

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

676



FROM: Riverside County Waste Management Department


SUBMITTAL DATE:
March 30, 2010

SUBJECT: Riverside County Nondisposal Facility Element (NDFE) Amendment 2010-2 for the Edom Hill Transfer Station (EHTS)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Open the Public Hearing to consider adoption of Resolution No. 2010-102, approving Riverside County NDFE Amendment 2010-2, in accordance with Section 18766 of the California Code of Regulations; and
- 2) Following the Public Hearing, Adopt Resolution No. 2010-102 approving Riverside County Nondisposal Facility Element (NDFE) Amendment 2010-2.

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)



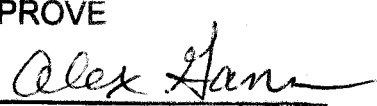
 Joseph R. McCann, Assistant Chief Engineer for
 Hans W. Kernkamp, General Manager-Chief Engineer

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

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Prev. Agn. Ref.: 12.1 (2/25/03) **District:** 4 **Agenda Number:**

12.2

FORM APPROVED COUNTY COUNSEL
 BY: 
 NEAL R. KIPNIS DATE: 3/31/10

Departmental Concurrence

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

NDFE Amendment No. 2010-2 is an amendment to the Riverside County NDFE to update the description of the EHTS, an existing solid waste transfer station, which is located on approximately 21.9 acres, primarily situated within the property limits of the closed Edom Hill Landfill at 70-100A Edom Hill Road. Through a lease agreement with the Riverside County Waste Management Department, the EHTS has been in operation since 2004 by Burrtec Recovery & Transfer (Burrtec) on County owned land. This facility, which operates under Solid Waste Facility Permit (SWFP) No. 33-AA-0296, was originally approved by the Board of Supervisors in August 2002.

Burrtec is proposing a revision to the SWFP for the EHTS that would allow for the following operational changes:

- Increase the overall daily permitted capacity of the transfer station to 3,500 tpd of MSW and recyclables;
- Increase the permitted area of the SWFP for the existing operation from 8.4 acres to 21.9 acres;
- Increase in hours of operation for the acceptance of incoming materials from 6:00 AM to 6:00 PM, Monday through Saturday;
- Increase green and woody waste recycling capacity by 300 tpd to a maximum of 500 tpd; and
- Increase the storage capacity of C&D waste to 300 tpd; and
- 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;

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. EHTS 2009-02, 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. 2010-2, 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 2010-2 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 was duly noticed in the Desert Sun and the Press Enterprise at least ten (10) days prior to the scheduled hearing on 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 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. 2010-102

**ADOPTING THE RIVERSIDE COUNTY
NONDISPOSAL FACILITY ELEMENT AMENDMENT NO. 2010-2**

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 Edom Hill Transfer Station (EHTS) on August 13, 2002, and later approved the EHTS NDFE Amendment No. 2002-1 on February 25, 2003; and,

WHEREAS, NDFE Amendment No. 2010-2 has been filed to ensure that the Riverside County NDFE accurately identifies and describes the approved new changes to the operation of the EHTS; and,

WHEREAS, the Solid Waste Advisory Council/Countywide Local Task Force ("LTF") considered NDFE Amendment No. 2010-2 on February 18, 2010 and found that the Amendment would not result in adverse regional impacts and recommended that the Riverside County Board of Supervisors approve the proposed Amendment; and,

FORM APPROVED COUNTY COUNSEL 1/14/10
BY: NEAL R. KIPNIS DATE

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

4 **WHEREAS**, on May 4, 2010, the Riverside County Board of Supervisors held a duly
5 noticed public hearing to consider approval of NDFE Amendment No. 2010-2; and,

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

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

11 **BE IT FURTHER RESOLVED** by the Board of Supervisors that NDFE Amendment No.
12 2010-2 describes the EHTS, and that NDFE Amendment No. 2010-2 has been prepared in
13 compliance with State regulations; and,

14 **BE IT FURTHER RESOLVED** by the Board of Supervisors that NDFE Amendment No.
15 2010-2 assists the County in complying with AB 939, the Act, and promotes reduction in the
16 amount of landfilled materials, thereby extending the life of County landfills and conserving natural
17 resources.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it hereby approves
19 NDFE Amendment No. 2010-2 and authorizes its submittal to the CalRecycle for final review and
20 approval.

21 **BE IT FURTHER RESOLVED** by the Board of Supervisors that upon approval of the
22 CalRecycle, NDFE Amendment No. 2010-2 will be incorporated into the Riverside County
23 CIWMP through the Annual Report process.

