathryn J. Tobias 2/6/95 Phone: 255-2188

ATTACHMENT 1

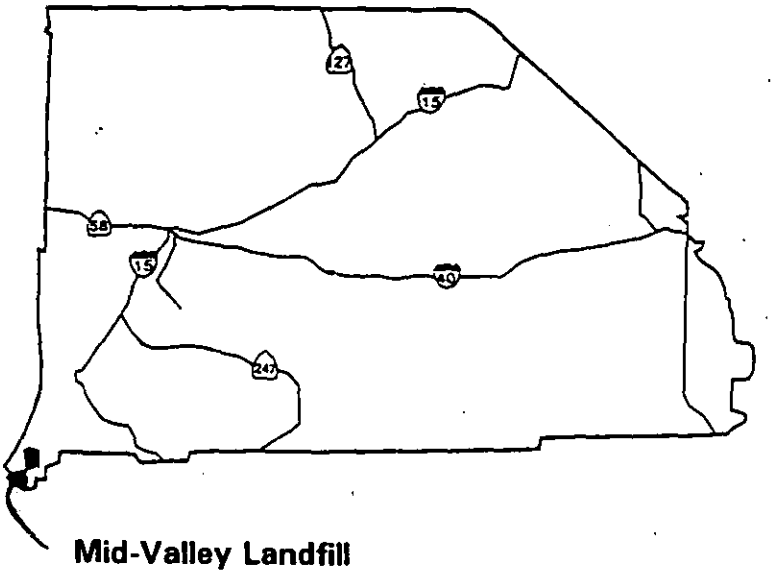


FIGURE 2
LOCATION OF APPLE VALLEY DISPOSAL SITE
SAN BERNARDINO COUNTY, CALIFORNIA

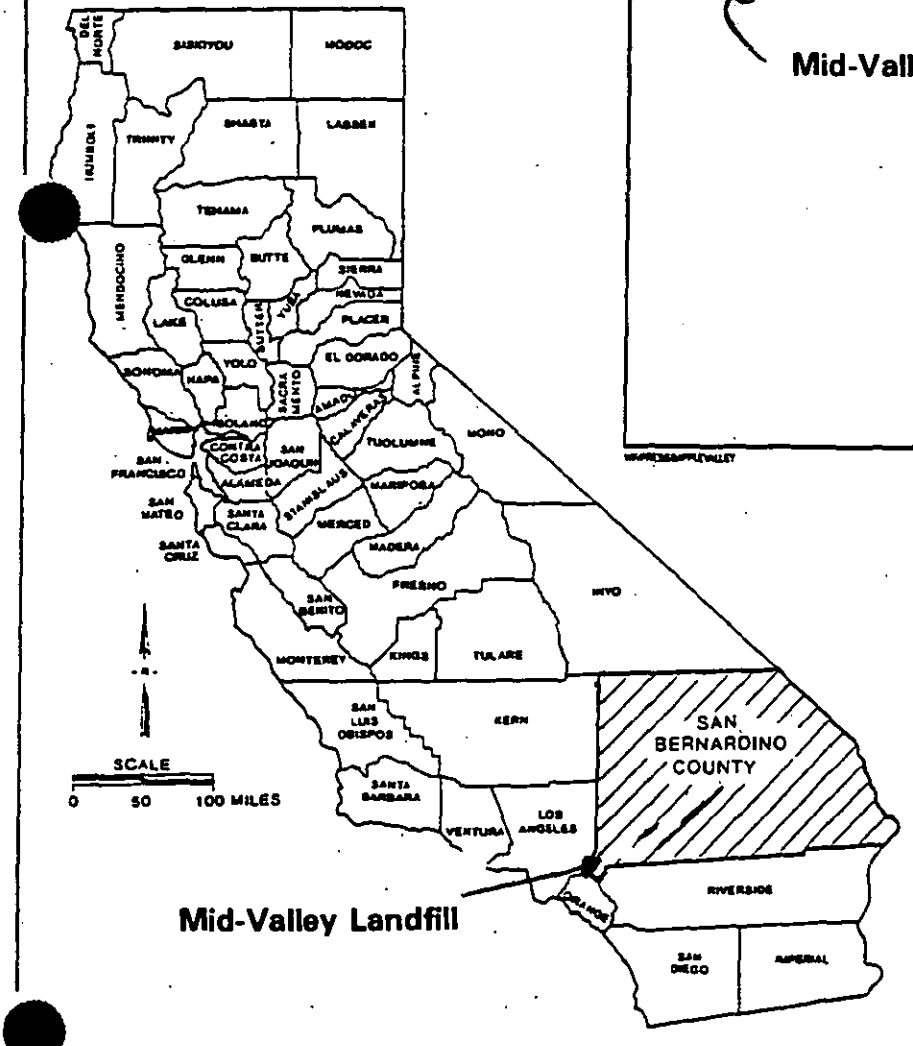


FIGURE 1
LOCATION OF
SAN BERNARDINO COUNTY
APPLE VALLEY DISPOSAL SITE
SAN BERNARDINO, CALIFORNIA

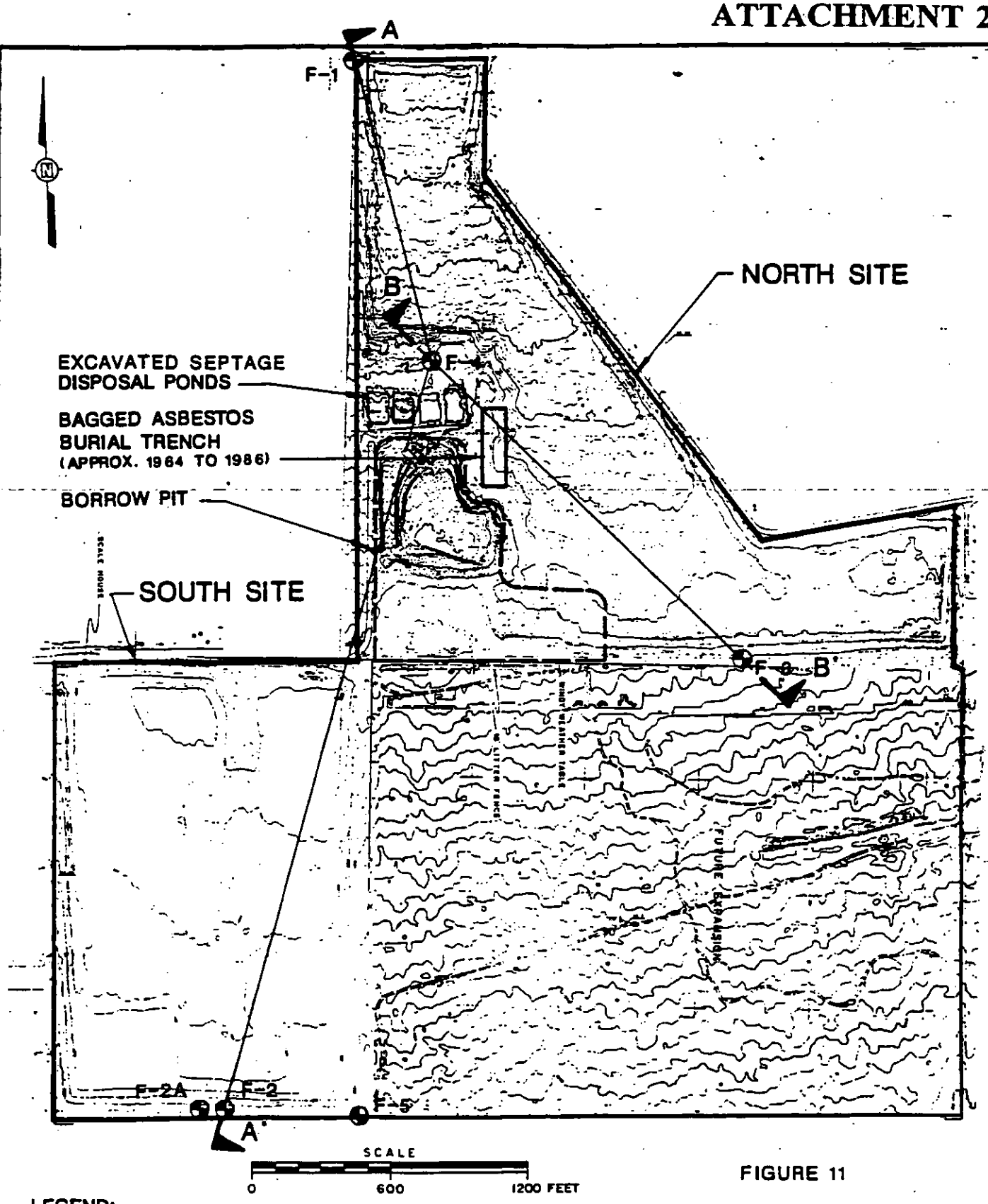


FIGURE 11

CROSS-SECTION LOCATION MAP
FONTANA SITE

PREPARED FOR

SAN BERNARDINO COUNTY
ENVIRONMENTAL PUBLIC WORKS AGENCY

INTERNATIONAL TECHNOLOGY CORPORATION

LEGEND:

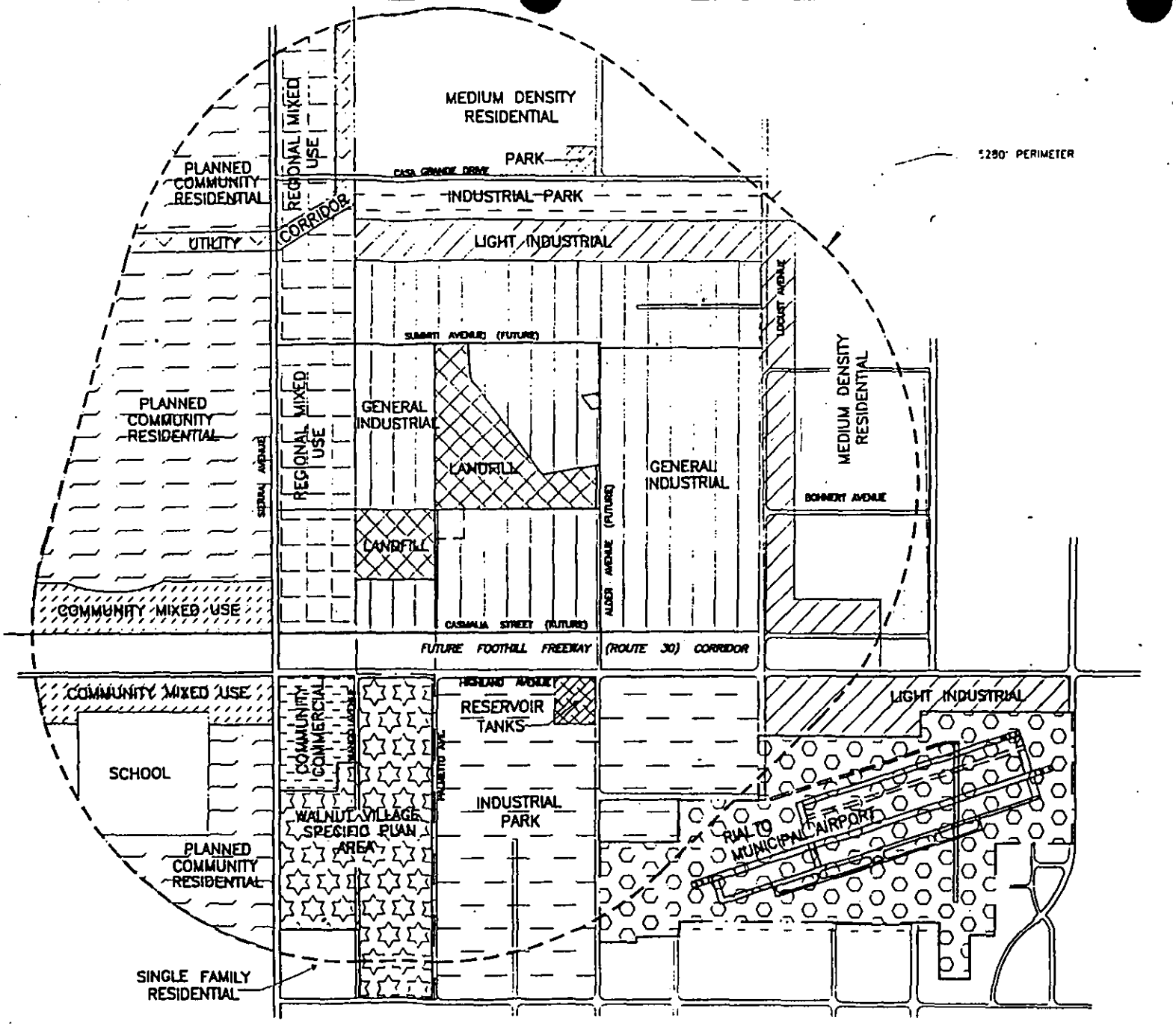
F-1 SWAT MONITORING WELL

A A' LOCATION OF GEOLOGIC CROSS-SECTION

REFERENCE:
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
DATED: 7-14-87; SCALE: 1"=100'

DRAWN BY BJW 6-28-89 | CHECKED BY | APPROVED BY | DRAWING NUMBER 2402 - A375

12



EMCON Associates

SCALE

REPORT OF DEMONSTRATION OF COMPLIANCE
SUBTITLE D, SUBPART B – LOCATION CRITERIA
40 CFR 258.10 – AIRPORT SAFETY

CURRENT/PROPOSED LAND USES

FIGURE 2

PROJECT NO. 174-023.24

ATTACHMENT 3

STATE OF CALIFORNIA
SOLID WASTE FACILITY PERMIT

Facility Permit Number: **36-AA-0055**

2. Name and Street Address of Facility:	3. Name and Mailing Address of Operator:	4. Name and Mailing Address of Owner:
MID- VALLEY (FONTANA) LANDFILL 30 BOHNERT AVE RIALTO, CALIFORNIA 92336	COUNTY OF SAN BERNARDINO SOLID WASTE MANAGEMENT DEPT. 222 E. HOSPITALITY LN, 2ND FLOOR SAN BERNARDINO, CA 92415-0017	COUNTY OF SAN BERNARDINO SOLID WASTE MANAGEMENT DEPT. 222 E. HOSPITALITY LN, 2ND FLOOR SAN BERNARDINO, CA 92415-0017

5. Specifications:

a. Permitted Operations:

[ ] Composting Facility (mixed wastes) [ ] Processing Facility

[ ] Composting Facility (yard waste) [ ] Transfer Station

[X] **Landfill Disposal Site** [ ] Transformation Facility

[ ] Material Recovery Facility [ ] Other: _____

b. Permitted Hours/Days of Operation: **OPEN TO THE PUBLIC:**
7:00 AM TO 5:00 PM - Monday through Friday, and 8:00 AM TO 5:00 PM on Saturday - 306 days/year- Site closed Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day

c. Permitted Tons per Operating Day:

AVERAGE DAILY LOADING 1,821 **Tons/Day**
MAXIMUM DAILY LOADING 4,000 Tons/Day

Non-Hazardous - General — ANY WITHIN MAXIMUM DAILY LOADING TOTAL 4,000 Tons/Day
Non-Hazardous - Liquid Septic/Other — (NONE) Tons/Day
Designated/ Hazardous — (NONE) Tons/Day

d. Permitted Traffic Volume:

AVERAGE TOTAL 1012 **Trips/Day**
UP TO MAXIMUM TOTAL 1112 Trips

Incoming vehicles with waste, cover and/or salvageable materials — ANY WITHIN MAXIMUM TOTAL 1112 Trips/Day
Outgoing vehicles with salvaged materials — WITHIN MAXIMUM TOTAL UP TO 50 Trips/Day

e. Key Design Parameters

	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	142 plus 5*	142	NONE	NONE	NONE	NONE
Design Capacity		24.4 MILLION C.Y.	NONE	NONE	NONE	NONE
Max. Elevation (Ft. MSL) South		1681				
Max. Elevation (Ft. MSL) North		1721				
Estimated Closure Date		April, 1997**				

* The additional 5 acres are to be used for recycling and other ancillary uses only.

** As per 1992 initial study (CEQA). Capacity may exist beyond April, 1997.

This 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

PAMELLA BENNETT, DIRECTOR

7. Enforcement Agency Name and Address:

DEPARTMENT OF ENVIRONMENTAL HEALTH SERVICES - LEA
SAN BERNARDINO COUNTY
385 NORTH ARROWHEAD AVE.
SAN BERNARDINO, CA 92415-0160

8. Received by CIWMB:
JAN 2 9 1995, 1995

9. CIWMB Concurrence Date:
_____, 1995

10. Permit Review Due Date:
_____, 2000

11. Permit Issued Date:
_____, 1995

STATE OF CALIFORNIA SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

36-AA-0055

[illegible]al Description of Facility:

A PORTION OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASELINE & MERIDIAN

13. Findings:

a. Proposed changes in Site Identification & Description in (SI&D) were not identified in the 1986 (latest) San Bernardino County (SBCo) Solid Waste Management Plan. A SBCo Countywide Integrated Waste Management Plan has not been approved. The LEA certifies [pursuant to Public Resources Code (PRC) §50000] that the SBCo Board of supervisors, and a majority of the Councils of Cities/Towns with a majority of the population within the incorporated areas of the County have approved the SI&D.

b. This permit (with proposed changes) is consistent with standards adopted by the CIWMB (pursuant to PRC §44010), including all applicable RCRA Subtitle D requirements incorporated into Title 14 CCR.

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

d. This facility is in compliance with the local fire protection district's requirements, the City of Rialto.

e. A Notice of Determination on proposed changes at the facility was filed with the State Office of Planning and Research (pursuant to PRC § 21081.6), on June 26, 1992.

f. The authorized agent of the local governing body, the San Bernardino County Planning Department, has [pursuant to PRC § 50000.5(a)], determined that proposed changes are consistent with and designated in the applicable general plan.

g. The authorized agent of the local governing body, the San Bernardino County Planning Department, has [pursuant to PRC § 50000.5(b)], found surrounding land use compatible with proposed changes at the facility.

14. Prohibitions:

The permittee is prohibited from accepting any non-hazard waste requiring special handling, designed waste, hazardous waste, or polychlorinated biphenyl (PCB) waste, except for the temporary storage of hazardous/PCB waste inadvertently delivered and detected in [illegible]he hazardous/PCB waste screening/exclusion program, in accordance with all applicable permits, regulations, and statues for such [illegible]emporary storage. The permittee is additionally prohibited from accepting for disposal: asbestos (whether friable or nonfriable), any sewage sludge, whole tires (except in accordance with 14 CCR §17355), metallic discards (except in accordance with PRC §42160 et seq.) and from allowing any open burning or scavenging.

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

[X] Report of Facility Information	11/94
Amendment(s)	01/95
[X] Periodic Site Review	02/91
[X] Waste Discharge Requirements # 89-70	07/89
Amendment (93-57)	09/93
Amendment (94-17)	03/94
amended 04/94	
Amendment (94-34)	04/94
[X] Contract Agreements for operations as amended	04/92
[X] SCAQMD permits	several
[X] SCAQMD Notice and Order # 3838-5	04/94
[X] Notice of Determination -- OPR filing	06/92
[X] Mitigation Monitoring/Reporting (Compliance) Program	11/94
[X] Subtitle D "Footprint" Documentation	10/09/93
[X] DEHS Hazardous Waste Permits, Handling & Generator Permits	various
[X] CAL-DTSC (Generator)ID # CAD982485724	01/26/90
[X] PRC §50000 Certification by LEA	04/9[illegible]
[X] SCAQMD Rule 1150.1 Monitoring Reports	variou
[X] Chapter 15 Monitoring Reports (CRWQCB/SAR)	variou
[X] Planning Department Consistency Finding (County General Plan)/ Compatibility Finding	07/9[illegible]
[X] City of Rialto Consistency & Compatibility Finding	04/9[illegible]
[X] NPDES (Stormwater) Permit # 8-36S005249 Notice of Intent # 91-13-DWQ	05/9-
[X] Financial Assurance Mechanism for Closure, Post-Closure & Corrective Action	07/9[illegible]
[X] Enterprise Fund Letter (Pledge of Revenue)	09/28/9-
[X] Preliminary Closure/Postclosure Plan amended	08/26/9-
[X] Certificate of Self-Insurance	12/17/9[illegible]
[X] County Indemnification Contract (DEHS/SWMD)	08/15/9-

STATE OF CALIFORNIA
SOLID WASTE FACILITIES PERMIT

Facility/Permit Number:

36-AA-0055

16. Self Monitoring: In addition to self-monitoring programs and the California Environmental Quality Act (CEQA) mitigation monitoring and reporting program described in other documents controlling this facility, the following programs shall be reported to the LEA and others as follows:

Program	Reporting Frequency	Agency Reported To
Summary of daily records (in tons/day) per: solid waste received, salvaged/recovered materials leaving site (per type) and daily visual estimate of recovered materials stored on-site (in weight, volume or count per type).	Quarterly *	LEA *
Summary of daily motor vehicle counts (vehicles/day) per vehicle type: entering with solid waste, entering with cover material, and leaving with recovered materials.	Quarterly *	LEA *
Summary of public complaints received, regulatory notices received, and the operator's responses/corrective actions taken.	Quarterly *	LEA *
Summary of entries in Log of Special/Unusual Occurrences and operator's responses/ corrective actions taken.	Quarterly *	LEA *
Summary of record-keeping specified in the Hazardous/PCB/Prohibited Waste Screening/ Exclusion Program including: quantities and types of materials discovered, responses/ corrective actions taken, interim/ final disposition of materials and public education activities.	(per DEHS-Haz-Mat *)	LEA, DEHS-HAZ-MAT *
Vector inspection/control program (as may be specified in the RDSI).	(per SBCVCD *)	LEA, San Bernardino County Vector Control District (SBCVCD) *
Water quality control of contaminants - monitoring, reporting and remediation to include: Waste Discharge Requirements (WDR), Clean-up & Abatement Orders, Workplans, and Remediation Schedules; and NPDES Permits.	(per CRWQCB/SAR *)	LEA, California Regional Water Quality Contol Board, Santa Ana Region (CRWQCB/SAR) *
Management of LFG emissions and migration; and related Air Quality programs including: landfill gas (LFG) monitoring/control/reporting and remediation/Abatement Orders/Workplans (1150.1 and Title 14); and fugitive dust (PM_{10}), and SCAQMD equipment permits.	(per SCAQMD *) (per Title 14*)	LEA, South Coast Air Quality Management District (SCAQMD) *
	(* = Reporting due by the 15th of the month following the end of the reporting period, or when due as specified by the controlling regulatory authority.)	(* = Plus reporting to all other local, stat federal regulatory authority with jurisdiction at the facility.)

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STATE OF CALIFORNIA
SOLID WASTE FACILITIES PERMIT

Facility/Permit Number:

36-AA-0055

17. LEA Conditions:

[NOTE: LEA conditions listed here shall be in addition to conditions of other documents controlling operation of this facility.]

1. The operator shall comply with all State Minimum Standards for Solid Waste Handling and Disposal as specified in Title 14 California Code of Regulations (CCR). The operator shall not operate this facility without possession of all required permits/ regulatory approvals. The operator shall inspect the site at least once each day of operation to ensure compliance with all applicable standards/ conditions/ mitigations/ permits/ regulations.

2. The operator shall comply with all federal, state, and local requirements and enactments including all mitigation and monitoring measures developed in accordance with any certified environmental document filed pursuant to Public Resources Code Section (PRC) §21081.6, and all administrative/ enforcement orders of all regulatory agencies with jurisdiction at this facility.

3. The operator shall maintain a complete copy of this Solid Waste Facilities Permit (SWFP), of all other required regulatory permits and of all regulatory inspection reports, at the facility at a location readily accessible to facility personnel, LEA staff and other regulatory personnel.

4. Additional information concerning the design/ operation of this facility shall be furnished upon request to the LEA and other regulatory personnel.

5. The operator shall notify the LEA in writing [with proposed amendments to the Report of Facility Information (RFI)], at least one hundred fifty (150) days in advance of proposed significant changes (as determined by the LEA), in the design/ operation of the facility to allow for early consultation, completion of all required documents/ due process review/ filing and the completion of all related permitting processes. Such notification shall include changes (including new additions) of: processing/ composting/ baling/ materials recovery facility (MRF)/ transfer station and/or transformation facility, changes in permitted hours/ days of operation, permitted tons/day per category, permitted traffic volumes/day per category, permitted total area, disposal footprint, maximum elevation, maximum depth of waste, and/or estimated closure year, which may be later proposed for this facility.

6. This facility is authorized to conduct limited salvaging and to store recovered materials (if such salvaging/ storage is properly described in the RDSI or amendments thereto) for brief periods of time [not to exceed thirty (30) days for any category of material] and only in closable durable containers or other method as specified by the LEA. Such limited salvaging/ storage shall only be conducted as pre-approved by the LEA to preclude the creation of health hazards or public nuisances. The facility shall not to be used as a composting facility, materials recovery facility (MRF), processing facility, transfer station and/or transformation facility. No nighttime recycling is allowed without prior LEA written approval. No crushing, baling, grinding, mechanical sorting, composting, or other processing shall occur at the facility location except as the LEA may give prior written approval for brief [less than thirty (30) day] experimental/ pilot project type programs.

7. The LEA reserves the right to suspend and/or modify operations at this facility when deemed necessary due to any emergency, potential health hazard, and/or public nuisance.

8. This SWFP is subject to review by the LEA and may be suspended, revoked or modified at any time for sufficient cause.

9. As outlined in Section 16, the operator shall maintain at the facility or other approved location, accurate daily records of the tonnage/day and number of vehicles/day per: incoming solid waste, outgoing recovered material (per category); and an estimate (by weight, volume or count) of the total amount of recovered material (per category) stored on-site for brief periods of time not to exceed (30) days (condition # 6). Such records shall be readily accessible at the facility to the LEA/ other regulatory personnel. A written summary of such tons/day per category, vehicles/day per category, and estimates/day per category, shall be furnished quarterly to the LEA within fifteen (15) days of the end of each quarter.

10. As outlined in Section 16, the operator shall furnish a written summary of all written complaints (including all regulatory notices such as: Notices of Violation, Notice and Orders, Clean-up & Abatement Orders) concerning the facility received by the operator during a quarter, and the operator's responses/ corrective actions taken, to the LEA within fifteen (15) days of the end of each quarter.

11. As outlined in Section 16, the operator shall maintain at the facility or other approved location, a log of special/unusual occurrences (S/U O). The log shall include, but not be limited to: fires, explosions, discharges of unusual waste, significant incidents of personal injury, accidents and/or property damage. Each log entry shall be accompanied by a summary of the responses/ corrective actions taken by the operator to mitigate any negative impacts of each occurrence. Days without incidents of S/U O shall be noted with an appropriate negative entry for such days such as: "No S/U O today". The operator shall maintain this log at the facility in a manner readily accessible to facility personnel and to the LEA/ other regulatory personnel. A written summary of the log entries during a quarter shall be furnished to the LEA within fifteen (15) days of the end of each quarter.

STATE OF CALIFORNIA SOLID WASTE FACILITIES PERMIT

Facility/Permit Number:

36-AA-0055

17. LEA Conditions (continued):

12. The operator shall maintain an LEA approved hazardous/ PCB/ prohibited waste screening/ exclusion (loadchecking) program at the facility which will adequately protect public health and the environment from illegal on-site disposal of hazardous/ PCB/ prohibited wastes. It shall include not less than forty (40) hours per week of on-site loadchecking by personnel trained in such activities. Signs, brochures, and/or other appropriate communication measures shall be utilized by the operator to direct site users to the nearest Household Hazardous Waste (HHW) collection facility, and inform site users of pending HHW Round-up activities scheduled for communities within the site's waste-shed. A written summary of all program activities/ results during a quarter shall be furnished to the LEA within fifteen (15) days of the end of each quarter.

13. The operator shall comply with the requirements of all applicable laws pertaining to employee health and safety including maintaining an up-to-date written CAL-OSHA Injury Illness Prevention Program (IIPP) - (pursuant to Title 8 CCR), on-site and readily available for review by all facility personnel and by the LEA staff and other regulatory personnel. The IIPP shall include a comprehensive training plan, availability of all necessary on-site work/ protection/ safety equipment, and adequate on-site first aid supplies. Whenever personnel are at the facility they shall have immediate radio and/or telephone access to a 911 emergency dispatcher.

14. The operator shall maintain an adequate vector monitoring/control program with updates as directed by the San Bernardino County Vector Control District (SBCVCD).

15. The operator shall comply with all Waste Discharge Requirements, Clean-Up & Abatement Orders, monitoring, remediation schedules and related requirements of the California Regional Water Quality Control Board, Santa Ana Region (CRWQCB/SAR). The operator shall provide in the operating record and to the LEA, a CRWQCB/SAR approved unsaturated zone monitoring program and approved statistical analysis groundwater samples (monitoring data). Degradation of waters connected to this site shall be promptly remediated in the manner specified the CRWQCB/SAR.

16. The operator shall submit information to the LEA indicating compliance with all rules and Abatement Orders of the South Coast Quality Management District (SCAQMD) including: landfill gas (LFG) monitoring/ control (1150.1 compliance), fugitive dust (PM10) control and SCAQMD equipment permits. The operator shall provide in the operating record and to the LEA all LFG monitoring data any Abatement Order, and all collection system improvements. The operator shall take every reasonable precaution to control fugitive dust emissions including the use of water and dust palliatives. All required SCAQMD permits shall be obtained/ retained. The operator shall properly maintain all facility equipment and structures according to the manufacturer's specifications and good engineering/ maintenance practices.

17. The operator shall use all reasonable measures to avoid "taking" of threatened, endangered, rare, and/or sensitive species.

18. The active disposal cell and tipping table shall be at all times sufficiently surrounded by portable litter-control fencing and supported with sufficient litter picking personnel, to preclude significant amounts of litter [greater than one (1) cubic yard uncompacted density] from accumulating off-site. On-sit and off-site litter shall not be allowed to accumulate. The operator shall maintain a high wind closure/reduced operations policy and the facility shall be operated in accordance with the policy.

19. At all times the site perimeter shall be provided with adequate security gates and fencing in good repair (or equivalent effective barriers). Adequate security gates and fencing shall be in good repair.

20. A qualified geotechnical consultant shall prepare a stability analysis of the site, if a slope ratio steeper than three-to-one (3:1) will be utilized at any portion of the site. Any measures required in the geotechnical study to ensure that the landfill does not cause a threat to life or property, shall be implemented. The study shall include an engineering analysis that identifies construction requirements designed to withstand the maximum probable earthquake or maximum credible earthquake (pursuant to Title 23 CCR Chapter 15). The study shall be reviewed and approved by the LEA and the CIWMB prior to its implementation.

21. Waste and cover material shall be spread and compacted utilizing methods to maximize compaction and to decrease the attraction of animals, birds and vectors to the site. Personnel shall not secure the site at the end of the operating day until the operator's inspection confirms that at least six (6) inches of compacted cover has been deposited over all waste.

22. Alternatives to soil cover, shall be reviewed and approved by the LEA prior to their implementation.

STATE OF CALIFORNIA
SOLID WASTE FACILITIES PERMIT

Facility/Permit Number:

36-AA-0055

17. Conditions (continued)

23. The operator/contractor shall take immediate and independent action to prevent and suppress fires on the project area. The facility shall be maintained with a clearance of flammable material for a minimum distance of one hundred fifty (150) feet from the periphery of any exposed flammable solid waste, or additional minimum flammable clearance provisions determined by the local fire protection agency (pursuant to PRC §4373).

24. The operator shall properly equip and maintain noise attenuation and spark arrestor devices (such as mufflers) on all combustion engines utilized at this facility. All equipment components shall be maintained in good mechanical condition and properly operated to prevent excessive noise levels and circumstances capable of starting accidental fires.

25. Adequate noise attenuation buffers shall be installed to reduce noise levels as a result of daytime operation to a sixty (60) dBA threshold are maintained at any point off-site at a distance of one hundred (100) feet from the facility boundary, or if any noise levels are deemed to exceed the prescribed threshold limits for sensitive noise receptors, pursuant to the San Bernardino County (SBCo) General Plan, SBCo Code, Development Code and Guidelines, and/or exceed the City of Rialto and/or the City of Fontana Noise Element Guidelines. Should nighttime recycling operations be approved, the operator shall ensure that a 50 dBA sound level is not exceeded at the nearest sensitive receptor location as a result of such nighttime operation.

26. The operator shall maintain a comprehensive site surface drainage and erosion control plan for the facility, which prevents significant erosion and siltation impacts both on-site and downstream of the site. The design shall promote positive sheet-flow run-off from all deck areas and side-slopes to the run-off collection system with no significant erosion. The operator shall provide an adequate sedimentation basins to prevent downstream siltation/ deposition, and to ensure that no negative off-site impacts occur. The operator shall prepare and implement an emergency remedial measures plan for sudden/ great storm events. A copy of the plan shall be furnished to the LEA within nine (9) months of SWFP issuance.

27. A qualified landscape architect or botanist shall prepare and implement a revegetation/ landscape plan for the site within one (1) year of SWFP reissuance. The plan shall provide for an effective vegetative cover with native drought-tolerant vegetation on disturbed surfaces in those portions of the site where disposal activities have ceased. An effective vegetation cover shall be fifty (50) percent coverage of the revegetated areas without permanent irrigation after a five (5) year period.

28. The operator shall provide final cover over all areas in accordance with the final grading plan and commence revegetation in accordance with the approved revegetation plan. Where and when final elevation has been attained or a discrete segregated area of the site can no longer receive waste, final cover shall be provided.

29. The operator shall obtain/ maintain all necessary easement agreements with plot plans showing the location of all utilities crossing the site. Copies of such agreements/ plot plans shall be provided to the LEA in a timely manner.

30. Site entry signs shall prominently display all required regulatory information.

31. The operator shall provide temporary or permanent exterior night lighting for any and all operations that occur after dusk. All light from permanent and temporary night lighting shall be focused to ensure that the area of illumination is confined to the landfill or within the County owned property boundaries.

32. No permanent or temporary structures, including scale pits, shall be constructed/ placed on or adjacent to the fill area unless approved by the LEA.

<END OF DOCUMENT>

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ATTACHMENT 5

State of California

California Environmental Protection Agency

MEMORANDUM

To: Georgianne Anderson
Permits Branch, South
Permitting and Enforcement Division

Date: January 17, 1995

From: Tabetha Willmon
Tabetha Willmon
Office of Local Assistance
Diversion, Planning, and Local Assistance Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: Conformance Findings for the Mid-Valley (Fontana) Sanitary Landfill, Facility Number 36-AA-0055

The proposed project involves a permit revision for the Mid-Valley (Fontana) Sanitary Landfill (MVSL) located in the City of Rialto. The active landfill is an existing site and is situated on two parcels totalling approximately 142 acres with an additional 5 acres used for ancillary facilities (recycling area and landfill gas flare).

The proposed permit revision addresses changes in operating conditions which include an increase in daily tonnage from 280 tons per day to 4,000 tons per day, implementation of recycling activities at the landfill, vertical expansion, addition of a scale/scale house, and a change in operating hours. The landfill accepts mixed municipal wastes, industrial wastes, inert solids, tires, metallic discards, and construction/demolition wastes.

Pursuant to AB 939 waste diversion goals, the County plans to initiate a recycling program at the MVSL. Activities proposed as a part of current and future operations at the facility consist of tire handling, separation on site of construction/demolition debris, wood waste, used mattresses, appliances, waste tires, and salvaging of bulky items. Recyclable material will be moved off site on a schedule developed with the purchaser of the material or as often as necessary to prevent creation of litters, odors, or vectors. It may also be transported to another facility for storage or shipment to the material purchaser. These activities began in late 1994.

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TO Enforcement PW/DO
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PRC 44009: Waste Diversion Requirement

Board staff have reviewed the proposed MVSL Solid Waste Facilities Permit, the Mid-Valley Solid Waste Disposal Facility Report of Disposal Site Information, and the Source Reduction Recycling Element (SRRE) for the Cities of Rialto, Fontana, Ontario, Rancho Cucamonga, Upland, and the unincorporated portion of the County of San Bernardino. The City of Rialto's SRRE shows a baseyear diversion rate of 7.2%. This calculation includes excluded waste types. The corrected baseyear diversion rate is 6.3%. The City expects to achieve a 1995 diversion rate of 24.1% in part through programs such as 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 Cities of Fontana, Ontario, Rancho Cucamonga, Upland, and the unincorporated portion of San Bernardino County have also planned source reduction, recycling, and composting programs in order to divert materials.

Based on this review, staff have determined that the proposed permit for the MVSL will not prevent or substantially impair the City of Rialto's achievement of the waste diversion requirements of AB 939.

PRC 50000: Conformance with CoSWMP

On April 19, 1993, the CIWMB received a letter from San Bernardino County's Department of Environmental Health Services/Local Enforcement Agency (DEHS/LEA) certifying that, on October 19, 1992, the San Bernardino County Board of Supervisors adopted Resolution Number 92-241 approving the Mid-Valley/Fontana Sanitary Landfill site and project description. This letter also indicates that the DEHS/LEA received a notice of disapproval from one City and received resolutions of approval from six incorporated cities/towns, with 17 others taking no action. Therefore, pursuant to the statute, the facility is deemed as approved by the majority of the cities/towns within the County of San Bernardino containing a majority of the population of the incorporated area of the county. Therefore, the Mid-Valley Sanitary Landfill meets the requirements of PRC 50000.

PRC 50000.5: Consistency with the General Plan

According to a letter from the City of Rialto Planning Department, dated April 21, 1992, the Planning Department determined that the proposed Mid-Valley Sanitary Landfill is consistent with the City of Rialto General Plan. This letter also identifies land use adjacent to, and near the facility as compatible with the facility and the proposed use.

Georgianne Anderson
36-AA-0055

Summary of Conclusions

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

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

2. The facility has been approved by the County of San Bernardino and by a majority of the cities within the county which contain a majority of the population of the incorporated area of the county (PRC 50000).

3. The facility is consistent with the City of Rialto General Plan (PRC 50000.5).

If you have any questions or comments, please call Tabetha Willmon at (916) 255-2659.

ATTACHMENT 6

California Integrated Waste Management Board
Permit Decision No. 95-41
February 22, 1995

WHEREAS, the Mid-Valley Solid Waste Disposal Site is owned and operated by the County of San Bernardino, as a Class III landfill for the handling and disposal of nonhazardous solid waste; and

WHEREAS, in December of 1989, the San Bernardino County Department of Environmental Health Services, acting as the Solid Waste Local Enforcement Agency (LEA) conducted a permit review and found the following significant changes: an increase the peak daily tonnage, increase in site capacity, and an increase in site personnel and equipment, a change in hours of operation, a change in site acreage; and an addition of environmental controls, a scale house and recycling activities; and

WHEREAS, the LEA determined Mid-Valley Solid Waste Disposal Facility required a revised Solid Waste Facilities Permit to allow for the significant changes which had occurred at the landfill; and

WHEREAS, on February 5, 1992, the site was issued a Stipulated Order of Compliance and Agreement on the basis that a significant change had occurred at the facility, and the operator was operating outside the conditions of the 1978 Solid Waste Facilities Permit and since that time Notice and Order's have been rewritten and/or extended; and

WHEREAS, the operator has submitted to the LEA an application for Solid Waste Facilities Permit revision to reflect significant change from the terms and conditions and operations described in the 1978 Solid Waste Facilities Permit; and

WHEREAS, the LEA has submitted to the Board for its review and concurrence in, or objection to, a revised Solid Waste Facilities Permit for Mid-Valley Solid Waste Disposal Facility; and

WHEREAS, the San Bernardino County Solid Waste Management Department (County), the lead agency for CEQA review, prepared a Negative Declaration (ND) for the proposed project and Board staff reviewed the ND and provided comments to County; 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; the Solid Waste Management Department did not adopt a Statement of Overriding Considerations; and the County approved the project on June 23, 1992; and

WHEREAS, Board staff and the LEA have evaluated the proposed permit and supporting documents for consistency with the standards adopted by the Board; 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 San Bernardino County Solid Waste Management Plan, consistency with the City of Rialto's General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 36-AA-0055.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

AGENDA ITEM 9

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for Phelan Solid Waste Disposal Facility, San Bernardino County.

COMMITTEE ACTION:

The Permitting and Enforcement Committee's recommendations regarding this project were not available at the time this item went to print.

BACKGROUND:

Facility Facts

Name:	Phelan Solid Waste Disposal Facility, Facility No. 36-AA-0044
Facility Type:	Class - III Sanitary Landfill
Location:	Two miles northwest of Phelan, near the intersection of Hwy 138 and Phelan Road
Area:	80 acres total, 30 acres for disposal
Setting:	The zoning designation surrounding the facility is "general commercial" and "community industrial"
Permitted Daily Capacity:	12 tons per day
Proposed Daily Capacity:	198 tons per day
Operational Status:	Active since 1956, permitted since 1979, operating under a stipulated order of compliance which allows the facility to accept an average of 80 tons per operating day
Waste Type:	Mixed municipal; construction and demolition waste; industrial and commercial wastes; and agricultural wastes

Volumetric Capacity:	1,800,000 cubic yards total capacity, approximately 670,860 cubic yards in place as of July 1994, with an estimated closure year of 2004
Owner/Operator:	County of San Bernardino, Solid Waste Management Department Gerry Newcombe, Deputy Director
LEA:	San Bernardino County Department Of Environmental Health Services Local Solid Waste Enforcement Agency Ms. Pamella Bennett, Director

Proposed Project

The proposed project would allow the operator to increase the peak permitted daily tonnage. This permit would limit the site's hours of operation to Monday through Saturday, 8:00 a.m. to 4:30 p.m. as the existing 1979 permit allows a 24 hour operation. The 1979 permit estimated a 20 year site life (i.e., until 1999) while the current estimate is that the site will reach capacity in 2004. In addition, the proposed permit limits the site to a 30 acre disposal footprint and places a maximum elevation of 4190 feet mean sea level on the landfill. No such limitations were discussed in the 1979 permit. The 1979 permit also indicates that the trench method of landfilling was being employed whereas the current *Report of Disposal Site Information* indicates that both the trench and area fill methods are used.

Site History The county has owned and operated this landfill since 1956. In 1979, Phelan Solid Waste Disposal Facility was permitted as what is considered today a Class-III landfill by the state Solid Waste Management Board. The permit allowed an average of 12 tons of waste to be deposited on this 80 acre parcel with a life expectancy of 20 years. Prior to 1979, about three acres of the site was used as a burn dump area. The governing Waste Discharge Requirements were issued by the Lahontan Regional Water Quality Control Board in 1987. Unlined septage evaporation ponds were in use at the site until 1989.

In 1989, the LEA determined the facility's operations had undergone significant change. In 1989, the LEA issued a Notice and Order, on the basis that a significant change had occurred at the facility, and the operator was operating outside the conditions of the 1979 Solid Waste Facilities Permit. Since that time, enforcement orders have been rewritten and/or extended.

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Project Description: Phelan Solid Waste Disposal Facility is located approximately two miles northwest of the community of Phelan, near the intersection of Hwy 138 and Phelan Road. Access to the fenced facility is off of Phelan Road via unpaved Buckwheat Road. The site is on the northern flank of the San Gabriel Mountains at an elevation of about 4,100 feet. There are no residences near the site. Buildings within a 1,000 foot radius are commercial in nature. The only structure on-site is the scalehouse. The landfill's active face is covered with at least six inches of soil every operating day. The average daily throughput expected over the next five years is 74 tons per day of waste. Based upon this daily tonnage the operator expects the landfill to close in 2004. Refuse comes to the facility in collection trucks and public vehicles. All vehicles stop at the scalehouse and then go to the working face where the waste is unloaded at the toe of the previous cell. The refuse collection trucks and private vehicles are directed by traffic flow personnel to unload in separate yet confined areas. A dozer spreads the waste approximately two feet deep across the working face, then compacts the waste by making several passes over the refuse.

Before the end of the working day the working face is covered with at least 6 inches of compacted soil. Cover material is obtained on-site. Twenty-two acres of the site are dedicated as a source of cover soil. Areas anticipated to remain inactive for 180 days are covered with at least 12 inches of compacted soil.

Environmental Controls Environmental control measures for impacts from potential problems of dust, litter, noise, odor, vectors, fire, drainage, load checking, groundwater and landfill gas control and monitoring associated with the landfill are addressed in the Report of Disposal Site Information as follows:

Noise levels are controlled by implementing several mitigation measures. All equipment will have adequate and proper operating sound suppression mufflers as specified by manufacturers and all equipment will be maintained and in good mechanical condition.

Potential odors associated with refuse are controlled by application of cover material. The working face will be kept small so as to minimize the area of waste that is exposed. Additionally, the operator will monitor for landfill gas on a quarterly basis.

Waste is confined at the working face, which is kept as small as possible to minimize wind exposure to reduce litter problems. The active face will be covered daily to further prevent the waste from blowing off the working face. Portable six foot-tall litter fences will be placed around the working face to contain

that litter which becomes airborne. In addition, a minimum six foot perimeter fence surrounds the site. A vacuum truck may be used periodically. A permanent six person litter crew is retained by the Solid Waste Management Department for litter control at the County's desert landfills.

Dust is controlled by spraying water on the internal roads, tipping area and cover excavation areas, by a water truck on an as needed basis. Chemical dust suppressants, as approved by the LEA, may also be used to reduce dust.

Voids within the daily cell, which could produce rodent and insect harborage, are minimized by multiple spreading and compacting of waste and cover. If pest activity is noted by site personnel, then traps, poisons, or sprays are utilized to control vectors.

The harborage of birds is controlled by daily cover and control of litter and other debris. The operator has not had a problem with vector harborage in the past.

Portable fire extinguishers are used for the fire protection of landfill equipment and vehicles. Any fire occurring at the landfill will be extinguished by landfill personnel using cover material from stockpiles, fire extinguishers, or a water truck. The local fire department will be contacted if a fire occurs that cannot be controlled by on-site personnel and equipment.

The facility's drainage design is planned to direct stormwater runoff away from the landfill in an expedient manner to minimize the potential for leachate production and to protect the site from erosion. A system of conveyance ditches, perimeter conveyance channel, and berms serve to protect the site. The run-on drainage area is limited, by the topography of the surrounding land. The potential run-on is channeled around the landfill by a perimeter drainage ditch. Rainfall is generally low, with an annual average of 6.8 inches recorded between 1956 and 1987.

Lysimeters at the site have not been tested as they were dry and monitoring wells have failed to locate water at drill depths of up to 1,000 feet, Solid Waste Assessment Tests performed for the Phelan Solid Waste Disposal Facility do not show groundwater contamination.

In order to decrease the possibility of hazardous waste disposal, signs are posted along the entrance road, informational brochures and leaflets are periodically distributed to customers, a visual inspection is performed at the scalehouse, random load checks are conducted, and employees continually monitor the working face area.

No landfill gas recovery system is planned for the site. There are gas monitoring probes which are monitored quarterly. The Mojave Desert Air Quality Management District has yet to develop standards for landfill gas emissions. The most recent monitoring results indicate that the methane levels at the site are below Title 14, California Code of Regulations action levels.

Resource Recovery The facility is proposing to have drop-off/storage bins, stockpiling of wood material and inerts, and removal of bulky items (e.g., white goods).

Waste tires are diverted from the waste stream and stored on-site. The storage area is located away from the active face and maintained in accordance with fire regulations. The tires are removed to an authorized recycler or volume reduction center prior to 500 accumulating on-site.

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 January 17, 1995 the last day the Board may act is March 18, 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 Plan

   On July 27, 1993, the San Bernardino County Board of Supervisors adopted Resolution Number 93-223 approving Phelan Solid Waste Disposal Facility's site and project description. No notices of disapproval or resolutions of action were produced by any of the incorporated cities or towns. Therefore, pursuant to statute, the facility is deemed approved by the majority of cities/towns within the County containing the majority of the population of the incorporated area of the County. Therefore, the LEA has made the determination the facility has complied with the requirement of Public Resources Code 50000, as stated in their letter dated November 14, 1993. Board staff agrees with said determination.

2. Consistency with General Plan

Documentation was provided, in an interoffice memorandum dated July 13, 1993, from the County of San Bernardino's General Plan Team; a finding was made that the proposed project is consistent with the San Bernardino County's General Plan. In a conversation on October 24, 1994, with Gail Cotugna, Senior Associate Planner of the San Bernardino Solid Waste Management Department, Ms. Cotugna verified that surrounding land use is compatible.

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 San Bernardino County 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 adoption of an environmental document and mitigation reporting or monitoring program, when applicable.

The County of San Bernardino Planning Commission (County) prepared a Mitigated Negative Declaration (ND), SCH # 92062079, for the proposed project. As required by the California Environmental Quality Act (CEQA), the ND identified the project's potential significant environmental impacts and provided mitigation measures that would reduce those impacts to less than significant levels. Board staff reviewed the ND and provided comments to the County. The project was adopted as approved by the Lead Agency and a Notice of Determination (NOD) was filed on March 15, 1993.

A Mitigation Monitoring and Compliance Program (MMCP) was submitted to the Board. Potential environmental impacts and mitigation measures associated with the Phelan Solid Waste Disposal Facility are identified and incorporated in the MMCP.

After reviewing the environmental documentation for the project, Board staff have determined that the Negative Declaration is adequate and appropriate for the Board's use in evaluating the proposed permit.

5. Consistency with State Minimum Standards

The LEA and Board staff have determined that the facility's design and operation are in compliance with the State Minimum Standards for Solid Waste Handling and disposal based on a review of the submitted Report of Disposal Site Information and addenda thereto and upon monthly site inspections. The most recent LEA and Board staff joint inspection was conducted on January 9, 1995, and the facility was found in compliance with State Minimum Standards.

6. Closure/Post Closure Maintenance Plans and Financial Mechanism Requirements

The operator submitted Preliminary Closure Plans which Board staff reviewed and deemed complete on September 15, 1994.

The County of San Bernardino has established an enterprise fund and pledge of revenue as the financial assurance mechanisms for closure and post closure maintenance of the Phelan Solid Waste Disposal Facility. The mechanisms meet the requirements of Title 14, California Code of regulations (CCR), Division 7, Chapter 5, Article 3.5, section 18285 and 18290. The enterprise fund balance is at an acceptable level consistent with 14 CCR section 18282(b)(2).

7. Operating Liability

The County of San Bernardino has submitted a Certificate of Self-Insurance and Risk Management to demonstrate operating liability coverage for Phelan Solid Waste Disposal Facility. The Certificate of the Self-Insurance meets the requirements of Title 14, California Code of Regulation (CCR) Division 7, Chapter 5, Article 3.3, section 18237.

STAFF RECOMMENDATION:

Because a revised 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. 95-42 concurring in the issuance of Solid Waste Facilities Permit No. 36-AA-0044.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Permit No. 36-AA-0044
4. AB2296 Finding of Conformance
5. Permit Decision No. 95-42

Prepared by: G. Anderson Phone:255-2375

Reviewed by: S. Hambleton\Don Dier, Jr. 2/8 2/8/95 Phone:255-2453

Reviewed by: Douglas Okumura 2-9-95 Phone:255-2431

Legal Review: Kathryn J. O'Brien 2/9/95 Phone:255-2188

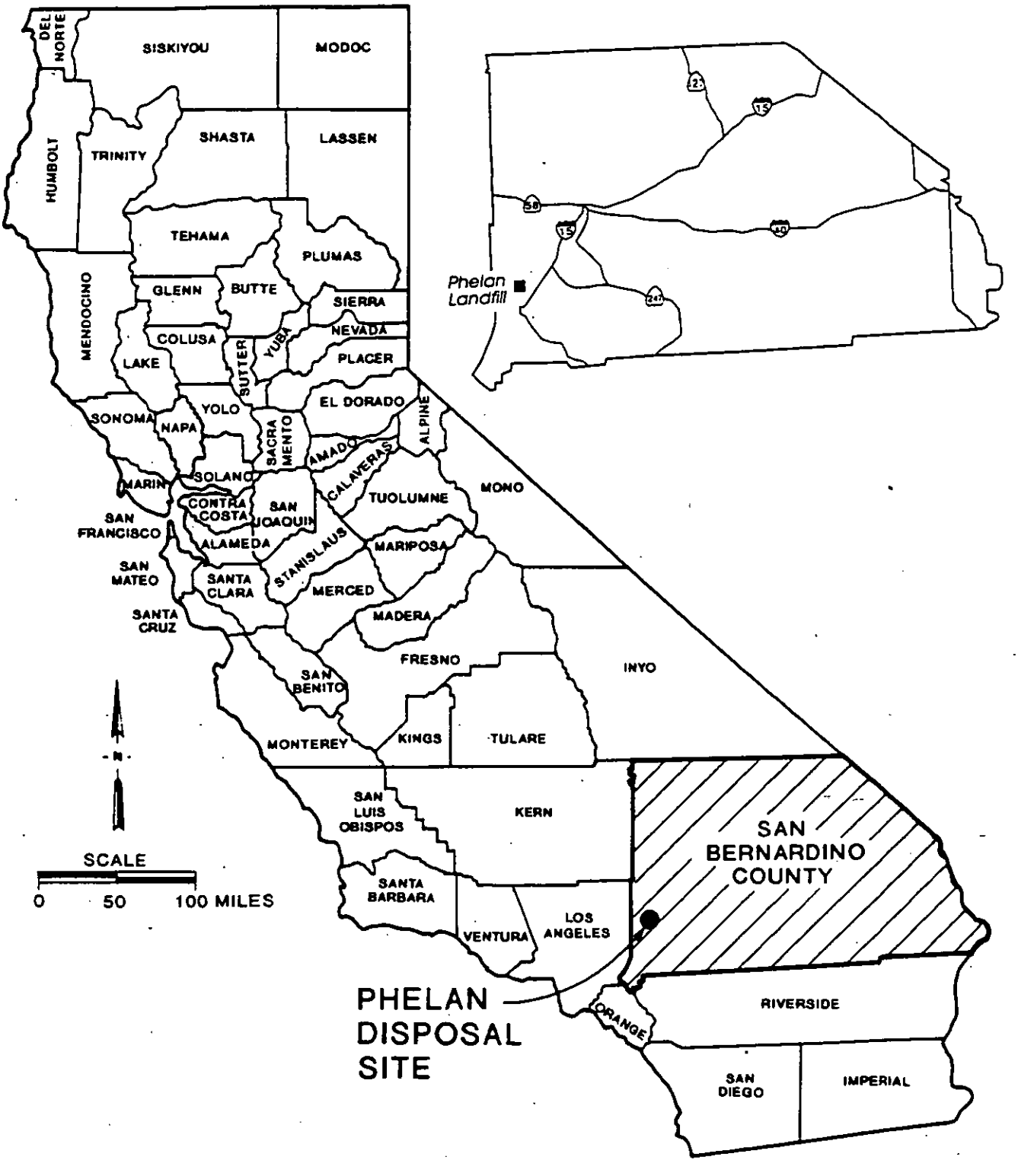
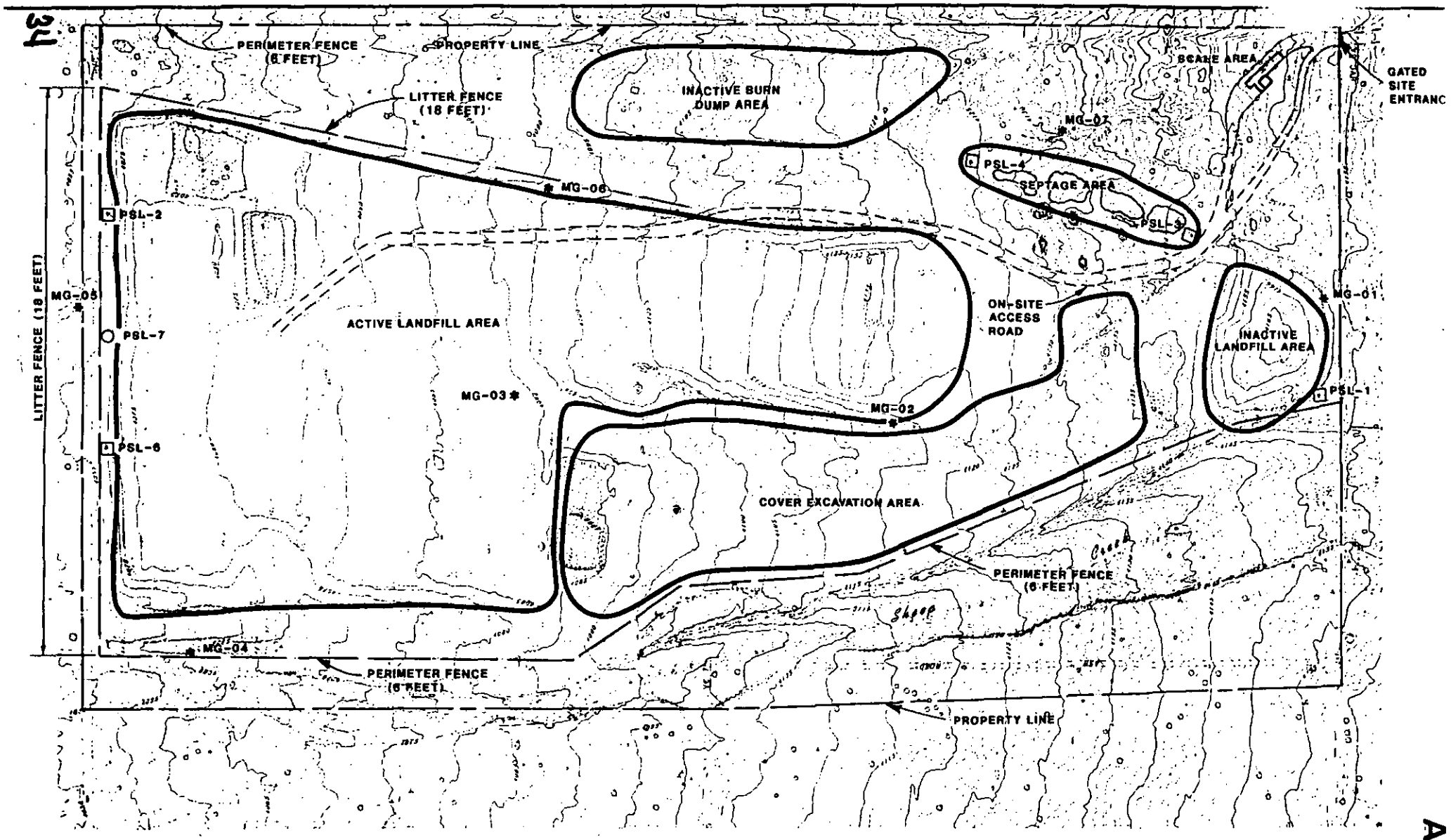


FIGURE 1
LOCATION OF
SAN BERNARDINO COUNTY
PHELAN DISPOSAL SITE
SAN BERNARDINO, CALIFORNIA

CH2M HILL



○ GROUNDWATER MONITORING WELL

✱ LFG PROBE

❑ LYSIMETER

FIGURE 4
SITE LAYOUT
PHELAN DISPOSAL SITE
SAN BERNARDINO COUNTY
ENVIRONMENTAL PUBLIC WORKS AGENCY
SOLID WASTE MANAGEMENT DEPARTMENT

Attachment 2

STATE OF CALIFORNIA
SOLID WASTE FACILITIES PERMIT

1. Facility Permit Number:

36-AA-0044

2. Name and Street Address of Facility:
Phelan Solid Waste
Disposal Facility
County of San Bernardino
Solid Waste Management Dept.
Approximately 2 miles
Northwest of Phelan

3. Name and Mailing Address of Operator:
County of San Bernardino
Solid Waste Management Dept.
222 E. Hospitality Ln, 2nd floor
San Bernardino, CA 92415-0017

4. Name and Mailing Address of Owner:
County of San Bernardino
Solid Waste Management Dept.
222 E. Hospitality Ln, 2nd floor
San Bernardino, CA 92415-0017

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/Days of Operation: 8:00am to 4:30pm - Monday through Saturday - 308 days/year - Site closed Sunday, New Year's Day, Easter Sunday, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day

c. Permitted Tons per Operating Day:

	Total:	
	Maximum daily loading 198	Tons/Day
	Average daily loading 90	Tons/Day
Non-Hazardous - General	Any within maximum daily loading total 198	Tons/Day
Non-Hazardous - Liquid Septic Waste	(None)	Tons/Day
Non-Hazardous - Other (See Section 14 of Permit)	(None)	Tons/Day
Designated (See Section 14 of Permit)	(None)	Tons/Day
Hazardous (See Section 14 of Permit)	(None)	Tons/Day

d. Permitted Traffic Volume:
Outgoing vehicles with salvaged materials: up to 5 Vehicles/Day

e. Key Design Parameters

	Total	Disposal Footprint	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	80	30	None	None	None	None
Design Capacity		1.8 MILLION CUBIC YARDS	None	None	None	None
Max. Elevation (Ft. MSL)		4190				
Max. Depth (Ft. MSL)		4050				
Estimated Closure Date		2004				

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 previously issued solid waste facilities permit.

6. Approval:

Approving Officer Signature

PAMELLA V. BENNETT, DIRECTOR

7. Enforcement Agency Name and Address:
Dept. of Environmental Health Services - LEA
County of San Bernardino
385 North Arrowhead Ave.
San Bernardino, CA 92415-0160

8. Received by CIWMB:
JAN 17 1995, 199_

9. CIWMB Concurrence Date:
_____, 1995

10. Permit Review Due Date:
_____, 19__

11. Permit Issued Date:
_____, 1995

STATE OF CALIFORNIA SOLID WASTE FACILITIES PERMIT

Facility Permit Number: **36-AA-0044**

12. Legal Description of Facility:
East 1/2 of the Northeast 1/4 of Section 16, Township 4 North, Range 7 West, San Bernardino B & M

13. Findings:

a. Proposed changes in the Site Identification & Description were not identified in the 1986 (latest) San Bernardino County (SBCo) Solid Waste Management Plan. A SBCo Countywide Integrated Waste Management Plan has not been approved. The LEA certifies, pursuant to Public Resources Code (PRC) § 50000 that the SBCo Board of Supervisors and a majority of the Councils of the Cities/ Towns with a majority of the population of the incorporated area within SBCo have approved the Site Identification & Description.

b. This permit (with its proposed changes) is consistent with standards adopted by the CIWMB pursuant to PRC § 44010 and all applicable Resource Conservation and Recovery Act (RCRA) Subtitle D requirements incorporated into Title 14 CCR.

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

d. The local fire protection district, the SBCo Forestry and Fire Warden Department, has determined that the facility (with proposed changes) is in conformance with applicable fire standards pursuant to PRC § 44151 - re PRC §4371 et seq.

e. A Notice of Determination on proposed changes at the facility was filed with the State Office of Planning and Research pursuant to PRC § 21081.6 on March 15, 1993.

f. The authorized agent of the local governing body, the San Bernardino County Planning Department has [pursuant to PRC § 50000.5(a)] determined that proposed changes are consistent with and designated in the applicable general plan.

g. The authorized agent of the local governing body, the San Bernardino County Planning Department has [pursuant to PRC § 50000.5(b)] found surrounding land use compatible with proposed changes at the facility.

14. Prohibitions:
The permittee is prohibited from accepting any non-hazardous waste requiring special handling, designated waste, or hazardous waste except for the temporary storage of hazardous waste inadvertently delivered and detected in the hazardous waste screening/ exclusion program), in accordance with all applicable permits, regulations and statutes for such temporary storage. Th permittee is additionally prohibited from accepting for disposal: asbestos (friable or nonfriable), whole tires (except in accordance with 14 CCR §17355), metallic discards (except in accordance with PRC §42160 et seq.); and from allowing any open burning or scavenging.

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

[X] Periodic Site Review	5/22/91	[X] PRC § 50000 Certification by LEA	11/2/93
[X] Report of Facility Information	9/92	[X] Preliminary Closure/Postclosure Plan	3/94
[X] Amendments to RFI	10/94, 11/94	[X] Fire Protection District Findings	8/8/93
[X] Waste Discharge Requirements	6/87	[X] Planning Department Consistency Findings (County General Plan)	7/93
[X] Notice of Determination - OPR Filing	03/15/93	[X] Planning Department Compatibility Findings (Surrounding Land Use)	7/93
[X] Mitigation Monitoring/Reporting (Compliance) Program	6/24/93	[X] NPDES (Stormwater) Permit #6B36S005239 Notice of Entent #91-13-DWQ	6/24/93
[X] Subtitle D "Footprint" Documentation	10/93	[X] Enterprise Fund Letter (Pledge of Revenue)	09/28/94
[X] DEHS Hazardous Waste Permits, Handling & Generator Permits	8/94	[X] Financial Assurance Mechanism for Closure Post-Closure and Corrective Action	05/93
[X] Mojave Desert AQMD Clearance Letter	12/17/93	[X] County (DEHS/SWMD) Indemnification Contract	08/15/94
[X] Certificate of Self-Insurance	12/17/92		

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STATE OF CALIFORNIA
SOLID WASTE FACILITIES PERMIT

Facility/Permit Number:
36-AA-0044

16. Self Monitoring: In addition to self-monitoring programs and the California Environmental Quality Act (CEQA) mitigation monitoring and reporting program described in other documents controlling this facility, the following programs shall be reported to the LEA and others as follows:

Program	Reporting Frequency	Agency Reported To
Summary of daily records in tons/day per: solid waste received, salvaged/ recovered materials leaving site (per type); daily visual estimate of recovered materials stored on-site (in weight, volume or count per type).	Quarterly *	LEA *
Summary of motor vehicle counts in vehicles/day per vehicles: entering with solid waste, leaving with recovered materials.	Quarterly *	LEA *
Summary of public complaints received, regulatory notices received, and the operator's responses/ corrective actions taken.	Quarterly *	LEA *
Summary of entries in Log of Special/ Unusual Occurrences and operator's responses/ corrective actions taken.	Quarterly *	LEA *
Summary of record-keeping specified in the Hazardous Prohibited Waste Screening/ Exclusion Program including: quantities/ types of materials discovered, responses/ corrective actions taken, interim/ final disposition of materials and public education activities.	(per DEHS-Haz-Mat*)	LEA, DEHS-HAZ-MAT *
Vector inspection/ control program (as may be specified in the RDSI).	(per SBCVCD *)	LEA, San Bernardino County Vector Control District (SBCVCD) *
Water quality control of contaminants - monitoring, reporting, remediation and related programs including: Waste Discharge Requirements, water SWATs, Clean-up & Abatement Orders/ Workplans/ Remediation Schedules, NPDES Permits.	(per local RWQCB *)	LEA, local Regional Water Quality Control Board (CRWQCB) *
Air quality management of emissions - monitoring, reporting, remediation and related programs including: fugitive dust (PM_{10}) control, LFG monitoring/control, air SWATs, AQMD equipment permits.	(per local AQMD *)	local Air Quality Management District (AQMD) *
	(* = Reporting due by the 15th of the month following the end of the reporting period, or else when due as specified by the controlling regulatory authority.)	(* = Plus reporting to all other local, state and federal regulatory authority with jurisdiction at the facility.)

PROPOSED

STATE OF CALIFORNIA SOLID WASTE FACILITIES PERMIT

Facility/Permit Number:

36-AA-0044

17. LEA Conditions:

(NOTE: LEA conditions listed here shall be in addition to conditions of other documents controlling operation of this facility.

1. The operator shall comply with all State Minimum Standards for Solid Waste Handling and Disposal as specified in Title 14 California Code of Regulations (CCR). The operator shall not operate this facility without possession of all required permits and regulatory approvals. The operator shall inspect the site at least once each day of operation to ensure compliance with all applicable standards/ conditions/ mitigations/ permits/ regulations.

2. The operator shall comply with all federal, state, and local requirements and enactments including all mitigation and monitoring measures developed in accordance with any certified environmental document filed pursuant to Public Resources Code (PRC) § 21081.6 and all administrative/ enforcement orders of all regulatory agencies within jurisdiction at this facility.

3. The operator shall maintain a complete copy of this Solid Waste Facilities Permit (SWFP), of all other required regulatory permits and of all regulatory inspection reports, at the facility at a location readily accessible to facility personnel, LEA staff and other regulatory personnel.

4. Additional information concerning the design or operation of this facility shall be furnished upon request to the LEA and other regulatory personnel.

5. The operator shall notify the LEA in writing (with proposed amendments to the Report of Facility Information), at least one hundred fifty (150) days in advance of proposed significant changes (as determined by the LEA) in the design or operation of the facility to allow for early consultation, completion of all required documents, due process review/ filing, and the completion of all related permitting processes. Such notification shall also include changes (including new additions) of: processing, composting, baling, materials recovery facility (MRF)/ transfer station and/or transformation facility, changes in permitted hours or days of operation, permitted tons per day per category, permitted traffic volumes per day per category, permitted total area, disposal footprint, maximum elevation, maximum depth of waste, and/or estimated closure year, which may be later proposed for this site.

6. This facility is authorized to conduct limited salvaging and to store recovered materials (if such salvaging/ storage is properly described in the RDSI or amendments thereto) for brief periods of time (not to exceed thirty (30) days for any category of material) and only in closable durable containers as specified by the LEA. Such limited salvaging/ storage shall only be conducted as pre-approved by the LEA to preclude the creation of health hazards or public nuisances. The facility shall not be used as a composting facility, materials recovery facility (MRF), processing facility, transfer station and/or transformation facility. No crushing, grinding, mechanical sorting, composting, or other processing shall occur at the facility location except as the LEA may give prior written approval for brief (less than thirty (30) day) experimental/ pilot project type programs.

7. The LEA reserves the right to suspend and/or modify operations at this facility when deemed necessary due to any emergency, potential health hazard and/or public nuisance.

8. This SWFP is subject to review by the LEA and may be suspended, revoked or modified at any time for sufficient cause.

9. As outlined in Section 16, the operator shall maintain at the facility, accurate daily records of the tonnage/day and vehicles/day per: incoming solid waste, outgoing recovered material (per category); and an estimate (by weight, volume or count) of the total amount of recovered material (per category) stored on-site for brief periods of time. Such records shall be readily accessible at the facility to the LEA/ other regulatory personnel. A written summary of such tons/day per category, vehicles/day per category and estimates/day per category shall be furnished quarterly to the LEA within fifteen (15) days of the end of each quarter.

10. As outlined in Section 16, the operator shall furnish a written summary of all written complaints (including all regulatory notices such as: Notices of Violation, Notice and Orders, Clean-up & Abatement Orders) concerning the facility received by the operator during a quarter and the operator's responses/ corrective actions taken, to the LEA within fifteen (15) days of the end of each quarter.

11. As outlined in Section 16, the operator shall maintain at the facility, a log of special/unusual occurrences (S/U O). The log shall include, but not be limited to: fires, explosions, discharges of unusual waste, significant incidents of personal injury, accidents and/or property damage. Each log entry shall be accompanied by a summary of the responses/ corrective actions taken by the operator to mitigate any negative impacts of each occurrence. Days without incidents of S/U O shall be noted with an appropriate negative entry for such days such as: "No S/U O today". The operator shall maintain this log at the facility in a manner readily accessible to facility personnel and to the LEA and other regulatory personnel. A written summary of the log entries during a quarter shall be furnished to the LEA within fifteen (15) days of the end of each quarter.

STATE OF CALIFORNIA
SOLID WASTE FACILITIES PERMIT

Facility/Permit Number:

36-AA-0044

17. LEA Conditions (continued):

12. The operator shall maintain an LEA approved hazardous/ prohibited waste screening/ exclusion (loadchecking) program at the facility which will adequately protect public health and the environment from illegal on-site disposal of hazardous/ PCB/ prohibited wastes. It shall include not less than twenty-eight (28) hours per week of on-site loadchecking by personnel trained in such activities. Signs, brochures and/or other appropriate communication measures shall be utilized by the operator to direct site users to the nearest Household Hazardous Waste (HHW) collection facility and inform site users of pending HHW Round-up activities scheduled for communities within the site's waste-shed. A written summary of all program activities/ results during a quarter, shall be furnished to the LEA within fifteen (15) days of the end of each quarter.

13. The operator shall comply with the requirements of all applicable laws pertaining to employee health and safety including maintaining an up-to-date written CAL-OSHA Injury and Illness Prevention Program (IIPP) - (pursuant to Title 8 CCR), on-site and readily available for review by all facility personnel and by the LEA and other regulatory personnel. The IIPP shall include a comprehensive training plan, availability of all necessary on-site work/ protection/ safety equipment and adequate on-site first aid supplies. Whenever personnel are at the facility they shall have immediate radio and/or telephone access to a 911 emergency dispatcher.

14. The operator shall maintain an adequate vector monitoring/ control program with updates as directed by the San Bernardino County Vector Control District (SBCVCD).

15. The operator shall comply with all Waste Discharge Requirements, Clean-Up & Abatement Orders, monitoring, remediation schedules and related requirements of the local California Regional Water Quality Control Board (CRWQCB). The operator shall provide in the operating record and to the LEA, a CRWQCB approved unsaturated zone monitoring program and approved statistical analysis of SWAT groundwater samples. Degradation of waters connected to this site shall be promptly remediated in the manner specified by the CRWQCB.

16. The operator shall comply with all rules of the local Air Quality Management District (AQMD) including: fugitive dust (PM_{10} control, landfill gas (LFG) monitoring/ control, air SWAT compliance and AQMD equipment permits. The operator shall take every reasonable precaution to control fugitive dust emissions including the use of water and dust palliatives. The operator shall annually assess the need for and implement adequate LFG monitoring/ venting/ collection/ programs as may be required by federal, state (14 CCR Sec. 17258.23(a)(b)), regional and/or local air quality management standards/ rules. All required AQMD permits shall be obtained and retained. The operator shall properly maintain all facility equipment and structures according to the manufacturer's specifications and good engineering and maintenance practices.

17. The operator shall use all reasonable measures to avoid "takings" of threatened, endangered, rare and/or sensitive species, including use of tortoise-proof fencing and authorized raven monitoring/ control measures. The operator shall comply with all such measures, remediation and compensations that may be incorporated into any Cooperative Agreement (CA) with the U. S. Department of Interior - Bureau of Land Management (BLM), U. S. Fish and Wildlife Service (USF&WS) and the California Department of Fish & Game (CDF&G).

18. The active disposal cell and tipping table shall be sufficiently surrounded by adequate litter fencing and supported with sufficient litter picking personnel to preclude significant amounts of litter [greater than one (1) cubic yard uncompacted density] from accumulating off-site. The facility shall have a high winds closure/ reduced operations policy and be operated in accordance with such policy.

19. At all times the site perimeter shall be provided with adequate security gates and fencing in good repair (or equivalent effective barriers).

20. A qualified geotechnical consultant shall prepare a stability analysis of the site if a slope ratio steeper than three-to-one (3:1) will be utilized at any portion of the site. Any measures required in the geotechnical study to ensure that the landfill does not cause a threat to life or property shall be implemented. The study shall include an engineering analysis that identifies construction requirements designed to withstand the maximum probable earthquake or maximum credible earthquake pursuant to Title 23 CCR, Chapter 15. The study shall also be reviewed and approved by the LEA and the CIWMB prior to its implementation.

21. Waste and cover material shall be spread and compacted utilizing methods to maximize compaction and to decrease the attraction of animals, birds and vectors to the site. Personnel shall not secure the site each day until an inspection confirms that at least six (6) inches of compacted cover have been deposited over all waste and is sufficient to prevent such attraction. On-site and off-site litter shall not be allowed to accumulate, so as to create such an attraction.

22. Alternatives to soil covers, shall be reviewed and approved by the LEA prior to their implementation.

STATE OF CALIFORNIA SOLID WASTE FACILITIES PERMIT

Facility/Permit Number:

36-AA-0044

17. LEA Conditions (continued):

23. The operator shall take immediate and independent action to prevent and suppress fires on the project area and shall require employees to do likewise. The facility shall be maintained with a clearance of flammable material for a minimum distance of one hundred fifty (150) feet from the periphery of any exposed flammable solid waste, or additional minimum flammable clearance provisions determined by the local fire protection agency (pursuant to PRC Section 4373.)

24. The operator shall properly equip and maintain noise attenuation and spark arrestor devices (such as mufflers) on all combustion engines utilized at this facility. All equipment components shall be maintained in good mechanical condition and properly operated to prevent excessive noise levels and to avoid circumstances capable of starting accidental fires.

25. Where residential receptors are present, adequate noise attentuation buffers shall be installed to reduce noise levels to a sixty (60) dBA threshold at any point off-site at a distance of one hundred (100) feet from the facility boundary, or if any noise levels are deemed to exceed the prescribed threshold limits for sensitive noise receptors, pursuant to the San Bernardino County (SBCo) General Plan, SBCo Code, Development Code and Guidelines.

26. The operator shall prepare and implement a comprehensive site surface drainage and erosion control plan for the facility. The plan shall prevent significant erosion and siltation impacts both on-site and downstream of the site. The plan shall promote positive sheet-flow run-off from all deck areas and side-slopes to perimeter channels with no significant erosion. The plan shall provide adequate sedimentation basins to prevent downstream siltation/ deposition, provide emergency remedial measures for sudden/ great storm events, and include an implementation schedule. The plan shall ensure no negative off-site impacts occur. A copy of the plan approved under the direction and signature of a California Registered Civil Engineer shall be furnished to the LEA within one (1) year of SWFP issuance.

27. A qualified landscape architect or botanist shall prepare and implement a revegetation/ landscape plan for the site within one (1) year of SWFP reissuance. The plan shall provide for an effective vegetative cover with native drought-tolerant vegetation on disturbed surfaces in those portions of the site where disposal activities have ceased. An effective vegetation cover shall be fifty (50) percent coverage of the revegetated areas without permanent irrigation after a five (5) year period.

28. A qualified person shall conduct a field survey prior to excavation or grading of undisturbed portions of the site to identify areas t may contain potential resources. If no areas are identified, a report of the field survey shall be prepared and submitted to the San Bernardino County Museum Archaeological Information Center for review and approval. A copy of the report shall also be submitted to the County Planning Department Environmental Team for review and approval. If the field survey indicates areas of potential resource, excavation shall be monitored by a qualified archaeologist. If no specimens are found in the excavation, a report of such shall be prepared and submitted as directed by the MMR(C)P. Where specimens are found, they shall be properly prepared for identification and curation into an established museum repository with an approved report of the findings and appended itemized inventory of specimens as directed by the MMR(C)P. The LEA shall be included in all correspondence and transmittal of reports.

29. The operator shall obtain and maintain all necessary easement agreements with plot plans showing the location of all utilities crossing the site. Copies of such agreements/ plot plans shall be provided to the LEA in a timely manner.

30. Site entry signs shall prominently display all required regulatory information.

Attachment 4

State of California

California Environmental Protection Agency

MEMORANDUM

To: Georgianne Anderson
Permits Branch, South
Permitting and Enforcement Division

Date: January 3, 1995

From: Tabetha Willmon
Tabetha Willmon
Office of Local Assistance
Diversion, Planning, and Local Assistance Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: Conformance Findings for the Phelan Sanitary Landfill, Facility Number 36-AA-0044

The proposed project involves a permit revision for the Phelan Sanitary Landfill (PSL) located in an unincorporated portion of the County of San Bernardino. The 80 acre site is an existing solid waste disposal facility.

The proposed permit revision addresses changes in operating conditions which include an increase in daily tonnage from 11 tons per day to 90 tons per day, implementation of recycling activities at the landfill, and a change in operating hours. The landfill accepts agricultural wastes, ash, industrial wastes, construction/demolition wastes, dead animals, tires, mixed municipal wastes, and metallic discards. Though the existing permit allows for disposal of septic wastes, this site ceased receiving septic wastes in 1989 upon closure of the septage ponds.

Pursuant to AB 939 waste diversion goals, the County plans to initiate a recycling program at the PSL. This program may consist of diverting loads containing wood, metals, and cardboard to a drop-off area (as directed by a spotter), or recovering materials from the working face and moving them to the drop-off area. These activities were scheduled to be implemented in December, 1994.

PRC 44009: Waste Diversion Requirement

Board staff have reviewed the proposed PSL Solid Waste Facilities Permit, the Phelan Solid Waste Disposal Facility Report of Disposal Site Information, and the Source Reduction Recycling Element (SRRE) for the unincorporated portion of the County of

San Bernardino. The County of San Bernardino's SRRE shows a baseyear diversion rate of 7.0%. This calculation includes excluded waste types. The corrected baseyear diversion rate is 3.7%. The County expects to achieve a 1995 diversion rate of 25.5% in part through programs such as residential curbside collection, drop-off and buy-back centers, commercial/industrial recycling, institutional and office recycling, and participation in a regional materials recovery facility.

Based on this review, staff have determined that the proposed permit for the PSL will not prevent or substantially impair the County of San Bernardino's achievement of the waste diversion requirements of AB 939.

PRC 50000: Conformance with CoSWMP

On November 4, 1993, the CIWMB received a letter from San Bernardino County's Department of Environmental Health Services/Local Enforcement Agency (DEHS/LEA) certifying that, on July 27, 1993, the San Bernardino County Board of Supervisors adopted Resolution Number 93-223 approving the Phelan Sanitary Landfill site and project description. This letter also indicates that the DEHS/LEA received no notices of disapproval or resolutions of approval from any incorporated cities/towns, with 24 others taking no action. Therefore, pursuant to the statute, the facility is deemed as approved by the majority of the cities/towns within the County of San Bernardino containing a majority of the population of the incorporated area of the county. Therefore, the Phelan Sanitary Landfill meets the requirements of PRC 50000.

PRC 50000.5: Consistency with the General Plan

According to an interoffice memorandum from the County of San Bernardino Solid Waste Management Department, dated July 13, 1993, the General Plan Team determined that the proposed Phelan Sanitary Landfill is consistent with the County of San Bernardino General Plan. This letter also finds land use adjacent to, and near the facility is compatible with the facility and the proposed use. In a conversation with Gail Cotugna, Senior Associate Planner of the San Bernardino Solid Waste Management Department, on October 24, 1994, Ms. Cotugna verified that surrounding land use is compatible and that appropriate mitigation of any negative impacts associated with the landfill operation has been considered in the re-permitting of its operation.

Georgianne Anderson
36-AA-0044

Summary of Conclusions

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

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

2. The facility has been approved by the County of San Bernardino and by a majority of the cities within the county which contain a majority of the population of the incorporated area of the county (PRC 50000).

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

If you have any questions or comments, please call Tabetha Willmon at (916) 255-2659.

California Integrated Waste Management Board
Permit Decision No. 95-42
February 22, 1995

WHEREAS, the Phelan Solid Waste Disposal Facility received its initial Solid Waste Facilities Permit in June 1979; and

WHEREAS, the San Bernardino County Department of Environmental Health Services, acting as the Local Enforcement Agency, determined in 1989 that the facility was not operating within the terms and conditions of the 1979 permit; and

WHEREAS, the Local Enforcement Agency issued a series of enforcement orders, the latest in October 1994, to the operator (the San Bernardino County Solid Waste Management Department), which allowed continued operations at the facility until the permit could be revised; and

WHEREAS, the County Solid Waste Management Department, the lead agency for CEQA review, prepared a mitigated negative declaration (SCH #92062079) for the proposed project and Board staff reviewed the environmental document and provided comments to the lead agency on July 20, 1992; 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 Solid Waste Management Department did not adopt a Statement of Overriding Considerations; and the lead agency filed a Notice of Determination with the County Clerk on March 15, 1993; and

WHEREAS, the San Bernardino County Board of Supervisors adopted a resolution on August 30, 1994 to establish an appropriate financial assurance mechanism for County landfills; and

WHEREAS, San Bernardino County Department of Environmental Health Services has submitted to the Board for its review and concurrence in, or objection to, a revised Solid Waste Facilities Permit for the Phelan Solid Waste Disposal 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 and supporting documentation for consistency with the standards adopted by the Board and found the facility's 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 San Bernardino County General Plan, and compliance with the California Environmental Quality Act; and

WHEREAS, the most recent joint CIWMB/LEA inspection, conducted on January 13, 1995 documented that the site was operating 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. 36-AA-0044.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

AGENDA ITEM 10

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for the Mammoth Recycling Facility and Transfer Station, Madera County

COMMITTEE ACTION:

The Permitting and Enforcement Committee's recommendations regarding this project were not available at the time this item went to print.

BACKGROUND:

Facility Facts

Name:	Mammoth Recycling Facility and Transfer Station, Facility No. 20-AA-0031
Facility Type:	Materials Recovery and Large Volume Transfer Station
Location:	21739 Road 19 Chowchilla, California
Area:	The total area of this facility is 3.99 acres.
Setting:	The facility is located on land owned by the County of Madera in an area zoned agricultural and agricultural reserve. The facility is surrounded by a combination of agricultural, open areas (unused agricultural land), and a landfill.
Permitted Daily Capacity:	A maximum of 500 tons per operating day.
Operational Status:	Active, unpermitted
Waste Types:	Nonhazardous municipal, agricultural, construction/demolition, industrial, tires, and wood mill.
Owner:	County of Madera Mr. Michael Kirn, County Engineer

	Dept. of Engineering & General Services
Contract Operator:	Madera Disposal Systems, Inc. (MDSI) Mr. Gene Dupreau, Owner
LEA:	Madera County Environmental Health Dept. Mr. James Blanton, Director

Proposed Project

The County of Madera is requesting a new Solid Waste Facilities Permit (SWFP) to operate a materials recovery facility (MRF) and a transfer station which will sort commingled recyclables, and mixed solid waste. The recyclable materials are baled on site and shipped to various markets. The wastes remaining after processing are baled and transferred to the adjacent Fairmead Landfill.

SUMMARY:

This staff report includes a recommendation to object to the proposed permit due to the following:

1. The solid waste planning requirements of Public Resources Code (PRC), Section 50000(a)(4) have not been met. The detailed analysis for this determination is found on page 8 of this item. The Mammoth MRF did not go through the Local Task Force (LTF) for review and comment. Despite repeated efforts on the part of Board staff to ascertain whether this requirement had been satisfied, no evidence has been forthcoming to conclude that it has.

