

RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
(COUNTYWIDE LOCAL TASK FORCE)

AGENDA

Thursday
September 18, 2014
1:00 p.m.

12:30 p.m. – Lunch Served to Members

Riverside County
Waste Management Department
14310 Frederick Street
Moreno Valley, CA 92553

<u>ITEM</u>	<u>PAGE</u>
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NOTE: The Advisory Council may take action on any of the published agenda items. Non-exempt materials related to an item on this agenda submitted to the Solid Waste Management Advisory Council (Countywide Local Task Force) after distribution of the agenda packet are available for public inspection at the Waste Management Department during normal business hours. Such documents are also available on the Waste Management Department's website at www.rivcwm.org subject to staff's ability to post the documents before the meeting.

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**RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
(COUNTYWIDE LOCAL TASK FORCE)**

Minutes

February 20, 2014

**MEMBERS
PRESENT**

Sup. Marion Ashley	County Sup. 5 th District
Simon Housman	County Sup. 4 th District
Robert Lemon	City of Moreno Valley
Steve Wilkinson	City of Corona
Bruce Scott	Agriculture
Frankie Riddle	CVAG
Mike Gardner	City of Riverside
Miguel Arciniega	County Sup. 5 th District
Ella Zanowic	WRCOG
Ed Campos	IEDA
Jordan Ehrenkranz	WRCOG
Russell Keenan	Engineering
Bob Magee	County Sup. 1 st District
Robert Moran	EDA

ALTERNATES

Dale West	City of Temecula
Chris Cunningham	IEDA
Steven Bayard	County Sup. 4 th District

GUESTS

Jeff Smith	City of Riverside
Rob Mucha	El Sobrante COC
Amie Kinnie	El Sobrante COC
Joanne Lee	RWQCB
Alex Braicovich	CR&R
Kurt Schoppe	SA Recycling/ISRI
Damon DeFrates	WMI
Gary Koontz	Burrtec
Dan Noble	IEDA/ACP
Jennifer DiCiano	WRCOG
David Davis	MSW Consultants

AGENDA ITEM 1

**MEMBERS
ABSENT**

Richard Schmidt	Agriculture
Tom Freeman	Riverside Co. EDA
Russell Keenan	Engineering
Katie Barrows	Environmental Community
Patrick Richardson	City of Temecula

STAFF

Greg Reyes	Environmental Health/LEA
Jeff Johnson	Environmental Health/LEA
Barry Bush	5 th Supervisorial Dist.
Hans Kernkamp	Waste Management Dept.
Joe McCann	Waste Management Dept.
Angela Dufresne	Waste Management Dept.
Ryan Ross	Waste Management Dept.
Sung Key Ma	Waste Management Dept.
Janet Moreland	Waste Management Dept.

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order at 1:06 p.m. by Supervisor Marion Ashley, with self-introductions, and then turned over to Vice-Chairperson Simon Housman.

AGENDA ITEM 2 COMMENTS FROM LTF MEMBERS

Bob Magee requested that at the next meeting, the Environmental Health Department provide a presentation explaining their role as Local Enforcement Agency (LEA).

Hans Kernkamp advised that Chuck Tobin (Inland Empire Disposal Association), a long time LTF member, will be resigning. The LTF agreed to present Chuck Tobin with a plaque at an upcoming meeting.

AGENDA ITEM 3 APPROVAL OF APRIL 18, 2013 MINUTES

Simon Housman summoned a motion to approve the meeting minutes for April 18, 2013, as presented. On the motion of Ella Zanowic, second by Rob Moran, the minutes were approved as submitted.

AGENDA ITEM 4 STAFF PRESENTATIONS

A. Compost Best Management Practices (BMPs) and Financial Assurances

Ryan Ross discussed the compost BMPs and financial assurances. He stated the BMPs were a result of the Board of Supervisors direction to County staff to ensure that future composting operations will not negatively impact local residents and generate odors as experienced at Cal Biomass. The original approach was to develop an ordinance; however, further discussions with staff and Supervisor Benoit allowed for the development of BMPs that could be applied more effectively, efficiently, and timely than an ordinance.

The BMPs were prepared by the Waste Management Department (WMD) in collaboration with Environmental Health (LEA). The BMPs were developed primarily based on AQMD and Water Board rules, Title 14 language, as well as common industry practices. The goal is to apply the BMPs towards all composting projects that come through the County for land-use entitlements. The BMPs would be applied as conditions of approval for a facility's Conditional Use Permit (CUP). This way the County Planning Department, as well as Code Enforcement, would have additional control over the operation of compost facilities. As it stands now, the LEA is the primary regulatory agency for compost facilities. The Water Board is involved, as well as AQMD, but with these BMPs, the County is added as an additional layer of oversight. Mr. Ross recommended the formation of a subcommittee to review and finalize the BMPs and Financial Assurances (see Item 5.A).

Simon Housman questioned if there are similar BMP programs in other counties. Mr. Ross advised that he is not aware of any at this time.

Mr. Housman questioned if the WMD had received any industry input so far on the BMPs. Mr. Ross stated that the goal of the subcommittee is to solicit industry and regulatory comments and perspectives. Hans Kernkamp advised that while the BMPs were applied to the SA Recycling project, the WMD received some input from SA Recycling's consultant. The comments were minimal and they accepted the BMPs as part of their conditions of approval for the project.

Bruce Scott stated that Agriculture has been through this on many aspects. Concerns are with the word ordinance, because it is a fixed set of rigid rules or guidance, and not all operations are located in the same geographic area. The use of BMPs is effective because it leaves a broader envelope of options, such as, air quality mitigation, groundwater, and surface water quality mitigation; whereas, in an ordinance, you are boxed in.

Hans Kernkamp acknowledged that facilities vary in their operational characteristics and the goal is to create a master list of BMPs to apply on a site by site basis.

Steven Bayard stated that a living document provides flexibility, whereas, an ordinance will become a dead end.

B. SA Recycling Conditional Use Permit

Ryan Ross presented the SA Recycling expansion project as an informational item only. It is an existing recycling, chip and grind facility, located in the Coachella Valley, north of Palm Desert near Cathedral City and Rancho Mirage. Currently, this facility takes asphalt, concrete, metals, white goods, appliances, and end of life vehicles. They are proposing an expansion from 25 acres to 43 acres, as well as developing a greenwaste composting operation to handle lawn and yard trimmings, tree clippings. No food waste or grease will be accepted. This facility is being processed through a revision to their Conditional Use Permit (CUP). Planning staff is recommending the adoption of the environmental document and approval of the CUP at the Planning Commission meeting on February 26, 2014.

Bob Magee questioned the financial assurances for this project.

Ryan Ross stated that the project was conditioned to comply with the BMPs, as well as provide a \$1 million bond. Hans Kernkamp stated that just for comparison purposes, the bond that the LTF established many years ago for Cal Biomass was set for \$125,000.

Steve Bayard questioned the end use of the greenwaste compost. Dan Noble said it will be used for things like golf courses, and kept in Riverside County.

C. Coachella Valley Compost Update

Ryan Ross provided an update on the Coachella Valley Compost expansion project. Mr. Ross discussed the proposed project description and environmental review process that is currently underway, specifically the preparation of an Environmental Impact Report (EIR).

Steven Bayard questioned if there have been any negative comments at the public meetings regarding this project.

Ryan Ross stated yes. Staff originally went forward with a mitigated negative declaration. The public and cities wanted more environmental studies due to not being satisfied with some of the outreach. An EIR is being prepared and there will be multiple public informational meetings.

Simon Housman asked if we are going to apply the same BMPs to this project.

Ryan Ross explained that because the County has a lease with Burrtec for the facility, and no CUP is required, the BMPs will be attached as a condition of the lease. Gary Koontz (Burrtec) stated that he has no issues with Financial Assurance or BMPs.

D. Progress Towards 75% Diversion

Hans Kernkamp stated that there was a question at the last LTF meeting regarding AB341 implementation and what this committee is doing in that regard. He reviewed AB 341 which sets a state-wide goal of 75% recycling by 2020. A handout was distributed indicating the progress of Riverside County jurisdictions towards that goal. One of the ways the State believes it can achieve the 75% goal is through the reduction or elimination of organics disposal. Assembly Bill 1826 is expected to pass and proposes mandatory commercial organics recycling which will create additional pressures to site composting facilities and it is timely that this committee is discussing BMPs for those types of facilities.

Hans Kernkamp stated he would like to request from CR&R to provide an update at some future date on the anaerobic digestion facility. Alex Braicovich stated that they are still moving forward. Hans Kernkamp said CalRecycle is going to provide some funding by setting aside approximately \$30 million for these types of facilities in next year's budget. However, this is still not enough money for a statewide effort and there will be significant pressure on this funding due to the demand. It is not necessary for the committee to take immediate action, but the compost subcommittee is a good start to begin thinking about these issues.

Bruce Scott stated that currently the issues with agriculture are that composting is as generic as trash. Because of landfill diversions, secondary unintended consequences are occurring in the rural areas such as greenwaste material going to a chip and grind facility and then being applied to land in Riverside County at excessive rates with no agronomic benefit. Property owners/renters are taking in tipping fees to accommodate disposal on their properties. This has been brought up to the County Agricultural Office and they advised that their hands are tied due to composting not being regulated under their office. County Health has also advised they have no jurisdiction over compost or its application.

Simon Housman said, therefore, in effect we have not one, but several unlicensed places where individuals with tractor trailers full of chipped up wood, greenwaste, construction waste, and drywall, are dumping within the County of Riverside as soil supplements.

Bruce Scott said, as we are looking at the sites doing composting, we also need to look from a countywide perspective as to who is going to control where the application is. He said if it is quality compost there is a market for it.

Simon Housman said the solution is to look at the scope of our regulatory authority to see if we can extend out and cover this issue as it is falling between the cracks with the other agencies.

Greg Reyes advised that this is not a new problem. Chip and grind material is not compost. They have had complaints for many years. Functional problems exist with the chip and grind process and how the material is then sold. Typically, Environmental Health gets complaints because the material is placed in rural areas and operation involves multiple semi-truck trips, noise, odor, and diesel fumes. State law allows for 1% trash by weight, and it is still considered a viable product, so it can be sold to the consumer. The State of California (CalRecycle) is working on regulations that would limit the amount applied to land at any one time to not exceed 1 foot depth. The State Water Board just recently became aware of this practice and would like to outlaw it completely. CalRecycle understands that it is a common practice. Currently, we have two state agencies battling to figure out the middle ground. The State Water Board is currently looking at a site in the Anza area to issue an enforcement order to remove material spread over 12 acres. The only option available to the regulators is to tell people to pick up the material and take it to the landfill. Therefore, there is a gap they are aware of and do not have much control over because if the material meets state guidelines it is still considered a product. The LEA has no legislative authority to handle this problem presently.

AGENDA ITEM 5 ACTION ITEMS

A. Establishment of Compost Subcommittee

The Riverside County Solid Waste Management Advisory Council (LTF) voted on the following recommended motion(s):

RECOMMENDED MOTION: That the Riverside County Solid Waste Management Advisory Council/Local Task Force (LTF) establish a “Compost Subcommittee” to recommend Best Management Practices (BMPs) and develop financial assurances for implementation as conditions of approval on new and future compost facilities within unincorporated Riverside County.

- 1.) On the motion of Ella Zanowic, seconded by Mike Gardner, and duly carried, it was ordered that the above matter is approved as recommended.
- 2.) On the motion of Bruce Scott, seconded by Ella Zanowic, and duly carried, it was ordered that the Compost Subcommittee shall consist of seven people: Robert Magee, Bruce Scott, Dan Noble, Gary Koontz, and Greg Reyes, as well as members (to be recruited by Staff) from the California Department of Food and Agriculture (CDFA) and Agriculture Commissioner’s Office. The California Regional Water Quality Control Board will be invited to participate.

The following agreed to serve on the Compost Subcommittee.

1. Bruce Scott (LTF Member)
2. Gary Koontz (Burrtec/Industry Member)
3. Bob Magee (LTF Member)
4. Greg Reyes (County Environmental Health)
5. Dan Noble (Association of Compost Producers/Industry)
6. Ron Bray (County Agriculture Commissioner)
7. Nick Young (CDFA)

Note: Cindy Li (California Regional Water Quality Control Board) agreed to participate in the Subcommittee discussions.

**AGENDA ITEM 6
PUBLIC COMMENTS**

Bruce Scott distributed news letters from his non-profit Western Riverside Agriculture Coalition Group.

Amie Kinne of the El Sobrante Landfill Citizens Oversight Committee (COC) stated that the COC is meeting on April 2, 2014, and offered an open invitation for all those interested.

Joanne Lee (Regional Water Quality Control Board) stated that the Water Board supports the idea of BMPs for composting and the proactive role the LTF is taking. She said the Subcommittee may also want to look at how the compost BMPs will improve water quality.

**AGENDA ITEM 7
ANNOUNCEMENTS**

None.

**AGENDA ITEM 8
ADJOURNMENT**

Meeting adjourned at 2:21 p.m.

HK:lg

PD# 161238

Assembly Bill No. 1826

Passed the Assembly August 14, 2014

Chief Clerk of the Assembly

Passed the Senate August 11, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock _____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL’S DIGEST

AB 1826, Chesbro. Solid waste: organic waste.

(1) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program that requires each county and city and county to prepare and submit to the department a countywide integrated waste management plan. The act requires a business, which is defined as a commercial or public entity, that generates more than 4 cubic yards of commercial solid waste per week or is a multifamily residential dwelling of 5 units or more, to arrange for recycling services. Existing law also requires jurisdictions to implement a commercial solid waste recycling program meeting specified elements.

This bill would, commencing April 1, 2016, require a business that generates a specified amount of organic waste per week to arrange for recycling services for that organic waste in a specified manner. The bill would decrease the amount of organic waste under which a business would be subject to those requirements from 8 cubic yards or more to 4 cubic yards or more on January 1, 2017. The bill would also require a business that generates 4 cubic yards or more of commercial solid waste per week, on and after January 1, 2019, to arrange for organic waste recycling services and, if the department makes a specified determination, would decrease that amount to 2 cubic yards, on or after January 1, 2020.

This bill would require the contract or work agreement between a business and a gardening or landscaping service to require the organic waste generated by those services to comply with the requirements of this act.

This bill would require each jurisdiction, on and after January 1, 2016, to implement an organic waste recycling program to divert

organic waste from the businesses subject to this act, except as specified with regard to rural jurisdictions, thereby imposing a state-mandated local program by imposing new duties on local governmental agencies. The bill would require each jurisdiction to report to the department on its progress in implementing the organic waste recycling program, and the department would be required to review whether a jurisdiction is in compliance with this act.

This bill would authorize a local governmental agency to charge and collect a fee from an organic waste generator to recover the local governmental agency's costs incurred in complying with this act.

This bill would require the department to identify and recommend actions to address permitting and siting challenges and to encourage the continued viability of the state's organic waste processing and recycling infrastructure, in partnership with the California Environmental Protection Agency and other specified state and regional agencies. The bill also would require the department to cooperate with local jurisdictions and industry to provide assistance for increasing the feasibility of organic waste recycling and to identify certain state financing mechanisms and state funding incentives and post this information on its Internet Web site.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Chapter 12.9 (commencing with Section 42649.8) is added to Part 3 of Division 30 of the Public Resources Code, to read:

CHAPTER 12.9. RECYCLING OF ORGANIC WASTE

42649.8. For purposes of this chapter, the following terms shall apply:

(a) “Business” means a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling.

(b) “Commercial waste generator” means a business subject to subdivision (a) of Section 42649.2.

(c) “Organic waste” means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.

(d) “Organic waste generator” means a business subject to subdivision (a) of Section 42649.81.

(e) “Rural jurisdiction” means a jurisdiction that is located entirely within one or more rural counties, or a regional agency comprised of jurisdictions that are located within one or more rural counties.

(f) “Rural county” means a county that has a total population of less than 70,000 persons.

(g) “Self-hauler” means a business that hauls its own waste rather than contracting for that service and “self-haul” means to act as a self-hauler.

42649.81. (a) (1) On and after April 1, 2016, a business that generates eight cubic yards or more of organic waste per week shall arrange for recycling services specifically for organic waste in the manner specified in subdivision (b).

(2) On and after January 1, 2017, a business that generates four cubic yards or more of organic waste per week shall arrange for recycling services specifically for organic waste in the manner specified in subdivision (b).

(3) On and after January 1, 2019, a business that generates four cubic yards or more of commercial solid waste, as defined in Section 42649.1, per week, shall arrange for recycling services specifically for organic waste in the manner specified in subdivision (b).

