

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

677



FROM: Riverside County Waste Management Department


SUBMITTAL DATE:
March 30, 2010

SUBJECT: Riverside County Nondisposal Facility Element (NDFE) Amendment 2010-1 for the Robert A. Nelson Transfer Station/Materials Recovery Facility (RAN MRF/TS)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Open the Public Hearing to consider adoption of Resolution No. 2010-101, approving Riverside County NDFE Amendment 2010-1, in accordance with Section 18766 of the California Code of Regulations; and
- 2) Following the Public Hearing, Adopt Resolution No. 2010-101, approving Riverside County Nondisposal Facility Element (NDFE) Amendment 2010-1.

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 (Board) 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)




 Joseph R. McCann, Assistant Chief Engineer for
 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
 BY: 
Alex Gann

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL 1/10
 BY: NEAL R. KIPNIS DATE

Departmental Concurrence

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

Prev. Agn. Ref.: _____ **District:** 2 **Agenda Number:** _____

12.1

F11- NDFE Amendment No. 2010-1

Submittal Date: March 30, 2010

BOS Hearing Date: May 4, 2010

Page 2

NDFE Amendment No. 2010-1 is an amendment to the Riverside County NDFE to update the description of the RAN TS/MRF, an existing solid waste transfer station and materials recovery facility, which is located within the Agua Mansa Industrial Park, at 1830 Agua Mansa Road, north of Highway 60 and northwest of the Santa Ana River and the city limit of the City of Riverside. Through a lease agreement with the Riverside County Waste Management Department, the RANTS TS/MRF has been in operation since December 1997 by Agua Mansa MRF, LLC., a subsidiary of Burrtec Waste Industries, Inc. (Burrtec) on county owned land. The facility's current 4,000 tons per day (tpd) operation is governed by Solid Waste Facility Permit, SWFP (33-AA-0258), issued in 2007 by the Local Enforcement Agency (LEA).

Burrtec is proposing a revision to the SWFP for the RAN TS/MRF that would maintain the current 4,000 tpd daily capacity limit and yet allow for the following operation changes:

- To perform open windrow composting of green and woody waste to produce compost, in addition to existing green and woody waste recycling operations to produce soil amendments, wood mulch, wood chips as biomass fuel, and landfill alternative daily cover.
- To allow on-site storage of soil amendment products up to 90 days.
- To increase the capacity of waste tire storage from 500 up to 1,500 tires.

On February 9, 2010, the Board approved the proposal to revise the SWFP for the facility and adopted a Mitigated Negative Declaration (MND) for Environmental Assessment (EA) No. RAN 2009-03, based on the findings in the Initial Study and the conclusion that the proposal will not result in significant adverse impacts to the environment with implementation of all the required mitigation measures noted in the Mitigation Monitoring Program, which was also adopted along with the MND.

NDFE Amendment No. 2010-1, which incorporates the above changes to the facility's description, is required for the consideration and approval of the proposed SWFP revision by the California Department of Resources Recycling and Recovery (CalRecycle) and the LEA. In accordance with CalRecycle regulations, the Riverside County Solid Waste Advisory Committee/Local Task Force (LTF) must first consider the amendment to the NDFE before the Board acts upon the resolution to adopt the amendment at a duly noticed public hearing. The LTF considered NDFE Amendment 2010-1 at its meeting on February 18, 2010, 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 approve the proposed NDFE amendment.

The public hearing before the Board is being duly noticed in the Desert Sun and Press Enterprise at least ten (10) days prior to the hearing scheduled for May 4, 2010. 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 CalRecycle, along with a copy of the LTF's comments. CalRecycle has 30 days to deem the NDFE application package complete, followed by an additional 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.

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RESOLUTION NO. 2010-101

**ADOPTING THE RIVERSIDE COUNTY
NONDISPOSAL FACILITY ELEMENT AMENDMENT NO. 2010-1**

WHEREAS, the California Integrated Waste Management Act of 1989 and subsequent legislation (the "Act"), being Division 30 of the Public Resource Code ("PRC") of the State of California (commencing with Section 40000), was added by Chapter 1095, Statutes of 1989 (Assembly Bill 939); and,

WHEREAS, the Act requires each city and county within the State of California to adopt a Nondisposal Facility Element ("NDFE") as one component of the Countywide Integrated Waste Management Plan ("CIWMP"); and,

WHEREAS, PRC Section 41730 et. seq., requires each city and county to amend its NDFE for all proposed, new, and/or proposed expansions of existing nondisposal facilities which will be needed to implement local Source Reduction and Recycling Elements; and,

WHEREAS, on November 29, 1994, the Riverside County Board of Supervisors adopted the Riverside County NDFE; and,