2. Board staff reviewed the Mitigated Negative Declaration as submitted by the Madera County Planning Department acting as the Lead Agency. Staff comments of January 7, 1994, indicated that the information regarding the specific mitigations for the new MRF were not included in the document's analysis. Without the appropriate documentation Board staff are unable to make a determination that there has been adequate compliance with the requirements of CEQA. Again, despite the repeated efforts of Board staff to obtain the documentation, no information has been forthcoming to support Board approval of this project.

In addition, it should be noted that staff was unable to determine what the expected recovery rate of the facility is. A thorough review of the application, Report of Station Information, planning documents and CEQA documents failed to disclose how much waste material was expected to be recovered for reuse or recycling.

Staff Concerns

Staff have concerns that the issuance of this permit would exacerbate existing problems at the Fairmead Landfill. The activities authorized in the proposed permit for the Mammoth MRF would result in the Fairmead Landfill continuing to violate the terms and conditions its permit. Although these concerns are not a basis to recommend objection to the issuance of the permit for the Mammoth MRF, staff wanted to bring them to the Committee's and Board's attention to highlight the dependency of one operation on the other and to report on the activities that have been condoned by the LEA.

- The proposed permit would allow the Mammoth MRF to store, process and transfer up to 500 TPD and the resulting bales to be transferred to the Fairmead Landfill. The Fairmead Landfill is permitted to accept only 200 TPD and is not permitted to accept the baled wastes which it has been receiving since October 13, 1994, when Board staff along with the LEA observed exposed baled wastes in the slopes of what was the active face at the landfill. Currently, the bales are being deposited into an area of the landfill that was considered to be closed. Additionally, the landfill has already expanded beyond the permitted boundaries of the facility without obtaining a revised permit.

- On November 21, 1994, the LEA issued a Notice and Order (N&O), to the owner/contract operator for the landfill. The N&O documents the violations of accepting baled wastes, and receiving more than the permitted tonnage. The N&O does not prohibit the landfill from accepting the baled waste. Also, on this same day, the LEA issued a Stipulated Order of Compliance and Agreement (STIP) for the MRF to the owner/contract operator. The STIP orders them to cease receiving and baling the solid waste at the MRF.

- During an inspection on December 14, 1994 by Board's Enforcement staff, the Fairmead Landfill was found to be in violation of the terms and conditions of the permit for receiving waste in excess of the permitted tonnage; and intermediate cover was found to be inadequate. Bales transferred from the MRF were protruding from the side slopes of the landfill.

Site History

On September 20, 1994, the LEA accepted an incomplete application package for the MRF/transfer station (TS) and landfill; the

applicant waived the 120 day time frame for processing the application contained in PRC Section 44008. The application was intended to be a revision to the landfill's existing permit. The primary changes were to be the addition of the MRF/TS at the landfill and conversion of the landfill operations to include a mixed balefill/landfill system.

On October 19, 1994 and November 14, 1994, the MRF was observed by the LEA receiving municipal solid wastes and operating without a permit. On November 21, 1994, the LEA issued a STIP to the owner/contract operator for operating a solid waste facility without a permit. The STIP ordered them to cease receiving and baling solid wastes at the MRF, and to submit an application for the MRF/TS to the LEA by December 12, 1994. On the contrary, the LEA authorized a "stay" under a local county nuisance ordinance allowing the owner/contract operator to continue operations while appealing the enforcement action to the Madera County Hearing Panel. Board staff's review of statute and regulation concludes that appeals of enforcement actions is not an activity intended for local hearing panels.

A hearing was held before the Solid Waste Independent Hearing Panel on January 26, 1995. Again, a stay was issued allowing the facility to continue to receive and bale solid wastes until another hearing is scheduled within the next 29 days.

On November 23, 1994, the applicant formally withdrew the application and submitted a new application for a new Solid Waste Facilities Permit (SWFP) for the MRF/TS only. On December 14, 1994, the LEA accepted the application package as complete.

Project Description

The facility is located on 3.99 acres in a non-fill area of the existing landfill. A legal boundary description has been developed by a licensed Land Surveyor.

The MRF/TS is located west of State Highway 99, which is the primary north-south transportation corridor in the area, and south of State Highway 152. Access to the site is from Road 19, a rural paved road, that runs north-south along the western edge of the property.

The MRF/TS consist of a processing building, a truck scale, scale house, and areas for commodity storage and truck loading. The building is 100 feet by 200 feet, and open on the east and south sides. The building houses the processing equipment, office, and observation area.

The facility is open to the public to receive wastes during the hours of 8:00 am to 4:30 pm on weekdays and 9:00 am to 4:30 pm on weekends. The average daily throughput for the MRF/TS, on an annual basis, is expected to be approximately 185-190 tons per day.

The Report of Station Information (RSI) states that the quantity is expected to increase to about 256 tons per day by 1998, as a result of 6.5% population and waste stream growth rate.

Commercial vehicles will enter the MRF at the southern end of the east side of the building, where the commercial tipping area is located. The public unloading area is located along the western portion of the south side of the building. The tipping area is adjustable through the use of a movable barrier separating the commercial and public areas to accommodate the predominate traffic volume.

The conveyor system includes a conveyor designated as the sort line located on the west side of the interior of the building; the other conveyor designated as the baler line is located on the east side of the interior of the building. The equipment pits for each conveyor line are where the in-floor conveyors (in-ground feeds) are located. Inclined conveyors are placed north of the equipment pits and the elevated conveyors of the sorting and baling lines continue to the north. A cross-conveyor is located near the northern end of the building, connecting the two sorting lines. The baler is at the northeastern end of the MRF, where the cross-conveyor meets the baling line conveyor. A copy of the floor plan is included as Attachment 2.

Virtually all non-recoverable residual wastes that remain after MRF processing are baled using a Logemann baler. The baler produces bales that are approximately 45 inches, by 31 inches, by 64 inches (1.92 cubic yards), with a weight of approximately 2,000 to 2,600 pounds. The baler crushes the residual waste or recyclable commodities into bales and binds the bales with metal straps.

Residual waste bales are loaded onto a trailer using a John Deer loader equipped with a special grapple for lifting bales. The trailers used for transporting the baled waste to the landfill are capable of supporting roughly 16 bales (20 tons). The longest period of time that baled waste should remain on a trailer at the MRF is roughly an hour. This represents the time to fully load a trailer with waste bales under anticipated low waste throughput conditions.

Environmental Controls

Environmental measures for impacts from potential problems of vectors, litter, noise, odor, load checking, fire, and dust associated with the MRF/TS are addressed in the Report of Station Information as follows:

Through the partially enclosed structure design of the MRF, vector and bird problems will be minimized. Additionally, the RSI suggests that the activity within the building will be sufficient to ward off birds and rodents. If additional measures need to be taken, control measures such as rodent traps and/or bird deterrent devices will be implemented.

All waste unloading will be within the building, on the tipping areas, in order to contain potential drainage from solid waste, protect the wastes from rain water infiltration, and to control windblown litter. The facility is also fenced to help capture windblown litter. All lose materials and litter will be collected on a daily basis.

Inside the building, noise is controlled through the use of equipment mufflers, and electrically-driven motors. Recently, noise measurements were conducted at the MRF; the results are pending at this time.

To control odors facility personnel may direct waste loads directly to the landfill if they are believed to be too odorous to handle at the MRF. If a load of odorous materials is dumped at the MRF, the crew can by pass the conveyor and picking systems and load the waste directly into the baler. The two open sides of the MRF will allow for air circulation minimizing the build up of odors. Sweeping, loose materials collection and spot cleaning will be performed daily. The tipping floor and area around the baler will receive, at a minimum, a weekly high pressure wash.

Hazardous wastes will not be accepted at the MRF. Signs will be posted at the entrance that will identify that household hazardous wastes (HHW) are not accepted and identify the types of unacceptable materials. In addition, handouts are to be available at the gatehouse that list unacceptable items and provide information about HHW management. Gate attendants will be responsible for initial load screening by asking if certain unacceptable materials are present in the loads. If HHW is not identified in the initial screening and makes it to the tipping floor or the conveyor belts it will be segregated and placed in the HHW storage locker. If biohazardous waste is discovered in the MRF processing, the first course of action will be to contact

the generator. If the generator can be determined, he/she will be told to remove the wastes. If the generator cannot be determined, the material will be placed in a biohazardous storage drum, the County will be notified, and a licensed hauler will be contacted to transport the drum to a location where the wastes will be destroyed. Date stickers and log sheets will also be used to ensure that materials do not remain in storage for longer than 90 days.

Provisions for fire control include fire hoses, a fire hydrant placed within 50 feet of the MRF, and nine fire extinguishers and location signs placed at several points inside and around the perimeters of the building. Additionally, two roof ladders will be installed.

The MRF will generate little dust because wastes will be brought to the MRF on paved or gravel access roads and deposited on a concrete floor. Also the public access to the MRF is concrete which will be cleaned daily by facility personnel. Dust masks are available for the workers. Beyond these provisions, there is no further discussion of dust control in the Report of Station Information.

Resource Recovery Program

The MRF will accept and process aluminum, glass, cardboard, paper, and other materials as deemed appropriate. The facility is designed to provide maximum flexibility regarding types of materials to be recovered, methods of recovery, and changes in the waste stream. Different sorting processes will be used, on the two sorting lines, depending on waste characteristics. Twelve sorters will be stationed on the sorter line; and eight sorters on the baler line.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit

Pursuant to PRC Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a solid waste facilities permit. Board staff received the proposed permit from the LEA for the Mammoth Recycling Facility and Transfer Station on January 11, 1995; therefore, the last day the Board could act is March 12, 1995.

The permit that was received on January 11 did not include a

requirement for at least 15% recovery of material for reuse or recycling, as required by PRC 50000 (a)(4). On January 31, the LEA faxed two replacement pages for the permit. Finding 13(a) of the permit was changed to reference PRC 50000 (a)(4), rather than the previously referenced 50001, which is only operable in post-gap jurisdictions where the Board has approved the CIWMP. The other change was the addition of Condition 17.20 to require the recovery of at least 15% of the total volume of material received by the facility.

Conformance with County Plan

Staff of the Diversion, Planning and Local Assistance Division reviewed the information provided for determining conformance with the County Solid Waste Management Plan. The PRC requires that until a countywide integrated waste management plan has been approved by the Board, no person shall establish a new material recovery facility without certification by the LEA that the site identification and description of the facility has been submitted to the local task force. The information provided indicates the Mammoth MRF is not identified in the 1984 Madera County Solid Waste Management Plan (CoSWMP). Although the LEA believes the MRF site identification and description had been submitted to the task force and despite repeated requests to county officials, Board staff have not received verification that this requirement of PRC 50000 (a)(4) has been met.

The Madera County Engineering Department submitted copies of documentation of Madera County Source Reduction Recycling Elements (SRRE) as approved by the County Board of Supervisors. An accompanying letter, submitted by the County's Engineering Department to the LEA indicates that the SRRE identified several recommendations for the County to meet the reduction mandates, and that a key recommendation in the SRRE was the construction and operation of a materials recovery facility. However, identification of the facility in the SRRE does not fulfil the requirement of PRC Section 50000. In addition, the Madera County final draft SRRE has not been submitted to the Board for review.

Board staff find there is insufficient evidence in record to verify conformance with PRC 50000. The analysis used in making this determination is included as Attachment 4.

California Environmental Quality Act

Madera County's Environmental Review Committee determined that a Mitigated Negative Declaration (MND) would be appropriate California Environmental Quality Act (CEQA) compliance document.

The Madera County Planning Department acting as Lead Agency, prepared a MND (State Clearinghouse Number 93122021) for the establishment and operation of the MRF, and change in operation of waste management practices (balefill) at the Fairmead Landfill. The MND referenced the 1988 EIR developed for an expansion of the Fairmead Landfill.

Board staff reviewed the MND and provided comments to the State Clearinghouse on January 7, 1994. Staff has also reviewed the 1988 EIR as it was referenced in the MND. Staff's comments indicated that information regarding specific mitigations for the MRF were not included in the document's analysis. Staff has requested the LEA provide a copy of the Mitigation Monitoring and Reporting Program (MMRP). A MMRP has not been submitted as part of the permit package. The LEA has however submitted information indicating that the mitigations for the MRF are those included in the 1988 EIR. Staff find that the mitigations in the 1988 EIR are for landfill operations only and are not appropriate for a MRF.

Staff is aware that the Fairmead Landfill is not yet permitted to receive baled waste. The project described in the Negative Declaration included baled waste disposal at the landfill. Additional CEQA documentation must be developed which considers the MRF project without bale disposal at the Fairmead Landfill. Without this new documentation, staff can not make a determination that there has been adequate compliance with the requirements of CEQA.

Conformance with State Minimum Standards

The LEA determined that the facility's design and operation were in compliance with the State Minimum Standards for Solid Waste Handling and Disposal based on a review of the submitted Report of Station Information and upon a site inspection conducted on December 14, 1994.

However, staff of the Board's Enforcement Branch and the LEA conducted a joint inspection at the site on January 23, 1995. Staff found one violation of the Public Resources Code, two violations of State Minimum Standards and identified one area of concern. The area of concern is Entry Signs (CCR 17482). The violations are:

1) Operating without a SWFP (PRC 44002).

2) Design (CCR 17451)- The design of a new station shall utilize expert advice, ...

Madera County Fire Control District requires 2 roof access ladders at each end of the building. These ladders were not in place.

3) Identification Signs (CCR 17481)- Each point of access from a public road shall be identified by a suitable sign indicating the name of the station operator.

The sign posted did not state the name of the operator or facility phone number which is required by the LEA.

At the time this item went to print staff could not verify that the second and third violations were corrected. Issuance of the permit would correct the first violation.

In reviewing the proposed permit package, staff have found the following additional items to be consistent with state requirements:

Consistency with General Plan

The Madera County Planning Department (MCPD) confirmed that the proposed Mammoth MRF is consistent with the current Madera County General Plan, and also with the 1994 General Plan revision, which was approved by Madera County Planning Commission on December 6, 1994. In a letter dated January 27, 1995 from the MCPD, it was also verified that land use adjacent to, and near the facility is compatible with the facility and the use. Board staff concludes the that the requirements of PRC Section 50000.5 have been met.

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 impair the achievement of waste diversion goals. Based on available information relative to the diversion program, staff have determined that the issuance of the proposed permit would neither prevent nor substantially impair the jurisdictions achievement of AB 939 goals. The analysis used in making this determination is included as Attachment 4.

STAFF RECOMMENDATION:

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

Staff recommend that the Board object in the issuance of the Solid Waste Facility Permit for Mammoth Recycling Facility and Transfer Station for the following reasons:

1. The information required to verify compliance with PRC Section 50000 has not been provided; and

2. The appropriate documentation to verify compliance with CEQA requirements has not been provided; therefore, staff are not able to support approval of the project.

ATTACHMENTS:

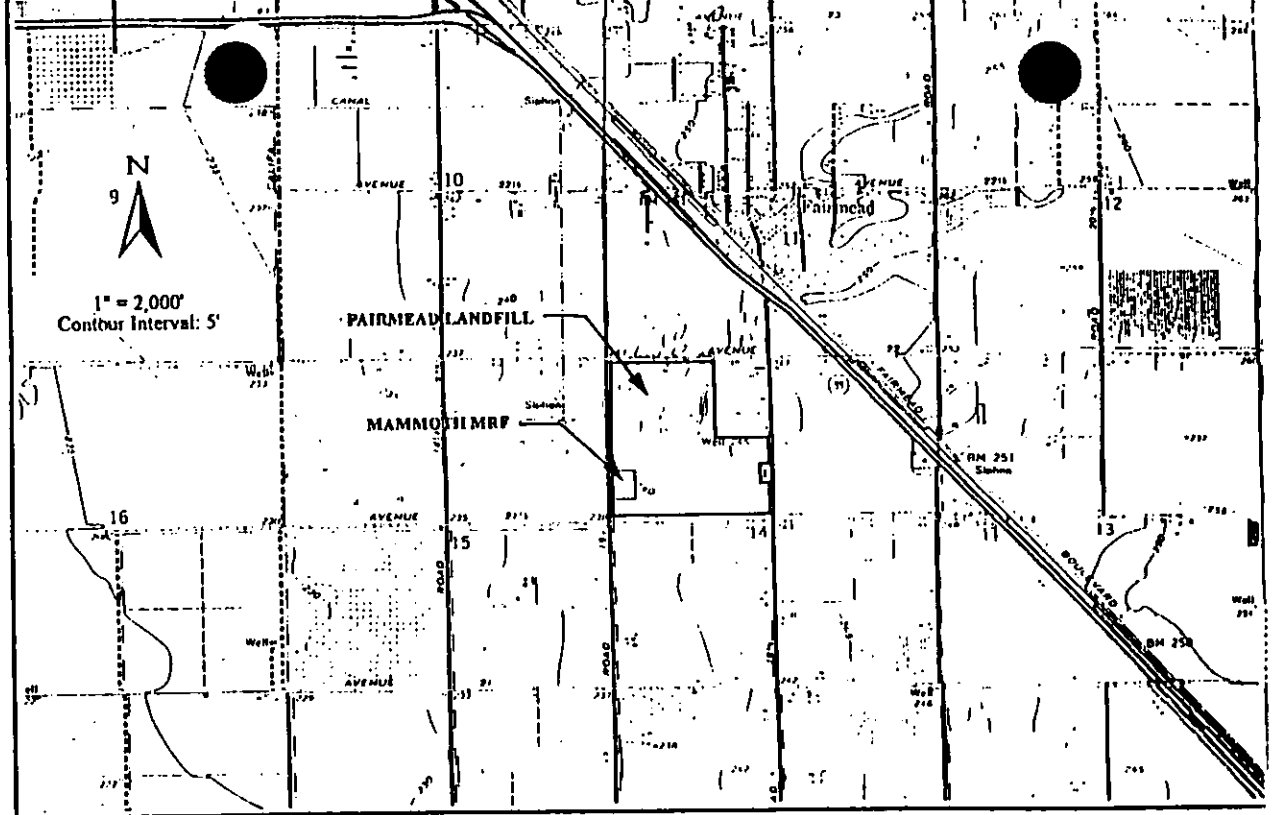
1. Location/Site Map
2. Floor Plan
3. Permit No. 20-AA-0031
4. AB 2296 Findings
5. Permit Decision No. 95-43

Prepared By: Virginia Rosales Phone: 255-2372

Reviewed By: Suzanne Hambleton/Don Drew, Jr. AF for 2/7 DD 2/7/95 Phone: 255-2453

Approved By: Doug Okumura 2-9-95 Phone: 255-2431

Legal Review: Kathryn J. Sobrio 2/9/95 Phone: 255-2188



PHASE THREE
ENVIRONMENTAL MANAGEMENT

FIGURE 1: PROJECT LOCATION, MAMMOTH MRF

BERENDA, CA. (SW/4 LE GRAND 15' QUADRANGLE, 37120-A2-TF-024).
MAP: 1961, PHOTOREVISED 1987, DMA 1958 II SW-SERIES V895

LOCATION MAP OF MADERA COUNTY

FIGURE 1

ATTACHMENT 1

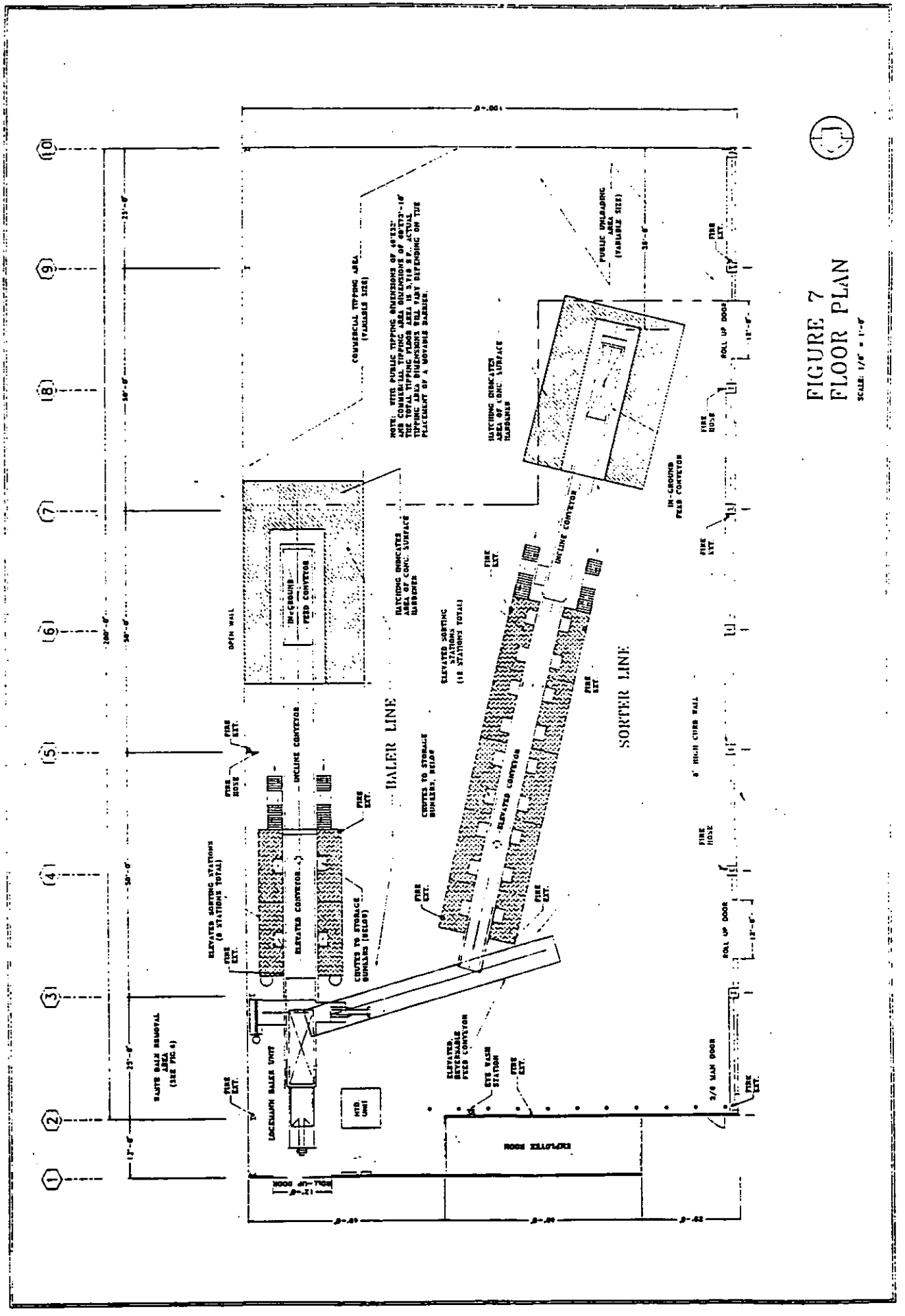


FIGURE 7
FLOOR PLAN
SCALE: 1/8" = 1'-0"

ATTACHMENT 3

SOLID WASTE FACILITY PERMIT

1. Facility/Permit Number: 20-AA-0031

2. Name and Street Address of Facility:

Mammoth Recycling Facility & Transfer Station
21739 Road 19
Chowchilla, CA 93610

3. Name and Mailing Address of Operator:

Madera Disposal Systems, Inc. (MDSI)
P.O. Box 414
Madera, CA 93639

4. Name and Mailing Address of Owner:

County of Madera
Dept. of Engineering & General Services
135 W. Yosemite
Madera, CA 93637

5. Specifications:

a. Permitted Operations:

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

b. Permitted Hours of Operation:

Monday through Friday 8:00 am to 4:30 pm
Saturday & Sunday 9:00 am to 4:30 pm

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

Non-Hazardous - General	400	Tons/Day
Non-Hazardous - Sludge	NA	Tons/Day
Non-Hazardous - Separated or comingled recyclables	100	Tons/Day
Non-Hazardous - Other (See Section 14 of Permit)	NA	Tons/Day
Designated (See Section 14 of Permit)	NA	Tons/Day
Hazardous (See Section 14 of Permit)	NA	Tons/Day

d. Permitted Traffic Volume: Total: 155 Vehicles/Day

Incoming waste materials	132	Vehicles/Day
Outgoing waste materials (for disposal)	18	Vehicles/Day
Outgoing materials from material recovery operations	5	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)	3.99 a	NA a	3.99 a	3.99 a	NA a	NA a
Design Capacity		NA cy	560 tpd	360 tpd	NA tpd	NA tpd
Max. Elevation (Ft. MSL)		NA ft				
Max. Depth (Ft. BGS)		NA ft				
Estimated Closure Date		NA				

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

Jill S. Nishi
Name/Title

7. Enforcement Agency Name and Address:

Madera County Environmental Health Department
135 W. Yosemite
Madera, CA 93637

8. Received by CIWMB: JAN 1 1 1995

9. CIWMB Concurrence Date:

10. Permit Review Due Date:

11. Permit Issued Date:

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

20-AA-0031

12. Legal Description of Facility (attach map with RFI):

Portion of S14, T10 S, R16 E, MDB & M. See attached legal description.

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 50000(a)(4). County approved SRRE & HHWE. See attached.

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. 12/14/94.

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. Madera County Fire Department, California Department of Forestry.

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. Statute of limitations to appeal the adoption of the NOD ended 7/8/94 as per the Madera County Planning Department.

f. A County-wide Integrated Waste Management Plan has/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: Assistant Planning Director, Dan Hendrycks. *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). Madera County Planning Commission.

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 prohibited from accepting any of the above noted wastes.

The permittee is additionally prohibited from the following items:

Scavenging, burning of any kind; receiving septic tank pumpings, dead animals, untreated medical wastes, incinerator ash, wastes other than those described in section 5(C) of this document or any other kind of special wastes

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	11/94	[X] Contract Agreements - operator and contract	11/9/93
[X] Land Use Permits and Conditional Use Permits	3/3/89	[] Waste Discharge Requirements	NA
[ ] Air Pollution Permits and Variances	NA	[] Local & County Ordinances	NA
[X] EIR or Negative Declaration	12/2/93	[] Final Closure & Post Closure Maintenance Plan	NA
[ ] Lease Agreements - owner and operator	NA	[] Amendments to RFI	NA
[ ] Preliminary Closure/Post Closure Plan	NA	[] Other (list):	NA
[ ] Closure Financial Responsibility Document	NA		

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SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 20-AA-0031

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.	Daily weight/Volume records showing: waste in-flow, residual waste out-flow and commodity out-flow; calculated monthly.	Quarterly	LEA
2.	Log of special occurrences, such as fires, injuries, property damage, accidents, explosions, incidents regarding hazardous wastes, flooding and other unusual occurrences; including documentation of the operator's actions to correct these situations.	Annually	LEA
3.	Training procedures including individual personnel training records.	Annually	LEA
4.	Cleaning schedule records including documentation that cleaning duties were performed as scheduled in accordance with the Report of Station Information or as directed by the LEA.	Upon Request	LEA
5.	Storage records documenting the storage times of salvagable materials and household hazardous wastes in accordance with the Report of Station Information and the Hazardous Materials Business Plan.	Quarterly Annually for the Hazardous Materials Business Plan	LEA
6.	Station and equipment maintenance records documenting repairs and inspections.	Annually and Upon Request	LEA
7.	Household hazardous wastes records documenting the final destination of the HHW and the operator's procedures for handling the wastes.	Quarterly and Upon Request	LEA
8.	Log of complaints received regarding the operation of the facility.	Within 1 business day upon receipt of complaint	LEA
9.	Noise measurements at the direction of the LEA.	Upon Request	LEA

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

20-AA-0031

17. LEA Conditions:

1. This facility shall comply with all provisions under the State Minimum Standards for Solid Waste Handling and Disposal.

2. The design and operation of this facility shall comply with all federal, state and local requirements and enactments including mitigation measures.

3. The operator shall maintain a copy of this permit at the facility, so it will be available at all times to facility personnel and to the Local Enforcement Agency (LEA).

4. Additional information concerning the design and operation of this facility must be furnished on request of the LEA and/or the CIWMB.

5. The operator shall notify the LEA, in writing, of any proposed changes in the routine operation of the facility or of any changes in facility design during the planning stages. In no case shall the operator undertake any change unless the operator first submits to the LEA a notice of the change(s) at least 120 days prior to the change(s) taking place. Any significant change as determined by the LEA would require a revision of the Solid Waste Facilities Permit.

6. Any change in the operator of this facility would require a new Solid Waste Facilities Permit.

7. This facility has a permitted capacity of 500 tons per operating day and shall not receive more than 500 tons per day without a revision of this permit.

8. During the hours of operation for all transfer station activities, an attendant(s) shall be present at all times to supervise the unloading of the waste material.

9. The maximum storage time for refuse is 24 hours Monday through Friday. Maximum storage time is 48 hours Saturday and Sunday. All stored waste must be contained in the building or in enclosed vehicles. The LEA reserves the right to reduce this time and/or require the waste be removed from the facility by the end of each operating day if storage presents a potential for a significant health hazard or becomes a public nuisance.

10. The operator will maintain a log of special/unusual occurrences. The operator shall maintain this log at the station so as to be available at all times to site personnel and to the LEA.

11. Any complaints about the facility received by its operator shall be forwarded to the LEA within one working day.

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

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

14. The operator shall comply with all of the requirements of all applicable laws pertaining to employee health and safety.

15. Storage of recovered materials shall not at any time exceed 90 days. The LEA reserves the right to reduce this time and/or require the waste be removed from the facility if storage presents a potential for a significant health hazard or becomes a public nuisance.

16. Storage of hazardous waste shall not at any time exceed 90 days. All containers shall be properly labeled and dated.

17. A hazardous waste business plan shall be submitted to the Environmental Health Department and updated on an annual basis.

18. The solid waste facilities permit shall be subject to review and, if necessary, revised at least once every five years.

19. The facility's operating records shall be maintained and available for review upon request of the LEA and other regulatory agencies.

20. The facility shall recover for reuse or recycling at least 15% of the total volume of material received by the facility pursuant to PRC 50000(a)(4).

ATTACHMENT 4

State of California

California Environmental Protection Agency

MEMORANDUM

To: Suzanne Hambleton
Permits Branch, South
Permitting and Enforcement Division

Date: January 31, 1995

From: Tabetha Willmon
Tabetha Willmon
Office of Local Assistance
Diversion, Planning and Local Assistance Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: Request for Conformance Finding for Mammoth Recycling Facility and Transfer Station, Facility Number 20-AA-0031

The proposed project involves a new solid waste facilities permit for the Mammoth Recycling Facility (Mammoth MRF) located within the unincorporated portion of the County of Madera.

The proposed project is located on a 3.99 acre, non-fill area of land owned by the County of Madera at the site of the existing Fairmead Landfill. According to its proposed solid waste facility permit, the maximum permitted tonnage is 500 tons per day. The Mammoth MRF is designed to receive mixed municipal solid waste (residential, commercial, industrial, and self-haul), commingled recyclables, non-hazardous industrial wastes, and construction/demolition wastes. Other wastes that are recyclable, including tires, appliances, and wood will be directed to the Mammoth MRF. The project is presently being designed to serve the Cities of Chowchilla, Madera, and the unincorporated portion of Madera County.

Activities at the Mammoth MRF will include recovery of recyclable materials and baling of wastes. The baled wastes are intended to be transferred to the Fairmead Landfill. However, as of late 1994, the Fairmead Landfill has only a limited amount of capacity available. If the landfill cannot be expanded and permitted in the near future it may be forced to close. Should this occur, either temporarily or permanently, the Mammoth MRF will function as a MRF/transfer station. Residual wastes will be transferred to one or more permitted disposal facilities.

PRC 44009: Waste Diversion Requirement

Board staff have reviewed the proposed Mammoth Recycling Facility and Transfer Station Permit, the Report of Station Information (RSI), and the Preliminary Draft Source Reduction Recycling Elements (SRRE) for the Cities of Madera and Chowchilla, and the unincorporated portion of the County of Madera. The City of Madera identifies a plan for the construction/usage of a materials recovery facility to aid in achieving their waste diversion goals. The City of Chowchilla and the unincorporated portion of Madera County identify the construction/usage of a materials recovery facility as a contingency measure in the event that the jurisdiction falls short of the mandated diversion goal.

There is no evidence in the record that would indicate that this project would prevent or substantially impair the achievement of waste diversion mandates. Therefore, staff concludes the requirements of PRC Section 44009 have been met.

PRC 50000: Conformance with CoSWMP

The Mammoth MRF is a new facility and is not identified in the 1984, Madera County Solid Waste Management Plan (CoSWMP). In conversations with Mike Kirn, Director of Engineering and Building for Madera County, and Jill Nishi, Registered Environmental Health Specialist for Madera County Environmental Health Department, Madera County staff believe that the Mammoth MRF Site Identification and Description had been submitted to the Local Task Force; however, Board staff have not received verification that this requirement (PRC 50000(a)(4)) has been met.

In reviewing the Mammoth Recycling Facility and Transfer Station Permit and the RSI, staff found no indication of expected recovery rates for the Mammoth MRF. PRC Section 50000(a)(4) states that "a material recovery facility means a transfer station which is designed to, and as a condition of its permit, shall recover for reuse or recycling at least 15 percent of the total volume of material received by the facility". Staff contacted Jill Nishi of the LEA in regards to this requirement. Ms. Nishi indicated she would amend the permit to inlcude the recovery of at least 15 percent; however, staff still have no documentation of recovery rates for the facility.

The Madera County Engineering Department submitted copied documentation from the Madera County SRRE as approved by the Madera County Board of Supervisors. An accompanying letter, submitted by the County's Engineering Department to Jill Nishi,

Madera County Environmental Health Department, indicated that the SRRE identified several recommendations for the County to meet the reduction mandates, and that a key recommendation in the SRRE was the construction and operation of a material recovery facility. However, identification of the facility in the SRRE does not fulfill the requirement of PRC Section 50000. In addition, the Madera County final draft SRRE has not been submitted to the CIWMB for review.

PRC 50000.5: Consistency with the General Plan

In a conversation with Dan Hendrycks, Madera County Planning Department, on January 25, 1995, Mr. Hendrycks confirmed that the proposed Mammoth MRF is consistent with the current Madera County General Plan, and also with the 1994 General Plan revision, which was approved by the Madera County Planning Commission on December 6, 1994. He also verified, in a letter dated January 27, 1995, that land use adjacent to, and near the facility is compatible with the facility and the proposed use. The RSI for the Mammoth MRF also includes a figure, prepared by the Madera County Planning Department, which maps the land use zoning for the facility and surrounding area as agricultural.

Based on this information staff concludes that the requirements of PRC Section 50000.5 have been met.

Summary of Conclusions

Based upon the review of submitted documents, staff make the following findings regarding proposed permit no. 20-AA-0031:

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

2. There is insufficient evidence in the record to verify that the site identification and description of the facility has been submitted to the task force for review and comment (PRC 50000(a)(4)). Staff is not able to find the facility in conformance with PRC Section 50000 until the LTF has made these comments.

3. The facility is consistent with the County of Madera General Plan (PRC 50000.5).

If you have any questions or comments, please call Tabetha Willmon at (916) 255-2659.

ATTACHMENT 5

California Integrated Waste Management Board
Permit Decision No. 95-43
February 22, 1995

WHEREAS, the Mammoth Recycling Facility and Transfer Station is owned by Madera County, and operated under contract by Madera Disposal Systems, Inc. (MDSI); and

WHEREAS, the Mammoth Recycling Facility and Transfer Station was observed by the Madera County Environmental Health Department, acting as the Local Enforcement Agency (LEA), on October 19, 1994 and November 14, 1994, receiving wastes and operating without a Solid Waste Facilities Permit; and

WHEREAS, the LEA entered into a Stipulated Order of Compliance and Agreement (STIP) with Madera County Engineering Department and MDSI on November 21, 1994; and

WHEREAS, the STIP ordered the owner/contract operator to cease receiving and baling solid wastes, and submit an application for a new Solid Waste Facilities Permit to the LEA by December 12, 1994; and

WHEREAS, the owner/contract operator appealed the enforcement action to the Madera County Solid Waste Independent Hearing Panel on January 26, 1995; and

WHEREAS, a "stay" has been issued by the Hearing Panel allowing the facility to continue to receive and bale solid waste until another hearing is scheduled within 29 days from the date of that hearing; and

WHEREAS, on December 14, 1994 the LEA accepted, as complete, an application for a new Solid Waste Facilities Permit; and

WHEREAS, the LEA has submitted to the Board for its review and concurrence in, or objection to, a new Solid Waste Facilities Permit for the Mammoth Recycling Facility and Transfer Station; and

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

WHEREAS, Board staff are unable to make a definitive determination that there is adequate compliance with CEQA requirements to support Board approval of the proposed project; and

WHEREAS, on January 23, 1995 during a joint inspection of the facility by the LEA and Board staff, two violations of State Minimum Standards and one violation of the Public Resources Code (PRC) were documented; and

WHEREAS, the Board finds there is inconclusive evidence of compliance with Public Resources Code Section 50000 (a)(4); and

WHEREAS, the Board finds that all state and local requirements regarding consistency with the Madera County General Plan and waste diversion requirements have been met.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board objects in the issuance of Solid Waste Facilities Permit No. 20-AA-0031 for the following reasons:

1. There is no evidence that the site identification and description for the Mammoth Recycling Facility and Transfer Station has been submitted to the local task force, as required by PRC 50000 (a)(4).

2. A Mitigation Reporting or Monitoring Program has not been submitted as part of the Mammoth Recycling Facility and Transfer Station proposed permit package. The Negative Declaration references the 1988 EIR submitted for the requirements of CEQA compliance analyzed bale disposal at the Fairmead Landfill which is not permitted to accept bales. The mitigations that staff finds in the 1988 EIR are for the landfill operations only and are not appropriate for the MRF.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

AGENDA ITEM 11

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facility Permit for the Tajiguas Sanitary Landfill, Santa Barbara County

COMMITTEE ACTION:

The Permitting and Enforcement Committee's recommendations regarding this project were not available at the time this item went to print.

BACKGROUND:

Facility Facts

Facility Name:	Tajiguas Sanitary Landfill, Facility No. 42-AA-0015
Facility Type:	Existing Class III Sanitary Landfill
Location:	14470 Calle Real, Goleta, CA
Area:	Permitted site area is 130 acres, 75 acres used for disposal
Setting:	Rural, zoned U, unlimited agriculture
Permitted Daily Capacity:	Maximum of 550 tons per operating day
Proposed Daily Capacity:	1500 tons per operating day
Operational Status:	Currently operating under a Stipulated Order of Compliance issued by the Santa Barbara Environmental Health Services Division (LEA) on December 22, 1994
Acceptable Waste Type:	Agricultural solid waste, nonhazardous cold ashes, bulky waste, construction/demolition waste, dead animals, garbage, properly treated medical waste, putrescible wastes, rubbish, dried sludge with less than 50% liquid, street refuse and non-friable asbestos

Volumetric Capacity:	Proposed total capacity is 12,000,000 cubic yards, remaining site capacity as of December 1994 estimated at 1,800,000 cubic yards; estimated closure date 2000
Owner/Operator	County of Santa Barbara Public Works Solid Waste Management Division Phillip M. Demery, Director
LEA:	Santa Barbara County Environmental Health Services Division Gary Erbeck, Director

Proposed Project

After conducting a permit review, the LEA determined that a permit revision is necessary to accurately reflect current and planned operational and design changes that exceed those described in the facility's 1978 Solid Waste Facility Permit (SWFP). The permit review report revealed that the following significant changes have or will occur at the landfill:

- Increased tonnage from 550 to 1,500 tons per day
- Lateral expansion consisting of permitted operational area increasing from 130 to 240 acres and expansion of the disposal area from 75 to 80 acres (80 acre footprint)
- Vertical expansion that will raise maximum elevation from 400 to 500 feet above mean sea level
- The addition of a Household Hazardous Waste screening program with temporary holding lockers
- Acceptance of sewage sludge containing 50% solids.

SUMMARY:

Site History The Tajiguas Landfill is located in an unincorporated portion of Santa Barbara County in a small coastal canyon along the Gaviota Coast in southern Santa Barbara County. This canyon, the Canada de Pila, is located on the coastal plain between the Pacific Ocean to the south and the Santa Ynez Mountains to the north. U.S. Highway 101 provides regional access to the project site. This portion of the Santa Barbara County coast is primarily used for agricultural purposes, oil extraction and processing facilities, recreation, and open space areas. The Tajiguas Landfill has been in operation at this location since 1966. In 1978, the landfill was permitted to

receive 550 tons per day of Class II and Class III residential and commercial waste. The area fill method of landfilling is utilized at the site. Approximately two thirds of the waste disposed of at the landfill is brought to the site from the Santa Barbara Transfer Station.

On December 22, 1994, the LEA issued a Stipulated Order of Compliance (STIP) and Agreement to the County of Santa Barbara for violations of the 1978 permit. The STIP allowed the Tajuguas Landfill to continue operations while the solid waste facility permit was being revised. Specific permit violations prompting the STIP include exceeding the maximum allowable daily tonnage, exceeding the height limit, and the acceptance of sewage sludge.

Project Description: The Report of Disposal Site information describes current design, operation and planned changes for the next five years at the landfill. The following is a brief synopsis of the information provided in the RDSI:

The Tajiguas Sanitary Landfill is a 240 acre Class III landfill that is owned and operated by the County of Santa Barbara, Public Works, Solid Waste Management Division. The site can be accessed from the U.S. Highway 101, twenty-five miles west of the City of Santa Barbara. The landfill's service areas include the City of Santa Barbara, the unincorporated areas of Montecito, Summerland, Goleta, and rural areas between Gaviota and the Santa Barbara/Ventura County line. The canyon landfill's high ridges and a lack of roads prevent unauthorized access from the north, east, and west. Locked entry gates during non-business hours prevent unauthorized entrance from the south.

The Tajiguas Landfill is not open to the general public. Waste is delivered to the site in county operated transfer vehicles, by commercial haulers, and a limited number of pickups from nearby ranches. All vehicles, except transfer vehicles from Santa Barbara Transfer Station, entering the facility stop at the scales and weigh in before proceeding to the active face for disposal. Santa Barbara Transfer Station vehicles arriving at the landfill do not stop at the scales because their weight has already been recorded at the Transfer Station.

The site access road proceeds past the scale house along the western perimeter of the landfill. Eventually the asphalt road ends and traffic continues on a dirt road over previously buried waste. When the disposal vehicles reach the active face, they deposit their load near the toe of the working face. A bulldozer pushes the waste material up the working face to the compactor. Compaction consists of the compactor making between four to six passes over the waste. Waste is compacted in lifts of two feet

or less. The daily cell size at the site averages 17 feet high, 125 feet wide and 20 feet deep.

At the end of each operating day the waste is covered with six inches of soil or green waste. Green waste is applied to the working face of the landfill several days per week as part of a green waste alternative daily cover demonstration project which has been approved by the LEA, CIWMB, and the Regional Water Quality Control Board. Soil for daily cover is available on site at the east ridge borrow area. Soil is stockpiled near the working face for fair weather operations and near the wet weather area for cover when inclement weather conditions prevail and borrow areas can not be accessed.

Before the rain season begins, one foot of soil is placed over the entire operating surface of the landfill. The only portion of the operating landfill that is not covered with this intermediate cover is the active working face.

This permit revision authorizes only Phase I, which adds five acres to the landfills footprinted area, of a fill plan with three phases. Areas that have not previously been contacted by waste are required to be lined with a Water Board approved liner prior to waste placement.

Environmental Controls: Environmental control measures for impacts from potential problems from drainage and erosion, fire, dust, vectors, litter, noise, odor, traffic, and the facility's hazardous waste screening program are addressed in the RDSI as follows:

Drainage and Erosion control is achieved by controlling the surface water, run-on/run-off. The surface of the landfill is graded to drain surface waters into 48 inch culverts. Slopes are constructed between 2-3% to prevent significant erosion. Flood water or rain upstream of the landfill is collected in two retention/sedimentation basins designed to temporarily retain the 100 year 24 hour storm event.

Fire: Should a fire occur at the landfill, attempts will be made to control the fire with extinguishers, heavy equipment, or by using the landfills water systems--which include water trucks, water storage tanks, and a water pull. If the facility personal are not able to contain the fire, the local fire department will be contacted for assistance.

Dust control at the site consist of the application of water to unpaved roads and heavy equipment activity areas. Water is applied to the roads with a water pull.

Vector and Bird problems are controlled through the prompt compaction, burial, and covering of wastes received at the landfill. Seagulls have been an ongoing problem at the landfill because of the sites proximity to the Pacific Ocean. The operator uses pistol fired noise makers and propane cannons. These methods combined with daily cover help to control seagulls.

Litter is controlled by portable and permanent litter fencing strategically placed around the active disposal face and by permanent fencing at the perimeter of the landfill. Periodic (3 days a week) sweeps are made by litter crews (3 to six people) to remove litter from the perimeter fencing. If extremely windy conditions occur, additional personnel are recruited from the Transfer Station to assist in litter control.

Noise control is provided by the physical isolation of the landfill. High canyon ridges, distances to sensitive receptors and the existing ambient noise levels in the area created by U.S. Highway 101 traffic reduce noise impacts associated with landfill operations.

Odor control is accomplished through the prompt compaction, burial, and covering of wastes received at the landfill and the distance to sensitive receptors.

Traffic management on-site is provided by a combination of signs, traffic cones, and verbal direction.

Hazardous Waste disposal at the landfill is prohibited. The following methods are in place to prevent hazardous material disposal at the Tajiguas Landfill:

* Initial hazardous waste (HW) screening of approximately 2/3 of the site's waste stream is conducted at the Santa Barbara Transfer Station before it is transported to the landfill

* A sign is posted at the landfill which states that hazardous waste is not accepted

* Site personnel receive a minimum of 8 hour hazardous waste operators training

* A minimum of five random loads per week are diverted to a designated sorting area and checked for HW. Results of the inspection are documented with a Waste Load Inspection Form

* Load checkers monitor the waste stream as it is unloaded at the active face

* If a load is suspected of being hazardous, the waste hauler is instructed not to dump the material and given information on whom to contact for proper disposal

* If hazardous waste is detected and the discharger is not identified, the waste is removed from the disposal area and stored on-site in HW storage containers

* If HW is detected and cannot be safely handled by facility personnel, the Santa Barbara County Fire Department and the LEA will be notified

* All HW dumping incidences are logged and significant HW dumping incidences are reported to the LEA and the local fire department

Resource Recovery Operations: Salvaging at the landfill is limited to removing tires from the refuse. Tires are removed from the refuse only when the safety of the load checker is not threaten. No volume reduction or recycling program has been established at the landfill.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facility Permit
Pursuant to Public Resource Code Section 44009, the Board has 60 calendar days to concur with or object to the issuance of a solid waste facility permit. Since the permit was received on January 27, 1995, the last day the Board could act is March 28, 1995.

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

1. Conformance with County Plan

   The Tajiguas Sanitary Landfill is an existing facility and is identified on page 71 of the Santa Barbara County Solid Waste Management Plan, dated May 1985. Based on this information, staff agree with the LEA's certification that the requirements of PRC 50000 have been met.

2. Consistency with General Plan

   Staff of the Santa Barbara County Planning Commission have indicated that the operation of the Tajiguas Sanitary

Landfill is in conformity with the Santa Barbara County with the Santa Barbara County Comprehensive Plan. Furthermore, staff representing the Santa Barbara County Solid waste Management Division have attested that the facility is consistent with the General Plan, and that the operations of the facility are compatible with the surrounding land uses. Thus, satisfying the requirements of PRC 50000.5. Board staff agree with said findings (Attachment 4).

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 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 achievement of the waste diversion requirements of AB 939 (Attachment 4).

4. California Environmental Quality Act (CEQA)

State law requires the preparation, findings of significance, and a determination of completeness of an environmental document and adoption of a mitigation reporting or monitoring program (MRMP), when applicable.

The Santa Barbara County Resource Management Department, acting as lead agency prepared an Environmental Impact Report (EIR), State Clearing House (SCH) #86111202, 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 an acceptable level. Board staff reviewed the Draft EIR and provided comments to the SCH on July 14, 1987. The Santa Barbara County Resource Management Department prepared and offered adequate responses to comments in the Final EIR. The EIR was certified as approved on August 20, 1987, a Notice of Determination was not filed and the Statute of Limitations expired after the 180 days challenge period elapsed.

After reviewing the Final EIR and response to comments for the proposed project, Board staff have determined that the EIR is acceptable for the Board's use in evaluating the proposed project.

5. Consistency with State Minimum Standards

The LEA and Board staff have determined, based on review of the Report of Disposal Site Information and supporting documentation that the facility's design is adequate and is consistent with State standards. A joint LEA and Board staff inspection of the site was conducted on December 7, 1994. The inspection revealed no violations of State Minimum Standards for Solid Waste Handling and Disposal.

However, this facility is in violation of the Public Resources Code (PRC) Sections 44004, significant change, and 44014 (b), operating outside the terms and conditions of the permit. Board concurrence with this permit and its subsequent issuance by the LEA will correct these violations.

6. Closure/Post Closure Maintenance Plans and Financial Mechanism Requirements

Title 14, California Code of Regulations (CCR) Section 18268 requires Closure and Postclosure Maintenance Plans for landfills. The required preliminary plans for the Tajiguas Sanitary Landfill, were deemed complete by the Board's Closure and Remediation Branch on August 4, 1994.

On January 25, 1995 staff of the Board's Financial Assurances Section evaluated the financial assurance mechanism established by the County of Santa Barbara (County) for the Tajiguas Sanitary Landfill. Consequently, staff have determined that the County's closure/postclosure fund meets the requirements of 14 CCR 18285, and that the fund balance is currently at a level consistent with 14 CCR 18282, requirements.

7. Operating Liability

The County of Santa Barbara had demonstrated financial responsibility for operating liability claims with a Certificate of Self-Insurance and Risk Management dated September 2, 1992.

STAFF RECOMMENDATION:

Because a revised Solid Waste Facility Permit has been proposed, the Board must either object to or concur with the issuance of the permit as submitted by the LEA.

Staff recommend that the Board adopt Permit Decision No. 95-40 concurring with the issuance of Solid Waste Facility Permit No. 42-AA-0015.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Proposed Permit 42-AA-0015
4. AB2296 Finding of Conformance
5. Permit Decision No. 95-40

Prepared by: Terry Smith 2-6-95 Phone: 255-2376

Reviewed by: Don Dier, Jr./Suzanne Hambleton 2/6 Phone: 255-2453

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

Legal Review: Kathryn J. Robins 2/9/95 Phone: 255-2188

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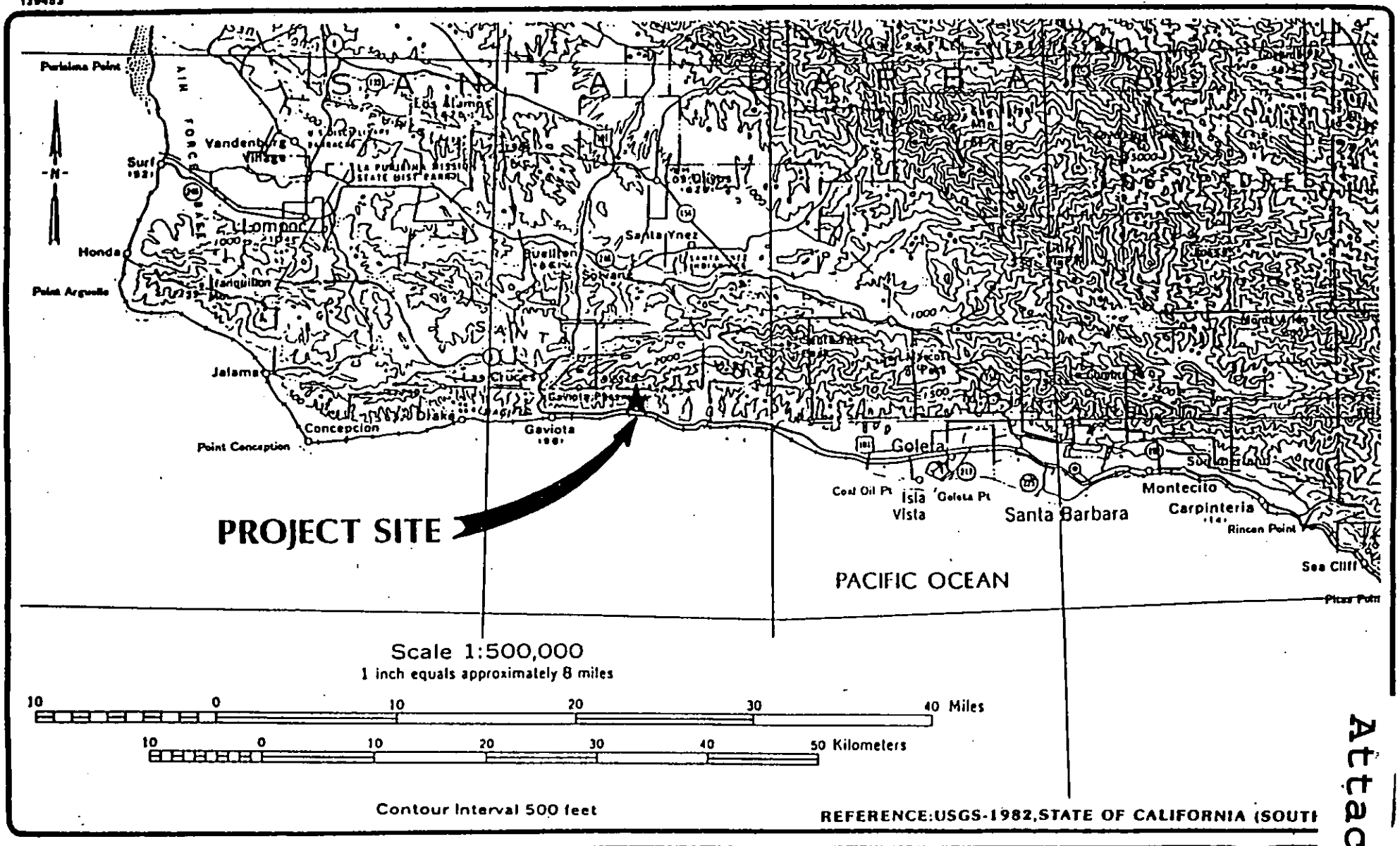


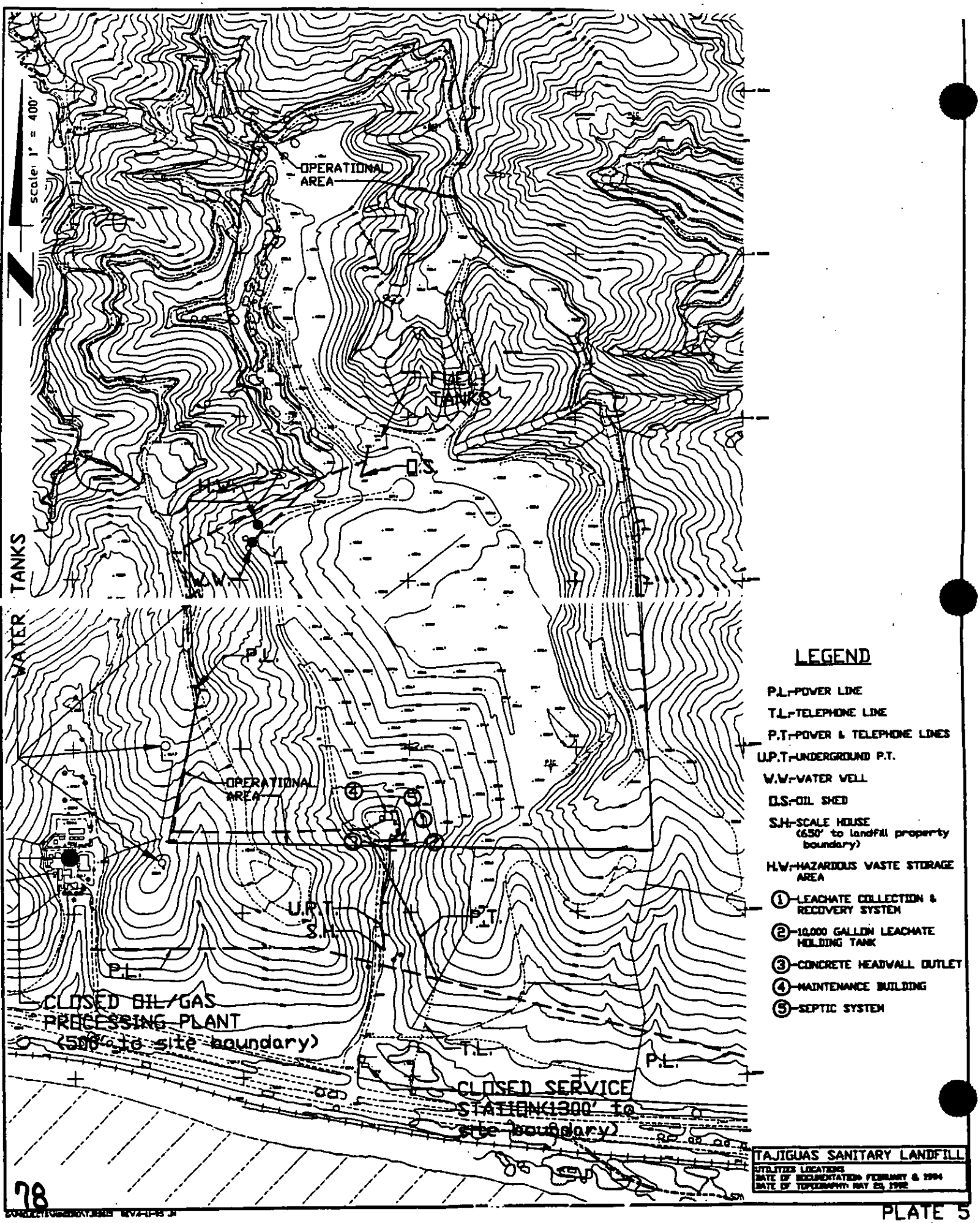
COUNTY OF SANTA BARBARA
TAJIGUAS LANDFILL
SANTA BARBARA COUNTY, CALIFORNIA

SITE LOCATION MAP

PL

Attachment 1

17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OPERATIONAL AREA
FUEL TANKS
O.S.
H.W.
W.W.
WATER TANKS
P.L.
OPERATIONAL AREA
U.P.T.
S.H.
P.T.
P.L.
CLOSED OIL/GAS PROCESSING PLANT (500' to site boundary)
T.L.
P.L.
CLOSED SERVICE STATION(1300' to site boundary)
LEGEND
P.L.-POWER LINE
T.L.-TELEPHONE LINE
P.T.-POWER & TELEPHONE LINES
U.P.T.-UNDERGROUND P.T.
W.W.-WATER WELL
O.S.-OIL SHED
S.H.-SCALE HOUSE (650' to landfill property boundary)
H.W.-HAZARDOUS WASTE STORAGE AREA
1-LEACHATE COLLECTION & RECOVERY SYSTEM
2-10,000 GALLON LEACHATE HOLDING TANK
3-CONCRETE HEADWALL OUTLET
4-MAINTENANCE BUILDING
5-SEPTIC SYSTEM
TAJIGUAS SANITARY LANDFILL
UTILITIES LOCATIONS
DATE OF DOCUMENTATION: FEBRUARY 8, 1994
DATE OF TOPOGRAPHY: MAY 25, 1992

PLATE 5

Attachment 3

SOLID WASTE FACILITY PERMIT

1. Fa

2. Name and Street Address of Facility:	3. Name and Mailing Address of Operator:	4. Name and Mailing Address of Owner:
Tajiguas Sanitary Landfill Calle Real CA	County of Santa Barbara Public Works Solid Waste Management Division 123 E. Anapamu Street Santa Barbara, CA 93101	County of Santa Barbara Public Works Solid Waste Management Division 123 E. Anapamu Street Santa Barbara, CA 93101

5. Specifications: Class III Sanitary Landfill

a. Permitted Operations:

___	Composting Facility (mixed waste)	___	Processing Facility
___	Composting Facility (yard waste)	___	Transfer Station
_XX_	Landfill Disposal Site	___	Transformation Facility
___	Material Recovery Facility	___	Other:

b. Permitted Hours of Operation: Monday 7:00am - 5:00pm. Tuesday - Saturday 7:00am - 4:00pm: closed holidays.
Cover and compaction: Monday 7:00am - 6:00pm. Tuesday - Saturday 7:00am - 5:00pm: closed holidays.

c. Permitted Tons Per Operating Day:

	Total:	1500	Tons/Day
Non-Hazardous - General		1499.9	Tons/Day
Non-Hazardous - Sludge		0.10	Tons/Day
Non-Hazardous - Separated or comingled recyclables		N/A	Tons/Day
Non-Hazardous - (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:	128	Vehicles/Day
Incoming waste materials		128	Vehicles/Day
Outgoing waste materials (for disposal)		0	Vehicles/Day
Outgoing materials from material recovery operations		0	Vehicles/Day

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

	Total Operational	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (RDSI, Plate 6)	240 acres	80 acres	0 acres	0 acres	0 acres	0 acres
Design Capacity		12,000,000 cy	0 tpd	0 tpd	0 tpd	0 tpd
Max. Elevation (Ft. MSL)		500 ft				
Max. Depth (Ft. BGS)		Unknown ft				
Estimated Closure Date (Phase I)		2000				

This permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, the 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

Gary W. Erbeck/Director
Name/Title

7. Enforcement Agency Name and Address:

Santa Barbara County
Environmental Health Services Division
120 Cremona Drive, Suite C
Goleta, CA 93117

8. Received by CIWMB: JAN 27 1995

9. CIWMB Concurrence Date:

Permit Review Due Date:

11. Permit Issue Date:

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 42-AA-0015/Tajiguas Landfill

12. Legal Description of Facility (attach map with RFI):
Section 28 & 33 T5N, R31W S.B.B.M., APN: 81-150-19 & -26.

13. Findings:

a. This permit is consistent with the 1985 County Solid Waste Management Plan, pages 37, 39, 66, 70-73 107-109. Public Resources Code, Section 50000.(a)(1).

b. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB) as required in 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 the CIWMB on December 7, 1994.

d. The Santa Barbara County Fire Department has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151, and as noted in SB County Fire Department Inspection Report dated August 23, 1994.

e. A Final Environmental Impact Report dated July 1988 is filed with the State Clearinghouse in compliance with the California Environmental Quality Act and the State CEQA guidelines pursuant to Public Resources Code, Section 21081.6. State Clearinghouse Number 86111202.

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

g. The Santa Barbara County Planning and Development Department has made a determination that the facility is consistent with, and designated in, the applicable general plan, as per Public Resources Code, Section 50000.5(a).

h. The Santa Barbara County Planning and Development Department has made a 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 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. Non-hazardous bulky wastes as defined in 14 CCR 17225.8.
b. Dried sewage sludge and water treatment sludge with less than 50% liquid.
c. Properly treated medical waste as defined in CA Health & Safety Code Ch. 6.1, Section 25023.5.
d. Dead animals.
e. Non-friable asbestos.

The permittee is additionally prohibited from the following items:

a. Liquid wastes, including grease.
b. Sewage sludge with less than 50% solids by weight, and septic tank pumping waste.
c. Burning waste.
d. Hot ashes.
e. Untreated medical waste.

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

		Date:			Date:
_X_	Report of Facility Information	July 1994	___	Contract Agreements - operator and contract	N/A
___	Land Use Permits and Conditional Use Permits	N/A	_X_	Waste Discharge Requirements	November 1993
___	Air Pollution Permits and Variances	N/A	___	Local & County Ordinances	N/A
_X_	EIR, State Clearinghouse Number 86111202.	July 1988	___	Final Closure & Postclosure Maintenance Plans	N/A
___	Lease Agreements - owner and operator	N/A	_X_	Amendment to RFI	January 1995
_X_	Preliminary Closure/Post Closure Plan	August 1994	_X_	Other (list): Periodic Site Review	July 1994
_X_	Closure Financial Responsibility Document	October 1994		Local Task Force Letter	November 1993

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 42-AA-015

16. Self Monitoring:

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. Load Checking and Hazardous Waste Screening Program, including acceptance and/or disposal of hazardous waste or other inappropriate waste, closures, rejection of waste loads.	Quarterly	Public Works Department & Environmental Health Services Division
2. Log of Special Occurrences, which includes records of fires, explosions, injury and property damage accidents, earth slides, sudden settlement, flooding, and other unusual events with a brief description of the response to and resolution of each incident.	Daily	Public Works Department & Environmental Health Services Division
3. Vehicle Count & Tonnage Intake	Quarterly	Public Works Department & Environmental Health Services Division
4. Methane Monitoring, perimeter subsurface and on-site structures.	Quarterly	Public Works Department & Environmental Health Services Division

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 42-AA-015

17. LEA Conditions:

A. This facility shall comply with State Minimum Standards for Solid Waste Handling and Disposal.

B. This facility shall comply with all Federal, State and Local Requirements and enactments, including all mitigation measures given in any certified Environmental document filed pursuant to Public Resources Code, Section 21081.6.

C. This permit supersedes the previous permit #42-AA-0015 issued February, 1978.

D. The following, as defined in the indicated corresponding 14 CCR Sections, are acceptable for disposal: Agricultural solid waste (17225.3); Non-hazardous, cold ashes (17225.5); Bulky waste (17225.8); Construction & demolition waste (17225.15); Dead animals (17225.18); Garbage (17225.30); Properly treated medical waste (Health & Safety Code, Chapter 6.1, Section 25023.5); Putrescible wastes (17225.52); Rubbish (17225.59); Dried sludge with less than 50% liquid (17225.65); Street refuse (17225.71); Non-friable asbestos.

E. The following activities are prohibited:

1) Scavenging.
2) Standing water on fill areas.
3) Eating/Smoking near waste processing.
4) Vector propagation and harborage.
5) Off-site migration of waste, litter or leachate.
6) Off-site discharge of dust or odors sufficient to constitute a health hazard or public nuisance.
7) Off-site subsurface migration or on-site structure accumulation of explosive gas sufficient to create a safety hazard.

F. Any change that would cause the design or operation of this facility not to conform to the terms and conditions of the permit is prohibited. Any significant change that may be proposed for this facility shall require submission of an amended Report of Facility Information and application for a revised solid waste facility permit to the LEA at least 120 days prior to the anticipated date for implementation of the change.

G. The operator shall comply with the Waste Tire Storage and Disposal Standards in Title 14, Chapter 3, Article 5.5, Section 17355.

H. Prior to the use of green waste or a geosynthetic alternative daily cover at the site, approval shall be obtained from the LEA. Any other proposed alternative daily cover shall require additional approval from the CIWMB prior to commencement.

I. Retain in an operating record at or near the facility and available for inspection, hazardous and PCB waste screening program records, including, but not limited to:

1) Records of random inspections,
2) Training of facility personnel to recognize regulated hazardous wastes and PCB wastes, and
3) Notification of the Director of the Department of Toxic Substances control whenever such wastes are discovered.

J. Any additional information concerning the design and operation of this facility shall be furnished by the operator upon the LEA's request.

K. The operator shall maintain a copy of this permit and the Report of Disposal Site Information at the facility to be available at all times to facility personnel and enforcement agency representatives.

L. This permit applies to Phase I of the fill plan only, as illustrated on Plate 6 dated July 13, 1994 of the January 1995 revised RDSI. Prior to commencing Phases II or III, as described in the July 1988 Final EIR, this permit shall be revised by the LEA with concurrence by the CIWMB.

State of California

Cali
P: **Attachment 4**

MEMORANDUM

To: Terry Smith
Permits Branch
Permitting and Enforcement Division

Date: January 26, 1995

From: Lloyd Dillon
Office of Local Assistance
Diversion, Planning, and Local Assistance Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: Conformance Findings for the Tajiguas Sanitary Landfill, Facility Number 42-AA-0015

The proposed project involves a revised permit for Tajiguas Sanitary Landfill (TSL) located in Santa Barbara County at 14470 Calle Real, Goleta. The facility is on land owned by the County and operated by the County Public Works Department, Solid Waste Management Division. Waste disposed of at TSL is generated by the Cities of Santa Barbara and the surrounding unincorporated areas Montecito, Summerland, Goleta, and rural areas between Gaviota and the Santa Barbara/Ventura County line.

The existing Class III disposal facility receives an average daily throughput of 791.4 tons of waste per day. This daily waste throughput includes 269.1 tons (34%) commercial, 451.1 tons (57%) residential, and 71.2 tons (9%) industrial.

The proposed permit revision will incorporate the following changes at the TSL:

1. Increase the maximum tonnage limit from 550 to 1500 tons per day;

2. Allow the acceptance of sewage sludge (50% solid);

3. Authorize vertical expansion of the disposal area from 400 to 500 feet above mean sea level; and

4. Authorize expansion of the operational area from 130 to 240 acres and expansion of the disposal area from 75 to 80 acres.

Public Resources Code (PRC) 44009: Waste Diversion Requirements

The Santa Barbara County Local Solid Waste Task Force reviewed the proposed permit revisions for TSL and determined that the implementation of the diversion activities, recommended in the Source Reduction and Recycling Elements by the jurisdictions

within the County, will not be affected by the issuance of the requested permit.

According to the Report of Disposal Site Information (RDSI), there will be no salvaging, volume reduction, or recycling at the TSL.

Based on this review, staff have determined that the issuance of the proposed revised permit for TSL should not prevent or substantially impair the facilities fulfillment of the waste diversion requirements of AB 939.

PRC 50000: Conformance with the CoSWMP

The TSL is an existing facility and is identified on page 71 of the Santa Barbara County Solid Waste Management Plan, dated May 1985, and therefore meets the requirements of PRC 50000.

PRC 50000.5: Consistency with the General Plan

This statutory requirement, in part, specifies that until a countywide integrated waste management plan has been approved by the Board, no person shall establish or expand a solid waste facility unless the facility is found consistent with the applicable general plan of the city or county. According to a letter written by Albert J. McCurdy, dated August 24, 1993, the Santa Barbara County Planning Commission "...determined that the existing Tajiguas Landfill is in conformity with the Santa Barbara County Comprehensive Plan pursuant to Government Code Section 65402 with the understanding that the Solid Waste Management Division will incorporate a litter program and utilize liners if the operation expands." On page 8 of the RDSI, under "Construction Sequencing Plans," it is stated that the operator will install a liner along the east slope (vertical expansion area) before waste is placed in this area. In addition, on page 35 of the RDSI, it is disclosed that under windy conditions additional personnel from the transfer station will be deployed to assist the litter crew in picking up litter.

Summary of Conclusions

Based upon the review of the submitted documents, the proposed revised permit for TSL conforms with the provisions 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 (PRC 50000).

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

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If you have any questions or comments, please call Chris Deidrick at (916) 255-2308.

References

1. Proposed Tajiguas Sanitary Landfill Solid Waste Facilities Permit Number 42-AA-0015, date stamped January 18, 1995

2. Tajiguas Sanitary Landfill Report of Disposal Site Information, dated July 1994

3. Santa Barbara County Solid Waste Management Plan, dated May 1985

4. The Preliminary Draft Source Reduction and Recycling Elements for the County of Santa Barbara, date stamped May 6, 1991

5. Letter from the Santa Barbara County Local Solid Waste Task Force to the Board's Office of Local Assistance, re: Proposed Permit Revision, Tajiguas Sanitary Landfill, dated November 18, 1993

California Integrated Waste Management Board
Permit Decision No. 95-40
February 22, 1995

WHEREAS, the Tajiguas Sanitary Landfill is operated by the County of Santa Barbara Public Works, Solid Waste Management Division as a Class III landfill for the handling and disposal of nonhazardous solid waste; and

WHEREAS, the Santa Barbara County, Environmental Health Services, acting as the Local Enforcement Agency (LEA) entered into Stipulated Orders of Compliance (STIP) with the Tajiguas Sanitary Landfill, the latest amendment of which was on December 22, 1994; and

WHEREAS, the STIP allowed continued operations at the landfill, at current levels while the necessary processes required to receive a revised Solid Waste Facility Permit were completed; and

WHEREAS, the operator of the Tajiguas Sanitary Landfill has submitted to the LEA an application for a Solid Waste Facility Permit (SWFP) revision to reflect significant changes from the terms, conditions, and operations described in the Facility's 1978 SWFP; and

WHEREAS, the LEA has submitted to the Board for its review and concurrence with or objection to a revised SWFP for the Tajiguas Sanitary Landfill; and

WHEREAS, the Santa Barbara County Resource Management Department, acting as lead agency for the California Environmental Quality Act (CEQA) review, has prepared an Environmental Impact Report (EIR), State Clearing House (SCH) #86111202, with mitigation measures and Board staff reviewed the EIR and provided comments to the lead agency on July 14, 1987; and the EIR was certified as approved on August 20, 1987, a Notice of Determination was not filed and the Statute of Limitations expired after the 180 days challenge period; and

WHEREAS, the most recent joint LEA and Board staff inspection, conducted on December 7, 1994, revealed no violations of State Minimum Standards for Solid Waste Handling and Disposal; and

WHEREAS, the LEA and Board staff have evaluated the proposed permit and supporting documentation for consistency with standards adopted by the Board and have determined that the facility's proposed design and operation is 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 conformance with the Santa Barbara County Solid Waste Management Plan, consistency with the Santa Barbara County General Plan and compliance with CEQA.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facility Permit No. 42-AA-0015.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

AGENDA ITEM # 12

ITEM: Consideration of new sites for the Solid Waste Disposal and Codisposal Site Cleanup Program (AB 2136)

I. SUMMARY

Implementation of the AB 2136 program was approved by the Board on February 24, 1994. Approval included the AB 2136 Flow Chart and guidelines for cleanup of sites through matching grants to local governments, loans to responsible parties and local governments, grants to local enforcement agencies (LEA) for cleanup of illegal disposal sites (IDS), and direct site cleanups using Board contracts.

Four "startup" sites were approved by the Board for cleanup for a total of $2,244,500 of AB 2136 funds on March 30, 1994. The funding was for one Matching Grant, one LEA grant and two Board managed cleanups. In September 1994, the Board approved four additional sites for cleanup funding, one conditional site for funding, and supplemental policy guidelines regarding site ownership, loans to local governments, limitations on funding, and the maximum amount of money available per site cleanup. Funding for the four sites approved in September totaled $810,000 as Board managed cleanups, using the Board's contractors. The status of the "conditional" site is that the owner says he will clean up the site in the spring of 1995. In December 1994, the Board approved three sites for cleanup funding, totaling $1,150,000. Two were matching grants and one was a Board managed project.

This item presents the following four additional sites for consideration of approval by the Board for cleanup under the AB 2136 program. Site descriptions and other important information are provided in Attachments 1 through 4:

Site Name	County	Est. Cost	Attachment
Mt. Shasta Roseburg Forest Products Mill	Siskiyou	$400,000	1
Crescent City Landfill	Del Norte	$581,230	2
Wilson Waste Tire Site	Tehama	$35,000	3
Lankershim Waste Tire Site	Los Angeles	$100,000	4

II. PREVIOUS COMMITTEE ACTION

At the time of the printing of this item the Permitting and Enforcement Committee had not yet met.

III. ACTION BEFORE THE BOARD

Board members may:

1. Approve all of the four sites recommended by staff, or

2. Approve some sites, disapprove others, or direct staff to provide additional information and bring the item back to future meetings of the Permitting and Enforcement Committee and the Board.

IV. ANALYSIS

Staff Process

For each of the sites submitted for approval staff have taken the following minimum actions:

A. Researched LEA and Board records, and determined site ownership and possible responsible parties.

B. Conducted a site visit with the LEA, taken photographs, made a rough determination of quantities of waste and requirements for cleanup or remediation, and prepared a preliminary cost estimate.

C. Coordinated with the LEA for issuance of a Notice and Order, where appropriate.

Site selection is based on many criteria, including the severity of the problems and on geographic location. The sites proposed in this item were selected based on investigation of many sites throughout the state. All of these sites represent a threat to public health and safety or the environment. All of the sites are ranked either using the Solid Waste Ranking System, for landfills, or a simpler ranking system developed for illegal disposal sites.

V. STAFF RECOMMENDATION

Staff recommends that the Committee approve the four sites described in Attachments 1 through 4 for cleanup or remediation under the AB 2136 program.

ATTACHMENTS:

1: Mt. Shasta Roseburg Forest Products Mill

2: Crescent City Landfill

3: Wilson Waste Tire Site

4: Lankershim Waste Tire Site

5: Resolution of Approval for Funding Sites

Prepared by : Wes Minderman, Jeff Cornette, Glenn Young Phone 255-2347
Reviewed by : Charlene Herbst, Marge Rouch Phone 255-2301
Reviewed by : Douglas Okumura Phone 255-2431
Reviewed by : Kathryn Tobias 2/9/95 Phone 255-2188

Mt. Shasta Roseburg Forest Products Mill

Siskiyou County

Site Description: In 1987, Roseburg Forest Products donated its facility and property in the City of Mt. Shasta, including approximately 146 acres, to the City of Mt. Shasta. As a condition of the donation, the City of Mt. Shasta agreed to accept responsibility for the cleanup of a waste wood pile that had been developed over a thirteen year period.

Originally used as a log pond to facilitate the handling and storage of logs, the pond has been filled with wood waste, then the pile was built to approximately 25 feet above the pond levee. Operations at the saw mill ceased in 1985. In 1987, Roseburg Forest Products prepared a plan for cleanup of the waste wood pile. The plan consisted of capping the wood pile with site soils and clay, installation of groundwater monitoring wells and revegetation of the capped wood pile. This plan was not fully implemented; three wells were installed, but capping and revegetation was not accomplished.

In 1992, the California Regional Region Water Quality Control Board, Central Valley Region issued a Waste Discharge Requirements Order for removal of the material and clean closure of the site.

A plan was developed for use of the material as daily cover at the Siskiyou County Black Butte landfill. The City had an agreement with the local National Guard unit to transport prepared material to the landfill; however, this was contingent on time availability. City personnel were to prepare material by separating non-wood waste materials from material to be hauled to the landfill, which would be stockpiled at the site for loading and transport to the landfill. The National Guard provided assistance to fire fighting operations last summer and fall, and has been aiding the County with snow removal this winter; as such, they have been unable to transport prepared material to the landfill. The Water Board has specific annual goals for removal of the material, and it does not appear to be possible for the City to meet those goals with National Guard assistance. The Water Board has indicated that failure to comply with these goals will result in further enforcement action.

The site is bordered on three sides by residential and commercial developments. Surface drainage from surrounding areas flows through the site, there is some indication that subsurface drainage also flows into the pond. The site drains into a tributary of Cold Creek which empties into Lake Siskiyou, approximately 1½ miles from the site.

Location: The former Roseburg Mill site is located near the south entrance to Mt. Shasta City at the intersection of South Mt. Shasta Boulevard and Interstate 5. The wood waste pile is at the north end of the former Mill site, between South Mt. Shasta Boulevard and the Southern Pacific railroad line. Currently just outside the city limits, the City of Mt. Shasta is in the process of annexing this site and adjacent areas.

Site Priority: The site is considered A1, with inhabitable structures within 1000 feet, and with confirmed pollution, including Chemical Oxygen Demand (COD) and total dissolved solids above secondary drinking water levels, from leachate release. Site is surrounded on three sides by residential areas, and drainage runoff flows into Lake Siskiyou.

Owner: City of Mt. Shasta

Proposed Method of Cleanup: Removal of wood waste materials from site, with disposal at the Black Butte landfill being used as daily cover.

Matching Grant: $400,000.

Enforcement Actions: Regional Water Control Board, Central Valley Region, waste Discharge Requirements Order No. 92-097, requiring disposal of 20 percent of the waste pile annually, with complete removal by June, 1997.

Other Staff Comments and Recommendations: Staff recommend this project for a matching grant under AB 2136. The City of Mt. Shasta does not have financial capability to accomplish this work without assistance. Their efforts to use National Guard assistance has not been successful, although the City has continued with preparation of material that was to be transported by the National Guard.

The City will provide design, supervision and control of the clean closure, and sorting of the waste pile in preparation of the transportation to the Black Butte landfill. Board funds would be used for transportation costs.

Crescent City Landfill

Del Norte County

Site Description: The Crescent City Landfill is a 160-acre Class III landfill operated by Del Norte Disposal and administered by the Del Norte Solid Waste Management Authority. The site, which is the only permitted municipal solid waste (MSW) landfill in Del Norte County, receives an average of 40 tons of MSW per day. The site was operated as an open burn dump from the mid-1950s until 1972 and has operated as a sanitary fill and cover operation since. Liquid wastes have been disposed of in unlined ponds at the site. Two of the ponds have accepted whey, a cheese processing by-product, from a local cheese processing plant; currently, only one of the ponds is in operation. Another pond at the site has accepted digested sewage sludge from the Crescent City Sewage Treatment Plant, however this practice ceased in 1992. The remaining ponds accept septage from septic tank pumpers operating in the County. The site also receives fish waste from fish processing facilities in the County.

The site is bounded to the north by Old Mill Road and a small strip residential area; on the west by dune sands and the Pacific Ocean; and the south and east by a Marsh. Lake Earl is approximately one mile northeast of the site. Surface drainage from the site generally percolates into the permeable dune sands. The marsh located immediately south and east of the site collects drainage from the site and from grasslands located further east. This drainage is directed to a culvert which directs flows northward beneath Old Mill Road toward Lake Earl. The site is underlain by a shallow "sand dune" aquifer located at depths of less than 20 feet below the original ground surface. Based on Water SWAT information this shallow aquifer has been impacted by contaminants from the landfill.

The Crescent City Landfill poses imminent hazards to the immediate environment. The North Coast Regional Water Quality Control Board has identified the facility as polluting ground water supplies. Leachate seeps observed on vegetation and surface waters near the facility have been described as "reddish-black in color with an oily sheen". Leachate generation problems at the site are further compounded by an average rainfall of 65 inches. The site lies within an environmentally sensitive area adjacent to wetlands and in the immediate vicinity of Lake Earl National Wildlife Refuge. The site is not in compliance with Title 23, Chapter 15 siting restrictions and is currently under two enforcement orders from the NCRWQCB and CIWMB for corrective actions to mitigate the environmental deficiencies at the site. The site has had enforcement orders relating to environmental deficiencies dating back to 1987.

Location: The site is located in Del Norte County, 1.5 miles north of Crescent City at the end of Height Access Road on assessor's parcel 110-020-08 and 110-020-43 and is located 900 feet west of Old Mill Road.

Site Priority: The site is considered A1, with inhabitable structures within 1000 feet, and with confirmed pollution, including elevated levels of Vinyl Chloride, Benzene and Toluene from leachate releases to ground water and surface waters.

Owner: Del Norte County

Proposed Method of Cleanup: The matching grant will provide half the required funding to perform the following remediations at the site: 1) landfill slope regrading at the southern portion of the landfill for slope stability assurance, 2) landfill cover installation to minimize leachate generation and further ground water contamination and 3) gas system venting installation for protection of landfill cover integrity.

Matching Grant: $581,230.

Enforcement Actions: Regional Water Control Board, North Coast, Cease and Desist Order No. 94-137, NCRWQCB Waste Discharge Requirement No. 94-135 and California Integrated Waste Management Board (CIWMB) Notice and Order No. 91-02.

Other Staff Comments and Recommendations: Staff recommend this project for a matching grant under AB 2136. The County of Del Norte does not have the financial capability to accomplish this work without assistance in the time frames specified by enforcement agencies regulating the site's operations.

The Del Norte Solid Waste Management Authority will provide work specifications, contract administration and project management to accomplish the necessary remedial actions.

Wilson Waste Tire Site

Tehama County

Site Description: This 2.8 acre site was intended to be used as temporary storage for waste tires until the tires could be processed and disposed at the Tehama County Landfill. The site is a residence for the owner with three other residences and a place of business within 1,000 feet of the property. From early 1994 to September 1994, approximately 10,000 tires have been accumulated on the site. The tire transporter has made no effort to remove the tires from the site. The owner of the property has removed approximately 39 pickup loads of tires to a permitted landfill at her own expense.

Location: 20675 Minch Road, Red Bluff. Site is within Section 25, Township 27N, Range 4W of the Mount Diablo Baseline and Meridian (Assessor parcel number 021 160 42).

Site Priority: Illegal Disposal Site Priority 2, residential homes within 1,000 feet and unrestricted access.

Owners:

Oleta Wilson (Landowner) 20675 Minch Road Red Bluff, California 96080	Patrick Ragsdale (Transporter/Tire Owner) 1338 Franzel Road Red Bluff, California 96080

Proposed Method of Cleanup: Clean closure using Board's Northern California quick cleanup contractor.

Preliminary Estimate of Cleanup Cost: $35,000

Permits: Not applicable.

Enforcement Actions: Board Letter of Violation dated November 15, 1994, issued to property owner and tire owner for the following violations of Division 30 of the Public Resources Code (30 PRC) and Title 14, California Code of Regulations (14 CCR): 30 PRC 42833, 14 CCR 17351, 14 CCR 17352, 14 CCR 17354, 14 CCR 18423.

A Notice and Order (N&O) requiring removal of the tires from the premises is pending.

Other Staff Comments and Recommendations:

1. A Corrective Action Plan required by a November 15, 1994, Board Letter of Violation was due January 3, 1995. A second letter dated January 5, 1995, required the Corrective Action Plan to be submitted no later than January 20, 1995. The Corrective Action Plan was not received as of January 31, 1995. The property owner did remove 39 pickup loads of tires to a local landfill in 1994. Effective January 1, 1995, tires cannot be transported by other than a registered waste tire hauler.