(4) On or after January 1, 2020, if the department determines that statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during 2014, a business that generates two cubic yards or more per week of commercial solid waste shall arrange for the organic waste recycling services specified in paragraph (3), unless the department determines that

this requirement will not result in significant additional reductions of organics disposal.

(5) A business located in a rural jurisdiction that is exempted pursuant to paragraph (2) of subdivision (a) of Section 42649.82 is not subject to this chapter.

(b) A business subject to subdivision (a) shall take at least one of the following actions:

(1) Source separate organic waste from other waste and subscribe to a basic level of organic waste recycling service that includes collection and recycling of organic waste.

(2) Recycle its organic waste onsite or self-haul its own organic waste for recycling.

(3) Subscribe to an organic waste recycling service that may include mixed waste processing that specifically recycles organic waste.

(4) Make other arrangements consistent with paragraph (3) of subdivision (b) of Section 42649.84.

(c) A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance with this section.

(d) A business generating organic waste shall arrange for the recycling services required by this section in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste.

(e) When arranging for gardening or landscaping services, the contract or work agreement between a business subject to this section and a gardening or landscaping service shall require that the organic waste generated by those services be managed in compliance with this chapter.

(f) (1) A multifamily residential dwelling that consists of fewer than five units is not a business for purposes of this chapter.

(2) A business that is a multifamily dwelling is not required to arrange for the organic waste recycling services specified in subdivision (b) for food waste that is generated by the business.

(g) If separate organic waste collection and recycling services are not offered through a local ordinance or local jurisdiction's franchise agreement, a business generating organic waste may arrange for separate organic waste collection and recycling services,

until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services.

42649.82. (a) (1) In addition to the requirements of Section 42649.3, on and after January 1, 2016, each jurisdiction shall implement an organic waste recycling program that is appropriate for that jurisdiction and designed specifically to divert organic waste generated by businesses subject to Section 42649.81, whether or not the jurisdiction has met the requirements of Section 41780.

(2) (A) A county board of supervisors of a rural county may adopt a resolution, as prescribed in this paragraph, to make the rural county exempt from the requirements of this section. If a rural jurisdiction is a city, the city council may adopt a resolution, as prescribed in this paragraph, to make the rural jurisdiction exempt from this section. If a rural jurisdiction is a regional agency comprised of jurisdictions that are located entirely within one or more rural counties, the board of the regional agency may adopt a resolution, as prescribed in this paragraph, to make the rural jurisdiction is exempt from the requirements of this section.

(B) A resolution adopted pursuant to subparagraph (A) shall include findings as to the purpose of and need for the exemption.

(C) A resolution to exempt a rural jurisdiction pursuant to subparagraph (A) shall be submitted to the department at least six months before the operative date of the exemption.

(D) On or after January 1, 2020, if the department determines that statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar year, all exemptions authorized by this paragraph shall terminate unless the department determines that applying this chapter to rural jurisdictions will not result in significant additional reductions of disposal of organic waste.

(b) If a jurisdiction, as of January 1, 2016, has in place an organic waste recycling program that meets the requirements of this section, it is not required to implement a new or expanded organic waste recycling program.

(c) The organic waste recycling program required by this section shall be directed at organic waste generators and may include, but is not limited to, one or more of the following:

(1) Implementing a mandatory commercial organic waste recycling policy or ordinance that addresses organic waste recycling.

(2) Requiring a mandatory commercial organic waste recycling program through a franchise contract or agreement.

(3) Requiring organic waste to go through a source separated or mixed processing system that diverts material from disposal.

(d) (1) The organic waste recycling program shall do all of the following:

(A) Identify all of the following:

(i) Existing organic waste recycling facilities within a reasonable vicinity and the capacities available for materials to be accepted at each facility.

(ii) Existing solid waste and organic waste recycling facilities within the jurisdiction that may be suitable for potential expansion or colocation of organic waste processing or recycling facilities.

(iii) Efforts of which the jurisdiction is aware that are underway to develop new private or public regional organic waste recycling facilities that may serve some or all of the organic waste recycling needs of the commercial waste generators within the jurisdiction subject to this chapter, and the anticipated timeframe for completion of those facilities.

(iv) Closed or abandoned sites that might be available for new organic waste recycling facilities.

(v) Other nondisposal opportunities and markets.

(vi) Appropriate zoning and permit requirements for the location of new organic waste recycling facilities.

(vii) Incentives available, if any, for developing new organic waste recycling facilities within the jurisdiction.

(B) Identify barriers to siting new or expanded compostable materials handling operations, as defined in paragraph (12) of subdivision (a) of Section 17852 of the Title 14 of the California Code of Regulations, and specify a plan to remedy those barriers that are within the control of the local jurisdiction.

(C) Provide for the education of, outreach to, and monitoring of, businesses. The program shall require the jurisdiction to notify a business if the business is not in compliance with Section 42649.81.

(2) For purposes of subparagraph (A) of paragraph (1), an “organic waste recycling facility” shall include compostable materials handling operations, as defined in paragraph (12) of subdivision (a) of Section 17852 of Title 14 of the California Code

of Regulations, and may include other facilities that recycle organic waste.

(e) The organic waste recycling program may include any one or more of the following:

(1) Enforcement provisions that are consistent with the jurisdiction's authority, including a structure for fines and penalties.

(2) Certification requirements for self-haulers.

(3) Exemptions, on a case-by-case basis, from the requirements of Section 42649.81 that are deemed appropriate by the jurisdiction for any of the following reasons:

(A) Lack of sufficient space in multifamily complexes or businesses to provide additional organic material recycling bins.

(B) The current implementation by a business of actions that result in the recycling of a significant portion of its organic waste.

(C) The business or group of businesses does not generate at least one-half of a cubic yard of organic waste per week.

(D) Limited-term exemptions for extraordinary and unforeseen events.

(E) (i) The business or group of businesses does not generate at least one cubic yard of organic waste per week, if the local jurisdiction provides the department with information that explains the need for this higher exemption than that authorized by subparagraph (C).

(ii) The information described in clause (i) shall be provided to the department with the information provided pursuant to subdivision (f).

(iii) This subparagraph shall not be operative on or after January 1, 2020, if the department, pursuant to paragraph (4) of subdivision (a) of Section 42649.81, determines that statewide disposal of organic waste has not been reduced to 50 percent of the level of disposal during the 2014 calendar year.

(f) (1) Each jurisdiction shall provide the department with information on the number of regulated businesses that generate organic waste and, if available, the number that are recycling organic waste. The jurisdiction shall include this information as part of the annual report required pursuant to Section 41821.

(2) On and after August 1, 2017, in addition to the information required by paragraph (1), each jurisdiction shall report to the department on the progress achieved in implementing its organic waste recycling program, including education, outreach,

identification, and monitoring, on its rationale for allowing exemptions, and, if applicable, on enforcement efforts. The jurisdiction shall include this information as part of the annual report required pursuant to Section 41821.

(g) (1) The department shall review a jurisdiction's compliance with this section as part of the department's review required by Section 41825.

(2) The department also may review whether a jurisdiction is in compliance with this section at any time that the department receives information that a jurisdiction has not implemented, or is not making a good faith effort to implement, an organic waste recycling program.

(h) During a review pursuant to subdivision (g), the department shall determine whether the jurisdiction has made a good faith effort to implement its selected organic waste recycling program. For purposes of this section, "good faith effort" means all reasonable and feasible efforts by a jurisdiction to implement its organic waste recycling program. During its review, the department may include, but is not limited to, consideration of the following factors in its evaluation of a jurisdiction's good faith effort:

(1) The extent to which businesses have complied with Section 42649.81, including information on the amount of disposal that is being diverted from the businesses, if available, and on the number of businesses that are complying with Section 42649.81.

(2) The recovery rate of the organic waste from the material recovery facilities that are utilized by the businesses, all information, methods, and calculations, and any additional performance data, as requested by the department from the material recovery facilities pursuant to Section 18809.4 of Title 14 of the California Code of Regulations.

(3) The extent to which the jurisdiction is conducting education and outreach to businesses.

(4) The extent to which the jurisdiction is monitoring businesses and notifying those businesses that are not in compliance.

(5) The appropriateness of exemptions allowed by the jurisdiction.

(6) The availability of markets for collected organic waste recyclables.

(7) Budgetary constraints.

(8) In the case of a rural jurisdiction, the effects of small geographic size, low population density, or distance to markets.

(9) The availability, or lack thereof, of sufficient organic waste processing infrastructure, organic waste recycling facilities, and other nondisposal opportunities and markets.

(10) The extent to which the jurisdiction has taken steps that are under its control to remove barriers to siting and expanding organic waste recycling facilities.

42649.83. (a) If a jurisdiction adds or expands an organic waste recycling program to meet the requirements of Section 42649.82, the jurisdiction shall not be required to revise its source reduction and recycling element or obtain the department's approval pursuant to Article 1 (commencing with Section 41800) of Chapter 7 of Part 2.

(b) If an addition or expansion of a jurisdiction's organic waste recycling program is necessary, the jurisdiction shall include this information in the annual report required pursuant to Section 41821.

42649.84. (a) This chapter does not limit the authority of a local governmental agency to adopt, implement, or enforce a local organic waste recycling requirement, or a condition imposed upon a self-hauler, that is more stringent or comprehensive than the requirements of this chapter.

(b) This chapter does not modify, limit, or abrogate in any manner any of the following:

(1) A franchise granted or extended by a city, county, city and county, or other local governmental agency.

(2) A contract, license, or permit to collect solid waste previously granted or extended by a city, county, city or county, or other local governmental agency.

(3) The existing right of a business to sell or donate its recyclable organic waste materials.

(c) Notwithstanding any other requirement of this chapter, nothing in this chapter modifies, limits, or abrogates the authority of a local jurisdiction with respect to land use, zoning, or facility siting decisions by or within that local jurisdiction.

42649.85. A local governmental agency may charge and collect a fee from an organic waste generator to recover the local governmental agency's costs incurred in complying with this chapter.

42649.86. (a) The department shall identify and recommend actions to address, with regard to both state agencies and the federal government, the permitting and siting challenges associated with composting and anaerobic digestion, and to encourage the continued viability of the state's organic waste processing and recycling infrastructure, in partnership with the California Environmental Protection Agency and other state and regional agencies. These other state and regional agencies shall include, but are not limited to, the State Air Resources Board, the State Energy Resources Conservation and Development Commission, the Public Utilities Commission, the Department of Food and Agriculture, the State Water Resources Control Board, California regional water quality control boards, and air pollution control and air quality management districts.

(b) The department shall cooperate with local governmental agencies and industry to provide assistance for increasing the feasibility of organic recycling by promoting processing opportunities and the development of new infrastructure of sufficient capacity to meet the needs of generators, and developing sufficient end-use markets throughout the state for the quantity of organic waste required to be diverted.

(c) The department shall identify and post on its Internet Web site state financing mechanisms and state funding incentives that are available for in-state development of organic waste infrastructure to help the state achieve its greenhouse gas reduction goals and waste reduction goals.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Approved _____, 2014

Governor

Assembly Bill No. 1594

Passed the Assembly August 28, 2014

Chief Clerk of the Assembly

Passed the Senate August 27, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 40507 and 41781.3 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1594, Williams. Waste management.

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. The act requires the department to file an annual report, on or before March 1 of each year, with the Legislature, regarding the administration of the act during the prior calendar year.

This bill would require the department to include in the annual report, on or before March 1, 2015, a status update on the adequacy of funding from the Integrated Waste Management Fund for programs implemented pursuant to the act and pursuant to other specified provisions regulating waste management facilities. The bill would authorize the department to recommend alternative funding mechanisms for the programs, as specified.

Existing law requires each city, county, and joint powers authority formed under the act, referred to as a regional agency, to develop a source reduction and recycling element of an integrated waste management plan. The act requires the source reduction and recycling element to divert from disposal 50% of all solid waste subject to the element through source reduction, recycling, and composting activities, with specified exceptions. Under the act, the use of solid waste for beneficial reuse in the construction and operation of a solid waste landfill, including the use of alternative daily cover, constitutes diversion through recycling and is not considered disposal.

This bill, commencing January 1, 2020, would provide that the use of green material, as defined, as alternative daily cover does not constitute diversion through recycling and would be considered disposal for purposes of the act. The bill, commencing August 1, 2018, would require a local jurisdiction to include information in an annual report on how the local jurisdiction intends to address these diversion requirements and divert green material that is being

used as alternative daily cover. The bill would require a jurisdiction that does not meet certain diversion requirements as a result of not being able to claim diversion for the use of green material as alternative daily cover to identify and address, in an annual report, barriers to recycling green material and, if sufficient capacity at facilities that recycle green material is not expected to be operational before a certain date, to include a plan to address those barriers. The bill would impose a state-mandated local program by imposing new duties upon local agencies with regard to the diversion of solid waste.

Existing law requires the operator of a disposal facility to pay a quarterly fee based on the amount of solid waste disposed of at each disposal site.

This bill would provide that, commencing January 1, 2020, green material used as alternative daily cover at a solid waste landfill is not subject to this fee.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 40507 of the Public Resources Code is amended to read:

40507. (a) (1) On or before March 1 of each year, the department shall file an annual report with the Legislature highlighting significant programs or actions undertaken by the department to implement programs pursuant to this division during the prior calendar year. The report shall include, but is not limited to, the information described in subdivision (b).

(2) On or before March 1, 2015, the department shall provide in the annual report required pursuant to paragraph (1) a status update on the adequacy of funding from the Integrated Waste Management Fund for programs implemented pursuant to this division or Division 31 (commencing with Section 50000), including the adequacy of funding for the oversight of solid waste that is accepted at a disposal facility and is not subject to the fee

imposed pursuant to Section 48000. In its report, the department may recommend alternative funding mechanisms for the programs that would achieve the requirements and policy goals of this division and Division 31 (commencing with Section 50000), including the statewide recycling goal of 75 percent pursuant to Section 41780.01.

(b) The department shall file annual progress reports with the Legislature covering the activities and actions undertaken by the department in the prior fiscal year. The department shall prepare, and may electronically file with the Legislature, the progress reports throughout the calendar year, as determined by the department, on the following programs:

- (1) The local enforcement agency program.
- (2) The research and development program.
- (3) The public education program.
- (4) The market development program.
- (5) The used oil program.
- (6) The planning and local assistance program.
- (7) The site cleanup program.

(c) The progress report shall specifically include, but is not limited to, all of the following information:

(1) Pursuant to paragraph (1) of subdivision (b), the status of the certification and evaluation of local enforcement agencies pursuant to Chapter 2 (commencing with Section 43200) of Part 4.

(2) Pursuant to paragraph (2) of subdivision (b), all of the following information:

(A) The results of the research and development programs established pursuant to Chapter 13 (commencing with Section 42650) of Part 3.

(B) A report on information and activities associated with the establishment of the Plastics Recycling Information Clearinghouse, pursuant to Section 42520.

(C) A report on the progress in implementing the monitoring and control program for the subsurface migration of landfill gas established pursuant to Section 43030, including recommendations, as needed, to improve the program.

(D) A report on the comparative costs and benefits of the recycling or conversion processes for waste tires funded pursuant to Chapter 17 (commencing with Section 42860) of Part 3.

(3) Pursuant to paragraph (3) of subdivision (b), all of the following information:

(A) A review of actions taken by the department to educate and inform individuals and public and private sector entities who generate solid waste on the importance of source reduction, recycling, and composting of solid waste, and recommendations for administrative or legislative actions that will inform and educate these parties.

(B) A report on the effectiveness of the public information program required to be implemented pursuant to Chapter 12 (commencing with Section 42600) of Part 3, including recommendations on administrative and legislative changes to improve the program.

(C) A report on the status and effectiveness of school district source reduction and recycling programs implemented pursuant to Chapter 12.5 (commencing with Section 42620) of Part 3, including recommendations on administrative and legislative changes to improve the program's effectiveness.

(D) A report on the effectiveness of the integrated waste management educational program and teacher training plan implemented pursuant to Part 4 (commencing with Section 71300) of Division 34, including recommendations on administrative and legislative changes that will improve the program.

(E) A summary of available and wanted materials, a profile of the participants, and the amount of waste diverted from disposal sites as a result of the California Materials Exchange Program established pursuant to subdivision (a) of Section 42600.

(4) Pursuant to paragraph (4) of subdivision (b), all of the following information:

(A) A review of market development strategies undertaken by the board pursuant to this division to ensure that markets exist for materials diverted from solid waste facilities, including recommendations for administrative and legislative actions that will promote expansion of those markets. The recommendations shall include, but not be limited to, all of the following:

(i) Recommendations for actions to develop more direct liaisons with private manufacturing industries in the state to promote increased utilization of recycled feedstock in manufacturing processes.