WHEREAS, on May 23, 1995, the California Integrated Waste Management Board ("CIWMB") approved the Riverside County NDFE; and,

WHEREAS, the Riverside County Board of Supervisors first approved the development and operation of the North County (Agua Mansa) Transfer Station/Materials Recovery Facility (later renamed as "Robert A. Nelson Transfer Station/Materials Recovery Facility, or RAN TS/MRF in short) on August 2, 1994, which was later identified and described in the 1994 Riverside County NDFE; and,

WHEREAS, NDFE Amendment No. 2010-1 has been filed to ensure that the Riverside County NDFE accurately identifies and describes the approved new changes to the operation of the RAN TS/MRF; and,

WHEREAS, the Solid Waste Advisory Council/Countywide Local Task Force ("LTF") considered NDFE Amendment No. 2010-1 on February 18, 2010 and found that the Amendment

FORM APPROVED COUNTY COUNSEL 1/10
BY:  DATE

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

3 **WHEREAS**, the LTF comments and recommendations are forwarded to the Riverside
4 County Board of Supervisors and to the California Department of Resources Recycling and
5 Recovery (CalRecycle), for their consideration; and,

6 **WHEREAS**, on May 4, 2010, the Riverside County Board of Supervisors held a duly
7 noticed public hearing to consider approval of NDFE Amendment No. 2010-1; and,

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

10 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
11 Supervisors of the County of Riverside, State of California, in regular session assembled on May 4,
12 2010, that the previous recitals are correct; and,

13 **BE IT FURTHER RESOLVED** by the Board of Supervisors that NDFE Amendment No.
14 2010-1 describes the RAN TS/MRF, and that NDFE Amendment No. 2010-1 has been prepared in
15 compliance with State regulations; and,

16 **BE IT FURTHER RESOLVED** by the Board of Supervisors that NDFE Amendment No.
17 2010-1 assists the County in complying with AB 939, the Act, and promotes reduction in the
18 amount of landfilled materials, thereby extending the life of County landfills and conserving natural
19 resources.

20 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it hereby approves
21 NDFE Amendment No. 2010-1 and authorizes its submittal to the CalRecycle for final review and
22 approval.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that upon approval by the
24 CalRecycle, NDFE Amendment No. 2010-1 will be incorporated into the Riverside County
25 CIWMP through the Annual Report process.
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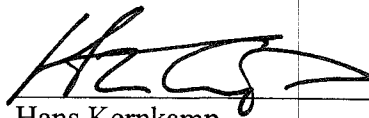
**SUBMITTAL TO THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Waste Management Department **SUBMITTAL DATE:** February 18, 2010

SUBJECT: Riverside County Nondisposal Facility Element (NDFE) Amendment 2010-1
for the Robert A. Nelson Transfer Station/Materials Recovery Facility

RECOMMENDED MOTION: The Solid Waste Management Advisory Council/Countywide Local Task Force (LTF) has reviewed Amendment 2010-1 to the Riverside County NDFE for the Robert A. Nelson Transfer Station/Materials Recovery Facility (RAN TS/MRF) and has found that the amendment will not result in adverse regional impacts and will assist Riverside County in meeting AB 939 recycling goals. The LTF recommends that the Board of Supervisors approve the proposed amendment.

BACKGROUND: The Riverside County NDFE is a required element of the Countywide Integrated Waste Management Plan (CIWMP). The NDFE identifies and describes existing, proposed, and any proposed expansion of existing Nondisposal facilities that will be needed to implement the County's Source Reduction and Recycling Element (SRRE). The Riverside County NDFE, which was originally approved by the Riverside County Board of Supervisors on November 29, 1994 and approved by the California Integrated Waste Management Board (Cont'd)



Hans Kernkamp
General Manager-Chief Engineer

MINUTES OF THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL

On the motion of Simon Housman, seconded by Bob Magee, and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: M. Miller; S. Housman; B. Smith; J. Skerbelis; E. Zanolovic; M. Arciniega; B. Williams;
F. Riddle; R. Moran; B. Scott; R. Schmid; B. Magee; K. Barrows

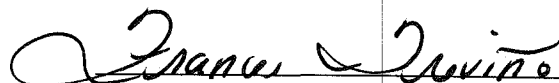
Nays: T. Dumas

Absent: T. Wold; R. Keenan; E. Campos; P. Ryan; S. Foster; C. Vogt; C. Showalter

SCANNED # 87426

By: jt

Date: 3/15/10



Frances Trevino
Executive Assistant

**Submittal to LTF
NDFE Amendment 2010-1 for RAN TS/MRF
February 18, 2010
Page 2**

(CIWMB) on May 23, 1995, has been kept current through the amendment process and through the County's annual reports and five-year review to the CIWMB. The RAN TS/MRF is identified and described in the current County NDFE. The proposed NDFE Amendment 2010-1 will revise Table A-8 of the existing County NDFE, identifying and describing the latest operational changes to the RAN TS/MRF (see attached).