2. The tire pile presents a severe threat to the health and safety of the nearby residents. This threat necessitates prompt action for removal of the tires. The N&O giving responsible parties (i.e., the tire hauler and property owner) a final opportunity to perform the tire removal within a specific time frame is pending. Staff recommend a Board managed cleanup to eliminate the threat and to consider cost recovery pursuant to Public Resources Code section 42847 provided the N&O does not result in the timely remediation of the site.

3. If a Board managed cleanup is approved and required, the tires are proposed to be transported to an approved facility.

Lankershim Waste Tire Site

Los Angeles County

Site Description: This waste tire pile is located in a residential/business area of North Hollywood on property owned by Mr. G. Eddie Atoian. The property was leased to Mr. Garnett Tolen of Bravada Rubber Co. with the understanding that only vehicles would be parked on the property and that only 200 to 300 tires would be stored overnight prior to disposal. During September 1994, the tire pile grew from a few hundred to an estimated 24,000 tires. Subsequently, Mr. Tolen was evicted from the property and the owner has contacted the local fire district, police department, City Attorney's Office, Small Business Administration, and the Los Angeles City Environmental Affairs Department (Local Enforcement Agency [LEA]) for assistance. An apartment building, motels, single family residences, and businesses are directly adjacent to and across from the site.

Location: 6127 Lankershim Boulevard, North Hollywood.

Site Priority: Illegal Disposal Site Priority 2, residential homes within 1,000 feet of site with unrestricted access.

Owners:

G. Eddie Atoian (Landowner)
P.O. Box 8926
Calabasas, California 91372

Garnett Tolen (Transporter/Tire Owner)
Bravada Rubber Co.
622 W. Huntington Drive, #636
Monrovia, California 91016

Proposed Method of Cleanup: Clean closure using Board's Southern California quick cleanup contractor.

Preliminary Estimate of Cleanup Cost: $100,000

Permits: Not applicable.

Enforcement Actions: Board Letter of Violation dated December 14, 1994, for the following violations of Division 30 of the Public Resources Code (PRC) and Title 14, California Code of Regulations (14 CCR): 30 PRC 42822, 14 CCR 17351, 14 CCR 17352, 14 CCR 17353, 14 CCR 17354, 14 CCR 18423.

A Notice and Order requiring removal of the tires from the premises is pending.

Other Staff Comments and Recommendations:

1. The tire pile presents a severe threat to the health and safety of the nearby residents. This threat necessitates prompt action for removal of the tires. The owner has indicated a lack of

finances to proceed with the removal of the tires. The N&O giving responsible parties (i.e., tire hauler and property owner) a final opportunity to perform the tire removal within a specific time frame is pending. Staff recommend a Board managed cleanup to eliminate the threat and to consider cost recovery pursuant to Public Resources Code section 42847 provided the N&O does not result in the timely remediation of the site.

2. If a Board managed cleanup is approved and required, the tires are proposed to be transported to an approved facility

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION # 95-45

FOR APPROVAL OF CLEANUP OF SITES UNDER THE SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM - AB 2136

WHEREAS, Public Resources Code (PRC) Sections 48020 et seq. provide for implementation of the Solid Waste Disposal and Codisposal Site Cleanup Program; and

WHEREAS, the Board has approved guidelines and policies for this program to cleanup sites.

NOW THEREFORE, BE IT RESOLVED that the Board approves Mt. Shasta Roseburg Forest Products Mill, Crescent City Landfill, Wilson Waste Tire Site, and Lankershim Waste Tire Site for immediate funding for cleanups under the Solid Waste Disposal and Codisposal Site Cleanup Program. The Board directs staff to implement remediation measures and to encumber the funding for the cleanup of these sites.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

AGENDA ITEM 13

ITEM: Consideration of the Local Enforcement Agency Evaluation Report for the City of West Covina and Committee Action Options

COMMITTEE ACTION:

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

I. SUMMARY

The evaluation of the City of West Covina Waste Management Enforcement Agency (the LEA) has revealed the LEA is not fulfilling all of its duties and responsibilities related to preparing or causing to be prepared, permits, permit revisions, as provided in Public Resources Code Section (PRC) 43214(d). Ten years after the Solid Waste Facilities Permit for the BKK Landfill was first due to be reviewed, there still is no current permit regulating the site.

The original Solid Waste Facilities Permit was issued in 1979. The "five year permit review" was due in 1984. At that time, the City, the Board and BKK agreed to defer the review while capital improvements to the gas control system were made under court supervision. By 1988, the facility was ready to undertake permit review. The Board directed the LEA to conduct the permit review. The LEA did not complete the permit review report until June 1990. That report called for changes to be made to the permit to bring the permit up to date. An updated permit has never been written by the LEA. Since that time, the LEA has issued a Notice and Order (dated June 22, 1990) and eight subsequent amendments, the latest dated, September 1, 1994.

The City of West Covina (the Local Governing Body of the LEA) is engaged in litigation involving the operators of BKK Landfill. Although the litigation does not directly involve LEA performance issues, it has impeded the LEA from pursuing and attaining an updated Solid Waste Facilities Permit for BKK Landfill as discussed in the Analysis section of this item.

II. PREVIOUS COMMITTEE AND BOARD ACTION

At the Committee and Board's April, 1994 meetings, the Committee and Board, respectively, approved the LEA Evaluation Procedure (Procedure). The Procedure establishes the process for evaluations and identifies that if implementation issues are found, LEAs shall prepare corrective action workplans and/or

attend an administrative conference. It also identifies the possibility that a Committee and Board agenda item will be prepared to consider options where consensus has not been reached.

III. OPTIONS FOR THE COMMITTEE AND BOARD TO CONSIDER

Board staff has identified the following options in accordance with statute, regulations, and the Board-adopted LEA Evaluation Procedure:

1. The Board may assume partial or full responsibility for specified LEA duties.

2. The Board may establish a schedule and probationary period for improved LEA performance.

3. If the Board finds that conditions at solid waste facilities threaten public health and safety or the environment, the Board shall, within 10 days of notifying the LEA, become the enforcement agency until another is designated and certified.

4. If the Board finds the LEA is not fulfilling its responsibilities, it shall notify the LEA of the particular reasons and of the Board's intention to withdraw its approval of the designation if, within no less than 30 days, the LEA does not take specified corrective action.

5. If the failure of the LEA to perform its duties and responsibilities has contributed to significant noncompliance with state minimum standards at solid waste facilities, the Board shall withdraw its approval of designation.

IV. STAFF RECOMMENDATION

Staff recommend that the Board partially assume the LEA duties and responsibilities as it relates to the five-year permit update for BKK Landfill. Based on the findings made during the evaluation, staff believe that it would not be productive for the LEA to prepare a corrective action workplan while the litigation is still pending and continues to hamper the LEA's abilities. For example, as explained below, the City sued BKK Corporation on January 26, 1995, to enforce the latest Notice and Order. This will take at least a year in the courts to resolve.

The recommended option would leave the LEA responsible for conducting inspections, and enforcing State Minimum Standards. The Board would become the enforcement agency for the permitting activities for BKK Landfill until the SWF permit is properly

updated. The costs associated with this activity would be charged to the applicant/operator of the site requiring permit action based on the Board's adopted methodology to recover costs, using an hourly rate for work performed.

V. ANALYSIS

The LEA evaluation revealed that the City of West Covina Waste Management Enforcement Agency is not fulfilling all of its duties and responsibilities as required pursuant to PRC 43214(d)(3) because the LEA has "failed to prepare, or cause to be prepared, permits, permit revisions, or closure and postclosure maintenance plans." This finding is made because of the delinquent Solid Waste Facilities Permit update for BKK Landfill. Although over ten years have elapsed since the permit was first due to be reviewed, there still is no current, updated permit for the BKK Landfill. Both the City and BKK Corporation have been unable to come together to accomplish a permit update.

The Solid Waste Facilities Permit must be updated for the proper regulation of the site. This permit does not have any legal effect on the authority of the local government to specify local land uses through the zoning and land use permitting process. In the case of the BKK Landfill, the land use permitting vehicle is the separate Unclassified Use Permit (UUP). The LEA is bound under law to process the permit application and to draft the operating permit (the Solid Waste Facilities Permit); action on the solid waste facilities permit by the LEA and/or the Board will not affect the local Unclassified Use Permit.

There are a number of law suits involving the City of West Covina and BKK Corporation. The cornerstone litigation is over the meaning of language in the 1985 Memorandum of Understanding (MOU) concerning the closure of the landfill and the reuse of the property. The City contends that the MOU requires the closure of the landfill in November 1995. BKK Corporation's position is that the November 1995 date is the date to come to agreement on a plan for closure and reuse, but that the land use permit (the UUP) is still effective until the year 2006.

There are two additional lawsuits involving the City and BKK. One is over attorneys' fees billed by the City to BKK for legal services to the LEA. The other was filed on January 26, 1995. In that case, the City is seeking a mandatory injunction against BKK to force it to apply for a "revised" permit, rather than a "modified" one. BKK had requested an administrative hearing before the City in September 1994, to resolve the dispute over whether a revised or modified permit is necessary. The City has interpreted the statutory provisions which provide for an administrative hearing as not applying to this situation.

Staff believe that the history of litigation between these two parties makes it unlikely that further attempts by both parties to achieve a permit update will be successful.

Should the Committee and the Board determine that it is appropriate for the Board to fully or partially assume the duties of the enforcement agency in this instance, staff are of the opinion that the following improvements will result:

- Expedite permitting process and avoid further delays.
- Separate the state permit from the locally controversial land use decision.
- Demonstrate the Board's commitment to permit process reform.

As enforcement agency, the Board would assume any necessary duties. With full decertification of the City of West Covina LEA, the Board would take over all responsibilities associated with inspection, enforcement, and permitting. With partial decertification, the Board would only take on the responsibility for ensuring that the BKK landfill permit was updated.

In the case of either full or partial decertification, the Board will be responsible for processing the five-year permit update. Board staff anticipate requesting a project description from the operator. Based on that proposal, Board staff will initiate compliance with the California Environmental Quality Act (CEQA). Board staff will complete that process, draft the proposed permit and forward it to the Board for consideration.

VII. CONCLUSION

In conclusion, based on the statutes and regulations governing the LEA certification and performance review procedures and standards (PRC Sections 43200-43221, Title 14 California Code of Regulations Sections 18070-18084, and the "LEA Evaluation Procedure), staff reviewed the performance of the West Covina LEA. It found that the Solid Waste Facilities Permit had not been updated since it was issued in 1979. Staff has also found that, due to unresolved disputes between the City and BKK Corporation over land use permitting and other issues, which are separate from the Solid Waste Facilities Permit, it is unlikely that this permit will be updated in the reasonably foreseeable future. An updated permit is essential for the proper regulation of the landfill.

Staff, therefore, recommend that the Board partially decertify the City of West Covina Local Enforcement Agency and that the Board assume the permitting function of the LEA so that the

permit update for the BKK Landfill can proceed without further delay.

VIII. APPROVALS

Prepared by: Christine McCracken/Mary T. Coyle Phone 255-2391

Reviewed by: Mary Coyle/H.Thomas Unsell Phone 255-2298

Approved by: Douglas Okumura Phone 255-2285

Legal Review: K.S. Tobias/R.F Conheim Date/Time: ____

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

AGENDA ITEM 14

ITEM: Consideration of the Local Enforcement Agency Evaluation Report for the County of Madera and Committee Action Options

COMMITTEE ACTION:

At the time this item went to print the Permitting and Enforcement Committee had not taken on this item.

I. SUMMARY

The DRAFT evaluation of the Madera County Environmental Health Department (the LEA), has revealed the LEA is not fulfilling its duties and responsibilities related to conducting inspections at the required frequency; preparing or cause to be prepared, permits, permit revisions, and closure plans; and taking appropriate enforcement actions as provided in Public Resources Code (PRC) 43214 (d).

This item is prepared to explore options based on the LEA's historic and serious ineffectiveness as identified in the Analysis section of this item and in the DRAFT LEA evaluation report.

II. PREVIOUS COMMITTEE (BOARD) ACTION

At the Committee and Board's April, 1994 meetings, the Committee and Board approved the LEA Evaluation Procedure (Procedure). The Procedure establishes the process for evaluations and identifies that if implementation issues are found, LEAs shall prepare corrective action workplans and/or attend an administrative conference. It also identifies the possibility that a Committee and Board agenda item will be prepared to consider options where consensus has not been reached.

III. OPTIONS FOR THE COMMITTEE (BOARD) TO CONSIDER

Board staff has identified the folloing options in accordance with statute, regulations, and the Board-adopted LEA Evaluation Procedure

1. The Board may assume partial or full responsibility for specified LEA duties.

2. The Board may establish a schedule and probationary

period for improved LEA performance.

3. If the Board finds that conditions at solid waste facilities threaten public health and safety or the environment, the Board shall, within 10 days of notifying the LEA, become the enforcement agency until another is designated and certified.

4. If the Board finds the LEA is not fulfilling its responsibilities, it shall notify the LEA of the particular reasons and of the Board's intention to withdraw its approval of the designation if, within no less than 30 days, the LEA does not take specified corrective action.

5. If the lack of LEA performance of their duties and responsibilities has contributed to significant noncompliance with state minimum standards at solid waste facilities, the Board shall withdraw its approval of designation.

IV. STAFF RECOMMENDATION

Staff recommend that the Board assume the LEA duties and responsibilities until such time as the County redesignates an agency that can prove their ability to be able to be an effective LEA. The Board would become the enforcement agency for the jurisdiction. The costs associated with this activity would be charged to the facilities in the jurisdiction based on the Board's adopted methodology to recover costs based on an hourly rate for work performed.

V. ANALYSIS

The LEA evaluation revealed that the Madera County Environmental Health Department is not fulfilling its duties and responsibilities as required pursuant to PRC 43214 (d) (1), (3), and (5) which state: "(1) The local enforcement agency has failed to inspect solid waste facilities and disposal sites, (3) The local enforcement agency has failed to prepare, or cause to be prepared, permits, permit revisions, or closure and postclosure maintenance plans, (5) The local enforcement agency has failed to take appropriate enforcement actions."

These findings are made based on the following LEA inactivities: 1) pursuring a solid waste facility permit update, periodic site review, financial assurances, the final closure plan, and noting violations and attaining compliance with State Minimum Standards at Fairmead Landfill (which is operated by the County), 2) allowing the operation of the materials recovery and baling facility without a permit (which is operated by the County), 3)

allowing the inappropriate utilization, per California Code of Regulations Title 14, of a hearing panel to hear an appeal and stay an enforcement order, and 4) not taking enforcement action to gain compliance at the county operated Fairmead Landfill and Mammoth MRF. Additionally, the LEA has not submitted the required Enforcement Program Plan updates, including the current Budget, Hearing Panel members, and time task analysis documenting their current staffing level. Board staff are concerned that the LEA's current staffing level may need to be increased so that the agency can meet its duties and responsibilities.

This item is intended to develop additional discussion and obtain direction from the Committee and the Board regarding action options in light of the LEA evaluation findings.

VII. APPROVALS

Prepared by: Mary T. Coyle Phone 255-2394

Reviewed by: H.Thomas Unsel Phone 255-2298

Approved by: Douglas Okumura Phone 255-2285

Legal Review: K.J. Tobias/R.F. Conheim Date/Time:

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Board Meeting
February 23, 1995

AGENDA ITEM #16

ITEM: Consideration of Recycling Market Development Zone (RMDZ) 1995 Loan Program Objectives and Lending Procedures

I. SUMMARY

According to RMDZ Loan Program Regulations, the Board must set market development objectives for the program by March 31st of each year. This item presents staff recommendations for:

1) 1995 RMDZ Loan Program objectives; and

2) 1995 Lending Procedures which will dictate how the loan priorities are to be incorporated into the loan approval process.

II. PREVIOUS COMMITTEE BOARD ACTION

The Market Development Committee approved the Loan Program Objectives and Lending Procedures and added to Objective #2 the following language:

"and to support projects which utilize building materials".

The Board previously adopted the 1994 RMDZ Loan Program Objectives and Lending Procedures in January, 1994.

III. OPTIONS FOR THE BOARD

Board members may decide to:

1. Accept the Committee recommendation; or

2. Adopt the proposed 1995 RMDZ Loan Program Objectives and proposed lending procedures; or

3. Adopt different objectives and procedures than those proposed by staff based on further discussion and analysis; or

4. Take no action today and direct staff to investigate alternative objectives and procedures for Committee review in March, 1995.

IV. STAFF RECOMMENDATION

Staff recommends:

1. Adoption of the proposed 1995 RMDZ Loan Program Objectives; and

2. Adoption of the proposed 1995 RMDZ Lending Procedures; and

3. Direction that the new objectives and procedures will take effect beginning with the April 7, 1995, loan application cycle.

V. ANALYSIS

Background

Regulations for the Recycling Market Development Zone (RMDZ) Loan Program (14 CCR 17933) state that priority consideration shall be given to projects which:

> (1) demonstrate that there is a market demand for recycling the project's type of postconsumer material (PRC Sec. 42101(d)(3)).
>
> (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 (14 CCR 17933); and
>
> (3) satisfy additional statewide recycling market development objectives to be determined by the Board by March 31 of each year.

The first two priorities are permanently in place. Priority #1 is required by statute. Priority #2 is contained in the Loan Program regulations. The objectives called for in priority #3 are intended to provide the Board with flexibility of determining new directions for the RMDZ loan program on an annual basis.

1993 Objectives:

In September 1992, the Board adopted the following objective for the first year of the RMDZ loan program:

> Priority consideration shall be given to "projects which manufacture or produce value-added products and/or utilize innovative technologies."

As dictated by regulations, this objective was based on the statewide recycling market development objectives which the Board had previously adopted for the RMDZ program as a whole.

1994 Objectives:

In January, 1994, the Board adopted the following objectives for the second year of the RMDZ loan program:

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.

To achieve this objective, the Board shall:

a. Give priority lending consideration to source reduction projects which satisfy objectives 1 and 2 above; and

b. Give lowest lending priority to transformation projects, and limit funding of such projects to those which:

i. Produce value-added products.

ii. Are not detrimental to current or future efforts to increase source reduction, recycling or composting of the project's material type.

iii. Do not, in the aggregate, exceed 10% of all loan funds to be awarded during any annual loan funding.

This agenda item presents staff's recommendations for:

1) Loan program objectives to guide lending from April, 1995 through March, 1996;

2) Revised lending procedures which would dictate how loan priorities are to be incorporated into the current loan approval process.

Key Issues

1. Proposed 1995 RMDZ Loan Program Objectives

The proposed 1995 RMDZ Loan Objectives are similar to the previous year objectives adopted by the Board. The proposed changes are intended to help clarify what type of projects should and should not be funded. These clarifications are consistent with the purpose of the program as identified in statute. The clarifications are made to Objective #1 only, leaving Objective #2 and #3 identical to the objectives adopted in 1994.

Staff recommends adoption of the 1995 RMDZ Loan Program Objectives as shown in Table 1 (changes from last years objectives are highlighted). As with the 1994 objectives, the proposed 1995 objectives would both indicate priorities for loans and define which types of projects the Board intends to fund in the coming year.

Objective #1 focuses funding on projects which most directly support recycling market development efforts and achievement of local waste diversion mandates.

While Objective #1 as adopted in 1994 helps determine which project types would be funded through the program, grey areas still exist. For example, the "manufacturing of recycled-content end-products" could be interpreted to include projects using materials historically of value and not normally disposed of in solid waste landfills, such as post-industrial textiles or post-industrial metal scrap.

Projects involving materials not normally disposed of in solid waste landfills do little to promote the purpose of the RMDZ Loan program and the Board's mandates in general. The purpose of the RMDZ Loan program is specific to the diversion of materials from *solid waste landfills*. According to Public Resource Code (PRC) Section 42010(c)(2), RMDZ loans are for the purpose of assisting the Board and local agencies in complying with PRC Section 40051 (to promote the waste management hierarchy to reduce the amount of solid waste that must be disposed of by transformation and land disposal) and PRC Section 41780 (which mandates local agencies' 25% and 50% diversion goals from solid waste or transformation facilities).

To focus on the projects that will most directly support the purpose of the RMDZ Loan program in general, it is recommended to

further define the types of manufacturing projects to be funded in Objective #1 by adding reference to "materials normally disposed of in solid waste landfills". The reference to 1990 helps define "normally disposed" and is consistent with the time period in which the local agencies begin defining their diversion mandates and goals.

Because what is normally disposed of in solid waste landfills can vary from jurisdiction to jurisdiction, staff will coordinate with the local Zone Administrators and the Board's Local Assistance staff on an as-needed basis to identify those materials normally disposed of within a given jurisdiction, or group of jurisdictions in the case where secondary materials are imported in a zone to provide feedstock to its factories.

Objective #2 continues to link the RMDZ Loan Program with other Board market development efforts by focusing funding on the priority materials identified in the Board's Market Development Plan.

Objective #3 specifies that reuse projects are to be given higher funding priority than recycling and composting projects in support of the waste management hierarchy. In identifying the types of reuse projects to fund, staff will identify first that Objective #1 has been met, i.e., that the material or product to be reused is normally disposed of in solid waste landfills (see proposed Objective #3(a)).

Objective #3 also allows for funding of select projects involving transformation which increase secondary material demand, while ensuring that such projects do not occur at the expense of other current or likely future projects which are higher in the integrated waste management hierarchy than transformation. This objective is intended to refer to both projects which use transformation in their production process (e.g., pyrolysis), and those which produce products which may be transformed when consumed (e.g., heat logs).

Proposed 1995 RMDZ Loan Program Objectives TABLE 1

Preamble: In marketing the RMDZ Loan Program, staff shall target businesses and projects which would best serve to achieve the program objectives adopted by the Board.

Objective #1: Maximize the effectiveness of the RMDZ Loan Program as a market development tool by restricting funding to projects which use materials normally disposed of in solid waste landfills, as of 1990, as recycled feedstock to manufacture recycled-content end-products, or otherwise increase demand for secondary materials which directly support achievement of local waste diversion goals from solid waste landfills.

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.

To achieve this objective, the Board shall:

a. Give priority lending consideration to source reduction projects which satisfy objectives 1 and 2 above; and

b. Give lowest lending priority to transformation projects, and limit funding of such projects to those which:

i. Produce value-added products.

ii. Are not detrimental to current or future efforts to increase source reduction, recycling or composting of the project's material type.

iii. Do not, in the aggregate, exceed 10% of all loan funds to be awarded during any annual loan funding cycle.

2. Proposed RMDZ Loan Program Lending Procedures

Staff proposes modifying the RMDZ Loan program lending procedures that were adopted by the Board in January, 1994, to guide staff in incorporating loan priorities into the loan approval process. The proposed modifications have been highlighted in Table 2.

Procedure 1 is an optional pre-application screening process which allows RMDZ Administrators and prospective loan applicants to inquire, in advance, whether a proposed project may be eligible and consistent with the Board's current RMDZ loan program objectives. This procedure was developed as part of last year's lending procedures, and has proven beneficial to potential applicants, zone administrators and staff.

Procedure 2 directs staff to make a determination as to the eligibility of loan applications received and their consistency with the Board's RMDZ Loan Program objectives, prior to their submittal to the Loan Committee. Program regulations require that staff make an eligibility determination after each loan application is submitted.

Procedure 3 allows loan applicants to appeal staff determinations of ineligibility or inconsistency with current loan objectives before the Board's Market Development Committee and the Board. It is important to note that this procedure requires an application for funding be submitted and eligibility be denied prior to any appeal of the staff decision. The Board's legal staff has recommended that the appeal procedures be added to the Loan Program regulations.

Procedure 4 states that if a proposed project is determined to be inconsistent with the RMDZ Loan Program objectives, then the project will not be forwarded to the Loan Committee for consideration. This minimizes the time and effort expended by businesses, Zone administrators and Board staff on loan applications which are not consistent with the Board's objectives for the RMDZ Loan Program.

Procedure 5 dictates the relative importance of each of the RMDZ Loan Program priorities during the scoring and ranking process. The scoring process will become very important as program funds are depleted, and competition for scarce funds occurs. Last year staff devised a scoring system after the Board approved the 1994 program objectives. The scoring is based on the three priorities

Proposed 1995 RMDZ Lending Procedures TABLE 2

1. Upon receipt of a ~~loan application, or~~ written request describing a proposed project, staff may advise a potential applicant as to whether the project is eligible under loan program regulations, and whether the project is consistent with the Board's objectives for the current cycle.

2. Upon receipt of a loan application, staff shall make a determination as to whether the project is eligible under loan program regulations, and whether the project is consistent with the Board's objectives for the current cycle.

~~2.~~3. Staff's determination of eligibility ~~Negative determinations by staff~~ in Procedure 2 may be appealed by written request to the Market Development Committee at one of its regularly scheduled meetings. If the Committee concurs with staff's ~~negative~~ determination, the proposed project may be appealed by written request to the full Board.

~~3.~~4. Only loan applications which are determined to be eligible and consistent with the RMDZ loan program objectives shall be further reviewed by staff for creditworthiness and ability to repay for presentation ~~presented~~ to the Loan Committee.

~~4.~~5. In ranking proposed projects recommended for approval by the Loan Committee, staff shall adopt a scoring system which assigns highest weighing to the statutory priority ("...projects which demonstrate that there is a market demand for recycling the project's type of post-consumer material..." PRC Sec. 42010~~145~~ (d) (3)). Second highest weighing shall be given to projects which best achieve the RMDZ Loan Program objectives adopted for the current cycle. The lowest weighing shall be given to the regulatory criteria ("...projects which demonstrate the greatest use of other funds in the project..." 14 CCR 17933).

~~5.~~6. During each quarterly cycle of the RMDZ Loan Program, all Board-approved applications shall be funded, in priority order, until funds are fully depleted. To receive funding, each Board approved application shall close and be funded within 90 days from Board approval unless granted an extension to close by staff.

~~6.~~7. An applicant whose loan is approved by the Loan Committee, but is not funded due to insufficient funds, may compete again for funding priority with new applications received in a subsequent loan cycle. Such an applicant must request reconsideration in writing to Board staff, and may be required to submit updated information.

and is similar to scoring used in ranking contract proposals. If the 1995 proposed objectives are approved by the Board, the scoring system developed and implemented would be the same as that used last year.

As dictated by statute, the highest weighting is assigned to the statutory priority ("...projects which demonstrate that there is a market demand for recycling the project's type of post-consumer material..." PRC Sec. 42145). Staff has assigned points based on the likelihood that a project will *increase* demand for its material type. In practice, most projects receive the maximum amount of points assigned to this category, since the objectives proposed in this agenda item dictate that all projects demonstrate that they increase demand. However, this criterion allows staff to assign fewer points to projects which may be somewhat less certain to create a stable demand for materials than others.

Second highest weighting is assigned to the adopted RMDZ Loan Program objectives. Projects will be assigned points based on the amount of increased demand they are likely to create, and on whether the demand is for the identified priority materials.

Projects involving transformation will be assigned zero points based on this priority, but will still compete with other projects based on points awarded for the other two priorities.

Finally, third highest weighting is assigned to the regulatory priority ("...projects which demonstrate the greatest use of other funds in the project..." 14 CCR 17933). Because of the statutory requirement that loan funds cannot exceed 50% of total project cost, the Board is assured a minimum level of fund leveraging. Staff feels the first two project priorities cited above are more important to the overall success of the RMDZ loan program as a market development tool, and should be emphasized in ranking projects for funding.

Procedure 6 establishes that in each loan cycle, all Board-approved loans will be funded, in priority order, until funds are fully depleted. It also states that, in order to receive funding, each loan must close and receive funding within 90 days of Board approval unless granted an extension to close by staff. An example of when staff would grant an extension to close to a borrower is when staff determines loan closing was substantially delayed due to Board circumstances or circumstances beyond the borrower's control. The Board's legal staff has recommended that this provision be included in the RMDZ Loan program regulations.

Procedure 7 states that an applicant which is not funded because funds are depleted on projects with a higher priority ranking may

reapply in a subsequent loan cycle. The applicant would be required to compete again for priority ranking with any new applications received during that cycle, to insure that the Board funds the highest priority projects available.

In a subsequent cycle funds may become available due to the annual appropriation, proceeds of loan sales, loan repayments, and/or the cancellation of loan applications previously approved by the Board. While such an applicant is required to reapply, in practice, staff would accept a letter asking that the application already submitted be reconsidered in a subsequent loan cycle. Staff may require additional or updated information, however. The Board's legal staff has recommended that this practice be included in the RMDZ Loan program regulations.

Fiscal Impacts

None.

Findings

None.

VI. ATTACHMENTS

1. Board Resolution

VII. APPROVALS

Prepared By: Jill Farner Phone: 255-2630

Prepared By: _____ Phone: _____

Reviewed By: Bob Cyr Phone: 255 2481

Reviewed By: Carol Ann 2/8/95 Phone: 255-2575

Reviewed By: David Gaff 2/8/95 Phone: 255-2320

Legal Review: MCM Date/Time: 2/10/95

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION 95-204
ADOPTION OF RECYCLING MARKET DEVELOPMENT ZONE LOAN PROGRAM OBJECTIVES FOR 1995 AND PROGRAM PROCEDURES

WHEREAS, the Board is authorized to make loans to recycling businesses using postconsumer or secondary waste materials located in designated Recycling Market Development Zones from its Recycling Market Development Revolving Loan Account;

WHEREAS, the Board is authorized to adopt annual statewide market development objectives for the program, pursuant to Title 14 of the California Code of Regulations, Section 17933;

WHEREAS, the Board staff has found it necessary to develop procedures to administer the Recycling Market Development Zone Loan program;

WHEREAS, the Market Development Committee recommended for approval to the Board the Recycling Market Development Zone Loan program Objectives for 1995 on February 9,1995;

WHEREAS, the Market Development Committee adopted and recommended for approval to the Board the Recycling Market Development Zone Loan Program Procedures on February 9, 1995;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendations of the Board staff and the Market Development Committee, the Board hereby adopts the Recycling Market Development Zone Loan Program Objectives for 1995 as presented in the attached item, to take effect beginning with the April 7, 1995 loan application cycle.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Board Meeting
February 22, 1995

AGENDA ITEM #17

ITEM: CONSIDERATION OF APPOINTMENT TO FILL VACANCY ON THE LOAN COMMITTEE

I. SUMMARY

Regulations for the Recycling Market Development Zone (RMDZ) Loan Program require that the Board, upon recommendation of the Market Development Committee, appoint a Recycling Market Development Zone Loan Committee of not more than seven members (14 CCR 17931). The purpose of the Loan Committee is to advise the Board on the financial soundness of loan applications. The Committee meets quarterly and submits a list of recommended projects to the Market Development Committee for final recommendation to the full Board.

Regulations further state that the committee shall be comprised of representatives demonstrating expertise in financial analysis and credit evaluation, who are from the public and private sectors, urban and rural areas, the lending community, and the Department of Commerce (now the Trade and Commerce Agency).

Initial appointments based upon these representative groups were made in December 1992. Vacancies are filled for the unexpired portion of the respective term. The loan committee currently has one vacancy, representing the public sector.

II. PREVIOUS COMMITTEE ACTION

This item is scheduled to be considered by the Market Development Committee at its February 9, 1995 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. Return the item to staff for further evaluation.

IV. STAFF RECOMMENDATION

Staff recommends approval of the appointment of Lupe Vela to fill the vacancy on the Recycling Market Development Zone Loan Committee for the balance of the two year term expiring December 31, 1996. The current composition of the Loan Committee is shown in Attachment 1.

V. ANALYSIS

Ms. Vela is currently the Program Administrator for the Integrated Solid Waste Management Office, Bureau of Sanitation, City of Los Angeles. She has established, managed, and marketed several business attraction programs in Los Angeles; provided business technical assistance on financing, planning, building design and business networking; organized the first "Recycling Means Business" workshop in California which linked economic development with recycling-based technologies; and created the City's first micro-business training program. She also coordinated the Wilmington Recycling Market Development Zone and its initial marketing efforts.

Ms. Vela has an M.A. in Urban Planning from the University of California, Los Angeles; and a B.A. in Law & Society from the University of California, Santa Barbara. Ms. Vela has expressed a willingness to become a member of the Loan Committee.

VI. ATTACHMENTS

1. Current Recycling Market Development Zone Loan Committee Members

VII. APPROVALS

Prepared by:	Nadine Ford	Phone: 255-2295
Reviewed by:	Robert Caputi	Phone: 255-2481
Reviewed by:	Carole Brow 2/8/95	Phone: 255-2575
Reviewed by:	Daniel Gorfain 2/8/95	Phone: 255-2619
Reviewed by:	Maureen Morrison	~~Phone:~~ 2/10/95

Recycling Market Development Zone
Loan Committee Members

Member	Category	Term Expiration
Mr. James R. Baird, Chief Executive Officer, Bay Area Development Company, Lafayette	"Lending Community"	December 1995
Ms. Kristine M. Chung, Vice President, City National Bank, Los Angeles	"Private Sector"	December 1996
Mr. Ray Sakaida, General Manager, Business Finance Center, Monterey Park	"Urban Area"	December 1996
Mr. Bruce P. Stewart, Vice President, Bank of America Community Development Bank, Sacramento	"Public Sector North"	December 1995
Mr. James A. Young, Chief of Credit Administration, Department of Commerce, Office of Small Business Development, Sacramento	"Department of Commerce"	December 1995
Roxanne Middleton California Statewide CDC 129 C Street Davis, CA 95616	"Rural Area"	December 1995
VACANT	"Public Sector South"	December 1996

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22-23, 1995

AGENDA ITEM #18

ITEM: Consideration of Final Designation of the Placer County Recycling Market Development Zone

I. SUMMARY

On March 30, 1994, the Board designated Placer County as a Recycling Market Development Zone (RMDZ). The Placer County RMDZ Designation was conditionally approved to allow Zone Administrators time to comply with the California Environmental Quality Act (CEQA) requirements.

By regulation, conditionally designated RMDZs must fulfill all conditions of approval prior to being granted final designation. At that time, RMDZs and businesses would be eligible to receive program benefits, including Recycling Market Development Zone loans.

II. PREVIOUS COMMITTEE ACTION

This item was considered by the Market Development Committee at its February 9, 1995, meeting. At the time this agenda item went to print the results of the committee meeting were not available.

III. OPTIONS FOR THE BOARD

Board members may decide to:

1. Accept the Committee recommendation
2. Not accept Committee recommendation

IV. STAFF RECOMMENDATION

Staff recommends that the Board grant final designation to the Placer County Recycling Market Development Zone by adopting Resolution #95-171, provided as Attachment #1.

V. ANALYSIS

Background

Section 17911 of Title 14, California Code of Regulations, requires conditionally designated Zones to send the Board a formal request for final designation status upon meeting

conditions of approval. To receive program benefits, such as low interest loans, RMDZs must be granted final designation status.

Staff has received a request for final designation (Attachment #2), and a copy of Notice of Determination (Attachment #3) from Placer County.

Key Issues N/A

Fiscal Impacts N/A

Findings

Placer County RMDZ has completed all conditions for final designation. The application is complete and the County has met the criteria for designation as set forth in Title 14 of the California Code of Regulations, Sections 17900-17914.

Businesses will be eligible to receive low-interest loans upon final designation.

IV. ATTACHMENTS:

1. Resolution 95-171
2. Letter by Placer County Requesting Final Designation
3. Notice of Determination

APPROVALS:

Prepared by: Mary Farr MF 2/8/95 Phone: 255-4581

Reviewed by: John Blue JB 2/8/95 Phone: 255-2451

Reviewed by: Carole Brow 2/8/95 Phone: 255-2575

Reviewed by: Daniel Gorfain 2/8/95 Phone: 255-2619

Legal Review: Maureen Morrison MM Date/Time: 2/10/95

Attachment #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-171

FOR FINAL DESIGNATION OF THE PLACER COUNTY RECYCLING MARKET DEVELOPMENT ZONE FOR DESIGNATION CYCLE 1993-94

WHEREAS, Public Resources Code Sections 42010-42023 establish the Recycling Market Development Zone Program for the development of Secondary Materials Business Enterprises; and

WHEREAS, Public Resources Code Sections 40502 and 42013 grant the Board the authority to develop regulations describing the process for Recycling Market Development Zone application and designation; and

WHEREAS, in accordance with Title 14, Section 17910 of the California Code of Regulations, designated zones must comply with California Environmental Quality Act (CEQA) requirements in order to receive final designation and be eligible for program incentives; and

WHEREAS, Placer County was granted conditional designation as a Recycling Market Development Zone in March 1994; and

WHEREAS, the Placer County RMDZ has demonstrated compliance with CEQA and completed all requirements for final designation as a zone pursuant to regulatory requirements found in 14 CCR Sections 17910-17911;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby grants final designation as a Recycling Market Development Zone to 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 February 22-23, 1995.

Dated:

Ralph E. Chandler
Executive Director

Attachment #2

COUNTY OF PLACER

Office of Economic Development

Edward F. Graves, Director

Mary Farr
California Environmental Protection Agency
Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

January 18, 1995

Dear Mary,

The County of Placer received its Recycling Market Development Zone (RMDZ) designation on March 30, 1994. The County of Placer was the lead applicant while the following acted as co-applicants: Cities of Auburn, Colfax, Lincoln, Roseville, Rocklin, Town of Loomis and the Western Placer Waste Management Authority.

On January 11, 1995 the County of Placer fulfilled all the requirements for our final RMDZ designation. We are therefore, formally requesting our final RMDZ designation be granted.

Please contact our office is there are any questions or any further information you may need.

Sincerely,

Emily L. Churchman

Emily L. Churchman
RMDZ Administrator

175 Fulweiler Avenue • Auburn, California 95603-2133 • (916) 889-4016 • Fax (916) 889-4250

Notice of Determination

JIM McCAULEY, COUNTY CLERK
By G. VERISSIMO
Deputy Clerk

1995

Attachment #3

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency)
Placer County Planning Department
11414 B Avenue, Auburn, CA 95603

X County Clerk
County of Placer

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

RECYCLING MARKET DEVELOPMENT ZONE (EIAQ-3131)
Project Title

	G. Dean Prigmore	916-889-7470
State Clearinghouse Number (If applicable)	Lead Agency Contact Person	Area Code/Telephone Number

Project Location: Placer County

Project Description: The County of Placer will be using the proposed program to encourage existing manufacturing companies to use recycled products in their manufacturing processes in addition to attracting new manufacturers which use recycled products in their manufacturing process to locate within areas of Placer County suitable for industrial use. The proposed program does not permit any land uses not already permitted by the existing zoning and future specific projects under this program will undergo environmental review.

FILED
JAN 11 1995
Jim McCauley
COUNTY CLERK OF PLACER COUNTY
BY G. VERISSIMO
DEPUTY

This is to advise that the Placer County Environmental Review Committee, acting as the ☒ Lead Agency ☐ Responsible Agency, issued a Negative Declaration for the above project on December 6, 1994. The following determination regarding the above described project has been made:

1. The project ☐ will ☒ will not have a significant effect on the environment.

2. A Statement of Overriding Considerations ☐ was ☒ was not adopted for this project.

3. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. Fish & Game fees in the amount of $875.00 are herewith transmitted.

4. ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

☐ were ☒ were not made a condition of approval of the project.

85

6. Findings ☐ were ☒ were not made pursuant to the provisions of CEQA.

7. Certification: **(De Minimus Impact Finding)**

☒ I hereby certify that the public agency has made a finding that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

	January 9, 1995	Principal Planner
SIGNATURE (PUBLIC AGENCY)	DATE	TITLE

0605

86

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22-23, 1995

AGENDA ITEM #19

ITEM: Consideration of Fourth Cycle Applications for Designation of Recycling Market Development Zones

I. SUMMARY

During the past three designation cycles, the Board has designated a total of 29 Recycling Market Development Zones (zones). Manufacturers who locate in zones and use secondary feedstock are eligible for low-interest loans from the Board.

Prior to the first designation cycle, the Board planned to designate a maximum of 40 zones, 8 per year, over a course of 5 years. The Board designated 12 zones during the first designation cycle, 5 zones during the second designation cycle, and 11 zones during the third designation cycle. Attachment #1 lists the current 29 zones.

In March 1994, the Board adopted six designation objectives for the fourth designation cycle and stated its intent to designate eight additional zones. The six objectives are to designate zones that:

1. have the greatest regional effect and distribute them geographically to stimulate statewide market development (10 points);

2. utilize value-added processes to manufacture and produce finished products and/or support the use of innovative recycling technologies to manufacture finished products (25 points);

3. increase local diversion and extend local and regional landfill capacity (10 points);

4. demonstrate support for the integrated waste management hierarchy of source reduction, recycling, composting, and transformation (10 points);

5. target programs to divert the Board's priority materials: mixed waste paper, compostable materials, and high density polyethylene and unsorted plastics and/or directly support the achievement of local waste diversion goals (20 points);

6. designate zones that commit to an active business outreach effort, as demonstrated by proposed zone staffing levels, marketing plans, and local incentives (25 points).

On November 1, 1994, the Board received 11 applications representing the following 11 prospective zones, in alphabetical order:

1. The City of Santa Clarita RMDZ
2. Fresno County RMDZ
3. Madera County RMDZ
4. Mother Lode RMDZ
5. Napa Solano Areas RMDZ
6. Northeastern California RMDZ
7. San Francisco RMDZ
8. San Joaquin County RMDZ
9. Santa Barbara Regional RMDZ
10. Shasta Metro RMDZ
11. Siskiyou County RMDZ

The actual jurisdictions applying under these names and characteristics of the proposed zones can be found in Attachment #2.

This agenda item discusses staff's evaluation of the applications and recommends all 11 zones for designation for this fourth designation cycle.

II. PREVIOUS COMMITTEE ACTION

At the time the Board agenda item was due, the Market Development Committee had not yet met. The results of the February 9, 1995, Market Development Committee will be presented at the Board meeting.

III. OPTIONS FOR THE BOARD

Board members may decide to:

1. Accept the Market Development Committee recommendation.

2. Approve an alternate number of zones for designation as Recycling Market Development Zones.

IV. STAFF RECOMMENDATION

Staff recommends that the Board approve eleven prospective zones for zone designation by adopting resolution #95-184 included in attachment #4. Three of the prospective zones, Shasta Metro, Fresno County and Madera County, have completed CEQA requirements and may be granted final designation. The remaining eight prospective zones must be granted conditional designation pending their compliance with the CEQA requirements.

V. ANALYSIS

Background

Title 14, California Code of Regulations, Section 17906, describes the procedures for evaluating zone applications. The three phases consist of an initial completeness review, a technical feasibility review, and a scoring against the statewide objectives. Only applications passing the technical feasibility are scored against the statewide objectives. After granting each applicant the opportunity to provide clarifying information, all 11 applicants passed the technical feasibility review.

Key Issues

Staff scored the applications during the third phase of the review, the objectives review, on a 100 point scale, based on the point system approved by the Board in March 1994. Staff then ranked the applications based on their relative scores. The final scores range between 95 and 60 on the scale of 100 possible points. The Siskiyou and the Santa Barbara applications scored the highest, with scores of 95 and 94, respectively. The two lowest scores are City of Santa Clarita and Madera County at 60 and 64 points respectively.

Fiscal Impacts

N/A

Findings

If the Board adopts staff recommendation and grants RMDZ designation to the eleven applicants, we will have reached the 40 zone goal which was set by the Board prior to the first zone designation cycle.

VI. ATTACHMENTS

Attachment 1: list of 29 zones designated in first 3 cycles

Attachment 2: list of prospective zones, final scores, targeted materials and industries, and incentives for the fourth designation cycle

Attachment 3: bar graph showing respective scores of the 11 applicants

Attachment 4: resolution #95-184

VII. APPROVALS

Prepared by:	Lin Lindert	Phone 255-2485
Reviewed by:	John Blue JBV 2/6/95	Phone 255-2451
Reviewed by:	Carole Brow Cbrow 2/8/95	Phone 255-2575
Reviewed by:	Daniel Gorfain DG 2/8/95	Phone 255-2320
Legal review:	MCM	Date/Time 2/10/95

Attachment #1

List of 29 Recycling Market Development Zones

1. Agua Mansa (Cycle 1)
2. Anaheim (Cycle III)
3. Central Coast (Cycle II)
4. Contra Costa (Cycle I)
5. Glenn County (Cycle I)
6. Greater South San Joaquin (Cycle II)
7. Chico (Cycle III)
8. Chino & Chino Hills (Cycle III)
9. Humboldt County (Cycle II)
10. Kern County (Cycle III)
11. Long Beach (Cycle I)
12. Los Angeles City (Cycle I)
13. Los Angeles County (Cycle III)
14. Merced County (Cycle I)
15. Mojave (Cycle III)
16. North San Diego County (Cycle III)
17. Oakland/Berkeley (Cycle I)
18. Oroville (Cycle I)
19. Placer County (Cycle III)
20. Porterville (Cycle I)
21. Riverside County (Cycle II)
22. Sacramento, City of (Cycle I)
23. San Bernardino/Kaiser (Cycle III)
24. San Diego (Cycle I)
25. San Jose (Cycle III)
26. Sonoma/Mendocino (Cycle III)
27. Southern Alameda County (Cycle II)
28. Stanislaus County (Cycle III)
29. Ventura County (Cycle I)

Recycling Market Development Zones
Cycle Four Applicants

Score	Co-applicants	Targeted Secondary Materials	Targeted Industries or Products	Incentives
95	**Siskiyou County RMDZ** Siskiyou County, cities of Yreka, Weed, Mt. Shasta, Dunsmuir, and Montague.	Fiber, plastic, yardwaste, glass, drywall, OCC.	Panelboard, fishing lures, equipment, compost, jewelry, agricultural gypsum, packing materials, fire logs	Rapid permit processing, feedstock acquisition assistance, planning fee refund, business incubator, loan packaging, employee training, reduced power rates, small business assistance, enterprise zone benefits, and land incentives
94	**Santa Barbara Regional RMDZ** Cities of Santa Barbara, Lompoc, Carpinteria, Santa Maria, and the County of Santa Barbara	HDPE, mixed plastic, glass, mixed paper, compostables	HDPE pellets, shopping bags, surfboard components, construction products, art supplies, glass tiles, glass construction blocks, molded pulp products, compost, blending amendments, mulch	Varies with each jurisdiction: permit assistance and fast track permitting, some loan programs, business outreach, fee reductions, technical assistance, reduced utility rates and others

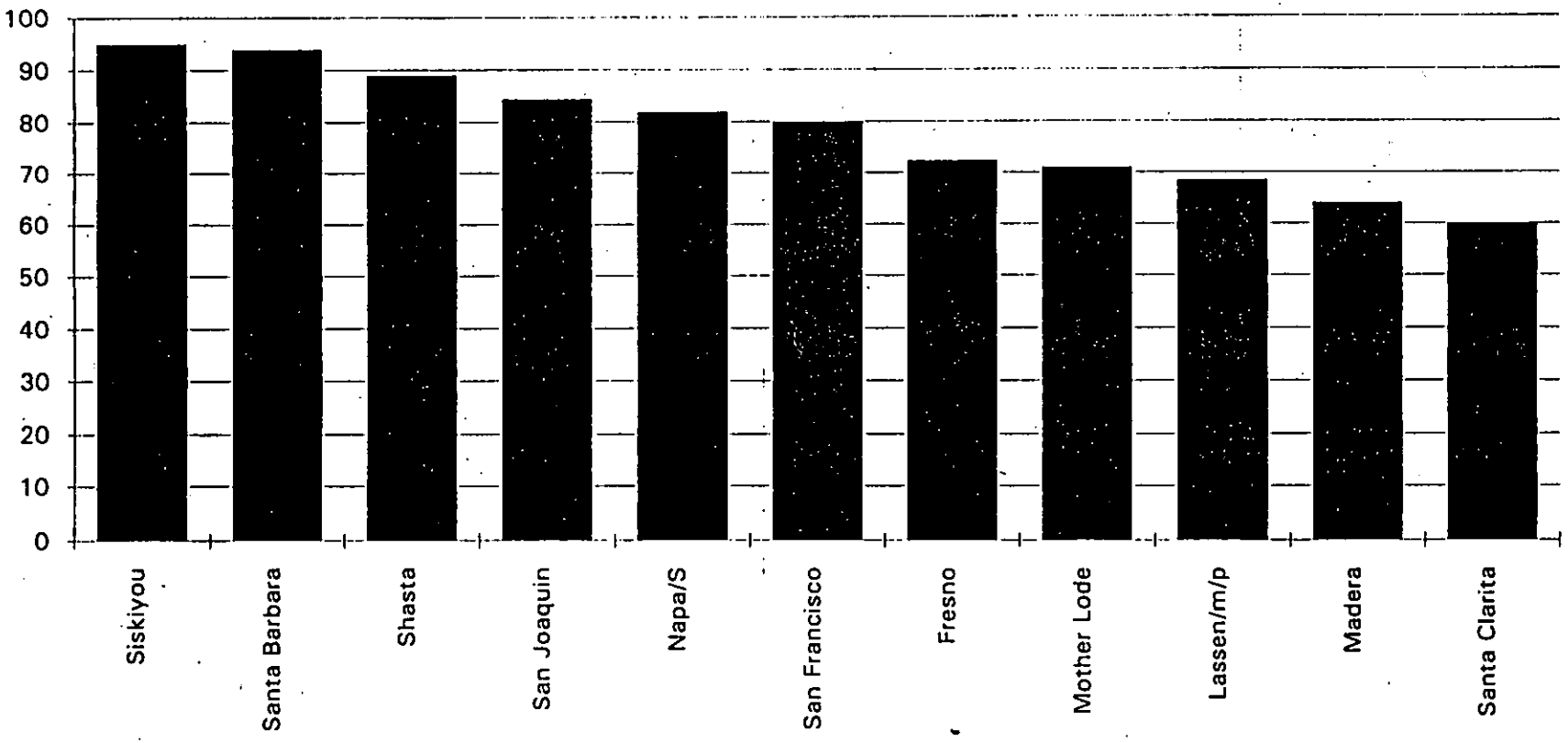
89	**Shasta Metro RMDZ** County of Shasta, cities of Anderson, Redding, and Shasta Lake	Plastics, yardwaste, mixed paper/OCC, glass, tires	Plastic lumber, pipe, compost/mulch, molded paper products, glass tiles, picture frames, door mats, molded rubber products.	Pro-development attitude, permit streamlining, Mello-Roos bonds, revolving loan funds, enterprise zone benefits, impact fee waiver for industrial development, land write-down, connection fees lowered or waived, reduced utility rates, and job creation grant
84.5	**San Joaquin County RMDZ** County of San Joaquin, cities of Stockton, Manteca, Lodi, Tracy, Lathrop, Ripon, and Escalon.	Plastics, paper, glass, yardwaste, metal	Pellets, floor tiles, bottles, building materials, compost, buckets	Accelerated permit processing, possible waiver/deferral of planning/development fees, data preparation, such as marketing studies, Industrial Development Bonds, Enterprise Zone incentives, local revolving loan fund
82	**Napa Solano Areas RMDZ** County of Napa, cities of Vallejo and Napa, The South Napa Waste Management Authority	Mixed paper, compostables, HDPE, mixed plastics	Molded paper, cellulose insulation, molded plastics, mulch and compost	Varies by jurisdiction: excellent rail and highway transport, financing, site selection, permit and feedstock assistance, worker training and others

80	**City and county of San Francisco**	Mixed paper, compostables, HDPE, unsorted plastics and construction & demolition debris	Cellulose insulation, pulp or paper wallboard, molded paper products, HDPE pellets or flakes, food reuse and compost, materials reuse, aggregate, mulching	Major transportation corridors and international ports, marketing assistance, technical and financing help, permit assistance, job training, active commitment to buying recycled products, grants
72.5	**Fresno County RMDZ** County of Fresno, cities of Clovis, Firebaugh, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Reedley, San Joaquin, Sanger, and Selma	Plastics, paper, glass, concrete, wood, greenwaste	Trash cans, containers, compost/mulch, cardboard, filler chipboard, base rock, fertilizer	Permit assistance, waiver/reduce development/permit fees, database on land, buildings, markets and feedstock, Micro Revolving Loan Fund, installment payment of fees
71	**Mother Lode RMDZ** Counties of Calaveras and Tuolumne	plastics, glass, paper, tires	housewares, firelogs, rubber mats, tire bales	permit streamlining, waive mitigation fees, CDBG technical assistance and economic development grants

68.5	**Northeastern California RMDZ** Counties of Lassen, Modoc, and Plumas; cities of Susanville, Alturas, and Portola	Paper, yard and wood waste, plastic, glass, ash	Insulation, molded pulp, compost/mulch, injection molded plastic products, soil additive	Site and permit assistance, development fee payment plan, employee and employment programs, land inventory, feedstock assistance, buy recycle policy for public projects, and financial packaging assistance
64	**Madera County RMDZ** County of Madera, cities of Chowchilla and Madera	plastics, mixed paper, glass, and agricultural bi-products	bottles, plastic flower pots, garbage cans, glass tiles, fiberglass roof shingles, pencils, woodstove pellets, compost/mulch	Permit assistance, waivers/extensions of fees and taxes; tax credits, long and short term fixed asset financing, financial assistance with permit processing, licensing, infrastructure improvements
60	**City of Santa Clarita**	Wood, plastics, high grade/mixed paper, corrugated cardboard, and yard trimmings	Pulping operations, agricultural compost/soil additives, printing industry and newspaper production facilities	Fast-track permitting, technical assistance, CEQA assistance

Attachment #3

Scores for RMDZ Applicants for Cycle 4



Attachment #4

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-184

FOR DESIGNATION OF THE RECYCLING MARKET DEVELOPMENT ZONES
FOR DESIGNATION CYCLE FOUR (1994-95)

WHEREAS, Public Resources Code Sections 42010 through 42145.5 establish the Recycling Market Development Zone Program for the development, stability, and expansion of domestic markets for postconsumer and secondary materials collected statewide; and

WHEREAS, in accordance with Title 14, Section 17910 of the California Code of Regulations (CCR), designated zones must comply with the California Environmental Quality Act (CEQA) requirements in order to receive final designation and be eligible for program incentives, and

WHEREAS, eight of the eleven proposed zones have not completed all the requirements for final designation pursuant to regulatory requirements found in 14 CCR 17910-17911; and

WHEREAS, 14 CCR 17910 allows the Board to grant the Zones conditional designation and specify certain conditions that must be satisfied in order to receive final designation; and

WHEREAS, the Madera County proposed zone, the Fresno County proposed zone and the Shasta Metro proposed zone have demonstrated compliance with CEQA and completed all requirements for final designation as a zone pursuant to regulatory requirements found in 14 CCR 17910-17911;

THEREFORE, BE IT RESOLVED, that the Board hereby grants conditional designation for the following Recycling Market Development Zones for designation Cycle Four (1994-95):

1. Siskiyou County RMDZ
2. Santa Barbara Regional RMDZ
3. San Joaquin County RMDZ
4. Napa Solano Areas RMDZ
5. City and County of San Francisco
6. Mother Lode RMDZ
7. Northeastern California RMDZ
8. City of Santa Clarita RMDZ

that the Board hereby grants final designation for the following Recycling Market Development Zones:

1. Madera County RMDZ
2. Shasta Metro RMDZ
3. Fresno County RMDZ

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 February 22-23, 1995.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Meeting Agenda
February 21-23, 1995

AGENDA ITEM 20

ITEM: Consideration of Approval of Board delegation of authority to Executive Officer for acceptance of Used Oil Incentive Claim/Reports submitted after the 45th day

I. SUMMARY

AB 2762, Chapter 1147 extends the time frame for filing Used Oil Incentive Claim/Reports from the last day of the month following a quarter, to the 45th day following a quarter. It also allows the Board to delegate authority to the Executive Officer to accept claims/reports submitted after the 45th day and to reduce, eliminate, or approve the amount of incentive fee to be paid due to the late submission of the claim/report.

II. PREVIOUS COMMITTEE (BOARD) ACTION:

No Committee action had been taken at the time this item was printed. This item will be heard at the February Administration Committee meeting.

III. OPTIONS FOR THE BOARD

Board members may decide to:

1. Delegate authority to the Executive Officer to accept Used Oil Incentive Claim/Reports submitted after the 45th day; and to reduce, eliminate, or approve the incentive fee claimed.

2. Require Board action on claims submitted after the 45th day.

IV. STAFF RECOMMENDATION

Staff recommends that the Board adopt a policy to delegate authority to the Executive Officer for the acceptance of claims received after the 45th day.

V. ANALYSIS

Background

The Board pays a recycling incentive of sixteen cents ($0.16) per gallon to certified used oil collection centers, industrial generators, and curbside collection programs for used lubricating oil transported by a used oil hauler to a certified used oil recycling facility. In order to be eligible for payment of a recycling incentive, certified used oil collection centers, industrial generators, and curbside collection programs must report to the Board, quarterly, the amount of lubricating oil purchased, and the amount of used oil transported to a certified used oil recycling facility. The incentive claim fulfills the entities quarterly report requirement.

Key Issues

The original language of the Used Oil Enhancement Act required claims to be received by the last day of the month following the end of a quarter. Claims received late were denied payment. No specific provision for review of late claims was originally included in the Act. However, regulations were subsequently adopted allowing the claimant to submit a written request for reconsideration to the Board, if payment of an incentive claim was denied.

An appeal process was developed to implement these existing regulations. The policy established an appeal panel consisting of three executive staff members to review denied claims. The policy was reviewed by the Executive Office and the Legal Office and discussed with Board members. At the direction of the Executive Office the Appeal policy was implemented. A Used Oil Advisory detailing the appeal process was sent to entities certified and registered in the Used Oil program. Denied claims are currently reviewed by the appeal panel.

New legislation affecting the adopted appeal policy, specifically AB 2762, became effective on January 1, 1995. The statute includes specific language which gives the Board the authority to delegate to the Executive Officer the authority to accept claim/reports submitted after the 45th day and to reduce, eliminate, or approve the amount of incentive fee to be paid due to the late submission of the claim/report. Formal delegation of this activity by the Board would assist in clarifying authority for the current appeal process being utilized to consider late claim/reports.

Fiscal Impacts

There should be no substantial fiscal impact as an appeal process

estimated that 59% of the claims appealed under the old policy will now be valid claims due to the extension of filing days.

Findings

As of January 1, 1995, statute provides for delegation of authority by the Board to the Executive Officer for review of incentive claim/reports received after the 45th day. Board procedures to date, have been to allow for review of denied claims by an appeal panel. The Board may choose to review all claim/reports received after the 45th day and determine what amount on incentive should be made or delegate that authority to the Executive Officer.

VI. APPROVALS

Prepared by:	Julie Arico JK	Phone 255-2373
	Kim Kotey	Phone 255-2707
Reviewed by:	Rick Beard RB	Phone 255-2290
Reviewed by:	Bonnie MacDuffee BLM	Phone 255-2710
Reviewed by:	Marie LaVergne mol	Phone 255-2269
Legal Review:	SB	Date/Time 2-14-95

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Board Meeting
February 22, 1995

AGENDA ITEM # 22

ITEM: CONSIDERATION OF CONFIDENTIALITY DETERMINATION REGARDING PUBLIC REQUEST FOR NEWSPRINT CONSUMER CERTIFICATIONS; CONSIDERATION OF DELEGATION OF CONFIDENTIALITY DETERMINATIONS TO THE EXECUTIVE DIRECTOR

I. SUMMARY

The Board has received a request under the California Public Records Act (Government Code section 6250 et seq.) for copies of the Newsprint Consumer Certifications (Form 430) for newspapers and telephone directories for 1992 and 1993. These certifications contain two types of information that may be confidential. The first is the identity of newsprint manufacturers/suppliers. The second is newsprint price information.

Under the Board's regulations regarding confidential information, the Board must determine whether the information contained in the certifications is confidential, and thus not available to the public. The Board may also decide to delegate future confidentiality determinations to the Executive Director.

II. PREVIOUS COMMITTEE ACTION

The Board's regulations (Title 14, California Code of Regulations (CCR), sections 17041 through 17046) concerning public record requests were approved by the Board on September 21, 1994. The regulations were approved by the Office of Administrative Law and filed with the Secretary of State on November 28, 1994.

At the time of this writing, the Administration Committee has not reviewed this item. Any recommendations or determinations made by the Administration Committee will be shared with Board members.

III. OPTIONS FOR THE BOARD

Board members may:

1. Determine what information contained in the Newsprint Consumer Certifications is confidential information, pursuant to Title 14, CCR, sections 17041 through 17046.

2. Determine whether to delegate future confidentiality determinations to the Executive Director.

IV. STAFF RECOMMENDATION

Staff recommends that the Board determine that all supplier-specific information contained in the 1993 certifications is confidential business information. Staff also recommends that newsprint price information provided to the Board in the Form 430 be kept confidential. Staffs recommend that all other portions of the requested certifications be disclosed.

V. Analysis

Background

California's recycled-content newsprint law, Public Resources Code (PRC), Sections 42750 through 42791, is administered by the California Integrated Waste Management Board (CIWMB). This law includes a requirement that California newsprint consumers certify their annual consumption to the Board. The Board maintains public records of Newsprint Consumer Certifications (Form 430) that have been submitted to the Board between 1991 and 1994.

The Board has received a request under the California Public Records Act (Government Code sections 6250 et seq.) to disclose these certifications for newspapers and directories for 1992 and 1993. The Board has previously released the 1992 certifications to the public. Several newsprint suppliers and publishers then raised a concern that this information was confidential. There are two areas of concern regarding this request. First, certain supplier information contained in the certifications appears to be proprietary business information. Second, some of the certifications contain proprietary price information.

The Board has adopted new regulations that specify how the Board will make a determination as to whether records, or portions of records, can be maintained as confidential, proprietary or trade secret. The Board must now determine whether the information contained in the certifications is confidential and thus exempt from disclosure. Under the Public Records Act, once information is released, it is no longer exempt from disclosure. This agenda item will therefore discuss the Board's confidentiality determination with respect to the 1993 certifications only, not the 1992 certifications that have been previously released. The 1992 certifications were released prior to the effective date of the Board's confidentiality regulations.

Legal Requirements for Making Confidentiality Determinations

Title 14 of the California Code of Regulations, sections 17041 through 17046, set forth how the Board will handle public records requests that seek potentially confidential information. When a member of the public requests information that is considered confidential by the party that supplied the information, the Board must determine whether the information is confidential. If the Board determines that the information is confidential, it informs the requestor in writing that the information will not be disclosed. If the Board determines that

the information is not confidential, it must give the person who supplied the information 30 days to justify his/her claim of confidentiality. The Board then determines whether the justification supports a finding that the information is confidential.

Section 17046(b) states that the following types of information are confidential: personal or business-related financial data; customer client lists; supplier lists; other proprietary information of a confidential business nature that would harm a person's competitive position if released; and tax information prohibited from disclosure pursuant to the Revenue and Taxation Code.

Regarding price information, Public Resources Code section 42783 is directly on point. This law states that specific newsprint prices are proprietary information and shall not be made available to the public.

Customer Lists and Supplier Lists as Confidential Information

The Newsprint Consumer Certifications are furnished annually to the Board by publishers of newsprint. These forms help the Board determine whether publishers are using the proper percentage of recycled-content newsprint. The required percentage is currently set by statute at thirty percent. Section V of the certification form requires each publisher to list the types and amounts of newsprint used that year, the amount of recycled-content newsprint, and the identity of the manufacturer or supplier that provided the newsprint.

While most of the information contained in Section V can be regarded as nonconfidential, the identity of the supplier is expressly defined in regulation, section 17046(b), as confidential. This part of Section V of the form constitutes a supplier list for each publisher. Further, by viewing all of the certifications for a particular year, as was requested in the present case, a member of the public can recreate the customer list of each supplier listed in Section V. Customer lists and supplier lists are specifically protected as confidential and proprietary information under the regulation. If a customer or supplier list of a company is made public, it can fall into the hands of a competitor, which can have detrimental effects on the business interests of that company.

Staff concludes that the public interest served by not disclosing the identity of the suppliers, in this case, clearly outweighs the public interest served by disclosure of the records, and recommends a determination that the identity of the suppliers be removed from the certifications before the forms are released to the public.

Newsprint Prices as Confidential Information

Some of the certifications contain specific price information. This information is held to be proprietary and exempt from public disclosure under Public Resources Code section 42783. Staff concludes that any certifications that contain newsprint prices should have this information removed before the certifications are released to the public.

Delegation to the Executive Director

The Board has the authority to delegate specific functions to the Executive Director. The purpose of the delegation authority is to allow administrative matters to be handled by staff and to free the Board to consider the larger issues of policy. The Board may thus consider delegating future confidentiality determinations to the Executive Director. By their very nature, these confidentiality determinations will sometimes require discussion of sensitive information. The Committee may wish to consider whether delegation to the Executive Director provides a better forum to handle such information.

VI ATTACHMENTS

1. Newsprint Consumer Certification, CIWMB Form 430
2. Public Records Disclosure Regulations (Title 14, CCR, sections 17041 through 17046)

VII APPROVALS

Prepared By: Rick Muller Rick Muller Phone: 255-2359

Reviewed By: John Smith John Smith Phone: 255-2582

Approved By: Daniel Gorfain Daniel Gorfain Phone: 255-2320

Legal Review/Approval: [illegible] Date/Time: 2/14/95

ATE OF CALIFORNIA
WMB 430
1/91

CALIFORNIA INTEGRATED
WASTE MANAGEMENT BOARD

Newsprint Consumer Certification

California law requires that you certify your newsprint use to the Integrated Waste Management Board by March 1 of each year.

ection I - Consumer Information Instructions

- ite dates as month/day/year.
- Complete spaces 1 through 12.
- If you did not use any newsprint last year, mark space 13 and 15, 16 and/or 17, sign and return the form.
- If all the newsprint you used last year was bought or contracted before January 1, 1990, complete box 14, sign and return the form.
- If you used any newsprint last year, complete sections II, III, IV, and V, sign and return the form.
- Optional questions - numbered page 6 of insert.

Return form to:
Integrated Waste Management Board
ATT: Newsprint Certification Program
8800 Cal Center Drive
Sacramento, CA 95826

☐ NAME OR ADDRESS CHANGE

Certification Document Number: _____

Section I - Consumer Information

Please type or print legibly in ink and return by mail or FAX to (916) 255-2573. Use "N/A" for items which are not applicable.
Reporting Period: **January 1 through December 31, 1994**

Contact person (first name, middle initial, last name) (1)		Date (2) / /	
Company name (3)		Phone number (4) ( ) -	
Mailing address (5)	City (6)	State (7)	ZIP® code (8)
Physical address (if different from mailing address) (9)	City (10)	State (11)	ZIP® code (12)

I did not use any newsprint in my commercial printing or publishing operation during this reporting period. ☐ (13)

I purchased all the newsprint I used before January 1, 1990. ☐ (14)

If applicable, provide the company names and addresses of your newsprint printers

_____
_____
_____

I am a: publisher ☐ (15)
printer ☐ (16)
other _____ ☐ (17)

Certification Instructions

Certification to be made by:
- Corporation - By a responsible corporate officer or manager authorized to make management decisions which govern the operation of the commercial printing or publishing operation.
- Partnership or sole proprietorship - By the general partner or the proprietor.
- Government agency - By either the principal executive officer or a ranking elected official.

Certification

I certify under penalty of perjury that this document and all attachments were prepared under my direction or supervision, that to the best of my knowledge and belief, the information provided is true, accurate, and complete. I am aware that there are significant penalties for submitting false information in this certification, including the possibility of fine or imprisonment, or both, for violations.

_____ Signature of individual authorized to sign

_____ Title of authorized person

_____ Typed or printed name of person signing

_____ Date

( ) - _____ Phone number

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Section II - Newsprint Use Instructions

- Complete this section for newsprint used during this reporting period.
- If you meet the 25% recycled newsprint use goal, complete section V, sign and return the form.
- If you did not meet the recycled newsprint use goal, complete sections III, IV and V, sign and return the form.

Section II - Percent of Recycled-content Newsprint Used

Total metric tons of all newsprint used this reporting period	(1)	
Total metric tons of all newsprint used this reporting period that was purchased after January 1, 1990.	(2)	
Total metric tons of recycled-content newsprint used this reporting period that was purchased after January 1, 1990	(3)	
Total metric tons of nonrecycled-content newsprint used this reporting period that was purchased after January 1, 1990. (subtract line 3 from line 2).	(4)	
Percent of recycled-content newsprint used this reporting period. (Line 3 ÷ Line 2 x 100) Round to the nearest percent. For example, 24.5% becomes 25%, 24.4 % becomes 24%.	(5)	%

Section III - Exemptions Instructions

- Complete this section if you did not meet the recycled-content newsprint use goal of 25 percent.
- You must keep records to document your claims, but don't send them to the Board at this time.

Section III - Exemptions

Only three conditions exempt a consumer from meeting recycled-content newsprint use requirements for any reporting period. Mark the exemption or exemptions you claim.

The recycled-content newsprint was not available at a comparable price to that for newsprint which is not recycled-content newsprint. See Public Resources Code §42773 and regulation section 17966.	Exemption 1	☐	(1)
The recycled-content newsprint did not meet the quality standards established by the Board. See Public Resources Code §42773 and regulation section 17964.	Exemption 2	☐	(2)
The particular grade of recycled-content newsprint would not have been available in a reasonable time. See Public Resources Code §42773 and regulation section 17968.	Exemption 3	☐	(3)
Explain specific reason: _____	(CIWMB) USE	☐	(4)

Section IV - Good Faith Certification Instructions

- Complete this section if you did not meet the recycled-content newsprint goal of 25 percent.
- Use the section on page 5 if you need more space and insert into the form before mailing.

Section IV - Good Faith Certification

n order to make your certification of exemption in good faith, list all newsprint suppliers or producers with whom you had purchase iscussions or who offered to sell you recycled-content newsprint within the preceding 12 months. See Public Resources Code §42773.

Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -

Mailing address (4)	City (5)	State (6)	Zip (7)

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Company Name: _____

Section V - Supplier Information Instructions

- Complete only for newsprint purchased after January 1, 1990.
- Complete one line for each grade of newsprint you used during the reporting period.
- Complete the supplier information for each physical address of the printing or publishing operations you own or operate.
- If you need more space, use and/or duplicate page 4 as needed.

Section V - Supplier Information for Each Physical Address

Please report in metric tons. 2204.6 pounds (LBS.) equals one metric ton.

Name of Operation (1)			
Physical address (2)	City (3)	State (4)	ZIP® code (5)

List each supplier of newsprint for this reporting period and the metric tons of recycled-content or virgin newsprint you used from that supply during this reporting period. If you need more space, use and/or duplicate page 4 as needed.

5A	Supplier (6)	Contact person (7)	Phone number (8) ( ) -
	Mailing address (9)	City (10) / State (11)	ZIP® Code (12)

	Newsprint grade (Use standard classifications) (e.g. 30#, 34# E - brite)	Total metric tons used during the reporting period	Metric tons of nonrecycled-content newsprint (< 40% postconsumer waste) used.	Metric tons of recycled-content newsprint (=> 40% postconsumer waste) used.
13A	(13)	(14)	(15)	(16)

6A	Supplier (6)	Contact person (7)	Phone number (8) ( ) -
	Mailing address (9)	City (10) / State (11)	ZIP® Code (12)

	Newsprint grade (Use standard classifications) (e.g. 30#, 34# E - brite)	Total metric tons used during the reporting period	Metric tons of nonrecycled-content newsprint (< 40% postconsumer waste) used.	Metric tons of recycled-content newsprint (=> 40% postconsumer waste) used.
13A	(13)	(14)	(15)	(16)

Company Name: _____ Certification Document Number: _____

Section V (Continued) - Supplier Information for Each Physical Address

Name of Operation
(1)

Physical address (2)	City (3)	State (4)	ZIP® code (5)

List each supplier of newsprint for this reporting period and the metric tons of recycled-content or virgin newsprint you used from that supply during this reporting period. If you need more space, use and or duplicate page 4 as needed.

Supplier (6)	Contact person (7)	Phone number (8) ( ) -
Mailing address (9)	City (10) / State (11)	ZIP® Code (12)

	Newsprint grade (Use standard classifications) (e.g. 30#, 34# E - brite)	Total metric tons used during the reporting period	Metric tons of nonrecycled-content newsprint (< 40% postconsumer waste) used.	Metric tons of recycled-content newsprint (=> 40% postconsumer waste) used.
13A	(13)	(14)	(15)	(16)

Supplier (6)	Contact person (7)	Phone number (8) ( ) -
Mailing address (9)	City (10) / State (11)	ZIP® Code (12)

	Newsprint grade (Use standard classifications) (e.g. 30#, 34# E - brite)	Total metric tons used during the reporting period	Metric tons of nonrecycled-content newsprint (< 40% postconsumer waste) used.	Metric tons of recycled-content newsprint (=> 40% postconsumer waste) used.
13A	(13)	(14)	(15)	(16)

Supplier (6)	Contact person (7)	Phone number (8) ( ) -
Mailing address (9)	City (10) / State (11)	ZIP® Code (12)

	Newsprint grade (Use standard classifications) (e.g. 30#, 34# E - brite)	Total metric tons used during the reporting period	Metric tons of nonrecycled-content newsprint (< 40% postconsumer waste) used.	Metric tons of recycled-content newsprint (=> 40% postconsumer waste) used.
13A	(13)	(14)	(15)	(16)

Section IV - Good Faith Certification

In order to make your certification of exemption in good faith, list all newsprint suppliers or producers with whom you had purchase discussions or who offered to sell you recycled-content newsprint within the preceding 12 months. See Public Resources Code §42773.

1A	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
1A	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
1A	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
1A	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
1A	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
1A	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
1A	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
1A	Name of Operation (1)	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)
	Name of Operation	Contact person (2)	Phone number (3) ( ) -	
Mailing address (4)		City (5)	State (6)	Zip (7)

Company Name: _____ Certification Document Number: _____

Optional Questions Instructions

- This section is optional.
- We are collecting information on the transfer of newsprint.
- Copy the section before you complete it if you need more space.

Optional Questions

To help us accurately assess the reliability and validity of the information contained in this certification and to determine if modification to the regulations may be necessary, we would appreciate your completing this section.

	Yes	No	
(1) Have you sold newsprint to another consumer in the last five years?			
(2) Have you traded newsprint with another consumer in the last five years?			
(3) Average transactions per year?			
(4) Average metric tons per transaction?			

To whom have you sold or traded newsprint in the last five years?

Name (5)	Date (6)	Metric tons (7)	Grade (8)
Address (9)	City (10)	State (11)	Zip (12)
Name (5)	Date (6)	Metric tons (7)	Grade (8)
Address (9)	City (10)	State (11)	Zip (12)
Name (5)	Date (6)	Metric tons (7)	Grade (8)
Address (9)	City (10)	State (11)	Zip (12)
Name (5)	Date (6)	Metric tons (7)	Grade (8)
Address (9)	City (10)	State (11)	Zip (12)

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TITLE 14, DIVISION 7, CHAPTER 1, CALIFORNIA CODE OF REGULATIONS
ARTICLE 4. PUBLIC RECORDS

SECTION 17041. Scope and Applicability.
This article shall apply to all requests to the Board pursuant to the California Public Records Act (Government Code sections 6250 *et seq.*) for the disclosure of public records or for maintaining the confidentiality of data received by the Board.

Note: Authority cited: Section 6253, Government Code. Sections 40062, 40502, 42297, 42323, 42325, 42783, Public Resources Code. Sections 17052.14, 17952, 23612.5 and 45982, Revenue and Taxation Code.

Reference: Section 6250 *et seq.*, Government Code.

SECTION 17042. Disclosure Policy.
It is the policy of the Board that all records not exempted from disclosure by state or federal law shall be available for public inspection as provided in the California Public Records Act, Government Code section 6250 *et seq.* Requests for information determined pursuant to the procedures described in this article to be confidential or proprietary information shall be evaluated to determine whether, on the facts of the particular case, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.

Note: Authority cited: Section 6253, Government Code. Sections 40062, 40502, 42297, 42323, 42325, 42783, Public Resources Code. Sections 17052.14, 17952, 23612.5 and 45982, Revenue and Taxation Code.

Reference: Section 6250 *et seq.*, Government Code.

SECTION 17043. Requests for Public Records.
All requests for public records, as defined in Government Code section 6252, shall be made in writing to the Board's custodian of records, and shall be addressed as follows:

Custodian of Records
California Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

Note: Authority cited: Section 6253, Government Code. Sections 40062, 40502, 42297, 42323, 42325, 42783, Public Resources Code. Sections 17052.14, 17952, 23612.5 and 45982, Revenue and Taxation Code.

Reference: Section 6250 *et seq.*, Government Code.

SECTION 17044. Submittal of Trade Secrets.
Any person submitting to the Board any records containing data claimed to be a "trade secret," as defined in Public Resources Code section 40062, shall at the time of submission, identify all information which the person believes is a trade secret, and shall provide the name, address and telephone number of the individual to be contacted if the Board receives a request for disclosure of or seeks to disclose the data claimed to be trade secret. Any information not identified by the person as a trade secret shall be made available to the public, unless exempted from disclosure by another provision of law.

Note: Authority cited: Section 6253, Government Code. Sections 40062, 40502, 42297, 42323, 42325, 42783, Public Resources Code. Sections 17052.14, 17952, 23612.5 and 45982, Revenue and Taxation Code.

Reference: Section 6250 *et seq.*, Government Code.

SECTION 17045. Submittal of Confidential or Proprietary Data.
Any person submitting to the Board any records containing data claimed to be confidential or proprietary, or to be otherwise exempt from disclosure under Government Code section 6250 et seq., or under other applicable provisions of law shall, at the time of submission, identify in writing the portions of the records containing such data as "confidential" or "proprietary," and shall provide the name, address and telephone number of the individual to be contacted if the Board receives a request for disclosure of or seeks to disclose the data claimed to be confidential.

Note: Authority cited: Section 6253, Government Code. Sections 40062, 40502, 42297, 42323, 42325, 42783, Public Resources Code. Sections 17052.14, 17952, 23060, 23612.5 and 45982, Revenue and Taxation Code.

Reference: Section 6250 *et seq.*, Government Code.

SECTION 17046. Disclosure of Trade Secrets and Confidential or Proprietary Data.
(a) This section shall apply to all data in the custody of the Board:
(1) which is designated "trade secret," as defined in Public Resources Code section 40062,
(2) which is considered by the Board or identified by the person who submitted the data to be confidential or proprietary data,
(3) which is received from a federal, state or local agency with a confidential or proprietary data designation, or
(4) which is exempt from disclosure under Government Code section 6250 et seq., or under other applicable provisions of law.

(b) Confidential or proprietary information shall include, but is not limited to:
(1) personal or business-related financial data, customer client lists, supplier lists and other information of a proprietary or confidential business nature provided by persons in applications, reports, returns, certifications or other documents submitted to the Board which if released would result in harmful effects on the person's competitive position;
(2) tax information prohibited from disclosure, pursuant to the Revenue and Taxation Code.

(c) Upon receipt of a request from a member of the public that the Board disclose data claimed to be trade secret, confidential or proprietary information, or if the Board, upon its own initiative, seeks to disclose such data, the Board shall inform the individual designated pursuant to section 17045 in writing that disclosure of the data is sought, and that a determination is being made as to whether any or all of the information has been properly identified as trade secret, confidential or proprietary information.

(1) If the Board determines that the information is not trade secret, confidential or proprietary information, the Board shall notify the person who furnished the information by certified mail. The person who furnished the information shall have 30 days after receipt of this notice to provide the Board with a complete justification and statement of the grounds on which the trade secret, confidential or proprietary information claim is being made. The justification and statement shall be submitted to the Board by certified mail. The deadline for filing the justification may be extended by the Board upon a showing of good cause made prior to the deadline specified for its receipt.

(A) The justification and statement submitted in support of a claim of trade secret, confidential or proprietary information shall include, but is not limited to, the following:

(1) a specific description of the data claimed to be entitled to treatment as trade secret, confidential or proprietary information;
(2) a statement as to whether it is asserted that the data is a trade secret, is confidential or proprietary information, that disclosure of the data would result in harmful effects on the person's competitive position, and if so, the nature and extent of such anticipated harmful effects;
(3) any statutory or regulatory provisions under which the claim of trade secret, confidentiality or proprietary is asserted;
(4) the period of time for which trade secret, confidential or proprietary treatment is requested;
(5) the extent to which the data has been disclosed to others and whether its trade secret, confidential or proprietary status has been maintained or its release restricted;

(6) trade secret, confidentiality or proprietary determinations, if any, made by other public agencies as to all or part of the data and a copy of any such determination, if available.

(B) Documentation, as specified in (A), in support of a claim of trade secret, confidentiality or proprietary may be submitted to the Board prior to the time disclosure is sought.

(2) The Board shall determine whether the information is protected as trade secret, confidential or proprietary information within 15 days after receipt of the justification and statement or, if no justification and statement is filed, within 45 days of the notice required by paragraph (1). The Board shall notify the person who furnished the information and any party who has requested the information pursuant to a public records request of the determination, by certified mail.

(3) If the Board determines that the information is not protected as trade secret, confidential or proprietary information, the notice required by paragraph (2) shall also specify a date, not sooner than 15 days after the date of mailing of the notice, when the information shall be made available to the public.

(d) Except as provided in subdivision (c), the Board may release information submitted and designated as trade secret, confidential or proprietary information to the following under the following conditions:

(1) Other governmental agencies, and the Legislature, may receive information that has been compiled or aggregated from confidential information, but does not reveal the specific sources of the information, when the information has been requested in connection with a local enforcement agency's or the Board's responsibilities under this division or for use in making reports.

(2) to the state or any state agency in judicial review for enforcement proceedings involving the person furnishing the information.

(e) Should judicial review be sought of a determination issued in accordance with section (c), either the person requesting the data or the person making the claim of trade secret, confidential or proprietary information status in relation to the data, may be made a party to the litigation to justify the determination.

Note: Authority cited: Section 6253, Government Code. Sections 40062, 40502, 42297, 42323, 42325, 42783, Public Resources Code. Sections 17052.14, 17952, 23612.5 and 45982, Revenue and Taxation Code.

Reference: Section 6250 *et seq.*, Government Code.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

BOARD MEETING
FEBRUARY 22, 1995

AGENDA ITEM #23

ITEM: Consideration of Memoranda of Agreement (MOA) with the Department of Conservation (DOC) Regarding: A) Public Agency Buy Recycled Program; B) Data Collection and Distribution; C) Public Education and Curriculum Development; D) Hotline Coordination

I. SUMMARY

In September 1994, The California Integrated Waste Management Board (Board) authorized the Executive Director to enter into a Memorandum of Understanding (MOU) with the California Department of Conservation (DOC). The MOU specified eight areas where coordination and pooling of resources to avoid duplication could increase efficiency and reduce the cost of implementing the State's waste prevention, recycling, market development and education programs and mandates.

The MOU, which has been signed by the Executive Director but not by DOC, calls for specific memoranda of agreement (MOA) to be entered in each of these areas. Pursuant to Administration Committee direction on December 7, 1994, staff forwarded four MOAs to DOC for signature as a package. Their purpose is to provide for greater streamlining, increase efficiency and reduce the cost of the State's waste reduction and recycling market development programs. On January 18, 1995, DOC modified, signed and returned the "Buy-Recycled" and "Hotline Consolidation" MOAs to Board Chairman Jesse Huff.

The enclosed MOAs reflect some further review and modifications by staff to strengthen and add specificity regarding the information needed for their implementation.

II. PREVIOUS COMMITTEE ACTION

At its October 1994 meeting, the Administration Committee directed staff to prepare the four subject MOAs for its review in December and to begin work on the remaining MOAs.

In December 1994, the Committee directed staff to forward the four MOAs to DOC for consideration and signature as a package.

At the February 15, 1995 meeting, the Administration Committee forwarded the four MOAs to the Board without recommendation.

III. OPTIONS FOR THE BOARD

The Board may:

1. Direct staff to forward the four subject revised MOAs to DOC for review and concurrence.

2. Consider the MOAs, direct staff to revise them per Board discussion and forward them to DOC for review and concurrence.

3. Approve the MOAs, with or without revisions, prior to sending them to DOC for review and approval.

4. Return one or more of the MOAs to staff for further revision and reconsideration by the Committee.

IV. STAFF RECOMMENDATION

Staff recommends that the Board adopt the following revised MOAs and forward them to DOC for review and concurrence:

A) Public Agency Buy Recycled Program;
B) Data Collection and Distribution;
C) Public Education and Curriculum Development;
D) Hotline Coordination.

V. ANALYSIS

The purpose of the MOU approved by the Board in September, is to foster coordination between the Board and DOC in specified areas of mutual interest, to avoid duplication, increase efficiency and reduce the cost of providing waste prevention, recycling, market development and education programs to government agencies, business and industry, and the public.

The MOU describes eight MOAs to be developed in the areas of Market Development and Public Information. These are:

A. Market Development

1. Data Collection and Distribution
2. Buy Recycled
3. Business Assistance
4. Market Research
5. Diversion Assistance
6. Program Evaluation

B. Public Information

1. Environmental Evaluation & Curriculum Development
2. Planning and Resource Coordination

The four enclosed MOAs build on ongoing efforts and provide a balanced and tangible starting point to build on. Given the amount of information available to staff, some are more specific than others. But in every case, the type of information needed to evaluate the benefits which could accrue from program efficiencies and potential cost savings has been identified as specifically as possible.

Each MOA has been similarly organized, but individually crafted. Each includes a statement of Mission and a statement of Purpose. Each summarizes the respective Statutory Authority of the Board and of DOC. Each summarizes the agencies' current activities in the subject area and proposes specific activity and strategic tasks and staff assignments for carrying them out.

The purpose of the four MOAs may be summarized as follows:

A. Public Agency Buy Recycled Programs

To build on and expand current program activities to cooperatively facilitate the increased procurement of recycled-content products by the State Department of General Services (DGS), other State agencies, the Legislature, universities and colleges, and local government. The MOA identifies specific activities and strategies for accomplishing this purpose.