(ii) Recommendations for actions that can be taken to assist local governments in the inclusion of recycling activities in county overall economic development plans.

(iii) Recommendations for actions to utilize available financial resources for expansion of recycling industry capacity.

(iv) Recommendations to improve state, local, and private industry product and material procurement practices.

(B) Development and implementation of a program to assist local agencies in the identification of markets for materials that are diverted from disposal facilities through source reduction, recycling, and composting pursuant to Section 40913.

(C) A report on the Recycling Market Development Zone Loan Program conducted pursuant to Article 3 (commencing with Section 42010) of Chapter 1 of Part 3.

(D) A report on implementation of the Compost Market Program pursuant to Chapter 5 (commencing with Section 42230) of Part 3.

(E) A report on the progress in developing and implementing the comprehensive Market Development Plan, pursuant to Article 2 (commencing with Section 42005) of Chapter 1 of Part 3.

(F) The number of retreaded tires purchased by the Department of General Services during the prior fiscal year pursuant to Section 42414.

(G) The results of the study performed in consultation with the Department of General Services pursuant to Section 42415 to determine if tire retreads, procured by the Department of General Services, have met all quality and performance criteria of a new tire, including any recommendations to expand, revise, or curtail the program.

(H) The number of recycled lead-acid batteries purchased during the prior fiscal year by the Department of General Services pursuant to Section 42443.

(I) A list of established price preferences for recycled paper products for the prior fiscal year pursuant to paragraph (1) of subdivision (c) of Section 12162 of the Public Contract Code.

(J) A report on the implementation of the white office paper recovery program pursuant to Chapter 10 (commencing with Section 42560) of Part 3.

(5) Pursuant to paragraph (5) of subdivision (b), both of the following information:

(A) A report on the annual audit of the used oil recycling program established pursuant to Chapter 4 (commencing with Section 48600) of Part 7.

(B) A summary of industrial and lubricating oil sales and recycling rates, the results of programs funded pursuant to Chapter 4 (commencing with Section 48600) of Part 7, recommendations, if any, for statutory changes to the program, including changes in the amounts of the payment required by Section 48650 and the recycling incentive, and plans for present and future programs to be conducted over the next two years.

(6) Pursuant to paragraph (6) of subdivision (b), all of the following information:

(A) The development by the department of the model countywide or regional siting element and model countywide or regional agency integrated waste management plan pursuant to Section 40912, including its effectiveness in assisting local agencies.

(B) The adoption by the department of a program to provide assistance to cities, counties, or regional agencies in the development and implementation of source reduction programs pursuant to subdivision (c) of Section 40912.

(C) The development by the department of model programs and materials to assist rural counties and cities in preparing city and county source reduction and recycling elements pursuant to Section 41787.3.

(D) A report on the number of tires that are recycled or otherwise diverted from disposal in landfills or stockpiles.

(E) A report on the development and implementation of recommendations, with proposed implementing regulations, for providing technical assistance to counties and cities that meet criteria specified in Section 41782, so that those counties and cities will be able to meet the objectives of this division. The recommendations shall, among other things, address both of the following matters:

(i) Assistance in developing methods of raising revenue at the local level to fund rural integrated waste management programs.

(ii) Assistance in developing alternative methods of source reduction, recycling, and composting of solid waste suitable for rural local governments.

(F) A report on the status and implementation of the “Buy Recycled” program established pursuant to subdivision (d) of Section 42600, including the waste collection and recycling programs established pursuant to Sections 12164.5 and 12165 of the Public Contract Code.

(7) Pursuant to paragraph (7) of subdivision (b), a description of sites cleaned up under the Solid Waste Disposal and Codisposal Site Cleanup Program established pursuant to Article 2.5 (commencing with Section 48020) of Chapter 2 of Part 7, a description of remaining sites where there is no responsible party or the responsible party is unable or unwilling to pay for cleanup, and recommendations for any needed legislative changes.

SEC. 2. Section 41781.3 of the Public Resources Code is amended to read:

41781.3. (a) (1) Except as provided in paragraph (2), the use of solid waste for beneficial reuse in the construction and operation of a solid waste landfill, including use of alternative daily cover, which reduces or eliminates the amount of solid waste being disposed pursuant to Section 40124, shall constitute diversion through recycling and shall not be considered disposal for purposes of this division.

(2) (A) Commencing January 1, 2020, the use of green material as alternative daily cover does not constitute diversion through recycling and shall be considered disposal for purposes of this division.

(B) Commencing January 1, 2020, a local jurisdiction that, as a result of not being able to claim diversion for the use of green material as alternative daily cover, does not meet the requirements of Section 41780 shall, in the next annual report required pursuant to Section 41821, identify and address barriers to recycling green material and, if sufficient capacity at facilities that recycle green material is not expected to be operational before the jurisdiction’s next review pursuant to Section 41825, include a plan to address those barriers that are within the control of the local jurisdiction.

(C) Commencing January 1, 2020, green material used as alternative daily cover at a solid waste landfill is not subject to the fee imposed on disposed solid waste pursuant to Section 48000.

(3) Commencing August 1, 2018, a local jurisdiction shall include in the electronic annual report required pursuant to Section 41821 information on how the local jurisdiction intends to address

the requirements of subparagraph (A) of paragraph (2) and divert green material that is being used as alternative daily cover.

(b) Before December 31, 1997, pursuant to the department's authority to adopt rules and regulations pursuant to Section 40502, the department shall, by regulation, establish conditions for the use of alternative daily cover that are consistent with this division. In adopting the regulations, the department shall consider, but is not limited to consideration of, all of the following criteria:

(1) Those conditions established in past policies adopted by the department affecting the use of alternative daily cover.

(2) Those conditions necessary to provide for the continued economic development, economic viability, and employment opportunities provided by the composting industry in the state.

(3) Those performance standards and limitations on maximum functional thickness necessary to ensure protection of public health and safety consistent with state minimum standards.

(c) Until the adoption of additional regulations, the use of alternative daily cover shall be governed by the conditions established by the department in its existing regulations set forth in paragraph (3) of subdivision (b) of, and paragraph (3) of subdivision (c) of, Section 18813 of Title 14 of the California Code of Regulations, as those sections read on January 1, 1997, and by the conditions established in the department's policy adopted on January 25, 1995.

(d) In adopting rules and regulations pursuant to this division, including, but not limited to, Part 2 (commencing with Section 40900), the department shall provide guidance to local enforcement agencies on any conditions and restrictions on the utilization of alternative daily cover so as to ensure proper enforcement of those rules and regulations.

(e) Nothing in this section modifies, limits, or abrogates the authority of a local jurisdiction with respect to land use, zoning, or facility siting decisions within that local jurisdiction.

(f) For purposes of this section, "green material" has the same meaning as "processed green material," as defined in subdivision (b) of Section 20690 of Title 27 of the California Code of Regulations. The term does not include materials left over from the composting process, materials left over after the material recovery process, commonly referred to as "fines," or processed construction and demolition waste materials.

(g) For purposes of this section, “processed construction and demolition waste material” has the same meaning as defined in subdivision (b) of Section 20690 of Title 27 of the California Code of Regulations.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Approved _____, 2014

Governor



**SUBMITTAL TO THE SOLID WASTE MANAGEMENT ADVISORY
COUNCIL/LOCAL TASK FORCE (LTF)
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Waste Management Department

SUBMITTAL DATE: September 18, 2014

SUBJECT: Adoption of Recommendations for Compost Best Management Practices and/or Conditions of Approval (BMPs/COA) from the Compost Subcommittee.

RECOMMENDED MOTION: That the Riverside County LTF:

1. Adopt the subcommittee's recommendation directing the County to utilize the attached Compost BMPs/COA for new facilities within the County unincorporated area.

BACKGROUND: On February 20, 2014, the LTF formed a subcommittee to review and make recommendations on Compost Best Management Practices that the County was considering applying to new facilities through the County's land application process. The group has met monthly since March of 2014 and recently recommended that the final BMPs/COA be forwarded to the LTF for approval. A summary of the subcommittee's work to date is attached, along with complete copies of their meeting minutes and the BMPs/COA.

Hans Kernkamp
General Manager-Chief Engineer

MINUTES OF THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL

On the motion of _____ seconded by _____, and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes:
Nays:
Absent:

Frances Zamora
Executive Assistant

Summary of Subcommittee Work to Date

March 2014 Meeting

Due to lack of quorum, no action was taken, but members and attendees had a healthy discussion on the status of both compost and land application concerns within the county and state. The county's draft BMPs were reviewed by staff. Those present agreed that the BMPs should have less specificity related to regulatory citations (only refer to Titles, not Sections) and be consistent with current regulations. It was also agreed that staff should develop a formula for financial assurance that would take into account facility capacity and/or throughput for consideration at the next meeting.

April 2014 Meeting

Dan Noble was selected as subcommittee chairman and it was agreed to table the land application discussion until the BMPs could be finalized. An overview of the regulatory tiered processing of compost and green waste chip and grind facilities applications was provided by the LEA, Planning and Code Enforcement, who were in attendance. Revised BMPs were provided to the subcommittee members and discussed. Staff was requested to have an internal meeting with County Code/Planning/LEA to discuss implementation coordination and consistency. A priority of action items was discussed and agreed to. Meeting frequency was agreed to be monthly, on the second Monday of the month.

May 2014 Meeting

Staff was scheduling the internal county department meeting between LEA, Code and Planning. A review of the tiered regulatory processing of compost and chip and grind facilities was provided by the LEA. Revised BMPs were discussed and it was suggested that they become Conditions of Approval (COA) as well to make them more enforceable. The financial assurance formula was presented by staff and discussed by the group.

June 2014 Meeting

Staff reported on a May 27, 2014 meeting with LEA, Code and Planning. A process for sending letters to the applicant was established that clearly directs them to pursue all local approvals. A follow-up meeting with LEA, Code, and Planning will take place prior to the next subcommittee meeting. Review of the BMPs/COA and financial assurance formula continued and the chairman offered to reach out to industry groups to make sure their concerns are addressed.

July 2014 Meeting

Staff reported that a meeting was held on July 9, 2014 with the LEA, Code, and Planning in which template letters had been discussed. Staff committed to provide the draft template letters to the subcommittee at the next meeting. The group discussed active green waste facilities with EA Notifications in the county and that most facilities already have active/open enforcement cases. A comment letter on the BMPs/COA from an industry working group was provided and reviewed with the group by the chairman. Staff indicated that the county would review and provide a formal response.

August 2014 Meeting

The county's formal response letter was reviewed, along with changes in response to the industry group letter and the BMPs/COA recommended for approval and forwarding to the LTF. The subcommittee agreed to take up the discussion of land application next meeting.

Subcommittee Meeting Minutes

RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL

LTF COMPOST SUBCOMMITTEE

AGENDA

April 14, 2014
10:00 a.m. – 12:00 p.m.

Riverside County
Waste Management Department
14310 Frederick Street
Moreno Valley, CA 92553

ITEM

1. Call to Order and Self Introductions
2. Selection of Subcommittee Chairman
3. Approval of March 10, 2014 Meeting Minutes
4. Review of Composting Best Management Practices
5. Establishment of Financial Assurances Formula
6. Land Application of Ground Green Material
7. Setting of Schedule for Future Meeting Time & Place
8. Adjournment

**RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
LTF COMPOST SUBCOMMITTEE**

MINUTES

March 10, 2014

The following were present:

MEMBERS

PRESENT

Bruce Scott Farming Community
Greg Reyes Environmental Health/LEA
Ron Bray Riverside County Agriculture
Nick Young CDFA (**Via Conference Call**)

REPRESENTING

MEMBERS

ABSENT

Robert Magee 1st District Supervisor's Office
Dan Noble Association of Compost Producers
Gary Koontz Waste Haulers

REPRESENTING

County Staff

Hans Kernkamp Waste Management Department
Ryan Ross Waste Management Department
Joe McCann Waste Management Department
Lucy Gonzalez Waste Management Department

Representing

Guests/Interested Parties

Paul Ryan
Matthew Cotton
Chris Cunningham
Cindy Li

I. CALL TO ORDER AND SELF-INTRODUCTIONS (Note: Items I & II were discussed out of order).

The meeting was called to order at 10:15 a.m., with self-introductions.

II. Selection of Subcommittee Chairman

Hans Kernkamp advised the selection for Chairperson will be done at the next meeting when we have full membership.

III. Review of Composting Best Management Practices

Ryan Ross – distributed a draft list of Best Management Practices (BMPs) to the group. Mr. Ross said the BMPs are a result of the Board of Supervisors direction to County staff to ensure that composting operations will not negatively impact local residents and generate odors that were experienced at Cal Biomass. The BMPs were prepared by the Waste Management Department (WMD) in collaboration with Environmental Health (LEA). The BMPs were developed primarily based on AQMD and Water Board rules, Title 14 language, as well as common industry practices. The goal is to apply the BMPs towards all composting projects that come through the County for land-use entitlements. The BMPs would be applied as conditions of approval for a facility's Conditional Use Permit (CUP). This way the County Planning Department, as well as Code Enforcement, would have additional control over the operation of facilities. As it stands now, the LEA is the primary regulatory agency for compost facilities. The Water Board is involved, as well as AQMD, but with these BMPs, the County is added as an additional layer of oversight for composting facilities.

The subcommittee's focus of discussion was on the need for regulatory consistency with the BMPs as they relate to the South Coast Air Quality Management (AQMD) Rule 1133.3, Water Board, and Titles 14 and 27, with the goal of avoiding inconsistencies and conflicts with established and future composting regulations. The following were main points of discussion:

- Two interested parties (Mr. Ryan and Mr. Cotton) expressed concerns that the BMPs are limited to specific existing regulations and do not allow for flexibility if regulations change in the future. Mr. Cotton stated that at least three of the definitions in Title 14 are proposed to be changed within the next year and the BMPs should be written with enough generality to accommodate future regulatory changes. Waste Management Department staff will review the BMPs and provide a streamlined version for review at the next meeting.
- Two interested parties (Mr. Ryan and Mr. Cotton) expressed concerns about the applicability of the BMPs to composting facilities that receive EA Notification permits from the LEA, but fail to go through the entitlement process with County. Mr. Reyes stated that the LEA is required to issue EA Notification permits to applicants that meet the criteria and there is no requirement that the facilities obtain land-use approval (CUP) from the County before the LEA issues the permit; rather, the applicant must simply notify the local planning department. LEA notifies the Planning Department about the facilities. Planning and Code enforcement should be enforcing the County's land-use ordinance which requires the facilities to obtain land-use approvals, if appropriately located/zoned. Mr. Ryan requested that the Planning Department be invited to the next meeting to explain the process for enforcement.
- In response to concerns from Mr. Reyes regarding the Waste Management Department (WMD) being both a regulated party and a regulator (via enforcement of BMPs), Mr. Ross stated that WMD would not be regulating this process. County Planning and Code Enforcement will enforce the BMPs. WMD would be the party for administration of the agreements and bonds as part of a project complying with WMD's respective conditions of approval.

IV. Establishment of Financial Assurances Formula

- The subcommittee agreed in principal that a financial assurance formula would be equitable and effective. For the next meeting, sub-committee members and WMD staff will work on developing a formula that is specifically tied to storage capacity and feedstock composition.

V. Land Application of Ground Green Material

Mr. Scott and Mr. Ryan discussed problems associated with land application of green material. Private land owners are accepting large quantities of ground green material and spreading the material throughout their property, with the claim of being used for agricultural purposes. Often times this is not the case. Mr. Ryan stated that the regulatory community is starting to apply strict regulations, especially within the San Diego region. He offered to provide a copy of the Tentative General Discharge Requirements from commercial agriculture operations to the sub-committee for review and discussion at the next meeting.

Mr. Reyes distributed information regarding the Ventura County ordinance (Division 4, Chapter 7, Article 1, Section 4700 et seq.) and a current version of the proposed State regulations for land applications and CalRecycle's current ruling for discussion at the next meeting.

Mr. Ryan asked if other individuals can join the subcommittee. Mr. Kernkamp advised that the membership is limited to the seven members established by the Local Task Force (LTF), and other individuals can attend the meetings as an interested party.

VI. Setting of Schedule for Future Meeting Time & Place

The next meeting was scheduled for 10:00 a.m. on April 14, 2014 at the WMD Headquarters.

VII. Adjournment

Meeting adjourned at 12:20 p.m.