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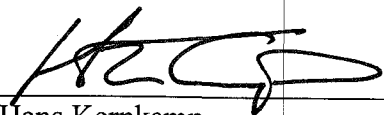
**SUBMITTAL TO THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

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

SUBJECT: Riverside County Nondisposal Facility Element (NDFE) Amendment 2010-2
for the Edom Hill Transfer Station

RECOMMENDED MOTION: The Solid Waste Management Advisory Council/Countywide Local Task Force (LTF) has reviewed Amendment 2010-2 to the Riverside County NDFE for the Edom Hill Transfer Station (EHTS) 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 Bob Magee, seconded by Rob Moran, and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

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

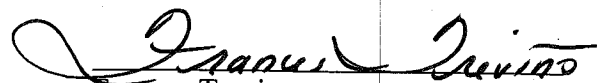
Nays: T. Dumas

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

SCANNED # 87425

By:  _____

Date: 3/15/10



Frances Trevino
Executive Assistant

(CIWMB) on May 23, 1995, has been kept current through the amendment process and through the County's annual reports to the CIWMB. The EHTS is identified and described in the current County NDFE. The proposed NDFE Amendment 2010-2 will revise Table A-4 of the existing County NDFE, identifying and describing the latest operational changes to the EHTS (see attached).

Project Description:

EHTS Solid Waste Facility Permit Revision

The EHTS is an existing solid waste transfer station, in operation since 2004. The EHTS is located at 70-100 Edom Hill Road, on approximately 21.9 acres of disturbed land south of the closed Edom Hill Landfill entrance, of which 9.4 acres are on the closed Edom Hill Landfill site within the unincorporated County, and 12.5 acres on adjacent County property within the city limit of the City of Cathedral City in the Coachella Valley. A SWFP (33-AA-0296) was issued in 2003 which allowed the EHTS facility to receive and process up to 2,600 tons per day of municipal solid waste (MSW). The SWFP was amended in 2004 to allow for the use of end-dump trailer trucks, in 2007, when Burrtec took over operation of the facility from Waste Management of the Desert, and again in 2008, to permit manual floor sorting of recyclables. A LEA Notification Permit was issued in 2007 for the chipping and grinding of up to 200 tons per day of green and untreated wood wastes. Currently, green and woody waste is received and processed on-site to produce biomass fuel, wood mulch, landfill alternative daily cover material, and soil amendments.

The project is a proposal to revise the current SWFP to: 1) increase the overall daily permitted capacity of the transfer station to 3,500 tpd of MSW and recyclables; 2) increase the permitted area of the SWFP for the existing operation from 8.4 acres to 21.9 acres; 3) increase in hours of operation for the acceptance of incoming materials from 6:00 AM to 6:00 PM, Monday through Saturday; 4) increase green and woody waste recycling capacity by 300 tpd to a maximum of 500 tpd; 5) add open windrow composting of up to 200 tpd of green and woody waste, including 50 tpd designated for full compost production at 60-90 day cycles and 150 tpd for intermediate compost (soil amendment) at 21-45 day cycles; and 6) increase the storage capacity of C&D waste to 300 tpd. The Riverside County Board of Supervisors (BOS) will consider revisions to the SWFP and CEQA approval on or after February 9, 2010. The changes to the SWFP would enhance the diversion of green and woody waste and C&D 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's and determine both projects' conformance with the CIWMP, the County NDFE will have to be amended to update the description for the EHTS operation. The

Submittal to LTF

NDFE Amendment 2010-2 for EHTS

February 18, 2010

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LTF is being asked to concur with the proposed NDFE Amendment 2010-2 for the EHTS and to concur with Department staff's finding that the proposed operational changes to the EHTS 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 copies of the NDFE amendment to the 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-4 County of Riverside NDFE Edom Hill Transfer Station	
Type of Facility	The Edom Hill Transfer Station is a solid waste transfer station that receives municipal solid waste including bulky waste, universal waste, electronic waste, source-separated recyclables, construction and demolition waste, and green and woody waste. A maximum of 300 tons per day (tpd) of green and woody waste are processed to produce wood mulch, bio-fuel, alternative landfill daily cover and 200 tpd of green and woody waste composted in open windrows at 60-90 day cycles to produce full compost and at 21-45 day cycles to produce soil amendment.
Facility Capacity	The Edom Hill Transfer Station has a design capacity of 3,500 tons per day (tpd), including up to 500 tpd of green and woody waste and 300 tpd of construction and demolition waste.
Expected Diversion Rate	The diversion rate is approximately 5%.
Participating Jurisdictions	The facility will serve the City of Cathedral City, the County of Riverside, and other cities within the Coachella Valley that may include the Cities of Desert Hot Springs, Indian Wells, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage.
Location	The EHTS is located at 70-100 Edom Hill Road, on approximately 21.9 acres, of which 9.4 acres are on the closed Edom Hill Landfill site within the unincorporated County, and 12.5 acres on adjacent County property within the city limit of the City of Cathedral City. (Northwest quarter of Section 26, T3S, R5E, SBBM; Northeast quarter of Section 27 T3S, R5E, SBBM)

Sources:

- 1) Environmental Assessment No. EHTS 2009-02, dated November 2009
- 2) Solid Waste Facility Permit No. 33-AA-0296
- 3) Master Lease and subsequent amendments, last amendment executed September 18, 2007.

PD#85461

FORM APPROVED COUNTY COUNSEL
 BY: Neal R. Kipnis DATE 4/14/10
 NEAL R. KIPNIS