B. Data Collection and Distribution

To develop an implementation strategy to promote a better coordinated and more efficient method of gathering, sharing, storing, and disseminating information pertinent to integrated waste management program development and evaluation in general. The strategy will also address recycling, secondary material handling, and recycled-content product marketing. In this way, the quality, efficiency of collection and distribution, and accessibility of recycling and waste reduction information will be vastly improved.

C. Public Education and Curriculum Development

To provide improved services to California's K-12 schools and districts through the coordinated development and marketing of the Board's and DOC's environmental education programs, avoiding duplication and outlining areas of participation by each.

D. Hotline Coordination

To increase the effectiveness of the Board's and DOC's recycling hotline services to the public through the coordination and possible consolidation of existing hotlines, avoiding overlap and outlining areas of participation by each.

VI. ATTACHMENTS

1. Memorandum of Understanding
2. Four MOAs

VII. APPROVALS

Prepared by: Dave Griffin Phone 255-2320

Reviewed by: Dorothy Rice Phone 255-2185

Reviewed by: _____ Phone _____

Legal review: _____ Phone _____

Memorandum of Agreement A

Public Agency Buy Recycled Program

I. MISSION:

The California Integrated Waste Management Board (Board) and the Department of Conservation (DOC) shall coordinate its activities and work cooperatively to implement a comprehensive Public Agency Buy Recycled Program to increase the procurement of recycled content products by all Public agencies.

II. PURPOSE OF THE MEMORANDUM OF AGREEMENT:

The purpose of this Memorandum of Agreement (MOA) is to effect coordination of the Public Agency Buy Recycled activities between DOC and the Board. This Agreement is planned in part to avoid overlap, outline areas of participation, and effectively promote the procurement of recycled content products by the Department of General Services (DGS), State agencies, and other public entities.

III. STATUTORY AUTHORITY:

A) DOC

- **Cooperative recycled product procurement policy implementation.**
  PCC Section 12150(h) (DOC, DGS, the Board)

B) BOARD

- **Recycled product procurement reporting and use of price preferences by all state agencies.**
  PCC Section 12162(b) and (c) (DGS, the Board)

- **Review and revise procurement specifications.**
  PCC Section 12205 (DGS, the Board)

- **Review and revise procurement specifications of the Legislature.**
  PCC Section 12320(b) and (c) (the Board)

IV. CURRENT ACTIVITIES:

Existing law requires all State agencies to attain mandated recycled content product procurement goals. To date, few agencies have made substantial progress toward attaining these goals. The Board and DGS began implementing the State Agency Buy Recycled Campaign (SABRC) in October, 1994 to increase recycled product purchases by State

Agencies. To hasten implementation of this major program, DOC loaned staff to DGS to work on recycling-related issues and to assist in planning and implementing the SABRC project.

V. STAFF ASSIGNMENT:

The management and staff assignments below are subject to change. Therefore, the names identified are indicative of the agency resources currently assigned to the tasks in section VI.

Management - Daniel Gorfain, John Smith, Mindy Fox, Margie Jewett, Dana Stone
Staff - Jerry Hart, AWMS (1/2 time)
Jim Robinson, AWMS (1/2 time)
Kathleen Cronin, Recycling Specialist III (1/2 time)
Lydia Roseby, Recycling Specialist III (resource, on-call)
Marlene Rutherford, Recycling Specialist II (resource, on-call)

VI. BACKGROUND INFORMATION:

DOC and the Board shall provide information regarding its current programs, personnel, funding, and other resources which should be considered in evaluating proposals to eliminate duplication, achieve greater efficiency, and effect economies in buying recycled.

VII. TASKS:

Tasks completed pursuant to this MOA, in order of priority, are:

Task 1 - Implement SABRC to ensure each State Agency and department attains the mandated RCP procurement goals

A. Ensure that recycled content printing and writing papers are purchased to goal by DGS through State Stores (SS), Statewide Contracts (SC), State Price Schedule (SPS), Prison Industries Authority (PIA), and other procurement sources. Assist individual departments make recycled content fine printing and writing paper purchases through their delegated authority and subpurchase orders. Special consideration should be paid to requiring Standard State forms to be printed on recycled content paper.

B. Ensure that recycled content paper products are purchased to goal by DGS through State Stores (SS), Statewide Contracts (SC), State Price Schedule (SPS) Prison Industries Authority (PIA), and other procurement sources. Assist individual departments make recycled content paper product purchases through their delegated authority and subpurchase orders.

C. Subsequent recycled products purchased to goal should be automotive lubricants, latex paint, retreaded tires, compost, and other RCPs which are available at a price comparable to or less than equivalent virgin products.

D. Ultimately the RCPs which may need a price preference or are otherwise generally more expensive should be procured to enable departments to attain compliance with the mandated RCP procurement goals.

E. Increase the use of recycled-only bids, set-asides, and the California Multiple Awards System (CMAS) to increase RCP availability.

F. Establish a testing program specifically designed for RCP's to qualify products or to verify their functionality for State use. Priority components of the testing protocol should be time required to conduct testing and the expense of testing.

Task 2 - Collect and Distribute RCP Price, Quality, and Availability, Information

A. Establish an automated system to identify RCPs which are available through DGS from State Stores (SS), Statewide Contracts (SC), State Price Schedule (SPS), Prison Industries Authority (PIA), and other procurement sources. This system must be accessible to all State departments, Colleges and Universities, and Local Governments. Investigate the use of existing systems such as DGS's Purchasing Information Network (PIN), DOC's Infocycle, the Board's FoxPro-based automated reporting program.

B. Distribute hard-copy guides to RCPs, such as the Official Recycled Products Guide (RPG), Market Watch, and the Buycycle.

C. Update and distribute the SABRC packet.

D. Investigate labelling requirements for products being sold to the State.

E. Increase the use of the Recycled Content Certification Form (Attachment A-7 in the SABRC packet). Ensure that all vendors use the form to certify the content of every product they provide to the State as required by PCC section 10308.5.

Task 3 - SABRC Outreach Activities

A. Develop an aggressive agency-specific Buy Recycled Campaign starting with outreach to CAL-EPA and the Resources Agency.

B. Specialized training and assistance should be provided to DGS buyers and the Office of the State Printer (OSP) because of the role they must take in successfully implementing the SABRC.

C. Prioritize efforts aimed at attaining compliance by product category (Task 1) with efforts outreach directed towards specific departments. Special attention should be given to the departments consuming the most products and spending the largest dollar amounts on the procurement of products.

D. Continue the State Agency Buy Recycled Campaign. Provide

training sessions for State agencies, where appropriate. Develop additional follow-up activities to complete and augment the current SABRC training efforts. Based upon evaluation of the SABRC activities, develop and implement outreach activities appropriate to other State entities, colleges, universities, community colleges, and local government.

D. Create an award or certificate of merit to be presented to each reporting department, agency, and campus who achieves the mandated RCP procurement goals and complies with the planning and reporting requirements.

E. Management, Section Supervisors and selected staff shall meet bi-monthly as the Public Procurement Task Force to evaluate and discuss progress of implementing this MOA. Public procurement staff assigned through this MOA may meet separately on alternate months to ensure adequate staff-to-staff communication.

F. Encourage departments to adopt a policy statement which instructs staff to take all necessary measures to ensure compliance with the mandated RCP procurement goals and complies with the planning and reporting requirements.

Task 4 - Implement SABRC to ensure each State Agency and department Submits the Planning and Reporting Documents

A. Distribute SABRC packet which contains planning document and report form to facilitate manual filing of documents.

B. Distribute FoxPro-based automated tracking and reporting program.

C. Provide timely reminders regarding the filing of the planning and reporting documents.

Task 5 - Implement Price Preference Program

A. Distribute SABRC packet which contains information regarding the price preference program and the form to file a reimbursement claim.

B. Provide timely reminders regarding the availability of reimbursement funds and the procedures for filing a reimbursement claim.

C. Reevaluate the preferences established in May 1994 on or before May 1996.

VII. AMENDMENT OF THIS MOA

This MOA may be amended by the mutual agreement of the parties. Amendments may be proposed by the Board, or DOC.

VIII. TERM OF MOA

This MOA shall remain in effect until all program areas are fully integrated unless extended by the parties or until terminated by either party upon 30-day notice.

Ralph E.Chandler, Executive Director California Integrated Waste Management Board	Date
Michael F. Byrne, Director Department of Conservation	Date

MEMORANDUM of AGREEMENT B

ENVIRONMENTAL EDUCATION COORDINATION

I. **MISSION:** The California Integrated Waste Management Board (Board) and the Department of Conservation (DOC) shall consolidate efforts to educate California's youth on the importance of resource conservation, and to teach them waste management skills which will last throughout their lives.

The purpose of consolidation is to avoid duplication of school education assistance programs and to maximize and streamline staff and project resources to effect cost-efficient programs. The Board and DOC shall inform and consult with each other to develop a plan to merge proposed and existing activities and initiatives, in areas within the scope of this MOA.

Prior to consolidation, DOC's mandates have focused on beverage container recycling and litter abatement issues. This MOA shall direct the integration of DOC's mandates with the Board's focus on the broader areas of integrated waste management.

II. **PURPOSE OF THE MEMORANDUM OF AGREEMENT:** The purpose of this Memorandum of Agreement (MOA) is to outline the information necessary to develop and implement a consolidated integrated waste management school education program.

III. **STATUTORY AUTHORITY AND LEAD RESPONSIBILITY:**

A) DOC
Division 12.1. BEVERAGE CONTAINER RECYCLING. Chapter 3. Administration. PRC Section 14530.5(c). Dissemination of Information to the Public. (DOC)

B) CIWMB
Division 30. WASTE MANAGEMENT. Chapter 12. Public Information and Education. Public Resources Code (PRC) Sections 42603-42605. Integrated Waste Management Education Program. (Board)

Division 30. WASTE MANAGEMENT. Chapter 12.5. Schoolsite Source Reduction and Recycling. PRC Sections 42620-42623. Integrated Waste Management Program for School Districts. (Board)

The Board shall assume lead responsibility for the implementation of this MOA.

IV. CURRENT ACTIVITIES: The following is a description of known current activities from each respective agency. (See also Table A.)

Existing law requires the Board to assist school districts in implementing integrated waste management programs and, in cooperation with the California Department of Education (CDE), to develop and establish an educational program to teach the concepts of integrated waste management in California schools.

In meeting these mandates, the Board has published *Closing the Loop-Integrated Waste Management Activities for School and Home* which promotes resource conservation and integrated waste management. The Board and CDE are training educators to utilize *Closing the Loop* in their classrooms. In addition, the Board conducts an annual survey of school districts to assess the scope of their waste management programs and identify those districts which need assistance in implementing programs. The Board responds to requests from school districts which need assistance with implementing waste prevention, recycling, composting, and recycled product procurement programs.

DOC through its grant program and educational efforts is assisting schools with implementing recycling programs and educating students on the importance of recycling. DOC also publishes the "Educator's Waste Management Resource and Activity Guide" which presents *recycling, reducing, reusing, and closing the loop* activities for youth. Topics covered in this guide include: recycling (includes beverage container, paper/cardboard, steel, plastics (polystyrene) and scrap metal recycling), source reducing, composting/vermicomposting, landfilling, and packaging. DOC staff frequently attends education association outreach events.

TABLE A: RESPECTIVE CURRENT SCHOOL EDUCATIONAL PROGRAMS

ACTIVITIES	BOARD	DOC
Technical Assistance	Respond to requests from school districts which need assistance with implementing waste prevention, recycling, composting, and recycled product procurement programs. The Board also sponsors regional training workshops for school districts and local governments in waste reduction efforts.	Assist their Grants section in meeting the needs of schools (details unknown)

Outreach Events	With CDE, provide teacher training workshops around the state. Staff booths to disseminate information and market program.	Staff booths to disseminate information and market program. Utilize Recycle Rex, spokesdinosaur for recycling.
Conference/Association	In conjunction with CDE, present comprehensive waste management educational program and provide teacher training workshops.	Promote grants and teacher packets (details unknown).
Educational Materials	Published *Closing the Loop-Integrated Waste Management Activities for School and Home* which promotes resource conservation and integrated waste management. The Board and CDE are training educators to utilize *Closing the Loop* in their classrooms.	Publish the "Educator's Waste Management Resource and Activity Guide" which presents *recycling, reducing, reusing, and closing the loop* activities for youth.
Database	Conduct an annual survey of school districts to assess the scope of their waste management programs and identify those districts which need assistance in implementing programs.	Maintain a database of educators and local government recycling coordinators.
California Environmental Education Interagency Network (CEEIN) Coordination	Education manager attends and represents the Board.	Education manager attends and represents the DOC.

V. STAFF ASSIGNMENTS: The school program management and staff assignments below are subject to change. Therefore, the names identified are indicative of the agency resources to be assigned to the tasks in section VI. Note: Complete information regarding staff resources from both agencies will be needed to effect a merger of programs.

Tricia Broddrick, Staff Services Manager I
3-Associate Waste Management Specialists
2-Associate Governmental Program Analysts/Staff Services Analysts

Jill Somers, Recycling Specialist III
Staffing unknown

VI. TASKS: Tasks to be completed pursuant to this MOA are:

Task 1 - Identify Staffing and Funding Resources:

The Board and DOC will:

- Identify numbers and classification of existing staff devoted to school education programs;
- Delineate staff responsibilities within the programs;
- Itemize current and future funding sources; and
- Develop a plan for streamlining program staff and consolidating responsibilities.

Due Date: Fiscal Year 1994-1995

Benefits: Staffing and funding resource information is needed to merge programs to avoid duplication and overlap, and to streamline program development and implementation.

Task 2 - Identify Current and Proposed Programmatic Goals and Activities:

- Identify overall goals and objectives of respective programs
- Identify specific activities to include, but not limited to, the following:

  Educational materials, including supplementary curriculum, teachers' packets, how-to guides, newsletters;

  Technical assistance;

  Teacher training;

  Outreach events, including education associations and conferences;

  Database management, and survey information;

  Interagency coordination;

  Publications and support materials, such as brochures, premiums, etc.

Due Date: Fiscal Year 1994-1995

Benefits: Identification of all program goals, activities, and support materials is needed in order to effectively develop a plan for consolidation.

Task 3 - Develop a Consolidation Plan:

Using information from Tasks one and two, develop a plan that effectively utilizes existing resources; streamlines current services; and eliminates duplication of staff responsibilities. Included in this plan, will be the goals and objectives for the

new consolidated school education program.

Due Date: Subject to completion of Tasks one and two.

Benefits: By developing a consolidation plan, overlap and duplication of services can be eliminated and resources will be effectively managed.

VII. AMENDMENT OF THIS MOA

This MOA may be amended by the mutual agreement of the parties. Amendments may be proposed by the Board or DOC.

VIII. TERM OF MOA

This MOA shall remain in effect until January 1, 1997 unless extended by the parties or until terminated by either party upon 30-day notice.

Attachment to MOA Section III. Statutory Authority

Division 30. WASTE MANAGEMENT. Chapter 12. Public Information and Education. Public Resources Code (PRC) Sections 42603-42605. Integrated Waste Management Education Program. (Board)

The Board, in cooperation with the State Department of Education, shall develop and implement and integrated waste management educational program to teach the concepts of source reduction, recycling, composting, and integrated waste management in California schools.

The State Department of Education, in cooperation with the Board, shall develop and implement a teacher training and implementation plan, to guide the implementation of the integrated waste management educational program, for the education of students, faculty, and administrators on the importance of integrated waste management in the schools. The plan shall project the phased implementation of elementary, middle, and high school programs. The Board shall use the plan and consult with the State Department of Education in developing its annual public information and education budget, and shall include sufficient funds for successful implementation.

Division 30. WASTE MANAGEMENT. Chapter 12.5. Schoolsite Source Reduction and Recycling. PRC Sections 42620-42623. Integrated Waste Management Program for School Districts. (Board)

The Board is mandated to develop and implement a source reduction and recycling program for school districts which includes, but is not limited to, the following elements:

a) A survey of school districts throughout the state to determine which districts already have recycling programs and which need those programs.
b) Development of a model waste reduction and recycling program for school districts.
c) Providing training for school districts on how to implement recycling programs.
d) Providing training for school districts on how to implement recycling programs.
e) Providing ongoing technical and informational assistance.
f) Establishing a repository of literature and teaching materials from other states and institutions which have instituted recycling programs.
g) Determine the types of equipment needed by school districts.
h) Provide assistance to school districts in locating markets for recyclables.
i) Develop a tracking system to determine the amount of recyclables collected.
j) Disseminating information to school districts on office

equipment and other items made from recycled materials.

Division 12.1. BEVERAGE CONTAINER RECYCLING. Chapter 3. Administration. PRC Section 14530.5(c). Dissemination of Information to the Public. (DOC)

The department may prepare, publish, and issue printed pamphlets, promotional materials, and bulletins which the director deems necessary for the dissemination of information to the public concerning the activities of the department pursuant to this division.

Memorandum of Agreement C
Data Collection and Distribution

I. **Mission:** The Department of Conservation (DOC) and the California Integrated Waste Management Board (CIWMB) shall work collaboratively to gather, share, and distribute and eventually store information that is relevant to both organizations. This information sharing shall be facilitated through a coordinated information collection and dissemination effort and with electronic software and hardware that will make data collected, processed, and stored by each agency compatible or convertible with the equipment of the other.

II. **Purpose of the Memorandum of Agreement:** The purpose of this Memorandum of Agreement (MOA) is to effect an implementation strategy to promote data integration for the coordination, identification, collection, organization, and eventual dissemination of data. This effort is intended to improve the quality and integrity of collected data while creating program efficiencies and saving valuable monetary and staff resources.

III. Statutory Authority and Lead Responsibility:[1]

(A) DOC:

The Department of Conservation's, Division of Recycling is primarily responsible for implementation of the California Beverage Container Recycling and Litter Reduction Act.

(B) CIWMB:

The CIWMB is primarily responsible for overseeing the California Integrated Waste Management Act.

IV. Current Activities: Existing law requires DOC's Division of Recycling (DOR) to implement the provisions of the California Beverage Container Recycling and Litter Reduction Act. Program components relating to information collection and distribution include: Recycling Incentive Fees; Recycling Hotline; Buy Recycled Program; Curbside Collection Programs, education programs, recycler and processor listings and information regarding grant recipients.

Existing law requires CIWMB to collect and distribute data and information for a variety of program components. These include: Source Reduction and Recycling Elements; Siting Elements; Countywide Integrated Waste Management Plans; Disposal Reporting; Used Oil Recycling; Household Hazardous Waste; Market Development Zones; Market Development Program; Used Tire Facilities; Tire Hauler Registration; Telephone Directory Recycling; Solid Waste Facilities; Schoolsite Source Reduction and Recycling; Public Information and Education; Recycling Hotline; and Curriculum Development.

1 For a summary of the sections below, see Attachment I.

V. Staff Assignments: The resource assignments for this activity have not been identified.

VI. Tasks: Tasks to be completed pursuant to this MOA include:

Task 1 - Task Force: Assigned DOC and CIWMB managers, section chiefs, and staff members will convene a task force to: 1) identify all existing database applications; 2) determine the need to merge selected databases; 3) analyze barriers and solutions to data compatibility; and 4) develop and recommend an implementation strategy.

Due Date: The first meeting will be scheduled within one week after initial implementation of this MOA. Within one year after this MOA is signed, the Task Force will recommend an implementation strategy.

Benefits: Frequent meetings will assure a sufficient level of both management and staff communication to provide cooperative and effective management of the tasks outlined in this MOA.

Task 2 - Data Compatibility: The Task Force will appoint a data subcommittee to meet on a regular basis, as needed, to identify the software and hardware required to allow efficient data exchange between DOC and CIWMB. The data subcommittee will recommend to the full Task Force specific software and hardware needs.

Due Date: The first meeting will be scheduled within one week after initial implementation of this MOA. Recommendations will be made to the full Task Force within six months after the initial implementation of this MOA.

Benefits: Regular meetings will guarantee all pertinent issues will be addressed before recommendations for software and hardware requirements are determined. These recommendations are essential to the mission of this MOA. Data collected and stored by both DOC and CIWMB must be made convertible or compatible to allow the efficient exchange of information.

Task 3 -- Program Data Management: The Task Force will appoint a program subcommittee comprised of selected DOC and CIWMB staff representing various related program areas. This subcommittee will meet on a regular basis to develop standard procedures for joint efforts to collect/distribute necessary data from/to the public, other state agencies, or the regulated community. This plan will establish procedures and practices to better coordinate all such data collection efforts, as well as, distribution efforts.

Due Date: The first meeting will be scheduled within one week after initial implementation of this MOA. The program subcommittee will report monthly to the full Task Force. This subcommittee will present a procedural guidelines and implementation schedule to the Task Force within ten months after the initial implementation of this MOA.

Benefits: Regular meetings will guarantee all concerns will be dealt with and an effective set of standard procedures can be developed. These procedures will address an integral portion of the mission and purpose of this MOA. For example, in 1992, both DOC and CIWMB sent out surveys to school districts throughout the state within weeks of one another. This caused considerable confusion among district personnel, and wasted both staff time and resources. The developed procedural guidelines will eliminate such confusing and costly duplication.

VII. Amendment to this MOA: This MOA may be amended by the mutual agreement of the parties. Amendments may be proposed by DOC or CIWMB.

VIII. Terms of this MOA: This MOA shall remain in effect for one year after the initial signing of this MOA unless extended by the parties or until terminated by either party upon 30-day notice.

Memorandum Of Agreement D

Recycling Hotline

I. MISSION:

The California Integrated Waste Management Board (Board) and the Department of Conservation (DOC) shall work cooperatively to increase efficiency of existing Recycling Hotlines by combining the two hotlines, preferably through privatization.

DOC's efforts shall focus on beverage container recycling, litter abatement and related recycling issues, and the Board's on the broader areas of integrated waste management.

II. PURPOSE OF THE MEMORANDUM OF AGREEMENT:

The purpose of this Memorandum of Agreement (MOA) is to effect coordination of the existing Recycling Hotlines between DOC and the Board to avoid overlap, reduce costs where possible and effectively assist the general public.

III. STATUTORY AUTHORITY AND LEAD RESPONSIBILITY:

For a summary of the sections below, see Attachment 1

A) D.O.C.

Division 12.1. BEVERAGE CONTAINER RECYCLING ACT. Chapter 1. Findings. PRC Section 14501(a). Container Redemption Opportunities For Consumers.

Division 12.1. BEVERAGE CONTAINER RECYCLING ACT. Chapter 6. Findings. PRC Section 14570(a). Dealer Identification. (DOC)

B) BOARD

Division 3. OIL AND GAS CONSERVATION. Chapter 1. Findings. PRC Section 3465(b). Public Education Program. Findings. PRC Section 3472(a)(b)(c)(d). Board shall maintain access to a toll-free telephone number. (Board)

Division 30. WASTE MANAGEMENT. Part 2. INTEGRATED WASTE MANAGEMENT PLANS. Chapter 1. Article 1.5. Board Assistance In Local Planning. Findings. PRC Section 40912(b)(3). PRC Section 40914. Board Assistance Program. (Board)

Division 30. WASTE MANAGEMENT. Part 3. STATE PROGRAMS. Chapter 12. Public Information and Education. Findings. PRC Section 42600. PRC Section 42602. Public Information, Education and Advertising. (Board)

IV. CURRENT ACTIVITIES:

Existing law requires that the Board establish, maintain, and publicize a used oil information center that shall explain local, state, and federal laws and regulations governing used oil and inform holders of quantities of used oil on how and where used oil may be properly disposed. AB 939 provides that the Board shall, working with and through local government, provide public information on all aspects of integrated waste management. The Board provides a toll-free number (1-800-553-2962) to be used by Californians for waste reduction information.

Existing law requires the Department of Conservation to maintain a toll-free service to provide information on the location of certified recycling centers. DOC's recycling hotline has been designed to accommodate joint efforts with other agencies and to provide for operating efficiencies within DOC.

In recent months attention has been brought to the California Integrated Waste Management Board that a major effort is underway by the "Environmental/Recycling Hotline" to establish a national privatized comprehensive Hotline, thereby elevating prospects of potential duplication of effort, even if the two state-operated hotlines are blended. This Environmental/Recycling Hotline has announced its plan to enter the California market.

Because the Governor's objective as stated in his State of the State address is to move toward "privatization" of services as a potential cost-effective alternative to direct government program dealings, it is prudent to analyze potential for, costs of, and experience with the national model being proposed for California.

V. PROPOSED ACTIVITIES

Working as a team, selected program staff shall analyze the existing hotlines and the proposed privatized version "Environmental/Recycling Hotline" and recommend an approach for providing toll-free information to consumers in California's communities.

VI. STAFF ASSIGNMENTS:

The management and staff assignments below are subject to change. Therefore, the names identified are indicative of the agency resources committed to the tasks in section VII:

Management - Pat Macht, Assistant Director, Public Affairs
Phil Moralez, Supervising Waste Management Specialist, Public Sector Section

Mitch Delmage, Supervising Waste Management Specialist, Used Oil Section.
Margie Jewett, Manager, Recycling Division Program Development Branch

Staff - Jill Jones, Hotline Coordinator
Bill Orr,Waste Prevention & Business Education Section
Tricia Broddrick, Public Sector Section
Bob Boughton, Used Oil Program
Margo Wildman, Supervisor, Division of Recycling Resource Center
Ken Scott, Division of Recycling Toll-free Coordinator

VII. TASKS:

Tasks completed pursuant to this MOA, in order of priority, are:

Task 1 - **Establish Staff Task Force:**

A Task force shall be set up for the purpose of implementing this MOA.

The task force will consist of the hotline coordinators and appropriate program representatives as determined by each agency. The Task Force would have 90 days to complete assignments below:

Task 2 - **Analysis**:

The task force will identify toll-free information mandates and goals.

The task force shall proceed to identify any duplicate services provided by both hotlines and proposed "Environmental/Recycling Hotline", and outline full costs to operate existing hotlines. Each agency shall provide within 30 days of signed MOA costs to operate hotline, including but not limited to the following: telephone charges for the last 24 months; copies of existing contracts for services, such as the CCC contract and those with Pacific Bell, nd other software providers; staffing costs, and other miscellaneous costs. Each agency shall be responsible for developing and providing the data on their respective programs within 30 days of signing of this agreement.

The task force shall develop similar data on the costs of the privatizated hotline to the state, and obtain

information on private sponsors, technology being utilized, proposed telephone charges, and proposed involvement of the state.

Task 3 - **Outline Options:**

After considering the analysis in Task 2, the task force will develop options for effective public information dissemination. The evaluation will include, but not be limited to, the following possible options:

- Redirecting the Board's hotline number to the top of the Division's automated telephone system.
- Building a series of messages about the Board's program into Division's system.
- Incorporating the Board's information on oil recycling centers into The Division of Recycling's existing recycling center location database.
- Board contracting with Division of Recycling for hotline services.
- Joint contracting for privatization of "Environmental/Recycling Hotline" in conjunction with telephone company provider.

Task 4:

Identify the costs of any and all alternatives to existing operations.

Task 5:

Time and resources permitting, DOC may assist the Board in investigating ways in which both agencies can help local governments provide for dissemination of waste management hotline information at the community level, thereby reducing the need for the public to call outside of their community and at additional expense to the state.

Task 6:

Within 90 days of signature of this MOA, jointly prepare a report with recommendations for consideration by the Board and the DOC Director.

VII. AMENDMENT OF THIS MOA

This MOA may be amended by the mutual agreement of the parties. Amendments may be proposed by the Board or DOC.

VIII. TERM OF MOA

This MOA shall remain in effect until January 1, 1996 unless DOCextended by the parties or until terminated by either party upon 30-day notice.

_____ _____

Ralph E. Chandler, Executive Director Date
California Integrated Waste Management
Board

_____ _____

Michael F. Byrne, Director Date
Department of Conservation

ATTACHMENT

III. STATUTORY AUTHORITY

A. DOC: CALIFORNIA BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION ACT, PUBLIC RESOURCES CODE, DIVISION 12.1

PRC 14501(a)

Experience in this state and others demonstrates that financial incentives and convenient return systems ensure the efficient and large-scale recycling of beverage containers. It is the intent of the Legislature to encourage increased, and more convenient, beverage container redemption opportunities for all consumers. These opportunities shall consist of dealers, programs, and other recycling systems that assure all consumers, in every region of the state, the opportunity to return beverage containers conveniently, efficiently, and economically.

PRC 14570

Every dealer shall identify, by a clear and conspicuous sign of at least 10 inches by 15 inches posted at each public entrance to the dealer's place of business, which specifies one of the following:

(a) The name and address, as provided by the department, of at least the certified recycling center, location, or locations, nearest to the dealer, which redeems all types of empty beverage containers at one location during at least 30 hours per week with a minimum of five hours of operation occurring during periods other than from Monday to Friday, from 9:00 a.m. to 5:00 p.m., and the toll free telephone number established by the department for the purpose of disseminating information regarding beverage container recycling opportunities.

B. C.I.W.M.B.: ARTICLE 9. USED OIL RECYCLING ACT

PRC 3465(b)

The Board shall conduct a public education program to inform the public of the needs for and benefits of collecting and recycling used oil in order to conserve resources and preserve the environment. As part of this program, the board shall:

(b) Establish, maintain, and publicize a used oil information center that shall explain local, state, and federal laws and regulations governing used oil and inform holders of quantities of used oil on how and where used oil may be properly disposed.

PRC 3472

The Board shall maintain access to a toll-free telephone number which is to be used for the purpose of informing callers of the following:

(a) The permissible methods of recycling or disposing of used oil.

(b) The types of establishments likely to be properly equipped and authorized to accept used oil.

(c) Specific establishments located in the area of the caller that have notified the board that they are properly equipped and authorized to accept used oil.

(d) Specific oil recycling facilities in the area of the caller that are authorized by the Department of Toxic Substances Control to receive used oil and that have programs of used oil pickup.

PRC 40912(b)(3)

(b) On or before January 1, 1994, the board shall adopt a program to provide assistance to cities, counties, or regional agencies in the development and implementation of source reduction programs. The program shall include, but not be limited to, the following:

(3) Assistance to cities, counties, and regional agencies in the development of source reduction programs for commercial and industrial generators of solid waste which include the development of source reduction strategies designed for specific types of commercial and industrial generators.

PRC 40914

On or before January 1, 1994, the board, in consultation with rural counties and cities, shall develop model programs and materials that will assist rural counties and cities in complying with the requirements of Chapter 2 (commencing with Section 41000) and Chapter 3 (commencing with Section 41300). These model programs and materials shall be

designed to assist rural counties in achieving the purposes of this division in a manner which minimizes, to the maximum extent feasible, costs imposed on those counties to comply with this division.

PRC 42600

The Board shall establish a statewide public information and education program to encourage participation by the general public, business, government, and industry in all phases of integrated waste management. To the maximum extent possible, the public information and education program developed pursuant to this chapter shall be coordinated so as to not duplicate the efforts of other state agency public information programs for the promotion of source reduction, recycling, and composting.

PRC 42602

The Board shall employ appropriate marketing techniques to disseminate its message, including radio and television advertising. The board may conduct paid advertising campaigns or solicit joint sponsorship of advertising campaigns by private industry for the purposes of complying with this chapter.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
BOARD MEETING

February 22, 1995

AGENDA ITEM 25

ITEM: CONSIDERATION OF APPROVAL FOR THE 1994 CIWMB ANNUAL REPORT: "REACHING THE MILESTONE: 25-BY-95"

I. SUMMARY

Public Resources Code, Section 40507 mandates the CIWMB to file an annual report with the Legislature by March 31 of each year. This requirement is a result of AB 1515 by Assembly member Sher (Chapter 717, Stats. 1991). The annual report is intended to provide the Legislature with a status report on the CIWMB implementation of its legislatively mandated programs. In addition, the report is designed to highlight key efforts that are essential in meeting the 25-by-95 goal and will be introducing a section dedicated to local government achievements during the previous calendar year (1994).

II. PREVIOUS COMMITTEE ACTION

The item was presented to the Administration Committee on February 15.

III. OPTIONS FOR THE BOARD:

1. Approve the annual report which will allow CIWMB to meet the March 31 due date.

2. Disapprove the report which would delay the CIWMB's ability to meet its statutory obligation.

IV. STAFF RECOMMENDATION

Staff recommends the Board approve the CIWMB's 1994 Annual Report for transmittal to CalEPA.

V. ANALYSIS

The Annual Report theme for 1994 is consistent with the CIWMB's mission of "Reaching the Milestone of 25-by-95". Preparation of the report was a cooperative effort that included a report writing team consisting of representatives from each Division and Office, in addition to participation from each Board Advisor.

I. Introduction and Overview

This section includes the mission of the CIWMB, an overview of legislative mandates, and an overview of the entire CIWMB organization with a brief description of each Division and Office.

II. CIWMB Programs

This is the most voluminous section of the report and contains detailed highlights of the CIWMB's successes for the 1994 calendar year.

III. Local Government Highlights

Ten communities, geographically dispersed throughout California, were included in the report to show their diligent and successful pursuit of the 25-by-95 goal.

IV. Future Efforts

The focus of this section of the report is CIWMB's acknowledgment of the need to focus on meeting the 50% diversion goal by the year 2000 and efforts to attain significant regulatory reforms.

VI. ATTACHMENTS

California Integrated Waste Management Board's 1994 Annual Report

VII. APPROVALS

Prepared By:	Renee Lawver RL	Phone:	255-2205
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Reviewed By:		Phone:	
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Legal Review:		Date/Time:	

CALIFORNIA
INTEGRATED
WASTE
MANAGEMENT
BOARD

REACHING THE MILESTONE: 25 BY 95

. . .

MARCH 1995

VISION

The California Integrated Waste Management Board is committed to the vision of a California that protects the public health and natural environment by minimizing waste generation and disposal and facilitating the development of industries that use recyclable materials. The vision will be realized by establishing sustainable markets for recyclable materials, reducing reliance on land disposal, and effectively educating the public.

STATE OF CALIFORNIA

PETE WILSON
Governor

JAMES M. STROCK
Secretary for Environmental Protection
California Environmental Protection Agency

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

WESLEY CHESBRO

SAM A. EGIGIAN

JANET GOTCH

EDWARD G. HEIDIG

PAUL RELIS

RALPH E. CHANDLER
EXECUTIVE DIRECTOR

Publication #520-95-002
Printed on Recycled Paper

MISSION OF THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

The mission of the CIWMB is to protect public health and safety and the environment through waste prevention, waste diversion, and safe waste processing and disposal. The CIWMB accomplishes this mission by:

- Developing effective relationships with local governments and private industry to develop and implement IWM programs;
- Educating the public about the value of resource conservation and the economic and environmental costs of waste disposal;
- Facilitating the development of markets for recyclable materials and the treatment of solid waste as a resource;
- Conducting focused research in support of the waste management hierarchy;
- Facilitating the development of facilities required to divert waste from disposal and provide disposal capacity for materials that cannot feasibly be diverted; and
- Aggressively seeking means to protect public health and safety and the environment.

1994 ANNUAL REPORT
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APPENDIX C: 1993-1994 LEGISLATIVE SESSION FINAL STATUS OF PRIORITY BILLS C-1

I. INTRODUCTION AND OVERVIEW

THE LEGACY OF WASTE

Californians generate about 45 million tons of solid waste annually. That's more than one ton of trash every second of every day, and enough to bury a four-lane freeway under six feet of refuse, stretching from Oregon to the Mexican border.

All of this waste affords a dubious legacy to each Californian. A person who lives to be 70 years old will leave behind over 100 tons of waste for future generations, unless habits change. As California's population grows, so does the strain on our waste management infrastructure. It has become imperative for us to be less wasteful so that we may conserve precious natural resources, landfill space, and the quality of life we seek for ourselves and our children.

THE CALIFORNIA RESPONSE: A NEW WASTE MANAGEMENT PHILOSOPHY

In 1989 and 1990, legislation creating the California Integrated Waste Management (IWM) Act ushered in a new era of waste management. The new law, also referred to as Assembly Bill (AB) 939, emphasizes conservation of natural resources through a hierarchy of management methods to reduce, reuse, and recycle solid waste. Ambitious waste diversion goals were set: 25 percent by 1995 and 50 percent by the year 2000. To handle materials that cannot be diverted, the planning process requires local communities to identify future landfill capacity to ensure environmentally safe disposal.

To provide effective management of the state's solid waste stream--and leadership for our historic diversion efforts--the full-time California Integrated Waste Management Board was established. Board Members represent both the Executive and Legislative branches of State government, a cooperative partnership to develop and direct a proactive waste management infrastructure.

REPORT ORGANIZATION

Statements from CIWMB Waste Reduction Award recipients are featured throughout this report to demonstrate that the mutual goals of these businesses, their customers, and the CIWMB serve to create a successful voluntary partnership for the environment and the economy. Collectively, commercial waste reduction programs saved these businesses over $10 million. Many types of businesses rose to the waste reduction challenge and they continue to shine as models for others in their industries; they represent the diversity of California's economy, from agriculture to aerospace.

This year's report is organized into four sections to highlight both statewide and local solid waste management achievements. A synopsis of legislative mandates the CIWMB carries out and a description of the CIWMB organizational structure conclude the Introduction and Overview. The second section, CIWMB Programs, presents CIWMB's major contributions this year organized by priority issues as established by the CIWMB's *Strategic Plan*. Accomplishments of ten outstanding local government jurisdictions are reported in the third section, Local Government Highlights, to recognize the major progress which has occurred since enactment of the IWM Act. The efforts of these jurisdictions are representative of many of the 527 throughout the state. Future efforts initiated by the CIWMB to meet the 50 percent by 2000 goal rely on continued successful partnerships with local government and industry and are described in the final section of this report. Highlights from the CIWMB's legislatively mandated

reports are presented in tabular form in Appendix A. Appendix B contains a comprehensive listing of CIWMB publications. Priority bills from the 1993-94 legislative session are summarized in Appendix C.

LEGISLATIVE MANDATES

The Integrated Waste Management (IWM) Act and related laws have placed many important responsibilities before the CIWMB, with associated mandates to be implemented. The following are leading examples of these mandates.

- A statewide hierarchy was established for IWM, with priorities of (1) waste prevention, (2) recycling and composting, and (3) environmentally safe transformation and land disposal.

- Each city and county is required to divert 25 percent of its solid waste from landfills through waste prevention, recycling, and composting by January 1995. Fifty percent diversion is required by the year 2000. Transformation may account for up to 10 percent of the mandated 50 percent.

- Each city and county must develop a plan and implement programs to meet these goals, with the oversight and assistance of the CIWMB. The Countywide Integrated Waste Management Plans include plans for waste prevention and recycling of solid waste; safe collection, recycling, treatment, and disposal of household hazardous waste; and siting of solid waste facilities such as large transfer stations and landfills. The plans are submitted for CIWMB review and approval.

- The CIWMB must develop statewide public information and education programs to gain public support for, and increased participation in, the priorities and goals of IWM.

- Market development for recyclables is the key to increased and cost-effective recycling. The CIWMB is charged with implementation of programs to stimulate the use of postconsumer and secondary waste materials generated in California as feedstock by private business, industry, and commerce.

- Local enforcement agencies (LEA) monitoring solid waste handling and disposal facilities must meet certification criteria developed by the CIWMB. To strengthen protection of public health and the environment, the CIWMB must review and revise statewide standards for solid waste handling and disposal, and evaluate LEA performance every 18 months.

CIWMB ORGANIZATIONAL OVERVIEW

The Board is vested with policy and regulatory authority to ensure reduction in waste generation and compliance with environmental regulations. To facilitate the open discussion of the IWM issues, assist in implementing the mandates, and provide a public forum for careful examination of information from all points of view, the CIWMB has established six three-member committees pursuant to Public Resources Code (PRC) Section 40500. These committees provide a framework to allow full review of issues and proposals prior to a public hearing by the full Board; this facilitates the consideration of non-controversial items, as well as provides an opportunity for discussion of issues requiring careful review. The committees are listed below.

1. **The Administration Committee** oversees the CIWMB's management responsibilities and issues related to its operational requirements.

2. **The Local Assistance and Planning Committee** oversees local implementation of IWM priorities and goals.

3. **The Legislation and Public Education Committee** oversees legislative proposals and issues affecting CIWMB activities and development of public information and education programs to implement and promote IWM goals.

4. **The Market Development Committee** oversees achievement of the CIWMB's aggressive market development mandates, providing for the development and expansion of markets for recycled materials.

5. **The Permitting and Enforcement Committee** oversees procedures for issuing and enforcing solid waste facilities permits, enforcement of State minimum standards, development of new standards and regulations, and the pursuit of local government and private sector compliance with State standards for solid waste facilities.

6. **The Policy, Research, and Technical Assistance Committee** oversees development and implementation of the CIWMB's short- and long-term research needs, including the expansion of existing and development of new technology for handling and processing solid wastes, such as special wastes.

The CIWMB's staff functions were realigned this year to better reflect the CIWMB's strategic plan priorities, the relationships between many of the CIWMB's programs, and the constituents served by those programs. Please see inside back cover for the CIWMB's office and division contact list. CIWMB staff are organized into four divisions as described below.

1. **The Diversion, Planning and Local Assistance Division** oversees and assists local governments in the preparation and implementation of local plans to meet the disposal reduction requirements of the IWM Act, as amended. The division develops model planning documents, workbooks, and catalogues to make it easier for local jurisdictions to comply with these requirements. The division responds to public inquiries through a customer service referral system and helps school districts incorporate waste reduction teaching materials. The division also educates public sector organizations in all aspects of waste reduction, including waste prevention, reuse, recycling and composting, as well as the safe disposal of used oil and household hazardous waste. The division administers the CIWMB's Used Oil Recycling Fund to facilitate the collection and recycling of used oil. The division has four branches: Office of Local Assistance; Waste Generation Analysis Branch; Used Oil and Household Hazardous Waste Branch; and Public Education and Programs Implementation Branch.

2. **The Waste Prevention and Market Development Division** implements the CIWMB's *Statewide Waste Prevention Plan* and *Market Development Plan*: assessing secondary materials markets; providing technical assistance in the collection and use of secondary materials; promoting procurement of recycled-content products by state and local governments, and private industry; assisting in the development of public/private partnerships for the production of recycled-content products; and encouraging the use of secondary materials in manufacturing through the CIWMB's Recycling Market Development Zones Program. Waste prevention and market

development initiatives implemented by the division are key to landfill capacity conservation in California. The division has four branches: Waste Prevention, Business Education and Assistance Branch; Market Development and Zone Assistance Branch; Secondary Materials Compliance and Technology Branch; and Secondary Materials Assistance Branch.

3. **The Permitting and Enforcement Division** reviews and recommends operating permits not only for specific solid waste facilities, but also for solid waste handling, processing, and disposal technologies. The division reviews permitted solid waste facilities for compliance with State standards and operational/closure conditions. The division evaluates and certifies LEAs to administer provisions of the permitting, inspection, and enforcement programs and works closely with LEAs to ensure environmentally safe disposal and handling of solid wastes. The division reviews and approves closure and postclosure maintenance plans for active solid waste landfills for compliance with statutory and regulatory requirements. For permitted, unpermitted, or inactive sites, the division evaluates the need for remediation for compliance with statutory and regulatory requirements. The division has five branches: Local Enforcement Agency/Enforcement Agency Branch; Enforcement Branch; Permits Branch; Closure and Remediation Branch; and Solid Waste Facilities Management Branch.

4. **The Administration and Finance Division** handles the CIWMB's administrative functions, providing financial, accounting, personnel, data processing, and equipment and maintenance functions. The division has four branches: Financial Assistance Branch; Human Resources Branch; Information Management Branch; and Business Services Branch.

The Board and Executive support functions are handled by four offices reporting to the Executive Director.

1. **The Public Affairs Office** is responsible for public outreach, information, media relations, and publications-support services.

2. **The Policy and Analysis Office** is responsible for the development of long-term program emphasis under the direction of the Board. The office develops proposed CIWMB policy on intra-CIWMB issues, as well as interagency environmental issues.

3. **The Legislative and Regulatory Affairs Office** is responsible for analyzing all legislation related to IWM activities, pursuing positions and amendments as directed by the Board, and developing legislative proposals.

4. **The Legal Office** provides Board and staff support on legal history, actions, analysis, and advice. The office directly handles all litigation and other legal actions entered into by the CIWMB.

II. CIWMB PROGRAMS

Landmark legislation passed in California in 1989 and 1990 reflected a dramatic change in the State's approach to waste management. Emphasis is now on a waste management "hierarchy" of waste prevention, recycling and composting, and safe transformation and land disposal. Toward meeting the landfill disposal reduction mandates of 25 percent by 1995 and 50 percent by 2000, the CIWMB engages in outreach activities to improve public perceptions and practices, educates both public and private sectors on waste prevention opportunities, stimulates markets for recyclable materials, provides technical assistance and funding for waste diversion programs, works in partnership with local government and industry, and regulates solid waste facility management. The CIWMB also works with local jurisdictions to maintain sufficient landfill disposal capacity.

A. PUBLIC PERCEPTIONS AND PRACTICES

With the goal to measurably improve public understanding and practice of resource conservation, the CIWMB has become a leading innovator in the development and use of educational tools as a means to that end. The CIWMB's outreach programs are designed to reduce municipal solid waste generation by changing the way people think about their own garbage. Successful past programs have been expanded and improved this year to provide widespread coverage and enduring transformations in both public and private sector purchasing, use, and disposal practices. Programs include the Waste Prevention Education Partnership to assist local governments, the Waste Reduction Awards Program to assist and applaud businesses, the Teacher Training and Schools Programs, the Recycling Information Hotline, and Southern California Outreach Services.

Waste Prevention Education Partnership

The CIWMB is launching a unique partnership to facilitate a coordinated, consistent, and customized approach to assist all cities and counties in California with their waste prevention education efforts. This project is an outgrowth of the previously produced "Leave Less Behind" waste prevention education campaign. The CIWMB has executed contracts with the California State Association of Counties (CSAC), the League of California Cities (League), the California Broadcasters' Association (CBA), and DDB Needham Worldwide Advertising to work collaboratively over the next 18 months to customize waste prevention programs for all local jurisdictions.

Cities and counties are being surveyed by CSAC and the League to identify the kind of materials and assistance they need to implement local waste prevention education campaigns. CSAC and the League will provide consulting services and coordinate the creation of new educational materials where necessary. CBA will secure air time during January and February 1995, on a minimum of 140 television and radio stations, to air the CIWMB-produced commercials that previously were shown only in Sacramento and Bakersfield. Jurisdictions will follow up with their own publicity and promotions.

The four major media markets (Sacramento, San Diego, Los Angeles, and San Francisco) will be targeted. Also, outreach to smaller markets (Fresno, Bakersfield, Eureka, Chico/Redding, Santa Barbara/Santa Maria) is planned. Over $1.8 million worth of air time was secured for only a half million dollars due to the public service nature of the campaign. Allocation of the $3.5

million funding is shown in Figure A.1. The funding was part of a larger allocation from AB 1220 (Chapter 656, Statutes of 1993), which designated $5.75 million for the CIWMB to use for waste prevention and public education programs as well as market development.

Figure A.1: Waste Prevention Partnership Funding Allocation

With direction from CIWMB, the League will take the lead in developing a Reference Center, accessible to all cities and counties, to house a collection of educational waste prevention materials developed by cities and counties. CIWMB's public relations contractor, DDB Needham, will work to secure at least five private partnerships with retailers and/or manufacturers to work with the CIWMB in promoting waste prevention education. This comprehensive approach to waste prevention education effectively utilizes the strengths of both the private and public sector to produce useful education materials and lasting results.

Waste Reduction Award Program

CIWMB completed its second annual Waste Reduction Awards Program (WRAP) this year by celebrating the commitment and achievements of over 290 California businesses. The mutual goals of these businesses, their customers, and the CIWMB serve to create a successful partnership for the environment. Many types of businesses rose to the challenge and they continue to shine as models for others in their industries; they range from agriculture to aerospace and include hospitals, computers and other electronics manufacturers, wineries, grocers, retail distributors, nonprofit community organizations, petroleum refineries, clothing manufacturers, a law firm, utilities, landscapers, biotech, film studios, a museum, and many more.

Practices evaluated include waste prevention, materials reuse, recycling, recycled product procurement, composting, and employee education. Successful applicants received an award from the CIWMB along with rights to use the WRAP logo on products, advertising, and promotional materials. WRAP award recipients are featured throughout this report to demonstrate that waste reduction is *good for business and the environment*.

Teacher Training and School Programs

No one will deny that children are the future. In many ways, they help us realize the urgency for responsible action. Educating school children on the importance of conserving natural resources and teaching preferred waste management practices is an investment to provide a better future. Lessons of personal responsibility demonstrate that each child can make a difference, advance the goals of integrated waste management, and continue to be an important part of the CIWMB's educational efforts. Projects include integrated solid waste management curriculum development, school district waste prevention and recycling program implementation assistance, and a very special public/private partnership with Walt Disney, Inc.

Curriculum Development

The CIWMB's school program links waste reduction practices at schools with classroom instruction, recognizing that effective diversion requires commitment from students and teachers, and effective learning requires students' active involvement with waste management problems and solutions. To assist schools in promoting quality integrated waste management instruction, the CIWMB worked to develop and distribute a high quality curriculum for K-12 teachers.

Utilizing the results from the 1993 *Compendium for Integrated Waste Management*, the CIWMB, in coordination with the California Department of Education (CDE), reviewed the

highest scoring curricula. Guided by the CIWMB's mission and goals and California's education frameworks, the CIWMB and CDE selected a curriculum for distribution to California schools. Based on instructional style and technical accuracy, *Closing the Loop*, consistently rated as an exceptional curriculum at all grade levels from K -12, was selected.

Closing the Loop was field-tested in a variety of classrooms around the state. This year, as a result of the field testers' recommendations, the CIWMB modified *Closing the Loop* to meet Californians' needs. Enhancements included improving the K-3 grade level lessons and translating student worksheets and parent materials into Spanish to meet the needs of a significant portion of the state's multilingual population.

The CIWMB, in partnership with the curriculum's publisher, is the exclusive distributor of the California version of *Closing the Loop* and, with assistance from CDE, is distributing the curriculum through educator training workshops. A key component of these workshops will be utilizing the original teacher field testers to share their experiences, ideas, and results from using *Closing the Loop* in their classrooms. Another key element to this program's success will be involving local government in the distribution and training process. The CIWMB will be working in close partnership with local government to support new education efforts and to avoid duplication of existing educational programs.

School District Waste Prevention And Recycling Program Implementation Assistance
Over the past year, the CIWMB has assisted school districts and local governments in implementing waste prevention and recycling programs. Based on the results of these projects and other existing model programs, the CIWMB developed two how-to guides.

The first guide, *$eeing Green Through Waste Prevention*, provides extensive information for developing a district-wide waste prevention program. Waste prevention saves resources by encouraging more efficient use of materials; it reduces pollution associated with extracting raw materials, manufacturing excess products, and disposing waste. By including a waste prevention program in the district's resource conservation plan, schools help the environment and cut costs simultaneously. This guide outlines steps such as waste composition surveys, waste prevention ideas and activities, and cost analyses that schools will need to undertake in establishing a comprehensive program.

The second guide, *A District-Wide Approach to Recycling*, supplies detailed information necessary to implement a recycling program district-wide. The data in this guide are supplemented by case studies based on other districts' experiences. Topics covered include organizing key players, securing hauling arrangements, and training staff and students.

Since publishing the guides, CIWMB staff have made presentations at school business officials' conferences, industry workshops, and CIWMB-sponsored training workshops. The guides have been well received as useful training tools for districts and local governments implementing waste management programs in school districts

California Fifth Graders Get "Environmentality!": a Public/Private Partnership with Disney
The CIWMB's School Education staff have been active participants in the California Environmental Education Interagency Network (CEEIN), a network of all school education staff under the Resources Agency, Cal/EPA, and the California Department of Education. CEEIN has facilitated exchange of ideas and information and is now facilitating the first big statewide project that is sponsored by Walt Disney, Inc. This project, called "Environmentality," will target California fifth grade students. Disney created "Environmentality" within their own organization over several years with tremendous response. Jiminy Cricket is the project's mascot; the theme is to think environmentally and pledge to make changes in your everyday

habits that will improve the environment. Disney is interested in expanding this concept through school children to families and in using this project as a model for future programs in other states.

The first major project sponsored by CEEIN is not only a multi-agency effort, it is also a very special public/private partnership. CEEIN worked with Walt Disney Inc. to develop the "Environmentality Challenge," a school educational program and contest which was introduced this fall to more than 300,000 fifth grade students throughout California. The State of California and Disney, Inc. "Environmentality Challenge" is designed to encourage students to think and act environmentally at school and at home. The CIWMB played a major role in the planning and implementation phases; contracted with all other participating state agencies to collect their contributions so that there would be a consolidation of state funds; and established an information telephone line to answer questions about the program.

Resources for instruction were made available to participating teachers along with pledge sheets, posters and Jiminy Cricket "Environmentality" buttons. Fifth grade teachers used the teaching materials to conduct lessons on the environment. Students pledged with their families to make some changes in their habits to improve the environment. Buttons were provided to those students who fulfilled their environmental promises. More ambitious teachers led their students in "Environmentality Challenge" action projects, that initiate and implement efforts to effect positive change in the environment. These students will be eligible for regional prizes and a statewide grand prize of a free trip to Disneyland on Earth Day 1995.

Recycling Information Hotline

The success of the CIWMB's public awareness programs is augmented by the public information hotline (PRC 3472, 42600), which answers questions about reducing, reusing, recycling, and composting waste. Requests for CIWMB publications are managed by the hotline staff. CIWMB's toll-free hotline (**1-800-553-2962**) is linked to an electronic database that contains the location of over 4,250 recycling centers that accept a variety of materials from the public, including used motor oil, aluminum, plastics, metals, glass, newspaper, cardboard, and other paper products. The database also contains information on upcoming household toxic "roundups" and collection facilities. Dissemination of recycling information is coordinated with other state departments, including the Department of Toxic Substances Control for hazardous waste and the Department of Conservation for curbside recycling information and certified redemption centers. County contact names and their telephone numbers are included in the database.

The hotline number is listed in California telephone directories, newspaper recycling ads, and recycling guides throughout the state. It operates Monday through Friday, 8:00 a.m. to 5:00 p.m. See Figure A.2 for the number and types of requests received.

Figure A.2: 1994 Hotline Calls

Southern California Outreach Services

Southern California contains 58 percent of the State's population, and generates 63 percent of the waste disposed of in solid waste facilities. It is essential, for the State to achieve its AB 939 diversion goals, that waste prevention and education outreach efforts be intensified for citizens, businesses, and institutions located in Southern California. This is the mission of the Southern California Outreach Services (SCOS) office of the CIWMB.

During the past year, SCOS staff have extended the services of CIWMB programs to the citizens of Southern California in the areas of

1. school site waste prevention,
2. yard waste prevention and recycling,
3. state agencies waste recycling,
4. business waste prevention,
5. used oil collection center certification, and
6. public information and education.

In addition, SCOS initiated a landfill education project to inform the public of the need for landfills and the environmental safeguards they employ.

B. WASTE PREVENTION

Waste prevention, or source reduction, is the favored approach to protect natural and human-created environments. The CIWMB is making much progress in this area, which was traditionally overlooked by institutional approaches to solid waste management. This year, the CIWMB continued successful programs and undertook bold initiatives with our eyes on the goal of helping local governments, private industry, and citizens reduce the quantity of waste they produce. These efforts include the Waste Prevention Information Exchange, Grasscycling, Business Kits, and the California Materials Exchange.

Waste Prevention Information Exchange

The CIWMB created the Waste Prevention Information Exchange (Info Exchange) to collect and distribute materials in the expanding field of waste prevention at no charge. The Info Exchange provides a unique service to government agencies, professional associations, industry, small businesses, citizen groups, and other interested parties. The Info Exchange also serves as a network to facilitate information flow among these parties.

> *"Thank you so much for the treasure-trove of[waste prevention] information. When [our] program gets up and running, these documents ... will save us months of reinventing the wheel. "*
>
> ---Beryl Magilavy,
> Executive Director,
> Sustainable City,
> San Francisco, CA

> *"They [Waste Prevention Information Exchange materials] have all been a great help to me in putting together a video script on source reduction for the City of Chico's recycling education program. I am really starting from ground zero! So your help and generosity have been very much appreciated. Thanks for being such a great resource!"*
>
> --- Lynette Hutting,
> Special Events/Education Coordinator,
> Butte Environmental Council,
> Chico, CA

The Exchange currently covers more than 200 waste prevention topics, including:

- business waste assessments, case studies, and money-saving tips;
- consumer guides, handbooks, and household hints;
- government program ideas for local, state, and federal agencies;
- materials exchange, CalMAX and KidMAX, case studies;
- organics -- backyard composting to xeriscaping;
- packaging -- aseptics to wire-bound boxes;
- quantification of waste generation and prevention program effectiveness; and
- unit-based pricing, e.g., variable can rates and bag tag systems.

Grasscycling

Recognizing that yard waste contributes upwards of 20 percent to the state's waste stream, the CIWMB launched an aggressive landscaping waste reduction outreach program in close cooperation with professional associations and lawn mower manufacturers. Opportunities for waste prevention include designing waste-efficient landscapes (xeriscaping), practicing low-waste landscaping maintenance (grasscycling, onsite mulching and composting), and using recycled-content materials in the landscape (composts, mulch, plastic lumber).

In 1994, the CIWMB targeted the largest component of the yard waste stream -- grass clippings. The simplest method of reducing this component of the yard waste stream is "grasscycling" -- the natural recycling of clippings by leaving them on the lawn when mowing. The CIWMB launched a grasscycling promotion campaign designed to influence both the residential do-it-yourselfer and the commercial landscape maintenance contractor. The latter may service both residential and commercial accounts. The campaign highlights the cost savings associated with this practice. Savings include reducing time, labor, and fertilizer and water requirements, as well as the savings from waste reduction.

Close cooperation with professional associations within the landscape industry and with major mower manufacturers has assured appropriate program targeting and visibility. Attendance at trade shows throughout the State, speaking engagements, notices within the popular media, publication of articles, and a springtime television and radio blitz in four major media markets were used by the CIWMB to promote grasscycling.

To further promote landscaping waste reduction, the CIWMB has compiled a useful collection of tools for local government use -- the composting information kit. This kit provides local governments with a variety of resources available in California; networks them with one another; provides details on bins, both manufactured and do-it-yourself; and outlines promotion program specifics. CIWMB staff will customize information kits for local governments who send in a completed survey indicating their specific needs.

Business Kits

The CIWMB is pleased to announce the availability of the "Business Kit." The kit contains a variety of information for local governments to use to educate businesses about waste reduction. The kit includes guidebooks and brochures, as well as fact sheets on waste reduction in offices, hotels, retail stores, and print shops; at meetings and conferences; in the food service industry, landscape industry, property management, and hospitals. Information on materials exchanges, reduced packaging, motivating employers and employees, awards programs, and strategies for getting businesses involved in waste reduction give local governments tools for customizing their own waste prevention programs.

California Materials Exchange -- CALMAX℠

The California Materials Exchange (CALMAX℠) has been established to offer business, industry, and institutions in the state an avenue for reusing materials among themselves and for recycling materials into the manufacture of new products. Since its inception in 1992 through the third quarter of 1994, CALMAX℠ has diverted over 185,000 tons of materials from landfills through 280 successful exchanges and, in the process, over $1.5 million has been saved by California businesses. On average, participants save $8 per ton diverted through CALMAX℠ by avoiding disposal fees and/or the cost of new materials.

The primary instruments of the CALMAX^{SM} program are a bimonthly reuse and recycling catalog, currently mailed to almost 10,000 businesses, and an on-line version of the catalog, accessible by modem 24 hours a day and updated weekly. With CALMAX^{SM} listings available by computer via modem, great growth is expected in the year to come. Now the "big players," like utilities and large corporations, will be able to participate in an efficient and effective manner. Right now, the on-line system is "read only." Soon, the CIWMB expects to expand to allow listings to be entered and edited on line; later, we hope for associated E-mail systems where placing a listing and making trades can all be at the users' fingertips -- quite literally.

New Direction

With more participation, exchanges were up about 30 percent last year; with no increase in funding, an evaluation was made of how to best serve with the resources available. Other funding sources continue to be sought, including another grant from US-EPA Region IX. CALMAX^{SM} will continue to print the statewide catalog and provide listings on-line as well as give technical assistance and training to communities interested in setting up their own materials exchange programs. A shift in emphasis will encourage more "mini-MAXes" or local materials exchange programs. A how-to guide is being developed. Regional workshops are planned for 1994-95 to encourage locals to create mini-MAXes that will feed into CALMAX^{SM}. The CIWMB is also embarking on a statewide and national public relations effort to increase the understanding of the concept of materials exchanges.

Cradle to grave recycling: not just jargon, they do it -- literally!

TIDEE DIDEE DIAPER WINS CALMAX RECYCLING "MATCH OF THE YEAR"

Tidee Didee Diaper Service in Sacramento has won the CIWMB's CalMAX Match of the Year contest for its creative recycling efforts. The diaper service company sells the old diapers as rags to wholesalers for such clients as auto dealers, janitorial services, and jewelers. Lint from Tidee Diaper's giant dryers is given to a paper maker, furniture reupholsters, schools, and a casket company.

C. *MARKETS FOR RECYCLABLE MATERIALS*

The CIWMB works to develop cost-effective markets for recyclable materials to "close the loop" and provide environmentally sound waste reduction to achieve the goals of AB 939. To address the important issue of insufficient markets, the CIWMB has set two goals:

1. accelerate development of new markets for recyclables and
2. expand acceptability of products made from recyclable materials.

The Recycling Market Development Zone (RMDZ) Program and the Compost Market Development Project, discussed in this section, constitute major progress toward the first goal. Efforts to develop compost quality standards and the Public Agency Buy-Recycled Program, discussed subsequently, are important steps toward the second goal.

AB 1220 (Chapter 656, Statutes of 1993) allocated $5.75 million for the CIWMB to use for market development, source reduction, and public education programs. In February 1994, the Board directed $2.25 million of this amount for market development (see Figure C.1). Eighty-three percent of the market development allocation targeted Recycling Market Development Zones. The remainder supported compost market development.

Figure C.1: Market Development Funding Allocations

Recycling Market Development Zone Program

The CIWMB is working to bolster demand for collected recyclable materials. Senate Bill 1322 (Chapter 1096, Statutes of 1989) finds that "market development is the key to increased, cost-effective recycling. Market development includes activities that strengthen demand by manufacturers and end-use consumers for recyclable materials collected by municipalities, nonprofit organizations, and private entities." [PRC 42000 (c)] Helping local governments and industry create needed markets is the task of the CIWMB's RMDZ Program. RMDZs are areas of commercial and industrial development targeted by local jurisdictions and the CIWMB for establishment of recycled product manufacturing.

So far, a total of 29 zones have been designated. The zones are distributed statewide and serve jurisdictions where more than 15 million Californians (47 percent of the population) reside (see Figure C.2). In November 1994, the CIWMB received applications for designation of an additional 11 zones. If all are designated in 1995, the CIWMB will have achieved its 40-zone goal one year early. The tremendous interest and enthusiasm shown by local governments and businesses for the RMDZ program is the key factor in acceleration of the designation schedule.

> "We are currently working with two companies wanting to locate here [that] initially contacted us because we are an RMDZ; we realize the RMDZ program has turned out to be a great marketing tool for the County of Placer. We consider CIWMB an important part of the County of Placer's RMDZ team! "
>
> --- Emily Churchman, Economic Development Specialist, Office of Economic Development, Placer County, California

One of the primary tools the CIWMB offers, to help zones promote recycling-based business development, is the program's low-interest loans, currently 4.5 percent. In February 1993, the CIWMB began accepting loan applications on a quarterly basis to support recycled product manufacturing in zones which received final designations. During 1994, the CIWMB aggressively promoted participation of additional local governments in the zone program, reviewed applications for 45 loans, and closed 12 loans worth almost $4 million. As a result of these closed loans, a total investment of $8 million was made in recycled-product manufacturing, California's waste diversion capacity was increased by almost 400,000 tons annually, and 225 jobs were created or saved.

Since the program began, a total of 19 loans, worth $6.25 million, have been closed. Because of these loans, California's diversion capacity has been increased by over 500,000 tons annually, and 361 jobs have been created or saved. There are 27 other loans, worth over $13 million, in the process of being closed. They represent an additional diversion capacity of 4.4 million tons annually, and the creation or saving of another 283 jobs.

Figure C.2: Recycling Market Development Zones

The CIWMB greatly increased services to RMDZs during 1994. Part of the funding for these projects came from the $2.25 million of AB 1220 monies set aside for market development by the CIWMB.

- The CIWMB directed an additional $660,000 to the RMDZ loan program. The CIWMB also began investigations of the feasibility of issuing bonds and selling program loans on the secondary market to leverage program loan funds beyond the $5 million annual allocation.

- The CIWMB provided $725,000 in direct support to the RMDZs. Each zone received $25,000 for projects which further its particular market development efforts.

- The CIWMB allocated $370,000 to support the zones with a comprehensive marketing outreach program, including printed materials that can be used by zones individually and the RMDZ program as a whole.

- Work was begun on a series of workshops to be held in 1995 which will support the business attraction and expansion efforts of Zone Administrators. Some workshops will target California lenders, to increase their awareness of opportunities to invest in new or expanded manufacturers of recycled products in the zones.

- During 1994, the CIWMB conducted two training workshops for Zone Administrators to improve their understanding of techniques and issues related to integrated waste management and to economic development; additional workshops are planned for 1995.

- Under contract to the CIWMB, the Center for Manufacturing Excellence at California State University, Chico prepared articles of incorporation and other materials which the zones can use to establish an Association of Recycling Market Development Zones.

- The CIWMB distributed 11 surplus computers to zones during 1994. These were machines which were made obsolete when the CIWMB acquired its new Local Area Network in mid-1993. The computers were renovated and loaded with basic software.

- The CIWMB provided research services to Zone Administrators. For example, the CIWMB provided the results of a search of Standard Industrial Classification Codes for Ventura County RMDZ and the City of Long Beach RMDZ, to help them identify businesses which might be persuaded to manufacture recycled-content products.

- The CIWMB revised its regulations to clarify the RMDZ redesignation process. This was done in anticipation that several zones will be requesting expansion during 1995.

Average RMDZ Loan (required matching private investment)
• $342,000
• 14,500 tons per year diversion
• 19 direct jobs created

Compost Market Development Project

Composting is a rapidly expanding industry in several states, including California, because of the recovery of organic materials previously destined for landfills. A major challenge facing this expansion is the development of additional markets for products made from these organic material resources. To meet this challenge, public /private partnerships are cultivating agricultural markets for urban mulch and compost products.

Farmers near urban centers are exploring opportunities to obtain mulch or compost products and put these urban resources to beneficial use. California soils are characteristically low in organic matter content, partly because of reliance on chemical fertilizers. Farmers can realize several benefits from the use of compost in the commercial production of various crops. Benefits include:

- an increase in soil organic matter,
- a more diverse soil microbial population,
- a decrease in leaching of soil nutrients,
- better moisture retention, and
- a reduction in fertilizer applications needed to sustain crops.

To stimulate these agricultural markets, the CIWMB made contractual funds available for five compost/mulch demonstrations in agribusiness. The agricultural demonstrations will be conducted over a two-year period. The goal of the demonstrations is to promote the use of municipally-derived mulch or compost in commercial agriculture. A common element of each demonstration is increased communication between compost producers and farmers. Data generated will assist California farmers who are considering compost use in the production of several different crops. Workshops, field days, newsletters, and other activities are being undertaken to promote the demonstrations.

The five demonstration projects selected by CIWMB involve cooperative teams working in three counties of the San Joaquin Valley and five counties near the Salinas Valley. Each demonstration team is comprised of farm operators, technical experts, compost/mulch processors, and local government representatives. In-kind contributions from the five cooperative teams total more than $500,000.

Project Summaries

Fresno County ($75,000)
This demonstration project, on a peach orchard owned by Wawona Orchards, began in 1993 using industry funds. Traditional fertilization methods, including manure, slow-release pellets, and ammonium nitrate, will be compared with various composts. Materials are applied at different rates that will provide the same amount of nitrogen.

Tulare County ($65,000)
Commercial production of cotton at the Bergman Ranches, with and without compost, will be subjected to a cost-benefit analysis in this demonstration. Cotton plots using compost will receive less chemical fertilization than conventional plots. The economic value of nutrients contained within the compost and the soil enhancement attributes associated with compost application (five tons per acre) will be evaluated by the cooperative team.

Stanislaus County ($75,000)
A cooperative team will compare yields of watermelon, sweet corn, and tomatoes using compost (5 to 30 tons per acre) and traditional fertilizer on the C.J. Rumble Ranch. Compost and growing media mixes are also being used in containers to grow various plant species at the Grover Nursery and at Modesto Junior College. These participants are working with the City of Modesto and the University of California Cooperative Extension to bring commercial uses of compost to the attention of local farmers and nurserymen.

Santa Cruz County ($65,000)
Herbert Ranch, Felice Ranch, Jefferson Ranch, Route 1 Farms, and Glaum Egg Ranch located in San Benito, Monterey, and Santa Cruz Counties will produce and/or use compost products in the commercial production of green peppers, lettuce, and onions. On-farm composting is being conducted at two of the five farms cooperating in this demonstration. A variety of compost products will be made using landscape trimmings, waxed cardboard, wood waste, agricultural by-products, manure, or a combination of these feedstocks.

Santa Clara County ($75,000)
Farmers are applying 30 to 40 tons per acre of mulch or compost on plots of grapes, green peppers, radicchio, strawberries, lettuce, oats, and hay. Urban compost products are made from residential yard trimmings by three local processors for Wente Brothers Winery, Frazier Lake Farms, Chiala Farms, and Valley Farms located in Alameda, San Benito, and Santa Clara Counties.

Educational Video
An educational video will be produced by the end of 1996 with some of the cooperating farmers describing their mulch or compost use. CIWMB allocated $40,000 for the professional production of the educational video. Commercial agriculture is the target audience for the video highlighting benefits of mulch and compost use in crop production.

Agriculture Committee on Compost Quality Standards Formed

The CIWMB formed a Compost Agriculture Steering Committee to encourage the production and use of compost in the agriculture community. The committee is developing voluntary product quality standards for compost derived from organic materials from municipal sources. Members of the committee include representatives of the farming community, compost producers and suppliers, and the State Department of Food and Agriculture. Two workshops

were held to gather input for the voluntary product quality standards and presentations were made at two of the State's major farm shows. A report on the committee's efforts will be made to the CIWMB Market Development Committee by the summer of 1995.

Public Agency Buy-Recycled Program

The CIWMB initiated a campaign aimed at helping state agencies comply with the requirements of state recycled product procurement law, especially requirements of AB 11 (Chapter 960, Statutes of 1993). The 1994 State Agency Buy-Recycled Campaign culminated in six workshops conducted by the CIWMB. There were two each in San Francisco, Riverside, and Sacramento during October and November 1994. The workshops focused on informing State departments and agencies of the buy-recycled requirements established by AB 11. Agencies were also educated regarding reporting requirements and the opportunities to submit claims under the pilot price preference program.

Recycled procurement reporting is an essential aspect of the State Agency Buy-Recycled Campaign. By October 2, 1995, all agencies must submit to the CIWMB a detailed *Recycled Product Procurement Report for Fiscal Year 94-95*. In this report, they will show what steps they are taking to meet the 1996 goals set forth in state recycled product procurement law.

As part of the campaign, in May 1994, the CIWMB established a mechanism by which state agencies could seek reimbursement for "losses" due to extending price preferences in the procurement of recycled products, with funding provided by the CIWMB. This is a pilot price preference program jointly implemented by the CIWMB and the Department of General Services and is effective from January 1994 through January 1997. The combined amount of preference per fiscal year will not exceed $100,000; recycled paper preference will not exceed $50,000. Price preferences established for Fiscal Years 94-95 and 95-96 are as follows:

- **5 percent** for tire-derived rubber products, re-refined automotive lubricant, recycled antifreeze fluid, recycled solvents, recycled paints, and paper janitorial supplies; and
- **10 percent** for paper products (except for paper janitorial supplies), compost and co-compost, and plastic products.

The CIWMB's public agency buy-recycled efforts met with notable successes during 1994, particularly in the area of expanding markets for re-refined oil.

- **Los Angeles City** had replaced virgin oil with re-refined oil in the spring of 1994 for its remaining existing lubrication contract, resulting in the purchase of approximately 8700 gallons. In renewing this contract in the fall of 1994, Los Angeles continues to purchased re-refined oil for its estimated 1400 vehicles.
- **The California Department of General Services** on July 1, 1994, replaced its existing lubrication contract for five grades of virgin oil with re-refined oil. This allows not only State departments, but local governments as well, to buy re-refined oil through the State's Participation Purchasing Program. A new State Lubrication Contract is scheduled for December 1995, in which CalTrans will attempt to purchase re-refined lubricants for most of its lubrication requirement, estimated at over 100,000 gallons per year.
- **Long Beach and Ventura County** are now purchasing re-refined oil. Long Beach entered into a "closed loop system," in which the City collects its used oil and purchases re-refined oil, completing the recycling loop.

D. WASTE STREAM DIVERSION

A key component of CIWMB's enabling legislation is the waste stream diversion objective of AB 939. Much of CIWMB's broad range of activities are focused on realizing the 25 and 50 percent diversion goals. Proper management and diversion of small but troublesome components of the waste stream are equally important to safeguard public health and the environment. These special wastes include waste tires, used oil, and household hazardous waste.

Tire Recycling Program (AB 1843, PRC 42860 et. seq.)

Californians generate waste tires at a rate of approximately one tire per capita annually. Failure to create adequate markets for these tires has resulted in growing piles of scrap tires around the State. The Legislature addressed this problem by instituting a grant program to find new uses for old tires. During 1994, the CIWMB provided $1,000,000 from the California Tire Recycling Management Fund for business development, innovative research, and local government assistance. The CIWMB awarded grants to 22 of the 96 applicants, which are discussed in detail in *The Tire Recycling Program 1994 Annual Report* on file at the CIWMB. Figure D.1 shows the allocation of tire grant funding.

Figure D.1: Waste Tire Grants

From industry contacts and trends, it is apparent that tire disposal and stockpiling is decreasing, while waste tire utilization is increasing (see Figure D.2). From 1990 through 1994, the tire diversion rate has increased 28 percent. In 1990, staff estimated that 9.2 million tires were diverted from landfill disposal and stockpiling. In 1994, staff estimates that approximately 17.9 million tires were being diverted. Permitting and enforcement activities by the CIWMB also increase waste tire diversion (refer to section II.F: Regulation and Solid Waste Facility Management, Waste Tire Management subsection).

Figure D.2: Waste Tire Diversion and Disposal

By far, waste tire combustion consumes the majority of the tires recycled in the state, accounting for almost 40 percent of the total diverted in 1994. 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 D.3).

Figure D.3: Waste Tire Diversion

LANCASTER WINS AWARD FOR TIRE RECYCLING

The City of Lancaster received the 1994 League of California Cities' "Helen Putnam Award for Excellence" in the category of Environmental Quality Partnerships, for three recycled tire projects funded by grants from the California Integrated Waste Management Board. The projects demonstrate innovative uses for recycled tires--compost bins made from waste tires, crumb rubber as a soil amendment in athletic fields, and recycled carbon black for use in sealing asphalt.

Used Oil Program

The more convenient it is to recycle used oil, the more likely the public will do the right thing. As much as 50 million gallons of used oil is unaccounted for in California; presumably much of this is due to illegal disposal. Preliminary research shows that about one in five households may be dumping used motor oils in the trash, yard, or storm drain, or putting it into the garbage for disposal. Illegal disposal is a serious source of pollution because one gallon of oil dumped in a storm drains or waterways, or on the ground has the potential of contaminating over one million gallons of water. The CIWMB has supported new public education and collection programs and efforts to improve participation in existing curbside collection programs. Funding for the used oil program comes from an assessment on lubricating oil manufacturers of 4 cents per quart under the California Oil Recycling Enhancement Act of 1991 [PRC 48600-48691].

Figure D.4: 1994 Used Oil Block Grants

Grants from the CIWMB support a variety of local efforts to make it easier and more convenient for Californians to properly dispose used oil. During fiscal year 1993/1994, the CIWMB approved block grant funding totaling $14.5 million to 162 grantees representing 331 jurisdictions and 80 percent of the state's population. Block grants are available to local governments for establishing and maintaining local used oil collection programs. To be eligible for a block grant, a city or county must implement an education program to inform the public of locally available used oil collection opportunities and ensure that at least one CIWMB-certified used oil collection center is available for every 100,000 residents not receiving curbside collection of used oil. Figure D.4 shows the distribution of Used Oil Block Grants in 1994. Grants ranged from $2400 to $2.4 million. Many plans called for establishment of certified used motor oil collection centers and others included purchase and distribution of containers for used oil. Several of the public awareness campaigns included point-of-purchase informational materials, direct mailings, and bilingual materials.

Figure D.5: 1994 Used Oil Opportunity Grants

New opportunities for the public to recycle used motor oil will dramatically increase as a result of CIWMB's approval of $8.4 million in opportunity grants approved for 54 city and county governments. Figure D.5 shows the distribution of Used Oil Opportunity Grants in 1994. The opportunity grants are for establishing the collection of used oil and decreasing the amount of illegally disposed oil. Local governments plan to add additional certified used oil centers, curbside collection, and drop-off sites as a result of their efforts. The grants ranged from $5700 to $500,000 and were awarded on a competitive basis based on criteria that included the applicant's ability to carry out the program with available funds, the cost-effectiveness of the programs, and collection opportunities for underserved areas.

One-time grants, totaling $1.44 million, to publicize existing curbside used motor oil collection programs were also awarded to 46 jurisdictions that met the CIWMB's eligibility requirements. The purpose of the grants was to maximize the level of participation in existing curbside programs.

Local government uses for the CIWMB's used oil opportunity grants are diverse.

- Santa Clara County will create a used motor oil collection program at seven high schools and colleges.
- Los Angeles County is establishing 10 new oil collection sites.
- San Bernadino is adding a used oil curbside collection program for 40,000 city residents.
- Glendale will distribute 10,000 oil containers and 6,000 curbside collection containers.
- San Joaquin County will establish used oil collection opportunities at 14 marinas, 5 boat repair facilities and 6 rural sites.

During 1994, CIWMB staff estimate that 58 percent of the used oil available for recovery was recycled (see Used Oil Sales and Recycling Estimates table). The products created from recycled oil are shown in Figure D.6. As of December 31, 1994, the Used Oil Recycling Program certification staff received 1433 certification or registration applications. By the end of 1994, there were 977 certified used oil collection centers, 319 registered industrial generators, 49 registered curbside collection programs, and one registered electric utility throughout the state. Certification staff anticipates receiving another 500 certification applications by June 1995.

Used Oil Sales and Recycling Estimates
(millions of gallons)

	1993	1994
Lubricating Oil Sales	142	144
Industrial Oil Sales	96	87
Total Oil Sales	238	231
Lubricating Oil Recycled*	61	60
Industrial Oil Recycled*	14	16
Total Oil Recycled	74	76
Unadjusted Recycling Rate**	31%	33%
Adjusted Recycling Rate***	55%	58%

*Recycling facility estimates
**Unadjusted recycling rate is calculated by dividing the number gallons recycled by the number of gallons sold.
***Adjusted recycling rate reflects the estimated amount of oil consumed during use and, therefore, not available for recycling.
CIWMB staff estimated that 60% of lubricating oil and 52% of industrial oil were available for recycling after use.

Figure D.6: Products from Used Oil

Developing and implementing an information and education program for the promotion of alternatives to the illegal disposal of used oil is required pursuant to PRC sections 48631 and 48642. In 1994, the CIWMB identified the segments of the general public which contribute to the illegal disposal of used oil, and adopted a public education campaign to be implemented in 1995. Staff will also coordinate activities with local government educational programs and share information on those programs. The CIWMB has contracted with the California Conservation Corps to develop and conduct classroom presentations at high schools statewide. The CIWMB maintains a hotline (see discussion in Section: Public Perceptions and Practices) that the public can call for collection site locations and information on used oil recycling. Staff have also attended numerous public events to promote used oil recycling.

Assembly Bill 2762 of 1994 allows the CIWMB to establish a pilot program for recycling used oil filters on or before July 1, 1995, in conjunction with the Used Oil Recycling Program. The CIWMB will operate the pilot program from July 1, 1995 to July 1, 1997, and prepare a report at the conclusion of the program. The pilot study is needed to ascertain the issues surrounding the collection of used oil filters from the public who change their own oil. These issues include the barriers to collection; the costs of collection, handling, processing and recycling; and the efforts needed by collection program operators and local governments to provide collection. Staff will use the results of the pilot to develop policy recommendations.

Household Hazardous Waste Program

Household hazardous waste (HHW) is generated by homeowners when they discard products containing hazardous substances. The State Department of Toxic Substances Control (DTSC) makes the determination on what is a hazardous waste; in consultation with DTSC, the CIWMB implements a HHW program to provide uniform and consistent information on the proper disposal of hazardous substances found in and around homes.

While the federal government has excluded HHW from regulation, California requires specific procedures for its collection, storage, treatment, and disposal. The CIWMB promotes state and local cooperation by providing grant funds and a broad range of technical assistance to cities and counties to eliminate HHW from the waste stream.

Technical Assistance

Beginning in 1993, technical assistance was expanded to rural counties that have not established HHW collection programs. The HHW Technical Assistance program helps local governments decrease the amount of HHW going into landfills.

The CIWMB has collected data on HHW programs for several years through its grant program, surveys, and annual report forms. The information collected provides jurisdictions with useful information for initiating and continuing programs and focusing collection efforts for different HHW waste types, as well as dates of collection events for the CIWMB's Recycling Hotline. Based on the annual report forms submitted to the CIWMB, 16 million pounds of HHW was collected in fiscal year 1992/93. Of that amount collected, 64 percent was recycled and 34 percent disposed of in a proper manner. Statistical information for fiscal year 1993/94 collection events will be available in the spring of 1995.

The CIWMB continues to support such efforts as the HHW Information Exchange, where local and state government representatives gather to share information regarding HHW programs. Agencies share information on recurring circumstances in their programs and resolution of these issues. This effort has been ongoing since 1988.

To encourage the paint industry to provide recycling opportunities for unused paint, the CIWMB chairs and participates in the Paint Task Force with DTSC, cities, counties, and the paint industry. Also, with CIWMB funding and staff assistance, the Cal Poly San Luis Obispo Recycled Latex Paint Study is in its final year (of three years). The purpose of the study is to document whether paint collected at HHW collection programs contains hazardous constituents, to test the quality of recycled paint, and to develop a color-sorting protocol for local governments to increase the marketability of the recycled paint.

The Recycled Latex Paint Study's first and second *Annual Reports* are available from the CIWMB. Paint sampling results from the first *Annual Report* indicate that paint would be considered hazardous, based on Title 22 Total Threshold Limit Concentrations, if it became a waste. The second *Annual Report* concluded that recycled latex paint, made from mixtures

of certain proportions of postconsumer paint and secondary latex paint (paint wash water), is as good a product as virgin latex paint. This is based on a battery of tests for common physical properties of paint such as viscosity, solids content, density, and minimum particle size.

Grant Program

The most successful program in encouraging the establishment or expansion of local government household hazardous waste efforts is the CIWMB's grant program. Through this program, established by AB 2448 (Chapter 1315, Statutes of 1987), the CIWMB awards grants to cities, counties, and local agencies for programs that help prevent the disposal of hazardous waste, including household hazardous waste, at solid waste landfills (see Figure D.7).

Figure D.7: 1994 Household Hazardous Waste Grant Program

As required by law, the CIWMB gave priority to funding programs which provide for the following:

1. new programs for rural areas, underserved areas, and 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; and
3. regional household hazardous waste programs.

The program funded two types of grants. Nondiscretionary grants reimburse jurisdictions for household hazardous waste programs implemented in the fiscal year prior to the grant application period. Discretionary grants are awarded on a competitive basis to provide funding to jurisdictions for new and expanded programs.

In 1994, household hazardous waste grants were awarded for a variety of activities, including funding for household hazardous waste public education and outreach programs; construction of permanent collection facilities; periodic, mobile, and curbside pickup collection programs; recycle-only programs for automotive batteries, latex paint, and used motor oil; load checking programs; and programs that emphasize reducing, reusing, or recycling of household hazardous waste.

On March 30, 1994, the CIWMB awarded $4 million in non-discretionary grants to 67 local governments for programs implemented in the previous year. This was the fourth and final cycle for the nondiscretionary awards.

Information and application instructions were made available to local government representatives and other interested parties in July for $3 million in discretionary grant funding. Eighty-two applications were received by the September deadline. Household hazardous waste grant awards will be considered by the Board for adoption in 1995. Individual grants will not exceed $120,000.

E. *PARTNERSHIPS WITH LOCAL GOVERNMENT & INDUSTRY*

Through CIWMB partnerships with local government and industry, statewide solid waste diversion is on target and is projected to reach 25 percent in 1995. Diversion as of 1993 is estimated between 21 percent and 24 percent. Figure ES.1 shows the results of two estimation and projection methodologies used by the CIWMB. Residential curbside collection and commercial source separation of recyclables, zoning changes for composting, and residential drop-off and buyback centers are the most numerous types of existing and planned programs, as shown in Figure ES.2. The CIWMB provided the Legislature with a complete summary of California jurisdictions' progress in implementing waste diversion in the report *25 by 95: A Status Report on Meeting Solid Waste Diversion Mandates* (*Status Report*). The *Status Report* is required by AB 440 [Chapter 1169, Statutes of 1993, PRC Section 41821(e)].