Composting Operations	Riverside County Best Management Practices
Applicability	The County BMPs shall be applied to all composting operations undergoing the entitlement process for a Conditional Use Permit (CUP), Plot Plan, or other land-use entitlements.
Feedstock (F)	1. Acceptable feedstock materials include: <ul style="list-style-type: none"> • Greenwaste as defined in <u>Title 14 CCR,</u> • Agricultural materials as defined in <u>Title 14 CCR,</u> • Food Material that meets the definitions in <u>Title 14 CCR,</u> • Manure as defined in <u>Title 14 CCR,</u> • Paper products • Restaurant grease and oils • <u>Digestate (if permissible under Title 14 CCR)</u>
Additives (Ad)	If applicable: <ol style="list-style-type: none"> 1. Mix additives with feedstock or active compost to create favorable composting conditions. 2. The amount of additives added shall be consistent with applicable regulatory requirements or prevailing industry standards 3. Additives do not include septage, biosolid, or compost feedstock. 4. Additives shall undergo random load-checking for physical contaminants and refuse.
Amendments (Am)	If applicable: <ol style="list-style-type: none"> 1. Add amendments to cured or stabilized compost to provide attributes for the products. 2. The amount of amendments added shall be consistent with applicable regulatory requirements or prevailing industry standards. 3. Amendments do not include septage, biosolid, or compost feedstock. 4. Amendments shall undergo random load-checking for physical contaminants and refuse.
Feedstock Preparation (FP)	<ol style="list-style-type: none"> 1. Feedstock load-checking operation; shall be conducted in accordance with the standards set forth in Title 14 CCR, 2. Removal of physical contaminants and refuse (overs/trash) shall be removed from the facility in accordance with Title 14 CCR, or within seven (7) days of screening, whichever date is sooner. 3. Greenwaste shall be processed/ground within the timeframes provided in Title 14 CCR, 5. Foodwaste and manure shall be covered with ground greenwaste, or unscreened or screened compost within 3 hours of receipt and incorporated into an active pile within 48 hours of receipt to minimize odor generation and attraction to vectors. 6. Incorporate wet or odiferous feedstock loads directly into actively composting windrows or aerated static piles, where practical. 7. Mix odiferous feedstock materials with appropriate amount of bulking agent, high carbon amendments, or finished compost and then moisture conditioned to reduce odor releases. 8. Manure shall not exceed 20% by volume. 9. Restaurant grease and oils shall not exceed 5% by volume. 10. Application of restaurant grease and oils shall comply with the following standards: <ol style="list-style-type: none"> a. Apply to processed feedstock or an active windrow/pile at the time of receipt. b. Mix with processed feedstock prior to or during pile formation.

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Deleted: §17852(a)(20) & (20)(A)

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Deleted: Accept only source-separated feedstock materials ¶
Reject odiferous feedstock delivered to the facility, or follow procedures in FP 6 & 7

Deleted: <#>Feedstock material shall be load-checked to detect the presence of unacceptable feedstock and ensure that it contains no greater than 1% of physical contaminants and refuse. The practice of load-checking at the back-end instead of front-end removal of contaminants shall be discouraged. ¶

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	<p>c. Once grease trap liquids have been applied to a windrow, the windrow will be turned immediately to incorporate the liquid into the windrow feedstock.</p> <p>d. At no time shall grease trap liquids will be stored onsite in tanks or ponds.</p> <p>e. Grease trap liquids will not be applied in a manner that results in ponding around the windrow/pile.</p> <p>f. No direct application to an active windrow that still has a compost cover for emissions control, as required by SCAQMD Rule 1133.3.</p> <p>g. Directly apply to an active windrow that no longer requires a compost cover, or to an active static pile that is aerated under negative pressure and uses an emissions control device, as required by SCAQMD Rule 1133.3.</p> <p>11. Grinding of odiferous feedstock materials should be accompanied with the application of misting water <u>or other odor control measures approved by the DEH/LEA.</u></p> <p>12. Feedstock composition must be adjusted to achieve a high carbon to nitrogen ratio (30:1), proper moisture contents, and good porosity, all of which are conducive to aerobic decomposition and odor minimization.</p> <p>13. Reduce material mixing activities in unfavorable weather conditions (stagnant air or windy) to minimize odor generation.</p>
Active Composting (AC)	<p>1. Static pile composting method is prohibited for facilities that will contain more than 5,000 cubic yards of material (including feedstock, additives, amendments, chipped/ground material, and compost) at any one time.</p> <p>2. Active composting shall be by means of either the windrow method, aerated static pile, extended aerated static pile, or an alternative technology approved by the LEA/DEH.</p> <p>3. Where feasible, the active composting pad location and windrow/pile configuration and orientation should be such that wind-driven off-site exposures of receptors to composting odors can be minimized.</p> <p>4. Daily monitoring of windrow moisture content and temperature shall be conducted to ensure continuous aerobic composting and detect overheating so as to avoid spontaneous combustion.</p> <p>5. All windrows and piles aerated with positive <u>or negative</u> pressures shall be covered with a layer of finished compost, <u>or other covering methods as approved by LEA/DEH,</u> immediately after windrow and/or pile formation.</p> <p>6. Moisture conditioning of active windrows and piles during the rainy season should be coordinated with weather forecasts. The composter should use his best judgment on the degree of watering to be carried out when rainfall is forecasted. As a good practice, no moisture conditioning should be carried out during rainfall or when there is a 60% or greater chance of rainfall in the next day or two.</p> <p>7. When heavy or extended rainfalls are forecasted, the composter should take the appropriate measures to protect active windrows and piles from saturation with water, including but are not limited to: cover windrows and piles with tarps; add dry feedstock or compost on top of windrows and piles; and increase positive drainage on side slopes of windrows and piles by making the slopes steeper or covering them with tarps.</p> <p>8. The active composting pad shall be graded and maintained to prevent ponding and transmit any free liquid laterally to containment structures on-site. <u>The composting pad and containment structures shall be designed and constructed in compliance with all applicable water quality control regulations.</u></p> <p>9.</p> <p>10. All windrows shall be turned regularly to ensure continuous aerobic composting, or according to applicable regulatory requirements pertaining to achieving pathogen reduction and odor minimization standards.</p>

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	<p>11. Avoid windrow turning in unfavorable weather conditions.</p> <p>12. Where applicable, construct smaller windrows to increase the surface to volume ratio, thus aeration efficiency.</p>
Compost Curing (CC)	<p>1. Curing of compost shall be conducted away from the active composting area to avoid cross-contamination and facilitate separate odor monitoring.</p> <p>2. Curing compost that have temperature exceeding 122°F, or are seeping leachate, and/or emitting odors on a consistent basis shall be re-composted in the active composting area.</p> <p>3. Long-term storage of finished compost shall be limited to no greater than one year to avoid it becoming a fire hazard.</p> <p>4. Screen compost to facilitate aeration and expedite the curing process.</p> <p>5. Avoid screening of compost in unfavorable weather conditions, or apply misting water or other odor reducing measures, as approved by the LEA/DEH during screening to lessen odor emissions.</p>
OIMP Implementation (OI)	<p>1. The facility shall have a designated full-time staff in charging of implementation of the facility's Odor Impact Minimization Plan (OIMP) and handling of odor complaints and investigations. This person shall also be responsible for regular reviewing and updating of the OIMP in pace with changes in composting operation or procedures.</p> <p>2. The composting staff shall be well acquainted with and adequately trained to implement the OIMP.</p> <p>3. If the facility receives an infraction (Area of Concern and/or Notice of Violation) during monthly inspections from the LEA/DEH involving odors, in addition to addressing the LEA/DEH, the operator shall submit a Report to the County's Planning and Waste Management Departments, documenting the source of the odor and both propose and implement mitigation measures which may include installation of wind barriers, such as contiguous tall vegetation, misting systems, or other odor reducing measures, to the County's satisfaction.</p> <p>4. If after 15 days of implementing mitigation measures, as stated in the Report submitted to the County Planning and Waste Management Department's, the odor issues have not been resolved, as verified by the LEA, the operator shall immediately remove the odiferous material offsite for disposal in accordance with all applicable local, State, and Federal laws, ordinances, and regulations.</p>
Facility Maintenance (FM)	<p>1. On-site dust control shall use domestic water, non-potable reclaimed water, or dust suppressants, as identified in SCAQMD Rule 403,</p> <p>2. Site drainage design shall prevent run-on onto the active composting area, feedstock storage area, compost curing area, and finished compost storage area.</p> <p>3. Surface run-off from all compostable materials processing, treatment, and storage areas shall be contained on-site, in compliance with applicable water quality control regulations.</p> <p>4. All wastewater conveyance and containment facilities shall be periodically inspected to ensure performance and assess their capacity to attract vectors and generate odors and to effectively collect and contain wastewater.</p> <p>5. Use compost filter berms to filter stormwater entering the containment structure. The compost filters can be reintroduced back to the composting process.</p> <p>6. Re-circulate retained wastewater into the composting process.</p>

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Financial Assurances

Within 12 months after approval or initiation of compost activities, whichever comes first, the applicant shall provide and maintain in force during the life of the permit a maintenance assurance, clean up/restoration bond, or other acceptable assurance, approved by the County. The Surety must be licensed in the State of California. The financial assurance shall provide maintenance assurance, restoration, clean up or environmental remediation to the compost site property or adjoining parcels in the event composting activities, or other related activities at the facility, cause environmental damage, or necessitates County assistance with environmental remediation or clean-up. The amount of the financial assurance shall be in the amount of one million USD (\$1,000,000 USD). All financial assurance instruments in place for the existing operation shall remain in force until such time that the new financial assurance instrument, described herein, is secured. In addition to the financial assurance instrument, the assurance of maintenance, restoration and remediation is required by the Applicant processing and filing a 'Maintenance, Restoration and Remediation Agreement' through the Riverside County Waste Management Department. The format of the financial assurance and the Maintenance, Restoration and Remediation Agreement must be approved by County Counsel.

RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL

LTF COMPOST SUBCOMMITTEE

AGENDA

May 12, 2014
10:00 a.m. – 12:00 p.m.

Riverside County
Waste Management Department
14310 Frederick Street
Moreno Valley, CA 92553

ITEM

1. Call to Order and Self Introductions
2. Solid Waste Permitting Tiers and Enforcement
3. Review of Composting Conditions of Approval
4. Review of Financial Assurances Formula
5. Next Meeting June 9, 2014 10:00 am @ RCWMD (Second Monday of the Month)
6. Adjournment

**RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
LTF COMPOST SUBCOMMITTEE**

MINUTES

April 14, 2014

The following were present:

MEMBERS

PRESENT

Bruce Scott	Farming Community
Greg Reyes	Environmental Health/LEA
Ron Bray	Riverside County Agriculture
Nick Young	California Department of Food and Agriculture
Dan Noble	Association of Compost Producers

REPRESENTING

MEMBERS

ABSENT

REPRESENTING

Robert Magee	1 st District Supervisor's Office
Gary Koontz	Waste Haulers

County Staff

Hans Kernkamp	Waste Management Department
Joe McCann	Waste Management Department
Lucy Gonzalez	Waste Management Department
Tracey Towner	County Code Enforcement
Greg Flannery	County Code Enforcement
Hector Viray	County Code Enforcement
Ken Baez	County Planning Department

Representing

Guests/Interested Parties

Paul Ryan
Chris Cunningham
Matthew Cotton
Joanne Lee

AGENDA ITEM 1

CALL TO ORDER AND SELF-INTRODUCTIONS

The meeting was called to order at 10:10 a.m., with self-introductions.

Hans Kernkamp provided a brief overview of the LTF Compost Subcommittee's objective. As a result of the Cal Biomass facility issues, the County is considering a compost ordinance to better regulate compost facilities. There have been some challenges with enforcement, specifically with issues related to odors and how current regulations limit the SCAQMD and LEA. A new ordinance or Best Management Practices (BMPs) would provide additional enforcement authority for the County. Subcommittee members suggested that the BMPs be renamed and applied as Conditions of Approval that the County could apply to new composting projects in the future.

Mr. Kernkamp stated that there is also the issue of land application (chip and grind material) on agriculture land. There appears to be gaps in the County's ability to enforce in this area. Originally, it was considered that the Agriculture Commissioner could manage this area; however, it is not within their purview, and the LEA has limitations to their jurisdiction with enforcement. As a result, it was requested by the LTF that the Subcommittee also make recommendations on this issue.

Mr. Kernkamp stated that at the prior meeting, there was a request for clarification as to which department or agency would have enforcement jurisdiction (Code or Planning) with regard to the

Conditions of Approval as they are presented today. It was also requested that Waste Management Department (WMD) staff prepare a proposed financial assurance formula for new facilities and forward that draft to Subcommittee members for comment.

**AGENDA ITEM 2
SELECTION OF SUBCOMMITTEE CHAIRMAN**

Dan Noble volunteered to be Chairman and a motion was made by subcommittee member Greg Reyes, seconded by Nick Young and all were in favor, with none opposed.

**AGENDA ITEM 3
APPROVAL OF MARCH 10, 2014 MEETING MINUTES**

Dan Noble asked if there are any adjustments to the minutes. Greg Reyes requested a correction to page 2, paragraph 3 to remove the word permit where referenced and replace with EA Notification throughout the paragraph.

Dan Noble requested a motion to approve the minutes. First Motion: Bruce Scott, Second Motion: Greg Reyes, all in favor, none opposed.

Dan Noble proposed adding the topic of Compost Tiered Permitting to the agenda as Item 4 for open discussion, all members agreed.

**AGENDA ITEM 4
COMPOST TIERED PERMITTING**

Greg Reyes provided an overview stating that the majority of Green Material Operators (GMO) who fall under the Enforcement Agency Notification process involves the completion of an application and submitting a plan. If all is correct and complete under the application and plan per the State requirement, the LEA has 5 business days to process and forward to the state and issue a SWIS ID number. Mr. Reyes advised that most haulers will ask you for the SWIS ID number, which confirms that the Solid Waste Facility (SWF) has been approved by the State/CalRecycle. The next two tiers are registration or full permit, both require full land-use approval to be included in the package given to the LEA. The EA Notifications have three options. First, the SWF has performed CEQA or obtained land-use approval and can provide proof. Second, the SWF can provide a copy of a letter from the local land-use authority that they do not need a permit. Third, the SWF can provide a copy of a certified letter forwarded to the land-use Department stating the type of business to be conducted. Approximately 90% of the operators will check the third option. Most applications will not include a check or a formal submittal when received at the Planning Department, which will result in having to follow-up with the SWF and result in further delays. The LEA must have the land-use approval as part of the application or cannot accept the package. There is one exception, under a research notification, but this has a 2 year window and most will continue to renew this window. The State put the EA Notification tier into the regulations in efforts to promote recycling. This does not stop the land-use authority from enforcing land-use rules, including potential shut-down. LEA only completes quarterly inspections to be sure the SWF complies with the plan submitted.

Ken Baez stated the concern is with the immediate (within 5 days) issuance of EA Notification/SWIS Number from the LEA as it gives the impression that SWF has complied with required regulations. However, Code Enforcement will request of the SWF a land-use entitlement after Code Enforcement discovers that the Planning Department does not have land-

use approvals on record. Mr. Baez suggested that it would be best for the land-use to be included in the initial application package. Then the Planning Department can issue a letter to the SWF stating that the SWF is zoned properly.

Greg Reyes stated that the disconnect in the process is within County departments. If a permit requires a change, the process is dictated by the State, and no re-issuance of the original approval is required. Although with any EA Notification changes will require an entirely new package. Mr. Reyes is concerned where the authority resides when there is a change required by the Planning Department after review of an agency application. LEA is advised by the Planning Department of the required data, and the LEA has no authority to inform the SWF to stop, because the SWF has met the State mandates. The question is how to strengthen the process, possibly through an ordinance change.

Paul Ryan stated that it is worthwhile for the County to have some direction from the Board of Supervisors prior to the LEA accepting notice, and the application being accepted by the Planning department. It is in the best interest of the State to adopt a regulation or statute stating that an application must go through land-use approval first.

Tracy Towner stated that a policy, ordinance or resolution needs to be put in place, so that the three departments can connect prior to LEA application approval, which can evolve into the bigger issue of the CEQA review and improved application process.

Dan Noble suggested that the following three avenues could be pursued/recommended when processing EA Notification tier projects:

1) Informal agreement between the County Departments as to land-use coordination; 2) An Ordinance to require land-use/CEQA prior to submitting an EA Notification; 3) A legislative change at the state level to insure the proper process for EA Notifications. Hans Kernkamp suggested that the LEA, Code, Planning, County Counsel and WMD could meet and discuss, and staff could report back at a future meeting.

