

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

223



FROM: Waste Management Department

**SUBMITTAL DATE:
August 7, 2006**

SUBJECT: Riverside County Nondisposal Facility Element (NDFE) Amendment 2005-2 for B.P. John Recycling, Inc.

RECOMMENDED MOTION: 1) Open Public Hearing to consider adoption of Resolution No. 2006-034, approving Riverside County Nondisposal Facility Element (NDFE) Amendment 2005-2, in accordance with Section 18766 of the California Code of Regulations. 2) Following Public Hearing, Adopt Resolution No. 2006-034 approving Riverside County Nondisposal Facility Element (NDFE) Amendment 2005-2.

BACKGROUND: The Nondisposal Facility Element (NDFE) is a required element of the Countywide Integrated Waste Management Plan (CIWMP). The NDFE identifies and describes, at a minimum, existing and proposed facilities, other than landfills and transformation facilities, requiring a solid waste permit to operate. Nondisposal facilities are also those facilities that will be used by a jurisdiction to meet its diversion goals. The Riverside County NDFE, which was originally approved by the Riverside County Board of Supervisors on November 29, 1994 through adoption of Resolution No. 94-398, identifies and describes those nondisposal facilities that will be needed to implement the Riverside County Source Reduction and Recycling Element (SRRE).

(continued)

Departmental Concurrence

Hans W. Kernkamp, General Manager-Chief Engineer

| | | | | |
|-----------------------|-------------------------------|------|-------------------------|-----|
| 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: | N/A |

| | | |
|-----------------------------|---|--------------------------|
| SOURCE OF FUNDS: N/A | 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

Dept't Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

Prey. Agn. Ref.:

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

District: 5

Agenda Number:

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NDFE Amendment No. 2005-2 is an amendment to the Riverside County NDFE to include the identification and description of the B.P. John Recycling Facility, an existing green and woody waste processing facility, which due to the closure of B.P. John's Corona yard, is expanding its operations. This facility, which operates under Conditional Use Permit (CUP) No. 3169, originally approved by the Board of Supervisors on June 29, 1993 and later revised on February 11, 2003, will assist jurisdictions in meeting AB 939 diversion requirements and will require a waste permit to operate.

In accordance with California Integrated Waste Management Board (CIWMB) regulations, the Riverside County Solid Waste Advisory Committee/Local Task Force (LTF) must first consider the amendment to the NDFE before the Board of Supervisors acts upon the resolution to adopt the amendment at a duly noticed public hearing. The LTF considered NDFE Amendment 2005-2 at its meeting on October 20, 2005 and found that the amendment would not result in adverse regional impacts and would assist Riverside County in meeting its AB 939 goals. As evidenced in the attached minutes, the LTF recommended that the Board of Supervisors approve the proposed NDFE amendment.

The public hearing before the Board is being duly noticed in the *Press Enterprise* at least ten (10) days prior to the hearing scheduled for August 29, 2006. Within 30 days of approval by the Board of Supervisors, Department staff will transmit the County's NDFE amendment to each of the cities within Riverside County. Department staff is also required to transmit copies of the NDFE amendment to the CIWMB, along with a copy of the LTF's comments. The CIWMB has a 60-day review period for consideration of approval of the amendment to the County's NDFE.

The NDFE and its amendments are not subject to the environmental review requirements of the California Environmental Quality Act.

1 Amendment would not result in adverse regional impacts and recommended that the
2 Riverside County Board of Supervisors approve the proposed Amendment; and,

3 WHEREAS, the LTF comments and recommendations are forwarded to the
4 Riverside County Board of Supervisors and to the CIWMB for their consideration; and,

5 WHEREAS, on August 29, 2006, the Riverside County Board of Supervisors held a
6 duly noticed public hearing to consider approval of NDFE Amendment No. 2005-2; and,

7 WHEREAS, the matter was discussed fully with testimony and documentation
8 presented by the public and affected governmental agencies; now, therefore,

9 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
10 Supervisors of the County of Riverside, State of California, in regular session assembled on
11 August 29, 2006, that the previous recitals are correct; and,

12 BE IT FURTHER RESOLVED by the Board of Supervisors that NDFE
13 Amendment No. 2005-2 describes the B.P. John Recycling Facility, and that NDFE
14 Amendment No. 2005-2 has been prepared in compliance with State regulations; and,

15 BE IT FURTHER RESOLVED by the Board of Supervisors that NDFE
16 Amendment No. 2005-2 assists the County in complying with AB 939, the Act, and
17 promotes reduction in the amount of landfilled materials, thereby extending the life of
18 County landfills and conserving natural resources.

19 BE IT FURTHER RESOLVED by the Board of Supervisors that it hereby approves
20 NDFE Amendment No. 2005-2 and authorizes its submittal to the CIWMB for final review
21 and approval.

22 BE IT FURTHER RESOLVED by the Board of Supervisors that upon approval of
23 the CIWMB, NDFE Amendment No. 2005-2 will be incorporated into the Riverside County
24 CIWMP at its five-year revision, if required.

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FORM APPROVED
COUNTY COUNSEL

AUG 09 2006
BY 