Strategies pursued by the CIWMB to encourage cooperative partnerships with local government and industry include frequent and consistent communication with local government and industry, technical assistance to local governments, model programs and other educational tools for use by local governments and industry, and development of reasonable regulation through dialogue with the regulated community.

> "Thanks again for all of the help ... on the SRRE and NDFE submittals. I really appreciate your expertise, patience, and guidance throughout the process!!"
> ---Noel A. Bonderson, Director,
> Air and Waste Management Agency
> Jackson, Amador County, California

> "I want to thank you for arranging for [staff] to travel to Inyo County ... [to] assist me with the refinement of the SRRE Waste Diversion Petition. This hands-on assistance is critical; especially in rural areas with limited resources."
> ---Chuck Hamilton, Deputy County Administrator

> "Due to the complexity and numerous adjustments to the requirements of AB 939 and related legislation, we have found the opportunity to meet personally with CIWMB [staff] extremely beneficial in shaping our implementation efforts. We ... have better access and ability to convey our cities' concerns back to the Board at these meetings."
> ---Jim Gregg, Vice-Chairperson
> South Bay Working Group,
> City of Gardena

Communication

Progress toward achieving 25 by 95 is facilitated by frequent and consistent communication among the CIWMB, local governments, and industry. Communications with industry are primarily discussed in the subsection titled Markets for Recyclable Materials. CIWMB activities which promote communication with local governments include the quarterly newsletter titled *Infocycling*, timely review and compliance evaluations of local government planning documents,

input from the Local Government Technical Advisory Committee, and the Local Assistance Reference Library. The latter three activities are discussed below.

> "I would like to compliment ... the Office of Local Assistance staff for the extraordinary job you did on the March 1994 issue of *Infocycling*. It presented regulations in a very simple and precise manner that was easy to understand and follow."
> ---Mark H. Gauerke, Resource and Sanitation Manager,
> Culver City

Plan Review and Compliance

As a result of the passage of Assembly Bill 440 in 1993, all of the cities, counties, and regional agencies in California were required to submit final Source Reduction and Recycling Elements (SRRE), and Nondisposal Facility Elements (NDFE) to the CIWMB in three phases during 1994. Status Reports were also required to be submitted by October 1, 1994. These elements, along with many Household Hazardous Waste Elements (HHWE) and the Status Reports, were reviewed by CIWMB staff to evaluate compliance with the Public Resources Code, Section 40900 et seq. Review results as of November 1, 1994 are presented in the following table.

Review Results for SRREs, HHWEs, and NDFEs

	Plans		
Review Results	**Source Reduction and Recycling Elements**	**Household Hazardous Waste Elements**	**Nondisposal Facility Elements**
approved	97	69	89
conditional approval	14	0	1
disapproved	5	0	0
total received	289	220	230

The PRC and the California Code of Regulations also contain provisions that allow qualifying cities or counties to petition the CIWMB to reduce the 1995 and 2000 diversion requirements. During 1994, 7 counties and 16 cities had petitioned the CIWMB for a reduction in their 1995 diversion requirements; after review by the Board, all 23 jurisdictions were granted reductions. Two counties petitioned for, and received, a reduction in the 50 percent by 2000 diversion requirement.

Local Government Technical Advisory Committee

The Local Government Technical Advisory Committee (LGTAC) was formed in 1991 with the passage of Senate Bill (SB) 487 (Bergeson, PRC 40700-40713). LGTAC was established to provide advice to the CIWMB in carrying out the requirements of the IWM Act, as these relate to the management of solid waste by local governments. The committee members are city, county, and special district employees with demonstrated experience and expertise in solid waste collection, source reduction and recycling, planning, or disposal.

During 1994, LGTAC completed its Strategic Plan and conducted meetings throughout the state to receive comments from local governments. LGTAC also provided valuable input to staff and made recommendations to the CIWMB regarding policies, regulations, and programs. New legislation passed this year extends the life of LGTAC until 1999.

A New Local Assistance Reference Library

In response to a questionnaire mailed with *The Rural Cookbook* last June, several jurisdictions requested that the Office of Local Assistance (OLA) create a library of information accessible to local governments. The OLA library includes copies of franchise agreements, regional agency

agreements, joint powers agreements, memorandums of understanding, ordinances, ballot items, resolutions, public education materials, and any other items jurisdictions make available to the CIWMB. The documents can be used as examples so that jurisdictions just beginning the process of developing such materials do not need to start from scratch. For instance, if illegal dumping is a concern in your area, you can call to get copies of illegal dumping ordinances used by other jurisdictions. This should save staff time in both researching and writing such ordinances.

While the OLA library can be a useful resource for local governments, it will only be as good as local governments help make it.

Technical Assistance

CIWMB staff worked closely with local governments throughout California as they prepared and submitted planning documents to the CIWMB for approval. In addition, the CIWMB continued its work with local governments to assure that there will be adequate future landfill capacity.

Staff assisted local governments in the preparation of Solid Waste Generation Studies, Source Reduction and Recycling Elements, Household Hazardous Waste Elements, Nondisposal Facility Elements, Countywide Siting Elements, Countywide Integrated Waste Management Summary Plans, Status Reports, Annual Reports, Petitions for Reduction, agreements to develop regional diversion and disposal facilities, and Recycling Market Development Zone applications.

The CIWMB's technical assistance also included:

- providing technical information to the Legislature for the development of Assembly Bill 688 (Sher), Chapter 1227, Statutes of 1994, which provided relief to some rural jurisdictions and jurisdictions which host regional medical waste treatment facilities;

- developing guidelines and procedures for preparing Solid Waste Generation and Characterization Studies, Source Reduction and Recycling Elements, Household Hazardous Waste Elements, Nondisposal Facility Elements, Solid Waste Facility Siting Elements, Countywide and Regional Integrated Waste Management Plans; and

- preparing a statewide Disaster Response Plan to help local governments divert or dispose solid waste resulting from a natural disaster or emergency.

The CIWMB is developing a database and methodology to assist local jurisdictions in the siting of landfills needed to assure that each jurisdiction has sufficient disposal capacity. The results of this effort will be used to provide updated, accurate information on landfill capacity; assist local governments in determining how they will meet the 15-year disposal capacity mandate (PRC 41700-41703); suggest available strategies for ensuring adequate capacity; and provide landfill operators with standard methodologies to determine remaining capacity.

In 1992, the CIWMB produced *Reaching the Limit: An Interim Report on Landfill Capacity in California*, a compilation of information from Countywide Local Task Forces on remaining capacity within their jurisdictions. The report documents that one-half of all counties within the state, which represent approximately 70 percent of the state's population, had less than 15 years of remaining capacity as of January 1990.

Consequently, each landfill operator in the State was requested to complete a survey which included verifying and updating existing data as well as describing the methodology used to determine remaining capacity; approximately 70 percent of the landfills responded. The

CIWMB conducted a series of workshops this year on the compiled capacity information as well as discussion of strategies to assist local government in achieving the 15-year capacity mandate. Additional data was collected by CIWMB staff during a series of Local Enforcement Agency roundtable meetings throughout the state. Workshops are anticipated to be held in early spring of 1995, with a complete report available for public distribution shortly thereafter.

Model Programs

The CIWMB developed and distributed several planning document models for use by jurisdictions. A number of jurisdictions have used the models and, as a result, have been able to avoid hiring expensive consultants, thus saving a significant amount of time and money. Models included a Countywide/Regional Integrated Waste Management Summary Plan, a Countywide/Regional Siting Element, a Nondisposal Facility Element, and an AB 440 Status Report on jurisdictions' waste diversion progress.

The CIWMB developed additional tools to assist local governments in their disposal reduction planning, including *The Rural Cookbook: Recipes for Successful Waste Prevention and Diversion Programs* and *The Facility Cost Model (FCM) and Workbook*. These materials also help to facilitate direct dialog between local governments and industry in the exploration of potential feasibility for particular rural programs and facilities. The "Cookbook" is a valuable compendium of successful case studies and available funding sources for rural jurisdictions; updates will be provided periodically. This reference manual has been well-received by rural jurisdictions. The FCM is a computer-based application designed to assist cities and counties to plan lower cost facilities; the *Workbook* provides an explanation of how to use the FCM, an analysis of the FCM, results from a field test, and sources of cost data.

The FCM facilitates planning of waste management systems; quantifying facility capital, operating, and transportation costs; and comparing the costs. Users can apply the FCM to any type of facility and can evaluate regional waste management systems or stand-alone facilities. A primary strength of the FCM is that it allows users to isolate cost variables to see how outputs change when they vary assumptions such as operating equipment or lease/purchase agreements. Based on user inputs, the FCM generates charts illustrating the breakdown of costs.

While developing the FCM, CIWMB staff worked with local jurisdictions in a field test and later conducted a series of technical assistance workshops to ensure the final product served the needs of local governments. CIWMB staff revised the *FCM Workbook* based on comments from field test and workshop participants, and *Version Two* is now available in Excel 4.0 for Windows or in a Macintosh format.

Regulation Development in Dialogue with the Regulated Community

The IWM Act presented the CIWMB with a new version of a classic management problem: how to accurately measure success of a new program in producing its intended improvements. Assembly Bill (AB) 2494, Chapter 1292, Statutes of 1992, changed the way that jurisdictions will measure compliance with the solid waste diversion mandates. The change is from a generation-based system to a disposal-based system. The new disposal-based system retains the practical features of the previous system and simplifies performance measurement.

The Problem

The original generation-based system put in place by AB 939 required jurisdictions to quantify waste generation (generation = disposal + diversion). Each jurisdiction was required to quantify all generation in their base-year solid waste generation studies (SWGS),

undertake another comprehensive study of disposal and diversion in 1995 to find out if they met the 25 percent goal, and repeat this study again in 2000 to find out if they met the 50 percent diversion goal. Each city or county had to individually measure progress toward the diversion mandates, even if they were taking part in regional diversion programs and had a regional disposal system. This individual measurement offset many of the cost savings of being in a regional organization.

Jurisdictions found that it was very difficult and costly to obtain accurate information on quantities and types of diverted materials. Source reduction is particularly difficult to quantify. The high costs of quantifying source reduction caused many jurisdictions to be reluctant about using source reduction programs for more than a small portion of the diversion mandates. Haulers, transfer station operators, and disposal facility operators were deluged with a multitude of jurisdiction requests for the same data in different forms and formats.

The Solution

Diversion "credits" are no longer an issue; progress toward the 25 percent and 50 percent goals will be measured by comparing reductions in disposal amounts, as measured by the disposal reporting system, to the calculated maximum allowable disposal tonnage. (Diversion data is still needed for planning, market development, and research and development, however.) Jurisdictions are only required to report on recycling and composting programs that they fund or operate. This diversion information was requested in the AB 440 Status Report and will be included in each jurisdiction's Annual Report to the CIWMB. Jurisdictions no longer need to quantify source reduction, private sector recycling, and private sector composting.

The CIWMB is developing a disposal reporting system which will provide jurisdictions and the CIWMB with accurate information on the amount of solid waste disposed by each jurisdiction. Jurisdictions will determine whether they have met the 25 percent disposal reduction goal by determining the amount of solid waste they dispose from January 1, 1995 to December 31, 1995. Under this new system put in place by AB 2494 and AB 440, cities and/or counties can work together and measure progress toward the diversion goals as a group. Regional measurement of disposal amounts will greatly simplify reporting for both disposal facilities and jurisdictions; instead of tracking, allocating, and assigning waste quantities to numerous cities and/or counties of origin, the total amount disposed would be attributed to the region as a whole. For more information, refer to CCR Section 18800 et seq. or contact the Waste Characterization and Analysis Branch.

Local jurisdictions and the commercial waste management industry indicated a strong desire for a full partnership with the CIWMB in developing the solid waste diversion measurement and adjustment formulas for calculation of maximum allowable disposal tonnage. The CIWMB organized the project to maximize public involvement through the use of a working group in addition to the general public's input. The 35-member working group consisted of local jurisdiction officials, commercial waste haulers and landfill operators, members of public interests groups, the military, industry consultants, and academics.

This adjustment method was developed through an interagency agreement with the University of California at Los Angeles. The method was tested in jurisdictions throughout the state prior to CIWMB approval. The adjustment method will yield the estimated amount of waste generated for the goal years of 1995 and 2000. The method is also used as a solid waste generation estimation and projection tool by local jurisdictions and was used by the CIWMB to project statewide waste diversion achievement depicted in Figure ES.1.

Actual disposal is compared to maximum allowable disposal with adjustments for changes in population, employment, and taxable transactions. The methodology successfully embodies

the desired design goals of simplicity, low cost, validity, and flexibility. The Board approved the method in 1994. Draft regulations are being reviewed by CIWMB staff and a computer-based automated calculation program is being developed to assist local jurisdictions.

The *Base Year Adjustment Method User's Guide* is available which explains the step-by-step methods for accomplishing critical tasks, including how to gather the data, make the required calculations, and report the results to the CIWMB.

> "The factors chosen for the [adjustment] formula seem to be the most appropriate ones ... and it's simple to operate."
>
> --- Michael Mohajer,
> Assistant Division Engineer,
> Department of Public Works,
> Los Angeles County

F. REGULATION AND SOLID WASTE FACILITY MANAGEMENT

Many of CIWMB's responsibilities involve regulation of solid waste facilities. Figure F.1 shows the number of solid waste facilities the CIWMB oversees. Two goals define the framework for the Board's activities: 1) provide a predictable, efficient, and reliable regulatory structure and 2) work with local governments and industry to assure the safe, environmentally sound, and effective operation of all solid waste operations in California. Major accomplishments during 1994 include solid waste disposal and codisposal cleanup; Local Enforcement Agency (LEA) certification and evaluations; tire facility enforcement, registration, and permitting; and solid waste facility management research.

Figure F.1: Solid Waste Facility Types

Solid Waste Disposal and Codisposal Cleanup Program (AB 2136)

Assembly Bill 2136 (Chapter 655, Statutes of 1993) requires the California Integrated Waste Management Board to initiate a program for the cleanup of solid waste disposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment. This legislation allows the CIWMB to resolve environmental problems and clean up solid waste and illegal disposal sites in several different ways. Examples are cleanup using the CIWMB's contractors, providing matching grants to local governments to assist in site cleanup, providing grants to certified local enforcement agencies (LEA), and providing loans to responsible parties who demonstrate the ability to repay state funds. This program is funded by a one-time appropriation of $8 million in FY 1993-94 and $5 million annually thereafter.

Generally, eligible site cleanup projects include waste removal and disposal, fencing, signage, grading and cover, slope stabilization, erosion control, drainage systems, gas and leachate control and monitoring systems, extinguishing underground landfill fires, and other projects deemed eligible by the CIWMB. Ineligible costs include costs of closure; ground water remediation; operation and maintenance of leachate, surface water, or vadose zone monitoring systems; improvements to property for postclosure land uses; closure or postclosure maintenance plans; and postclosure maintenance services.

A database of 314 potential sites for AB 2136 funding has been developed. Of these, 111 sites have been investigated, with 39 sites considered eligible for funding and 72 sites considered ineligible.

Figure F.2: Approved Solid Waste Disposal Remediation Sites

Since the implementation of the program in January 1994, the CIWMB has approved the following twelve sites for remediation. Figure F.2 shows the locations of these sites.

- Caspar Landfill in Mendocino County (matching grant) - installation of gas collection system, leachate collection system, and cover to prevent further degradation of groundwater on a 16-acre landfill.
- Essie Haywood Illegal Disposal Site in Tulare County (LEA grant) - cleanup of illegally disposed waste and installation of fences and posting of signs on a 37.5-acre site.
- Weitchpec Illegal Disposal Site in Humboldt County (CIWMB-managed contract) - cleanup of illegally disposed waste in conjunction with the building of a transfer station by the Yurok Tribe.

- Foster Road Illegal Disposal Site in Riverside County (CIWMB-managed contract) - cleanup of illegally disposed waste on a 2.5-acre site.
- Long Illegal Disposal Site in Amador County (CIWMB-managed contract) - cleanup of illegally disposed waste on a 5-acre rural residential site.
- Igo/Ono Illegal Disposal Site in Shasta County (CIWMB-managed contract)- cleanup of 40 acres of illegally disposed waste.
- Duckpond Landfill in San Diego County (CIWMB-managed contract) - retrofitting derelict gas collection system and flare station on a 3.7-acre landfill.
- Mountain Meadows Illegal Disposal Site in Lassen County (CIWMB-managed contract) - cleanup of 10 acres of illegally disposed waste.
- Berryessa Illegal Disposal Site in Napa County (CIWMB-managed contract) - cleanup of 1/2 acre of illegally disposed waste.
- Jamacha Landfill in San Diego County (matching grant) - installation of gas collection system on a closed 46-acre landfill.
- Valley Center Landfill in San Diego County (matching grant) - installation of gas collection system on a closed 26-acre landfill.
- Graniteville Illegal Disposal Site (CIWMB-managed contract) - cleanup of 5 acres of illegally disposed waste.

This is an ongoing program with CIWMB staff continuing to investigate and evaluate sites as proposed by local governments, Regional Water Quality Control Boards, and the LEAs. The best candidate sites are taken to the Board for approval. Of the $13 million available to date, $8.3 million have been encumbered, leaving $4.7 million, which is programmed for encumbrance during the balance of the current fiscal year.

Local Enforcement Agency Certification and Performance Evaluations (PRC 43200-43221)

LEAs are empowered by the state to enforce laws and regulations and implement CIWMB policies for the correct operation and closure of California's solid waste facilities. LEAs also establish and enforce local ordinances adopted pursuant to solid waste statutes and regulations.

LEAs are designated by their local governing body. To ensure they are implementing local programs pursuant to statute and regulation for the protection of public health and the environment, all LEAs must be CIWMB-certified. To date, 57 LEAs have been certified by the CIWMB. This certification indicates that each LEA has its own enforcement program plan to implement the permitting, inspection, and enforcement duties and responsibilities for its jurisdiction. In some cases, LEA jurisdictions include multiple counties.

The CIWMB's Permitting and Enforcement Division staff provide training for LEAs in permitting, inspection, and enforcement for all types of solid waste facilities and disposal sites. Additionally, the Permitting and Enforcement Division publishes LEA Advisories to give guidance to and set CIWMB policy for LEAs. The CIWMB also provides a total of $1.5 million grant moneys to LEAs to enhance their permitting and enforcement programs.

The CIWMB is required to evaluate each LEA performance every 18 months. The purpose of the evaluation is to ascertain that the LEA:

- continues compliance with its certification requirements;
- provides consistent enforcement of statutes and regulations pertaining to the handling and disposal of solid waste; and
- implements its CIWMB-approved Enforcement Program Plan (EPP), an administrative enforcement plan to implement duties and responsibilities in the jurisdiction.

To date, 25 LEAs (45 percent) have been scheduled for evaluation. Evaluations have been completed for 15 LEAs. Overall, LEAs are expanding and enhancing their initial EPPs to provide for ongoing implementation of their enforcement programs and changing needs of the state program.

The CIWMB facilitates communication with LEAs through a quarterly "Roundtable" forum. During the roundtables, LEAs address program implementation issues and concerns and relay their feedback to various CIWMB divisions.

Another avenue of communication exchange occurs through meetings with the California Conference of Directors of Environmental Health, the California Conference of Local Health Officers, and the California Environmental Health Association. Most LEAs and their directors are public and/or environmental health agencies and participate in solid waste issue development.

The CIWMB is developing decertification regulations pursuant to AB 939 and AB 1220. Prior to beginning the formal process, the proposed regulations will be presented for review and comment to the Enforcement Advisory Council (EAC), LEAs, landfill operators, and other interested parties.

The CIWMB created the Enforcement Advisory Council (EAC) in 1983, to advise the CIWMB in matters of solid waste management. The nine-member EAC represents various regions of the state and disciplines engaged in solid waste enforcement. The Council works to achieve a coordinated, consistent statewide enforcement program by providing ongoing communication and a partnership between LEAs and the CIWMB. Through the LEA Roundtables and EAC the CIWMB can develop a more complete understanding of emerging issues and policies.

The CIWMB and LEA mission is protection of the public health and safety and the environment through implementation of the state and local programs and laws, as well as open communication and a partnership in meeting these goals.

Waste Tire Management

Tire Facility Enforcement, Registration, and Permitting [PRC 42800 et. seq.]
In 1990, the Legislature enacted comprehensive requirements for the storage and disposal of waste tires. These new requirements were intended to address potential fire and health risks posed by the growing number of tire sites in California.

The CIWMB adopted final regulations for permitting major and minor waste tire facilities in 1993. With specific exemptions, all waste tire facilities are required to have a permit from the CIWMB. The final regulations also provide waste tire storage and disposal standards for sites with 500 or more waste tires.

The CIWMB sponsored a training program through the California State Fire Marshal's Office to address tire fire concerns. The "Rings of Fire" training program addresses the waste tire industry, environmental concerns, fire prevention, current research, pre-incident planning, fire suppression, and firefighter safety.

Waste tire sites not meeting the storage and disposal standards under the regulations are subject to enforcement action by the CIWMB. Waste tire sites requiring a permit and operating without one are also subject to enforcement action by the CIWMB. Personnel from the Enforcement Branch and Permits Branch are working together to identify specific facilities

operating in violation of the Waste Tire Facility Regulations. Remediation has occurred at several waste tire sites through enforcement inspections.

Accomplishments

- The CIWMB sponsored the "Rings of Fire" training program through the California State Fire Marshal's Office.
- The CIWMB conducted training sessions for LEAs summarizing waste tire facility permit requirements and waste tire facility minimum standards.
- The CIWMB has reviewed over 65 waste tire facilities permit applications in 1994 and approved 23 sites to receive or process waste tires.
- The CIWMB has conducted 55 waste tire site inspections resulting in 27 Notices of Violation issued. Corrective Action Plans have been submitted by 8 waste tire sites.
- The CIWMB adopted emergency regulations for Waste Tire Hauler Registration Program in 1994.
- The CIWMB issued approximately 1000 waste tire hauler vehicle registrations to over 160 companies as of December 31, 1994.
- The CIWMB mailed 100,000 manifest forms to registered waste tire haulers.

Waste Tire Hauler Registration Program [PRC 42950 Et. Seq.]
In 1993, the Legislature enacted requirements for the transportation of waste tires. These new requirements are intended to discourage the illegal disposal of waste tires and to provide a uniform statewide program for waste tire haulers.

The statute requires on or after January 1, 1995, that any person who gives contracts, or arranges with another person to transport waste tires shall use only a waste tire hauler registered with the CIWMB, unless the hauler is exempted. Waste tire haulers shall transport the waste tires to facilities authorized to accept waste tires. The program also requires a waste tire manifest system and manifest form for registered waste tire haulers.

Solid Waste Facility Management Research

During 1994, the CIWMB continued activities that place it in the forefront of solid waste facility management research. Research during the year focused on protection of public health.

***Aspergillus* Technical Bulletin**
In response to questions raised by a number of Local Enforcement Agencies, the CIWMB prepared a technical bulletin explaining the potential adverse health effects of exposure to *Aspergillus fumigatus* and suggested methods for the operations of composting facilities to minimize exposure.

The bulletin concluded that the spores of *Aspergillus*, one of the many microorganisms involved in the decay of leaves and organic matter, are very common in the environment and generally have a negligible impact on humans. However, there are certain "high risk" people who

develop illnesses when exposed to large concentrations of *Aspergillus* spores. Well run and designed compost operations will cause minimal increases in *Aspergillus* spores beyond the site boundaries.

The Bulletin recommends that compost facility operators adhere to state and federal regulations and use techniques such as water sprays and not turning compost materials on windy days to minimize dust and airborne transmission of spores.

Medical Waste Survey

California's Medical Waste Management Act of 1990 defines treated medical waste as municipal solid waste. To better understand the magnitude of the impact of medical waste on municipal solid waste facilities and programs, the CIWMB commissioned a survey of medical and dental care providers to determine the number of generators as well as the composition and quantities of medical waste being generated within California. The survey also attempted to determine how much medical waste is treated by on-site and off-site treatment facilities.

The results indicated that approximately 50,000 tons per year of medical waste are treated by offsite facilities. The treated medical waste accounts for about 0.15 percent of total solid waste. The survey found that "sharps" (needles, scalpels, etc.) constituted the largest component followed by blood products/body parts, and laboratory wastes. However, the composition varied widely between physicians, dentists, veterinarians, hospitals, large clinics, etc.

Although the study did not indicate significant environmental or occupational health concerns, there is anecdotal evidence that the waste management industry should increase its diligence in the handling and disposal of treated medical waste. The CIWMB has shared its findings with local municipal and medical waste enforcement agencies.

III. LOCAL GOVERNMENT HIGHLIGHTS

This year, ten local governments are featured in the *CIWMB Annual Report*. It is appropriate to recognize the outstanding efforts of local governments, in partnership with the CIWMB, to motivate the necessary changes in waste generating attitudes and practices. Ten notable jurisdictions with highly effective IWM programs are featured.

1. Oakland and Berkeley
2. County of Los Angeles
3. San Jose
4. Humboldt County
5. Long Beach
6. City of Los Angeles
7. City of San Diego
8. City of Chino
9. City of Redding and Shasta County
10. Manteca

Selection criteria included, but were not limited to,

- highly effective integrated waste management programs,
- projected diversion equal to or greater than 25 percent by 1995,
- location in a proposed or designated Recycling Market Development Zone,
- balanced representation of rural, suburban, and urban jurisdictions,
- balanced representation of cities and counties,
- innovative programs, and/or
- planned or existing special facilities or systems.

Oakland and Berkeley *are adjacent cities located on the east side of San Francisco Bay.*

Oakland and Berkeley have been actively promoting the concept of waste prevention since the 1970s. The City of Oakland has had "metered" garbage collection service since at least 1978. In 1991, the residential rate structure was modified to include an additional twenty percent surcharge on all garbage service beyond the first 32-gallon can, and a 20-gallon "mini-can" option was introduced. Berkeley also has a unit pricing system with a 13-gallon "mini-can" rate.

Oakland has provided city-wide residential curbside recycling for all single-family and a majority of multi-family households for the past two years. The commercial sector is served through technical assistance offered by the City. The City is coordinating a recycling coop program between two merchant districts and a recycling service provider with funding from a grant by the Alameda County Recycling Board. Health care providers and hospitals have been assisted by the City's solid waste assessors which offered detailed recommendations for medical waste reduction and management. An educational video was produced and a workshop was held to communicate implementation alternatives and benefits.

Berkeley was one of the first cities to require that all applicants for construction and demolition project permits and conditional use permits include recycling plans. In early 1995, the City will provide every household with a choice of a 64 or 96-gallon container for the separate collection of green waste; the carts are expected to increase participation in the four year old program which began with bagged pickup. The growth of yard waste and curbside programs as well as aggressive marketing of commercial recycling will put Berkeley at a 27 percent diversion rate in 1995. The City "closes the loop" through its Buy-Recycled program which resulted in the purchase of a half million dollars in recycled products in last year.

The California Integrated Waste Management Board designated the cities of Oakland and Berkeley as the Oakland/Berkeley Recycling Market Development Zone (RMDZ) in June 1992. The types of businesses that have qualified for loans include a metals recycling company, the Berkeley Ecology Center, a company restoring bulk bags for reuse, a paper reuse processing company, and a plastics recycling company. In two years, these businesses have created more than 130 new jobs in the RMDZ, while diverting 100,000 tons of material from area landfills.

The zone has been working with the Alameda County Recycling Board to develop a new recycling loan program which will provide additional sources of funding for recycling companies. The RMDZ also attracted 4 new companies to site in its area.

The RMDZ produced a successful "Getting Down to Business" workshop focusing on office and building construction products in June 1994. This workshop, attended by more than 500 people, provided many leads for recycling-based manufacturers who exhibited their products.

Photo captions:
1) Schnitzer Steel Products Co. processes white goods and other metallic discards in Oakland.
2) Berkeley's famous discard management center, Urban Ore, began salvaging recyclables from the incoming waste stream in the late 1980s.
3) American Soil Products, Inc. produces more than 26 varieties of horticultural soils, mulches, and soil amendments derived from 50,000 tons of organic materials (wood fines, green waste, and agricultural by-products) annually.

The County of Los Angeles *is located in southern California.*

To promote waste reduction, the County is providing technical assistance, education, and promotion programs which most notably include the Master Composting Program. The program is countywide and coordinated in partnership with the University of California Cooperative Extension, and cities throughout the county. Building on the success of the Master Gardener model of a well-trained and motivated volunteer work force, the Master Composter program is a great success. The program recruits volunteers and provides 24 hours of training on backyard composting to volunteers who pledge a minimum of 50 hours community service that includes making presentations to schools and civic and community organizations as well as staffing demonstration sites. The County is also implementing a business recycling program in the unincorporated areas using Master Recyclers who will assist commercial and industrial businesses with their recycling programs.

The County's overall public education efforts are promoted by their official mascot Woody Woodpecker, who is provided to the County through a gratis license with MCA/Universal Merchandising, Inc. The character is portrayed on all brochures for recycling, backyard composting, and other publications. The County also has a hotline number for citizens to call for answers to recycling questions.

The L.A. County Recycling Market Development Zone (RMDZ) was designated by the CIWMB in July 1994 and is located in Southeast Los Angeles County. The Zone has one of the largest concentration of industries, manufacturing plants, and commercial businesses in the United States.

The zone administrator plans to work closely with realtors and chambers of commerce to inform them of the incentives offered to RMDZ businesses, recognizing the value to the RMDZ program of networking with a well established, highly motivated, and organized work force. Subsequent plans are to coordinate with banks and lending institutions regarding the economic viability of new and emerging recycling technologies. As a result of the County of Los Angeles' philosophy of broad-based cooperation, it is expected that they will fully achieve the legislatively-required 25 percent diversion rate by 1995.

Photo captions:
1) The County's public education program is promoted by their official mascot Woody Woodpecker, through a gratis license with MCA/Universal Merchandising, Inc.

2) Royal Rubber makes welcome mats and floor mats out of 80 percent secondary materials.

3) Firma, Inc. removes cable and wire PVC coverings to make nursery plant containers and mud flaps for trucks.

San Jose, the capitol of the Silicon Valley, is the third largest city on the West Coast and is located at the southern tip of San Francisco Bay.

Recycle Plus, an expanded curbside recycling program launched in mid 1993, has enabled San Jose to surpass the State's 1995 landfill diversion goal of 25 percent. San Jose now is focusing on its commercial waste stream to meet the year 2000 mandate of 50 percent.

San Jose is dedicated to "closing the loop" through the attraction and expansion of "Green Industries" that manufacture products from recycled feedstock. Towards this end, San Jose established an $800,000 Green Industry Fund in 1993 to provide gap financing and location incentives to such businesses. In 1994, the CIWMB awarded the status of Recycling Market Development Zone (RMDZ) to the entire 170 square-mile City of San Jose. San Jose designated specific Green Industry Target Areas to overlap with the City's existing Enterprise Zone (EZ) Target Areas. Businesses located in these areas benefit from State EZ tax incentives as well as local construction-related tax waivers and appropriate zoning to ease permitting. San Jose's RMDZ is a full service program: providing assistance with site selection, financing, permitting, and sourcing of feedstock.

San Jose's Office of Economic Development, Environmental Services Department, and General Services/Purchasing Department work as a team to promote new markets for recycled feedstock. San Jose administers the University Partnerships: Green Industry Grant Program which sponsors specific studies to help overcome product design, manufacturing, and market barriers, and to identify new applications for recycled materials. San Jose also has a source reduction and recycled purchasing policy. In 1994, recycled content purchases totaled $1.9 million.

The City of San Jose, PG&E, and a joint partnership of Silicon Valley businesses opened the nation's first Environmental Business Cluster in 1994 -- an incubator for start-up environmental technology businesses.

Photo captions:
1) Green Team uses on-board computers on collection vehicles as part of the tracking system to find out who is participating.

2) M&F Metals processes and sells commercial and industrial scrap iron and nonferrous metals, and processes recovered paper.

3) Viking Container, Inc. employee uses die-cutting machine to make cardboard packaging from recycled paper.

Humboldt County, located on the Pacific coast about 250 miles north of San Francisco and 400 miles south of Portland, Oregon, accesses the international marketplace via Humboldt Bay -- the only deep water port in California north of San Francisco.

The county has been very successful in meeting its two primary challenges to effective diversion: 1) long distances to recycling markets and 2) a diffuse population. Economic development efforts focus on small scale manufacturing and cottage industries using recycled materials. Long range planning and regional cooperation with neighboring counties will be key to creating stable markets.

Humboldt County is overcoming these challenges to meet the diversion goals, as are many other jurisdictions, through effective partnerships with the CIWMB and the local community of businesses and residents. Diversion projections for the unincorporated area of the county are 39 percent for 1995 and 56 percent for the year 2000. Success in surpassing 25-by-95 is attributed to citizens' commitment to recycling, as evidenced in 1988 when over 75 percent approved a measure to develop County recycling and waste reduction policy. Achieving the year 2000 goal requires successful establishment of businesses using recycled glass, several grades of paper, tires, fish waste, organics, reusables, construction materials, and providing plastics processing capability. A composting and mulching demonstration project is underway with CIWMB funding and a committed and cooperative team of farmers, advisors, composters, and local governments.

The entire county has been designated a Recycling Market Development Zone (RMDZ) which includes the incorporated cities of Trinidad, Blue Lake, Arcata, Eureka, Fortuna, Ferndale, and Rio Dell. As a result of the RMDZ designation, the Arcata Community Recycling Center, Inc. received CIWMB approval for a $162,500 loan to assist in achieving diversion of 5700 tons per year.

The RMDZ sponsored the first annual Recycling and Ecological Expo in Humboldt County this year and published a newsletter to stimulate exchange of ideas and activate needed networks. These activities serve to promote new and existing remanufacturing businesses in the area. A local weekly paper has donated advertising space, "Waste Not Want Ads," at no charge for materials exchanges.

Photo captions:
1) Arcata Community Recycling Center.
2) Building material salvage training project.
3) Gate Paper, a school-based nonprofit in Orick, makes recycled stationery for sale locally from waste paper generated onsite.
4) Wild Weeds, a company in Redway, makes reusable grocery bags from used plastic feed sacks.
5) Willow and Kokotai are two local companies which make sweatshirts and fleece jackets from soda bottles.
6) Foxfarm produces a premier potting soil which contains worm castings derived from food waste.

Long Beach *is located on the coast just south of Los Angeles.*

The diversion program strategy of Long Beach is designed to achieve a balance between the City's responsibility to fulfill the AB 939 diversion goals and private sector contribution to program implementation.

Long Beach promotes the idea that recycling and diversion programs need to be considered and funded as additional utilities, based on the concept that waste materials are a resource to be managed rather than refuse to be disposed. The City of Long Beach expects to achieve 25 percent diversion by 1995.

The City is currently implementing a volumetric refuse rates program with automation of the current waste collection system. Residential customers are provided one 60 or 100-gallon refuse can and curbside recyclables collection that includes motor oil. The City runs a backyard composting program and teaches monthly classes on green waste reduction techniques to residents. Green waste drop-off programs will be considered to meet the 50 percent goal.

The City has an extensive public education and information program. The program includes written materials in three languages in addition to English: Cambodian, Spanish, and Vietnamese. The City has developed a logo with the phrase, "Reduce-Recycle-Recover" that is listed on all printed material. The program also includes a policy statement, fact sheets, flyers, slide presentations, workshops, videos, and community meetings.

The City was designated as a Recycling Market Development Zone in 1992. The zone has become an integral part of the City's economic development efforts and has attracted new recycling manufacturing businesses and expanded existing companies. The City teamed up with the Community Environmental Council from Santa Barbara to win a U.S. EPA market development grant to assist existing Long Beach manufacturing businesses in converting from virgin to secondary material feedstocks. Coupled with an aggressive City procurement program and cooperation with area businesses, the diversion, remanufacturing, and procurement efforts begin to "close the loop" in a systematic and effective way.

Photo captions:
1) Gridcore Systems International transforms mixed paper and cardboard into a lightweight, high strength fiberboard. The product won the highest National Recycling Coalition award for the most innovative new recycling development in the U.S.

2) Flex Deck makes decking material out of crumb rubber from waste tires.

3) The Traveling Recycling Education Center (TREC) is a mobile trailer with six computer-driven interactive workstations. The workstations are partially funded by a CIWMB grant. TREC teaches the three R's as well as resource conservation from a child's perspective of a school, house, park, car, and supermarket.

The City of Los Angeles is located in southern California and is the second largest city in the U.S. with a population of 3.4 million.

The City of Los Angeles responded to the AB 939 mandate not as something onerous or expensive, but as an opportunity to bring new approaches to waste management practices.

The City of Los Angeles is responsible for managing the entire waste stream, yet the city provides waste services directly to only about 50 percent of the community; the private sector handles the balance. Despite this configuration, Los Angeles projects a 36 percent diversion by 1995. In fact, the City's long term *Solid Waste Management Policy Plan* sets a more aggressive waste diversion goal of 70 percent by the year 2020.

Success in exceeding the 25 percent goal is attributed to the well-established recycling infrastructure, access to international markets for recyclables through the Port of Los Angeles, and the City's unique "generator approach" that created city/private waste management partnerships.

The City also examined its own waste stream and developed comprehensive diversion strategies for its Department of General Services, Bureau of Sanitation, Bureau of Street Maintenance, Department of Airports, the Harbor Department, and the Department of Water and Power.

To help "manage" that portion of the waste stream outside its direct purview, the city established working groups with the commercial and industrial sectors that were determined to be major waste generators. The working groups discuss general waste management policies, plan recycling strategies, estimate diversion and disposal tonnages, and coordinate diversion programs.

The City has always communicated that businesses, as well as City departments, will benefit from new waste management techniques by avoiding unnecessary disposal costs and, in some cases, generating revenues from the sale of recyclables and that existing and new businesses could make products from recyclables that would otherwise cost millions to dispose. To that end, the entire city was designated as a Recycling Market Development Zone in 1992. The City also developed a comprehensive strategy to showcase new technologies, new ideas in construction and manufacturing methods, and new recycled-content products.

Photo captions:

1) California Fiberloft, Inc. recycles polyester staple fiber (PET), paper, and nonferrous metal into heating and air conditioning filters.

2) Plastopan North America, Inc. remanufactures plastic (HDPE) into plastic refuse and recycling containers and composters.

3) Earthquake debris processing at Chiquita landfill.

The City of San Diego is located on the U.S.-Mexico border on the coast of California.

The City of San Diego maintains more than 30 waste diversion and recycling programs targeting specific sectors of the local waste stream. These include broad-based technical assistance to businesses and special efforts with the San Diego Zoo and Sea World. The City is also considering the construction of a materials recovery facility to divert even more of the residential and commercial waste streams.

Effective public education and information (PEI) programs are essential in maximizing diversion participation. San Diego sponsors recycling events, distributes a recycling directory, and produces multilingual/multicultural guides on how to reduce waste and where to recycle. School programs include learning materials and curriculum development, bilingual translations, and classroom presentations.

Based on the success of its PEI, San Diego plans to more than double the service area of its curbside yard waste collection program, expand collection of recyclables from single and multi-family residences by providing convenient community collection points, establish a buyback center, continue the Community Cleanup program, and expand the Christmas Tree Recycling Program. The City also works with local naval bases to divert waste from landfills.

The City of San Diego is a member of both the City of San Diego and North San Diego County Recycling Market Development Zones (RMDZ). The City RMDZ received honorable mention by the California Cities "Helen Putnam Award for Excellence" for achievements in "Environmental Quality Partnerships." The City of San Diego Environmental Services and Economic Development Services Departments received a Public Technologies Incorporated "Special Mention Award for Community and Economic Development" relating to the creation of the RMDZ. An important plan to stimulate larger regional markets for recyclable materials is the development of a binational RMDZ within the border industrial areas of both Tijuana and San Diego. This cooperative effort will serve as a model to other border states.

Photo captions:
1) Recycling Earth Products, Inc. recycles drywall scraps from new construction into gypsum. The gypsum has been used as an absorbent for petroleum products and as a soil amendment. They soon will be marketing a pet litter box product made from recycled gypsum.

2)Organic Recycling West, Inc. processes 80 tons per day of residential and commercial green waste into compost and other soil amendments.

The City of Chino is located in the southwestern corner of San Bernadino County in southern California, about 35 miles due east of Los Angeles.

The key to the City of Chino's successful diversion is the strong partnership between surrounding cities, local business, the local solid waste hauler, and the CIWMB. The City of Chino is projecting a minimum of 25 percent diversion for 1995. Effective diversion programs are especially critical as the area faces the loss of local landfill capacity in the near term, with increased transportation and solid waste processing costs.

In addition to achieving strong voluntary participation in recycling, the City promotes recycling programs that include residential curbside, multifamily service, industrial green and wood waste diversion, Christmas tree recycling, and household hazardous waste diversion. Chino is proud to have been one of the first in their area to institute city government office recycling and city government recycled-content procurement policies; both were initiated prior to AB 939.

In 1994, the City of Chino, as lead agency, teamed up with the City of Chino Hills to form the Chino Valley Recycling Market Development Zone with assistance from the CIWMB. This aggressive plan will help the surrounding area meet the 50 percent by 2000 requirement as much of the future growth is anticipated to be commercial and industrial. RMDZ business incentives were advertised at the annual Business Expo sponsored by the Chamber of the Chino Valley. Businesses which currently or could potentially utilize secondary plastics, wood waste, organics/yard waste, textiles, paper, and metals are targeted for conversion, retrofitting, or expansion, or recruited to locate in the area. Existing reuse industries, particularly tire retreading, laundry, and repackaging manufacturing discards, are also targeted.

As a result of receiving a Used Oil Grant from the CIWMB, Chino offers a used oil curbside collection and drop-off program. The City produced a used oil video, which won third place in a nationwide contest sponsored by the National Association of Telecommunication Officers and Advisors.

Photo captions:

1) Tub grinder processing Christmas trees.

2) Envirothene is the largest producer of postconsumer plastic resin on the West Coast.

3) Hi Life Products, Inc. manufactures carpet products using 2400 tons annually of plastic.

4) Exclusively Buff, Inc. produces sisal and buffing wheels used for automobile parts, plating, metal polishing, and home furnishing hardware industries. The wheels are made from used coffee bags and used cotton cloth.

The City of Redding and Shasta County *are located in the interior of northern California, straddling Interstate 5. The City of Redding is the largest population center in the primarily rural North State.*

Significant strides are being made toward exceeding the diversion goals of AB 939 through innovative cost-saving measures, regional cooperation, and market development. Projected 1995 diversion rates are 32 percent for the City of Redding and 29 percent for the County of Shasta. Currently, recyclables are processed at the City of Redding's Resource Recovery Facility, which recycles 13,500 tons of material annually -- the largest throughput of any facility in the northern California region.

Recyclables soon will be diverted at Redding's new transfer station and materials recovery facility (TS/MRF), which was designed to maintain sorting flexibility to respond to fluctuations in recyclables markets. The facility will handle all solid waste from the City of Redding, the unincorporated portions of Shasta County, and possibly the cities of Shasta Lake and Anderson. The facility will receive, process, and transfer an average of 350 to 400 tons of solid waste per day and is designed to accommodate up to 750 tons of waste per day to handle the future needs of surrounding areas. Much of the materials received at this facility will come from Redding's successful residential curbside recycling program, which boasts a 64 percent monthly set-out rate. To minimize the level of public effort necessary to participate in the curbside program, a single-bin commingled system was chosen.

Shasta County is a newly designated Recycling Market Development Zone. The key to successful recycling in the City of Redding and Shasta County is producing a value-added product. In the near future, a major West Coast producer of molded pulp egg cartons, food trays, and paper plates located nearby will utilize processed paper from the new TS/MRF.

Another example of a value-added effort is the City of Redding's investment of $750,000 for composting equipment to produce high-grade compost for use by the City Parks Department as well as for sale to CalTrans, private landscapers, and the public.

Photo captions:

1) Reusable and recycled latex paint from the City's program is used in graffiti abatement.

2) Some granulated plastic from the City of Redding is remanufactured locally into fishing lures.

3) Aerial view of new transfer station/materials recovery facility.

The City of Manteca, in San Joaquin County, is located in the Central Valley, 75 miles east of San Francisco.

Since the mid 1980's, Manteca has offered curbside collection and composting services for leaves and Christmas trees. The City of Manteca leadership recognized that if the 25 percent diversion goal was to be met, two major areas would have to be addressed: residential and commercial collection services. Waste reduction is being accomplished by phasing in programs and limiting each residence to a single 96 gallon trash container provided by the City.

Residential recyclables curbside collection began in 1992 and includes used motor oil, HDPE and PET plastic bottles, newspaper, glass, tin, and aluminum. In addition, Manteca encourages backyard composting with compost demonstrations, and provides phone book recycling, concrete and asphalt recycling, and education campaigns on the various diversion programs. The Resource Conservation Coordinator writes a column for the local paper once a week on waste diversion to keep residents thinking about and improving their participation.

In implementing the City's commercial programs, the Resource Conservation Coordinator performed waste audits for over 200 local businesses. As a result, a commercial cardboard collection program was implemented once the need was identified. In the future, the City will collect mixed paper, wood wastes, and restaurant wastes.

Manteca has promoted and participated in a number of activities including poster contests, recycling events, backyard composting classes, informational utility bill inserts, Earth Day recycling events, and countywide household hazardous waste collection events. The City of Manteca has also implemented a graffiti abatement program using 100 percent postconsumer paint.

Knowing that diversion programs must be enhanced by market development efforts, the City of Manteca joined forces with six other cities and San Joaquin County to apply for a Recycling Market Development Zone designation by the CIWMB. Through these collective efforts, the City of Manteca is projecting a 25 percent diversion for 1995.

Photo captions:
1) Ricky the Recycling Raccoon teaches school children about resource conservation and recycling.

2) Residential curbside recyclables collection, including used oil.

3) Unused paint is diverted for graffiti abatement projects.

IV. FUTURE EFFORTS

Through extensive partnerships and cooperation between the CIWMB, local jurisdictions, and the private sector, California will meet its short term goal of 25 percent diversion by 1995. This has been accomplished through significant market development efforts in addition to the establishment of a meaningful number of diversion programs and innovative waste prevention efforts. The next challenge, that of meeting a 50 percent diversion rate by the year 2000, will require much resourcefulness and creativity by local jurisdictions, with assistance from the CIWMB and private sector. The CIWMB, mindful of the challenges ahead, is already taking steps to meet diversion goals set forth for the year 2000.

A. RECYCLING MARKET DEVELOPMENT AND WASTE REDUCTION

California Recycling Business Assistance Team

A 50 percent diversion rate is not achievable if there are insufficient markets to absorb the additional materials diverted from landfills. In 1994, the CIWMB was awarded a $500,000 grant from the U.S. Environmental Protection Agency to establish the California Recycling Business Assistance Team (R-Team). This grant is funded under the federal 1994 Jobs through Recycling initiative. The R-Team will develop an 18-month self-sustaining resource network to deliver assistance to businesses involved in recycling. By this mechanism, the CIWMB will expand service to a larger number of recycling-based business throughout California.

The R-Team works through a partnership linking the CIWMB's solid waste expertise with the Trade and Commerce Agency's economic development expertise and the Business Environmental Assistance Center's (BEAC) environmental permitting expertise. The R-Team also works with and serves Recycling Market Development Zone Administrators, makes referrals to Small Business Development Centers (SBDC), and uses the services of California Manufacturing Technology Centers (CMTC) to help recycling businesses overcome technological barriers to the use of recycled materials.

The R-Team will offer a variety of services to help recycling-based businesses grow and prosper in California, including the following:

- **Business Assistance** includes providing general business information, feedstock material sources and quantities, business reports, business plan development through SBDCs, permitting and siting assistance, and lists of business assistance information available.

- **Technical Assistance** includes development of technical services available through the CIWMB, the BEACs and other organizations such as CMTC and federal laboratories: technical reports, low cost testing and evaluation of materials and processes, best manufacturing practices, conversion technology and waste reduction, and technology workshops.

- **Financial Assistance** includes helping businesses obtain financing, evaluating business proposals, assisting with business plans and grant writing, and economic equipment and process justification and contract with federal labs. In addition to loans and grants available from the CIWMB, the R-Team will identify and develop new sources of financial assistance from conventional lenders by educating lenders about recycling and reuse businesses.

- **Marketing Assistance** will help businesses increase the demand for recycled-content and reused products by developing a database of these products, working with government and private procurement departments, working with priority businesses and industries to find buyers for their products, assisting in the development of marketing plans, and creating exhibits of recycled-content products to display at appropriate trade shows.

Private Sector Buy-Recycled Program

Considering that approximately 80 percent of all goods and services are consumed by the private sector, it makes sense to focus on purchase of recycled-content products (RCP) by private industry and commerce. To that end, the CIWMB initiated a Private-Recycled Program (PRBP), the goal of which is to further develop reliable, stable, and competitive markets for all products that can be made with materials diverted from the California waste stream.

The thrust of the PBRP is to harness the purchasing power of individual companies by enhancing existing and creating new alliances with private industry, local governments, and the CIWMB. Through these alliances, the CIWMB will work to help overcome the barriers of specific industries to purchasing RCPs. Other program aspects include developing performance-based materials specifications, providing updated and reliable information on recycled products, measuring the procurement progress of each alliance, and continuing to support existing programs to eliminate duplication and waste.

Staff distributed the *Private Buy-Recycled Issue Paper* to several hundred people representing local government and business concerns. Based on the outstanding endorsement and suggestions from workshop participants, the CIWMB is poised to develop the type of program that private industry wants -- one that is responsive to their specific needs and that will help private industry, local government, and the CIWMB realize the benefits of a sustainable secondary materials market.

Waste Prevention Business Training Assistance

To facilitate waste prevention activities throughout California and direct future activities, the CIWMB adopted a statewide strategy, *The Statewide Waste Prevention Plan*. Key activities recommended in *The Statewide Waste Prevention Plan* include:

- providing cooperative technical assistance to businesses and
- conducting case studies and demonstration projects.

To meet these goals, staff developed a program concept that blends features of other successful programs designed to assist businesses. The Business Waste Reduction Program encourages businesses to meet with waste reduction experts, conduct a waste assessment, and identify opportunities to reduce waste and save money. It's an approach that emphasizes positive, voluntary actions and face-to-face contact with volunteer experts, often from the private sector.

To test the merits of the program, four regional pilot programs will be conducted over a one-year period. After one year, the pilot study will be evaluated. If successful, the organizations participating in the pilot are expected to raise funds to continue the program. Meanwhile, if successful, the CIWMB could consider expanding the program.

In the long term, in each region or community in California there could be an organization providing quality, low-cost, hands-on assistance to businesses. These organizations would encourage and educate businesses about how to use resources more efficiently, reduce waste, and save money.

B. REGULATORY REFORM

Regulatory Reform : The Solid Waste Disposal Regulatory Reform Act of 1993

Urgency legislation Assembly Bill 1220 (Chapter 656, Statutes of 1993) was enacted in 1993 to improve the manner in which management of solid waste is regulated by the State. Implementation of the legislation requires significant revision to the regulations governing permitting and enforcement of solid waste operations and facilities. Some of these changes include removing overlap, duplication, and conflict among the agencies and boards which regulate solid waste disposal facilities. Additional changes are the streamlining of the solid waste facilities permitting process, studying the feasibility of combining financial assurance mechanisms for operating liability and corrective action, and then developing a consolidated set of solid waste disposal facility regulations with each board retaining its appropriate authority and responsibilities. Adoption of these regulations is expected in 1995.

Regulatory Tiers (PRC 43020 & 43021)

In November 1994, the CIWMB adopted regulations which establish a five-tier flexible regulatory structure for solid waste operations and facilities. The purpose of designing a tiered regulatory structure is to establish a flexible system for the oversight of solid waste operations and facilities. The new system will allow for a streamlined permit and application review process which is commensurate with the level of threat that various facilities and operations pose to public health and safety and the environment. The CIWMB took action because existing regulatory requirements were not adequate for the wide range of solid waste handling operations that currently exist in California. These regulations are just one aspect of the CIWMB's efforts to implement permit streamlining.

The adopted regulations represent the framework of the tiers and do not discuss applicability of any given tier to a particular facility or operation. The CIWMB will initiate a separate rulemaking process to determine where specific operation and/or facility types will be placed. Placement will address other State/Federal agency oversight and the threat that the operation and/or facility may pose to public health and safety and the environment, as well as legislative intent. To facilitate the placement of operations into the regulatory tiers, the CIWMB, with the assistance of a public advisory committee, is developing a general methodology.

The Appropriate Level of Regulatory Control project is the second phase of implementing the flexible regulatory structure. CIWMB staff are working with an advisory committee comprised of representatives of industry, academia, environmental groups, and regulators to establish a general methodology based on public health and safety and potential environmental quality impacts associated with solid waste operations. Once the general methodology is in place, CIWMB staff, with the assistance of the advisory committee, will begin the rulemaking process for placement of operations into the tiers. Draft minimum standards will also be developed for the safe performance of these operations and/or facilities.

Waste Characterization Methodology Development

The CIWMB is required to develop a uniform waste characterization method [Public Resources Code (PRC) Section 41770(b)] for jurisdictions to use in conducting studies to determine the types and amounts of materials they dispose. The process will include developing standard definitions for all material types to be used in future characterization studies and reports of diversion activities. The waste characterization project has three phases: a research phase to identify possible methods; a method development phase to evaluate and select a proposed method, with input and advice from a working group made up of local government and solid waste industry representatives; and a testing and method refinement phase based on the test results. The research phase was largely completed in 1994, and the evaluation and testing of the proposed method will take place in the first half of 1995. The uniform characterization method will be as standardized and simplified as possible for local jurisdictions to use. Data generated will be added to the CIWMB's Interim Database, and will enhance its accuracy and usefulness. Resulting data from individual jurisdictions can be used by local governments and by the CIWMB at a statewide level to assess the success of existing diversion programs and plan new or expanded programs as needed. The data also will be useful in assessing market development as well as research and technology development needs.

C. PROTECTING PUBLIC HEALTH AND SAFETY AND THE ENVIRONMENT

Composting Regulations, Enforcement, Inspection

Composting creates a useful soil amendment from organic materials which all too often are wasted by disposal in a municipal landfill. In 1991, CIWMB staff began the process to develop regulations for the permitting of composting facilities in a manner that protects public health and the environment, yet does not impose unreasonable burdens on the operators of composting facilities. In July 1993, the first phase was completed when the regulations for composting of "green material" were approved by the Office of Administrative Law. In the second phase, CIWMB staff have been developing regulations for composting of other feedstocks including food material, mixed solid waste, and sewage sludge. After extensive public comment, the draft regulations have been amended to provide for a tiered approach in which the level of regulation varies with the feedstock and the size of the facility. The CIWMB anticipates that the second phase of the composting rulemaking will be adopted in early 1995.

Regulation of Asbestos-Containing Waste at Solid Waste Facilities and Disposal Sites

As early as 1991, asbestos-containing waste (ACW) was identified as an area where regulatory streamlining, specifically permitting and inspection, could occur. ACW is defined as a hazardous waste when it contains greater than one percent asbestos in a friable, finely divided, or powdered state (Section 66261.24 of Title 22, CCR). The waste may be disposed at any landfill if the Regional Water Quality Control Board allows disposal through their Waste Discharge Requirements and if the waste is handled and disposed according to the Toxic Substance Control Act (Health and Safety Code, Section 25143.7). The Department of Toxic Substances Control (DTSC) had regulatory authority over the friable ACW waste stream, a hazardous waste stream, while the CIWMB had regulatory authority over all solid waste facilities.

With the passage of AB 688 by Assembly member Sher (Chapter 1227, Statutes of 1994) the CIWMB obtained authority to regulate disposal of ACW at any solid waste facility or disposal site. The CIWMB will adopt a permitting, inspection, and enforcement program to provide

Appendix A
LEGISLATIVELY- MANDATED REPORTS
Highlights and Activities

Partnerships with Local Government and Industry

Due Date and Status	Mandate	Summary	Highlights
3/31/95 (Annual Report) On schedule	PRC 40507(i) (Chaptered-out provisions of SB 2061, Leslie, 1992 -- AB 54, Sher, 1993)	Report on recommendations for providing technical assistance to rural counties and cities	The Office of Local Assistance (OLA) will continue to provide guidance and technical support to rural jurisdictions in the preparation and implementation of waste diversion plans. OLA should increase its efforts to facilitate the exchange of information between local government, the public and businesses through workshops and field consultation. Efforts should focus on diversion opportunities that create local jobs and save local governments money.
3/31/95 (Annual Report) On schedule *Additional appendices under separate cover on file at the CIWMB* *Report title:*	PRC 40507(h) (AB 2494, Sher, 1992)	Report annually on effectiveness of the model siting element & CIWMP, model programs & materials designed to assist rural jurisdictions	A number of jurisdictions have used the models, and as a result, have been able to avoid hiring expensive consultants. These jurisdictions have saved a significant amount of time and money. The Board also prepared and distributed *The Rural Cookbook*, a compendium of successful waste prevention and diversion programs throughout the United States. This document will save jurisdictions time and money by allowing them to avoid "reinventing the wheel." The models and the *Cookbook* have been very well received by local governments.
Unspecified The Board adopted *Part One: Initial Response Procedures* for its *Disaster Response Plan* on 7/27/94. The Board will complete *Part Two: Disaster Debris Management* by early 1995.	PRC 43035 (AB 2920, Lee, 1992)--1 time	Develop an IWM disaster plan to provide for the handling, storage, processing, transportation, diversion from disposal sites, or disposal at a disposal site where absolutely necessary, of solid waste, resulting from a state of emergency or local emergency	The Plan provides guidance to local governments in the preparation of local plans for the diversion of debris in the event of a natural disaster or emergency. The Board is also preparing regulations so that landfills may exempt themselves from daily permit limits in the event of a disaster. These will be completed in 1995.

Due Date and Status	Mandate	Summary	Highlights
1/01/95 Approved by the Board on 12/16/94	PRC 41821(e) (AB 440, Sher, 1993) -- 1 time	Report summary of jurisdictions' reports on their progress in achieving diversion requirements.	This report provides a snapshot in time and concludes that jurisdictions are on track to achieve the 25% diversion goal.

Waste Prevention

Due Date and Status	Mandate	Summary	Highlights
3/31/95 (Annual Report) On schedule	PRC 40507(h) (AB 2494, Sher, 1992)	Report annually on effectiveness of the source reduction program assistance	In 1994, the CIWMB embarked on several projects designed to assist local governments in educating businesses in their communities about waste reduction: • see section II.A for discussion of the second annual Waste Reduction Awards Program, • see section II.B for discussion of Business Kits, • see section II.B for discussion of the Waste Prevention Information Exchange, and • see section II.B for discussion of the Grasscycling program.
1/01/95 Approved by the Board in 9/94.	Uncodified (AB 2393, Cortese, 1992)--1 time	Study heavy metals in packaging that effect waste disposal.	Conclusions in the report include: • Heavy metals in packaging and other waste components disposed in landfills do not currently constitute a significant threat to groundwater, based on the State Water Resources Control Board's landfill leachate monitoring program results. • Although incinerator ash may, on occasion, exceed hazardous waste regulatory limits for heavy metals, no study has demonstrated that heavy metals in packaging are the cause. • Recommendations include: • Continued MSW landfill leachate monitoring. • Encouragement of additional voluntary reductions by manufacturers of heavy metals in packaging.

Markets

Due Date and Status	Mandate	Summary	Highlights
3/31/95 (Annual Report) price preferences were approved by the Board in 4/94	PCC 12162(c)(1) (AB 11, Eastin, 1993)	Publish annually the established price preferences for priority recycled products	See section II.C for discussion of the Public Agency Buy-Recycled Program.
3/31/96 (Annual Report) On schedule	PCC 12162(e) (AB 11, Eastin, 1993)--1 time	Report on pilot program for funding claims submitted by state agencies for providing recycled product price preferences and make recommendations for the continuation or modification of the program	See section II.C for discussion of the Public Agency Buy-Recycled Program.
3/31/95 (Annual Report) On schedule	PRC 42247 (SB 1322, Bergeson, 1989)	Report annually on implementation of the Compost Market Program.	See section II.C for discussion of the AB 1220 Market Development Project Results
3/31/95 (Annual Report) On schedule *Additional appendices under separate cover on file at the CIWMB* *Report title:*	PRC 42008 (AB 1909, O'Connell, 1993)	Report progress in developing and implementing the market development plan	The Board has begun implementing 7 of the 16 priority actions in the Market Development Plan: 1. Promote "Buy Recycled" by Local and State Governments and Private Industry; 2. Consider low interest loans for equipment and projects; 3. Develop a Marketing Information Database; 4. Set minimum content standards (RPPC); 5. Promote Government Procurement of Recycled Products; 6. Create Industry Advisory Task Forces; and 7. Develop Quality Standards for Compost.
3/31/95 (Annual Report) On schedule	PRC 40507(h) (AB 2494, Sher, 1992)	Report annually on effectiveness of market development assistance	Information included in the report prepared pursuant to PRC 42008. See above.
3/31/95 (Annual Report) On schedule	PRC 40507 (d) (AB 1515, Sher, 1991)	Review market development strategies undertaken to ensure markets exist for materials diverted from solid waste facilities.	The Board has begun implementing 7 of the 16 priority actions in the Market Development Plan. In addition, using AB 1220 funds, five compost demonstration projects have been funded and are underway. See section II.C for discussion of the Compost

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3/31/95 (Annual Report) On schedule	PRC 42000(e) (AB 1909, O'Connell, 1993)	Review market development strategies and make recommendations to expand markets	Demonstration Project.
3/31/95 (Annual Report) DGS continues to have difficulty in providing Board staff with procurement information. due to limited staff resources and the Speier/Eppel bills. However, since May 1994, Board staff has been gathering procurement information from existing state contracts and now has successfully tabulated FY 1993-94 dollar purchases for recycled lead-acid batteries. Board staff will continue efforts to tabulate the total number purchased. 12/5/94 submitted	PRC 42443	Report annually on number of recycled lead-acid batteries purchased by DGS.	During FY 1993-94, DGS purchased 8,790 storage batteries which are made from recycled-content materials.
3/31/95 (Annual Report) On schedule *Additional appendices under separate cover on file at the CIWMB* *Report title:*	PRC 42650 (b) (SB 1322, Bergeson, 1989)	Report annually on results of research and development programs.	See section II.F for discussion of Solid Waste Facility Management Research -- *Aspergillus* technical bulletin and medical waste survey.

3/31/93 submitted 7/05/94	PRC 42324 (SB 235, Hart, 1991)	Report on a plan for implementing the Rigid Plastic Packaging Containers program	The *Conceptual Plan to Implement the Rigid Plastic Packaging Container Act* clarifies which manufacturers are affected by the program and presents options for certification, compliance, program funding, and exemption criteria.
1/01/95 Considered by the Board in 12/94.	PRC 42340(d) (SB 466 Boatwright, 1993)-1 time	Report on whether to continue the exemption of rigid plastic pkg. containers for use in shipment of hazardous materials	The Board agreed the exemption should be extended.
3/31/96 On schedule	PRC 42145(f) (SB 1322, 1989, Bergeson)--1 time Recodified to PRC 42010(f) (as part of annual report)--1 time (AB 1909, O'Connell, 1993)	Report on the RMDZ loan program	Data collection ongoing. Data include loan amounts, quantities and types of diverted materials, and numbers of jobs saved or created. See section II.C for discussion of the RMDZ Program. See also section III for discussion of local government program highlights.
7/01/94 Approved by the Board on 12/14/94.	PRC 42776 (AB 1305, 1989, Killea)--1 time	Report and survey on recycled content papers	The report recognized substantial opportunities existed to significantly expand the markets for recycled content printing and writing papers, especially in the private sectors. Recycled paper procurement will become a priority consideration in the Board's Private Buy Recycled Program.
3/31/95 (Annual Report) On schedule	PRC 40507(g) (AB 939, Sher , 1989)	Requires annual report to include review of Revenue and Taxation Code pertaining to tax credits and deductions	As of December 1, 1994, the estimated allowable credit for approved equipment was $13.8 million; approved applicants estimated they would use 6.3 million tons of secondary and postconsumer material annually. CIWMB received 193 applications, certified 142, denied 29, with 22 applications pending.
3/01/94 Approved by the Board in 1/94.	RTC 17052.14(j) RTC 23612.5(j) (AB 1308, 1989, Killea)--1 time (SB 432, 1989, Alquist)	Evaluation of recycling investment tax credits	Report concluded that the tax credit had not been a significant incentive to expand secondary material recycling, due primarily to mandates surrounding the program's implementation and the short time the tax credit had been available. The report recommended tax credits for recycling equipment be continued. Governor's Office has requested additional analysis and resubmittal in early 1995.

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1/01/94 Approved by the Board 12/93.	Uncodified (SB 960, 1991, Hart). SB 1919, Hart, 1992, extends due date to 1/1/94--1 time	Recommendations for recycling mixed paper waste	Report concluded that there is relatively little demand for mixed paper by paper mills due to a variety of barriers. Report recommended that the Board consider actions to: 1. increase market demand for mixed paper recovered in California; 2. increase demand for recycled-content products made with mixed paper; 3. promote the development of efficient local mixed paper diversion systems; and 4. promote the long-term competitiveness of mixed paper collection and end-use.
3/31/95 (Annual Report)	PRC 42414 (SB 1322, Bergeson, 1989)	Report annually on state procurement of retreaded tires	DGS is unable to locate a vendor that will sell passenger retreaded tires listed on the federal Qualified Products List. In June 1994, the Board awarded four grants to the retread tire industry for market development in California of passenger retreads. The result of a grant to qualify a retreader's passenger tire on the QPL is pending.
5/01/95 Plan to go to the 1/95 Policy, Research, and Technical Assistance Committee	PRC 42884 (AB 1843, 1989, W. Brown)	Report annually on tire diversion	See section II.D for a discussion of waste tire diversion. *1994 Tire Recycling Program Annual Report* to be submitted under separate cover.

3/31/95 (Annual Report)	PRC 42520 (AB 1515, 1991, Sher)	Report annually on plastics recycling information clearinghouse	The PRIC provides information to anyone seeking information related to plastics recycling. This includes: developing and providing information on postconsumer plastic collectors, reclaimers, and manufacturers; providing research services; compiling a selective bibliography of periodical articles, books, directories, and reports on plastics recycling; updating market, legislative, and technical information. Many phone and written inquiries were handled. The 1994 PRIC activities were more varied than in previous years, suggesting an increased interest for recycling plastics. New topics included identifying specialized plastic recycling programs such as disposable cameras, videotapes, metalized plastic film, and other composite materials.

Diversion

Due Date and Status	Mandate	Summary	Highlights
1/01/94 Approved by the Board 3/94.	PCC 12165(b) (AB 4, Eastin, 1989)	Re-evaluate collection program by 1/01/94, and upon Board determination to exclude a specified material type from the program that results in a net revenue loss to the state, report conclusions and recommendations to the Legislature	• The number of recycling programs increased from 343 to 529 (an increase of 54 percent) including programs at prisons, universities, hospitals, parks, and offices. • Over 2,600 twenty-gallon metal recycling containers and 21,500 cardboard desktop recycling containers were provided. • Two waste paper collection contracts were issued. • 40,000 plastic file boxes were reused. • Milk carton and laser toner cartridge collection programs were developed.
3/31/95 (Annual Report) On schedule *Additional appendices under separate cover on file at the CIWMB* *Report title:*	PRC 42563 (AB 1515, Sher, 1991)	Report annually on implementation of white office paper recovery program.	Data on amounts of waste paper collected for recycling will not be available until early February 1995.
5/28/94 Report was approved by the Board 1/01/96 On schedule 1/1/2000 On schedule	PRC 42552-42556 (SB 1066, 1991, Dills)	Study on recyclability of telephone directories	• 95% of all OTDs published for California follow YPPA environmental guidelines and are made with recycled materials and are completely recyclable. • Of the 28,000 tons OTDs published for California, 3,600 tons or 13% are recycled. • Markets for OTDs include new directory paper, hydroseed mulch, insulation, ceiling tiles, livestock bedding, fruit pads, and shipping envelopes. • Barriers to effective collection and recycling of OTDs include: inconsistent or cyclical supply; difficulty in organizing effective collection programs concurrent with distribution of new editions; lack of funds, high transportation and handling costs; and weak recycling markets for collected OTDs.

3/31/95 (Annual Report) On schedule--biannual report approved by the Board 10\94.	PRC 48676 (AB 2076, 1991, Sher)	Report biannually on industrial and lubricating oil sales and recycling rates	See section II.D for a discussion of the Used Oil Program.
3/31/93 submitted 07/94	PRC 3488 (SB 1200, 1990, Petris)	Used oil collection report	In 1992, the Board awarded 19 grants to cities and counties totaling $840,057 to administer a used oil demonstration grant program designed to encourage the establishment of public used oil curbside collection programs. The grant program was funded by fees from the Petroleum Violation Escrow Account. A final report was submitted to the Legislature in July 1994 with the following recommendations. • Incorporate an aggressive public education campaign with curbside oil collection programs. • Incorporate curbside oil collection programs into existing curbside recyclables collection programs or garbage collection routes. • Provide curbside collection of oil on an appointment basis as an alternative to regular collection services. • Collect oil filters as part of the curbside collection program. • Curbside oil collection programs should register with the Board. • Continue to award grant funding to local governments. • Encourage rural areas to incorporate the appointment type of system for oil collection programs.

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3/31/95 (Annual Report) 3/31/94 Approved by the Board in 9/94. *Additional appendices under separate cover on file at the CIWMB* *Report title:*	PRC 42512 (AB 1515, 1991, Sher)	Report annually on nonyard wood waste diversion	The CIWMB in consultation with the Air Resources Board is required to quantify the amounts of nonyard wood waste diverted from permitted disposal facilities and assess the economic and environmental impact of either encouraging or discouraging diversion from these facilities. Conclusions in the report include the following: • Data currently available on nonyard wood waste quantities is both scarce, and when available, contradicting. • CIWMB's encouragement or discouragement of the diversion of nonyard wood waste from permitted disposal facilities would have a minimal impact on the environment or the economy of the wood waste industry as a whole. There are greater economic and environmental consequences resulting from direct market forces that the CIWMB would have little influence upon. Site-specific exceptions may exist. • The nonyard woodwaste report recommends that the CIWMB encourage all types of diversion and assist new markets for wood wastes.

Public perceptions & practices

Due Date and Status	Mandate	Summary	Highlights
3/31/95 (Annual Report) On schedule	PRC 42603 (b) (AB 1515, 1991, Sher)	Report annually on teacher training and IWM program in schools	See section II.A for discussion of K-12 teacher training and school programs. Five regional (Fresno, Los Angeles, Riverside, Humboldt, and Alameda Counties) K-6 teacher training workshops have been conducted. The focus of the workshops was to train educators to utilize *Closing The Loop* in their classrooms.
3/31/95 (Annual Report) On schedule	PRC 40507(e) (AB 939, Sher, 1989)	Requires annual report to include actions taken and recommendations to educate and inform the public and private sector.	See discussion below.
3/31/95 (Annual Report) On schedule	PRC 42601 (AB 1515, 1991, Sher)	Report annually on measurement of public information program effectiveness.	Three methods of waste prevention education effectiveness are being implemented in 1994 and 1995: 1. pre- and post-campaign statewide telephone survey; 2. pre- and post-campaign targeted waste audits in selected communities; and 3. self-evaluations of waste prevention education partners.

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3/31/95 (Annual Report) On schedule	PRC 42623 (AB 1381, Areias, 1991)	Report annually on status and effectiveness of school district source reduction & recycling programs	The Board developed two guides for school districts and local governments: 1. *$eeing Green Through Waste Prevention* and 2. *A District-wide Approach To Recycling*. See section II.A for discussion of K-12 teacher training and school programs. Three regional training workshops were held in southern and northern California. The workshops provided a networking opportunity for school districts, local governments, and industry. Model school district programs were highlighted. Topics covered at the workshop included: initial organizing and identifying key players, dealing with haulers and hauling logistics, conducting waste audits and site visits, identifying markets for recyclables, developing a district implementation plan, and maintaining the program.

Regulations & Solid Waste Facility Management

Due Date and Status	Mandate	Summary	Highlights
3/31/95 (Annual Report) On schedule *Additional appendices under separate cover on file at the CIWMB* *Report title:*	PRC 43221 (AB 1220, Eastin, 1993)	Report annually on the status of the certification and evaluation of LEAs.	See section II.F for discussion of Local Enforcement Agency Certification and Performance Evaluations.
3/31/95 (Annual Report) On schedule	PRC 43030 (d) (AB 4032, 1990, Harvey)	Report annually on implementation of monitoring and control program for the subsurface migration of landfill gas.	1. Established Landfill Gas Technologies Group. 2. Will develop improved approaches to managing landfill gas. 3. Developing revised regulations for the design and operation of landfill gas monitoring systems and new regulations for landfill gas control systems. 4. Staff working on improving coordination with the Air Resources Board and local Air Pollution Control Districts on landfill gas issues.
1/01/95 Approved by the Board on 12/14/94.	PRC 43501.5(a) (AB 337, Statham, 1993)--1 time	Report results of study to determine reasonable and necessary closure/ postclosure maintenance requirement for Class III landfills	Conclusions in the report include the following: • Closure costs per acre of landfill closed depend much more on the size of the landfill than on the population of the county. The common method of paying for closure, tipping fees, is similar regardless of the population of the county. • The burden of closure is heavier on less populated counties because fewer rate payers are available to bear the costs of closure. • Due to the requirements of the federal regulations governing municipal solid waste landfills, less populated counties can be granted little relief from closure requirements.
3/31/95 (Annual Report) On schedule	PRC 48022 (AB 2136, Eastin, 1993) -- 1 time	Report on pilot program for solid waste disposal site cleanup.	See section II.F for discussion of Solid Waste Disposal and Codisposal Cleanup Program.

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Organizational Leadership

Due Date and Status	Mandate	Summary	Highlights
12/31/98 On schedule	HSC 57000(c) (as part of the budget process) (SB 1082, Calderon, 1993)	Report annually on performance objectives and quality improvement of environmental protection programs.	Assigned to Permitting and Enforcement Division.
3/31/95 (Annual Report) On schedule	PRC 40507 (a)(b)(c)(d)(e)(g)(h) (AB 1515, Sher, 1991)	File an annual report with the Legislature.	See Executive Summary.
3/31/95 (Annual Report) Interagency with Dept. of Finance--Results will be reported of audit of fees paid for April '93 - April '94. *Additional appendices under separate cover on file at the CIWMB* *Report title:*	PRC 48657 (AB 2076, Sher, 1991)	Conduct annual audit of entities selling lubricating oil.	The Department of Finance is conducting the annual audit of the Used Oil Recycling program with a completion date of mid December. A report with opinions on the findings will be produced in early 1995.
1/01/95 Approved by the Board in 11/94.	Supplemental Report of the 1994 Budget Act	Provide 5-year revenue and expenditure projections, alternative funding mechanisms, and program reductions which could address any potential shortfall.	There are no recommendations or policy changes included in the report.

APPENDIX B: PUBLICATIONS LIST

To order publications, or to receive an up-to-date publications list, call the Board's Hotline at 800-553-2962 (unless otherwise noted on this list). Please have the publication name number (if listed) ready. If you have a large order, please mail the request to:

Hotline Coordinator, Office of Public Affairs
California Integrated Management Board
8800 Cal Center Drive
Sacramento, CA 95826

General

1991 Annual Report
1992 Annual Report
1993 Annual Report, 600-94-001
1994 Annual Report, 520-95-001
California Integrated Waste Management Statutes (updated yearly)
CIWMB Strategic Plan
A Comprehensive Plan for Management of Nonhazardous Waste in California
Meeting Solid Waste Diversion Mandates: A Status Report to the Legislature, 300-94-005
News-at-a-Glance (one-page monthly summary)
Resource Guide to Integrated Waste Management
Science & Technology Research Priorities for Waste Management in California (Call Secondary Materials Compliance & Technology Branch @ 255-2429)
Summary of State and Federal Legislation (updated yearly)

Business Assistance

California Materials Exchange (CalMAX): Materials Exchange for Business Reuse and Recycling (brochure)
Business Assistance: An Overview of Programs from the CIWMB (fact sheet), 442-95-017
Business Reuse and Recycle Catalog - CalMAX (bimonthly materials exchange catalog, call CalMAX @ 255-2369 for latest issue)
User's Guide to the CalMAX Program (Call CalMAX @ 255-2369), 500-94-018
Business Kit Fact Sheets:

- Creating a Paper Reduction Campaign, 500-94-034
- Definitions, 500-94-039
- Encouraging Top Management to Support Waste Reduction Efforts, 500-94-035
- Environmental Policies for Business, 500-94-037
- Food Service Waste Reduction - Tips and Ideas, 500-94-027
- Materials Exchange, 500-94-040
- Motivating Employees to Change Old Habits, 500-94-036
- Purchasing for Waste Reduction, 500-94-030
- Purchasing Recycled Products, 500-94-031
- Reducing Waste in Property Management, 500-94-032
- Use Less Packaging and Reduce Waste, 500-94-038
- Waste Reduction Opportunities in the Landscape Industry, 500-94-043
- Waste Reduction Ideas for Meetings and Conferences, 500-94-033
- Waste Reduction at Retail Stores, 500-94-026
- Waste Prevention in the Printing Industry, 500-94-041

Waste Reduction in Hotels and Motels, 500-94-029
Waste Reduction Ideas for Offices, 500-94-028
Waste Reduction Activities for Hospitals, 500-94-042
Case Study: Eat Your Vegetables, 500-94-055
Don't Throw Your Profits Out With the Trash (fact sheet)
Food for Thought, Restaurant Guide to Waste Prevention And Recycling (Spanish, English, Chinese)
Local Governments Can Help Businesses Prevent Waste, 441-95-009
Preferred Packaging Procurement Guidelines, 500-94-023
Procurement Tips for Waste Prevention*
R-TEAM: Helping Businesses Profit Through Recycled-Content Manufacturing (brochure), 400-94-007
Recycled Products Procurement*
Recycling in Business (brochure)*
Reduce, Reuse, Recycle - It's Good Business! A Guide for California Businesses, 500-94-004

Waste Reduction for Business and Industry (brochure), 500-94-013

Composting & Organics
Backyard Composting, Your Complete Guide to Recycling Yard Clippings
(book, $4.00 each or $2.00 each for minimum order of 80)
Choosing a Compost Bin for You and Your Community (booklet), 442-95-008
Co-management of Municipal Solid Waste and Wastewater Treatment Plant Sludges Using an Anaerobic Composting Process, 431-95-016
Compost Demonstrations Initiated (fact sheet), 422-95-010
Compost Makes Soil Sense (fact sheet), 422-95-011
Composting: Nature's Way to Recycle (booklet) 500-94-014; fact sheet format, 500-94-048; Spanish version, 500-94-049
Turn Your Garden Trimmings Into Soil Conditioner (Sunset magazine reprint, 1 page)
Market Status Report: Compost
Action Plan: Compostables
Reports on Composting (fact sheet)*
Compost Market Development: A Literature Review
Compost Field Experiment Guide for California Communities
Santa Barbara County Preliminary Compost Market Assessment
Christmas Tree Recycling Guide, 304-92-001
Grasscycling: Send Your Grass Back to It's Roots (brochure), 500-94-007; Spanish version, 500-94-001
Wood Waste Processing Facilities List
Wood Waste: How to Keep Wood Waste Out of the Landfill (booklet) 500-94-017
Nonyard Wood Waste (report), 500-94-045
Worms (brochure on worm composting) 500-94-003; fact sheet format, 500-94-047

Construction & Demolition
Recycled Content Construction Products
Construction & Demolition Debris Recycling Program (fact sheet)
Construction/Demolition Recycling Businesses - Receivers & Processors

Diversion
Encouraging Commercial Sector Participation In Waste Diversion Programs, An Interactive, Half-day Videoconference, Resource Manual
Waste Diversion in Rural California

Economics
Beyond the Decision: Unit Pricing System Design and Implementation, 100-93-003
California's Incentive for Production of Virgin and Secondary Materials, 503-93-002
Disposal Cost Fee Study: Final Report
Facility Cost Model Workbook, 600-94-002
Fee System Options to Support Integrated Waste Management
Financial Assistance Available - Grants Section (brochure), 400-94-003
Manufacturer Responsibility Options to Support Integrated Waste Management
Pay as You Throw (fact sheet), 100-93-002
Recycling Equipment Tax Credit Report (Call Secondary Materials Assistance Branch @ 255-2406)
Regulatory Fee and Program Overlap Report
Resource Guide to Unit Pricing for Solid Waste: Case Studies and References, 100-93-004
Rural Solid Waste Facility and Transportation Costs, 600-94-003
Tradable Credit Applications to Integrated Waste Management
Unit Pricing for Solid Waste: An Introduction for Decision Makers, 100-93-001

Household Hazardous Waste
Household Battery Waste Management Study, P402-92-001
Household Hazardous Waste Fact Sheets (Spanish, English)
- Aerosols
- Antifreeze
- Household Hazardous Waste
- Latex Paint
- Lead-Acid Batteries
- Oil-based Paint
- Used Oil

Warning: The Hazards of Household Wastes (brochure)

Local Government Assistance
Conversion Factors for Individual Material Types
How to Prepare a Siting Element, 300-94-003
How to Prepare a Summary Plan, 300-94-004
Infocycling: Information-sharing Memo for Local Government (newsletter)
The Rural Cookbook: Recipes for Successful Waste Prevention and Diversion Programs ($20, call the Office of Local Assistance @ 255-2555), 300-94-002
Solid Waste Management Permit & Regulatory Reform (ongoing)*

Markets for Recycled Products
California Guides to Products With Recycled Content, 1992
Closing the Loop: Market Development Assistance Program (brochure)
Compendium of Comments Received Regarding Emerging Markets Development Options Series
Emerging Market Development Options: Summary Report
Emerging Issues: Global Agreements; Analysis of Emerging Market Development Options
Landfill Mining Feasibility Study (Call Markets Research & Development Branch @ 255-2429)
Markets for Waste Materials (brochure), 400-94-002
Market Status Report: Ferrous Scrap Metal Market
Action Plan: Ferrous Metal
Market Status Report: Glass
Action Plan: Glass
Market Status Report: Pavement
Action Plan: Pavement

Markets Implications of Correctional Resource Recovery Facility Separated Materials, 431-95-013
Meeting the Challenge: A Market Development Plan for California 303-93-001
Most Frequently Asked Questions About Market Development, (fact sheet)
Quarterly Reports on California Recycling Market, April-September 1991
Recycling Market Development Zone: Application Handbook (yearly) 400-94-005
Recycling Market Development Zone: Program Overview
Recycling Market Development Zones (brochure) 400-94-010
Recycling Market Development Zone News (newsletter)
Zone Administrators Contact List
Secondary Materials Market Assessment Study (Call Market Analysis & Services @ 255-2406)
State Markets for Correctional Resource Recovery Facility Materials, 431-95-014

Paper
1994 Recycled Content Newsprint Quality Standards
Environmental Factors for Recycled Paper Manufacturing, 400-94-013
Market Status Report: Waste Paper
Action Plan: Waste Paper
Paper Recycling Handbook for Office Recycling Coordinators

Plastics
California Directory of Plastic Reprocessors and Brokers
Market Status Report: Plastics
Action Plan: Plastics
Plastics: Waste Management Alternatives
Rigid Plastic Packaging Container Report

Recycling
Issues in Correctional Resource Recovery Facility Implementation, 431-95-015
Project Recycle (brochure)
Recycling Standards Development Program (fact sheet)
Recycling: No Time to Waste (brochure), 500-94-011; Spanish version, 500-94-050
SB 235: Recycling Rate Report
Telephone Directory Recycling Materials Study, 500-94-052

Schools/Education
Closing the Loop: Integrated Waste Management Activities for School and Home (call Public Education & Assistance @ 255-2296), 500-94-005
Compendium for Integrated Waste Management, 502-93-001
A District-wide Approach to Recycling (Call Public Education & Assistance @ 255-2296), 500-94-009
Reusable School Newsletter (Fall & spring editions, call Public Education & Assistance @ 255-2296 for latest or back issues.)
Resource Listing of Agencies/Organizations Providing Assistance to School Districts Implementing Recycling Programs (Call Public Education & Assistance @ 255-2296)
Safe House, Safe Me! Household Hazardous Waste Coloring Book, 500-94-046
Seeing Green Through Waste Prevention: A Waste Prevention Guide for School Districts (Call Public Education & Assistance @ 255-2296), 504-94-010

Solid Waste Facilities

Active Landfills ("SWIS LIST") ($19, call Facility Files Section @ 255-2248)

Financial Assurances Bulletins

- No. 1: Amount of Required Coverage/Funding Formulas 200-94-009
- No. 2: Recordkeeping and Reporting Requirements 200-94-014

Joint Report: Reforming the California Solid Waste Disposal Regulatory Process, 504-93-001

Landfill Gas Characterization

LEA Advisories

- No. 1: Asbestos-containing Waste Disposal, 200-92-001
- No. 2: '92 Legislation Impacts Existing Waste Programs, 200-93-001
- No. 3: Site Investigation process for Investigating Closed, Illegal, and Abandoned Disposal Sites, 200-93-002
- No. 4: Permitting of Fuel-contaminated Soils Treatment/Processing Facilities, 200-93-003
- No. 5 :Use of Nonhazardous Contaminated Soil as Daily Cover, 200-93-004
- No. 6: Aspergillus, Aspergillosis, and Composting Operations in California, 200-93-005
- No. 7: Subtitle D Questions and Answers, 200-93-006
- No. 8: General Guidance for Implementing AB 1220 in the Regulation of Solid Waste Disposal Sites (revised 6/24/94 - replaces 1/94 version), 200-94-001
- No. 9: Solid Waste Ranking System User Guide: Site Investigation Process (SIP) PART II, 200-94-002
- No. 10: Procedural Change in Approving Alternative Cover Demonstration Projects Using Geosynthetic Blankets, 200-94-003
- No. 11: Metallic Discards Management 200-94-004
- No. 12: Permitting of Nontraditional Facilities 200-94-005
- No. 13: Wood Waste Landfills 200-94-006
- No. 14: Revised Policy & Procedures for Maintaining the Inventory of Solid Waste Facilities Which Violate State Minimum Standards 200-94-007
- No. 15: Completion of Solid Waste Information System Inspection Reports for Disposal Sites and Transfer Stations 200-94-008
- No. 16: Clean Closure 200-94-010
- No. 17: Nuisance Dumping 200-94-011
- No.18: Permitting and Enforcement at Composting Facilities 200-94-012
- No.19: Streamlining the Approval of Alternative Daily Cover Demonstration Projects Using Green Material 200-94-013

LEA Evaluation Procedure

MRFs: Policy, Planning, and Design Resource Manual

Permit Desk Manual (Call Permits Branch @ 255-2453)

Procedural Guidance Manual for Sanitary Landfills

- Vol. I: Landfill Leachate Monitoring and Control Systems (and Appendices)
- Vol. II: Landfill Gas Monitoring and Control Systems

Reaching the Limit: An Interim Report of Landfill Capacity in April 1992, 301-92-001

Special Wastes

Metallic Discards Management Plan & Appendices, 500-93-001

Appliance Recycling (fact sheet)*

Medical Waste Issues Study, 500-94-016

Appliance Recycling Guide: A Guide for Solid Waste Facilities, 500-94-022

Heavy Metals in Packaging (report), 500-94-044

Tires
California Waste Tire Recycling Guide, 400-94-010
Market Status Report: Tires
Action Plan: Tires
Meeting California's Waste Tire Challenge (fact sheet), 400-94-012
Tires as a Fuel Supplement: A Feasibility Study

Used Oil
Become the Center of Attention - It's Good for You and Your Community (brochure, call Used Oil/HHW Branch @ 255-2891)
Used Oil Fact Sheets
- Money Available for Collecting Used Oil
- California Oil Recycling Enhancement Act
- Attention: Generators of Used Oil
- Frequently Asked Questions by Generators of Used Oil
- Procedures for Preventing Acceptance of Contaminated Used Lubricating Oil

Used Oil Recycling Rates Semiannual Report (Call Used Oil/HHW Branch @ 255-2891), 500-94-054

Waste Reduction
A Guide for Leaving Less Behind for the Future: Reduce, Reuse, Recycle
No Waste Gift-giving Ideas (fact sheet) 500-94-053
Precyclin', Rx for Living, Reduce, Reuse, Recycle (fact sheet)
Statewide Waste Prevention Plan (Call Waste Prevention Program Development @ 255-2354)
State Initiatives in Waste Prevention
Waste Prevention Ideas (fact sheet), 500-94-008
Waste Prevention: Stopping Waste at the Start (brochure), 500-94-012; Spanish version, 500-94-051.