AGENDA ITEM 5

REVIEW OF COMPOSTING BEST MANAGEMENT PRACTICES

Dan Noble stated the draft Conditions of Approval (formerly "BMPs") provided by staff had been updated from the last Subcommittee meeting. Joe McCann stated that the revisions included not referring to any specific regulatory references to sections in Title 14 or the Water Board regulations/draft WDR. Overall, the goal is the concept of applicability of how to capture all land-use cases, not just the ones requiring CUPs. He also mentioned they were not intended to apply to Biosolids, which was one of Matt Cotton's questions.

Hans Kernkamp stated the County has a long history with Biosolids and WMD has some concerns about including those materials under this process. The Conditions of Approval are to be applied to any new land-use entitlement project. Composting using Biosolids would be a separate issue and would need to be handled on a case specific basis. The draft Conditions of Approval were not intended to address this waste stream and staff is not in a position to promote Biosolids. What needs to be determined is if these BMPs or Conditions of Approval are technically reasonable to be placed and enforced on a project. Therefore, clarification with the title BMPs should be revised to be called Conditions of Approval, so the Planning Department has some guidelines for those facilities who want to receive solid waste. Bruce Scott stated what is missing from the BMPs are the Regional Water Control mandates and Air Quality. To include

these two areas within the BMPs would cover the ground, water, and air, which can be referenced as being the minimum. Hans Kernkamp advised that the goal is to focus on odor and operations of composting facilities.

Dan Noble stated there still needs to be clarification on implementation of the BMPs, follow-up, and final approval. Hector Viray advised that when there is a Condition of Approval violation on site, there is process to investigate and provide a Notice of Violation to the SWF, a minimal notice of a couple of weeks for the SWF to meet voluntary compliance. If the SWF fails to meet compliance they are given an administrative citation, and Code will then pursue a lien against the property and pursue a County Counsel injunction.

**AGENDA ITEM 6
ESTABLISHMENT OF FINANCIAL ASSURANCES FORMULA**

Hans Kernkamp stated WMD has come up with a 2-tiered approach for the Financial Assurance calculation. A flow chart will be circulated via email prior to next meeting so members can provide feedback.

**AGENDA ITEM 7
LAND APPLICATION OF GROUND GREEN MATERIAL**

No Discussion

Actions: *Noted by Dan Noble (Summary for Next Meeting Items of Discussion)*

- 1) WMD will pursue an internal County meeting regarding the three pronged approach.
- 2) WMD will e-mail the BMPs/Conditions of Approval.
- 3) WMD will e-mail the Financial Assurance calculation
- 4) Land Application will be tabled until the BMPs/Conditions of Approval are reviewed and agreed to.
- 5) Roger Mitchell (San Diego Regional Water Quality Control Board) was invited; however, currently unavailable, and will be invited to future meetings. The local regional water board (Santa Ana) representative, Mark Adelson, will be invited to the next meeting when the land application issue is discussed.

**AGENDA ITEM 8
SETTING OF SCHEDULE FOR FUTURE MEETING TIME & PLACE**

The next meeting is scheduled for 10:00 a.m. on May 12, 2014 at the WMD Headquarters.
(Meetings are reoccurring every second Monday of the month.)

**AGENDA ITEM 9
ADJOURNMENT**

Meeting adjourned at 12:20 p.m.

Composting Operations	Riverside County Best Management Practices
Applicability	The County BMPs shall be applied to all composting operations undergoing the entitlement process for a Conditional Use Permit (CUP), Plot Plan, or other land-use entitlements.
Feedstock (F)	<ol style="list-style-type: none"> 1. Acceptable feedstock materials include: <ul style="list-style-type: none"> • Greenwaste as defined in Title 14 CCR • Agricultural materials as defined in Title 14 CCR • Food Material that meets the definitions in Title 14 CCR • Manure as defined in Title 14 CCR • Paper products • Restaurant grease and oils • Digestate (if permissible under Title 14 CCR)
Additives (Ad)	<p>If applicable:</p> <ol style="list-style-type: none"> 1. Mix additives with feedstock or active compost to create favorable composting conditions. 2. The amount of additives added shall be consistent with applicable regulatory requirements or prevailing industry standards 3. Additives do not include septage, biosolid, or compost feedstock. 4. Additives shall undergo random load-checking for physical contaminants and refuse.
Amendments (Am)	<p>If applicable:</p> <ol style="list-style-type: none"> 1. Add amendments to cured or stabilized compost to provide attributes for the products. 2. The amount of amendments added shall be consistent with applicable regulatory requirements or prevailing industry standards. 3. Amendments do not include septage, biosolid, or compost feedstock. 4. Amendments shall undergo random load-checking for physical contaminants and refuse.
Feedstock Preparation (FP)	<ol style="list-style-type: none"> 1. Feedstock load-checking operations shall be conducted in accordance with the standards set forth in Title 14 CCR. 2. Removal of physical contaminants and refuse (overs/trash) shall be removed from the facility in accordance with Title 14 CCR, or within seven (7) days of screening, whichever date is sooner. 3. Greenwaste shall be processed/ground within the timeframes provided in Title 14 CCR. 4. Foodwaste and manure shall be covered with ground greenwaste, or unscreened or screened compost within 3 hours of receipt and incorporated into an active pile within 48 hours of receipt to minimize odor generation and attraction to vectors. 5. Incorporate wet or odiferous feedstock loads directly into actively composting windrows or aerated static piles, where practical. 6. Mix odiferous feedstock materials with appropriate amount of bulking agent, high carbon amendments, or finished compost and then moisture conditioned to reduce odor releases. 7. Manure shall not exceed 20% by volume. 8. Restaurant grease and oils shall not exceed 5% by volume. 9. Application of restaurant grease and oils shall comply with the following standards: <ol style="list-style-type: none"> a. Apply to processed feedstock or an active windrow/pile at the time of receipt. b. Mix with processed feedstock prior to or during pile formation.

	<ul style="list-style-type: none"> c. Once grease trap liquids have been applied to a windrow, the windrow will be turned immediately to incorporate the liquid into the windrow feedstock. d. At no time shall grease trap liquids will be stored onsite in tanks or ponds. e. Grease trap liquids will not be applied in a manner that results in ponding around the windrow/pile. f. No direct application to an active windrow that still has a compost cover for emissions control, as required by SCAQMD Rule 1133.3. g. Directly apply to an active windrow that no longer requires a compost cover, or to an active static pile that is aerated under negative pressure and uses an emissions control device, as required by SCAQMD Rule 1133.3. <p>10. Grinding of odiferous feedstock materials should be accompanied with the application of misting water or other odor control measures approved by the DEH/LEA..</p> <p>11. Feedstock composition must be adjusted to achieve a high carbon to nitrogen ratio (30:1), proper moisture contents, and good porosity, all of which are conducive to aerobic decomposition and odor minimization.</p> <p>12. Reduce material mixing activities in unfavorable weather conditions (stagnant air or windy) to minimize odor generation.</p>
Active Composting (AC)	<ul style="list-style-type: none"> 1. Static pile composting method is prohibited for facilities that will contain more than 5,000 cubic yards of material (including feedstock, additives, amendments, chipped/ground material, and compost) at any one time. 2. Active composting shall be by means of either the windrow method, aerated static pile, extended aerated static pile, or an alternative technology approved by the LEA/DEH. 3. Where feasible, the active composting pad location and windrow/pile configuration and orientation should be such that wind-driven off-site exposures of receptors to composting odors can be minimized. 4. Daily monitoring of windrow moisture content and temperature shall be conducted to ensure continuous aerobic composting and detect overheating so as to avoid spontaneous combustion. 5. All windrows and piles aerated with positive or negative pressures shall be covered with a layer of finished compost, or other covering methods as approved by LEA/DEH, immediately after windrow and/or pile formation. 6. Moisture conditioning of active windrows and piles during the rainy season should be coordinated with weather forecasts. The composter should use his best judgment on the degree of watering to be carried out when rainfall is forecasted. As a good practice, no moisture conditioning should be carried out during rainfall or when there is a 60% or greater chance of rainfall in the next day or two. 7. When heavy or extended rainfalls are forecasted, the composter should take the appropriate measures to protect active windrows and piles from saturation with water, including but are not limited to: cover windrows and piles with tarps; add dry feedstock or compost on top of windrows and piles; and increase positive drainage on side slopes of windrows and piles by making the slopes steeper or covering them with tarps. 8. The active composting pad shall be graded and maintained to prevent ponding and transmit any free liquid laterally to containment structures on-site. The composting pad and containment structures shall be designed and constructed in compliance with all applicable water quality control regulations. 9. All windrows shall be turned regularly to ensure continuous aerobic composting, or according to applicable regulatory requirements pertaining to achieving pathogen reduction and odor minimization standards.

	<ol style="list-style-type: none"> 10. Avoid windrow turning in unfavorable weather conditions. 11. Where applicable, construct smaller windrows to increase the surface to volume ratio, thus aeration efficiency.
Compost Curing (CC)	<ol style="list-style-type: none"> 1. Curing of compost shall be conducted away from the active composting area to avoid cross-contamination and facilitate separate odor monitoring. 2. Curing compost that have temperature exceeding 122°F, or are seeping leachate, and/or emitting odors on a consistent basis shall be re-composted in the active composting area. 3. Long-term storage of finished compost shall be limited to no greater than one year to avoid it becoming a fire hazard. 4. Screen compost to facilitate aeration and expedite the curing process. 5. Avoid screening of compost in unfavorable weather conditions, or apply misting water or other odor reducing measures, as approved by the LEA/DEH during screening to lessen odor emissions.
OIMP Implementation (OI)	<ol style="list-style-type: none"> 1. The facility shall have a designated full-time staff in charging of implementation of the facility's Odor Impact Minimization Plan (OIMP) and handling of odor complaints and investigations. This person shall also be responsible for regular reviewing and updating of the OIMP in pace with changes in composting operation or procedures. 2. The composting staff shall be well acquainted with and adequately trained to implement the OIMP. 3. If the facility receives an infraction (Area of Concern and/or Notice of Violation) during monthly inspections from the LEA/DEH involving odors, in addition to addressing the LEA/DEH, the operator shall submit a Report to the County's Planning and Waste Management Departments, documenting the source of the odor and both propose and implement mitigation measures which may include installation of wind barriers, such as contiguous tall vegetation, misting systems, or other odor reducing measures, to the County's satisfaction. 4. If after 15 days of implementing mitigation measures, as stated in the Report submitted to the County Planning and Waste Management Department's, the odor issues have not been resolved, as verified by the LEA, the operator shall immediately remove the odiferous material offsite for disposal in accordance with all applicable local, State, and Federal laws, ordinances, and regulations.
Facility Maintenance (FM)	<ol style="list-style-type: none"> 1. On-site dust control shall use domestic water, non-potable reclaimed water, or dust suppressants, as identified in SCAQMD Rule 403. 2. Site drainage design shall prevent run-on onto the active composting area, feedstock storage area, compost curing area, and finished compost storage area. 3. Surface run-off from all compostable materials processing, treatment, and storage areas shall be contained on-site, in compliance with applicable water quality control regulations. 4. All wastewater conveyance and containment facilities shall be periodically inspected to ensure performance and assess their capacity to attract vectors and generate odors and to effectively collect and contain wastewater. 5. Use compost filter berms to filter stormwater entering the containment structure. The compost filters can be reintroduced back to the composting process. 6. Re-circulate retained wastewater into the composting process.

Characteristics	Tier 1	Tier 2
Total Facility Capacity	<25,000 cy (all allowable materials received, processed, and stored: feedstock, amendments, active and curing composting, and finished products)	>25,000 cy (all allowable materials received, processed, and stored: feedstock, amendments, active and curing composting, and finished products)
Allowable Feedstock ¹	Agricultural material, green material, paper material, vegetative food material, or a combination of these feedstock, including anaerobic digestate derived from the acceptable feedstock.	Tier 1 feedstock plus biosolids, or food materials, or manure, or grease waste, or a combination of these feedstock.
Bond Amount Calculation Methodology		
Base Bond Amount (BBA)	\$250,000 or Apply Formula	APPLY FORMULA
Cleanup Activities Covered	Material Loading + Transportation + Disposal + Testing + Administration (assuming 7.5%)	
Material Loading Cost ²	\$8 per ton	
Transportation Cost ²	0.0041 cent per ton per vehicle-mile-traveled (VMT), assuming 22 tons/truck load	
Total Disposal VMT (TVMT)	Total onsite Storage Capacity (TSC) ÷ 22 tons/load x roundtrip VMT to landfill	
Disposal in Riverside County	At current fees: Unprocessed Greenwaste (GW) @ Greenwaste Rate (GR) (e.g., \$45.80 in 2014) Active compost, biosolid, and grease waste @ Hard-to-Handle Rate (H2H) (e.g., \$47.73/ton in 2014) Finished compost and ground clean greenwaste @ Beneficial Refuse Rate (BR) (e.g., \$10/ton in 2014)	
Administration Fee (AF)	7.5% of the sum of material loading and transportation costs	
Material Testing (MT)	\$5,000	
Maximum Total On-site Storage Capacity (ton or cy) ³	Feedstock Receiving Area: Maximum Greenwaste (GW) capacity Active Composting Area: Maximum Active Compost (AC) capacity Curing & Product Storage Areas: Maximum Finished Compost (FC) capacity TSC = GW + AC + FC	
Conversion Factors	GW: 0.5 ton/cy AC: 0.65 ton/cy FC: 0.4 ton/cy	
Formula	{[(TSC x \$8/ton) + (TSC x TVMT x 0.0041 cent/ton/mile)] x (1 + 7.5%)} + (GW x GR + AC x H2H + FC x BR) + MT; or BBA, whichever is greater.	
Annual Bond Adjustment	Due to the long CUP life of composting facilities, the bond value need be adjusted according to the CPI during its annual update. Adjustable values include: BBA, material loading cost (\$8/ton), transportation cost (0.0041 cent), MT, and AF. In addition, disposal fee needs be updated, as warranted.	

¹ A composting facility is a Tier 2 facility regardless of its total facility capacity, as long as it composts food materials, or manure, or grease waste.

² Material loading and transportation unit costs are derived from the RCWMD unit costs for CalBioMass cleanup.

³ Materials are assumed to be stored in windrows (trapezoids) 12' wide at the base and 8' tall with 8-foot aisles space between windrows

RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL

LTF COMPOST SUBCOMMITTEE

AGENDA

June 9, 2014
10:00 a.m. - 12:00 p.m.

Riverside County
Waste Management Department
14310 Frederick Street
Moreno Valley, CA 92553

ITEM

1. Call to Order and Self Introductions
2. Approval of May 12, 2014 Meeting Minutes
3. Action Items Update
4. Solid Waste Permitting Tiers and Enforcement
5. Review of Composting Conditions of Approval
6. Review of Financial Assurances Formula
7. Next Meeting July 14, 2014 10:00 am @ RCWMD (Second Monday of the Month)
8. Adjournment

**RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
LTF COMPOST SUBCOMMITTEE**

MINUTES

May 12, 2014

The following were present:

MEMBERS

PRESENT

Dan Noble Association of Compost
Producers
Greg Reyes Environ. Health/LEA
Ron Bray Riverside Co. Agriculture

REPRESENTING

MEMBERS

ABSENT

Robert Magee
Bruce Scott
Gary Koontz
Nick Young

REPRESENTING

1st District Supervisor's Office
Farming Community
Waste Haulers
Calif. Dept. of Food & Agriculture

County Staff

Hans Kernkamp Waste Management Department
Joe McCann Waste Management Department
Ryan Ross Waste Management Department
Lucy Gonzalez Waste Management Department

Representing

Guests/Interested Parties

Mike Silva, CR&R
Chris Cunningham, IEDA
Joanne Lee, SARWQCB
Cindy Li, SARWQCB

AGENDA ITEM 1

CALL TO ORDER AND SELF-INTRODUCTIONS

The meeting was called to order at 10:05 a.m., with self-introductions.

AGENDA ITEM 2

APPROVAL OF APRIL 14, 2014 MEETING MINUTES *(This item added to agenda for discussion)*

Dan Noble – Meeting Minutes not approved due to not having a quorum (four members).

AGENDA ITEM 3

ACTION ITEMS

1) WMD will pursue an internal County meeting regarding EA Notifications.

- *Hans Kernkamp advised that the Waste Management Department (WMD) is coordinating a meeting with Code Enforcement, Environmental Health, and Planning. He anticipates that the group will meet prior to the next subcommittee meeting.*

2) WMD will e-mail the BMPs/Conditions of Approval and the Financial Assurance calculation.

