SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors 105 E. Anapamu Street, Suite 407 Santa Barbara, CA 93101 (805) 568-2240 Agenda Number:Prepared on:2/9/04Department Name:Public WorksDepartment No.:054Agenda Date:3/9/04Placement:AdministrativeEstimate Time:Continued Item:NOIf Yes, date from:

то:	Board of Supervisors
FROM:	Phillip M. Demery, Director Public Works
STAFF CONTACT:	Mark Schleich, Deputy Director, x3603 or Jody Rundle, Program Specialist, x3602
SUBJECT:	Amendment to the Multijurisdictional Nondisposal Facility Element (NDFE) Fifth Supervisorial District

Recommendation(s):

That the Board of Supervisors:

A. Adopt the attached Resolution approving the proposed Amendment to the Multijurisdictional NDFE which is required by the California Integrated Waste Management Board (CIWMB), in order for Bedford Enterprises, Inc. to obtain a Registration Permit under the new CIWMB Construction and Demolition (C&D) regulations.

Alignment with Board Strategic Plan:

Goal II: Ensure the public health and safety, and provide essential infrastructure.

Executive Summary and Discussion:

The California Integrated Waste Management Act of 1989 (AB 939) mandates that each city and county within the State reduce the quantity of material disposed by 25 percent by 1995 and 50 percent by 2000. AB 939 also requires each jurisdiction to develop a Source Reduction and Recycling Element (SRRE) that would provide a plan for the jurisdiction to achieve the diversion mandates through specific source reduction, recycling, and composting programs; the County of Santa Barbara adopted its SRRE in January 1992. In 1992, the State also adopted AB 3001 which called for each jurisdiction to prepare a Nondisposal Facility Element (NDFE) to identify nondisposal facilities that the jurisdictions would use to assist them in reaching the diversion mandates of AB 939; the County of Santa Barbara adopted its NDFE in January 1995. Public Resources Code (PRC) Section 41732 states that the NDFE and any subsequent amendments shall "include a description of new facilities and the expansion of existing facilities which will be needed to implement the

jurisdiction's Source Reduction and Recycling Element." Furthermore, a nondisposal facility is defined by PRC Section 40151 as any solid waste facility required to obtain a State solid waste facility permit, with the exception of solid waste disposal or transformation facilities. Thus, the NDFE includes transfer stations, material recovery facilities, large composting operations, and other waste processing or recycling facilities that: 1) require a solid waste facility permit; 2) are needed to implement a jurisdiction's SRRE; and 3) recover at least five percent (5%) of the total volume of material received by the facility for reuse and recycling.

At the end of 2003, the California Integrated Waste Management Board (CIWMB) approved updates to the regulations to require that construction, demolition, and inert debris processing operations and facilities must be placed into regulatory tiers. Under these new regulations, Bedford Enterprises, Inc., which currently provides processing services to the Cities of Lompoc, Santa Maria, and the northern Unincorporated areas of Santa Barbara County, is required to obtain a Registration Permit and must be included in the Multijurisdictional NDFE. The County of Santa Barbara has prepared an Amendment to the Multijurisdictional NDFE for Bedford Enterprises, Inc., as shown below.

AMENDMENT TO ADD BEDFORD ENTERPRISES, INC. TO MULTIJURISDICTIONAL NDFE

Facility Name:	Santa Maria C&D Waste Facility.
Type of Facility:	A metal recycling center open to the public and a construction, demolition, and inert materials processing center.
Operator:	Bedford Enterprises, Inc. 1940 West Betteravia Road Santa Maria, California 93455
Location:	1940 West Betteravia Road Maria, California 93455
Facility Capacity:	Maximum of 174.9 tons per day.
Anticipated Diversion Rates:	Approximately 96.5% of all material received.
Participating Jusisdictions:	Cities of Lompoc, Santa Maria, and San Luis Obispo; County of San Luis Obispo; Unincorporated areas of Santa Barbara County.
Permit Status:	Registration Tier Permit.

Mandates and Service Levels:

Public Resources Code, Title 14, Division 7. The facilities described in this document are consistent with those described in the County's SRRE, adopted by the Board of Supervisors in 1992, and will enable the County to continue to meet the State's diversion mandates.

Fiscal and Facilities Impacts:

There is no fiscal impact associated with the Board's adoption of the Amendment to the Multijurisdictional NDFE.

Special Instructions:

Please return a copy of the signed resolution to Jody Rundle, Public Works Department, Solid Waste and Utilities Division.

Concurrence:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF APPROVING THE MULTI-JURISDICTIONAL NONDISPOSAL FACILITY ELEMENT ADDENDUM

RESOLUTION NO.

WHEREAS, the governor of the State of California has signed into law the California Integrated Waste Management Act of 1989 (AB 939); and

WHEREAS, the mandate of the Act calls for jurisdictions in the State of California to divert from land disposal 25 percent of the solid waste stream by 1995 and 50 percent of the solid waste stream by the year 2000; and

WHEREAS, legislation adopted by the State of California in 1992 amended AB 939 and called for all jurisdictions to prepare and adopt a Nondisposal Facility Element (NDFE) which shall describe all the new facilities and proposed expansion of existing facilities which will be needed by the jurisdiction to implement its Source Reduction and Recycling Element; and

WHEREAS, the Multijurisdictional NDFE has also been approved by the County of Santa Barbara Board of Supervisors on January 3, 1995; and

WHEREAS, the Multijurisdictional NDFE has also been approved by the California Integrated Waste Management Board on June 26, 1996; and

WHEREAS, the County of Santa Barbara, Public Works Department, Solid Waste and Utilities Division, has worked jointly with the incorporated cities in the County, and has in good faith prepared an Amendment to the original Multijurisdictional NDFE; and

WHEREAS, the Amendment to the Multijurisdictional NDFE has been reviewed by each jurisdiction and members of the Local Solid Waste Task Force and has been found to be consistent with the Source Reduction and Recycling Elements of all jurisdictions in the County of Santa Barbara; and

WHEREAS, the Board of Supervisors has held a public hearing regarding the Amendment to add Bedford Enterprises, Inc.'s facility to the Multijurisdictional NDFE;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED AS FOLLOWS:

1. The Board of Supervisors of the County of Santa Barbara, hereby approves and adopts the Multijurisdictional NDFE Amendment, which amends the Multijurisdictional NDFE to include Bedford Enterprises, Inc.'s facility; thereby reflecting the current status of non-disposal facilities located within the County of Santa Barbara.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ______ day of ______, 2004.

AYES:

NOES:

ABSENT:

Chair, Board of Supervisors County of Santa Barbara

ATTEST MICHAEL F. BROWN CLERK OF THE BOARD

Deputy Clerk of the Board

APPROVED AS TO FORM STEPHEN SHANE STARK COUNTY COUNSEL

Deputy County Counsel