APPENDIX C: 1993-1994 LEGISLATIVE SESSION FINAL STATUS OF PRIORITY BILLS

Bill No: **AB 314 (Sher)***
Subject: **Environmental Quality**

Clarifies that public agency contracts for the preparation of specified environmental documents must be executed within 45 days from the date on which the state environmental impact report (EIR) is required; prohibits the use of a master EIR if approval of a project that was not described in the report may affect the adequacy of the environmental review in the report for any subsequent project; specifies that periods for judicial challenge of the California Environmental Quality Act (CEQA) compliance commence when notice is sent to those who request it; and adds a provision that permits severance of CEQA cases when appropriate. Contains an urgency clause.

Chapter 1294, Statutes of 1994. Effective October 1, 1994.

CIWMB Position: 7/27/94 - Support

Bill No: **AB 688 (Sher)**
Subject: **Planning and Diversion Requirements**

Authorizes the CIWMB to conditionally approve integrated waste management plans and their elements, and clarifies circumstances under which the CIWMB is, or is not, to impose penalties for failure to comply with planning and diversion mandates. Includes various provisions to assist rural jurisdictions in meeting the planning and diversion mandates of the Integrated Waste Management Act. Excludes "biomass conversion" from the definition of transformation and allows a jurisdiction to obtain a 10% credit toward meeting the 50% by 2000 diversion requirement through biomass conversion. Authorizes the CIWMB to reduce the diversion requirements for a jurisdiction which hosts a regional medical waste treatment facility if certain conditions are met. Requires the CIWMB to regulate the disposal of asbestos containing waste at solid waste facilities. Makes clarifying changes to the rigid plastic packaging container program administered by the CIWMB.

Chapter 1227, Statutes of 1994.

CIWMB Position: 7/27/94 - Support

Bill No: **AB 783 (Polanco)**
Subject: **Public Utilities: Economic Development**

Authorizes the Public Utilities Commission (PUC) to approve utility economic development programs in recycling market development zones as well as in enterprise zones and economic incentive areas. Allows utilities to recover in rates economic development program expenses in cases where the utility demonstrates that ratepayers of the public utility will derive a benefit from those programs. This is an urgency measure. (Note: AB 783 was originally introduced in 1993 by then-Assemblyman Peace; it rewritten by Assemblyman Polanco to be similar to AB 1431 of 1993, which was vetoed by the Governor.)

Chapter 53, Statutes of 1994.

CIWMB Position: None

Bill No: **AB 1495 (Peace)**
Subject: **Economic Development and Infrastructure**

Enacts the Bergeson-Peace Infrastructure Bank Act. Creates the California Infrastructure Bank within the California Housing Finance Agency, which would be renamed the California Housing and Infrastructure Finance Agency. Assigns responsibility for carrying out the Act to the Bank. Creates within the State Treasury several related accounts. Specifies that

the bill would not become operative until the Legislature receives written notice from the Governor that sufficient funds are available to implement the provisions of the bill.

Chapter 94, Statutes of 1994.

CIWMB Position: None

Bill No: **AB 2523 (Bowen)**

Subject: **Electronic Data Processing: State Agencies: Master Plan**

Requires the Director of Office of Information Technology to develop a master plan by January 1, 1996, that provides for networking between all state agencies in order to enable these agencies to communicate with each other, share data where appropriate, and maximize public access to this network.

Chapter 925, Statutes of 1994.

CIWMB Position: 7/27/94 - Defer to the Office of Information Technology

Bill No: **AB 2632 (Solis)***

Subject: **Puente Hills: Acquisition of Land**

Requires the owner of the Puente Hills Landfill to dedicate as open space property, the buffer zone and Canyons 6, 7, and 8, as specified in the Los Angeles County Conditional Use Permit (CUP). Requires the owner of the disposal facility to enter into an agreement with the Los Angeles County Department of Parks and Recreation to use the disposal site as a public park when disposal activities are completed, as specified in the CUP.

Chapter 1295, Statutes of 1994.

CIWMB Position: 5/25/94 - No position

Bill No: **AB 2762 (Sher)**

Subject: **Used Oil Recycling**

Authorizes the CIWMB to establish a 2-year pilot program for recycling used oil filters; increases the volume of sale or transfer of used oil subject to payment from 5 gallons to 500 gallons from 1/1/95 to 1/1/2000; makes clarifying changes to the definitions of "bulk oil" and "used oil hauler"; extends the due date of specified quarterly reports to 45 days following the end of each quarter; defines "used oil storage facility" and "used oil transfer facility"; and makes various other technical and clarifying changes to the used oil program.

Chapter 1147, Statutes of 1994.

CIWMB Position: 6/29/94 - Support

Bill No: **AB 2938 (Aguiar)**

Subject: **Solid Waste: Diversion Requirements: Time Extensions**

Requires a city which is incorporated after January 1, 1990, to submit a SRRE, a household hazardous waste element, and a nondisposal facility element to the Board for approval within 18 months from the date the city was incorporated or within 18 months from the effective date of the bill, whichever is later. Reduces the conditions to be met before the Board may grant a time extension from the diversion requirements for newly-incorporated cities. Allows the Board to authorize a time extension to a newly-incorporated city to submit a SRRE that includes a specified implementation schedule for the initial element and the first revision. This is an urgency measure.

Chapter 1150, Statutes of 1994. Effective September 29, 1994.

CIWMB Position: 5/25/94 - Support

Bill No: **AB 3218 (Costa)**
Subject: **Recovery and Storage of Oil**

Makes technical and clarifying changes to existing legislative findings and declarations regarding the recycling of used oil. Exempts units, including associated piping, that are part of a system used for the recovery of oil from oil-bearing materials, and the associated storage of these materials and the recovered oil, from the hazardous waste control laws if specified conditions are met. Defines the terms "oil", "oil-bearing materials," "oil recovery operations," and "petroleum refinery" for purposes of those exemptions.

Chapter 1054, Statutes of 1994.

CIWMB Position: None

Bill No: **AB 3413 (Conroy)**
Subject **State Agencies: Fee Increase Moratorium**

Requires each state agency to develop and maintain an index of all fees, license fees, and fines administered and collected by the agency, except for fees collected from a governmental agency.

Chapter 784, Statutes of 1994.

CIWMB Position: None

Bill No: **AB 3582 (Richter)**
Subject: **Hazardous Waste: Oil Disposal and Use**

Among other things, the bill would classify used oil as a recyclable material which is subject to regulation as a hazardous waste, unless it meets certain requirements. Prohibits any use of used oil or recycled oil as a dust suppressant or insect or weed control agent unless allowed under another applicable law, but only to the extent that the use is consistent with federal law. Requires that used oil which is not subject to regulation as a hazardous waste be managed in accordance with specified federal regulations.

Chapter 1154, Statutes of 1994.

CIWMB Position: None

Bill No: **ACR 139 (W. Brown)**
Subject: **Biodegradable Plastics**

Encourages state agencies to act expeditiously to increase their purchase of biodegradable plastics. Urges the CIWMB and other appropriate agencies to analyze the efficacy of biodegradable plastics, including an analysis of potential impacts resulting from the mixing of biodegradable plastic resins with other plastic resins. Requests the CIWMB to adopt standards and specifications, as appropriate, for biodegradable plastics.

Chapter R-122, Statutes of 1994.

CIWMB Position: 7/27/94 - Support

Bill No: **SB 923 (Calderon)**
Subject: **State Superfund Reform**

Establishes the "California Expedited Remedial Site Action Model Reform Act of 1994 - Phase One" (Model Reform Act) in an effort to address issues raised by critics of the Carpenter-Presley-Tanner Hazardous Substances Account Act (the state Superfund law).

Chapter 435, Statutes of 1994

CIWMB Position: 8/31/94 - Deferred to the Department of Toxics Substances Control

Bill No: **SB 1257 (Ayala)**
Subject: **Defense Installation Conversion to Nonmilitary Use**
Requires the Secretary of Environmental Protection, in coordination with appropriate federal, state, and local agencies, to expand one-stop permit programs to provide for the development of defense installations converted to nonmilitary use. In addition, the bill requires the Secretary of Cal/EPA to develop, and seek approval of, a Memorandum of Agreement for coordination of permits with all appropriate federal, state and local agencies issuing permits that may be required for the use of the converted facility. This is an urgency measure.
Chapter 34, Statutes of 1994. Effective March 30, 1994.
CIWMB Position: None

Bill No: **SB 1021 (Thompson)**
Subject: **Recycling Market Development**
Makes various technical and clarifying changes to the CIWMB's Recycling Market Development Zone Program.
Chapter 436, Statutes of 1994.
CIWMB Position: 4/27/94 - Support

Bill No: **SB 1450 (Hughes)**
Subject: **Illegal Dumping**
Makes the dumping of waste matter in commercial quantities a misdemeanor punishable by imprisonment in a county jail for not more than six months and by a trebled fine.
Chapter 737, Statutes of 1994.
CIWMB Position: 7/27/94 - Support

Bill No: **SB 1894 (Leslie)**
Subject: **Solid Waste: Local Government Technical Advisory Committee**
Extends from January 1, 1995 to January 1, 1999, the operative date of the Local Government Technical Advisory Committee (LGTAC), which assists and advises the CIWMB. Requires appointments to the committee to be representative of urban, suburban and rural areas. Deletes stipend provisions for attendance at each meeting. Requires quarterly meetings to be held at various locations around the state. Increases the duties of the LGTAC.
Chapter 625, Statutes of 1994.
CIWMB Position: 6/29/94 - Support

Bill No: **SB 1898 (Peace)**
Subject: **State Agencies: Business Forms**
Requires the Director of General Services, among other things, to establish a State Forms Management Program for all state agencies and provide assistance in establishing internal forms management capabilities. Requires each state agency, by June 30, 1995, to inventory all reports and forms it requires businesses to complete in order to comply with agency requirements, and to eliminate all forms it determines are no longer needed to enable that agency to carry out its statutory responsibilities.
Chapter 769, Statutes of 1994.
CIWMB Position: April 27, 1994 - Defer to the Department of Finance

Bill No: **SB 1915 (Marks)**

Subject: **Procurement of Recycled Products**

Declares legislative intent to bring California's procurement guidelines for recycled paper products into compliance with current federal recycled product procurement practices and would revise, in part, the definition of recycled paper products for those purposes by increasing from 10 percent to 20 percent of its total weight the amount that must consist of postconsumer waste. Specifies that changes from the terms "postconsumer waste," "secondary waste," and "total weight" to "postconsumer material," "secondary material," and "fiber weight" would take effect immediately, but other changes to provisions relating to certain fine grades of paper would not become operative until January 1, 1995.

Chapter 942, Statutes of 1994.

CIWMB Position: 6/29/94 - Support

*Indicates bills that became law without the Governor's signature.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
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ACKNOWLEDGMENTS

1994 Annual Report
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For additional copies of this report, contact the Board's Recycling Hotline at (800) 553-2962.

Estimated and Projected Statewide Waste Diversion Rates

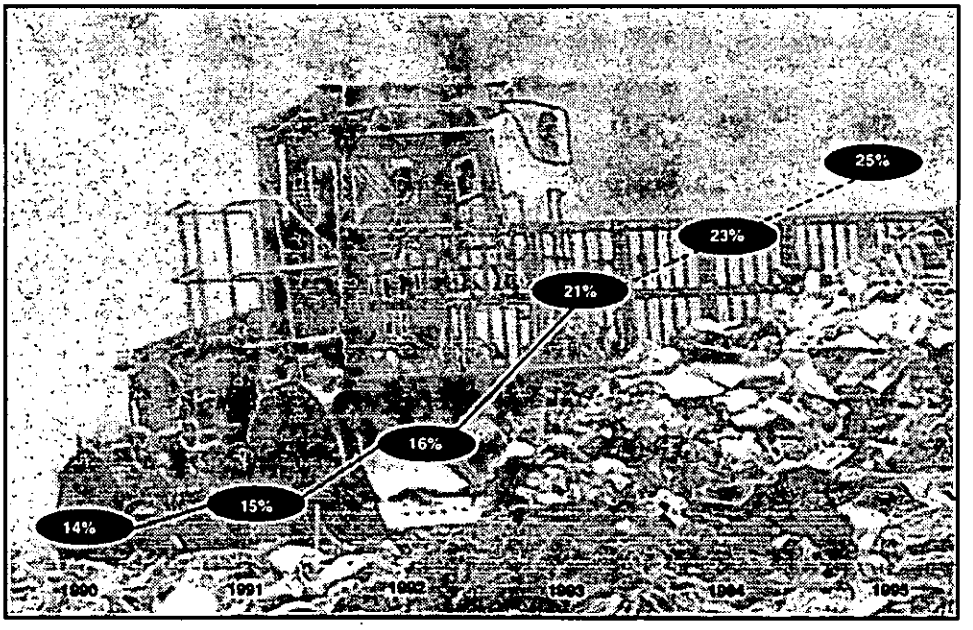


Figure ES-1

Most Common Existing and Planned Diversion Programs

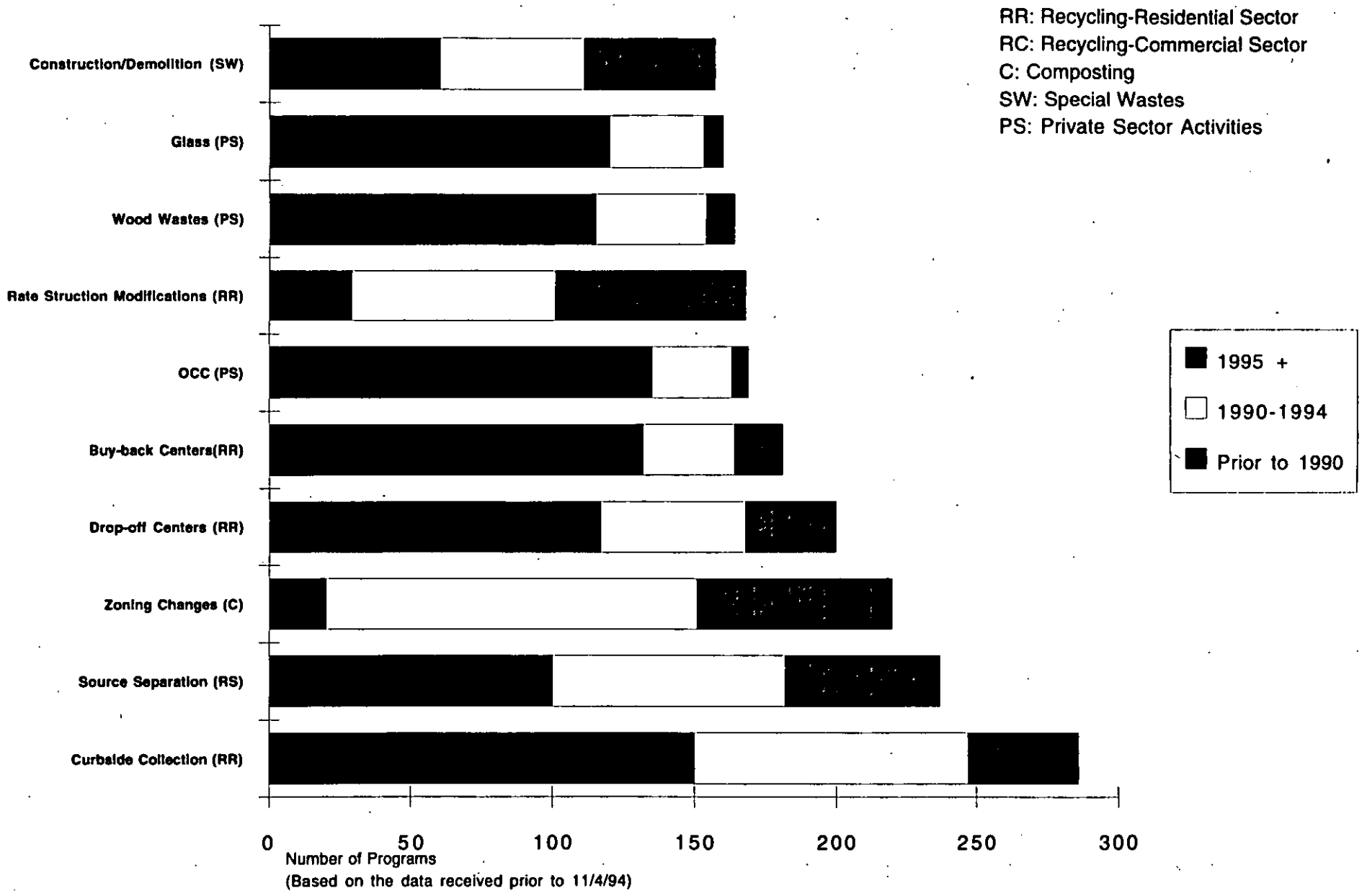


Figure ES-2

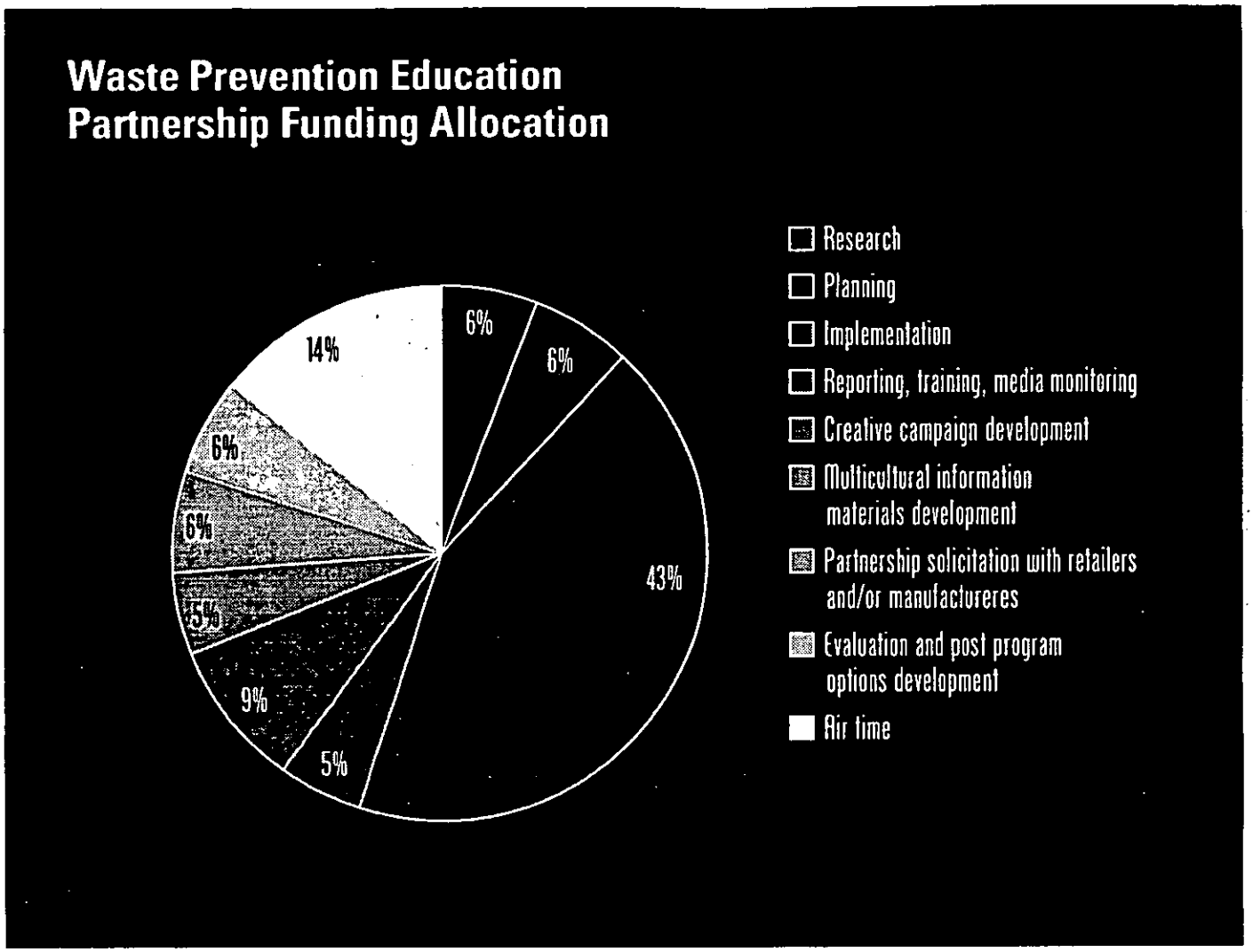

Waste Prevention Education
Partnership Funding Allocation
6%
6%
43%
5%
9%
15%
6%
6%
14%
Research
Planning
Implementation
Reporting, training, media monitoring
Creative campaign development
Multicultural information materials development
Partnership solicitation with retailers and/or manufactureres
Evaluation and post program options development
Air time

Figure A-1

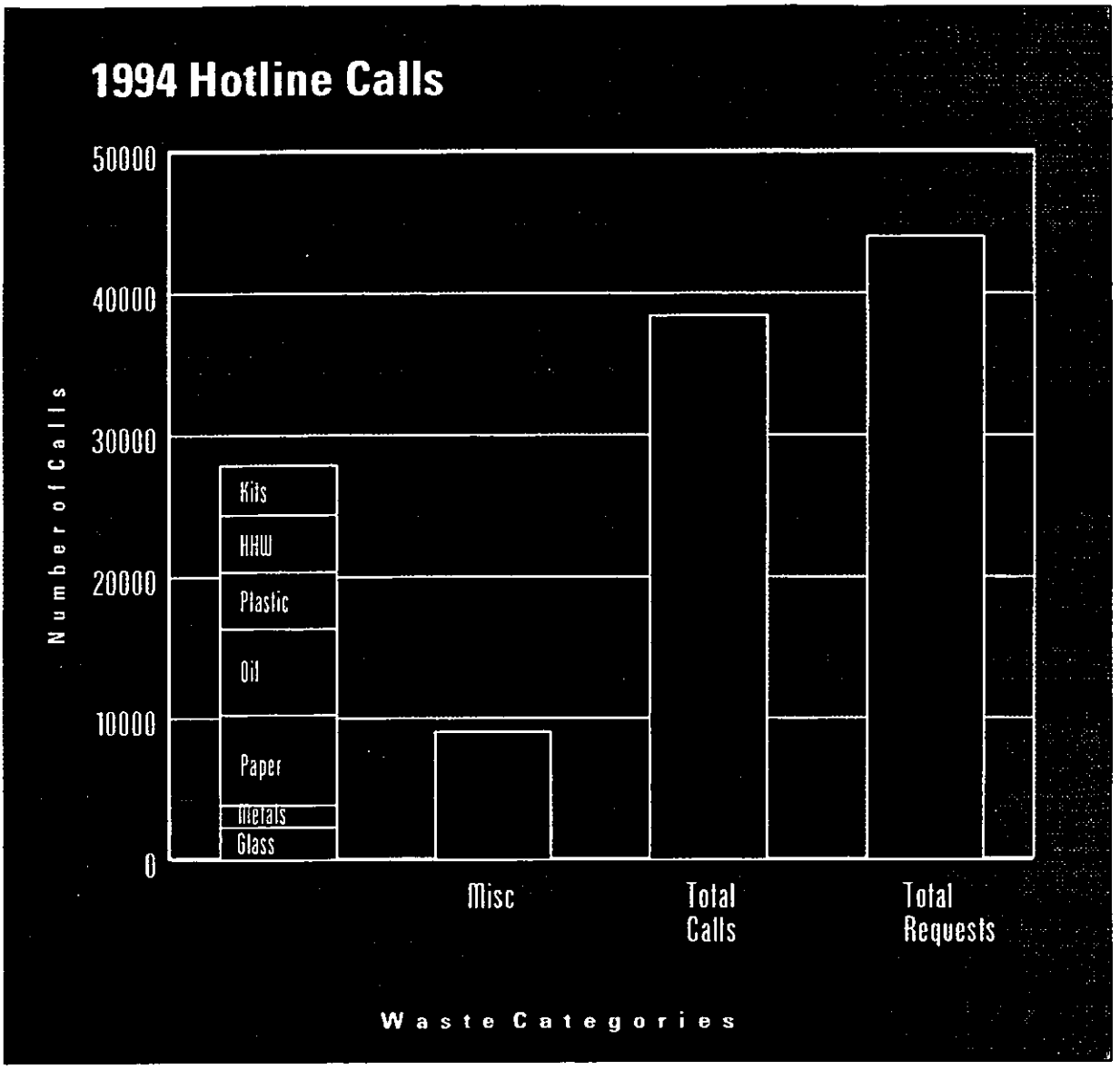

1994 Hotline Calls
50000
40000
30000
20000
10000
0
Number of Calls
Kits
HHW
Plastic
Oil
Paper
Metals
Glass
Misc
Total Calls
Total Requests
Waste Categories

Figure A-2

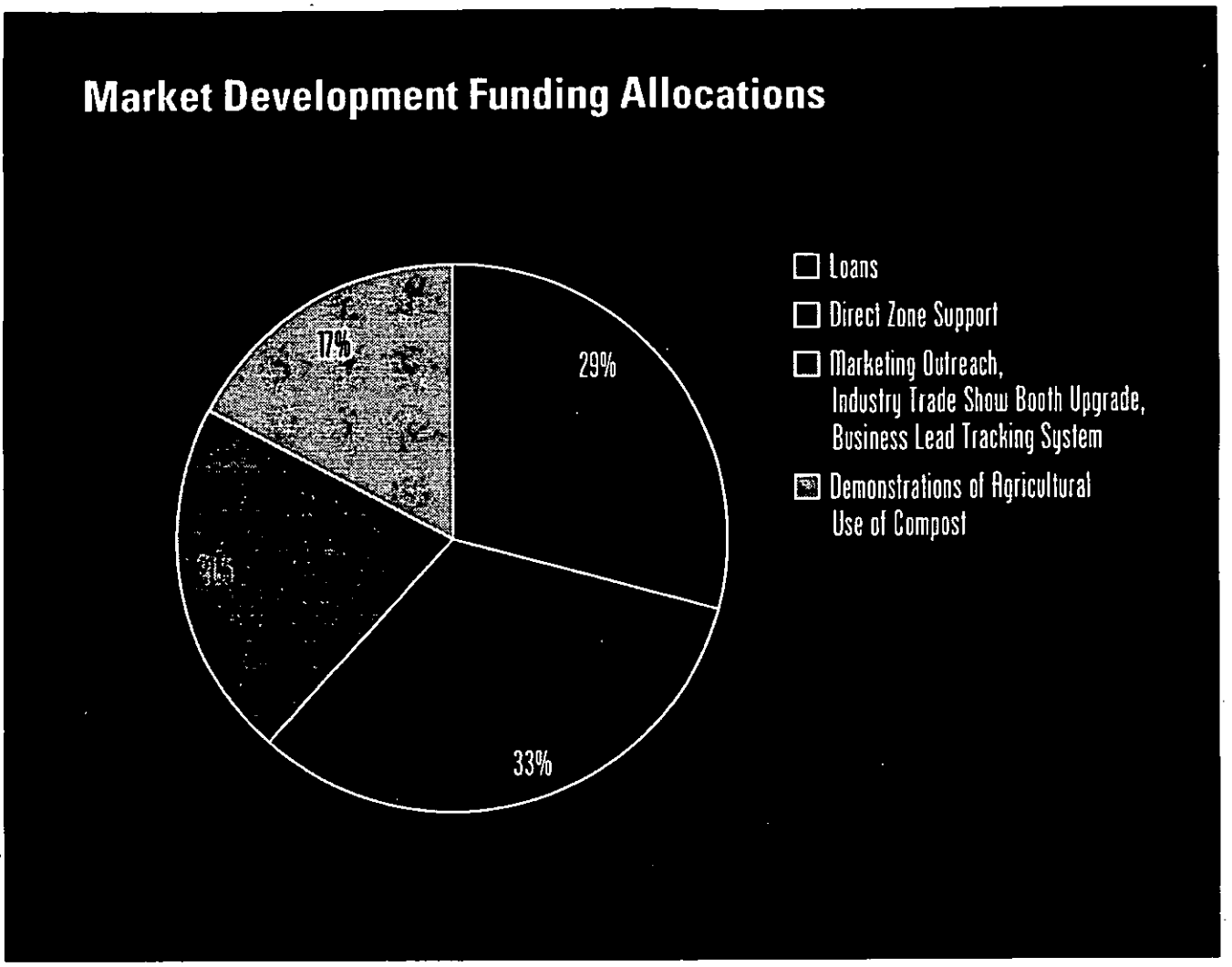

Market Development Funding Allocations
17%
29%
33%
Loans
Direct Zone Support
Marketing Outreach, Industry Trade Show Booth Upgrade, Business Lead Tracking System
Demonstrations of Agricultural Use of Compost

Figure C-1

Recycling Market Development Zones

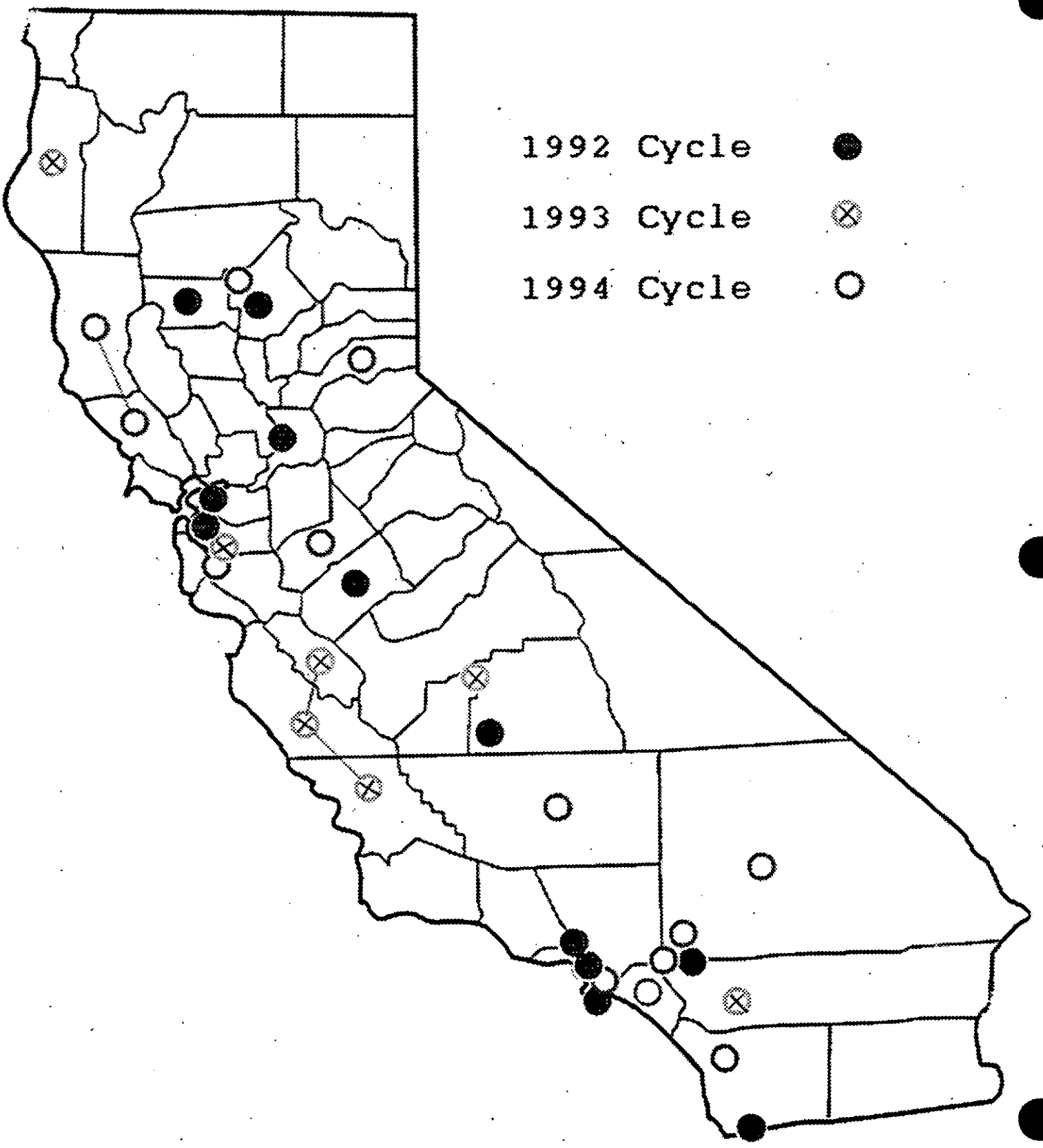


Figure C.2

1994 Tire Grants

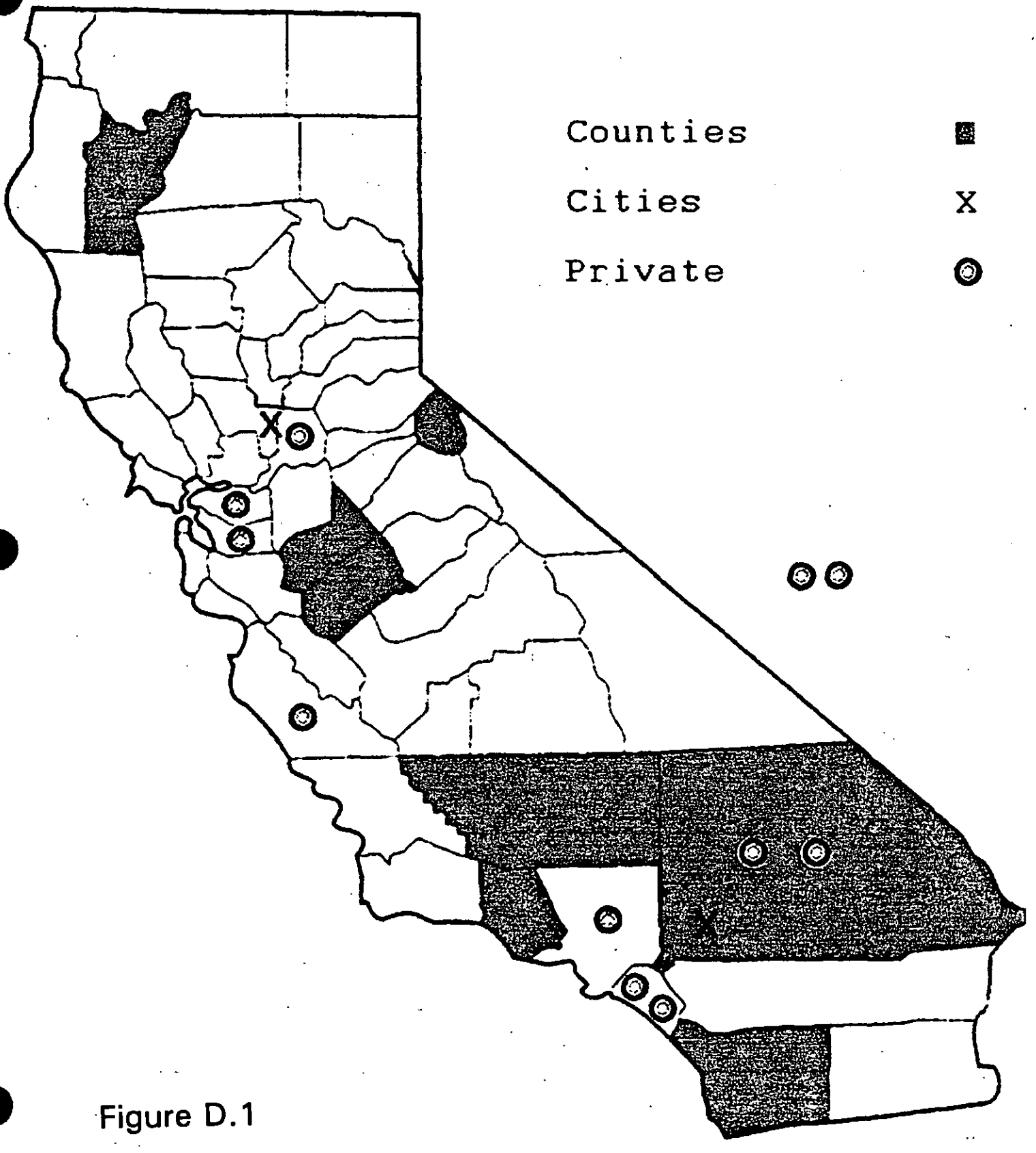


Figure D.1

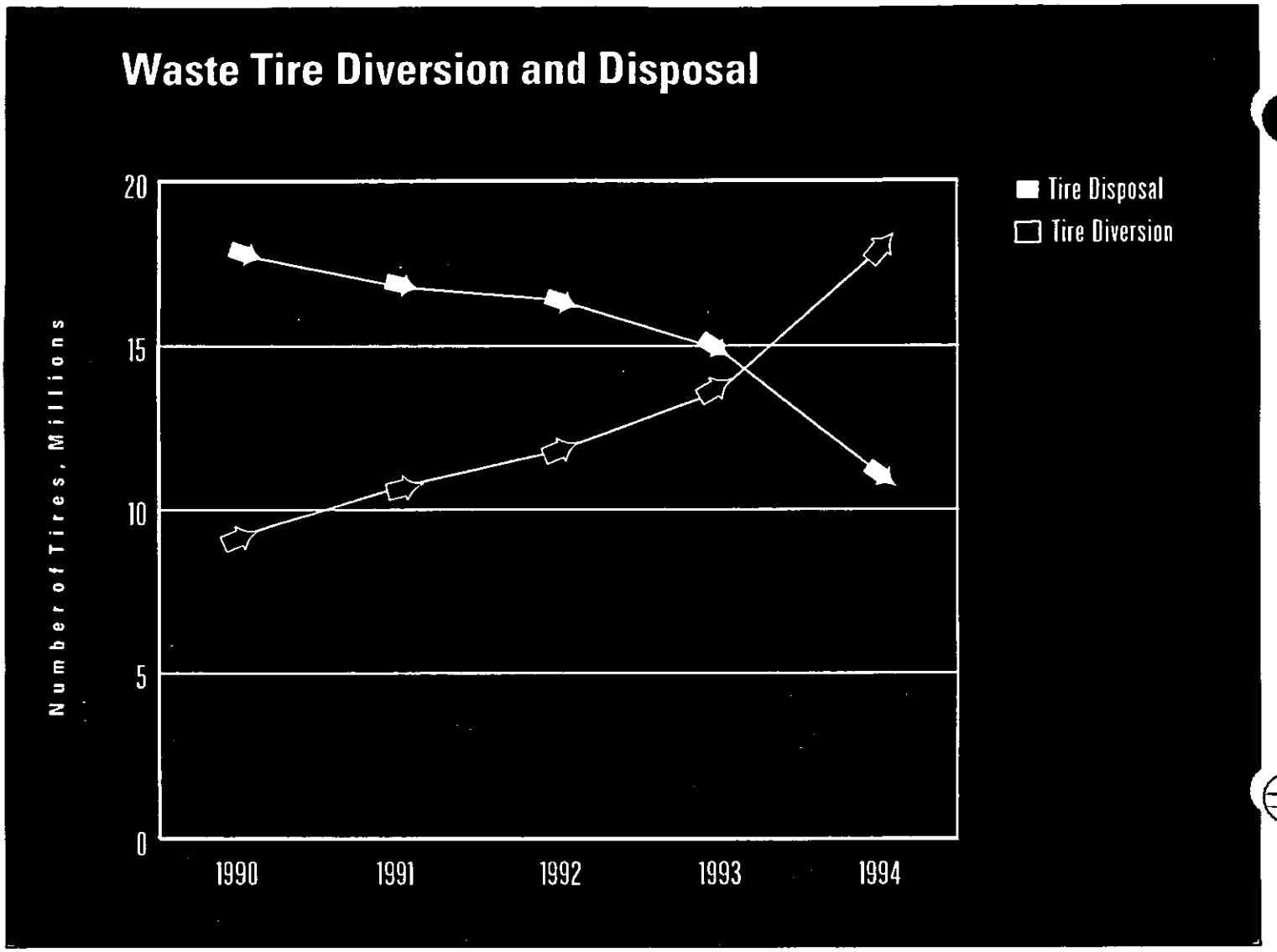

Waste Tire Diversion and Disposal
Number of Tires, Millions
20
15
10
5
0
1990
1991
1992
1993
1994
Tire Disposal
Tire Diversion

Figure D-2

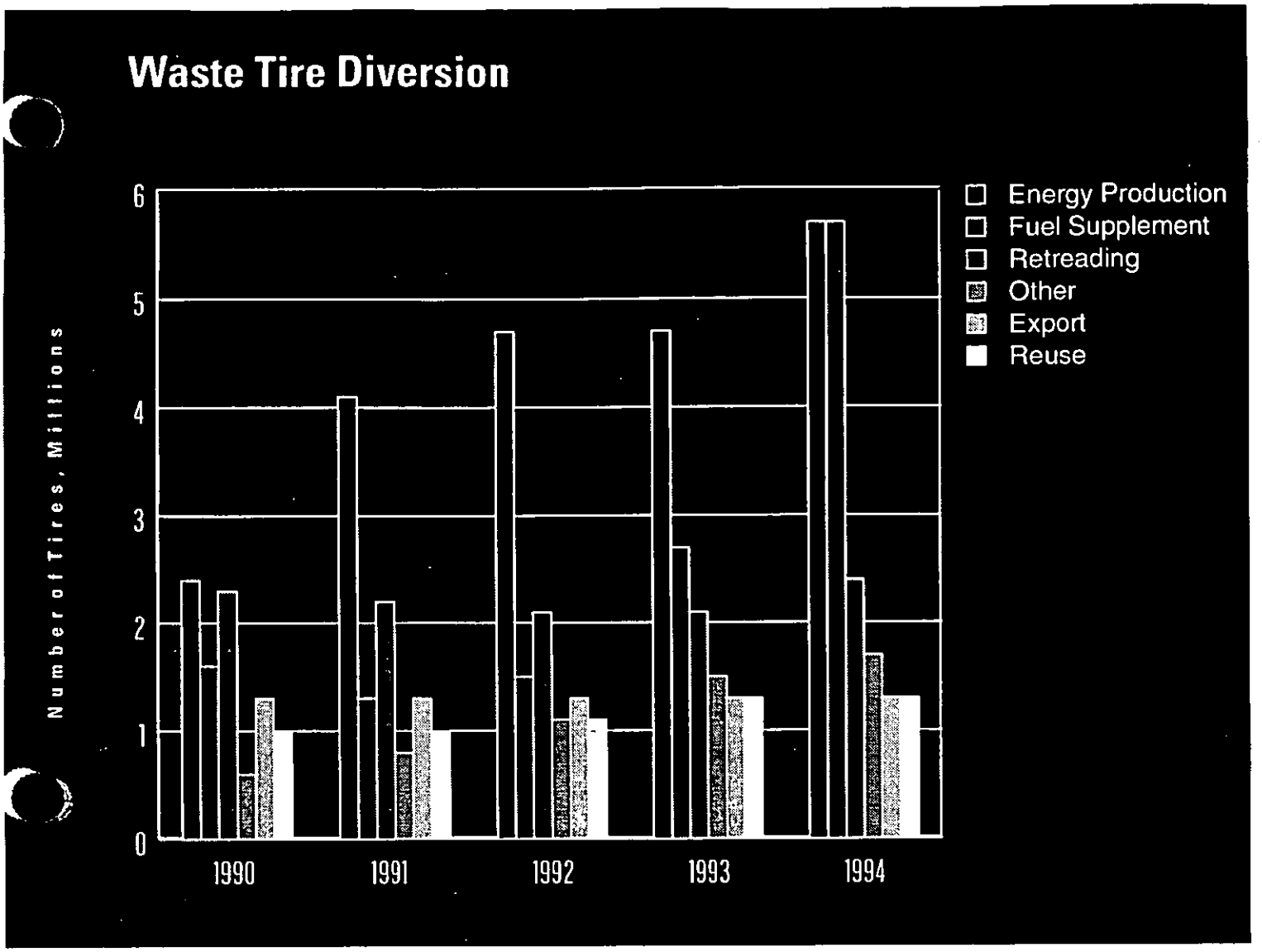

Waste Tire Diversion
Number of Tires, Millions
0
1
2
3
4
5
6
1990
1991
1992
1993
1994
Energy Production
Fuel Supplement
Retreading
Other
Export
Reuse

Figure D-3

1994 Used Oil Block Grants

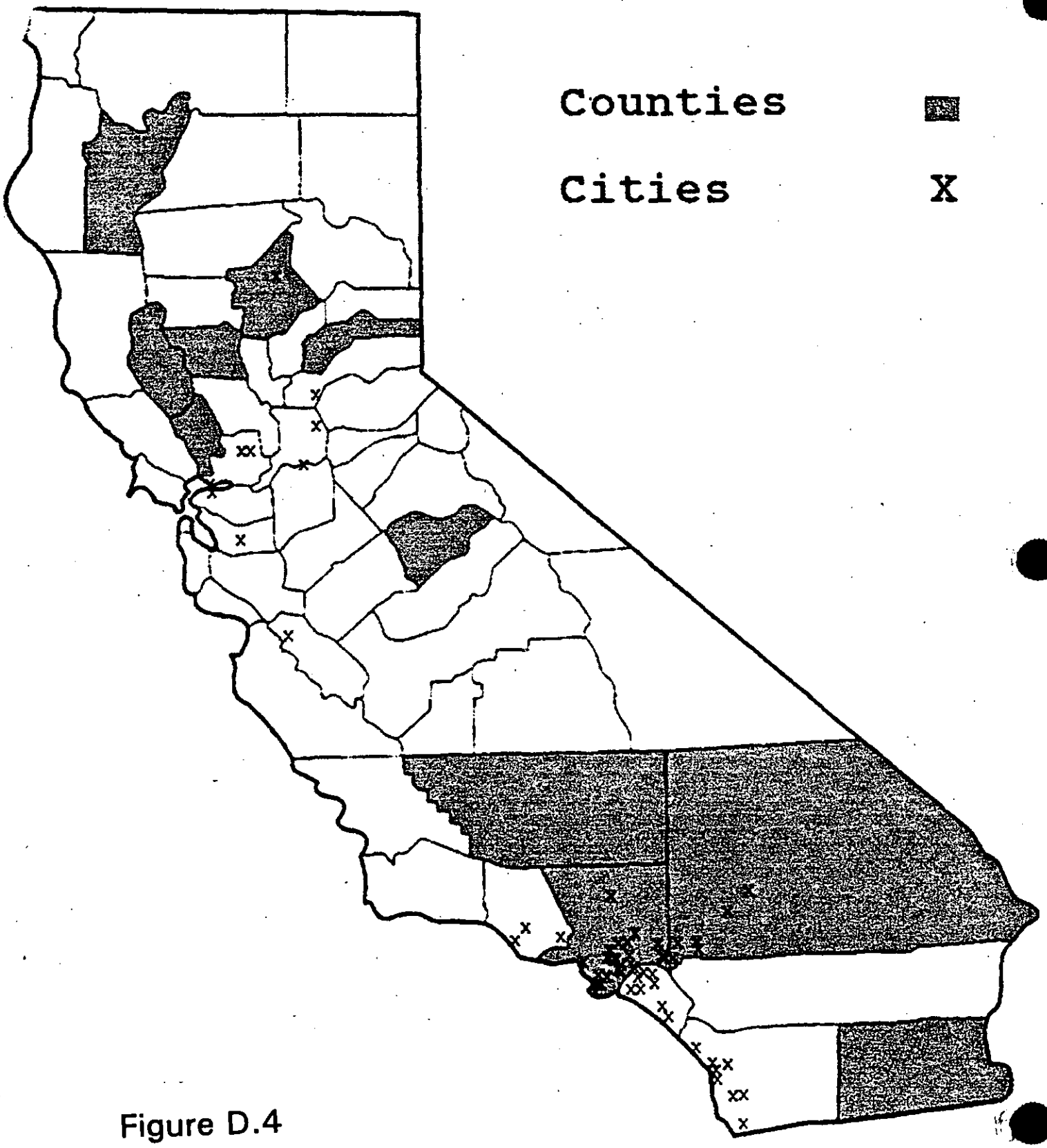


Figure D.4

1994 Opportunity Grants For Used Oil

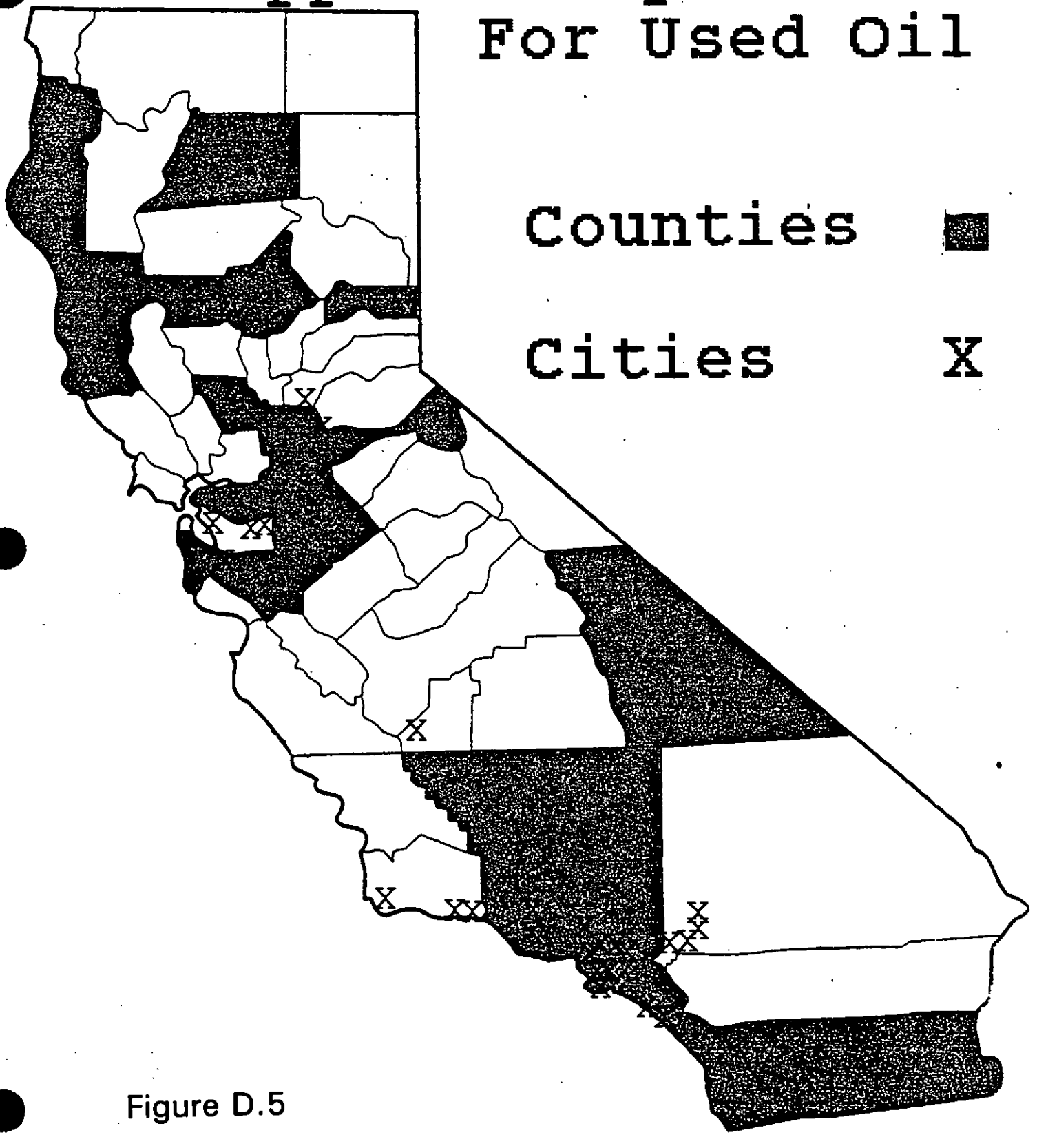


Figure D.5

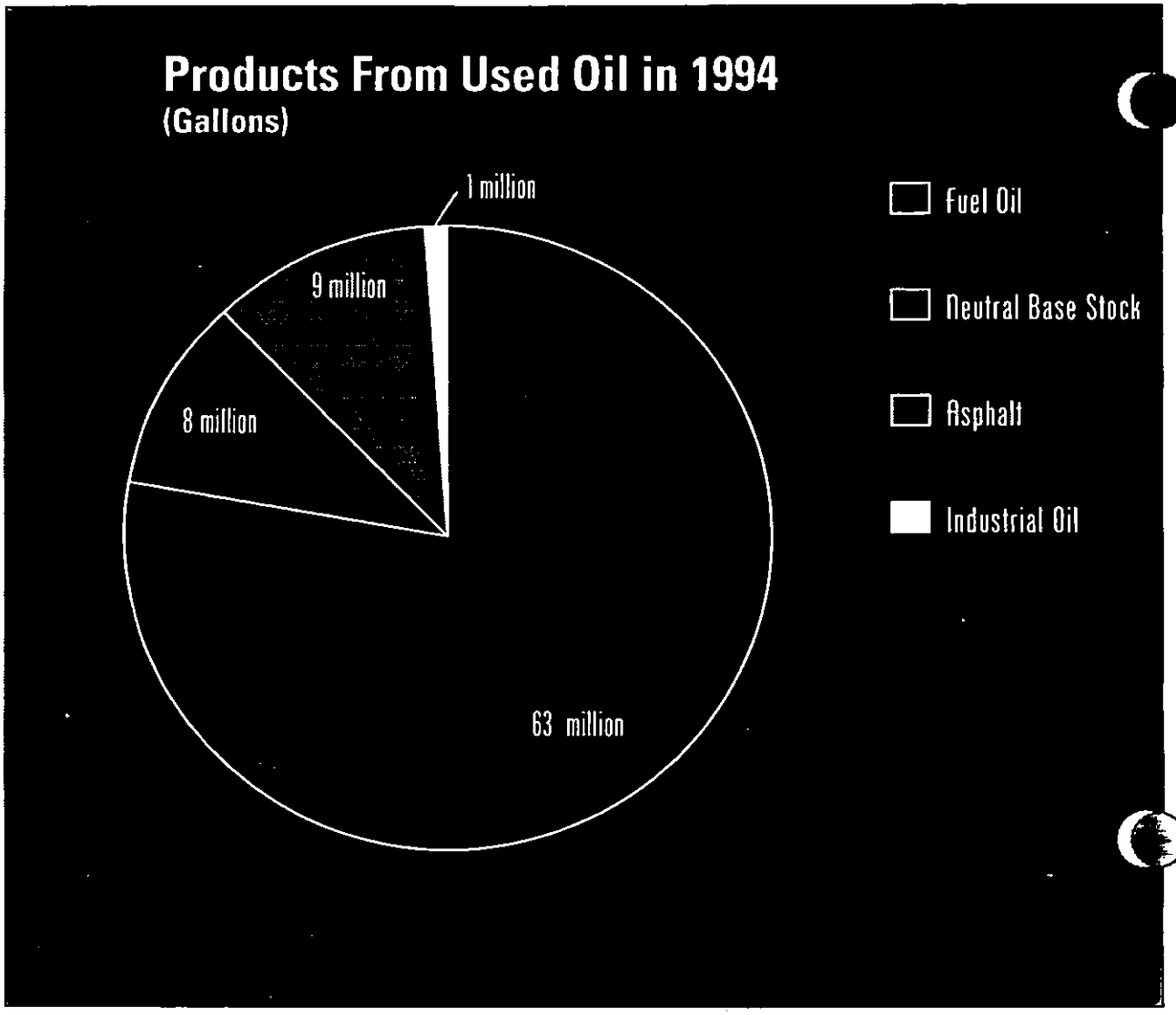

Products From Used Oil in 1994
(Gallons)
1 million
9 million
8 million
63 million
Fuel Oil
Neutral Base Stock
Asphalt
Industrial Oil

Figure D-6

1994 Household Hazardous Waste Grants
(non-discretionary)

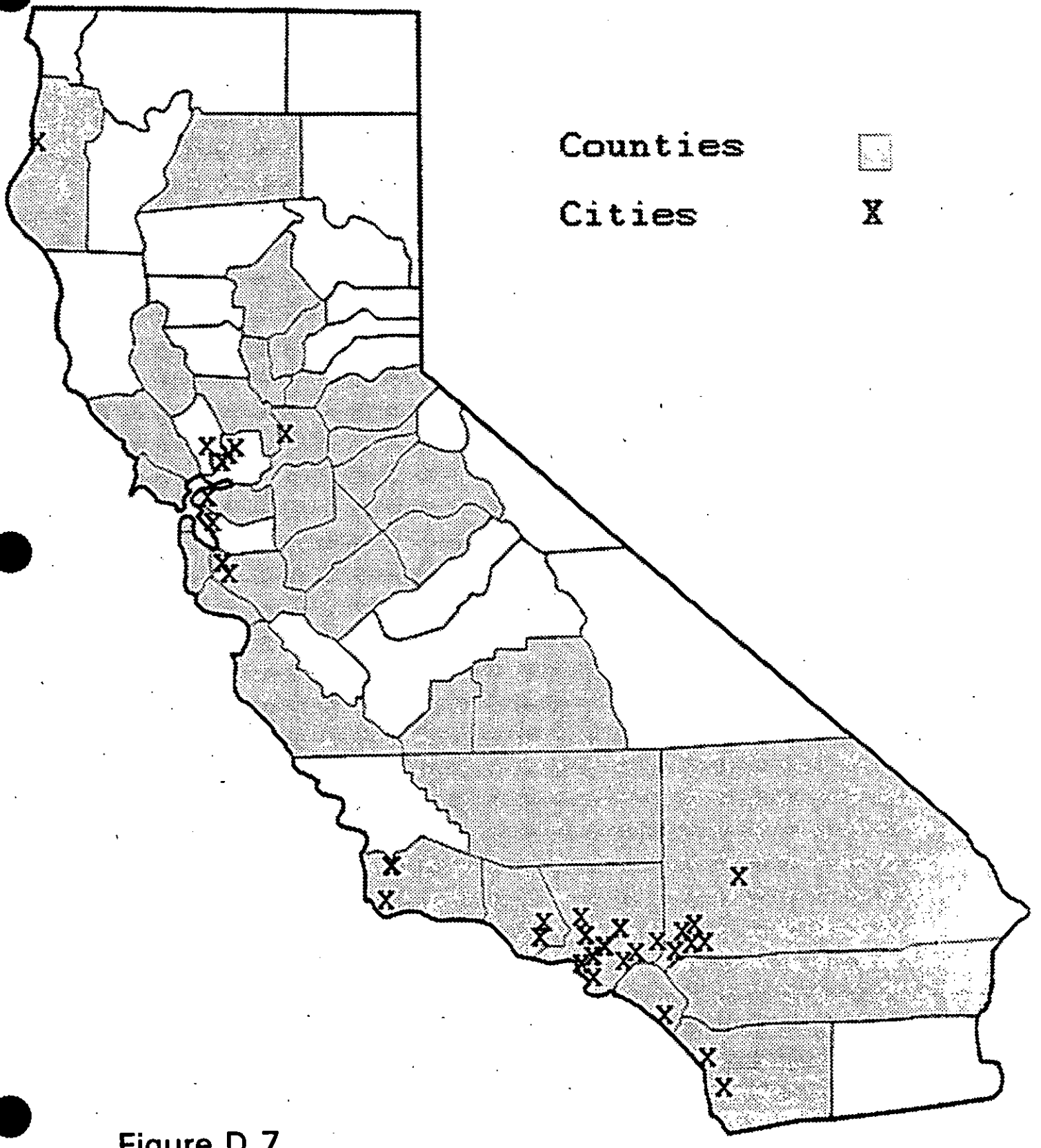
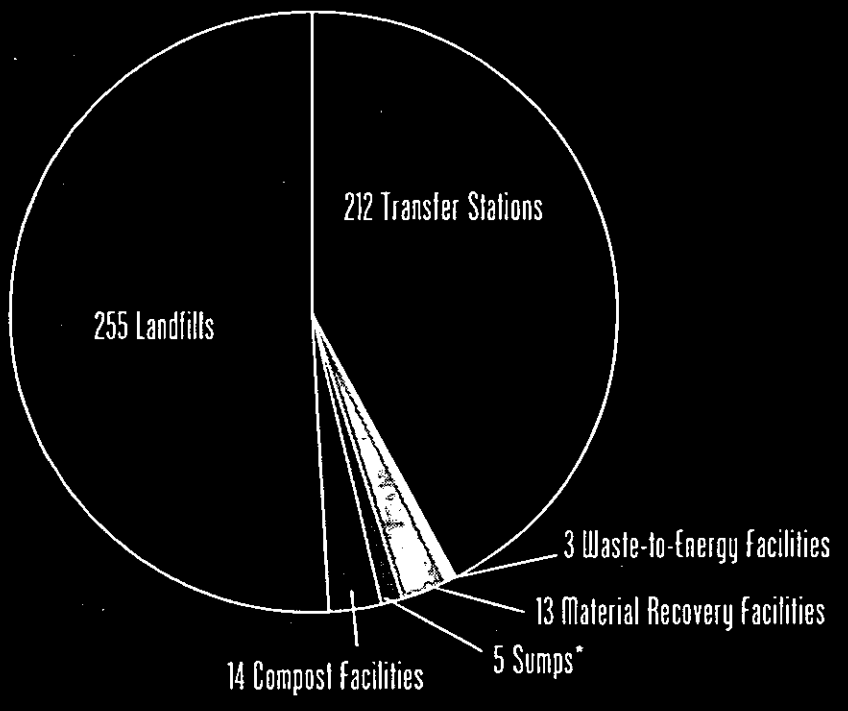


Figure D.7

Number of Different Types of Solid Waste Facilities Currently Operating

As of November 1994



*Surface impoundments for Geothermal Drilling Wastes

NOTE: This pie chart represents facilities which are required to obtain a Solid Waste Facilities Permit.

Figure F-1

Figure F.2

2/5/95

WRAP QUOTES

1. "Thank you for the opportunity to apply for the WRAP award. Questions of this nature help remind us of what we are doing, how we've improved, and what we might do to further our waste reduction efforts in the future."
   ---Brian Wallace, Event Design Manager
   Delectables Catering
   Santa Clara, California

2. "Receiving the Waste Reduction Award has heightened awareness among our employees and has given them pride in their accomplishments."
   --- Darcy McNairy, Production Manager
   Buena Vista Winery and Vineyards, Inc.
   Sonoma, California

3. "We started printing the WRAP logo on our product's packaging last year. We are very proud to display it; this is one way to show our customers that we are an environmentally conscious company."
   ---Douglas Parker, Safety and Environmental Coordinator
   Cap Snap Co.
   San Jose, California
   Plastic bottle cap manufacturer

4. "Winning the WRAP Award in 1993 was a great accomplishment. All our employees were already aware of the great things that we were doing for our landfill and for our company. Winning the award was like a pat on the back for everyone, an added thanks. The employee committee here at Ben Franklin is constantly coming up with new ideas and suggestions to save our landfill and our company's money."
   --- Maryanne Byrne, Regional Accountant
   Ben Franklin Retail Stores, Inc.
   Ontario, California
   Wholesaler/retailer of variety and craft items

5. "Bear Creek has a large seasonal workforce that can take the perspective 'I'm only here for a short time, why should I care'. Receiving the WRAP Award has helped us to demonstrate that each of us can have a positive effect."
   Buck Rodgers, Director of Field Operations
   Bear Creek Production Company
   Wasco, California
   Rose grower

6. "The Environmental Operations Department at Fox is very proud of our achievements and views our success in winning a WRAP Award as a sign of a job well done. The Waste Reduction Awards Program demonstrates the dedication of the California Integrated Waste Management Board to supporting California businesses in finding solutions to waste prevention and recycling issues."
   Gretchen Lewotsky, Executive Director, Environmental Operations
   Fox Studio Operations
   Beverly Hills, California

7. "Over the last year, we have eliminated waste going to the landfill by over 50%. We also have created a reuse program for over 100 plastic buckets per month and all wooden pallets."
   ---Michael Kulwiec, CDT, President
   Dura-Metrics, Inc.
   Santa Rosa, California
   Dental Laboratory

8. "Thank you for your continued efforts to acknowledge businesses making a difference."
   ---Shirley Huling, President
   Plan-it Company
   Beverly Hills, California
   environmental products and promotions

9. "Our waste prevention activities have allowed us to continue our trash removal program at the same cost as two years ago although the actual fees charged have gone up by 225%."
   --- Joe Ross, Director of Operations
   Plaza Camino Real Shopping Center
   Carlsbad, California

10. "Cost savings from our recycling program have been dramatic: 35% for municipal trash and 60% for industrial ."
    ---Richard Luchini, Maintenance Services Supervisor
    UNOCAL San Francisco Refinery
    Rodeo, California

11. "Both large and small efforts are important, because it's the ***attention*** to waste reduction that ultimately makes a difference. When a business uses a recycled toner cartridge or prolongs the life of a copy machine, it potentially saves money and the environment."
    ---Darlene Young, President
    Young's Easy Solutions
    Cartridge Remanufacturer
    Placerville, California

12. "Our mission statement is 'to promote environmental stewardship through the planting of trees with community involvement'. Environmental stewardship means, in part, recycling and using recycled products, even if it is more costly. Eventually, as the idea catches on, the cost will come down. I believe it's a worthwhile investment in our future."
---Susan Stiltz, Executive Director
Tree Fresno
Nonprofit tree advocacy group
Fresno, California

13. "Warner Bros. prides itself on being a leader in its industry in the areas of waste diversion, environmental procurement, and education. Our overall waste diversion has increased from 14% in 1991 to 38% in the first six months of 1994 -- well beyond the goals set forth by AB 939. Warner Bros. recognizes that purchasing practices will help create and sustain markets for products and technologies that reduce waste, conserve resources, and prevent pollution."
---Shelly Levin Billik, Manager, Recycling and Environmental Resources
Warner Brothers
Burbank, California

14. "In the three years since our waste reduction program was implemented, we have saved over 25% on paper purchases. The savings help us protect our most valuable resource--children and young adults."
--- Cedrick L. Hicks, Sr., Director
Compton Special Services Center
Nonprofit - Drug/gang prevention
Compton, California

15. "Our continued research on environmental and recycled products gives clear indication that viable alternatives to virgin materials do exist. By combining our strengths, both business and government, we can continue in this positive direction -- making economic and environmental progress."
--- Gavin Taylor, Vice President of Marketing and Sales
Enviro-Tech Resources Corporation
Retailer of environmentally sensitive products
Encino, California

16. "With our recycling efforts here at the Museum, we have seen annual savings increase from 12-15% to over 25%. We have reduced our trash pick-up by 60% and substantially lowered our landfill fees. Keep up the good work! We keep spreading the word about recycling, and the CIWMB's assistance is responsible for a major part of our success."
--Jay Aldrich, Manager, Tourism and Public Relations
Gene Autry Western Heritage Museum
Los Angeles, California

17. "We participate in a voluntary recycling program in which the goal is to recycle 50-75% of the waste generated at the complex and to reduce waste hauling expenses. Our firm is environmentally conscious and is committed to participating in this program to the maximum extent possible."
---Rene T. Garcia, Offices Services Department
Tuttle & Taylor, A Law Corporation
Los Angeles, California

18. *Dole Fresh Vegetables doesn't 'lettuce' down in the area of waste reduction:*
"I have seen many advantages as a result of winning your WRAP Award last year. The one I would like to share with you occurred last year on the same day that Dole received the award. I found out that I had 35 pallets of plastic bags my recycler would not take. I was horrified to think that I would have to take them to the landfill. We did some quick brain storming and found three wonderful charities to donate them to. This was a real challenge to honor our WRAP Award. As a result, we found outlets for future donations."
---Brenda Hayden, Invoicing and Retention Supervisor
Dole Fresh Vegetables, Inc.
Salinas, California

19. In 1992, Anheuser-Busch reduced the diameter of its can lids by one-eighth of an inch. This might not seem like a big change, but it actually conserves 21.5 million pounds of aluminum each year."
---Patrick T. Stokes, President
Anheuser-Busch, Inc.

20. "Sea World of California is a leader in marine life education and entertainment and is proud of its long history of protecting the environment. Last year, our recycling efforts -- green waste, cardboard, and food service wastes -- resulted in the diversion of over 880,000 pounds of trash from local landfills. That's the equivalent of 110 adult size killer whales!"
---Kevin J. Carr, Environmental Coordinator
Sea World of California
San Diego

21. "Through our waste reduction and recycling efforts, we save almost $100,000 per year in disposal costs and are able to donate materials such as chairs, computers, desks, lab and technical equipment to numerous non-profit groups in the community."
---Al Noel, B6/48
Hughes Aircraft Company, Santa Barbara Research Center
Goleta, California

22. "Through the efforts of our Green Team, LSI Logic has decreased usage of paper, increased usage of recycled products, and recycled over 300 tons of material a year. In 1993, the company saved over $500,000 from its solid waste reduction efforts."
--- Linda Gee, Environmental Manager
LSI Logic Corporation
Semiconductor manufacturer
Milpitas, California

23. "Since the inception of our waste reduction program, which includes allowing our customers to return polystyrene shipping containers to us at our expense, Beckman's has diverted over 275 tons of waste from local landfills, and has earned over $35,000 from both sales of recyclable items and reduced landfill costs."
--- David Sarosi, Senior Technical Marketing Specialist
Beckman Instruments, Inc.
Manufacturer of laboratory equipment
Brea, California

24. "At our small landscape architecture firm, we have set our waste reduction goals to include waste prevention, reuse, and recycling. We follow through by purchasing recycled office products, and when possible, we specify recycled materials in design projects such as play equipment made from recycled plastics."
---Kathleen Brand, Landscape Architect
Bellinger & Foster Landscape Architects
Monterey, California

25. "The WRAP award has caused a ripple effect from which tiny waves of awareness have blossomed out to all aspects of our organization. While MCC has had years of commitment to recycling, the WRAP program has encouraged us to look deeply at our purchasing and consumption habits."
---Sam Suarez, Recycling Specialist
Marin Conservation Corps
San Rafael, California

26. "Although we are already recycling approximately 90% of the waste we generate, at AB&I we are still aggressively pursuing ways to reduce waste. Our ultimate goal is to generate zero waste."
---Dave Robinson, Environmental Engineering Manager
AB&I
Grey iron foundry
Oakland, California

27. "If your not BUYING RECYCLED, your not recycling. To close the recycling loop, in 1994 THARCO turned 9,200 tons of post-consumer waste into new corrugated boxes of 100% postconsumer content."
---Steve Malmquist, Sales Manager
THARCO
manufacturer of corrugated boxes
San Lorenzo, California

28. "Our Waste Not program is simple, yet effective; the goal is to eliminate all office waste from landfills. By the end of 1994, we will have eliminated almost all of our recyclable materials from the office trash -- including 100 tons of paper, 8 tons of cardboard, 1.5 tons of wire, and 3 tons of other metals -- and reduced our trash by 43%."
---Terry Dolton, Manager, Waste Not Project
Southern California Edison Company
Long Beach, California

29. "At Yosemite Concession Services, we are already diverting over 50% of the waste we generate. We will continue to work on diverting as much material from the landfill as possible -- the added motivation to save on landfill costs is very effective!"
---Mark Gallagher, Recycling Manager,
Yosemite Concession Services
Yosemite National Park, California

30. "Since the start of our waste reduction program, our small campus has seen an astonishing decrease in the amount of waste going to landfill. During the first year of the program, our waste reduction has reached 20%. Winning a WRAP award helped greatly in advertising the program."
---Delmy Emerson
California Institute of Technology (Caltech)
Pasadena

31. "Through reconditioning old wine barrels, recycling, and composting, we have been able to cut our landfill fees by 70% -- a savings of over $20,000 annually. We proudly display the WRAP award in our office. We view the award with pride, as one part of our sustainable program."
---Patrick Healy, Recycling and Energy Coordinator
Fetzer Vineyards
Redwood Valley, California

32. "The hospital has reduced its trash disposal needs by 50% with total savings to date estimated at over $100,000. The cost savings alone speak strongly for the continuation of the facility's waste reduction efforts."
---Christine Vandoren, Materials Manager
AMI South Bay Hospital
Redondo Beach, California

33. **********NON-WRAP QUOTE**********
"... we have witnessed a tremendous period of growth in these [recycling-based] industries. Businesses we contacted cited public demand, coupled with the stability provided by laws designed to reduce waste going to landfills, as the catalyst for starting new businesses and expanding existing companies."
---Sandra Jerebek,
Executive Director,
Californians Against Waste Foundation

34. "Counties recognize that preventing waste in the first place saves money and reduces our need for more landfills and other expensive solid waste facilities."
---Steve Swendiman,
Executive Director,
California State Association of Counties
(quoted in California County magazine Nov./Dec. 1994 issue)

California Integrated Waste Management Board

February 22, 1995

AGENDA ITEM # 26

ITEM: Consideration of the Proposed Report to the Legislature Pursuant to PRC Section 40507(h) and 40507(i) on the Effectiveness of Model Planning Documents, the Rural Cookbook and Technical Assistance to Rural Jurisdictions

COMMITTEE ACTION: The Local Assistance and Planning Committee unanimously adopted the Status Report and its submittal to the Board and the State Legislature at its meeting on February 8, 1994.

BACKGROUND:

The Integrated Waste Management Act of 1989 [AB 939 (Sher) Statutes 1989, Chapter 1095], as codified in Public Resources Code (PRC) Section 40507(h)&(i), requires the Board to submit an annual report to the Legislature which evaluates the effectiveness of past Board assistance and makes recommendations for continued technical assistance to rural jurisdictions. The recommendations must address alternative methods of source reduction, recycling and composting. They must also address methods of raising local revenue to fund integrated waste management programs.

The Integrated Waste Management Act of 1989 (Act) required all incorporated cities and counties to divert waste from disposal through source reduction, recycling, and composting. The Act established waste disposal reduction mandates of 25% by 1995 and 50% by the year 2000. It also required local jurisdictions to prepare plans for meeting these disposal reduction targets.

The geographic, demographic and economic characteristics of rural jurisdictions are significantly different from those of cities and counties located in urban areas. As a result, the character and quantity of waste in rural jurisdictions is different. For example, rural communities generally generate less yard waste, less construction and demolition debris, and less commercial and industrial waste than urban areas. There is often a single predominant waste type related to agriculture, fishing or forestry. These waste types may not be easily diverted. Furthermore, many rural jurisdictions generate significantly less waste than the statewide average. The waste generated in rural California is only a small fraction of the state's total wastestream.

These differences often mean that rural cities and counties have to rely more heavily on residential and governmental diversion

programs to achieve the disposal reduction mandates. The cost of collecting and processing recyclables in rural areas is higher because residences may be widely dispersed and collection sites far apart. The fact that state and federal lands often comprise a large percentage of many counties only exacerbates this situation. Once collected, the costs of transporting recyclables to markets is also higher, since markets are generally located in distant metropolitan areas.

In addition, financing for solid waste facilities is often unavailable or very costly in rural areas. The promulgation of Subtitle D regulations as required by the Federal Resource Conservation and Recovery Act requires the improvement or closure of many rural landfills. These requirements will have a significant impact on limited rural solid waste and recycling budgets. For these reasons, many rural jurisdictions indicate that they may have difficulty achieving the disposal reduction mandates.

Rural jurisdictions have also reported that it has been difficult to prepare the plans required by the Act. They generally have a limited budget and staff, who often perform multiple functions. Many jurisdictions have been forced to layoff staff and reduce services because of economic recession and limited budgets. This makes it difficult for local officials and the public to understand and comply with the state's disposal reduction requirements.

ANALYSIS:

Effectiveness of Planning, Analytical & Reporting Models

PRC Section 40507(h) requires that the Board report on the effectiveness of the programs it has developed to assist local governments. The Board produced and distributed five models and a catalog of successful waste diversion programs during 1994. It produced a model Nondisposal Facility Element (NDFE), a model Countywide/Regional Agency Siting Element (CSE), a model Countywide/Regional Agency Integrated Waste Management Summary Plan, a Facility Cost Model, and a model AB 440 Status Report.

The model NDFE was used by 225 of 242 (93%) jurisdictions which had reported to the Board as of November 1994. It is estimated that use of the model NDFE saved these local governments nearly $2,000,000 in consulting costs. It is expected that more savings will be recognized as the rest of California's jurisdictions submit their NDFEs to the Board.

The model CSE and model Summary Plan have been employed by two of several jurisdictions submitting these documents to the Board to date. It is estimated that this has collectively saved these jurisdictions as much as $50,000. It is expected that additional savings will be recognized as jurisdictions submit their CSEs and Summary Plans this year and next.

The Facility Cost Model was designed to assist jurisdictions analyze the cost/benefit of jointly operating solid waste facilities. It was field tested by four counties and 80 jurisdictions attended workshops on its use.

The AB 440 Status Report was designed to help jurisdictions report to the Board their progress in meeting the goal of reducing waste disposal 25% by 1995. It was used by 382 jurisdictions or 75% of California's cities and counties, saving them time and money.

Recommendations for Rural Technical Assistance

PRC Section 40507(i) requires the Board to make recommendations to the Legislature for providing technical assistance to rural jurisdictions to help them meet the disposal reduction mandates. This assistance should include developing alternative methods of source reduction, recycling and composting suitable for rural jurisdictions and in developing methods of raising revenue to fund integrated waste management programs.

Previously, rural local assistance was concentrated on ensuring an adequate planning process through the development of regulations, continual dialogue with jurisdictions, and review of preliminary draft and final SRREs and HHWEs, and final NDFEs, CSEs and Summary Plans. It is recommended that the Board now focus its assistance to rural jurisdictions on the implementation of waste prevention and diversion plans, programs and facilities. Such an approach should reduce waste, create jobs, and generate revenue for businesses and local governments. The following recommendations build upon the "Strategies for Meeting Waste Diversion Goals" in the Board's report, *Waste Diversion in Rural California* (September 1991).

Recommendation 1: Assist in Communication

The Board should continue to disseminate information on successful programs, provide models, and furnish other time saving technical assistance which will facilitate the implementation of cost-effective diversion programs and businesses. This would require that Board staff:

- Train members of local solid waste task forces, citizens advisory groups, boards of supervisors, city councils, and business owners about the requirements of the Act, the possibilities for waste diversion, and potential business opportunities

- Act as liaison and exchange information with associations such as the Regional Council of Rural Counties, its Solid Waste JPA, the Rural Community Assistance Corporation, the Governor's Office of Rural Affairs, and state sponsored business and economic development programs which represent and assist rural jurisdictions

- Attend and contribute to local integrated waste management meetings

- Advertise the OLA Reference Library and distribute material to jurisdictions

- Assist other Branches from throughout the Board to disseminate to the public, businesses, governmental agencies, and school districts, information and curriculum material, business waste reduction information, and other pertinent material

Recommendation 2: Assist in Planning

The Board should continue to assist jurisdictions in completing their integrated waste management plans. This would require that Board staff:

- Assist in uniform waste characterization and analysis, in application of the adjustment methodology, and in the disposal reporting

- Assist in preparing final SRREs, HHWEs, NDFEs, CSEs & Summary Plans, Annual Reports, and Petitions for Reduction

- Assist in conducting waste audits

- Assist jurisdictions in analyzing and responding to the deregulation of utilities, related to its effect on the biomass industry

- Assist jurisdictions incorporate the Board's Uniform Waste Characterization Methodology into local planning

Recommendation 3: Assist in Program Development

The Board should develop alternatives for source reduction, recycling and composting. This would require that Board staff:

- Study the applicability of cooperative marketing. If feasible, assist rural jurisdictions in establishing a cooperative marketing system or organization(s)

- Facilitate discussion and analysis of cooperation in the development of joint diversion and disposal facilities

- Update the Rural Cookbook to include more cost-effective diversion programs throughout California

- Assist in the development of local markets for recovered materials

- Assist jurisdictions to use the Board's Facility Cost Model

Recommendation 4: Assist in Program Funding

The Board should develop methods of raising revenue and resources to develop integrated waste management programs. This would require that Board staff:

- Facilitate involvement by the private sector in waste reduction activities

- Facilitate the use of all possible funding sources for diversion programs and facilities

- Assist in the preparation of grant applications for jurisdictions (e.g., related to the disposal of tires andhousehold hazardous waste)

- Assist in implementing innovative rate structures

- Assist in implementing waste diversion incentives

- Provide information about the feasibility of various business opportunities related to waste reduction

- Coordinate the involvement of the state college and university systems, and other organizations and potential resources, in local diversion programs
- Assist in the education of bankers and other financiers regarding recycling and composting, and the markets for recycled and composted products
- Assist jurisdictions to join existing RMDZs
- Assist RMDZs and the businesses attempting to locate and operate in RMDZs
- Assist jurisdictions with applying for the appropriate permits

Recommendation 5: Assist in Program Implementation

The Board should assist jurisdictions in implementing appropriate disposal reduction programs. This would require that Board staff:

- Develop and participate in "Rural Assistance Teams" comprised of staff with a variety of expertise from throughout the Board. These teams will stimulate and coordinate the business and market development necessary to achieve the state's waste disposal reduction mandates in rural jurisdictions.
- Provide on-site program development assistance
- Assist jurisdictions and private citizens to start up businesses and market recyclables

STAFF COMMENTS:

Staff recommend that the Board consider submitting the Status Report, including the recommendations, to the Legislature.

ATTACHMENTS:

1. Recommendations for providing technical assistance to rural jurisdictions

Prepared by: John Nuffer Phone: 255-2368

Reviewed by: Judith J. Friedman Phone: 255-2555

Legal review: Date/Time 2/16/95 10:10 am

TWENTY-FIVE BY NINETY-FIVE

SHARING THE RESPONSIBILITY:

LOCAL GOVERNMENT ASSISTANCE

California

Integrated

Waste

Management

Board

STATE OF CALIFORNIA

■ ■ ■ ■ ■

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GOVERNOR

James M. Strock
Secretary for Environmental Protection
California Environmental Protection Agency

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Ralph E. Chandler
EXECUTIVE DIRECTOR

February 1995

California Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

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PREFACE

This document reports on the effectiveness of the model planning documents and materials prepared for all jurisdictions by the Board during 1994. It also recommends Board work activities which will assist rural jurisdictions meet the planning and diversion requirements of the Integrated Waste Management Act. This report is prepared to fulfill the requirements of Assembly Bill 939 (Chapter 1095, Statutes of 1989, now codified as Public Resources Code Section 40507(h)&(i)).

DISCLAIMER

The statements and conclusions of this report are those of the California Integrated Waste Management Board (Board). The report was made available for review and comment at the January 11, 1995 Local Assistance and Planning Committee of the Board, as well as at the January 25, 1995 Board meeting. The State makes no warranty, express or implied, and assumes no liability for the information contained in the succeeding text. Any mention of commercial products or processes shall not be construed as an endorsement of such products or processes.

