



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

2013 DEC 19 AM 9:28

COUNTY OF SANTA BARBARA
CLERK OF THE BOARD OF SUPERVISORS

Department Name: Public Works
Department No.: 054
For Agenda Of: January 7, 2014
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott McGolpin, Public Works Director, ext. 3010
Director
Contact Info: Mark Schleich, Public Works Deputy Director, ext. 3603
SUBJECT: Approve Attached Amendment to Current Contract Between Clean Harbors and
County of Santa Barbara
All Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- 1) Approve and execute the attached amendment to the current contract between Clean Harbors and the County of Santa Barbara to allow Clean Harbors to seek payment for paint-related management costs from PaintCare (a paint industry non-profit) potentially resulting in a cost savings of \$75,000 per year to the County, and
- 2) Find that the proposed contract amendment does not constitute a "Project" within the meaning of CEQA, pursuant to 14 CCR 15378 (b)(5) (administrative activity of government).

Summary Text:

The County currently provides hazardous waste collection programs to several cities and the unincorporated areas of the County including the collection of unused paint. The County currently maintains a contract with Clean Harbors to appropriately transport and manage the hazardous waste collected from the County's programs. The attached amendment to the existing contract with Clean Harbors would allow Clean Harbors to seek payment for paint-associated management costs from PaintCare (a paint industry non-profit) rather than the County. Based on the quantity of paint-related products that the County has collected in the past, that are eligible for funding under a new state-

mandated paint management program, the County and its ratepayers could save up to \$75,000 per year upon approval of the attached amendment.

Background:

California Assembly Bill 1343 was signed into law on September 28, 2010 establishing the Architectural Paint Recovery Program (APRP) which required paint manufacturers in California to develop a product stewardship program for left over or unused latex and oil based paint. As a result, the paint manufacturers formed a non-profit organization called PaintCare Incorporated to administer the APRP. The Program is funded by fees charged to the consumer for paint at the point of sale. PaintCare is required to pay for the cost to transport and dispose of or recycle the collected paint.

The County provides a variety of opportunities for the community to appropriately dispose of hazardous waste, including a permanent collection center located at UCSB, a more limited collection facility located at the Santa Ynez Recycling & Transfer Station, and 3 one-day hazardous waste collection events held in the Santa Ynez and New Cuyama Valleys. In July 2012, the County contracted with Clean Harbors Environmental Services, Inc. to transport, and ultimately recycle or dispose of the hazardous waste collected through these County collection programs. Approximately 40% of the hazardous waste collected through these programs is either latex or oil based paint.

Clean Harbors has a separate agreement with PaintCare to receive payment for costs associated with the management of paint-related products. In order for the County to benefit from this recent payment program, its current contract with Clean Harbors must be amended to acknowledge that Clean Harbors will be paid for costs related to the management of paint collected in Santa Barbara County by PaintCare and that records will be kept differentiating materials that will be paid by the County and materials that will be paid by Paint Care. Based on the quantity of paint-related products that the County has collected in the past, that are eligible for funding under the APRP, the County and its ratepayers could save up to \$75,000 per year upon approval of the attached amendment.

Performance Measure:

Prices paid for services are articulated in the contract with Clean Harbors including no cost for paint-related materials.

Fiscal and Facilities Impacts:

It is anticipated that if the amendment is approved, the County and its ratepayers may save up to \$75,000 per year by no longer having to pay for paint management costs. There are no proposed facility impacts.

Staffing Impacts: None

Special Instructions:

Please provide the minute order and a signed copy of the contract amendment to Leslie Wells in the Resource Recovery & Waste Management Division of Public Works.

Attachments:

Contract Amendment

Authored by: Leslie Wells, Program Leader, Resource Recovery & Waste Management, ext. 3611