

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

904



FROM: Department of Environmental Health/Waste Management
Department

SUBMITTAL DATE:
January 23, 2004

SUBJECT: Adoption of Resolution No. 2004 – 046, A Resolution of the Board of Supervisors of the County of Riverside Authorizing the Department of Environmental Health to Apply for State Funds from the Solid Waste Disposal Site Clean-Up Trust Fund to Clean Up River Ranch Organics.

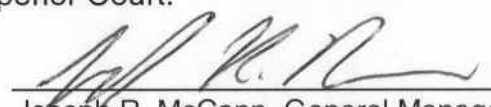
RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize The Director of the Department of Environmental Health to apply for and accept assistance from the California Integrated Waste Management Board to manage a clean-up of River Ranch Organics.
2. Authorize the Director of Waste Management to release the Certificate of Deposit 30-12109 to reimburse the Solid Waste Clean-Up Trust Fund up to the sum of \$100,000 that was held to support the site operator's obligation under the Site Clean-Up and Restoration Agreement.

BACKGROUND: Michael G. Rawls and Shawn M. Rawls, through their general partnership, operated River Ranch Organics, a chipping and grinding facility located within the unincorporated area of Riverside County. In addition, Michael G. Rawls is the owner of the real property upon which River Ranch Organics is located. In March 2003, Riverside County and Michael G. Rawls entered into a Settlement Agreement for the Site Clean-Up. On November 12, 2003, a Motion to Enter Judgment was filed with Riverside County Superior Court.



Gary Root, Director
Environmental Health



Joseph R. McCann, General Manager – Chief
Engineer Waste Management

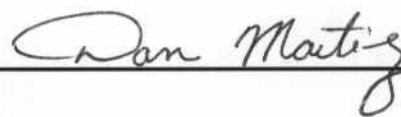
FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	

SOURCE OF FUNDS: Solid Waste Disposal Site Clean Up Trust Fund and Certificate of Deposit 30-12109	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature



COUNTY OF RIVERSIDE
 OFFICE EXECUTIVE

Consent
 Policy

 Consent
 Policy

 Dep't Recomm.:
 Per Exec. Ofc.:

2004 JAN 28 10:28 AM
 RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.:

District: 2

Agenda Number:

12.1

The Court found that petitioners Michael G. Rawls and Shawn M. Rawls violated the provisions of the Settlement Agreement by failing to remove waste stockpiles from the property in a timely manner. The Judgment was certified on November 18, 2003. AB 2136 provides a program administered by the California Integrated Waste Management Board (CIWMB) for the clean-up of waste disposal sites where the responsible party is unable or unwilling to pay for timely remediation. Your Board's approval will authorize the Department of Environmental Health to submit a request to the CIWMB to assist in the clean-up of River Ranch Organics using AB2136 funds. The CIWMB would oversee the clean-up and expend funds directly for the clean-up using a CIWMB-managed contractor. The Waste Management Department will reimburse the CIWMB's Solid Waste Clean-Up Trust Fund up to \$100,000 from the Certificate of Deposit originally posted by the Operator.

FINANCIAL:

There would be no cost to the County.

2
3 **RESOLUTION NO. 2004 - 046**

4 **A RESOLUTION OF THE COUNTY OF RIVERSIDE AUTHORIZING THE DEPARTMENT**
5 **OF ENVIRONMENTAL HEALTH TO REQUEST ASSISTANCE THROUGH THE**
6 **CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD (CIWMB) FOR CLEANUP**
7 **OF AN ILLEGAL DISPOSAL SITE**

8 The Board of Supervisors of the County of Riverside, State of California, Ordains as Follows:

9 WHEREAS, Michael G. Rawls and Shawn M. Rawls, through their general partnership, operate River
10 Ranch Organics, a chipping and grinding facility located within the unincorporated area of Riverside
11 County at 14545 River Road, Corona (Apn 130-080-018 F/K/A 130-080-016) and subject to regulation
12 as a Solid Waste Facility under the laws of the State of California, and
13

14 WHEREAS, the County of Riverside Department of Environmental Health functions as the Local Solid
15 Waste Management Enforcement Agency (LEA) for regulation of Solid Waste facilities within the
16 County of Riverside and its incorporated cities, and

17 WHEREAS, the County of Riverside Department of Environmental Health found the property owner to
18 be in violation of Section 44002 of the California Public Resources Code with regard to the operation of
19 a solid waste facility without the required permit which included the illegal stockpiling (disposal) of
20 approximately 100,000 cubic yards of greenwaste materials, and
21

22 WHEREAS, In March 2003, Riverside County and Michael G. Rawls entered into a Settlement
23 Agreement requiring owner/operator to remove said stockpiled materials from the property; and

24 WHEREAS, the Riverside County Superior Court found the property owner and operator to be in
25 violation of that Settlement Agreement

26 WHEREAS, the people of the State of California have enacted Assembly Bill 2136 that authorizes the
27 CIWMB to initiate and administer a Solid Waste Cleanup Trust Fund for cleanup of solid waste disposal
28 sites and for cleanup of solid waste at codisposal sites where the responsible party either cannot be

1 identified or is unable or unwilling to pay for timely remediation, and where cleanup is needed to protect
2 public health and safety or the environment; and

3 WHEREAS, the applicant will enter into agreement with the State of California for the site cleanup;

4 NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors HEREBY:

- 5 1. Authorizes the request for assistance from the CIWMB for the cleanup of solid waste using funds
6 from the Solid Waste Cleanup Trust Fund for the project specified above to: remove, recycle,
7 reuse and/or dispose of approximately 100,000 cubic yards of stockpiled greenwaste materials,
8 and
9 2. Authorizes the Director of Waste Management to release the certificate of deposit to reimburse
10 the Solid Waste Cleanup Trust Fund up to \$100,000 from the Certificate of Deposit 30-12109,
11 and
12 3. Appoints the Director of the Department of Environmental Health as agent of the Board of
13 Supervisors to conduct all negotiations, execute and submit all documents including, but not
14 limited to applications, agreements, amendments, and so on, which may be necessary for the
15 completion of the aforementioned project.

16 This Resolution shall take effect immediately.

17 BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE,

18
19 STATE OF CALIFORNIA

20 BY _____

21 Chairman

22 ATTEST:

23 Nancy Romero

24 Clerk of the Board

25 By _____

26 Deputy
27
28

FORM APPROVED
COUNTY COUNSEL

JAN 15 2004

BY 
ASSISTANT COUNTY COUNSEL