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EXECUTIVE SUMMARY

Model Planning Documents

The Board's assistance aimed at helping jurisdictions comply with the planning requirements of AB 939 (Sher) has been very effective. At the time that this report was prepared, the Board found the following:

- Ninety-three percent (93%) of the jurisdictions which submitted Nondisposal Facility Elements (NDFE) to the Board by December 1994 had used the Board's Model NDFE. It is estimated that this has saved those jurisdictions $1,900,000 in consulting costs.

- Two of the several counties which have submitted early Siting Elements (SE) and Summary Plans used the Board's SE and Summary Plan Models. It is estimated that these jurisdictions have together saved $25,000 to $50,000 in consulting fees. The savings will grow statewide as more jurisdictions submit their Siting Elements and Summary Plans by August 1995 and February 1996.

- Four counties field tested the Board's Facility Cost Model, while 80 jurisdictions statewide participated in Board sponsored workshops on how to use the model.

- A number of cities and counties have complimented the Board for providing simple and easy-to-use models. The following statement is a typical comment from one county solid waste coordinator, "I can't express how much I appreciate the Waste Board going in this direction" (of user friendly models).

The Integrated Waste Management Act of 1989 (Act) required all incorporated cities and counties to divert waste from disposal through source reduction, recycling, and composting. The Act established waste disposal reduction mandates of 25% in 1995 and 50% in the year 2000. It also required local jurisdictions to prepare plans for meeting these disposal reduction targets.

This Status Report provides the Governor and the Legislature with a report on the effectiveness of four model planning documents, and a compendium of successful rural waste prevention and diversion programs which were developed by the Board during 1994 to assist local jurisdictions. These products are designed to minimize the cost to jurisdictions of complying with the planning and diversion requirements of the Act. The Report also includes

recommendations for providing additional technical assistance to rural jurisdictions.

The Board prepared a Model Nondisposal Facility Element (NDFE), a Model Countywide/Regional Agency Siting Element, a Model Countywide/Regional Agency Integrated Waste Management Summary Plan, and a Facility Cost Model. Many of California's 527 jurisdictions have used the model NDFE. At the time that this report was prepared in December 1994, it was confirmed that 225 of 242 jurisdictions (93%) had submitted NDFEs to the Board which mirrored the model in both format and content. Both urban and rural jurisdictions, from Southern California to the Sierra Gold Country, have used the model.

Since Siting Elements and Summary Plans are not due until August 1, 1995, only a few have been submitted. The models have saved jurisdictions time and money. For example, consultants charge between $3,000 and $30,000 to prepare an NDFE. Some jurisdictions report that the models have allowed them to prepare documents "in-house," without hiring consultants. By writing the document "in-house," jurisdictions may save 50 percent over hiring a consultant.

If one assumes that it costs between $3,000 and $30,000 to prepare an NDFE, or an average of $16,500, based upon discussions with consultants and local officials, and if it saves jurisdictions 50% by preparing it "in-house," then those 225 jurisdictions that used the Model NDFE have saved approximately $1,900,000. It is expected that the majority of the state's 527 jurisdictions will use the Model NDFE, thereby increasing the savings to local governments.

The cost to prepare a siting element can range between $30,000 and $250,000, depending on a jurisdiction's landfill capacity, its suitability for new facilities, public involvement in the siting process, and many other factors. It is estimated that it can cost $15,000 or more to prepare a Summary Plan. Both of these cost estimates were provided by consultants and local officials. It is expected that as jurisdictions use the Model Siting Element and Model Summary Plan to fulfill the planning requirements of AB 939, they will save millions of dollars.

The Board's Facility Cost Model has drawn interest from jurisdictions throughout the state who are interested in analyzing the financial benefits of operating joint integrated waste management facilities. Eighty cities and counties participated in Board sponsored workshops on how to use the model. At the time that this report was prepared, information was not yet available about which jurisdictions will be employing the model.

The Board also published the "Rural Cookbook: Successful Waste Prevention and Diversion Programs," 1994. The Rural Cookbook appears to be very effective at educating organizations about the range of possibilities for waste prevention and diversion, and about specific programs. The Board surveyed 34 of the State's 58 counties to assess the usefulness of the Cookbook, to solicit recommendations for improvement in the document, and to solicit suggestions for rural assistance. Fourteen of these rural jurisdictions (41%) responded with comments and suggestions.

All but one jurisdiction believed that this type of document was useful in helping them meet the requirements of the Act. More than half of the respondents believed that the Cookbook covered all of the program areas that were of interest to them. There was unanimous response that information in the Cookbook was easy to find. Jurisdictions also agreed that the Board should continue to produce periodic updates to the Cookbook.

There was unanimous agreement that the Board should continue to disseminate information on successful rural waste prevention and diversion programs. All but one jurisdiction believed that the Board should continue to publish instructional or model documents.

The following recommendations for technical assistance are based upon responses to the "Rural Cookbook" survey and Office of Local Assistance staff's communication with most of California's rural jurisdictions.

Recommendations for Rural Assistance

- It is recommended that the Board continue to disseminate information on successful rural waste disposal reduction programs and about opportunities for the creation of cost-effective diversion programs and businesses.

- It is recommended that the Board continue to assist jurisdictions complete their integrated waste management plans.

- It is recommended that the Board now provide additional assistance to rural jurisdictions which focuses on the **implementation** of waste prevention and diversion plans, programs and facilities. Such an approach should reduce waste, create jobs, and generate revenue for businesses and local governments.

  This focus on implementation should develop cost-effective alternative methods of source reduction, recycling and composting. It should also develop methods of raising local revenue to fund integrated waste management programs.

Previously, rural technical assistance was concentrated on ensuring an adequate planning process through the development of regulations, continual dialogue with jurisdictions, and review of preliminary draft and final SRRES and HHWES, and final NDFES, SEs and Summary Plans. The Board should continue to ensure that understaffed rural jurisdictions understand their planning responsibilities. The Board should now also provide the assistance needed to implement these plans.

CHAPTER 1: INTRODUCTION

1.1 Purpose and scope

This Status Report fulfills the requirement of Assembly 939 (Sher), Statutes of 1989, Chapter 1095, as codified in Public Resources Code (PRC) Section 40507(h), by providing the Governor and the Legislature with a report on the effectiveness of model planning documents, and rural programs and materials developed by the Board to assist local jurisdictions. It also includes recommendations for providing technical assistance to rural jurisdictions, pursuant to PRC Section 40507(i).

The report describes the Model Nondisposal Facility Element, the Model Countywide/Regional Agency Siting Element, Model Countywide/Regional Agency Integrated Waste Management Plan, and the "Rural Cookbook: Recipes for Successful Waste Prevention and Diversion Programs."

1.2 Legislation

The California Integrated Waste Management Act (Act) (AB 939, Sher, Statutes of 1989, Chapter 1095), and amended by AB 2494 (Sher), Chapter 1292, Statutes of 1992, declared that the responsibility for solid waste management is shared between the state and local governments. The Act further states that it is the policy of the state to assist local governments in minimizing duplication of effort, and in minimizing the costs incurred, in implementing plans and programs for the reduction of solid waste disposal.

AB 2494 (Sher), as codified in Public Resources Code (PRC) Section 40912(a), required the Board to develop a Model Countywide or Regional Agency Siting Element and a Model Countywide or Regional Agency Integrated Waste Management Summary Plan. AB 2494 (Sher), as codified in PRC Section 40914, required the Board to develop programs and materials to assist rural jurisdictions.

These models, programs and materials were intended to minimize the duplication of effort among cities and counties. They were also expected to minimize the costs to local governments of complying with the state's waste disposal reduction mandates. The models are not intended to substitute for the statutes and regulations governing the preparation of the Elements and Plans; rather, they are designed as guides to assist local governments to comply with pertinent statutes and regulations. The models are intended to help jurisdictions produce acceptable and adequate planning documents with a minimum of effort and cost.

1.3 Organization of report

This report combines the reports required by PRC Sections 40507(h) & 40507(i). PRC Section 40507(h) requires a report on the effectiveness of model planning documents prepared by the Board. The first part of this report (Part 1) describes these models and their use by local governments. PRC Section 40507(i) requires the Board to make recommendations regarding the technical assistance the Board should provide to rural jurisdictions. The second part of this report (Part 2) provides those recommendations.

CHAPTER 2:
EFFECTIVENESS OF MODEL PLANNING DOCUMENTS AND RURAL PROGRAM MATERIAL

2.1 Background

The Integrated Waste Management Act of 1989 [AB 939 (Sher) Statutes 1989, Chapter 1095], as codified in Public Resources Code (PRC) Section 40507(h), requires the Board to submit an annual report to the Legislature describing the effectiveness of model planning documents, and rural programs and materials developed by the Board to assist local jurisdictions in achieving the planning and diversion requirements of the Integrated Waste Management Act. The report includes models developed pursuant to PRC Section 40912(a) and rural programs and materials prepared according to PRC Section 40914.

The Board distributed a model Nondisposal Facility Element (NDFE) in January 1994. The Board adopted a model Countywide/Regional Agency Siting Element (SE) and an Integrated Waste Management Summary Plan on April 27, 1994. These models are designed to help counties and regional agencies understand what information is required in their NDFE, SE and Summary Plans, and how to organize this information. The Board also published a Facility Cost Model in June 1994. This model was designed to provide local jurisdictions with a way of estimating the costs and benefits of regional facilities.

Jurisdictions were required to submit their NDFEs during 1994. Jurisdictions are required to submit their Siting Elements and Summary Plans either by August 1, 1995 or February 1, 1996, depending upon their landfill capacity. Jurisdictions are not required to use these models. The Board's approval of a jurisdiction's document does not depend on their use of any model.

Model Nondisposal Facility Element

The NDFE was required by AB 3001 (Cortese), Statutes of 1992, Chapter 1291, as codified in PRC Section 41730. The NDFE is designed to list and describe the "nondisposal" facilities, such as material recovery facilities, which a jurisdiction will use to implement its Source Reduction and Recycling Element and achieve the state's disposal reduction mandates of 25% in 1995 and 50% in the year 2000.

The Model NDFE included an example NDFE, blank tables and a guide entitled, "How To Prepare a Nondisposal Facility Element." The example NDFE is brief and simple to use. The required information is organized in a series of tables. In order to use the Model NDFE, jurisdictions need only fill in the blanks on each of the tables.

Model Countywide/Regional Agency Siting Element (SE)

The Model SE was required by AB 2494 (Sher), as codified in PRC Section 40912(a). PRC Section 41700 requires each jurisdiction to provide fifteen years of disposal capacity. The SE describes the process by which local jurisdictions will site the solid waste disposal facilities needed to assure that 15 years of disposal capacity. It also delineates the areas to be developed for this purpose.

The Model SE includes the regulatory requirements and an example format for organizing and analyzing required information. The Model SE discusses goals and policies, disposal capacity requirements, existing solid waste disposal facilities, siting criteria, proposed facility location and description, general plan consistency, solid waste disposal strategies when sites for additional capacity are not available, and siting program implementation. Each of these topics is analyzed and displayed for a fictional county, providing an example of how to analyze and organize required information.

Model Countywide/Regional Agency Integrated Waste Management Summary Plan (Summary Plan)

The California Integrated Waste Management Act directed counties and regional agencies to prepare a Countywide or Regional Agency Integrated Waste Management Plan. This Plan consists of the Source Reduction and Recycling Elements (SRREs), Household Hazardous Waste Elements (HHWEs), and NDFEs from each jurisdiction; the Countywide or Regional Siting Element; and the Countywide or Regional Agency Integrated Waste Management Summary Plan.

The Model Summary Plan was required by AB 2494 (Sher), as codified in PRC Section 40912(a). The Summary Plan provides a broad look at waste management issues and programs that cut across city and county lines. According to PRC Section 41751, the Summary Plan includes a summary of significant waste management problems facing all jurisdictions within a county or region. The Plan must summarize the programs and facilities selected for implementation by individual jurisdictions. It must provide an overview of how local jurisdictions will independently or cooperatively achieve the state's waste disposal reduction

mandates. It must also consider whether any programs should be operated on a countywide or regional basis.

The Model Summary Plan includes the regulatory requirements and an example format for organizing and analyzing required information. The model discusses goals, policies, and objectives; plan administration; coordination of local programs; and financing of cooperative programs. It also discusses market development as a key to successful program implementation.

Facility Cost Model

The Board published the Facility Cost Model in June 1994. It is designed to assist jurisdictions construct and operate environmentally sound integrated waste management (IWM) facilities which complement local disposal reduction efforts. It provides a way for jurisdictions to analyze the costs and benefits of local and regional facilities, and to predetermine the desirability of cooperative waste management.

All of the models described above are available in hard copy and on computer diskette. This allows jurisdictions to simply fill in the forms where that is appropriate.

"The Rural Cookbook: Recipes for Successful Waste Prevention and Diversion Programs"

The Board produced the "Rural Cookbook: Recipes for Successful Waste Prevention and Diversion Programs" during 1994. It is a catalog of waste prevention and diversion programs which have been successfully implemented in rural communities throughout California and the United States. The purpose of the Cookbook is to provide rural jurisdictions with information and contacts so that they may assess the feasibility and applicability of a program without having to "reinvent the wheel." In addition, the Rural Cookbook will be periodically updated as Board resources allow.

2.2 Analysis

Model Planning Documents

The Board produced several model planning documents during 1994 to assist local jurisdictions complete the planning required by the Integrated Waste Management Act. These were the Model NDFE, Model SE, Model Summary Plan, and Facility Cost Model.

The Model NDFE has been very effective according to comments from local officials. This model was sent to every jurisdiction in California. Most of the 242 Nondisposal Facility Elements

submitted to the Board at the time this report went to print mirror the model in both format and content. 225 jurisdictions employed the model in whole or part. Both urban and rural jurisdictions, from Southern California to the Sierra Gold Country, have used the model.

Since jurisdictions are not required to submit their Siting Elements and Summary Plans earlier than August 1, 1995, only a handful of jurisdictions have submitted Siting Elements and Summary Plans to the Board for approval. Several counties submitted documents before the models were ready for distribution. Two of these counties employed the models, one in Southern California and one in Northern California.

The models have saved many jurisdictions time and money in complying with statutory and regulatory requirements. Some jurisdiction's report that the models have allowed them to prepare documents "in-house," without hiring consultants. It is estimated that the Model NDFE could save jurisdictions from $3,000 to $30,000 in consulting fees, depending on the size of the jurisdiction. Some jurisdictions indicate that consultants have charged less because the models were available. One local official stated that the County's consultant charged 50% less than the firm would have without the Model NDFE.

A number of cities and counties have complimented the Board for providing simple and easy-to-use models. Local officials have said that it is easier to comply with the Act because the Board provided examples of acceptable planning documents and successful waste reduction programs.

Rural Programs and Materials

The Rural Cookbook appears to be very effective at educating organizations about the range of possibilities for waste prevention and diversion, and about specific programs. The Board surveyed the State's 32 rural counties, counties with less than 200,000 population, to assess the usefulness of the Cookbook, to solicit recommendations for improvement in the document, and additional technical assistance. Fourteen of these rural jurisdictions (41%) responded with comments and suggestions.

Jurisdictions agreed that the Board should continue to produce periodic updates to the Cookbook. More than half of the respondents believed that the Cookbook covered all of the program areas that were of interest to them. There was unanimous response that information in the Cookbook was easy to find.

Virtually all jurisdictions believe that this type of document was useful in helping them meet the requirements of the Integrated Waste Management Act. There was unanimous agreement that the Board should continue to disseminate information on successful rural waste prevention and diversion programs.

The Cookbook has been requested by a number of organizations to be used as a teaching or instructional aid. It has been requested by a number of Local Integrated Waste Management Task Forces to help educate members. In addition, other states and one foreign country have asked for copies of the Cookbook.

CHAPTER 3:
RECOMMENDATIONS FOR RURAL TECHNICAL ASSISTANCE

3.1 Background

The Integrated Waste Management Act of 1989 [AB 939 (Sher) Statutes 1989, Chapter 1095], as codified in Public Resources Code (PRC) Section 40507(i), requires the Board to submit an annual report to the Legislature which makes recommendations for providing technical assistance to rural jurisdictions. The recommendations must address alternative methods of source reduction, recycling and composting. They must also address methods of raising local revenue to fund integrated waste management programs.

The Integrated Waste Management Act of 1989 (Act) required all incorporated cities and counties to divert waste from disposal through source reduction, recycling, and composting. The Act established waste disposal reduction mandates of 25% in 1995 and 50% in the year 2000. It also required local jurisdictions to prepare plans for meeting these disposal reduction targets.

The geographic, demographic and economic characteristics of rural jurisdictions are significantly different from those of cities and counties located in urban areas. For example, Sierra, Trinity and Inyo counties differ dramatically from Los Angeles County in terms of landscape, population, and degree of urbanization and industrialization. As a result, the character and quantity of waste in rural jurisdictions is different.

According to the Board's Interim Database, as of January 1995, rural communities generally generate less yard waste, less construction and demolition debris, and less commercial and industrial waste than urban areas. The 115 rural jurisdictions, for which data has been compiled by the Board, only generated 7% of the state's yard waste in 1990. In contrast, the 383 urban jurisdictions for which data was compiled by the Board accounted for 93% of the state's yard waste. If rural and urban communities were generating an equal proportion of yard waste, one would expect that rural communities would be generating about 23% of the state's yard waste rather than 7 percent. Furthermore, yard waste comprises 10% of the rural wastestream, while it comprises 14% of the wastestream in urban areas.

Similarly, rural areas generate about 7% of the state's inert solids and urban areas generate 93 percent. This is also much less than what might be expected if rural and urban jurisdictions were generating equal amounts of construction and demolition debris.

There is less commercial and industrial activity in scarcely populated rural communities which are distant from metropolitan markets and transportation hubs. Therefore, there is less commercial and industrial waste in rural communities.

Also, rural communities often have a single predominant waste type related to agriculture, fishing or forestry. Waste types such as ash may not always be easily diverted. Furthermore, many rural jurisdictions generate significantly less waste than the statewide average. According to the Board's Interim Database, the average residential waste generation in rural jurisdictions was 2.9 lbs. per person per day compared to 3.4 lbs. per person per day, or 15% less. Furthermore, the waste generated in rural California is only a small fraction of the state's total wastestream. The State's 32 rural counties with less than 200,000 population generate approximately 5% of the state's wastestream (Waste Diversion in Rural California, CIWMB, 1991).

These differences often mean that rural cities and counties have to rely more heavily on residential and governmental diversion programs to achieve the disposal reduction mandates. The cost of collecting recyclables in rural areas is higher because residences may be widely dispersed and collection sites far apart. An article in the October 1993 issue of Waste Age magazine, indicated that "Clearly, picking up more material from more stops per day and spending less time driving from stop to stop makes a big difference in (the) per-ton costs" of collecting recyclables. The fact that state and federal lands often comprise a large percentage of many counties only exacerbates this situation. Once collected, the costs of transporting recyclables to markets is also higher, since markets are generally located in distant metropolitan areas.

In addition, financing for solid waste facilities is often unavailable or very costly in rural areas. The promulgation of Subtitle D regulations as required by the Federal Resource Conservation and Recovery Act requires the improvement or closure of many rural landfills. These requirements will have a significant impact on limited rural solid waste and recycling budgets. For these reasons, many rural jurisdictions indicate that they may have difficulty achieving the disposal reduction mandates.

Rural jurisdictions have also reported that it has been difficult to prepare the plans required by the Act without assistance from the Board. They generally have a limited budget and staff, who often perform multiple functions. Many jurisdictions have been forced to lay off staff and reduce services because of economic recession and limited budgets. This makes it difficult for local officials and the public to understand and comply with the state's disposal reduction requirements.

3.2 Analysis

PRC Section 40507(i) requires the Board to make recommendations to the Legislature for providing technical assistance to rural jurisdictions to help them meet the disposal reduction goals. This assistance should include developing alternative methods of source reduction, recycling and composting suitable for rural jurisdictions and in developing methods of raising revenue to fund integrated waste management programs.

Previously, rural local assistance was concentrated on ensuring an adequate planning process through the development of reasonable regulations, continual dialogue with jurisdictions, review of preliminary draft and final SRRES and HHWES, NDFES, SEs and Summary Plans, and through direct assistance by staff from the Office of Local Assistance and the Waste Characterization and Analysis Branch. It is recommended that the Board now focus its assistance to rural jurisdictions on the implementation of waste prevention and diversion plans, programs and facilities. Such an approach should help to reduce waste, create jobs, and generate revenue for businesses and local governments. The following recommendations build upon the "Strategies for Meeting Waste Diversion Goals" in the Board's report, *Waste Diversion in Rural California* (September 1991).

3.3 Recommendations for Technical Assistance

Summary of Recommendations

Local governments have saved time and money by employing the Model NDFE, SE, Summary Plan, and the Rural Cookbook. Compliance with the Act has been easier for local officials having had examples of acceptable planning documents and successful waste diversion programs. The consensus among responding jurisdictions is that the Board should continue to prepare and update these kinds of materials.

Along with these materials, the Board is recommending that it provide additional technical assistance to rural jurisdictions. The following recommendations are organized as if they were steps in a simple planning process. This planning process would be designed to implement cost-effective rural waste diversion programs and businesses. These recommendations will assist rural jurisdictions cost-effectively achieve the 25% and 50% waste disposal reduction mandates.

Recommendation 1: Assist in Communication

The first recommendation is that the Board should continue to facilitate the exchange of information between all parties involved in the implementation of waste prevention and diversion. The goal of this exchange would be a local awareness of appropriate, potentially successful and cost-effective diversion programs and businesses.

Recommendation 2: Assist in Planning

The second recommendation is that the Board should continue to assist rural jurisdictions complete the planning process required by AB 939 (Sher). The goal of this assistance would be to ensure that all rural jurisdictions have plans that guide them in cost-effectively achieving the disposal reduction mandates.

Recommendation 3: Assist in Program Development

The third recommendation is that the Board should develop cost-effective alternatives for disposal reduction in rural communities. The goal of this assistance would be to provide rural jurisdictions with the tools and information necessary to evaluate and select appropriate and cost-effective waste diversion programs and businesses.

Recommendation 4: Assist in Program Funding

The fourth recommendation is that the Board should develop methods of raising revenue and resources for waste diversion programs. The goal of this assistance would be to ensure adequate funding and resources for long term waste prevention and diversion.

Recommendation 5: Assist in Program Implementation

The fifth recommendation is that the Board should assist jurisdictions in implementing appropriate disposal reduction programs. The goal of this assistance would be new diversion activity which creates jobs.

Explanation of Recommendations

Recommendation 1: Assist in Communication

The Board should continue to disseminate information on successful programs, provide models, and furnish other time saving and money saving technical assistance which will facilitate the implementation of cost-effective diversion programs and businesses.

This would require that the Board staff do the following:

- Train members of local solid waste task forces, citizens advisory groups, boards of supervisors, city councils, and business owners about the requirements of the Act, the possibilities for rural waste diversion, and potential business opportunities

- Act as liaison and exchange information with associations such as the Regional Council of Rural Counties, its Solid Waste Joint Powers Authority (JPA), the Rural Community Assistance Corporation, the Governor's Office of Rural Affairs, and state sponsored business and economic development programs which represent and assist rural jurisdictions

- Attend and contribute to local integrated waste management meetings

- Advertise the Office of Local Assistance Reference Library and distribute material to jurisdictions

- Assist other Branches from throughout the Board to disseminate to the public, businesses, governmental agencies, and school districts, information and curriculum material, business waste reduction information, and other pertinent material

  -Promote diversion workshops and educational forums of interest to rural areas

  -Assist jurisdictions participate in the Board's Waste Prevention Education Partnership program

  -Assist businesses and jurisdictions participate in the Board's Waste Reduction Award Program

  -Assist school districts and jurisdictions participate in the Board's Teacher Training and Schools Programs

  -Assist in the distribution of the Board's "Business Kit" and in training of rural businesses

  -Assist in the development of "MiniMax" Materials Exchanges for rural communities

- Assist jurisdictions and the public better understand the various technologies for composting and recycling

- Assist jurisdictions participate in the Board's Household Hazardous Waste Information Exchange

- Provide frequent and consistent communication with local agencies, the public and industry about appropriate and cost-effective recycling business opportunities, materials suppliers, and markets.

Recommendation 2: Assist in Planning

The Board should continue to assist jurisdictions in completing their integrated waste management plans. This would entail that Board staff participate in the following activities:

- Assist in uniform waste characterization and analysis, in application of the adjustment methodology, and in disposal reporting

- Assist in preparing final SRREs, HHWEs, NDFEs, CSEs & Summary Plans, Annual Reports, and Petitions for Reduction

- Assist in conducting waste audits
- Assist jurisdictions in analyzing and responding to the deregulation of utilities, related to its effect on the biomass industry.
- Assist jurisdictions incorporate the Board's Uniform Waste Characterization Methodology into local planning

Recommendation 3: Assist in Program Development

The Board should develop alternatives for source reduction, recycling and composting. This would require that Board staff:

- Study the applicability of cooperative marketing. If feasible, assist rural jurisdictions in establishing a cooperative marketing system or organization(s)
- Facilitate discussion and analysis of cooperation in the development of joint diversion and disposal equipment and facilities
- Update the Rural Cookbook to include more cost-effective diversion programs throughout California
- Assist in the development of local and regional markets for recovered materials
- Assist jurisdictions to use the Board's Facility Cost Model.

Recommendation 4: Assist in Program Funding

The Board should develop methods of raising revenue and resources to develop integrated waste management programs. This would require Board staff to:

- Facilitate involvement by the private sector in waste reduction activities; and
- Facilitate the use of all possible funding sources for diversion programs and facilities
- Assist in the preparation of grant applications for jurisdictions (e.g., related to the disposal of tires and household hazardous waste)
- Assist in implementing innovative rate structures

- Assist in implementing waste diversion incentives
- Provide information about the feasibility of various business opportunities related to waste reduction
- Coordinate the involvement of the state college and university systems, and other organizations and potential resources, in local diversion programs
- Assist in the education of bankers and other financiers regarding recycling and composting, and the markets for recycled and composted products
- Assist jurisdictions to join existing RMDZs
- Assist RMDZs and the businesses attempting to locate and operate in RMDzs
- Assist jurisdictions with applying for the appropriate permits

Recommendation 5: Assist in Program Implementation

The Board should assist jurisdictions in implementing appropriate disposal reduction programs. The Board's staff would be required to do the following:

- Develop and participate in "Rural Assistance Teams" comprised of staff with a variety of expertise from throughout the Board. These teams will stimulate and coordinate the business and market development necessary to achieve the state's waste disposal reduction mandates in rural jurisdictions.
- Provide on-site diversion program development assistance
- Assist jurisdictions and private citizens to start up businesses and market recyclables

CHAPTER 4:
SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

Conclusions

According to cities and counties throughout California, the Model NDFE, SE, and Summary Plan, and the Rural Cookbook, have been very effective at helping jurisdictions comply with the Act. Local governments have saved time and money by employing these documents. These documents make it easier to comply with the Act.

The consensus among responding jurisdictions is that the Board should continue to prepare and update these kinds of materials. In the future, as more jurisdictions submit their Siting Elements and Summary Plans, more definitive data will be available on the effectiveness of this assistance.

Recommendations

Previously, rural technical assistance was concentrated on ensuring an adequate planning process through the development of regulations, continual dialogue with jurisdictions, and review of preliminary draft and final SRRES and HHWES, NDFES, SEs and Summary Plans. The Board should continue to ensure that understaffed rural jurisdictions understand their planning responsibilities. The Board should now also provide the assistance needed to implement these plans.

- It is recommended that the Board continue to disseminate information on successful rural waste disposal reduction programs and about opportunities for the creation of cost-effective diversion programs and businesses.

- It is recommended that the Board continue to assist jurisdictions complete their integrated waste management plans.

- It is recommended that the Board now provide additional assistance to rural jurisdictions which focuses on the **implementation** of waste prevention and diversion plans, programs and facilities. Such an approach should reduce waste, create jobs, and generate revenue for businesses and local governments.

This focus on implementation should develop cost-effective alternative methods of source reduction, recycling and composting. It should also develop methods of raising local revenue to fund integrated waste management programs.

APPENDICES

A. Legislation
B. Model NDFE
C. Model SE
D. Model Summary Plan
E. Rural Cookbook
F. Facility Cost Model

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

AGENDA ITEM 27

ITEM: CONSIDERATION OF THE EVALUATION PROCESS AND NOTICE OF FUNDING AVAILABILITY FOR THE 1994/95 USED OIL RESEARCH AND DEMONSTRATION GRANT

I. SUMMARY

At the July 27, 1994 meeting, the Board approved a new process for awarding grants. At the beginning of each cycle, the Board establishes the criteria and evaluation process for scoring and ranking grant applications. This item presents a proposed evaluation process for the 1994/95 Fiscal Year Used Oil Research and Demonstration Grant (Research Grant). In addition, because this is the first cycle of the Research Grant, staff is seeking Board approval of the Research Grant's Notice of Funding Availability (NOFA).

II. COMMITTEE ACTION

This item was heard at the February 8, 1995 meeting of the Local Assistance and Planning Committee. The Committee voted 2-0 to approve the item and place it on the Board's consent agenda for the February 22, 1995 Board meeting.

III. OPTIONS FOR THE BOARD

Board members may decide to:

1. Adopt Board Resolution 95-209 approving the proposed NOFA and evaluation process for use with the Research Grant Program; or

2. Provide staff with guidance and direct staff to revise the proposed NOFA and evaluation process for the Research Grant Program.

IV. STAFF RECOMMENDATION

Staff recommends adoption of the attached Board Resolution adopting the Research Grant NOFA and evaluation process.

V. ANALYSIS

BACKGROUND

The California Oil Recycling Enhancement Act (Statutes of 1991, Chapter 817) mandates the CIWMB to collect fees on the sale of

lubricating oil to be used to fund collection and recycling programs. Public Resources Code Section 48632(c) authorizes the Board to offer grants for "research, testing, and demonstration projects to develop collection technologies and uses for recycled or used oil." Used Oil Program staff has estimated approximately $1.5 million will be available for this program during Fiscal Year 1994/95 based upon the statutory formula allowing up to 30% of the funds remaining in the Used Oil Recycling Fund to be used for this program after payment of recycling incentives and other oil grants (PRC §48656).

PROPOSED NOTICE OF FUNDING AVAILABILITY (NOFA)

At the beginning of a grant cycle the Board sends a NOFA to interested parties briefly describing the nature of the grant funding. Because this is the first cycle of the Research Grants, staff believe the Board should adopt the proposed NOFA to formally approve what projects are eligible and ineligible, who is eligible to apply for funding, the maximum possible award, and the minimum matching fund levels.

Eligible Projects

Staff are proposing the following types of projects be eligible for funding. Projects not readily definable under one or more of these descriptions would be automatically ineligible for funding.

1. Projects that significantly increase a market(s) for used, recycled, or rerefined lubricating oil.

2. Projects that develop a new use for used, recycled, or rerefined lubricating oil that has a demonstrable potential for commercialization.

3. Projects that significantly enhance the convenience and/or cost effectiveness of existing methods for collecting used lubricating oil.

4. Projects that develop a new collection technology for used lubricating oil that has a demonstrable potential for commercialization.

5. Projects that will demonstrably increase commercial, government, or consumer sector acceptance and procurement of rerefined lubricating oil or other products derived from rerefined lubricating oil.

6. Projects that develop products that reduce the use or increase the life of lubricating oil such that a significant reduction in used oil generation is achieved.

Ineligible Projects

Staff recommends projects involving remediation activities, projects focusing on used oil public awareness activities, or projects that primarily focus on management of industrial oils or discarded oil filters should not be eligible for funding. Projects requiring grant funding for cleanup, remediation, or enforcement activities are clearly beyond the scope or intent of the Research Grant or the Oil Recycling Enhancement Act in general. Projects focusing on public awareness of existing used oil collection opportunities or on the hazards of used oil should be ineligible because Block and Opportunity Grants provide funding for this activity. Staff believe projects primarily focusing on management of industrial oils or discarded oil filters are beyond the scope of the California Oil Recycling Enhancement Act as fees are not collected on these materials.

Eligible Applicants

Staff believe there are many different types of individuals and entities capable and interested in conducting eligible projects. However, staff recommends the majority of these grant monies should be directed toward the state's economy. Therefore, grant applicants have been limited to California-based individuals, nonprofit organizations, public agencies, and companies eligible to do business in California. Out-of-state entities can participate in these grants by acting as a contractor or partner with the applicant.

Funding Levels and Matching Funds

Staff recommend a maximum possible award of $300,000 per grant. Due to the funding limitations facing nearly all government agencies, staff recommend local governments should not be required to supply matching funds. Individuals, businesses, and other private entities applying for a grant will be required to provide a matching contribution of cash, equipment, or in-kind services of at least 25% of the total funds requested.

PROPOSED EVALUATION PROCESS

After the close of the application period, Used Oil Grant Program staff will conduct a preliminary review of each application to ensure that it is sufficiently complete for a full review. A review panel will then be convened consisting of staff from the Used Oil Program, Buy Recycled Program, and Grants Administration Unit. The panel will evaluate applicants using the scoring criteria listed in Attachment 1. Applicants must attain at least 75 out of the 100 possible General Review Criteria points to qualify for funding. Qualifying applicants will be ranked in order of their combined score of General Review Criteria and Preference Criteria and will be funded in order of their score if sufficient funds are not available to fund all applicants.

PROPOSED PROGRAM SCHEDULE

The Research Grant Program involves a compressed schedule to encumber funds by the end of the fiscal year and meet the Board's direction to avoid bringing grant award items to the June meeting.

February 22, 1995	Board adoption of scoring criteria
February 27, 1995	Mail NOFAs and application packages
April 3, 1995	Application due date
May 2, 1995	Agenda item due for Administration Committee
May 16, 1995	Administration Committee meeting
May 24, 1995	Board consideration of recommendations
June 30, 1995	Grantees initiate work on projects
March 30, 1997	Grantees complete work on projects

VI. ATTACHMENTS

1. Proposed Board Resolution adopting the Research Grant NOFA and Scoring Criteria
2. Proposed 1994/95 Research Grant Scoring Criteria
3. Proposed 1994/95 Research Grant Notice of Funding Availability (NOFA)

VII. APPROVALS

Prepared by: Chris Allen CA and Fernando Berton FB Phone: 255-2586

Reviewed by: Mitch DeMage Phone: 255-2623
Manager - Used Oil and Household Hazardous Waste Branch

Reviewed by: Phone: 255-2202
Deputy Director - Diversion, Planning & Local Assistance Division

Legal Review: Phone:
Deputy Director - Legal

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION 95-209

APPROVAL OF 1994/95 USED OIL RESEARCH AND DEMONSTRATION GRANT NOTICE OF FUNDING AVAILABILITY AND SCORING CRITERIA

WHEREAS, the California Oil Recycling Enhancement Act requires the Board to adopt a used oil recycling program which promotes and develops alternatives to the illegal disposal of used oil; and

WHEREAS, Public Resources Code Section 48632(c) authorizes the Board to issue grants for research, testing, and demonstration projects to develop collection technologies and uses for recycled or used oil; and

WHEREAS, in July, 1994 the Board adopted a policy of formally approving evaluation and scoring criteria for all grants offered by the Board; and

WHEREAS, a Notice of Funding Availability will be used by Board staff to provide a brief summary of eligibility and deadline information for the Used Oil Research and Demonstration Grant;

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board approves the Notice of Funding Availability and Scoring Criteria for the 1994/95 Used Oil Research and Demonstration Grant.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

1994/95 USED OIL RESEARCH AND DEMONSTRATION GRANT SCORING CRITERIA

Applicants must score at least 75 out of the 100 General Review Criteria points to qualify for grant funding. Qualifying applicants will be ranked in order of their combined score of General Review Criteria and Preference Criteria and will be funded in order of their score if sufficient funds are not available to fund all applicants.

Points	Description
GENERAL REVIEW CRITERIA (must attain 75 out of 100 possible points)	
25	1. Grant Proposal clearly describes and demonstrates the local or statewide need for the project and the benefits and end products resulting from the project. For example: ▪ Project will significantly enhance collection of or markets for California-generated used lubricating oil ▪ Proposal supported by evidence and avoids unsupported assumptions ▪ Proposal describes why a research, testing, or demonstration project approach is necessary ▪ Proposal describes specific and measurable goals and the methods to be used to evaluate project results ▪ Proposal includes letters of support for the project
25	2. Grant Proposal clearly describes and demonstrates the project is technically feasible and that any adverse environmental impacts are minimal. For example: ▪ Proposal supported by evidence and avoids unsupported assumptions ▪ Proposal includes letters of support or commitment ▪ Are permits required and will permit acquisition adversely impact project timing?
15	3. Grant Proposal clearly describes and demonstrates the project is economically viable in relation to the location, source, quality, or quantity of used lubricating oil the project will directly address. For example: ▪ Proposal specifies per gallon cost for collection or product ▪ Quotes, estimates, or other documentation supports claimed costs ▪ Proposal provides evidence supporting special conditions leading to higher per gallon costs
15	4. Grant proposal provides evidence that the applicant or its contractor(s) have sufficient past experience, financial stability, staff resources, and technical expertise to carry out the proposed project. For example: ▪ Proposal addresses ability of the applicant to coordinate contracted activities ▪ Proposal includes resumes, endorsements, references, etc.
10	5. Work Statement and grant narrative is sufficiently detailed to determine that project objectives can be achieved within the time and resources allocated to the project.
10	6. Budget Itemization is sufficiently detailed to determine proposed expenses are reasonable, for example: ▪ All budget items supported in the proposal narrative ▪ Quotes, estimates, or other documentation supports claimed costs ▪ Minimal amounts budgeted for miscellaneous or contingency costs ▪ Matching contributions clearly itemized
PREFERENCE CRITERIA (50 possible points)	
10	7. Project develops a technique, process, or product not already available in California.
10	8. Project will significantly enhance or develop commercial or government markets for rerefined oil or products derived from rerefined oil.
10	9. Project involves a public/private partnership or multi-jurisdiction approach.
5	10. Project demonstrates a strong potential of being successfully replicated by others.
5	11. Project significantly decreases the environmental impacts of used lubricating oil.
5	12. Project demonstrates a strong potential for commercialization.
5	13. Applicant is providing matching funds at least 10% beyond the 0% match required for public agencies and 25% required for other applicants.

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

February 27, 1995

NOTICE OF FUNDING AVAILABILITY
1994/95 USED OIL RESEARCH AND DEMONSTRATION GRANT

The California Oil Recycling Enhancement Act (Act) (Statutes of 1991, Chapter 817) authorizes the California Integrated Waste Management Board (CIWMB) to issue various types of grants to local governments, nonprofit organizations and other entities to enhance the collection and recycling of used lubricating oil. Under the Act, the CIWMB collects from oil manufacturers four cents for every quart of lubricating oil sold, transferred or imported into California. Public Resources Code §48632(c) specifically authorizes the CIWMB to issue grants for research, testing, or demonstration projects that develop collection technologies and/or uses for recycled or used oil. CIWMB staff anticipates approximately $1.5 million will be available for the Used Oil Research and Demonstration Grant Program (Research Grant) during this grant cycle.

FUNDING Program funding is based on a fee collected from oil manufacturers on sales of lubricating oil. Funds remaining after recycling incentive payments and other used oil grant awards are made will be used to fund the Research Grants. CIWMB staff anticipates approximately $1.5 million in grant funds will be available for project costs incurred from June 30, 1995 through March 1997. Applicants may request no more than $300,000. Grants will be awarded on a competitive basis, and the CIWMB may only fund certain portions of a grant proposal. Public entities do not need to provide matching funds. However, private entities not contracting with a public agency must provide a matching contribution of cash, equipment, or in-kind services of at least 25% of the total funds requested.

ELIGIBILITY Eligible applicants include: individuals with California residency, companies eligible to do business in California; California local governments and other public agencies; California-based nonprofit organizations recognized by the Internal Revenue Service under sections 501(c)(3), 501(c)(4), 501(c)(6) or 501(c)(10) of the Internal Revenue Code; or, California colleges or universities. Applicants must demonstrate their ability to successfully conduct research, testing, or demonstration projects. Applications involving public/private or multi-jurisdictional partnerships are encouraged.

ELIGIBLE PROGRAMS Research Grants will be awarded on a competitive basis for research, testing, or demonstration projects that develop collection technologies and/or uses for recycled or used lubricating oil. Proposals must clearly state and describe the goals and evaluation method for the project. Projects not eligible for funding are those involving remediation activities, general used oil public awareness activities, or projects primarily focusing on management of industrial oils or discarded oil filters. Only the following types of projects will be eligible for funding:

- Projects that significantly increase a market(s) for used, recycled, or rerefined lubricating oil.
- Projects that develop a new use for used, recycled, or rerefined lubricating oil that has a demonstrable potential for commercialization.
- Projects that significantly enhance the convenience and/or cost effectiveness of existing methods for collecting used lubricating oil.
- Projects that develop a new collection technology for used lubricating oil that has a demonstrable potential for commercialization.
- Projects that will demonstrably increase commercial, government, or consumer sector acceptance and purchasing of rerefined lubricating oil or other products derived from rerefined lubricating oil.
- Projects that develop products that reduce the use or increase the life of lubricating oil such that a significant reduction in used oil generation is achieved.

APPLICATION DEADLINE The CIWMB will accept applications from February 27, 1995 until 4:00 p.m. on Monday, April 3, 1995. Applications must be received in the CIWMB offices, NOT POSTMARKED, by 4:00 p.m. on April 3, 1995.

FOR MORE INFORMATION To request copies of the application package or to learn more about this program, contact Chris Allen at (916) 255-2136 or Caroll Mortensen at (916) 255-2475.

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

February 22, 1995

Agenda Item 28

ITEM: Consideration of State Legislation

SUMMARY

This item presents analyses of two bills -- AB 35 (Mazzoni) and AB 59 (Sher) -- for the Board's consideration. Both bills are reintroductions of 1994 measures the Board took positions on.

PREVIOUS COMMITTEE ACTION

At the February 7, 1995 meeting of the Legislation and Public Education Committee (LPEC), the members voted (2-1) to forward AB 35 (Mazzoni) to the Board with a recommended position of Support, and voted (3-0) to forward AB 59 (Sher) to the Board with a recommended position of Support.

OPTIONS FOR THE BOARD

Board members may decide to:

1. Accept the Committee recommendations.

2. Adopt new positions or take no positions.

3. Postpone taking a position on one or both bills until a later date.

STAFF RECOMMENDATION

Legislative Staff suggests that the Board adopt positions on AB 35 and AB 59.

ANALYSIS

Analyses have been prepared this month for the following bills:

- **AB 35 (Mazzoni) - Solid Waste Facilities: Permits**
  Prohibits a solid waste facility (SWF) located within the coastal zone and within two miles of any federal park or recreation area, state park system, or ecological reserve, for which a conditional use permit (CUP) was issued prior to January 1, 1976, from being operated or expanded in a manner that is not authorized pursuant to the terms and conditions of the CUP, unless the local agency issues a new or revised CUP which includes terms and conditions that ensure adverse impacts are fully mitigated. Prohibits the SWF described above from being operated or expanded in a manner that is

not authorized pursuant to the terms and conditions of the CUP, unless an environmental impact report (EIR) has been prepared and certified. Prohibits the operator of the SWF described above from making any significant change in the design or operation of the facility except in conformance with the terms and conditions in an approved solid waste facilities permit (SWFP) issued by the local enforcement agency (LEA), or by the California Integrated Waste Management Board (CIWMB), acting as the enforcement agency.

- **AB 59 (Sher) - Solid Waste Facilities: Permits: Enforcement** Revises solid waste facility permitting and enforcement activities carried out by the CIWMB and Local Enforcement Agencies (LEAs). Provides for the imposition of civil liabilities administratively by the LEA or the CIWMB when a solid waste facility operator is not in compliance with permitting requirements, permit terms and conditions, or with state minimum standards related to permitting, handling, or disposal of solid waste, and establishes classes of violations based on their threat to public health and safety or the environment. Establishes detailed procedures for the CIWMB when acting as the enforcement agency (EA), and clarifies processes, procedures, and requirements for the designation, operation and evaluation of LEAs. Clarifies in statute the requirements for operators who wish to change solid waste facility design or operations.

ATTACHMENTS

1. Analyses of AB 35 (Mazzoni) and AB 59 (Sher)

APPROVALS

Prepared by: Pat Chartrand Phone: 255-2416

Reviewed by: Ross Warren Phone: 255-2415

LEGISLATION AND PUBLIC
EDUCATION COMMITTEE

BILL ANALYSIS

California Integrated Waste Management Board	Author Mazzoni	Bill Number AB 35
Sponsor Author	Related Bills AB 1910	Date Amended As introduced

BILL SUMMARY

AB 35 would 1) prohibit a solid waste facility (SWF) located within the coastal zone and within two miles of any federal park or recreation area, state park system, or ecological reserve, for which a conditional use permit (CUP) was issued prior to January 1, 1976, from being operated or expanded in a manner that is not authorized pursuant to the terms and conditions of the CUP, unless the local agency issues a new or revised CUP which includes terms and conditions that ensure adverse impacts are fully mitigated; 2) prohibit the SWF described in #1 above, from being operated or expanded in a manner that is not authorized pursuant to the terms and conditions of the CUP, unless an environmental impact report (EIR) has been prepared and certified; and 3) prohibit the operator of the SWF described in #1 above, from making any significant change in the design or operation of the facility except in conformance with the terms and conditions in an approved solid waste facilities permit (SWFP) issued by the local enforcement agency (LEA), or by the California Integrated Waste Management Board (CIWMB), acting as the enforcement agency.

BACKGROUND

This bill is a reintroduction of AB 1910 of 1994 by Assembly Member Bronshvag aimed at addressing problems associated with an "unauthorized expansion" in the use of a privately-owned landfill in Marin County which changed ownership in 1992. The Governor vetoed the measure saying it ran ..."contrary to this local decision-making authority by attempting to write a state law that would usurp this local government's control over the siting of such facilities by establishing an additional state law directed at one specific landfill." The Governor further stated that the bill could ..."set an adverse precedent for future usurpation of local government authority and the solid waste management planning process."

Departments That May Be Affected		
Committee Recommendation Support	Committee Chair	Date

According to the proponents, the original purpose of the landfill, known as the West Marin Sanitary Landfill, as stated in the 1965 use permit, was to serve West Marin's residents. In May 1978, the county issued a SWFP to the operator of the landfill. The site is about a mile north of Point Reyes Station, nestled within a canyon next to Tomasini Creek, part of the Golden Gate National Recreation Area. Proponents claim that in the past two years, there has been a three-fold expansion in use, expanded hours of operation, and an expanded schedule from five days to seven days per week. Proponents also claim that the landfill has become a "regional" landfill by accepting waste from Oakland, San Francisco, and other cities outside of Marin County, which is inappropriate for the pristine area. Further, proponents state that the landfill has a history of violations and that the risk of substantial pollution to the creek which feeds into Tomales Bay has increased. According to the proponents, repeated requests for county enforcement and clarification of the terms and conditions of the original CUP have received little satisfactory response.

According to the Marin County LEA, the landfill owner has submitted an application for a revised SWFP to increase the amount of waste received from 19,500 tons per year (TPY) to 70,000 TPY. The landfill is currently permitted to receive 375 tons per week and is operating within these limits. The landfill owner has also begun the California Environmental Quality Act (CEQA) process, completing the project description and anticipating completion of an EIR in early 1996. Marin County has taken no action to revise the 1965 CUP, since the CUP is nonspecific and would allow for the expansion. The lateral expansion of the landfill will need to be in compliance with the Federal Resource Conservation and Recovery Act (RCRA) Subtitle D criteria. The previous landfill owner did have several water quality related problems in 1991; however, these problems have all been addressed and appropriate environmental controls have been added to the site. At this time, the landfill appears to be in compliance with Regional Water Quality Control Board requirements.

EXISTING LAW

State law:

1) Authorizes a LEA, or the CIWMB if there is no designated and certified LEA, to issue permits for solid waste facilities. A "solid waste facility" includes a solid waste transfer or processing station, a composting facility, a transformation facility, and a disposal facility.

2) Prohibits a SWF operator from significantly changing the design or operation of a SWF except in conformance with an approved SWFP which is issued by a LEA and concurred in by the CIWMB, or issued by the CIWMB, acting as the LEA.

3) Requires a SWF operator to file an application with the LEA to revise its permit prior to modifying the design or operation of the facility.

4) Requires a lead agency to prepare an EIR on a project which it proposes to carry out or approve that may have a significant effect on the environment.

5) Provides that a CUP can be revoked if the conditions of the permit are violated.

ANALYSIS

AB 35 would:

1) Prohibit a SWF (located within the coastal zone and within two miles of any state or federal park or ecological reserve) for which a CUP was issued prior to January 1, 1976, from being operated or expanded in a manner not authorized under the CUP unless the local agency issues a new or revised CUP that ensures that any adverse impacts (i.e., noise, traffic, litter, odor) are fully mitigated.

2) Prohibit the SWF described in #1 above, from being operated or expanded unless the lead agency prepares and certifies an EIR.

3) Prohibit the operator of the SWF described in #1 above, from making any significant change in the design or operation of the facility.

COMMENTS

The bill was introduced to affect one landfill, the West Marin Sanitary Landfill. However, as written, the bill would have little effect on the ongoing process to evaluate and permit the expansion of the landfill, since the 1965 CUP is considered nonspecific by the Marin County counsel and would allow for the expansion, and an EIR and revised SWFP are in the process.

It is unknown how many other solid waste facilities located within the coastal zone and within two miles of any state or federal park, or ecological reserve, would meet the criteria of this bill.

AB 35 would set an inappropriate precedent by setting separate standards for one specific landfill. The existing statewide process established by law for the approval of new and expanded solid waste facilities provides consistent statewide standards for protection of the public health and safety and the environment. The existing process provides ample opportunity for public review and comment at the local and state levels.

In addition to this measure being identical to AB 1910 of last year, AB 35 is also similar to two other bills from last year that would have established separate standards for specific solid waste facilities -- AB 2679 (Solis), which was vetoed and AB 2969 (Horcher), which failed passage in the Senate. AB 2679 would have established separate standards for the proposed Rodeffer Inert Landfill in the City of Arcadia and AB 2969 would have required a joint powers agreement with surrounding cities prior to the issuance of a SWFP for a proposed materials recovery facility (MRF) in the City of Industry.

The CIWMB opposed both of these bills, arguing that it is inappropriate to write state laws directed at a specific landfill or materials recovery facility and that integrated waste management issues should be addressed in a consistent manner statewide.

LEGISLATIVE HISTORY

AB 35 was introduced in the Assembly on December 5, 1994.

Support: At this time, the author's office has not received any letters of support. AB 1910 of 1994 was supported by a number of local and environmental groups, the Marin County Board of Supervisors.

Oppose: The only letter of opposition recevied at this time is from Norcal Waste Systems. AB 1910 of 1994 was opposed by the West Marin Sanitary Landfill.

FISCAL AND ECONOMIC IMPACT

AB 35 would have no fiscal impact on the CIWMB, the West Marin Landfill owner, or Marin County, since the bill would have little effect on the ongoing process to evaluate and permit the expansion of the landfill -- the 1965 CUP is considered nonspecific by the Marin County counsel and would allow for the expansion, and an EIR and revised SWFP are in process. It is unknown how many other solid waste facilities located within the coastal zone would meet the criteria of this bill.

LEGISLATION AND PUBLIC
EDUCATION COMMITTEE

BILL ANALYSIS

California Integrated Waste Management Board	Author Sher	Bill Number AB 59
Sponsor Author	Related Bills AB 1829 (1994)	Date Amended As Introduced

BILL SUMMARY

As introduced, AB 59 is a comprehensive measure that would revise solid waste facility (SWF) permitting and enforcement activities carried out by the California Integrated Waste Management Board,(CIWMB) and Local Enforcement Agencies (LEA). It would provide for the imposition of civil liabilities administratively by the LEA or the CIWMB when a solid waste facility operator is not in compliance with permitting requirements, permit terms and conditions, or with state minimum standards related to permitting, handling, or disposal of solid waste, and it would establish classes of violations based on their threat to public health and safety or the environment. The bill would establish detailed procedures for the CIWMB when acting as the enforcement agency (EA), and clarify processes, procedures, and requirements for the designation, operation and evaluation of LEAs. The bill would also clarify in statute the requirements for operators who wish to change solid waste facility design or operations.

BACKGROUND

Previous Legislation

AB 59 is a reintroduction of AB 1829 (Sher) of 1994. AB 1829 contained provisions that would have required a Solid Waste Facilities Permit, in addition to the radioactive waste facilities permit, for the Ward Valley Low Level Radioactive Waste Facility if solid waste were accepted at that facility. The Governor vetoed AB 1829 because of this provision stating that, among other things, "..the dual regulation required by this bill is unnecessary. Moreover, this bill will add yet another governmental hurdle to the opening of this much needed facility." However, these provisions do not appear in AB 59.

Departments That May Be Affected		
Committee Recommendation Support	Committee Chair	Date

EXISTING LAW

Provisions of existing law:

1) Authorize the CIWMB to establish a comprehensive research and development program that will assist state and local governments and private industries to implement innovative resources management and waste reduction programs.

2) Authorize the designation, in each county, of an enforcement agency and provide that if an LEA is not designated and certified, the CIWMB shall be the enforcement agency (EA) within the county. In such cases, the CIWMB assumes the additional powers and authorities of an LEA within that jurisdiction.

3) Require the enforcement agency to assume specified duties, including enforcement of state minimum standards for solid waste handling and disposal, adoption of an enforcement program, maintenance of records, and consultation with appropriate health agencies concerning actions that involve health standards.

4) Allow the CIWMB, if it becomes the EA, to charge reasonable fees to the local governing body to recover operation costs.

5) Require the CIWMB to develop performance standards for evaluating certified LEAs and conduct a performance review of the LEAs every 18 months. If the CIWMB finds that an LEA is not fulfilling its responsibilities and the lack of compliance has contributed to significant noncompliance with state minimum standards, the CIWMB is required to withdraw its approval of the LEA designation. If the CIWMB finds that conditions at solid waste facilities within the LEA's jurisdiction threaten public health and safety or the environment, the CIWMB shall, within 10 days of notifying the LEA, become the EA until another LEA is designated and certified. Current law also specifies the findings to be made by the CIWMB which result in withdrawal of the CIWMB's approval of the LEA designation.

6) Prohibit an operator of a SWF from making a significant change in the design or operation of a facility except in conformance with an approved or revised permit, and require an operator wishing to modify the design or operation of a SWF to file an application for revision of the existing permit with the EA at least 120 days prior to the date when the proposed modification is to take place. Allow a waiver of the 120 day filing period under circumstances which present an immediate danger to the public health and safety or the environment.

7) When issuing or revising a SWF permit, require the EA to ensure that primary consideration is given to preventing environmental damage and that the long-term protection of the environment is the guiding criterion. Allow the EA to prohibit or condition the handling or disposal of solid waste to protect, rehabilitate, or enhance the environmental quality of the state or to mitigate adverse environmental impacts.

8) Require any SWF permit to be reviewed, and if necessary, revised at least once every five years.

9) Require the CIWMB to maintain an inventory of solid waste facilities that are in violation of state minimum standards and provide procedures for including individual facilities in the inventory. If facilities in the inventory do not meet compliance schedules within one year, the EA must revoke the permit of the SWF until violations are remedied. The CIWMB is required to update and publish the inventory twice annually.

10) Provide that permitted hazardous waste disposal facilities and low-level radioactive waste facilities are not required to obtain a solid waste facility permit. However, for those other permitted hazardous waste facilities that accept both hazardous and solid wastes, both a hazardous waste facilities permit and solid waste facilities permit is required.

11) Provide for denial, suspension, and revocation of permits, and procedures for hearings to make such determinations.

12) Provide the CIWMB and LEAs with permitting, inspection, and enforcement authority for asbestos containing waste (ACW) disposed of at non-Class I landfills, and requires an memorandum of understanding be adopted between the Department of Toxic Substances Control (DTSC) and the CIWMB that defines each agency's responsibilities at these disposal sites. It also provides that until regulations are adopted by the CIWMB that will enable the CIWMB to assume enforcement authority at these sites, the DTSC will retain enforcement authority.

13) Provide a comprehensive chapter on enforcement, including actions to take with regard to permit violations, provisions for imposing civil penalties, provisions for taking corrective actions, procedures for taking emergency actions, procedures for filing administrative appeals, procedures for resolving jurisdictional disputes, and standards for judicial review.

ANALYSIS

AB 59 would:

<u>Changes in local enforcement agencies provisions:</u>

1) Specify conditions for the reimbursement of the CIWMB's costs when it acts the EA for local jurisdictions, particularly Stanislaus and Santa Cruz Counties.

2) Provide guidance to LEAs, upon their request, for inspection and investigation of illegal, abandoned, or inactive closed sites.

3) Clarify the requirements for certified LEAs, including establishment and maintenance of an inspection program which ensures frequent inspections of facilities that have established a pattern of noncompliance with waste management laws and regulations.

4) Add provisions for the CIWMB to use when evaluating LEAs that it may find are not fulfilling their responsibilities.

5) Allow the CIWMB, upon request from an LEA, to provide legal assistance to an LEA.

6) Prohibit an employee of a solid waste handling or disposal operation from also being employed by the LEA, unless authorized by the CIWMB.

Changes in permitting provisions:

1) Reflect in statute the actual timeframe to process a permit package, from 120 days to 150 days, which reflects the 30 day review by the enforcement agency for package completeness and the 120 day period for permit writing, CIWMB concurrence or objection, and issuance of the permit.

2) Establish a criteria for review and revision of whether or not SWF operators are required to obtain permit revisions when making changes in the design or operation of their facility in a manner that is not specifically authorized or excluded by the existing permit.

3) Streamline the permitting process by allowing a permit to be transferred without a permit modification or revision when a change in owner or operator occurs, and the LEA or the CIWMB determines the facility will be operated in compliance with the terms and conditions of the existing permit.

4) Require CIWMB to prepare a list, on or before January 1, 1996, of solid waste facilities permits which have not been reviewed in the last five years. This list would include SWF permits issued on or before January 1, 1989, facilities accepting more solid waste than their permit authorizes, and facilities which may pose a significant risk to the public health or safety or the environment.

5) Allow a portion of a SWF operating permit to become null and void when a portion of the SWF has commenced closure activities pursuant to an approved closure and postclosure maintenance plan.

6) Require a finding that the facility is consistent with the goals of the Integrated Waste Management Act.

7) Clarify provisions under which an enforcement agency may deny a permit application by adding the following criteria in statute:

   a. submitting an incomplete or inadequate application;

b. noncompliance with CEQA;
c. failing to demonstrate that the facility will meet minimum standards;
d. submitting an application that contains false or misleading information; or
e. having a record of violations.

8) Clarify that a solid waste facilities permit is not required for any properly permitted hazardous waste facility if the solid waste is managed as a hazardous waste and the amount managed by the facility is less than five percent of the total amount of hazardous waste received by the facility annually.

Changes in enforcement provisions:

1) Revise provisions of existing law that transfer regulatory authority for ACW disposed of at non-Class I Waste Management Units from the DTSC to the CIWMB.

2) Define violations for enforcement purposes as either Class 1, Class 2, or Class 3 violations. Violations range from Class 1- posing an imminent or substantial threat to public health, safety or the environment; Class 2 - posing potential threat to public health, safety or the environment; or Class 3 - posing no threat to public health, safety or the environment.

3) Provide guidance to enforcement agencies when denying, suspending, or revoking permits, and provide specificity in the new violation classification system to ensure consistency among the enforcement activities.

4) Require the issuance of a compliance order as the first step of the enforcement process, prior to taking actions such as imposing administrative civil liabilities or civil penalties.

5) Provide the CIWMB and LEAs with the authority to impose civil liabilities administratively, as defined, based on class of violation, for non-compliance with permit conditions and state minimum standards.

6) Provide that civil penalties imposed by the CIWMB be deposited into a new account, the Solid Waste Enforcement Fund, to be used exclusively for permitting and enforcement activities. If the LEA is pursuing the enforcement action, the penalties are to be deposited into a local trust fund and used exclusively to support the LEA program.

COMMENTS

The comments below discuss the major provisions of the bill.

Local enforcement agency provisions

1) The bill would define in statute procedures for the designation and operation of LEAs,

and for reimbursement of the CIWMB's costs when it acts as the enforcement agency (EA) for particular jurisdictions. For instance, in 1992 the CIWMB became the EA for Stanislaus County. Provisions for reimbursing the CIWMB's costs were unclear and, thus, Stanislaus County pursued a legislative remedy that would require the CIWMB to collect fees directly from solid waste facility operators within that county. Santa Cruz County has pursued a similar requirement for that jurisdiction.

2) Allowing the CIWMB to provide legal assistance to an LEA, upon their request, would allow the CIWMB to assist in enforcing state minimum standards within a jurisdiction without first decertifying the LEA. This would be of benefit to both the CIWMB and the LEAs because, in addition to ensuring compliance with state minimum standards, it allows otherwise effective LEAs to continue to be certified, even though they may have problems gaining compliance with one specific SWF. It would preclude what otherwise might be an unnecessary and costly decertification process of an LEA.

3) The bill would prevent conflicts of interest from developing at the local government level by prohibiting an employee of solid waste handling or disposal operations within the local government from also being employed as the LEA for that jurisdiction. This would reduce a real or apparent conflict of interest and ensure that all solid waste facilities within the jurisdiction, whether publicly or privately owned, are subject to the same levels of enforcement of state minimum standards and local permit conditions.

Permitting provisions

1) The bill does not contain provisions that would require a SWF permit for the Ward Valley Low Level Radioactive Waste Facility.

2) The bill would clarify in statute that the actual timeframe in which a permit must be acted upon is 150 days rather than 120 days. What appears to be a 30-day extension of time in which a permit must be acted upon is actually the timeframe provided under existing law and regulation which includes a 30 day application "completeness review" by the EA that takes place prior to the beginning of the 120 day time period.

3) Current statutory provisions do not address in detail what should be considered when operators wish to change the design or operations of solid waste facilities in a manner that is not authorized by their existing permits. AB 59 would address permit revision requirements and provide necessary guidance. It would also codify several current practices with regard to the receipt and review of permit applications

4) Current statutory provisions related to the denial, suspension, and revocation of permits are vague in some instances and not always relevant in others. AB 59 would provide clarity and streamlining to the permit application, revision and maintenance processes, as well as the appeal processes in the event of a permit denial, suspension, or revocation. The bill would also make revisions to the permitting provisions that provide consistency with the new classifications of violations proposed by the bill.

5) AB 59 would streamline the permitting process by allowing a permit to be transferred, rather than requiring a new permit, when a change in owner or operator occurs, under specified conditions that would ensure protection of public health and safety and the environment. If the new owner or operator were to operate the facility in the same manner and under the same permit conditions as the previous owner or operator, allowing the permit to be transferred would reduce the burden on the new owner or operator, the LEA, and the CIWMB, in a manner that would not result in a reduction of protection for the public health and safety and the environment, and would streamline this aspect of the permitting process.

6) Allowing a permit to be voided upon commencement of an approved closure activity would further streamline the permitting process by eliminating the need for permit action for closure activities. Enforcement activities could then be directed towards the implementation of the closure plan rather than toward inapplicable operating conditions of an active permit.

7) The bill's clarification that EAs are to issue cease and desist orders to any facility operating without a permit will enhance the ability of EAs to gain compliance with state permit requirements.

Enforcement provisions

1) Current law requires that imposition of civil penalties for violations of permit terms and conditions and state minimum standards administered by the CIWMB and LEAs be done pursuant to actions filed in Superior Courts. The CIWMB does not currently have the authority to impose civil penalties administratively as is currently provided to other Cal-EPA boards and departments. AB 59 would provide the CIWMB and LEAs with the authority to impose civil penalties administratively ($1000, $2,500, $5000) for three separate classes of violations, in a manner similar to other Cal-EPA boards and departments. Violations of statutory provisions, related regulations, or permit terms and conditions are classified according to their potential to pose an imminent or substantial threat to public health and safety or the environment. Specific criteria to be considered when determining amounts of civil penalties to be imposed or whether to deny, suspend or revoke a permit or deny a permit application are set out in AB 59 and will ensure that enforcement activities are consistent and appropriate for the level of violation that occurs.

2) The bill would require, prior to imposition of civil penalties, that the EA issue a compliance order that describes the violation. This would provide advance notice to an operator that civil penalties may be forthcoming if the violations are not corrected.

3) Requiring the monies received from civil penalties to be deposited in the Solid Waste Enforcement Fund, which this bill would create, would ensure that the civil penalties collected are used to support ongoing enforcement related activities. However, as a technical matter, it may more appropriate to establish the special fund as a subaccount of the Integrated Waste Management Account.

Hearing panels

The bill would require the formation of a hearing panel to be comprised of three members to hear appeals of violations issued. It would also provide a process for appeal of hearing panel decisions to the CIWMB. It would further address CIWMB review of civil penalties imposed by LEAs under the new administrative civil liability imposition authority.

Asbestos Containing Waste

ACW is considered a hazardous waste and was subject to regulation by the Department of Toxic Substances Control (DTSC). However, on June 25, 1992, the CIWMB entered into a one-year Memorandum of Understanding (MOU) with the DTSC, which allowed the CIWMB to regulate the disposal of asbestos waste at Class II, Class III, and unclassified disposal sites. Under the MOU, the CIWMB was given the responsibility for permitting, inspection, and enforcement duties at nonhazardous waste disposal sites accepting ACW. The MOU, intended to be an interim measure until formalized by legislation, expired June 30, 1993.

The CIWMB was provided the statutory authority to regulate ACW disposed of at nonhazardous waste sites by AB 688 (Chapter 1227, Statutes of 1994). Accordingly, since the language in this bill related to the CIWMB's authority over ACW appears to be leftover from last year's AB 1829, it may be appropriate to request that this language be removed from the bill.

LEGISLATIVE HISTORY

AB 59 was introduced on December 16, 1994 and has been referred to the Assembly Committee on Natural Resources.

FISCAL IMPACT

The provisions of AB 59 would not have a fiscal impact on the CIWMB.

Analyst: Ross Warren 255-2415

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM # 31

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Nondisposal Facility Element for the City of Azusa, Los Angeles County

STAFF COMMENTS:

The City of Azusa's SRRE projects diversion for 1995 as 24.4% and 51.2% for the year 2000. However, adjustments to remove restricted materials change these percentages to 23.9% for 1995 and 50.8% for the year 2000. The removal of restricted wastes results in a conditional approval for 1995 and projected achievement in the year 2000 mandated diversion goal.

During the review, staff found the City's Solid Waste Generation Study (SWGS) lacks information on representative sampling, as required by California Code of Regulations Sections 18722(h) and (i) and Public Resources Code Sections 41030 and 41330. Board staff requested information concerning representative sampling and sampling methods in the comments on the Preliminary Draft SRRE. The comments were not adequately addressed in the Final SRRE.

Based on information in the SRRE, the City of Azusa plans to implement a single family curbside recycling program, residential phased yard waste curbside collection, and commercial and industrial recycling educational campaigns. The City will continue the use of buy-back centers and drop-off centers. The City also plans to implement a backyard composting program, including workshops and bin distribution, and pass an ordinance regarding lawn restrictions and xeriscaping. The City will also provide technical assistance to businesses and residents by formulating a Technical Assistance and Resource Center. In the medium-term, the City may also participate with a MRF sited at the Azusa landfill.

Staff recommend conditional approval for the City of Azusa's Source Reduction and Recycling Element given that the City projects to be at 23.9 and the SWGS, as submitted, does not meet the SWGS criteria in the area of representative sampling. As a condition, the City must provide further information in their Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 25% mandated goal and indicate the number of samples from each sector that were characterized. This information is needed to substantiate that the City's base-year study is representative and accurate. The City must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the City will correct the deficiencies.

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:

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.

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 Solid Waste Generation Study describes how the disposal characterization was conducted using Quantitative Field Analysis, but does not specify the total number of samples characterized and does not indicate how many samples were characterized for each sector. Without this information staff could not determine whether the disposal study was representative of the jurisdiction's waste stream.

Board staff requested the above information concerning representative sampling in comments on the initial SWGS, in a letter addressed to the City, dated February 5, 1993.

Restricted Materials. No documentation of base-year diversion claims for 248 tons of restricted materials has been received. Staff has subtracted 248 tons from diversion and generation.

Area of Concern:

The document does not identify conversion factors used to determine volume amounts of waste disposed. Staff recommends that conversion factors be identified in the first annual report.

AZUSA	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	29,614	2,765	32,379	26,962	8,704	35,666	19,195	20,099	39,294
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-248)	(-248)	0	(-248)	(-248)	0	(-248)	(-248)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-248)	(-248)	0	(-248)	(-248)	0	(-248)	(-248)
Corrected Totals	29,614	2,517	32,131	26,962	8,456	35,418	19,195	19,851	39,046
Claimed diversion rates		8.5%			24.4%			51.2%	
Corrected diversion rates		7.8%			23.9%			50.8%	

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 three facilities operating in Azusa. The three facilities are the BFI Tire Recycling at the Azusa Reclamation Landfill, Western Disposal Waste Recovery and Transfer Station, and Fibre Fuel Company.

Staff recommend an approval for the City of Azusa's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-178 Conditional Approval for the SRRE for the City of Azusa
2: Resolution # 95-179 Approval for the NDFE for the City of Azusa

Prepared by: Traci R. Perry TRP Phone: 255-2311

Prepared by: Nancy Carr NC Phone: 255-2418

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 2:35 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-178

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF AZUSA

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. except that the plan only projects a diversion rate of 23.9 for the year 1995 and 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

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Element for the City of Azusa. As conditions, the City must provide further information in their Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 25% mandated goal and indicate the number of samples from each sector that were characterized. The City must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the City will correct the deficiencies.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-179

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF AZUSA

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 Azusa. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM # 632

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Household Hazardous Waste for the City of Vernon, Los Angeles County

STAFF COMMENTS:

The City of Vernon's SRRE projects diversion for 1995 as 63.5% and 64.5% for the year 2000. However, adjustments to remove restricted wastes and other adjustments change these percentages to 45.6% for 1995 and 48.9% for the year 2000. The removal of restricted wastes results in the projected achievement for the 1995 mandate and substantial compliance for the year 2000 mandated diversion goal.

The City of Vernon is almost exclusively industry. All of the existing recycling is performed by the private sector. The City plans implement programs that target the commercial and industrial wastestreams. These programs include technical assistance to businesses in the form of workshops, waste audits, and publications. The City will also implement local procurement policies, reporting requirement for businesses, and zoning and code changes to accommodate recycling. The City also plans to investigate the possibility of siting a Material Recovery Facility within the city limits.

Staff recommend approval for the City of Vernon'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:

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.

Diversion Tonnages. Diversion tonnage provided was not accurate. The City did not adequately address the issue of double counting [14 CCR Section 18722 (n)]. The extrapolation of the results of the business survey should account for materials included in the recycler and hauler surveys. Additionally, material recovered by a hauler might also be processed by a recycler. Therefore, the 10,339 tons attributed to the hauler survey (10,735 tons less 396 tons of restricted materials subtracted below) and the 19,300 tons attributed to the recycler survey were subtracted from diversion and generation.

Disposal Tonnages. Disposal tonnage provided was not accurate. Material sent to the Commerce Refuse to Energy Facility was not included in diversion or disposal. Staff added 1,806 tons to disposal and generation in the base-year and 1995, and to diversion and generation in 2000.

Normally Disposed of. Hazardous waste is not "normally disposed." Staff subtracted 396 tons of commercial and industrial hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 34,178 tons of restricted waste types has been received. Staff subtracted 34,178 tons from diversion and generation. The diversion of white goods was claimed in the base-year only, and was not included in the diversion projections.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern:

The hauler survey discussed above asked for diversion amounts by weight or volum however no volume to weight conversion factors were given. Without conversion factors, staff cannot determine how the diversion amounts were derived.

Vernon	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	77,659	114,173	191,832	72,176	125,587	197,763	71,808	130,444	202,252
Changes to claimed tonnages									
Restricted materials:									
Inert solids	0	(-372)	(-372)	0	(-372)	(-372)	0	(-372)	(-372)
Scrap metals	0	(-33,801)	(-33,801)	0	(-33,801)	(-33,801)	0	(-33,801)	(-33,801)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-5)	(-5)	0	0	0	0	0	0
Subtotal	0	(-34,178)	(-34,178)	0	(-34,173)	(-34,173)	0	(-34,173)	(-34,173)
Transformation	1,806	0	1,806	1,806	0	1,806	0	1,806	1,806
Hauler survey	0	(-10,339)	(-10,339)	0	(-10,339)	(-10,339)	0	(-10,339)	(-10,339)
Recycler survey	0	(-19,300)	(-19,300)	0	(-19,300)	(-19,300)	0	(-19,300)	(-19,300)
Hazardous waste	(-396)	0	(-396)	(-396)	0	(-396)	(-396)	0	(-396)
Corrected Totals	79,069	50,357	129,426	73,586	61,776	135,362	71,412	68,439	139,851
Claimed diversion rates		59.5%			63.5%			64.5%	
Corrected diversion rates		**38.9%**			**45.6%**			**48.9%**	

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 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 Vernon's Household Hazardous Waste Element.

Area of Concern:

The City did not provide information in the Education and Public Information Component or the Funding Component. The City should provide this information in the first Annual Report.

ATTACHMENTS:

1: Resolution # 95-180 Approval for the SRRE for the City of Vernon
2: Resolution # 95-181 Approval for the HHWE for the City of Vernon

Prepared by: Traci R. Perry Phone: 255-2311

Prepared by: Mitch Weiss Phone: 255-2446

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: JD Date/time: 1/27/95 2:35 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-180

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF VERNON

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 Vernon.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-181

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF VERNON

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 Vernon drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Vernon submitted their final HHWE to the Board for approval which was deemed complete on November 8, 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 Vernon.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM #133

ITEM: Consideration of Staff Recommendation on the Adequacy of the Nondisposal Facility Element for the City of Lomita, Los Angeles County

STAFF COMMENTS:

The City of Lomita identified 9 facilities they are using or may use in the future to reach the mandated goals. Currently the City is sending waste to American Waste Systems, BFI Central Los Angeles Transfer Station, BFI-SWT Transfer Station, BKK Falcon Transfer Station, Potential Industries MRF, South Gate Transfer Station, and Western Waste Industries, Inc. Transfer Station.

Staff recommend approval for the City of Lomita's Nondisposal Facility 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		

ATTACHMENTS:

1: Resolution # 95-176 Approval for the NDFE for the City Lomita

Prepared by: Traci R. Perry Phone: 255-2311

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 1/27/95 1:15 pm

14

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-176

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF LOMITA

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 Lomita. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM #834

ITEM: Consideration of Staff Recommendation on the Adequacy of the Nondisposal Facility Element for the City of La Puente, Los Angeles County

STAFF COMMENTS:

The City of La Puente identified 6 facilities they are using to reach the mandated goals. Currently the City is sending waste to All Waste, Nu Way Industries, Recycled Wood Products, Allan Company, California Recycling Enterprises, and various 20/20 recycling centers.

Staff recommend approval for the City of La Puente's Nondisposal Facility 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		

ATTACHMENTS:

1: Resolution # 95-177 Approval for the NDFE for the City of La Puente

Prepared by: Traci R. Perry Phone: 255-2311

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 2:40pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-177

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF LA PUENTE

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 Puente. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM #835

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 Laguna Hills, Orange County

STAFF COMMENTS:

The City of Laguna Hills SRRE projects diversion for 1995 as 32.8% and 51.7% for the year 2000. However, adjustments to remove restricted waste and hazardous waste changed the 1995 percentages to 33.0% and the 2000 percentages to 52.0%. Even with the restricted wastes and hazardous waste 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: curbside collection of separated materials (single and multifamily residences), commercial/industrial collection, backyard composting, regional composting facility, salvaging at the solid waste facility, and several public education and information programs. These public education and information programs include printed brochures, community outreach programs, telephone hotline, inter-organizational coordination, special events programs, school programs, and mass media events.

Staff recommend approval for the City of Laguna Hills 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 table below.

Normally Disposed. Hazardous waste is not "normally disposed". Therefore, 307 tons of commercial and industrial hazardous wastes were subtracted from disposal and generation.

Restricted Materials. The total diversion table shows diversion of 16 tons of restricted materials, including 12 tons of ferrous metals, 1 ton of non-ferrous

metals, and 3 tons of other metals. Documentation of the diversion claim for 16 tons of restricted waste was not received. Therefore, 16 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern

1. The Special Wastes Component states the use of whole and shredded tires as fuel is planned for short-term objectives (1991-1995). The contingency plan states that yard waste may be used as fuel. 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 include: the resulting ash must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

2. In 1990, approximately 521,740 tons from industrial sources and 596,072 tons from demolition and construction sources were disposed of by Orange County jurisdictions. The amount was quantified by the Orange County Waste Characterization Methodology. The jurisdiction of origin was not determine for this waste, a total of 1,117,812 tons. In the Orange County Methodolog the waste was "allocated" to the unincorporated County and Cities within Orange County. Some jurisdictions have included this tonnage, some have not. Because so large a tonnage is in question, the disposal tonnage data for the jurisdictions within Orange County may not be accurate. The jurisdictions within Orange County should re-examine this potential problem, because it may dramatically affect goal achievement.

Laguna Hills	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	45,528	1,089	46,617	31,336	15,281	46,617	22,534	24,083	46,617
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0
Subtotal	0	(-16)	(-16)	0	(-16)	(-16)	0	(-16)	(-16)
Hazardous waste	(-307)	0	(-307)	(-307)	0	(-307)	(-307)	0	(-307)
Corrected Totals	45,221	1,073	46,294	31,029	15,265	46,294	22,227	24,067	46,294
Claimed diversion rates		2.3%			32.8%			51.7%	
Corrected diversion rates		2.3%			33.0%			52.0%	

HHWE

This Household Hazardous Waste Element 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; 4-6 permanent facilities located throughout the County, load checking programs at the landfills, recycle/reuse programs, and public education and information programs. Most of the household hazardous waste programs for the City are already in place but the City and County plan on continued review of the programs and addition of education programs as needed.

Staff recommend approval for the City of Laguna Hills 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 Laguna Hills Nondisposal Facility Element identifies three facilities that they are using or may use in the future to reach the mandated goals. Currently the City is sending waste to CR&R Incorporation, Sunset Environmental, and La Pata Green Waste Composting.

Staff recommend approval for the City of Laguna Hills Nondisposal Facility Element.

Attachments

1: Resolution # 95-57 Approval for the SRRE for the City of Laguna Hills
2: Resolution # 95-58 Approval for the HHWE for the City of Laguna Hills
3: Resolution # 95-59 Approval for the NDFE for the City of Laguna Hills

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Mitchell Weiss Phone: 255-2664

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 1/27/95 2:00 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-57

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF LAGUNA HILLS

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 Laguna Hills.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-58

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF LAGUNA HILLS

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 Laguna Hills drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Laguna Hills 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 Laguna Hills.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-59

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF LAGUNA HILLS

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 Laguna Hills. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

Local Assistance and Planning Committee
February 8, 1995

AGENDA ITEM #36

ITEM: Consideration of Staff Recommendations on the Adequacy of the Nondisposal Facility Element for the unincorporated area of Orange County

STAFF COMMENTS:

The Orange County Nondisposal Facility Element (NDFE) identifies eleven facilities that the County will use or may use in the future to reach the mandated goals. Currently the unincorporated County is sending waste to CVT Transfer-Material Recovery Facility, Leisure World - Green Waste Composting Facility, Orange Resource Recovery Systems, Inc., Rainbow Transfer/Recycling, Inc., South Orange County Materials Recovery Facility, Stanton Transfer Station and Sunset Environmental. The Aguinaga Fertilizer Company, Inc., BFI Organics, Gro-Rite Company, and La Pata Green Waste Facility were identified as other facilities that the County may use.

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	

Board staff recommend that the Orange County Nondisposal Facility Element be approved as it has adequately addressed all requirements.

Attachments

1: Resolution # 95-60 Approval for the NDFE for Orange County

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 1/27/95 12:35pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-60

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE UNINCORPORATED AREA OF ORANGE 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 Orange 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM #137

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 Cajon, San Diego County

STAFF COMMENTS:

The City of El Cajon has identified numerous programs to achieve the mandates of the California Integrated Waste Management Act of 1989. The City's projected diversion rates are 29.7% for 1995 and 55.7% for 2000.

Currently the City and its residents are active in source reduction, recycling, and public information/education activities. The City encourages source reduction through a broad-based program incorporating instructional and promotional activities and waste exchanges. The City proposes to provide economic incentives for commercial businesses that significantly reduce their waste generation quantities. The City also plans to audit the City-generated waste stream and revise the City's purchasing manual to include a preference for recycled-content products where feasible.

The City's SRRE programs include: revising city procurement specifications and implementing volume-based rates; incorporating the yard waste collection as part of the residential curbside collection program; evaluate the implementation of a county-operated composting project; implementing an on-call service for collection of recycleables from the commercial sector, evaluate the feasibility to use compost as a bulking agent in sludge co-composting facility; evaluate alternative tire diversion techniques; and implement 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; promotional events such as phone book recycling, and HHW collection events.

Staff recommends Conditional Approval of the Source Reduction and Recycling Element for the City of El Cajon, San Diego County. Staff makes this recommendation because the SRRE does not meet the SWGS criteria in the areas of representative sampling and sampling methods, as explained below. As a condition, the City must supply additional information in its First Annual Report explaining how the disposal and diversion tonnages in the SRRE were derived. The City must also submit a compliance schedule to the Board within 60 days from the date of the Board's conditional approval letter which demonstrates how the City will correct the noted deficiencies.

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.

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. 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.

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.

Areas of Concern:

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 their first Annual Report to the Board.

The Composting Component - 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 14 CCR Section 18775.2. Because the sludge is generated in the unincorporated area of San Diego County (Point Loma Treatment Facility), the sludge should not be included in the disposal, diversion, or generation for El Cajon.

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.

El Cajon	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	175,179	4,447	179,626	130,842	55,183	186,025	83,612	104,984	188,596
Changes to claimed tonnages:									
Restricted materials:									
Subtotal	0	0	0	0	0	0	0	0	0
Corrected Totals	175,179	4,447	179,626	130,842	55,183	186,025	83,612	04,984	88,596
Claimed diversion rates		2.5%			29.7%			55.7%	
Corrected diversion rates		**2.5%**			**29.7%**			**55.7%**	

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 will participate in San Diego County's countywide HHW program, which includes periodic collection events, education and public information, and load checking programs at 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			X
Facility descriptions - outside a jurisdiction	X		
Transfer Station descriptions - within a jurisdiction			X
Transfer Station descriptions - outside a jurisdiction			X

To implement its waste diversion goals the City is currently utilizing a existing source separation facility (a nonpermitted transfer facility) and a nonpermitted greenwaste recycling center for the diversion of recylcleable materials.

Staff recommends approval of the City's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-198 Conditional Approval for the SRRE for the City of El Cajon
2: Resolution # 95-199 Approval for the HHWE for the City of El Cajon
3: Resolution # 95-200 Approval for the NDFE for the City of El Cajon

Reviewed by: Lloyd Dillon Phone: 255-2303

Reviewed by: Claire Miller//John Sitts Phone: 255-2419/2422

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 1/27/95 3:00 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-198

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF EL CAJON, SAN DIEGO 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, 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

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Source Reduction and Recycling Element for the City of El Cajon. As conditions, the City must provide further information in their Annual Report describing expansion of existing programs or additional programs that will be implemented to reach the 25% mandated goal and indicate the number of samples from each sector that were characterized. The City must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the City will correct the deficiencies.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-199

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF EL CAJON

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 El Cajon drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of El Cajon 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 approve the Household Hazardous Waste Element for the City of El Cajon.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-200

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF EL CAJON, SAN DIEGO 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 El Cajon. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 38

ITEM: Consideration of Staff Recommendations on the Source Reduction and Recycling Element, Nondisposal Facility Element, and Household Hazardous Waste Element for the City of California City, Kern County

STAFF COMMENTS:

The City of California City SRRE projects diversion for 1995 as 25.7% and 66.9% for the year 2000. However, adjustments to remove restricted waste and hazardous waste changed these percentages to 25.0% for 1995 and 66.7% for 2000. Even with the restricted and hazardous waste removed, the projected diversion rates are sufficient to achieve the mandated goals. Achieving these goals is accomplished through a number of source reduction, recycling, composting, and special waste diversion programs that will assist the City in reaching the mandated goals. Some of the programs that the City selected include: in-house source reduction; variable can rates; curbside collection of commingled materials; industrial/commercial recycling, buy-back and drop-off centers; material recovery facility; residential/commercial composting; and residential curbside collection of yard waste. The City's educational programs include the Technical Assistance Resource Center and school curricula development.

Staff recommend approval for the City of California City'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.

Normally Disposed. Hazardous waste is not "normally disposed of". Staff has subtracted 18 tons of commercial and industrial hazardous waste from disposal and generation in the base-year, 1995, and the year 2000.

Restricted Materials. No documentation of diversion claims for 97 tons of restricted waste types has been received. Therefore 97 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern

1. Tires may be used for tire derived fuel (TDF). 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.

2. 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 procedures outlined in 14 CCR Section 18775.2.

CALIFORNIA CITY	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	6,634	420	7,054	7,402	2,556	9,958	4,921	9,928	14,849
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-97)	(-97)	0	(-97)	(-97)	0	(-97)	(-97)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-97)	(-97)	0	(-97)	(-97)	0	(-97)	(-97)
Hazardous Waste	(-18)		(-18)	(-18)		(-18)	(-18)		(-18)
Corrected Totals	6,616	323	6,939	7,384	2,459	9,843	4,903	9,831	14,734
Claimed diversion rates		6.0%			25.7%			66.9%	
Corrected diversion rates		**4.7%**			**25.0%**			**66.7%**	

HHWE

This HHWE adequately addresses the requirements of 14 CCR Sections 18750 et. seq. for the following areas (if no, please explain below):

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 Collection events, used oil collection facilities, and a landfill load checking program. The County will also implement source reduction activities such as; school curriculum, an HHW information call-in line, and an educational director.