- *Ryan Ross advised that both were included in the agenda package recently forwarded to all members for review. A copy is also included with today's agenda.*

3) The land application issue will be tabled until the subcommittee's review of the BMPs/Conditions of Approval and financial assurance formula. are completed.

- *The Subcommittee reviewed the BMPs/Conditions of Approval and were ready to recommend approval; however, since there was no quorum, the approval of the BMPs/Conditions of Approval will be taken up at the next meeting (pending a quorum). Dan Noble stated he would forward the Financial Assurance Formula table to IEDA.*

AGENDA ITEM 4

SOLID WASTE PERMITTING TIERS AND ENFORCEMENT

Greg Reyes provided an overview and reiterated that EA Notifications are not to be considered permits, but are a simple application process mandated by the State that requires him to issue a SWIS ID number within five days if the checklist requirements are met.

Dan Noble asked if there is already an established permitting and enforcement structure, why is there a need for a new ordinance. Hans Kernkamp advised that WMD is not requesting a new ordinance, but acknowledged the difficulty in applying the proposed BMPs/Conditions of Approval, and financial assurance requirements, to facilities covered under EA Notifications due to the lack of enforcement of local entitlements (Conditional Use Permits, Plot Plans, etc.). The County is left to consider what happens to the facilities that do not go through the land use process, such as those covered under the EA notification tier. Mr. Kernkamp stated that if County departments work together, a better level of oversight and awareness of these existing facilities can be achieved, and the application of the proposed BMPs/Conditions of Approval, can be realized. Greg Reyes advised that there have been some conversations with CalRecycle regarding the EA Notifications current system; however, CalRecycle has showed no desire to change the current EA Notification process.

AGENDA ITEM 5

REVIEW OF COMPOSTING CONDITIONS OF APPROVAL

Ryan Ross advised that the revisions (redlined) from last month's BMPs/Conditions of Approval have been incorporated into the current version which has been included in today's agenda packet, including the Financial Assurances table.

Mr. Ross provided an overview of the Conditions of Approval. He stated that the Conditions will be applied to individual projects and tailored to meet the specifics of the project (feedstock, composting method, etc.). If in the future, the applicant chooses to accept material that differs from those listed in their Conditions of Approval, they would be required to revise their CUP to add the new feedstock. This necessitates the need for environmental review and revisions to the Conditions of Approval before they can obtain the revised permit. Mr. Ross stated that the Conditions of Approval definitions are in compliance with Title 14. Hans Kernkamp advised that Biosolids have been specifically excluded within Riverside County, and any project submitted for permitting would be handled as a separate review process, as Biosolids require special review for approval.

Ryan Ross addressed the OIMP Conditions and stated that the goal is to have the WMD, Planning Department, and LEA informed of all odor complaints at a facility. The conditions would require an operator to submit a plan to the Planning Department and WMD, detailing how they will mitigate the odor complaint. If after 15 days of implementing the mitigation measure(s), the LEA confirms the odor problem still exists, the operator would have to remove the odiferous material from the site.

Greg Reyes expressed concern that there could be a conflict of interest since the WMD would be both a regulated agency and act in the capacity of a local regulatory agency. Hans Kernkamp stated that this would not be an issue because the WMD is not enforcing the Conditions of Approval, rather, in the case of reviewing the odor mitigation plan, WMD would ensure that the responsible agencies (LEA/Planning Dept.) follow-up with the operator(s).

AGENDA ITEM 6 REVIEW OF FINANCIAL ASSURANCES FORMULA

Ryan Ross stated that there are no financial assurance requirements for compost facilities permitted by the State. In the event that an operator walks away from a facility, the local jurisdiction is responsible for financing the clean-up. As a result, WMD has developed a financial assurance formula that will be applied as a Condition of Approval for composting facilities within the County. This would apply to facilities seeking a new or revised CUP, or other entitlements. The formula has been separated into two Tiers based on amounts as shown in the pending General Order with the Water Board (greater than or less than 25,000 cubic yards). Feedstock also may determine the Tier. Tier 1 applies to agricultural material, straight green waste material and vegetative food material, if less than 25,000 cubic yards. A compost facility that handles food materials and grease waste will automatically be in Tier 2 regardless of amount.

Mr. Ross stated factors used to develop the formula were based on real world data calculated from the Cal Biomass clean-up. Overtime, some of the factors in the formula will be adjusted to account for increasing disposal rates, as well as variations in the distance to disposal facilities. Mr. Ross added that as part of the financial assurance, the Bond will be subject to adjustment by CPI every five years.

The County's goal is to create a formula that will be applied uniformly to all facilities applying for a CUP. Hans Kernkamp stated that WMD is attempting to strike a balance between the smaller operators and not eliminate them from the ability to operate within the County. This is why there is a two tiered approach to the Bond. Mr. Kernkamp advised that an operator would establish the required bond through a licensed California insurance company or a surety, as approved by County Counsel. Mr. Kernkamp added that there is no guarantee to collection of a bond.

Cindy Li advised that in most cases an operator will only obtain an EA Notification. Ryan Ross stated that the BMPs/Conditions of Approval and financial assurance requirements apply equally to both EA Notification facilities and facilities with a full permit. Facilities operating with an EA Notification are required to have County land use approval. WMD, LEA, Planning, and Code Enforcement are working together to: 1) streamline the internal County process of permitting

new EA Notification facilities, and 2) bring existing facilities into compliance with local land use regulations.

AGENDA ITEM 7

SETTING OF SCHEDULE FOR FUTURE MEETING TIME & PLACE

The next meeting is scheduled for 10:00 a.m. on June 9, 2014 at the WMD Headquarters.
(Meetings are reoccurring every second Monday of the month.)

AGENDA ITEM 8

ADJOURNMENT

Meeting adjourned at 12:12 p.m.

Characteristics	Tier 1	Tier 2
Total Facility Capacity	<25,000 cy (all allowable materials received, processed, and stored: feedstock, amendments, active and curing composting, and finished products)	>25,000 cy (all allowable materials received, processed, and stored: feedstock, amendments, active and curing composting, and finished products)
Allowable Feedstock ¹	Agricultural material, green material, paper material, vegetative food material, or a combination of these feedstock, including anaerobic digestate derived from the acceptable feedstock.	Tier 1 feedstock plus biosolids, or food materials, or manure, or grease waste, or a combination of these feedstock.
Bond Amount Calculation Methodology		
Base Bond Amount (BBA)	\$250,000 or Apply Formula	APPLY FORMULA
Cleanup Activities Covered	Material Loading + Transportation + Disposal + Testing + Administration (assuming 7.5%)	
Material Loading Cost ²	\$8 per ton	
Transportation Cost ²	0.0041 cent per ton per vehicle-mile-traveled (VMT), assuming 22 tons/truck load	
Total Disposal VMT (TVMT)	Total onsite Storage Capacity (TSC) ÷ 22 tons/load x roundtrip VMT to landfill	
Disposal in Riverside County	At current fees: Unprocessed Greenwaste (GW) @ Greenwaste Rate (GR) (e.g., \$45.80 in 2014) Active compost, biosolid, and grease waste @ Hard-to-Handle Rate (H2H) (e.g., \$47.73/ton in 2014) Finished compost and ground clean greenwaste @ Beneficial Refuse Rate (BR) (e.g., \$10/ton in 2014)	
Administration Fee (AF)	7.5% of the sum of material loading and transportation costs	
Material Testing (MT)	\$5,000	\$10,000
Maximum Total On-site Storage Capacity (ton or cy) ³	Feedstock Receiving Area: Maximum Greenwaste (GW) capacity Active Composting Area: Maximum Active Compost (AC) capacity Curing & Product Storage Areas: Maximum Finished Compost (FC) capacity TSC = GW + AC + FC	
Conversion Factors	GW: 0.5 ton/cy AC: 0.65 ton/cy FC: 0.4 ton/cy	
Formula	{[(TSC x \$8/ton) + (TSC x TVMT x 0.0041 cent/ton/mile) x 1 dollar/100 cent]] x (1 + 7.5%)} + (GW x GR + AC x H2H + FC x BR) + MT;	or BBA, whichever is greater.
Annual Bond Adjustment	Due to the long CUP life of composting facilities, the bond value need be adjusted according to the CPI during its annual update. Adjustable values include: BBA, material loading cost (\$8/ton), transportation cost (0.0041 cent), MT, and AF. In addition, disposal fee needs be updated, as warranted.	

¹ A composting facility is a Tier 2 facility regardless of its total facility capacity, as long as it composts food materials, or manure, or grease waste.

² Material loading and transportation unit costs are derived from the RCWMD unit costs for CalBioMass cleanup.

³ Materials are assumed to be stored in windrows (trapezoids) 12' wide at the base and 8' tall with 8-foot aisles space between windrows

RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL

LTF COMPOST SUBCOMMITTEE

AGENDA

July 14, 2014
10:00 a.m. - 12:00 p.m.

Riverside County
Waste Management Department
14310 Frederick Street
Moreno Valley, CA 92553

ITEM

1. Call to Order and Self Introductions
2. Approval of June 9, 2014 Meeting Minutes
3. Action Items Update
4. Solid Waste Permitting Tiers and Enforcement
5. Review of Composting Conditions of Approval
6. Review of Financial Assurances Formula
7. Next Meeting August 11, 2014 10:00 am @ RCWMD (Second Monday of the Month)
8. Adjournment

**RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
LTF COMPOST SUBCOMMITTEE**

MINUTES

June 9, 2014

The following were present:

MEMBERS

PRESENT

Dan Noble Association of Compost Producers
Bruce Scott Farming Community
Greg Reyes Environ. Health/LEA
Ron Bray Riverside Co. Agriculture

MEMBERS

ABSENT

Robert Magee

Gary Koontz
Nick Young

REPRESENTING

1st District Supervisor's Office

Waste Haulers
Calif. Dept. of Food & Agriculture

County Staff

Hans Kernkamp Waste Management Department
Chris Cunningham IEDA
Ryan Ross Waste Management Department
Lucy Gonzalez Waste Management Department

Representing

Guests/Interested Parties

Clark Pauley, CR&R

Joanne Lee, SARWQCB
Cindy Li, SARWQCB

AGENDA ITEM 1

CALL TO ORDER AND SELF-INTRODUCTIONS

The meeting was called to order at 10:11 a.m., with self-introductions.

AGENDA ITEM 2

APPROVAL OF APRIL 14, 2014 & May 12, 2014 MEETING MINUTES

Dan Noble requested a motion to approve both minutes. First Motion: Greg Reyes, Second Motion: Ron Bray, all in favor, none opposed.

The subcommittee discussed the difficulty in obtaining a quorum based on the lack of participation/attendance from the subcommittee membership. It was recommended that alternate members be appointed. Hans Kernkamp advised he would look into the matter.

AGENDA ITEM 3

ACTION ITEMS

1) WMD will pursue an internal County meeting regarding EA Notifications.

- *Hans Kernkamp advised that the Waste Management Department (WMD) held a meeting on May 27, 2014 with Greg Reyes (LEA/ Environmental Health), Tracey Towner (Code Enforcement), and Ken Baez (Planning). As a result of this meeting, the LEA has agreed to forward an additional letter to the applicant, which states they are subject to local land use regulations, and are required to contact the Planning*

Department for additional information. Planning has advised that once they receive the LEA letter with a copy of the EA Notification, they will also forward a letter to the applicant notifying them to present information to the Planning Department to determine what level of permit (CUP, Plot Plan, etc.) the applicant requires. This will clearly outline to the applicant that they are not allowed to start operations until all local approvals have been obtained. If the applicant has not complied, Planning will notify Code Enforcement, who will visit the site and begin the process of bringing the applicant into compliance. Mr. Kernkamp stated a follow-up meeting with Planning, Code Enforcement and the LEA will take place prior to the next LTF sub-committee meeting.

2) The land application issue will be tabled until the subcommittee's review of the BMPs/Conditions of Approval and Financial Assurance Formula are completed.

- *Review and approval of the BMPs/Conditions of Approval are not complete. Pending industry review/comments (expected by the July 14th meeting), the Subcommittee will review the BMPs/Conditions of Approval and Financial Assurance Formula for approval at the next meeting.*

3) Review of BMPs/Conditions of Approval by private industry LTF Compost Subcommittee interested parties prior to finalizing.

- *Dan Noble stated he would discuss the BMPs/Conditions of Approval and the Financial Assurance Formula with IEDA.*

AGENDA ITEM 4

SOLID WASTE PERMITTING TIERS AND ENFORCEMENT

Greg Reyes stated that the LEA has previously provided a list to Planning identifying facilities in unincorporated Riverside County covered under an EA Notification. Planning reviewed the list and identified that only one facility has proper land-use approvals/entitlements. The LEA will provide another list of facilities with EA Notifications to both Code Enforcement and Planning for their evaluation of the land use approval process for each facility lacking local land-use entitlements.

Hans Kernkamp stated that an additional meeting with Code Enforcement, Planning, and the LEA will be necessary to clarify internal County procedures for addressing EA Notification Tier facilities, but it shouldn't delay the progress on finalizing the BMPs/Conditions of Approval.

Dan Noble asked for clarification as to why the proposed financial assurance formula uses a threshold of 25,000 cubic yards to delineate the two tiers, instead of the 12,500 cubic yards used in EA Notification Tiers. Ryan Ross stated that this was done to mirror the threshold in the proposed Statewide General Order for composting. Cindy Li advised that the threshold in the General Order was determined based on a negotiation with CalRecycle. Using a threshold of 12,500 cubic yards would be too restrictive/costly for smaller facilities. Therefore, the threshold was doubled to 25,000 cubic yards to capture larger facilities, and provide relief to smaller sites.

Dan Noble asked for clarification if all organic management facilities would be subject to the Conditions of Approval and Financial Assurances. Ryan Ross stated that the BMPs/Conditions of Approval are just for compost facilities, not chip & grind facilities. The subcommittee expressed their frustrations with the minimal amount of information required when applying under the EA Notification process, especially the requirements under Section III- Documentation of Local Notification. Mr. Ross advised that while the BMPs/Conditions of Approval would only apply to compost facilities, all facilities under an EA Notification, including chip and grind, are required to obtain local land-use entitlements.

Dan Noble questioned when the applicant submits an EA Notification, are they required to specify the type of operation. Greg Reyes advised that on the back of the application there are multiple options to check off. However, the applicant is not allowed to check more than one box; otherwise, the application will be rejected by the LEA, because the LEA would like to keep all parcel operations separate. Mr. Ross provided a visual presentation of the CalRecycle's website (***see link below**) of the EA Notification application noting the multiple choices to be checked off on page 2 of the form. Additionally, the link for information on the Notification Tier was viewed as well (****see link below**). Greg Reyes advised that the option to check for composting would be Section 17857.1 Green Material Composting Operations. The two other options to be checked off are Section 17862 Research Composting Operations or Section 17862.1 Chipping and Grinding Operations - this option is not considered composting. Greg Reyes advised that composting and chip & grind are two entirely different operations.

***www.calrecycle.ca.gov/lea/forms/Permits/CIWMB169.pdf**

****www.calrecycle.ca.gov/swfacilities/permitting/permittype/notification/**

Greg Reyes discussed CalRecycle's website, and showed sub-committee members where a facility's EA Notification application, identifying the facility type, is available online (***** see link below.**)

*****www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx**

The subcommittee discussed siting of organic facilities. Mr. Kernkamp stated that to address immediate organics management concerns, the County has prepared the BMPs/Conditions of Approval. Co-locating organics facilities at landfills was discussed and Mr. Kernkamp advised that this will be considered as part of a long term plan. He stated that the LTF will play a role in developing any future plans.

AGENDA ITEM 5 REVIEW OF COMPOSTING CONDITIONS OF APPROVAL

Dan Noble advised that this item will be discussed at the next meeting as part of action item #3.

AGENDA ITEM 6
REVIEW OF FINANCIAL ASSURANCES FORMULA

Dan Noble advised that this item will be discussed at the next meeting as part of action item #3.

AGENDA ITEM 7
SETTING OF SCHEDULE FOR FUTURE MEETING TIME & PLACE

The next meeting is scheduled for 10:00 a.m. on July 14, 2014 at the WMD Headquarters.
(Meetings are reoccurring every second Monday of the month.)

AGENDA ITEM 8
ADJOURNMENT

Meeting adjourned at 11:55 a.m.

RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
(COUNTY LOCAL TASK FORCE)
COMPOST SUBCOMMITTEE

AGENDA

August 11, 2014
10:00 a.m.