Project Description:

The RAN TS/MRF is an existing solid waste transfer station and materials recovery facility since December 1997 and located on approximately 22.03 acres within the Agua Mansa Industrial Park at 1830 Agua Mansa Road. The existing Solid Waste Facility Permit (SWFP) 33-AA-0258 for the facility was issued in 2007, which permits the facility to receive and process a daily maximum capacity of up to 4,000 tons per day of municipal solid waste and recyclables, outdoor storage construction and demolition (C&D) waste and up to 500 waste tires, and process green and woody waste to produce soil amendment, mulch, bio-fuel, and alternative landfill daily cover. The project is a proposal to revise the current SWFP to include open windrow composting of green and woody waste and expand on-site storage time for soil amendment to up to 90 days and increase the quantity of waste tires up to 1,500 tires in 2 trailers. The Riverside County Board of Supervisors (BOS) will consider revisions to the SWFP and CEQA approval on or after February 9, 2010. The approved changes to the 2007 SWFP would enhance the diversion of green and woody waste from the landfill, which would in turn assist the County and the cities served by the facility in achieving the AB 939 solid waste diversion/recycling mandates.

LTF Action on NDFE Amendment:

In order to revise the SWFP and determine the project's conformance with the CIWMP, the County NDFE will have to be amended to update the description of the RAN TS/MRF operation. The LTF is being asked to concur with the proposed NDFE Amendment 2010-1 for the RAN TS/MRF and to concur with Department staff's finding that the proposed operational changes to the RAN TS/MRF will not result in adverse regional impacts and will assist jurisdictions in meeting AB 939 diversion requirements. Any LTF recommendations or comments will be forwarded to the BOS, who is required to conduct a noticed public hearing for the adoption of the NDFE amendment. Department staff will also transmit a copy of the NDFE amendment to each of the Riverside County cities within 30 days of the County adoption of the amendment. Department staff is also required to transmit a copy of the NDFE amendment to the California Department of Resources Recycling and Recovery, or CalRecycle, along with a copy of the public notice for the public hearing, a copy of the resolution adopting the NDFE amendment, and a copy of the LTF comments. CalRecycle has a 60-day review period for consideration of approval of the amendment to the NDFE.

The NDFE and its amendments are not subject to environmental review under the California Environmental Quality Act (CEQA).

Table A-8 County of Riverside NDFE Robert A Nelson Transfer Station/Materials Recovery Facility	
Type of Facility	<p>The Robert A Nelson Transfer Station/Materials Recovery Facility is an existing solid waste material recovery and transfer facility that receives and processes mixed municipal, commercial and industrial solid waste and separated recyclable materials. Waste is sorted to recover recyclable materials, such as paper, plastics, aluminum and other non-ferrous metals, ferrous metals, glass, cardboard and newsprint. Up to 700 tons per day of green and woody waste are processed within the Organics Processing Area to produce a variety of products, including, wood mulch, bio-fuel, alternative landfill daily cover, compost, and soil amendment. Production time for compost and storage of soil amendment may require up to 90 days. Construction and demolition waste is also received and stored within the Organics Processing Area. On-site storage of waste tires may reach up to 1,500 tires in 2 trailers. Also at the site is a 700 square-foot Household Hazardous Waste (HHW) Storage Facility that accepts and temporarily stores the HHW that is either brought in by private citizens or present in the municipal solid waste processed at the MRF.</p>
Facility Capacity	<p>The RAN Transfer Station/MRF is permitted to process 4,000 tons per day (tpd) of waste and recyclable materials.</p>
Expected Diversion Rate	<p>The projected diversion rate is 35 percent.</p>
Participating Jurisdictions	<p>The facility serves the unincorporated areas of northwestern Riverside County, and portions of the Cities of Riverside, Corona, and Norco. Due to its location, future consideration may be given to servicing San Bernardino County cities and communities.</p>
Location	<p>Southeasterly of Agua Mansa Road, north of Wilson Street, in the Rubidoux area of Riverside County.</p>

Source:

1. Environmental Assessment No. RAN 2009-03, dated October 2009
2. Solid Waste Facility Permit No. 33-AA-0258

PowerDocs #85096

FORM APPROVED COUNTY COUNSEL
 BY: Neal R. Kipnis 2/18/10
 NEAL R. KIPNIS DATE