Staff recommend approval for the City of California City's Household Hazardous Waste Element.

NDFE

This NDFE adequately addresses the requirements of 14 CCR Sections 18752 et. seq. for the following areas (if no, please explain below):

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 California City identified five facilities in the Nondisposal Facility Element, three of these facilities require a Solid Waste Facility Permit. The permitted facilities are Envirocycle Transfer Facility, San Joaquin Composting, and Tehachapi-Benz Sanitation. The non-permitted facilities are California City drop-off bin facility and Bendor Corporation.

Staff recommend approval for the City of California City's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-167 Approval for the SRRE for the City of California City
2: Resolution # 95-168 Approval for the HHWE for the City of California City
3: Resolution # 95-169 Approval for the NDFE for the City of California City

Prepared by: Amber Robinson-Burmester ARB Phone: 255-2312

Prepared by: Barbara Baker BLK for Phone: 255-2655

Reviewed by: John Sitts BLK for Phone: 255-2422

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 1:05 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-167

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF CALIFORNIA 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 Element for the City of California 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-168

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF CALIFORNIA 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 California City drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of California City submitted their final HHWE to the Board for approval which was deemed complete on October 31, 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 California 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-169

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF CALIFORNIA 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 California 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM # 39

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element, and Nondisposal Facility Element for the City of Wasco, Kern County

STAFF COMMENTS:

Staff found the City of Wasco's SRRE content to be adequate, but after adjusting the base year data for excluded waste types the year 1995, diversion projection fell to 23.3 percent. The year 2000, diversion projection remained above the required diversion rate falling only to 58.3 percent. For this reason, staff are recommending conditional approval for the City of Wasco's 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 25% mandated goal.

The City of Wasco 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; curbside collection of commingled materials; industrial/commercial recycling; buy-back and drop-off centers; material recovery facility; residential/commercial composting; and residential curbside collection of yard waste. The City plans to educate its citizens through a Technical Assistance Resource Center, and school curricula development.

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 of". Staff has subtracted 53 tons of commercial and industrial hazardous waste from disposal and generation in the base-year, 1995, and the year 2000.

Restricted Materials. No documentation of diversion claims for 1,798 tons of restricted waste types has been received. Therefore 1,798 tons were subtracted from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern

1. Tires may be used for tire derived fuel (TDF). 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.

WASCO	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	23,924	2,565	26,489	20,036	7,862	27,898	11,534	17,846	29,380
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-1,775)	(-1,775)	0	(-1,775)	(-1,775)	0	(-1,775)	(-1,775)
Scrap metals	0	(-23)	(-23)	0	(-23)	(-23)	0	(-23)	(-23)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	
Subtotal	0	(-1,798)	(-1,798)	0	(-1,798)	(-1,798)	0	(-1,798)	(-1,79
Hazardous Waste	(-53)		(-53)	(-53)		(-53)	(-53)		(-53)
Corrected Totals	23,871	767	24,638	19,983	6,064	26,047	11,481	16,048	27,529
Claimed diversion rates		9.7%			28.2%			60.7%	
Corrected diversion rates		**3.1%**			**23.3%**			**58.3%**	

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 Wasco identified four nondisposal facilities in the NDFE, two of them require a Solid Waste Facility Permit. The permitted facilities are Envirocycle Transfer Facility and San Joaquin Composting. The non-permit facilities are Kern County Land Application greenwaste facility and the Wasco Wastewater Treatment Plant.

Staff recommend an approval of the City of Wasco's Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-165 Conditional Approval for the SRRE for the City of Wasco
2: Resolution # 95-166 Approval for the NDFE for the City of Wasco

Prepared by: Amber Robinson-Burmester Phone: 255-2312

Prepared by: Barbara Baker Phone: 255-2655

Reviewed by: John Sitts Phone: 255-2422

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 1:10pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-165

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF WASCO

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 23.3% for the year 1995; and

WHEREAS, PRC Section 41800 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 Element for the City of Wasco. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-166

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF WASCO

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 Wasco. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 15 40

ITEM: Consideration of Staff Recommendations on the Nondisposal Facility Element for the City of Tehachapi, Kern County

STAFF COMMENTS:

The City of Tehachapi Nondisposal Facility Element identifies four facilities that they are using or may use in the future to reach the mandated goals. The facilities are Envirocycle, San Joaquin Composting, Tehachapi-Benz Sanitation, and Kern County Land Application.

ANALYSIS:

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

Board staff recommend that the City of Tehachapi's Nondisposal Facility Element be approved as it has adequately addressed all requirements.

ATTACHMENTS:

1: Resolution # 95-164 Approval for the NDFE for the City of Tehachapi

Prepared by: Amber Robinson-Burmester ARB Phone: 255-2312

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 1:00 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-164

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF TEHACHAPI

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 Tehachapi. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM #16 41

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 Bernardino, San Bernardino County

STAFF COMMENTS:

The City of San Bernardino plans to implement several source reduction, recycling, composting and special waste diversion programs to meet the mandated goals. Such programs include: awards and recognition; quantity based user fees; curbside collection of commingled materials; City-generated inert solids recycling; private sector recycling; buy-back and drop-off centers; and, curbside collection of yard waste. The City plans to educate its citizens through community newsletters, development of a speaker's bureau, recycling videos, school education programs, and public service announcements.

Staff found the SRRE content to be adequate. After adjusting the base year data for excluded waste types, the year 1995 projection changed from 27.5 percent to 27.0 percent and the year 2000 projection changed from 55.3 percent to 55.4 percent. Both of these projections exceed the compliance goals. For this reason, staff are recommending approval for the City of San Bernardino 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 2,481 tons of commercial hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 2,424 tons of restricted waste types has been received. Therefore 2,424 tons were subtracted from diversion and generation.

Areas 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 procedures outlined in 14 CCR Section 18775.2.

SAN BERNARDINO	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen
Original Claim	205,286	12,555	217,841	173,899	65,931	239,830	117,022	144,802	261,82
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-2,082)	(-2,082)	0	(-2,082)	(-2,082)	0	(-2,082)	(-2,082)
Scrap metals	0	(-254)	(-254)	0	(-254)	(-254)	0	(-254)	(-254)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-88)	(-88)	0	(-88)	(-88)	0	(-88)	(-88)
Subtotal	0	(-2,424)	(-2,424)	0	(-2,424)	(-2,424)	0	(-2,424)	(-2,424)
Hazardous Waste	(-2,481)		(-2,481)	(-2,481)		(-2,481)	(-2,481)		(-2,481)
Corrected Totals	202,805	10,130	212,936	171,418	63,507	234,925	114,541	142,378	256,919
Claimed diversion rates		5.8%			27.5%			55.3%	
Corrected diversion rates		**4.8%**			**27.0%**			**55.4%**	

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 includes permanent collection sites, a landfill load check program, curbside collection of waste oil upon request, and education and public information regarding the programs. In addition, the City hosts ten used oil collection centers.

Staff recommend an approval for the City of San Bernardino Household Hazardous Waste Element.

FE

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 San Bernardino identifies three nondisposal facilities within its jurisdiction (one existing and two proposed). It also identifies one existing nondisposal facility located outside its jurisdiction which may be used to achieve its diversion goals.

Staff recommend an approval of the City of San Bernardino Nondisposal Facility Element.

ATTACHMENTS:

1: Resolution # 95-172 Approval for the SRRE for the City of San Bernardino
2: Resolution # 95-173 Approval for the HHWE for the City of San Bernardino
3: Resolution # 95-174 Approval for the NDFE for the City of San Bernardino

Prepared by: Tabetha Willmon TW Phone: 255-2659

Prepared by: Barbara Baker SJ for Phone: 255-2655

Reviewed by: John Sitts SO Phone: 255-2422

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 12:50pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-172

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SAN BERNARDINO

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 Element for the City of San Bernardino.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-173

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SAN BERNARDINO

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 Bernardino drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of San Bernardino submitted their final HHWE to the Board for approval which was deemed complete on October 26, 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 Bernardino.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-174

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SAN BERNARDINO

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 Bernardino. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM # 142

ITEM: Consideration of Staff Recommendations on the Adequacy of the Household Hazardous Waste Element for the City of Colton, San Bernardino County

STAFF COMMENTS:

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 handouts and utility billing inserts, household hazardous waste video productions, and development of a household hazardous waste guidebook.

Staff recommend an approval for the City of Colton Household Hazardous Waste Element.

ATTACHMENTS:

1: Resolution # 95-170 Approval for the SRRE for the City of Colton

Prepared by: Tabetha Willmon TW Phone: 255-2659

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 12:50pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-170

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE 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 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 Colton drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Colton submitted their final HHWE to the Board for approval which was deemed complete on November 4, 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 Colton.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 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 Arroyo Grande, San Luis Obispo County

STAFF COMMENTS:

The City of Arroyo Grande's SRRE projects diversion for 1995 as 26.5% and 50.0% for the year 2000. However, adjustments to remove restricted and hazardous waste changed the 1995 percentages to 25.6% and the 2000 percentages to 49.4%. Even with the restricted and hazardous 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: curbside recycling, commercial recycling, backyard composting, countywide waste exchange programs, selected yard debris composting, salvaging at the solid waste facility, and extensive public education and information programs. Some of the public education and information programs include: printed brochures, community outreach programs, speakers' bureau, talk shows, special events programs, work shops, school programs, and mass media events.

Staff recommend approval for the City of Arroyo Grande's Source Reduction and Recycling Element.

ALYSIS:

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. The tonnages in the table reflect those found in Section 4 of the SWGS and do not match those found in the other volumes of the SRRE.

Normally Disposed of. Hazardous waste is not "normally disposed." Staff subtracted 2 tons of commercial and industrial hazardous waste from disposal, 32 tons from diversion, and 94 tons from generation in the base-year; 32 tons from disposal, 77

tons from diversion, and 109 tons from generation in 1995; and 34 tons from disposal, 134 tons from diversion, and 168 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 170 tons of restricted waste types has been received. Staff subtracted 170 tons from diversion and generation.

White goods, in addition to being a restricted material, were not normally disposed of in the City's base-year. Therefore, projected increases in diversion of 3 tons in 1995 and 5 tons in 2000 were subtracted from diversion and generation.

Planning Areas of Concern:

It is understood that the City of Arroyo Grande has joined together with the County and cities of Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo under the auspices of the establishment of the Waste Management Authority (Authority). This Authority was formed through a Joint Powers Agreement (JPA) between the participating jurisdictions and will provide a mechanism for regional cooperation and participation in the programs and facilities to accomplish the goals of the SRREs. Should there be a case where any of the jurisdictions fail to meet their obligations or leave the Authority, then the SRRE and all pertaining documents should be updated and/or revised to reflect the necessary changes.

SWGS Areas of Concern:

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 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 must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

The Special Waste component indicates the use of shredded tires as fuel ("tire derived fuel") is a part of its Tire Management Program. Only transformation at a disposal facility with a Solid Waste Facility Permit (SWFP), or at a biomass facility (as discussed above) may be claimed as diversion in 2000.

The Composting component indicates that sewage sludge co-composting may be utilized. Jurisdiction that plan to use sludge in diversion programs shall follow the procedure as outlined in 14 CCR Section 18775.2.

No volume to weight conversion factors were provided for the conversion discussed on page III-2-4.

Waste generated in San Luis Obispo County and disposed of at four small landfills should be included in base-year measurements. It appears that this waste was generated by unincorporated areas of San Luis Obispo County so staff made these corrections in the agenda item for the unincorporated county. The jurisdictions within San Luis Obispo County should re-examine this issue as it may affect goal achievement.

Arroyo Grande	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	18,232	1,452	19,684	15,967	5,744	21,711	11,865	11,882	23,747
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-144)	(-144)	0	(-144)	(-144)	0	(-144)	(-144)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-26)	(-26)	0	(-26)	(-26)	0	(-26)	(-26)
Subtotal	0	(-170)	(-170)	0	(-170)	(-170)	0	(-170)	(-170)
White goods	0	0	0	0	(-3)	(-3)	0	(-5)	(-5)
Hazardous waste	(-62)	(-32)	(-94)	(-32)	(-77)	(-109)	(-34)	(-134)	(-168)
Corrected Totals	18,170	1,250	19,420	15,935	5,494	21,429	11,831	11,573	23,404
Claimed diversion rates		7.4%			26.5%			50.0%	
Corrected diversion rates		**6.4%**			**25.6%**			**49.4%**	

HHWE

This Household Hazardous Waste Element 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 Luis Obispo and the cities have joined together to prepare the HHWE. The City of Arroyo Grande participates in the joint HHWE programs which includes: permanent collection facilities, load checking programs at the landfills, periodic collection events, recycling reuse programs, and public education and information programs.

Staff recommend approval for the City of Arroyo Grande'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 County and cities joined together to prepare the NDFE. As identified in the NDFE the City of Arroyo Grande is located in a subregion described as the South County Wasteshed. The NDFE identifies that there are no nondisposal facilities in that wasteshed. However, the NDFE lists 6 recycling activities within the area that should assist the City in reaching the mandated goals. The cities and County may use nondisposal facilities in the future to reach the mandated goals.

Staff recommend approval for the City of Arroyo Grande's Nondisposal Facility Element.

Attachments

1: Resolution # 95-64 Approval for the SRRE for the City of Arroyo Grande
2: Resolution # 95-65 Approval for the HHWE for the City of Arroyo Grande
3: Resolution # 95-66 Approval for the NDFE for the City of Arroyo Grande

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Mitchell Weiss MW Phone: 255-2664

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 12:10pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-64

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF ARROYO GRANDE

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 Element for the City of Arroyo Grande.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-65

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF ARROYO GRANDE

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 Arroyo Grande drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Arroyo Grande 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 City of Arroyo Grande.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-66

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ARROYO GRANDE

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 Arroyo Grande. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 1944

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 Atascadero, San Luis Obispo County

STAFF COMMENTS:

The City of Atascadero's SRRE projects diversion for 1995 as 25.9% and 50.5% for the year 2000. However, adjustments to remove restricted and hazardous wastes changed the 1995 percentages to 24.9% and the 2000 percentages to 49.9%. Even with the restricted and hazardous 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: curbside recycling, commercial recycling, backyard composting, countywide waste exchange programs, selected yard debris composting, salvaging at the solid waste facility, and extensive public education and information programs. Some of the public education and information programs include: printed brochures, community outreach programs, speakers' bureau, talk shows, special events programs, work shops, school programs, and mass media events.

Staff recommend approval for the City of Atascadero'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. The tonnages in the table reflect those found in Section 4 of the SWGS and do not match those found in the other volumes of the SRRE.

Normally Disposed. Hazardous waste is not "normally disposed." Staff subtracted 34 tons of commercial and industrial hazardous waste from disposal, 82 tons from diversion, and 116 tons from generation in the base-year, 33 tons from disposal, 105

tons from diversion, and 138 tons from generation in 1995, and 3 tons from disposal, 159 tons from diversion, and 162 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 407 tons of restricted waste types has been received. Staff subtracted 407 tons from diversion and generation.

White goods, in addition to being a restricted material, were not normally disposed of in the City's base-year. Therefore, projected increases in diversion of 29 tons in 1995 and 58 tons in 2000 were subtracted from diversion and generation.

The SWGS as corrected, meets the SWGS criteria.

Planning Areas of Concern:

It is understood that the City of Atascadero has joined together with the County and cities of Arroyo Grande, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo under the auspices of the establishment of the Waste Management Authority (Authority). This Authority was formed through a Joint Powers Agreement (JPA) between the participating jurisdictions and will provide a mechanism for regional cooperation and participation in the programs and facilities to accomplish the goals of the SRREs. Should there be a case where any of the jurisdictions fail to meet their obligations or leave the Authority, then the SRRE and all pertaining documents should be updated and/or revised to reflect the necessary changes.

SWGS Areas of Concern

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 include: the resulting ash must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

The Special Waste component indicates that the use of shredded tires as fuel ("tire derived fuel") is a part of its Tire Management Program." Please note that only transformation at a facility with a Solid Waste Facilities Permit or a biomass facility (as discussed above) may be claimed as diversion.

The Composting component indicates that sewage sludge co-composting may be utilized. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

No volume to weight conversion factors were provided for the conversion discussed on page III-2-4.

Waste generated in San Luis Obispo County and disposed of at four small landfills should be included in base-year measurements. It appears that this waste was generated by unincorporated areas of San Luis Obispo County and so staff made these corrections in the agenda item for the unincorporated county. The jurisdictions within San Luis Obispo County should re-examine this issue as it may affect goal achievement.

Atascadero	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	32,731	2,601	35,332	30,165	10,545	40,710	22,796	23,290	46,086
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-216)	(-216)	0	(-216)	(-216)	0	(-216)	(-216)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-191)	(-191)	0	(-191)	(-191)	0	(-191)	(-191)
Subtotal	0	(-407)	(-407)	0	(-407)	(-407)	0	(-407)	(-407)
White goods	0	0	0	0	(-29)	(-29)	0	(-58)	(-58)
Hazardous waste	(-34)	(-82)	(-116)	(-33)	(-105)	(-138)	(-3)	(-159)	(-162)
Corrected Totals	32,697	2,112	34,809	30,132	10,004	40,136	22,793	22,666	45,459
Claimed diversion rates		7.4%			25.9%			50.5%	
Corrected diversion rates		**6.1%**			**24.9%**			**49.9%**	

HHWE

This Household Hazardous Waste Element 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 Luis Obispo and the cities have joined together to prepare the HHWE. The City of Atascadero participates in the joint HHWE programs which includes: permanent collection facilities, load checking programs at the landfills, periodic collection events, recycling reuse programs, and public education and information programs.

Staff recommend approval for the City of Atascadero'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 County and cities joined together to prepare the NDFE. As identified in the NDFE the City of Atascadero is located in a subregion described as the North County Wasteshed. The NDFE identifies that there are no nondisposal facilities in that wasteshed. However, the NDFE lists 8 recycling activities within the area that should assist the City in reaching the mandated goals. The cities and County may use nondisposal facilities in the future to reach the mandated goals.

Staff recommend approval for the City of Atascadero's Nondisposal Facility Element.

Attachments

1: Resolution # 95-67 Approval for the SRRE for the City of Atascadero
2: Resolution # 95-68 Approval for the HHWE for the City of Atascadero
3: Resolution # 95-69 Approval for the NDFE for the City of Atascadero

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Toni Galloway Phone: 255-2653

Reviewed by: Mitchell Weiss Phone: 255-2664

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 1/27/95 12:20 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-67

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF ATASCADERO

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 Element for the City of Atascadero.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-68

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF ATASCADERO

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 Atascadero drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Atascadero 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 City of Atascadero.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-69

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF ATASCADERO

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 Atascadero. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 28 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 Grover Beach, San Luis Obispo County

STAFF COMMENTS:

The City of Grover Beach's SRRE projects diversion for 1995 as 25.7% and 50.2% for the year 2000. However, adjustments to remove restricted and hazardous wastes changed the 1995 percentages to 24.8% and the 2000 percentages to 49.7%. Even with the restricted and hazardous 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: curbside recycling, commercial recycling, backyard composting, countywide waste exchange programs, selected yard debris composting, salvaging at the solid waste facility, and extensive public education and information programs. Some of the public education and information programs include: printed brochures, community outreach programs, speakers' bureau, talk shows, special events programs, work shops, school programs, and mass media events.

Staff recommend approval for the City of Grover Beach'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. The tonnages in the table reflect those found in Section 4 of the SWGS and do not match those found in the other volumes of the SRRE.

Normally Disposed of. Hazardous waste is not "normally disposed." Staff subtracted [illegible] tons of commercial and industrial hazardous waste from disposal, 22 tons from diversion, and 73 tons from generation in the base-year, 16 tons from disposal, 70

tons from diversion, and 86 tons from generation in 1995, and 26 tons from disposal, 104 tons from diversion, and 130 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 133 tons of restricted waste types has been received. Staff subtracted 133 tons from diversion and generation.

White goods, in addition to being a restricted material, were not normally disposed of in the City's base-year. Therefore, projected increases in diversion of 2 tons in 1995 and 5 tons in 2000 were subtracted from diversion and generation.

The SWGS as corrected, meets the SWGS criteria.

Planning Areas of Concern:

It is understood that the City of Grover Beach has joined together with the County and cities of Arroyo Grande, Atascadero, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo under the auspices of the establishment of the Waste Management Authority (Authority). This Authority was formed through a Joint Powers Agreement (JPA) between the participating jurisdictions and will provide a mechanism for regional cooperation and participation in the programs and facilities to accomplish the goals of the SRREs. Should there be a case where any of the jurisdictions fail to meet their obligations or leave the Authority, then the SRRE and all pertaining documents should be updated and/or revised to reflect the necessary changes.

SWGS Areas of Concern:

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 include: the resulting ash must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

The Special Waste component indicates that the use of shredded tires as fuel ("tire derived fuel") is a part of its Tire Management Program." Please note that only transformation at a facility with a Solid Waste Facility Permit (SWFP) or a biomass facility (as discussed above) may be claimed as diversion.

The Composting component indicates that sewage sludge co-composting may be utilized. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

Marine wastes were not accounted for [14 CCR Section (i)(5)].

No volume to weight conversion factors were provided for the conversion discussed on page III-2-4.

Waste generated in San Luis Obispo County and disposed of at four small landfills should be included in base-year measurements. It appears that this waste was generated by unincorporated areas of San Luis Obispo County, so staff made these corrections in the agenda item for the unincorporated county. The jurisdictions within San Luis Obispo County should re-examine this issue as it may affect goal achievement.

Grover Beach	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	13,914	799	14,713	12,274	4,239	16,513	9,111	9,201	18,312
Changes to claimed tonnages:									
Restricted materials: materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-112)	(-112)	0	(-112)	(-112)	0	(-112)	(-112)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-21)	(-21)	0	(-21)	(-21)	0	(-21)	(-21)
Subtotal	0	(-133)	(-133)	0	(-133)	(-133)	0	(-133)	(-133)
White goods	0	0	0	0	(-2)	(-2)	0	(-5)	(-5)
Hazardous waste	(-51)	(-22)	(-73)	(-16)	(-70)	(-86)	(-26)	(-104)	(-130)
Corrected Totals	13,863	644	14,507	12,258	4,034	16,292	9,085	8,959	18,044
Claimed diversion rates		5.4%			25.7%			50.2%	
Corrected diversion rates		**4.4%**			**24.8%**			**49.7%**	

HHWE

This Household Hazardous Waste Element 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 Luis Obispo and the cities have joined together to prepare the HHWE. The City of Grover Beach participates in the joint HHWE programs which includes: permanent collection facilities, load checking programs at the landfills, periodic collection events, recycling reuse programs, and public education and information programs.

Staff recommend approval for the City of Grover Beach'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 County and cities joined together to prepare the NDFE. As identified in the NDFE the City of Grover Beach is located in a subregion described as the South County Wasteshed. The NDFE identifies that there are no nondisposal facilities in that wasteshed. However, the NDFE lists 6 recycling activities within the area that should assist the City in reaching the mandated goals. The cities and County may use nondisposal facilities in the future to reach the mandated goals.

Staff recommend approval for the City of Grover Beach's Nondisposal Facility Element.

Attachments

1: Resolution # 95-70 Approval for the SRRE for the City of Grover Beach
2: Resolution # 95-71 Approval for the HHWE for the City of Grover Beach
3: Resolution # 95-72 Approval for the NDFE for the City of Grover Beach

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Mitchell Weiss MW Phone: 255-2664

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 12:05pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-70

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF GROVER BEACH

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 Element for the City of Grover Beach.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-71

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF GROVER BEACH

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 Grover Beach drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Grover Beach 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 City of Grover Beach.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-72

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF GROVER BEACH

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 Grover Beach. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 21 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 Morro Bay, San Luis Obispo County

STAFF COMMENTS:

The City of Morro Bay's SRRE projects diversion for 1995 as 28.6% and 52.7% for the year 2000. However, adjustments to remove restricted and hazardous waste changed the 1995 percentages to 27.6% and the 2000 percentages to 51.9%. Even with the restricted and hazardous 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: curbside recycling, commercial recycling, backyard composting, countywide waste exchange programs, selected yard debris composting, salvaging at the solid waste facility, and extensive public education and information programs. Some of the public education and information programs include: printed brochures, community outreach programs, speakers' bureau, talk shows, special events programs, work shops, school programs, and mass media events.

Staff recommend approval for the City of Morro Bay's Source Reduction and Recycling Element.

ALYSIS:

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. The tonnages in the table reflect those found in section 4 of the SWGS and do not match those found in the other volumes of the SRRE.

Normally Disposed. Hazardous waste is not "normally disposed." Staff subtracted 36 tons of commercial and industrial hazardous waste from disposal, 51 tons from diversion, and 277 tons from generation in the base-year, 108 tons from disposal,

182 tons from diversion, and 290 tons from generation in 1995, and 49 tons from disposal, 252 tons from diversion, and 301 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 117 tons of restricted waste types has been received. Staff subtracted 117 tons from diversion and generation.

Manure, in addition to being a restricted material, was not normally disposed of in the City's base-year. Therefore, a projected increase in diversion of 1 ton in 1995 and 2000 was subtracted from diversion and generation.

The SWGS as corrected, meets the SWGS criteria.

Planning Areas of Concern:

It is understood that the City of Morro Bay has joined together with the County and cities of Arroyo Grande, Atascadero, Grover Beach, Paso Robles, Pismo Beach, and San Luis Obispo under the auspices of the establishment of the Waste Management Authority (Authority). This Authority was formed through a Joint Powers Agreement (JPA) between the participating jurisdictions and will provide a mechanism for regional cooperation and participation in the programs and facilities to accomplish the goals of the SRREs. Should there be a case where any of the jurisdictions fail to meet their obligations or leave the Authority, then the SRRE and all pertaining documents should be updated and/or revised to reflect the necessary changes.

SWGS Areas of Concern

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 include: the resulting ash must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

The Special Waste component indicates that the use of shredded tires as fuel ("tire derived fuel") is a part of its Tire Management Program." Please note that only transformation at a facility with a SWFP or a biomass facility (as discussed above) may be claimed as diversion.

The Composting component indicates that sewage sludge co-composting may be utilized. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

Marine wastes were not accounted for [14 CCR Section (i)(5)].

No volume to weight conversion factors were provided for the conversion discussed on page III-2-4.

Waste generated in San Luis Obispo County and disposed of at four small landfills should be included in base-year measurements. It appears that this waste was generated by unincorporated areas of San Luis Obispo County, so staff made these corrections in the agenda item for the unincorporated County. The jurisdictions within San Luis Obispo County should re-examine this issue as it may affect goal achievement.

Morro Bay	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	15,356	1,992	17,348	12,949	5,196	18,145	8,888	9,910	18,798
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-96)	(-96)	0	(-96)	(-96)	0	(-96)	(-96)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-21)	(-21)	0	(-21)	(-21)	0	(-21)	(-21)
Subtotal	0	(-117)	(-117)	0	(-117)	(-117)	0	(-117)	(-117)
Manure	0	0	0	0	(-1)	(-1)	0	(-1)	(-1)
Hazardous waste	(-226)	(-51)	(-277)	(-108)	(-182)	(-290)	(-49)	(-252)	(-301)
Corrected Totals	15,130	1,824	16,954	12,841	4,896	17,737	8,839	9,540	18,379
Claimed diversion rates		11.5%			28.6%			52.7%	
Corrected diversion rates		**10.8%**			**27.6%**			**51.9%**	

HHWE

This Household Hazardous Waste Element 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 Luis Obispo and the cities have joined together to prepare the HHWE. The City of Morro Bay participates in the joint HHWE programs which includes: permanent collection facilities, load checking programs at the landfills, periodic collection events, recycling reuse programs, and public education and information programs.

Staff recommend approval for the City of Morro Bay'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 County and cities joined together to prepare the NDFE. As identified in the NDFE the City of Morro Bay is located in a subregion described as the South County Wasteshed. The NDFE identifies that there are no nondisposal facilities in that wasteshed. However, the NDFE lists 6 recycling activities within the area that should assist the City in reaching the mandated goals. The cities and County may use nondisposal facilities in the future to reach the mandated goals.

Staff recommend approval for the City of Morro Bay's Nondisposal Facility Elemer

Attachments

1: Resolution # 95-73 Approval for the SRRE for the City of Morro Bay
2: Resolution # 95-74 Approval for the HHWE for the City of Morro Bay
3: Resolution # 95-75 Approval for the NDFE for the City of Morro Bay

Prepared by: Trevor M. Anderson TMA Phone: 255-2309

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Mitchell Weiss MW Phone: 255-2664

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 12:15pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-73

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF MORRO BAY

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 Element for the City of Morro Bay.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-74

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF MORRO BAY

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 Morro Bay drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Morro Bay 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 City of Morro Bay.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

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ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-75

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF MORRO BAY

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 Morro Bay. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 2 47

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 Paso de Robles, San Luis Obispo County

STAFF COMMENTS:

The City of El Paso de Robles SRRE projects diversion for 1995 as 26.9% and 50.7% for the year 2000. However, adjustments to remove restricted and hazardous wastes changed the 1995 percentages to 25.8% and the 2000 percentages to 49.9%. Even with the restricted and hazardous 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: curbside recycling, commercial recycling, backyard composting, countywide waste exchange programs, selected yard debris composting, salvaging at the solid waste facility, and extensive public education and information programs. Some of the public education and information programs include: printed brochures, community outreach programs, speakers' bureau, talk shows, special events programs, work shops, school programs, and mass media events.

Staff recommend approval for the City of El Paso de Robles Source Reduction and Recycling Element.

ALYSIS:

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. The tonnages in the table reflect those found in Section 4 of the SWGS and do not match those found in the other volumes of the SRRE.

Normally Disposed of. Hazardous waste is not "normally disposed." Staff subtracted tons of commercial and industrial hazardous waste from disposal, 93 tons from version, and 167 tons from generation in the base-year, 69 tons from disposal, 145

tons from diversion, and 214 tons from generation in 1995, and 30 tons from disposal, 231 tons from diversion, and 261 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 447 tons of restricted waste types has been received. Staff subtracted 447 tons from diversion and generation.

White goods, in addition to being a restricted material, were not normally disposed of in the City's base-year. Therefore, projected increases in diversion of 68 tons in 1995 and 137 tons in 2000 were subtracted from diversion and generation.

The SWGS as corrected, meets the SWGS criteria.

Planning Areas of Concern:

It is understood that the City of El Paso de Robles has joined together with the County and cities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Pismo Beach, and San Luis Obispo under the auspices of the establishment of the Waste Management Authority (Authority). This Authority was formed through a Joint Powers Agreement (JPA) between the participating jurisdictions and will provide a mechanism for regional cooperation and participation in the programs and facilities to accomplish the goals of the SRREs. Should there be a case where any of the jurisdictions fail to meet their obligations or leave the Authority, then the SRRE and all pertaining documents should be updated and/or revised to reflect the necessary changes.

SWGS Areas of Concern:

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 include: the resulting ash must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

The Special Waste component indicates that the use of shredded tires as fuel ("tire derived fuel") is a part of its Tire Management Program." Please note that only transformation at a facility with a Solid Waste Facility Permit (SWFP) or a biomass facility (as discussed above) may be claimed as diversion.

The Composting component indicates that sewage sludge co-composting may be utilized. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

No volume to weight conversion factors were provided for the conversion discussed on page III-2-4.

Waste generated in San Luis Obispo County and disposed of at four small landfills should be included in base-year measurements. It appears that this waste was generated by unincorporated areas of San Luis Obispo County, so staff made these corrections in the agenda item for the unincorporated county. The jurisdictions within San Luis Obispo County should re-examine this issue as it may affect goal achievement.

El Paso De Robles	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	31,545	1,730	33,275	30,121	11,083	41,204	24,215	24,916	49,131
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-160)	(-160)	0	(-160)	(-160)	0	(-160)	(-160)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-287)	(-287)	0	(-287)	(-287)	0	(-287)	(-287)
Subtotal	0	(-447)	(-447)	0	(-447)	(-447)	0	(-447)	(-447)
White goods	0	0	0	0	(-68)	(-68)	0	(-137)	(-137)
Hazardous waste	(-74)	(-93)	(-167)	(-69)	(-145)	(-214)	(-30)	(-231)	(-261)
Corrected Totals	31,471	1,190	32,661	30,052	10,423	40,475	24,185	24,101	48,286
Claimed diversion rates		5.2%			26.9%			50.7%	
Corrected diversion rates		**3.6%**			**25.8%**			**49.9%**	

HHWE

This Household Hazardous Waste Element 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 Luis Obispo and the cities have joined together to prepare the HHWE. The City of El Paso de Robles participates in the joint HHWE programs which includes: permanent collection facilities, load checking programs at the landfills, periodic collection events, recycling reuse programs, and public education and information programs.

Staff recommend approval for the City of El Paso de Robles 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 County and cities joined together to prepare the NDFE. As identified in the NDFE the City of El Paso de Robles is located in a subregion described as the North County Wasteshed. The NDFE identifies that there are no nondisposal facilities in that wasteshed. However, the NDFE lists 8 recycling activities within the area that should assist the City in reaching the mandated goals. The cities and County may use nondisposal facilities in the future to reach the mandated goals.

Staff recommend approval for the City of El Paso de Robles Nondisposal Facility Element.

Attachments

1: Resolution # 95-76 Approval for the SRRE for the City of El Paso de Robles
2: Resolution # 95-77 Approval for the HHWE for the City of El Paso de Robles
3: Resolution # 95-78 Approval for the NDFE for the City of El Paso de Robles.

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Mitchell Weiss MW Phone: 255-2664

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 12:00pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-76

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF EL PASO DE ROBLES

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 Element for the City of El Paso de Robles.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-77

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF EL PASO DE ROBLES

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 Paso de Robles drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of El Paso de Robles 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 City of El Paso de Robles.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-78

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF EL PASO DE ROBLES

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 Paso de Robles. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 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 City of Pismo Beach, San Luis Obispo County

STAFF COMMENTS:

The City of Pismo Beach's SRRE projects diversion for 1995 as 26.1% and 50.1% for the year 2000. However, adjustments to remove restricted and hazardous waste changed the 1995 percentages to 25.2% and the 2000 percentages to 49.3%. Even with the restricted and hazardous 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: curbside recycling, commercial recycling, backyard composting, countywide waste exchange programs, selected yard debris composting, salvaging at the solid waste facility, and extensive public education and information programs. Some of the public education and information programs include: printed brochures, community outreach programs, speakers' bureau, talk shows, special events programs, work shops, school programs, and mass media events.

Staff recommend approval for the City of Pismo Beach'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. The tonnages in the table reflect those found in section 4 of the SWGS and do not match those found in the other volumes of the SRRE.

Normally Disposed. Hazardous waste is not "normally disposed." Staff subtracted 27 tons of commercial and industrial hazardous waste from disposal, 22 tons from diversion, and 149 tons from generation in the base-year, 52 tons from disposal, 125

tons from diversion, and 177 tons from generation in 1995, and 16 tons from disposal, 190 tons from diversion, and 206 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 99 tons of restricted waste types has been received. Staff subtracted 99 tons from diversion and generation.

White goods, in addition to being a restricted material, was not normally disposed of in the City's base-year. Therefore, projected increases in diversion of 3 tons in 1995 and 6 tons in 2000 were subtracted from diversion and generation.

The SWGS as corrected, meets the SWGS criteria.

Planning Areas of Concern:

It is understood that the City of Pismo Beach has joined together with the County and cities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, and San Luis Obispo under the auspices of the establishment of the Waste Management Authority (Authority). This Authority was formed through a Joint Powers Agreement (JPA) between the participating jurisdictions and will provide a mechanism for regional cooperation and participation in the programs and facilities to accomplish the goals of the SRREs. Should there be a case where any of the jurisdictions fail to meet their obligations or leave the Authority, then the SRRE and all pertaining documents should be updated and/or revised to reflect the necessary changes.

SWGS Areas of Concern

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 include: the resulting ash must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

The Special Waste component indicates that the use of shredded tires as fuel ("tire derived fuel") is a part of its Tire Management Program." Please note that only transformation at a facility with a SWFP or a biomass facility (as discussed above) may be claimed as diversion.

The Composting component indicates that sewage sludge co-composting may be utilized. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

Marine wastes were not accounted for [14 CCR Section (i)(5)].

No volume to weight conversion factors were provided for the conversion discussed on page III-2-4.

Waste generated in San Luis Obispo County and disposed of at four small landfills should be included in base-year measurements. It appears that this waste was generated by unincorporated areas of San Luis Obispo County so staff made these corrections in the agenda item for the unincorporated County. The jurisdictions within San Luis Obispo County should re-examine this issue as it may affect goal achievement.

Pismo Beach	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	14,393	474	14,867	12,730	4,494	17,224	9,777	9,800	19,577
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-78)	(-78)	0	(-78)	(-78)	0	(-78)	(-78)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-21)	(-21)	0	(-21)	(-21)	0	(-21)	(-21)
Subtotal	0	(-99)	(-99)	0	(-99)	(-99)	0	(-99)	(-99)
White goods	0	0	0	0	(-3)	(-3)	0	(-6)	(-6)
Hazardous waste	(-127)	(-22)	(-149)	(-52)	(-125)	(-177)	(-16)	(-190)	(-206)
Corrected Totals	14,266	353	14,619	12,678	4,267	16,945	9,761	9,505	19,266
Claimed diversion rates		3.2%			26.1%			50.1%	
Corrected diversion rates		**2.4%**			**25.2%**			**49.3%**	

HHWE

This Household Hazardous Waste Element 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 Luis Obispo and the cities have joined together to prepare the HHWE. The City of Pismo Beach participates in the joint HHWE programs which includes: permanent collection facilities, load checking programs at the landfills, periodic collection events, recycling reuse programs, and public education and information programs.

Staff recommend approval for the City of Pismo Beach'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 County and cities joined together to prepare the NDFE. As identified in the NDFE the City of Pismo Beach is located in a subregion described as the South County Wasteshed. The NDFE identifies that there are no nondisposal facilities in that wasteshed. However, the NDFE lists 6 recycling activities within the area that should assist the City in reaching the mandated goals. The cities and County may use nondisposal facilities in the future to reach the mandated goals.

Staff recommend approval for the City of Pismo Beach's Nondisposal Facility Eleme

Attachments

1: Resolution # 95-79 Approval for the SRRE for the City of Pismo Beach
2: Resolution # 95-80 Approval for the HHWE for the City of Pismo Beach
3: Resolution # 95-81 Approval for the NDFE for the City of Pismo Beach

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Mitchell Weiss MW Phone: 255-2664

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: ERB Date/time: 1/27/95 12:25 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-79

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF PISMO BEACH

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 Element for the City of Pismo Beach.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-80

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF PISMO BEACH

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 Pismo Beach drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Pismo Beach 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 City of Pismo Beach.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-81

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF PISMO BEACH

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 Pismo Beach. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 2449

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 Luis Obispo, San Luis Obispo County

STAFF COMMENTS:

The City of San Luis Obispo's SRRE projects diversion for 1995 as 32.0% and 51.3% for the year 2000. However, adjustments to remove restricted and hazardous wastes changed the 1995 percentages to 31.2% and the 2000 percentages to 50.8%. Even with the restricted and hazardous 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: curbside recycling, commercial recycling, backyard composting, countywide waste exchange programs, selected yard debris composting, salvaging at the solid waste facility, and extensive public education and information programs. Some of the public education and information programs include: printed brochures, community outreach programs, speakers' bureau, talk shows, special events programs, work shops, school programs, and mass media events.

Staff recommend approval for the City of San Luis Obispo'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. The tonnages in the table reflect those found in section 4 of the SWGS and do not match those found in the other volumes of the SRRE.

Normally Disposed. Hazardous waste is not "normally disposed". Staff subtracted 107 tons of commercial and industrial hazardous waste from disposal, 163 tons from diversion, and 270 tons from generation in the base-year, 92 tons from disposal, 201

tons from diversion, and 293 tons from generation in 1995, and 30 tons from disposal, 287 tons from diversion, and 317 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 706 tons of restricted waste types has been received. Staff subtracted 706 tons from diversion and generation.

The SWGS as corrected, meets the SWGS criteria.

Planning Areas of Concern:

It is understood that the City of San Luis Obispo has joined together with the County and cities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, and Pismo Beach under the auspices of the establishment of the Waste Management Authority (Authority). This Authority was formed through a Joint Powers Agreement (JPA) between the participating jurisdictions and will provide a mechanism for regional cooperation and participation in the programs and facilities to accomplish the goals of the SRREs. Should there be a case where any of the jurisdictions fail to meet their obligations or leave the Authority, then the SRRE and all pertaining documents should be updated and or revised to reflect the necessary changes.

SWGS Areas of Concern

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 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 must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

The Special Waste component indicates that the use of shredded tires as fuel ("tire derived fuel") is a part of its Tire Management Program." Please note that only transformation at a facility with a SWFP or a biomass facility (as discussed above) may be claimed as diversion.

The Composting component indicates that sewage sludge co-composting may be utilized. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

Marine wastes were not accounted for [14 CCR Section (i)(5)].

No volume to weight conversion factors were provided for the conversion discussed on page III-2-4.

Waste generated in San Luis Obispo County and disposed of at four small landfills should be included in base-year measurements. It appears that this waste was generated by unincorporated areas of San Luis Obispo County, and so staff made these corrections in the agenda item for the unincorporated county. The jurisdictions within San Luis Obispo County should re-examine this issue as it may affect goal achievement.

San Luis Obispo	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	63,382	7,592	70,974	51,978	24,451	76,429	39,855	42,035	81,890
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-592)	(-592)	0	(-592)	(-592)	0	(-592)	(-592)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-114)	(-114)	0	(-114)	(-114)	0	(-114)	(-114)
Subtotal	0	(-706)	(-706)	0	(-706)	(-706)	0	(-706)	(-706)
Hazardous waste	(-107)	(-163)	(-270)	(-92)	(-201)	(-293)	(-30)	(-287)	(-317)
Corrected Totals	63,275	6,723	69,998	51,886	23,544	75,430	39,825	41,042	80,867
Claimed diversion rates		10.7%			32.0%			51.3%	
Corrected diversion rates		**9.6%**			**31.2%**			**50.8%**	

HHWE

This Household Hazardous Waste Element 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 Luis Obispo and the cities have joined together to prepare the HHWE. The City of San Luis Obispo participates in the joint HHWE programs which includes: permanent collection facilities, load checking programs at the landfills, periodic collection events, recycling reuse programs, and public education and information programs.

Staff recommend approval for the City of San Luis Obispo'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 County and cities joined together to prepare the NDFE. As identified in the NDFE the City of San Luis Obispo is located in a subregion described as the South County Wasteshed. The NDFE identifies that there are no nondisposal facilities in that wasteshed. However, the NDFE lists 6 recycling activities within the area that should assist the City in reaching the mandated goals. The cities and County may use nondisposal facilities in the future to reach the mandated goals.

Staff recommend approval for the City of San Luis Obispo's Nondisposal Facility Element.

Attachments

1: Resolution # 95-82 Approval for the SRRE for the City of San Luis Obispo
2: Resolution # 95-83 Approval for the HHWE for the City of San Luis Obispo
3: Resolution # 95-84 Approval for the NDFE for the City of San Luis Obispo

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Mitchell Weiss MW Phone: 255-2664

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: KB Date/time: 1/27/95 12:25 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-82

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF SAN LUIS OBISPO

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 Element for the City of San Luis Obispo.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-83

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF SAN LUIS OBISPO

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 Luis Obispo drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of San Luis Obispo 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 City of San Luis Obispo.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-84

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF SAN LUIS OBISPO

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 Luis Obispo. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board
LOCAL ASSISTANCE AND PLANNING COMMITTEE
February 8, 1995

AGENDA ITEM # 25 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 Unincorporated San Luis Obispo County

STAFF COMMENTS:

San Luis Obispo County's SRRE projects diversion for 1995 as 27.6% and 52.2% for the year 2000. However, Board staff adjustments to remove restricted wastes, hazardous wastes, and corrections to disposal tonnages changed these percentages to 25.0% for 1995 and 45.7% for 2000. The removal of restricted wastes, hazardous wastes, and corrections to disposal tonnages, resulted in 1995 diversion goal of less than 25% and 2000 diversion goal of less than 50%. Staff notified the County in a letter dated November 10, 1994, of the restricted wastes issue. On December 14, 1994, Board staff discussed this issue on the phone with County staff. On January 24, 1995, County staff submitted additional information for the County to reach the mandated diversion goals. Board staff reviewed the documentation and determined the County's diversion claims were adequate for the 1995 diversion goal but the 2000 diversion goal was still less than the 50% diversion goal.

The source reduction, recycling, and composting programs that the County uses at this time include: curbside recycling, commercial recycling, backyard composting, countywide waste exchange programs, selected yard debris composting, salvaging at the solid waste facility, and extensive public education and information programs. Some of the public education and information programs include: printed brochures, community outreach programs, speakers' bureau, talk shows, special events programs, work shops, school programs, and mass media events.

Staff recommend conditional approval for the unincorporated San Luis Obispo County SRRE based on restricted waste, hazardous wastes, and corrections to disposal tonnages in the base-year that result in projections that fall below the 50% mandated goal. 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. The County must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the County will correct the deficiencies.

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. The tonnages in the table reflect those found in Section 4 of the SWGS and do not match those found in the other volumes of the SRRE.

Disposal Tonnages. Disposal tonnage provided was not accurate. Waste generated in San Luis Obispo County and disposed of at four small landfills should be included in base-year measurements. Waste generated by the County and exported to the Santa Maria Landfill in Santa Barbara County ("20 tons per day" x 365 days = 7,300 tons per year) was not included in base-year measurements. Additionally, waste disposed of at the California Valley Landfill (85 tons), the Camp Roberts landfill (2,100 tons) and the Santa Fe Energy Landfill (103 tons) was not included in base-year measurements. Staff added 9,588 tons to disposal and generation.

Imported waste should not be included in base-year measurements. The aforementioned landfills imported 1,050 tons of waste from outside the County. Staff subtracted 1,050 tons from disposal and generation.

The above tonnages are based on those found in the Disposal Capacity component which contained a more complete discussion of base-year disposal by landfill than the SWGS.

Normally Disposed of. Hazardous waste is not "normally disposed." Staff subtracted 317 tons of commercial and industrial hazardous waste from disposal, 106 tons from diversion, and 423 tons from generation in the base-year, 189 tons from disposal, 278 tons from diversion, and 467 tons from generation in the 1995, and 31 tons f: disposal, 479 tons from diversion, and 510 tons from generation in 2000.

Restricted Materials. No documentation of diversion claims for 6,129 tons of restricted waste types has been received. Staff subtracted 6,129 tons from diversion and generation.

Diversion Tonnages. The County, in a facsimile dated January 24, 1995, submitted revised diversion estimates which reflect greater diversion than initially projected for several programs. Therefore, 4,838 tons were added to diversion and subtracted from disposal in 1995, and 2,074 were tons added to diversion and subtracted from disposal in 2000.

Planning Areas of Concern:

It is understood that the County has joined together with the cities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo under the auspices of the establishment of the Waste Management Authority (Authority). This Authority was formed through a Joint Powers Agreement (JPA) between the participating jurisdictions and will provide a mechanism for regional cooperation and participation in the programs and facilities to accomplish the goals of the SRREs. Should there be a case where any of the jurisdictions fail to meet their obligations or leave the Authority, then the SRRE and all pertaining documents should be updated and/or revised to reflect the necessary changes.

SWGS Areas of Concern:

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 include: the resulting ash must be tested and properly disposed, and the jurisdiction must be implementing all feasible SRRE programs.

The Special Waste component indicates that the use of shredded tires as fuel ("tire derived fuel") is a part of its Tire Management Program." Please note that only transformation at a facility with a Solid Waste Facility Permit (SWFP) or a biomass facility (as discussed above) may be claimed as diversion.

The Composting component indicates that sewage sludge co-composting may be utilized. If the jurisdiction plans to use sludge in diversion programs, it shall follow the procedure as outlined in 14 CCR Section 18775.2.

Marine wastes were not accounted for [14 CCR Section (i)(5)].

No volume to weight conversion factors were provided for the conversion discussed on page III-2-4.

San Luis Obispo	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	61,881	9,357	71,238	55,958	21,362	77,320	39,813	43,499	83,312
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-872)	(-872)	0	(-872)	(-872)	0	(-872)	(-872)
Agricultural waste	0	(-5,200)	(-5,200)	0	(-5,200)	(-5,200)	0	(-5,200)	(-5,200)
White goods	0	(-57)	(-57)	0	(-57)	(-57)	0	(-57)	(-57)
Subtotal	0	(-6,129)	(-6,129)	0	(-6,129)	(-6,129)	0	(-6,129)	(-6,129)
Expanded programs	0	0	0	(-4,838)	4,838	0	(-2,074)	2,074	0
Hazardous waste	(-317)	(-106)	(-423)	(-189)	(-278)	(-467)	(-31)	(-479)	(-510)
Uncounted disposal	9,588	0	9,588	9,588	0	9,588	9,588	0	9,588
Imported waste	(-1,050)	0	(-1,050)	(-1,050)	0	(-1,050)	(-1,050)	0	(-1,050)
Corrected Totals	70,102	3,122	73,224	59,469	19,793	79,262	46,246	38,965	85,211
Claimed diversion rates		13.1%			27.6%			52.2%	
Corrected diversion rates		**4.3%**			**25.0%**			**45.7%**	

HHWE

This Household Hazardous Waste Element 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 Luis Obispo and the cities have joined together to prepare the HHWE. The joint HHWE programs that the County plans to implement includes: permanent collection facilities, load checking programs at the landfills, periodic collection events, recycling reuse programs, and public education and information programs.

Staff recommend approval for the unincorporated San Luis Obispo County'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 County and cities joined together to prepare the NDFE. As identified in the NDFE the County is described in two subregions; the South County Wasteshed and the North County Wasteshed. The NDFE identifies that there are no nondisposal facilities in either wasteshed. However, the NDFE lists 6 recycling facilities within the South County Wasteshed and 8 facilities in the North County Wasteshed that should assist the County in reaching the mandated goals. The cities and County may use nondisposal facilities in the future to reach the mandated goals.

Staff recommend approval for the unincorporated San Luis Obispo County's Nondisposal Facility Element.

Attachments

1:	Resolution # 95-61	Conditional Approval for the SRRE for Unincorporated San Luis Obispo County
2:	Resolution # 95-62	Approval for the HHWE for Unincorporated San Luis Obispo County
3:	Resolution # 95-63	Approval for the NDFE for Unincorporated San Luis Obispo County

Prepared by: Trevor M. Anderson Phone: 255-2309

Reviewed by: Toni Galloway TG Phone: 255-2653

Reviewed by: Mitchell Weiss Phone: 255-2664

Reviewed by: Lorraine Van Kekerix Phone: 255-2670

Reviewed by: Judith J. Friedman Phone: 255-2302

Legal Review: Date/time: 1/27/95 2:30pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-61

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE UNINCORPORATED SAN LUIS OBISPO 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 Source Reduction and Recycling Element (SRRE) which includes all of the components specified; and

WHEREAS, California Code of Regulations (CCR) 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 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. except that the plan only projects a diversion rate of 45.7% 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 Element for the unincorporated San Luis Obispo County. 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. The County must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the County will correct the deficiencies.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-62

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR UNINCORPORATED SAN LUIS OBISPO 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 Luis Obispo County drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, San Luis Obispo 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 San Luis Obispo 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-63

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR UNINCORPORATED SAN LUIS OBISPO 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 Luis Obispo 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

FEBRUARY 22, 1995

AGENDA ITEM # 51

ITEM: Consideration of Staff Recommendations on the Adequacy of the Multi-Jurisdictional Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element for Unincorporated Napa County, and the Cities of St. Helena, Yountville, and Calistoga, Napa County

COMMITTEE ACTION:

At the February 8, 1995, Local Assistance and Planning Committee meeting, the Committee considered the staff report and the presentation by the representative of Napa County. It was agreed that staff would review the document faxed in that morning by the County, re-review the Nondisposal Facility Element (NDFE), and consider upgrading the recommendation on that document. After further review staff recommends full approval of the NDFE for the jurisdictions of Unincorporated Napa County, and the Cities of St. Helena, Calistoga, and the Town of Yountville, Napa County. The previous recommendations for the multi-jurisdictional SRRE remain the same.

BACKROUND:

The multi-jurisdictional document represents the joint effort of three cities St. Helena, Calistoga, and Yountville, and the unincorporated area of Napa County. Napa County and St. Helena have been operating extensive grape pomace collection and composting and are meeting already the diversion mandate for the year 2000 (pomace is the material left over when grapes are crushed to extract the juice for wine making). The adjusted projections for the unincorporated area of the County are at 55.2% for 1995 and 58.7% at the year 2000. The adjusted projections for the city of St. Helena are at 60.7% for 1995 and 60.6% at the year 2000. The projections for the city of Calistoga are at 38.6% for 1995 and 38.7% at the year 2000. The projections for the town of Yountville are at 41.2% for 1995 and 41.4% at the year 2000.

Programs planned for the short-term period include development and implementation of residential curbside collection, multi-family collection, drop-off centers, public recycling receptacles, commercial, industrial and governmental source-separated collection, inerts and wood waste collection and processing, intermediate processing facilities, government procurement policies, recycling market development zones, and a mixed waste processing facility. Also, the composting programs that the County and cities have selected are development and implementation of yard waste composting facilities, yard waste curbside collection, and supervised yard waste drop-off sites. To enhance market development activities, Napa County has applied for designation of a Recycling Market Development Zone in the last zone application cycle.

From staff's review, some planning inadequacies have been identified in the SRRE for all the jurisdictions. Staff recommends the conditional approvals for the unincorporated area of Napa County and the city of St. Helena based on inadequacies in identification of responsible agencies, in the Special Waste Component, and in the Disposal Capacity Facility Component. Staff recommends as conditions, that the County and the city of St. Helena provide additional information to correct the planning inadequacies in their first Annual Report to the Board. In addition, pursuant to the Public Resources Code Section 41810.1, the County and the city of St. Helena must also submit a compliance schedule to

the Board within 60 days from the date of the conditional approval letter which demonstrates how the County and the city will correct the inadequacies.

Staff recommends the disapprovals for the city of Calistoga and the town of Yountville because their year 2000 projections fall substantially below the 50% mandates. These diversion projections do not include any excluded waste tonnage: no progress has been shown between the short- and mid-term planning periods in their projections. Staff recommends that the Board issue a Notice of Deficiency to the jurisdictions specifying measures to be taken to rectify the deficiencies and a timeframe for doing so.

ANALYSIS

The multi-jurisdictional SRRE, as submitted for the four jurisdictions, does not meet the following criteria:

Evaluation and Monitoring section in each Component - The SRRE identifies that two Joint Power Agreements (JPA) will administrate monitoring and evaluation of the selected programs. However, the formal JPAs have not been submitted to the Board for its approval, and there was no identification of contingency responsible agencies in the SRRE.

Special Waste Component - Staff sent a letter to Napa County with comments on the Preliminary Draft SRRE. The letter identified statutory and regulatory requirements which were inadequately addressed in the SRRE and suggested improvements in the Final Draft SRRE. However, most of the comments on the Special Waste Components were not responded in the Final Draft SRRE. The component is insufficient, as an evaluation of alternatives was not provided, in accordance with 14 CCR Section 18733.3. Diversion program alternatives were not selected and discussed in accordance with 14 CCR Section 18733.4. A description of how the special waste programs will be implemented, the responsible agencies, the tasks necessary to implement the programs, and a schedule for both the short- and medium-term planning periods were not included as required by 14 CCR Section 18733.5.

Disposal Facility Capacity Component - The SRRE states that the American Canyon Landfill is anticipated to close. However, there was no discussion of anticipated effect from closure on disposal capacity needs or projected additional capacity of new facility as required in 14 CCR 18745(C)(1) and (2).

SRRE

UNINCORPORATED AREA OF NAPA COUNTY

SWGS 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:

Due to the planning inadequacies discussed in this item, staff recommends conditional approval of the multi-jurisdictional SRRE for unincorporated Napa County. As a condition, the County must provide additional information to correct the planning inadequacies in their first Annual Report to the Board. In addition, pursuant to the Public Resources Code Section 41810.1, the County and the city of St. Helena must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the County and the city will correct the inadequacies.

The SWGS, as submitted, does not meet the following criteria.

Normally Disposed. Hazardous waste is not "normally disposed of ". Staff have therefore subtracted 193 tons of commercial/industrial hazardous waste from disposal and generation.

Diversion Rate: Diversion was claimed for 24 tons of "furniture/kitchen" materials, but no base-year disposal amounts for this waste material were shown. Staff have therefore subtracted 24 tons from diversion and generation.

Areas of Concern:

The SRRE for unincorporated area of Napa County included the area of American Canyon before American Canyon incorporated on January 1, 1992. As an incorporated city, American Canyon will have to submit its own SRRE by March 29 1996, or the two jurisdictions could form a regional agency, and then the County's SRRE would serve as the regional SRRE. If American Canyon chooses to submit a separate SRRE, generation amounts reported for the County may change. Any potential impacts from such changes should be addressed in the County's first

Annual Report, including an assessment of the need to revise the SRRE as a result of the impacts.

The composting component mentions the possibility that wood waste may be diverted through biomass conversion in the year 2000, and therefore count for up to 10 of the 50% of the diversion goal. Legislation regarding biomass conversion and transformation contained in AB 688 became 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 that the jurisdiction is implementing all feasible SRRE programs.

Seasonal variation of the wastestream was not addressed in the SWGS as required by PRC Section 41330. Seasonal variation should be addressed in the County's first Annual Report.

The method used for tonnage data collection was surveying. Whether the response rate of the survey was considered representative was not discussed, and should be, as this is the basis for determining the County's diversion rate. This iss should be addressed in the County's first Annual Report.

Unincorporated Napa County	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	37,736	20,672	58,408	27,270	33,521	60,791	26,784	37,927	64,711
Normally Disposed		(-24)	(-24)		(-24)	(-24)		(-24)	(-24)
Hazardous Waste	(-193)		(-193)	(-193)		(-193)	(-193)		(-193)
Corrected Totals	37,543	20,648	58,191	27,077	33,497	60,574	26,591	37,903	64,494
Claimed diversion rates		35.4%			55.1%			58.6%	
Corrected Diversion		**35.5%**			**55.2%**			**58.7%**	

CITY OF ST. HELENA

SWGS 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:

Due to the planning inadequacies discussed on page two of this item, staff recommends conditional approval of the multi-jurisdictional SRRE for the city of St. Helena. As a condition, the city must provide additional information to correct the planning inadequacies in their first Annual Report to the Board. In addition, pursuant to the Public Resources Code Section 41810.1, the County and the city of St. Helena must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the County and the city will correct the inadequacies.

The SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the tables below.

Restricted Materials:

There was no documentation of diversion claims for white goods; two tons of these materials were subtracted from diversion and generation.

ST. HELENA	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim (tons)	12,369	9,555	21,924	10,928	16,906	27,834	11,066	16,997	28,063
Changes to claim									
Restricted									
White goods	0	(2)	(2)	0	(2)	(2)	0	(2)	(2)
Subtotal	0	(2)	(2)	0	(2)	(2)	0	(2)	(2)
Corrected Totals	12,369	9,553	21,922	10,928	16,904	27,832	11,066	16,995	28,061
Claimed diversion rates		43.6%			60.7%			60.6%	
Corrected diversion		**43.6%**			**60.7%**			**60.6%**	

CITY OF CALISTOGA

SWGS 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:

Due to the planning inadequacies discussed on page two of this item, and the diversion projection for the year 2000 falls substantially below the 50% diversion mandate, staff recommends disapproval of the multi-jurisdictional SRRE for the city of Calistoga. Staff recommends that, as a disapproval, the Board issue a Notice of Deficiency to the jurisdictions, specifying to develop and implement additional diversion programs and/or expand the existing selected programs to meet the 50% mandated diversion.

The SWGS, as submitted, does not meet the following criterion.

Diversion Rate.

The projected diversion amount for the year 2000 is 4,692 tons out of a total of 12,132 tons generated. This amount will yield a 38.7% diversion rate; below the mandated waste reduction rate of 50%.

Area of Concern:

Staff has a concern that the diversion projections for 1995 and 2000 for the city of Calistoga are almost identical, with the diversion projection for the year 2000 falling substantially below the diversion mandate. Staff suggests the city develop and implement more aggressive diversion programs in the mid-term planning period (1995-2000).

Calistoga	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	8,203	961	9,164	6,246	3,925	10,171	7,440	4,692	12,132
Claimed diversion rates		10.5%			38.6%			38.7%	

TOWN OF YOUNTVILLE

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	

Due to the planning inadequacies discussed on page two of this item, and the diversion projection for the year 2000 falls substantially below the 50% diversion mandate, staff recommends disapproval of the multi-jurisdictional SRRE for the town of Yountville. Staff recommends that, as a disapproval, the Board issue a Notice of Deficiency to the jurisdictions, specifying to develop and implement additional diversion programs and/or expand the existing selected programs to meet the 50% mandated diversion.

The SWGS, as submitted, does not meet the following criteria.

Diversion Rate.

The projected diversion amount for the year 2000 is 2,278 tons out of a total of 5,501 tons generated. This amount will yield a 41.4% diversion rate, which is below the mandated waste reduction rate of 50%.

Area of Concern:

Staff has a concern that the diversion projections for 1995 and 2000 for the city of Yountville are almost identical, with the diversion projection for the year 2000 falling substantially below the diversion mandate. Staff suggests the city develop and implement more aggressive diversion programs in the mid-term planning period (1995-2000).

YOUNTVILLE	Base-year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	4,093	525	4,618	2,982	2,088	5,070	3,223	2,278	5,501
Claimed diversion		11.4%			41.2%			41.4%	

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 county and cities have selected to implement the following household hazardous waste (HHW) diversion programs: HHW public education and information; expanded load checking program; household hazardous materials recycling drop-off; periodic HHW collection events; and establishing permanent HHW collection sites.

Staff recommends the approval of the multi-jurisdictional Household Hazardous Waste Element for the County of Napa, the Cities of St. Helena, Calistoga, and the town of Yountville.

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 Element identifies seven facilities that may be used by the County and three cities to achieve the diversion mandates. The Upper Valley disposal Service/Upper Valley Recycling and the Clover Flat Landfill/Recycling are used by the County, the city of St. Helena, Calistoga, and town of Yountville. The unincorporated area of the County also uses the city of Napa Recycling and Composting Facility and American Canyon Sanitary Landfill Recycling. The Element includes the description of a proposed South Napa Waste Management Authority Transfer Facility in the Unincorporated Area Napa County.

Staff recommends approval for the Multi-jurisdictional Nondisposal Facility Element for the Napa County, the City of St. Helena, Calistoga, and Town of Yountville.

ATTACHMENTS:

1:Resolution #95-185 Conditional Approval for the multi-jurisdictional SRRE for the Napa County and the city of St.Helena
2:Resolution #95-186 Disapproval for the multi-jurisdictional SRRE for the city of Calistoga and town of Yountville
3:Resolution #95-187 Approval for the multi-jurisdictional HHWE for the Napa County, the city of St. Helena, Calistoga, and town of Yountville
4:Resolution #95-188 Approval for the multi-jurisdictional NDFE for the Napa County, the city of St. Helena, Calistoga, and town of Yountville

Prepared by: M. Lawrence for Kaoru F. Cruz Phone: 255-2660

Prepared by: Chris Schmidle Phone: 255-2425

Reviewed by: M. Lawrence for Dianne Range Phone: 255-2304

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: 2/14/95 1:20pm

ATTACHMENT #1
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-185

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE MULTI-JURISDICTIONAL SRRE FOR THE COUNTY OF NAPA AND THE CITY OF ST. HELENA, NAPA 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, 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 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, PRC Section 41001 requires that a city 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 and 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 city will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, based on review of the multi-jurisdictional SRRE, Board staff found that the description of responsible agencies who monitor and evaluate the implementation of the selected programs is unclear; that the Special Waste Component lacks the discussion of evaluation of alternatives and implementation schedule required by 14 CCR Section 18737; that the Disposal Facility Capacity Component lacks the discussion of anticipated effect from landfill closure and of new facility required by 14 CCR Section 18745(C)(1) and (2); and

WHEREAS, 14 CCR Section 18769 provides that the Board may conditionally approve SRREs, and Board staff recommends that the multi-jurisdictional SRRE for the County of Napa and city of St. Helena be conditionally approved; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the multi-jurisdictional Source Reduction and Recycling Element for the County of Napa and city of St. Helena. As conditions, the County and city must provide further information in their first Annual Report to describe expansion of existing programs or additional programs in the Special Component and submit the Joint Powers Agreement or identify the responsible agencies. The County and the city of St. Helena must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the County and the city will correct the inadequacies.

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 February 22, 1995.
Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #95-186

FOR CONSIDERATION OF DISAPPROVAL OF THE MULTI-JURISDICTIONAL SRRE FOR THE CITY OF CALISTOGA AND TOWN OF YOUNTVILLE, NAPA 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 a city 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 Cities 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 Cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, the city of Calistoga and town of Yountville have projected to divert their waste 38.7% and 41.4% respectively by the year 2000, which fall substantially below the diversion mandate; and

WHEREAS, based on review of the multi-jurisdictional SRRE, Board staff found that the description of responsible agencies who monitor and evaluate the implementation of the selected programs is unclear; that the Special Waste Component lacks the discussion of evaluation of alternatives and implementation schedule required by 14 CCR Section 18737; that the Disposal Facility Capacity Component lacks the discussion of anticipated effect from landfill closure and of new facility required by 14 CCR Section 18745(C)(1) and (2); and

WHEREAS, 14 CCR Section 18769 provides that the Board may disapprove SRREs, and Board staff recommends that the multi-jurisdictional SRRE for the city of Calistoga and town of Yountville be disapproved; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the multi-jurisdictional Source Reduction and Recycling Element for the city of Calistoga and town of Yountville and directs staff to draft a Notice of Deficiency to the jurisdiction. The notice will identify the measures to be taken to rectify the deficiencies and a timeframe 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 February 22, 1995.
Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-187

FOR CONSIDERATION OF APPROVAL OF THE MULTI-JURISDICTIONAL HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR UNINCORPORATED NAPA COUNTY, CITY OF ST. HELENA, CITY OF CALISTOGA, AND TOWN OF YOUNTVILLE, NAPA 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 Unincorporated Area Napa County, city of St. Helena, city of Calistoga, and town of Yountville drafted and adopted their final multi-jurisdictional HHWE in accordance with statute and regulations; and

WHEREAS, The Unincorporated Area Napa County, city of St. Helena, city of Calistoga, and town of Yountville submitted their final multi-jurisdictional HHWE to the Board for approval which was deemed complete on October 30, 1994, and the Board has 120 days to review and approve or disapprove of the Element; and

WHEREAS, based on review of the multi-jurisdictional HHWE, Board staff found that all of the foregoing requirements have been satisfied and that the multi-jurisdictional HHWE substantially complies with PRC 41500, et seq., and recommends its approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the multi-jurisdictional Household Hazardous Waste Element for the Unincorporated Area Napa County, city of St. Helena, city of Calistoga, and town of Yountville.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 4

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-188

FOR CONSIDERATION OF APPROVAL OF THE MULTI-JURISDICTIONAL NONDISPOSAL FACILITY ELEMENT FOR UNINCORPORATED NAPA COUNTY, CITY OF ST. HELENA, CITY OF CALISTOGA, AND TOWN OF YOUNTVILLE, NAPA 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 with PRC Section 41730, et seq., and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the multi-jurisdictional Nondisposal Facility Element for Unincorporated Napa County, city of St. Helena, city of Calistoga, and town of Yountville. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM # 21 52

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element and Household Hazardous Waste Element for the City of Sacramento, Sacramento County

STAFF COMMENTS:

The City of Sacramento's Source Reduction and Recycling Element (SRRE) projects diversion for 1995 at 39.6% and 49.4% for the year 2000. Adjusting for restricted wastes reduces these percentages to 32.9% for 1995, and 44.5% for the year 2000. Thus, removal of restricted wastes will not impact the City's projections of meeting the 1995 diversion mandate, but causes a substantial shortfall for the 2000 diversion mandate.

The source reduction programs that the City is planning to continue include: a waste reduction and procurement program and backyard composting promotion; source reduction programs planned for implementation prior to 1995 are: an awards program for businesses; and various rate/fee modifications. Recycling programs will include: expansion of residential curbside collection; multi-family recycling collection; drop-off recycling centers; expansion and development of commercial recycling; development of a commercial mixed waste processing facility; zoning changes; and market development programs. Composting programs will include: continued operation of a yard waste composting facility; continued curbside yard waste collection; expansion of facility and collection, including a focus on the commercial sector; and establishment of economic development zones. The special waste programs that the City intends to offer include: tire shredding and recovery; market development for used tires; and construction and demolition recovery.

Staff recommends disapproval of the SRRE for the City because the final document does not meet statutory or regulatory requirements as follows: the diversion projections even before the removal of restricted wastes, fall below the year 2000 diversion mandate and the medium-term planning implementation is not adequately identified. Staff recommends that, as a disapproval, the Board issue a Notice of Deficiency identifying deficiencies and what must be done to correct them within a specified timeframe.

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:

Normally Disposed. Hazardous waste is not "normally disposed of". Staff have subtracted 400 tons of commercial hazardous waste from disposal and generation.

Restricted Materials. Staff has not had adequate time to review documentation submitted for the diversion claim of 78,587 tons of restricted waste types. Staff has therefore subtracted 78,587 tons from base-year diversion and generation totals. Staff's recommendation regarding documentation will be discussed at the Febuary Board meeting. However, even if staff restores the entire 78,587 tons to the base-year, the document only projected a 49.4% diversion rate by the year 2000.

Areas of Concern:

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.

The SWGS, as corrected, meets the SWGS criteria.

City of Sacramento	Base year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	543,139	157,081	700,220	479,372	313,810	793,182	455,123	443,526	898,649
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-75,018)	(-75,018)	0	(-75,018)	(-75,018)	0	(-75,018)	(-75,018)
Scrap metals	0	(-3,569)	(-3,569)	0	(-3,569)	(-3,569)	0	(-3,569)	(-3,569)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	0	0	0	0	0	0	0	0
Subtotal	0	(-78,587)	(-78,587)	0	(-78,587)	(-78,587)	0	(-78,587)	(-78,587)
Hazardous waste	(-400)		(-400)	(-400)		(-400)	(-400)		(-400)
Corrected Totals	542,739	78,494	621,233	478,972	235,223	714,195	454,723	364,939	819,662
Claimed diversion rates		22.4%			39.6%			49.4%	
Corrected diversion rates		**12.6%**			**32.9%**			**44.5%**	

Issues of Concern:

The City's diversion projection for the year 2000 does not meet the mandate.

For each component in the SRRE, the medium-term planning period implementation schedules were not discussed as required in 14 CCR section 18733.5(c).

Integration Component - Some expansion of existing programs are not included in the Implementation Task Schedule. It does not specify completion dates for each task being implemented, and there are not tasks indicated after 1998.

HHWE

The HHWE does not adequately address 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 Sacramento provides a program including monthly collection events co-sponsored with the County. In addition, curbside pickup of used motor oil, public education programs to reduce the use of Household Hazardous Waste products, and a load-checking program at the City Landfill are all HHW diversion programs that will be continued at least until June, 1996. The document is lacking an Implementation Schedule as required by California Code of Regulations (CCR) 18751.5 and there are not enough implementation details in the text of the document for staff to have a comprehensive picture of the HHW program planned by the City. Information on future plans for at least two permanent collection sites and an expansion of the shared City/County HHW collection events should be more clearly detailed.

Staff recommends conditional approval for the City of Sacramento's Household Hazardous Waste Element due to the lack of implementation details beyond the year 1996. CCR 18751(a)(3) requires that the City detail its plans to the year 2000, including major tasks that will be ongoing. Staff recommends that the City include more details about the continued shared City/County collection events, including more description of the City's contributions to the events. In addition, progress on the development of the permanent collection sites should be included in the first annual report due to the Board by July 1996.

ATTACHMENTS:

Resolution # 95-190 Disapproval for the SRRE for the City of Sacramento
Resolution # 95-191 Conditional Approval for the HHWE for the City of Sacramento

Prepared by: Michelle Marlowe Lawrence MML Phone: 255-2307

Prepared by: Yasmin Satter Phone: 255-2421

Reviewed by: Dianne Range DR Phone: 255-2304

Reviewed by: Catherine Cardozo CC Phone: 255-2656

Reviewed by: Lorraine Van Kekerix LVK Phone: 255-2670

Reviewed by: Judith J. Friedman JJF Phone: 255-2302

Legal Review: EB Date/time: 1/27/95 12:30pm

ATTACHMENT # 1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-190

CONSIDERATION OF DISAPPROVAL OF THE SOURCE REDUCTION AND RECYCLING 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 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 provide 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, 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 cities will achieve the diversion goals of 25% by 1995, and 50% by 2000; and

WHEREAS, during review of the SRRE, Board staff found that there was insufficient documentation to claim diversion for restricted 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 be 44.5%, which falls short of the year 2000 mandate of 50% diversion; and

WHEREAS, the document does not describe the medium-term planning period implementation schedule in each component or in the Implementation Schedule of the Integration Component; and

WHEREAS, based on the above, Board staff recommends disapproval of the City of Sacramento's Source Reduction and Recycling Element.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby disapproves the Source Reduction and Recycling Element for the City of Sacramento and directs staff to draft a Notice of Deficiency to the jurisdiction. The Notice will identify the measures to be taken to rectify the deficiencies and a timeframe 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT # 2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-191

FOR CONSIDERATION OF CONDITIONAL APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE 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 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 Sacramento drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Sacramento submitted their final HHWE to the Board for approval which was deemed complete on November 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 the regulatory requirements of California Code of Regulations section 18751.5 (3) requiring a planning implementation schedule through the year 2000 have not been satisfied and that the HHWE does not comply with PRC 41500, et seq., and recommends its conditional approval;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby conditionally approves the Household Hazardous Waste Element for the City of Sacramento. The City must also submit a compliance schedule to the Board within 60 days from the date of the conditional approval letter which demonstrates how the City will correct the deficiencies.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM #23 53

ITEM: Consideration of Staff Recommendations on the Adequacy of the Source Reduction and Recycling Element for the unincorporated area of Nevada County

STAFF COMMENTS:

Nevada County has selected a variety of programs to reduce the amount of waste that it landfills. The County will comply with the diversion mandates with corrected diversion projections of 28.6% for 1995 and 59.6% for 2000. Source Reduction programs include public education and information on source reduction programs, waste audits, technical assistance programs, procurement requirements, and backyard composting. Recycling programs include buybacks, cardboard recovery, curbside separation, and material recovery facility (MRF). A composting program is planned to be implemented in the medium term. The education programs target residences, businesses, and schools. The program includes a school curriculum, a speakers bureau, special event participation, a variety of informational items, and media releases. Board staff recommend approval of the SRRE for the unincorporated area of Nevada County.

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: "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. Household Hazardous Waste (HHW) is not legally disposed of and, therefore, cannot be claimed as diversion. Staff have subtracted 15 tons of HHW from 1995 diversion and generation, and 18 tons from 2000 diversion and generation.

Restricted Materials. No documentation of diversion claims for 1947 tons of restricted waste types has been received. Staff have subtracted 1947 tons from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Uninc Nevada Co.	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	45,497	7,980	53,477	46,391	20,526	66,917	35,852	54,842	90,694
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	(-1,440)	(-1,440)	0	(-1,440)	(-1,440)	0	(-1,440)	(-1,440)
Scrap metals	0	(-22)	(-22)	0	(-22)	(-22)	0	(-22)	(-22)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-485)	(-485)	0	(-485)	(-485)	0	(-485)	(-485)
Subtotal	0	(-1,947)	(-1,947)	0	(-1,947)	(-1,947)	0	(-1,947)	(-1,947)
Household Hazardous Waste	0	0	0	0	(-15)	(-15)	0	(-18)	(-18)
Corrected Totals	45,497	6,033	51,530	46,391	18,564	64,955	35,852	52,877	88,729
Claimed diversion rates		14.9%			30.7%			60.5%	
Corrected diversion rates		**11.7%**			**28.6%**			**59.6%**	

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. Jurisdictions planning to use sludge in diversion programs shall follow the procedure outlined in 14 CCR Section 18775.2.

ATTACHMENTS:

1: Resolution # 95-202 Approval for the SRRE for the unincorporated area of Nevada 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: 1/25/95 18:45pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-202

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE UNINCORPORATED AREA OF NEVADA 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 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 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 Nevada 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM #~~28~~54

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 Ferndale, Humboldt County.

STAFF COMMENTS:

The City of Ferndale's baseline diversion was 7.4%. The City's SRRE projects diversion for 1995 as 26.7% and 50.0% for the year 2000. Adjustments to remove restricted wastes change these percentages to 24.8% for 1995 and 48.8% for the year 2000. These adjustments affect the projected achievement of the 1995 and 2000 mandates, however the City is in substantial compliance.

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 public education programs, technical assistance programs, and rate modifications. Selected recycling programs include: drop-off bins, commercial cardboard collection, and a pilot curbside program. The selected composting programs include a central drop-off location for branches and brush for subsequent transfer to a stockpile location. The selected public education and information programs include co-operative participation with the County, private businesses and community groups in: an annual media campaign, on-going education and public information programs, supplying the County Recycling Hotline with information pertaining to Ferndale residents, and many other effective programs.

The City of Ferndale'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 SWGS, as submitted, does not meet the following criteria. Changes in tonnage are listed in the following table.

Normally Disposed of. Hazardous waste is not "normally disposed of". Staff hav therefore subtracted 3 tons of non-residential hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 39 tons of restricted waste types has been received. Staff have therefore subtracted 39 tons from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Area of Concern:

The City of Ferndale's final 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 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.

Ferndale	Base year			1995			2000		
Humboldt	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	1,311	144	1,455	1,100	400	1,500	800	800	1,600
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-26)	(-26)	0	(-26)	(-26)	0	(-26)	(-26)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-13)	(-13)	0	(-13)	(-13)	0	(-13)	(-13)
Subtotal	0	(-39)	(-39)	0	(-39)	(-39)	0	(-39)	(-39)
Hazardous Waste	(-3)	0	(-3)	(-3)	0	(-3)	(-3)	0	(-3)
Corrected Totals	1,308	105	1,413	1,097	361	1,458	797	761	1,558
Claimed diversion rates		9.9%			26.7%			50.0%	
Corrected diversion rates		**7.4%**			**24.8%**			**48.8%**	

Staff recommend an approval for the City of Ferndale'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 is actively involved in a HHW public education and information program, and participates in the County sponsored HHW collection programs.

Staff recommend an approval for the City of Ferndale's Household Hazardous Waste Element.

NDFE

The City of Ferndale's 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	X		

The City of Ferndale identified the Eel River Disposal and Resource Recovery Center and the Humboldt Transfer and Recycling Center, and the proposed Humboldt Countywide Composting Facility as the facilities that they will be using to reach the mandated goals.

Staff recommend an approval for the City of Ferndale's Nondisposal Facility Element.

ATTACHMENTS:

1:Resolution # 95-192 Approval for the SRRE for the City of Ferndale
2:Resolution # 95-193 Approval for the HHWE for the City of Ferndale
3:Resolution # 95-194 Approval for the NDFE for the City of Ferndale

Prepared by: Alan White AW Phone: 255-2306

Prepared by: Sherrie Sala-Moore Phone: 255-2649

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: EB Date/time: 1/27/95 12:40 pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-192

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF FERNDALE

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 Element for the City of Ferndale.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-193

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF FERNDALE

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 Ferndale drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Ferndale submitted their final HHWE to the Board for approval which was deemed complete on November 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 approve the Household Hazardous Waste Element for the City of Ferndale.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-194

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF FERNDALE

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 Ferndale. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

California Integrated Waste Management Board

LOCAL ASSISTANCE AND PLANNING COMMITTEE
FEBRUARY 8, 1995

AGENDA ITEM #~~20~~55

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 Fortuna, Humboldt County

STAFF COMMENTS:

The City of Fortuna is currently diverting approximately 25 percent of its waste stream. The City's corrected projections estimate that they will achieve a 34.7% diversion rate in 1995 and a 48.9% diversion rate in 2000.

The City of Fortuna's Source Reduction and Recycling Element (SRRE) is adequate. The SRRE contains a number of programs that will be used to reach and/or exceed the mandated goals. These include a mix of source reduction, recycling, public education-information, and composting programs. Selected source reduction programs include public education programs, technical assistance programs, and rate modifications. Selected recycling programs include: existing drop-off bins, commercial cardboard collection, and a pilot curbside program. The selected composting programs include a program to promote backyard composting, and the creation of a central drop-off location for yard wastes for subsequent transfer to a stockpile location. The selected public education and information programs include co-operative participation with the County, private businesses and community groups in: an annual media campaign, on-going education and public information programs, supplying the County Recycling Hotline with information pertaining to Fortuna residents, and many other effective programs.

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 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 23 tons of non-residential hazardous waste from disposal and generation.

Restricted Materials. No documentation of diversion claims for 157 tons of restricted waste types has been received. Staff have therefore subtracted 157 tons from diversion and generation.

The SWGS, as corrected, meets the SWGS criteria.

Areas of Concern:

1. The SRRE states on page 5-24 that "up to 10 percent transformation (as incineration is defined by AB 939) is allowed diversion credit under extreme circumstances in meeting the 50 percent diversion goal by 2000". New legislation (AB 688) allows for up to 10 of the 50% diversion goal to be from either transformation at Board permitted facilities or for transformation at biomass facilities. To claim this diversion, all amounts going to a permitted transformation facility or a biomass facility must be included in the base-year disposal amounts. Other conditions listed in PRC Sections 40106, 41781.2 (g), and 41783.1 (biomass) or 40201 and 41783 (transformation) must also be met to claim diversion for either biomass or transformation.

2. It was stated in the City's SRRE that sludge was not counted in the generation amounts as, at the time of the study, sludge was not considered solid waste (page 2-7 of the SRRE). The City states that approximately 1[illegible] tons per year of sewage sludge is generated and diverted by the City's sludge management program (page 6-2 of SRRE). The SRRE mentioned that sludge may be considered a solid waste in the future, and count towards the City's baseline of waste generated depending upon future legislation. PRC Section 41781.1 lists requirements that must be met for claiming diversion for sludge. The City may address this issue in an annual report or a revision of their SRRE.

Fortuna	Base-Year			1995			2000		
	Dis.	Div.	Gen.	Dis.	Div.	Gen.	Dis.	Div.	Gen.
Original Claim	7,040	2,590	9,630	6,700	3,700	10,400	5,700	5,600	11,300
Changes to claimed tonnages:									
Restricted materials:									
Inert solids	0	0	0	0	0	0	0	0	0
Scrap metals	0	(-115)	(-115)	0	(-115)	(-115)	0	(-115)	(-115)
Agricultural waste	0	0	0	0	0	0	0	0	0
White goods	0	(-42)	(-42)	0	(-42)	(-42)	0	(-42)	(-42)
Subtotal	0	(-157)	(-157)	0	(-157)	(-157)	0	(-157)	(-157)
Hazardous Waste	(-23)	0	(-23)	(-23)	0	(-23)	(-23)	0	(-23)
Corrected Totals	7,017	2,433	9,450	6,677	3,543	10,220	5,677	5,443	11,120
Claimed diversion rates		26.9%			35.6%			49.6%	
Corrected diversion rates		**25.7%**			**34.7%**			**48.9%**	

HHWE

The HHWE for the City 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 is actively involved in a HHW public education and information program and participates in the County sponsored HHW collection programs.

Staff recommend a approval for the City of Fortuna'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	X		
Transfer Station descriptions - outside a jurisdiction	X		

The City identified the Eel River Disposal and Resource Facility, the Humboldt Transfer and Recycling Center, the Humboldt County Transfer Station in Carlotta, and the proposed Humboldt County Composting Facility as facilities that it will using to reach the mandated goals

Staff recommend an approval for the City of Fortuna's Nondisposal Facility Element.

ATTACHMENTS:
1:Resolution # 94-195 Approval for the SRRE for the City of Fortuna
2:Resolution # 94-196 Approval for the HHWE for the City of Fortuna
3:Resolution # 94-197 Approval for the NDFE for the City of Fortuna

Prepared by: Alan White AW Phone: 255-2306

Prepared by: Sherrie Sala-Moore Phone: 255-2649

Reviewed by: John Nuffer Phone: 255-2368

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: Date/time: 1/27/95 12:40pm

ATTACHMENT #1

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-195

FOR CONSIDERATION OF APPROVAL OF THE SOURCE REDUCTION AND RECYCLING ELEMENT FOR THE CITY OF FORTUNA

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 Element for the City of Fortuna.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #2

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-196

FOR CONSIDERATION OF APPROVAL OF THE HOUSEHOLD HAZARDOUS WASTE ELEMENT FOR THE CITY OF FORTUNA

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 Fortuna drafted and adopted their final HHWE in accordance with statute and regulations; and

WHEREAS, The City of Fortuna submitted their final HHWE to the Board for approval which was deemed complete on November 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 approve the Household Hazardous Waste Element for the City of Fortuna.

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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION # 95-197

FOR CONSIDERATION OF APPROVAL OF THE NONDISPOSAL FACILITY ELEMENT FOR THE CITY OF FORTUNA

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 Fortuna. 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 February 22, 1995.

Dated:

Ralph E. Chandler
Executive Director

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