Riverside County
Waste Management Department
14310 Frederick Street
Moreno Valley, CA 92553

ITEM

1. Call to Order and Self Introductions
2. Approval of July 14, 2014 Meeting Minutes
3. Action Items Update
4. Review of Composting Conditions of Approval
5. Review of Financial Assurances Formula
6. Next Meeting - September 8, 2014 10:00 a.m. @ RCWMD
(Second Monday of the Month)
7. Adjournment

**RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
LTF COMPOST SUBCOMMITTEE**

MINUTES

July 14, 2014

The following were present:

MEMBERS

PRESENT

Dan Noble	Assoc. of Compost Producers
Bruce Scott	Farming Community
Greg Reyes	Environ. Health/LEA
Ron Bray	Riverside Co. Agriculture
Chris Cunningham	IEDA

REPRESENTING

MEMBERS

ABSENT

REPRESENTING

Nick Young	CDFA
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County Staff

Joe McCann	Waste Management Department
Ryan Ross	Waste Management Department
Lucy Gonzalez	Waste Management Department

Representing

Guests/Interested Parties

Clark Pauley, CR&R
Joanne Lee, SARWQCB

AGENDA ITEM 1

CALL TO ORDER AND SELF-INTRODUCTIONS

The meeting was called to order at 10:12 a.m. by Dan Noble, with self-introductions.

AGENDA ITEM 2

APPROVAL OF JUNE 9, 2014 MEETING MINUTES

Dan Noble requested a motion to approve minutes, with the correction of listing Chris Cunningham as a guest/interested party instead of County Staff. Motion made by Ron Bray to approve the minutes as corrected, second motion by Greg Reyes. The minutes were unanimously approved and filed.

AGENDA ITEM 3

ACTION ITEMS UPDATE

1) WMD will pursue an internal County meeting regarding EA Notifications.

- Joe McCann advised that a meeting was held on July 9, 2014 with the Planning Department, LEA, and Code Enforcement. LEA and Planning Department staff presented their template letters that serve the purpose of advising applicants that they still need to comply with land-use regulations. The draft template letters will be attached to the agenda package for the next meeting.
- The group discussed active green waste facilities with EA Notifications in the County. Most facilities already have active/open enforcement cases. Code Enforcement committed to pursuing cases against those facilities within the unincorporated County without an active/open case.

2) The land application issue will be tabled until the subcommittee's review of the BMPs/Conditions of Approval and Financial Assurance Formula are completed.

- Review and approval of the BMPs/Conditions of Approval are not complete.

3) Review of BMPs/Conditions of Approval by private industry LTF Compost Subcommittee interested parties prior to finalizing.

- Dan Noble presented a letter dated July 10, 2014, from the LTF Compost Subcommittee – Industry Working Group with their comments and recommendations on the BMPs/Conditions of Approval and Financial Assurance Calculation Methodology. RCWMD staff will review the letter, prepare a response, and make changes to the BMPs/Conditions of Approval and Financial Assurance Calculation Methodology, as necessary. Any updates to the documents will be reviewed by the Subcommittee at the next meeting.

**AGENDA ITEM 4
SOLID WASTE PERMITTING TIERS AND ENFORCEMENT**

No discussion. An update was provided under Agenda Item 3- Action Items, Item 1- see above.

**AGENDA ITEM 5
REVIEW OF COMPOSTING CONDITIONS OF APPROVAL**

Dan Noble advised that he met with various private industry representatives, including the Inland Empire Disposal Association, to discuss the BMPs/Conditions of Approval and Financial Assurance Calculation Methodology. Mr. Noble presented a comment letter from this Industry Working Group.

Mr. Noble summarized the main questions and comments in the letter that require clarification. RCWMD staff will review the letter, prepare a response, and provide the subcommittee with a redlined version of the documents highlighting any changes.

**AGENDA ITEM 6
REVIEW OF FINANCIAL ASSURANCES FORMULA**

No separate discussion. This item was addressed under Agenda Item 5.

**AGENDA ITEM 7
SETTING OF SCHEDULE FOR FUTURE MEETING TIME & PLACE**

The next meeting is scheduled for 10:00 a.m. on August 11, 2014 at the WMD Headquarters.
(Meetings are reoccurring every second Monday of the month.)

**AGENDA ITEM 8
ADJOURNMENT**

Meeting adjourned at 11:07 a.m.



COUNTY OF RIVERSIDE
DEPARTMENT OF ENVIRONMENTAL HEALTH

Steve Van Stockum, Director

July 11, 2014

DRAFT

Company XXXX
XXXXXXXXXX
XXXX, CA, XXXXX

RE: EA Notification Application

The Riverside County Department of Environmental Health Local Enforcement Agency (LEA) has reviewed your application for an Enforcement Agency Notification for your Site Type, at Address or Location. We have deemed your application package to be complete and correct and have submitted your package to CalRecycle for the issuance of a Solid Waste Information System (SWIS) number.

Please note that receiving this letter and the CalRecycle SWIS number only satisfies the State of California solid waste regulations requirement for properly notifying the LEA of your operation. Your operation may still be required to comply with existing land use regulations and zoning requirements which may apply to this property. Contact the local land use authority for your area to address those issues.

Sincerely,

XXXXXXXXXX
Supervising Environmental Health Specialist
Riverside County Department of Environmental Health LEA

Planning Department Letter Response to the EA Notification letter from Department of Environmental Health.

DRAFT

Date

Company XXXXX

RE: Department of Environmental Health Local Enforcement Agency Letter

The Planning Department has reviewed the letter dated TBD from the LEA regarding your CalRecycle SWIS number and has determined that your proposed operation will need to comply with local landuse authority and apply for the correct landuse entitlements with the Planning Department. Your application will need comply with the County of Riverside zoning Ordinance No. 348, and the development standards identified therein.

If you have any questions, please contact me.

Sincerely

Ken Baez
Principal Planner
Planning Department, County Of Riverside
4080 Lemon Street, 12th Floor
Riverside, California 92501
(951) 955-2009
kbaez@rctlma.org



Cc: LEA, code Enforcement, and Waste Management



Riverside County
Waste Management Department

Hans W. Kernkamp, General Manager-Chief Engineer

July 31, 2014

TO: Dan Noble, Executive Director, Association of Compost Producers (ACP)
Clarke Pauley, CR&R Environmental Services, Member of ACP
Chris Cunningham, Palm Springs Disposal, Board Member, Inland Empire Disposal Association
Paul Ryan, PF Ryan & Associates, Executive Director, IEDA, ACP Board Member

FROM: Hans Kernkamp, General Manager-Chief Engineer
Riverside County Waste Management Department

RE: Riverside County Local Task Force (LTF) Compost Subcommittee – Industry Working Group
Comments on Riverside County Compost Operations Best Management Practices (BMPs) and
Site Clean Up Financial Bond Assurance Calculation Methodology

Thank you for your comment letter dated July 10, 2014, regarding the above. Staff's responses are as outlined below, with a summary of your comment/recommendation in italics.

Questions and Comments

1. *What are the specific base documents being referred to as "Title 14 CCR"?*

Prior drafts of the BMPs contained specific section references in Title 14 and the committee directed staff to remove them in the event the section numbers are revised. Staff agreed with the consensus at that time and does not recommend reversing course at this point.

2. *In "Feedstocks," we did not see Construction and Demolition (C&D) included. Since some of this material is acceptable for mulch (chip & grind) material, and some of it is also included in "Additives and Amendments", we are not clear as to why it is not included, or either specified by component type that are included or excluded.*

As pointed out by the Local Enforcement Agency (LEA) during the July 14, 2014 meeting, it is not recommended that C&D material be included in the BMPs due to the potential for: 1) materials such as treated wood waste or paint contaminated wood to be introduced into the feedstock, and 2) generation of illegal stockpiles of C&D material. Gypsum, clean wood waste, or other permissible additives/amendments derived off-site from C&D materials, can be used.

3. *Neither the "Additives" or "Amendments" are specified (or even some examples given). What specific "Additives" or "Amendments" are included, and why? There are three that are "excluded" (i.e. septage, biosolids or compost feedstock). These "exclusions" are confusing, since one cannot "exclude" compost feedstock in a compost operation (?). Or is it excluded from the "definition" of an additive or amendment? Are the septage and biosolids included or excluded in the operation, or just in the definition?*

No specific additives or amendments are listed to provide greater flexibility to the operator. The excluded materials are intended to not be used. The compost feedstock material is not an additive, as it is raw material. Processed compost would be allowed as an "additive".

4. *Since chip and grind material is largely composed of “green material” (as defined in Title 14 CCR), and it certainly is a major feedstock for compost operations; and since chip & grind material has most of the nuisance, dust and air pollution issues, even prior to composting, as the compost operations also have, we do not see the rationale for excluding chip & grind material from this BMP document. In fact, it seems to us that to manage all these materials under one BMP document and process will not require the operators or the regulators of these facilities to try and split hairs as to when, why and how the environmental and neighborhood impacts of chip and grind “only” facilities vs. compost “only” facilities is actually occurring. In our view, the impacts are shared by both facilities, and can be included in a joint BMP document (see Recommendations: “Include Chip & Grind Operations in these BMPs”, below).*

The genesis for these BMPs was due to a compost operation in Riverside County, not a chip and grind facility. However, the County has refocused enforcement efforts related to chip and grind facilities. Staff intends to apply these BMPs to chip and grind facilities where warranted and will recommend such to the LTF and Board of Supervisors.

5. *We believe that another, more contextual document should be created that can provide a basis for understanding the purpose and use of this Compost Ops BMP document to be used by all the stakeholders.*

Upon approval of the BMPs and Financial Assurance Formula by the subcommittee and LTF, along with concurrence by the Board of Supervisors, the intention of County staff has been, and continues to be, to prepare a fact sheet documenting the process and purpose of said documents. The fact sheet will be provided to the Planning Department and the LEA, for distribution to applicants seeking entitlements for development of green waste facilities, as well as made available on the Riverside County Waste Management Department website.

Recommendations

6. *Develop a contextual document that explains the purpose of the BMPs and stakeholder roles.*

See response to Question 5 above.

7. *There are distinctions between site permits for various operations that are, or should be, included in this document. Either that could be included in the above recommended document, or it might have its own separate document.*

Staff believes that all facilities are covered under the County’s land use process, regardless of CalRecycle’s site permit tier and that follow-through on that existing process is the most effective use of limited resources.

8. *Specify the additives or amendments, and provide a rationale for why some are included and others are excluded. This will provide guidance to both the operator and the regulators so that there is more clarity by both parties. Otherwise, eliminate these sections from the BMPs.*

Staff did not specify additives or amendments to allow operators maximum flexibility. Septage, biosolids, and compost feedstock are not allowed as they either present public health concerns or deemed raw, unprocessed materials.

9. *We strongly recommend that chip and grind operations be included in these BMPs. This is a simple amendment in the heading to include “Chip & Grind and Compost Operations”.*

This change has been made to the BMPs.

10. *There are many elements of these BMPs that apply to both chip and grind and compost operations. This can simply be stated in the margins of each BMP element.*

Staff intends to apply the BMPs to chip and grind where appropriate.

11. *The final page of “Bond calculations and tiers” needs to specify if the 25,000 cy is “amount of material at any one time,” or “annual throughput at the particular facility.”*

The document has been updated to reflect the intent to be “amount of material at any one time.”

The Department hopes that with these clarifications/changes we can obtain concurrence of the proposed Conditions of Approval/BMPs at the next meeting on August 11, 2014. If you have any questions or need clarification, please contact either Ryan Ross or me at (951) 486-3200.

HWK/RR:jrm

Attachment: Draft Revised Conditions of Approval/BMPs and Financial Assurances Formula

cc: LTF Compost Subcommittee Members
Joe McCann/Ryan Ross

Riverside County Best Management Practices	
Applicability	The County BMPs shall be applied to all composting <u>and chip and grind</u> operations undergoing the entitlement process for a Conditional Use Permit (CUP), Plot Plan, or other land-use entitlements.
Feedstock (F)	<ol style="list-style-type: none"> Acceptable feedstock materials include: <ul style="list-style-type: none"> Greenwaste as defined in Title 14 CCR Agricultural materials as defined in Title 14 CCR Food Material that meets the definitions in Title 14 CCR Manure as defined in Title 14 CCR Paper products Restaurant grease and oils Digestate (if permissible under Title 14 CCR)
Additives (Ad)	<p>If applicable:</p> <ol style="list-style-type: none"> Mix additives with feedstock or active compost to create favorable composting conditions. The amount of additives added shall be consistent with applicable regulatory requirements or prevailing industry standards Additives do not include septage, biosolid, or compost feedstock. Additives shall undergo random load-checking for physical contaminants and refuse.
Amendments (Am)	<p>If applicable:</p> <ol style="list-style-type: none"> Add amendments to cured or stabilized compost to provide attributes for the products. The amount of amendments added shall be consistent with applicable regulatory requirements or prevailing industry standards. Amendments do not include septage, biosolids, or compost feedstock. Amendments shall undergo random load-checking for physical contaminants and refuse.
Feedstock Preparation (FP)	<ol style="list-style-type: none"> Feedstock load-checking operations shall be conducted in accordance with the standards set forth in Title 14 CCR. Removal of physical contaminants and refuse (overs/trash) shall be removed from the facility in accordance with Title 14 CCR, or within seven (7) days of screening, whichever date is sooner. Greenwaste shall be processed/ground within the timeframes provided in Title 14 CCR. Foodwaste and manure shall be covered with ground greenwaste, or unscreened or screened compost within 3 hours of receipt and incorporated into an active pile within 48 hours of receipt to minimize odor generation and attraction to vectors. Incorporate wet or odiferous feedstock loads directly into actively composting windrows or aerated static piles, where practical. Mix odiferous feedstock materials with appropriate amount of bulking agent, high carbon amendments, or finished compost and then moisture conditioned to reduce odor releases. Manure shall not exceed 20% by volume. Restaurant grease and oils shall not exceed 5% by volume. Application of restaurant grease and oils shall comply with the following standards: <ol style="list-style-type: none"> Apply to processed feedstock or an active windrow/pile at the time of receipt. Mix with processed feedstock prior to or during pile formation. Once grease trap liquids have been applied to a windrow, the windrow will be

Deleted: Composting Operations

	<p>turned immediately to incorporate the liquid into the windrow feedstock.</p> <p>d. At no time shall grease trap liquids will be stored onsite in tanks or ponds.</p> <p>e. Grease trap liquids will not be applied in a manner that results in ponding around the windrow/pile.</p> <p>f. No direct application to an active windrow that still has a compost cover for emissions control, as required by SCAQMD Rule 1133.3.</p> <p>g. Directly apply to an active windrow that no longer requires a compost cover, or to an active static pile that is aerated under negative pressure and uses an emissions control device, as required by SCAQMD Rule 1133.3.</p> <p>10. Grinding of odiferous feedstock materials should be accompanied with the application of misting water or other odor control measures approved by the DEH/LEA.</p> <p>11. Feedstock composition must be adjusted to achieve a high carbon to nitrogen ratio (30:1), proper moisture contents, and good porosity, all of which are conducive to aerobic decomposition and odor minimization.</p> <p>12. Reduce material mixing activities in unfavorable weather conditions (stagnant air or windy) to minimize odor generation.</p>
Active Composting (AC)	<p>1. Static pile composting method is prohibited for facilities that will contain more than 5,000 cubic yards of material (including feedstock, additives, amendments, chipped/ground material, and compost) at any one time.</p> <p>2. Active composting shall be by means of either the windrow method, aerated static pile, extended aerated static pile, or an alternative technology approved by the LEA/DEH.</p> <p>3. Where feasible, the active composting pad location and windrow/pile configuration and orientation should be such that wind-driven off-site exposures of receptors to composting odors can be minimized.</p> <p>4. Daily monitoring of windrow moisture content and temperature shall be conducted to ensure continuous aerobic composting and detect overheating so as to avoid spontaneous combustion.</p> <p>5. All windrows and piles aerated with positive or negative pressures shall be covered with a layer of finished compost, or other covering methods as approved by LEA/DEH, immediately after windrow and/or pile formation.</p> <p>6. Moisture conditioning of active windrows and piles during the rainy season should be coordinated with weather forecasts. The composter should use his best judgment on the degree of watering to be carried out when rainfall is forecasted. As a good practice, no moisture conditioning should be carried out during rainfall or when there is a 60% or greater chance of rainfall in the next day or two.</p> <p>7. When heavy or extended rainfalls are forecasted, the composter should take the appropriate measures to protect active windrows and piles from saturation with water, including but are not limited to: cover windrows and piles with tarps; add dry feedstock or compost on top of windrows and piles; and increase positive drainage on side slopes of windrows and piles by making the slopes steeper or covering them with tarps.</p> <p>8. The active composting pad shall be graded and maintained to prevent ponding and transmit any free liquid laterally to containment structures on-site. The composting pad and containment structures shall be designed and constructed in compliance with all applicable water quality control regulations.</p> <p>9. All windrows shall be turned regularly to ensure continuous aerobic composting, or according to applicable regulatory requirements pertaining to achieving pathogen reduction and odor minimization standards.</p> <p>10. Avoid windrow turning in unfavorable weather conditions.</p>

Deleted: _____

	<ol style="list-style-type: none"> 11. Where applicable, construct smaller windrows to increase the surface to volume ratio, thus aeration efficiency.
Compost Curing (CC)	<ol style="list-style-type: none"> 1. Curing of compost shall be conducted away from the active composting area to avoid cross-contamination and facilitate separate odor monitoring. 2. Curing compost that have temperature exceeding 122°F, or are seeping leachate, and/or emitting odors on a consistent basis shall be re-composted in the active composting area. 3. Long-term storage of finished compost shall be limited to no greater than one year to avoid it becoming a fire hazard. 4. Screen compost to facilitate aeration and expedite the curing process. 5. Avoid screening of compost in unfavorable weather conditions, or apply misting water or other odor reducing measures, as approved by the LEA/DEH during screening to lessen odor emissions.
OIMP Implementation (OI)	<ol style="list-style-type: none"> 1. The facility shall have a designated full-time staff in charging of implementation of the facility's Odor Impact Minimization Plan (OIMP) and handling of odor complaints and investigations. This person shall also be responsible for regular reviewing and updating of the OIMP in pace with changes in composting operation or procedures. 2. The composting staff shall be well acquainted with and adequately trained to implement the OIMP. 3. If the facility receives an infraction (Area of Concern and/or Notice of Violation) during monthly inspections from the LEA/DEH involving odors, in addition to addressing the LEA/DEH, the operator shall submit a Report to the County's Planning and Waste Management Departments, documenting the source of the odor and both propose and implement mitigation measures which may include installation of wind barriers, such as contiguous tall vegetation, misting systems, or other odor reducing measures, to the County's satisfaction. 4. If after 15 days of implementing mitigation measures, as stated in the Report submitted to the County Planning and Waste Management Department's, the odor issues have not been resolved, as verified by the LEA, the operator shall immediately remove the odiferous material offsite for disposal in accordance with all applicable local, State, and Federal laws, ordinances, and regulations.
Facility Maintenance (FM)	<ol style="list-style-type: none"> 1. On-site dust control shall use domestic water, non-potable reclaimed water, or dust suppressants, as identified in SCAQMD Rule 403. 2. Site drainage design shall prevent run-on onto the active composting area, feedstock storage area, compost curing area, and finished compost storage area. 3. Surface run-off from all compostable materials processing, treatment, and storage areas shall be contained on-site, in compliance with applicable water quality control regulations. 4. All wastewater conveyance and containment facilities shall be periodically inspected to ensure performance and assess their capacity to attract vectors and generate odors and to effectively collect and contain wastewater. 5. Use compost filter berms to filter stormwater entering the containment structure. The compost filters can be reintroduced back to the composting process. 6. Re-circulate retained wastewater into the composting process.

Characteristics	Tier 1	Tier 2
Total Facility Capacity at Any One Time ¹	<25,000 cy (all allowable materials received, processed, and stored: feedstock, amendments, active and curing composting, and finished products)	>25,000 cy (all allowable materials received, processed, and stored: feedstock, amendments, active and curing composting, and finished products)
Allowable Feedstock ²	Agricultural material, green material, paper material, vegetative food material, or a combination of these feedstock, including anaerobic digestate derived from the acceptable feedstock.	Tier 1 feedstock plus biosolids, or food materials, or manure, or grease waste, or a combination of these feedstock.
Bond Amount Calculation Methodology		
Base Bond Amount (BBA)	\$250,000 or Apply Formula	
Cleanup Activities Covered	Material Loading + Transportation + Disposal + Testing + Administration (assuming 7.5%)	
Material Loading Cost ²	\$8 per ton	
Transportation Cost ²	0.0041 cent per ton per vehicle-mile-traveled (VMT), assuming 22 tons/truck load	
Total Disposal VMT (TVMT)	Total onsite Storage Capacity (TSC) ÷ 22 tons/load x roundtrip VMT to landfill	
Disposal in Riverside County	At current fees: Unprocessed Greenwaste (GW) @ Greenwaste Rate (GR) (e.g., \$45.80 in 2014) Active compost, biosolid, and grease waste @ Hard-to-Handle Rate (H2H) (e.g., \$47.73/ton in 2014) Finished compost and ground clean greenwaste @ Beneficial Refuse Rate (BR) (e.g., \$10/ton in 2014)	
Administration Fee (AF)	7.5% of the sum of material loading and transportation costs	
Material Testing (MT)	\$5,000	
Maximum Total On-site Storage Capacity (ton or cy) ³	Feedstock Receiving Area: Maximum Greenwaste (GW) capacity Active Composting Area: Maximum Active Compost (AC) capacity Curing & Product Storage Areas: Maximum Finished Compost (FC) capacity TSC = GW + AC + FC	
Conversion Factors	GW: 0.5 ton/cy AC: 0.65 ton/cy FC: 0.4 ton/cy	
Formula	$\{[(TSC \times \$8/ton) + (TSC \times TVMT \times 0.0041 \text{ cent/ton/mile} \times 1 \text{ dollar/100 cent})] \times (1 + 7.5\%)\} + (GW \times GR + AC \times H2H + FC \times BR) + MT;$ or BBA, whichever is greater.	
Annual Bond Adjustment	Due to the long CUP life of composting facilities, the bond value need be adjusted according to the CPI during its annual update. Adjustable values include: BBA, material loading cost (\$8/ton), transportation cost (0.0041 cent), MT, and AF. In addition, disposal fee needs be updated, as warranted.	

¹ A composting facility is a Tier 2 facility regardless of its total facility capacity, as long as it composites food materials, or manure, or grease waste.

² Material loading and transportation unit costs are derived from the RCWMD unit costs for CalBioMass cleanup.

³ Materials are assumed to be stored in windrows (trapezoids) 12' wide at the base and 8' tall with 8-foot aisles space between windrows

Deleted:

RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
(COUNTY LOCAL TASK FORCE)
COMPOST SUBCOMMITTEE

AGENDA

September 8, 2014
10:00 a.m.

Riverside County
Waste Management Department
14310 Frederick Street
Moreno Valley, CA 92553

ITEM

1. Call to Order and Self Introductions
2. Approval of August 11, 2014 Meeting Minutes
3. SWMAC <F Meeting - September 18, 2014
 - a. Compost Subcommittee Activity Summary Report
4. Land Application of Greenwaste/Compost
5. Next Meeting - TBD
6. Adjournment

**RIVERSIDE COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
(COUNTYWIDE LOCAL TASK FORCE)
COMPOST SUBCOMMITTEE**

**MINUTES
August 11, 2014**

The following were present:

<u>MEMBERS PRESENT</u>	<u>REPRESENTING</u>	<u>MEMBERS ABSENT</u>	<u>REPRESENTING</u>
Bob Magee	1 st Supervisorial District	Nick Young	CDFA
Ron Bray	Riverside Co. Agriculture		
Bruce Scott	Agriculture		
Chris Cunningham	IEDA		
Dan Noble	Assoc. of Compost Producers		
Greg Reyes	Environmental Health/LEA		
<u>STAFF</u>	<u>REPRESENTING</u>	<u>GUESTS/INTERESTED PARTIES</u>	
Hans Kernkamp	Waste Management Dept.	Paul Ryan	
Joe McCann	Waste Management Dept.		
Ryan Ross	Waste Management Dept.		
Frances Zamora	Waste Management Dept.		

**AGENDA ITEM 1
CALL TO ORDER AND SELF-INTRODUCTIONS**

The meeting was called to order at 10:08 a.m. by Dan Noble, with self-introductions.

**AGENDA ITEM 2
APPROVAL OF JULY 14, 2014 MEETING MINUTES**

Greg Reyes moved that the minutes of the July 14, 2014, be approved as submitted, seconded by Chris Cunningham. Bob Magee abstained. The minutes were filed.

**AGENDA ITEM 3
ACTION ITEMS UPDATE**

Dan Noble said staff's response dated July 31, 2014, to the Industry Working Group's letter dated July 10, 2014, seems to address all of their concerns.

AGENDA ITEM 4

REVIEW OF COMPOSTING CONDITIONS OF APPROVAL

On the motion of Bob Magee, seconded by Greg Reyes, the Subcommittee agreed to forward the Conditions of Approval to the Solid Waste Management Advisory Council/Local Task Force (LTF). Motion carried unanimously.

Hans Kernkamp will invite staff from the Executive Office and/or Riverside County Flood Control and Water Conservation District that oversee NPDES programs to the next LTF Meeting.

AGENDA ITEM 5

REVIEW OF FINANCIAL ASSURANCES FORMULA

On the motion of Bob Magee, seconded by Greg Reyes, the Subcommittee agreed to forward the Financial Assurances Formula to the Solid Waste Management Advisory Council/LTF, with the modification of Tier 2 Total Facility Capacity to read $\geq 25,000$ cy, instead of $> 25,000$ cy. Motion carried unanimously.

The Subcommittee will take up the matter of Land Application at the next meeting, focusing on defining what they would like to accomplish, and enforcement possibilities.

ITEM 7

ADJOURNMENT

The meeting was adjourned at 11:55 a.m.

HK:fz

PD# 159582

**SUBMITTAL TO THE SOLID WASTE MANAGEMENT ADVISORY
COUNCIL/LOCAL TASK FORCE (LTF)
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Waste Management Department

SUBMITTAL DATE: September 18, 2014

SUBJECT: Adoption of Recommendations for Compost Best Management Practices and/or Conditions of Approval (BMPs/COA) from the Compost Subcommittee.

RECOMMENDED MOTION: That the Riverside County LTF:

1. Adopt the subcommittee's recommendation directing the County to utilize the attached Compost BMPs/COA for new facilities within the County unincorporated area.
- 2.

BACKGROUND: On February 20, 2014, the LTF formed a subcommittee to review and make recommendations on Compost Best Management Practices that the County was considering applying to new facilities through the County's land application process. The group has met monthly since March of 2014 and recently recommended that the final BMPs/COA be forwarded to the LTF for approval. A summary of the subcommittee's work to date is attached, along with complete copies of their meeting minutes and the BMPs/COA.

Hans Kernkamp
General Manager-Chief Engineer

MINUTES OF THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL

On the motion of _____ seconded by _____, and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes:

Nays:

Absent:

Frances Zamora
Executive Assistant

Summary of Subcommittee Work to Date

March 2014 Meeting

Due to lack of quorum, no action was taken, but members and attendees had a healthy discussion on the status of both compost and land application concerns within the county and state. The county's draft BMPs were reviewed by staff. Those present agreed that the BMPs should have less specificity related to regulatory citations (only refer to Titles, not Sections) and be consistent with current regulations. It was also agreed that staff should develop a formula for financial assurance that would take into account facility capacity and/or throughput for consideration at the next meeting.

April 2014 Meeting

Dan Noble was selected as subcommittee chairman and it was agreed to table the land application discussion until the BMPs could be finalized. An overview of the regulatory tiered processing of compost and green waste chip and grind facilities applications was provided by the LEA, Planning and Code Enforcement, who were in attendance. Revised BMPs were provided to the subcommittee members and discussed. Staff was requested to have an internal meeting with County Code/Planning/LEA to discuss implementation coordination and consistency. A priority of action items was discussed and agreed to. Meeting frequency was agreed to be monthly, on the second Monday of the month.

May 2014 Meeting

Staff was scheduling the internal county department meeting between LEA, Code and Planning. A review of the tiered regulatory processing of compost and chip and grind facilities was provided by the LEA. Revised BMPs were discussed and it was suggested that they become Conditions of Approval (COA) as well to make them more enforceable. The financial assurance formula was presented by staff and discussed by the group.

June 2014 Meeting

Staff reported on a May 27, 2014 meeting with LEA, Code and Planning. A process for sending letters to the applicant was established that clearly directs them to pursue all local approvals. A follow-up meeting with LEA, Code, and Planning will take place prior to the next subcommittee meeting. Review of the BMPs/COA and financial assurance formula continued and the chairman offered to reach out to industry groups to make sure their concerns are addressed.

July 2014 Meeting

Staff reported that a meeting was held on July 9, 2014 with the LEA, Code, and Planning in which template letters had been discussed. Staff committed to provide the draft template letters to the subcommittee at the next meeting. The group discussed active green waste facilities with EA Notifications in the county and that most facilities already have active/open enforcement cases. A comment letter on the BMPs/COA from an industry working group was provided and reviewed with the group by the chairman. Staff indicated that the county would review and provide a formal response.

August 2014 Meeting

The county's formal response letter was reviewed, along with changes in response to the industry group letter and the BMPs/COA recommended for approval and forwarding to the LTF. The subcommittee agreed to take up the discussion of land application next meeting.

Subcommittee Meeting Minutes

DRAFT

Subcommittee Recommended BMPs/COA

DRAFT

Subcommittee Recommended BMPs/COA

Riverside County Best Management Practices	
Applicability	The County BMPs shall be applied to all composting and chip and grind operations undergoing the entitlement process for a Conditional Use Permit (CUP), Plot Plan, or other land-use entitlements.
Feedstock (F)	<ol style="list-style-type: none"> 1. Acceptable feedstock materials include: <ul style="list-style-type: none"> • Greenwaste as defined in Title 14 CCR • Agricultural materials as defined in Title 14 CCR • Food Material that meets the definitions in Title 14 CCR • Manure as defined in Title 14 CCR • Paper products • Restaurant grease and oils • Digestate (if permissible under Title 14 CCR)
Additives (Ad)	<p>If applicable:</p> <ol style="list-style-type: none"> 1. Mix additives with feedstock or active compost to create favorable composting conditions. 2. The amount of additives added shall be consistent with applicable regulatory requirements or prevailing industry standards 3. Additives do not include septage, biosolid, or compost feedstock. 4. Additives shall undergo random load-checking for physical contaminants and refuse.
Amendments (Am)	<p>If applicable:</p> <ol style="list-style-type: none"> 1. Add amendments to cured or stabilized compost to provide attributes for the products. 2. The amount of amendments added shall be consistent with applicable regulatory requirements or prevailing industry standards. 3. Amendments do not include septage, biosolids, or compost feedstock. 4. Amendments shall undergo random load-checking for physical contaminants and refuse.
Feedstock Preparation (FP)	<ol style="list-style-type: none"> 1. Feedstock load-checking operations shall be conducted in accordance with the standards set forth in Title 14 CCR. 2. Removal of physical contaminants and refuse (overs/trash) shall be removed from the facility in accordance with Title 14 CCR, or within seven (7) days of screening, whichever date is sooner. 3. Greenwaste shall be processed/ground within the timeframes provided in Title 14 CCR. 4. Foodwaste and manure shall be covered with ground greenwaste, or unscreened or screened compost within 3 hours of receipt and incorporated into an active pile within 48 hours of receipt to minimize odor generation and attraction to vectors. 5. Incorporate wet or odiferous feedstock loads directly into actively composting windrows or aerated static piles, where practical. 6. Mix odiferous feedstock materials with appropriate amount of bulking agent, high carbon amendments, or finished compost and then moisture conditioned to reduce odor releases. 7. Manure shall not exceed 20% by volume. 8. Restaurant grease and oils shall not exceed 5% by volume. 9. Application of restaurant grease and oils shall comply with the following standards: <ol style="list-style-type: none"> a. Apply to processed feedstock or an active windrow/pile at the time of receipt. b. Mix with processed feedstock prior to or during pile formation. c. Once grease trap liquids have been applied to a windrow, the windrow will be

	<p>turned immediately to incorporate the liquid into the windrow feedstock.</p> <ul style="list-style-type: none"> d. At no time shall grease trap liquids will be stored onsite in tanks or ponds. e. Grease trap liquids will not be applied in a manner that results in ponding around the windrow/pile. f. No direct application to an active windrow that still has a compost cover for emissions control, as required by SCAQMD Rule 1133.3. g. Directly apply to an active windrow that no longer requires a compost cover, or to an active static pile that is aerated under negative pressure and uses an emissions control device, as required by SCAQMD Rule 1133.3. <p>10. Grinding of odiferous feedstock materials should be accompanied with the application of misting water or other odor control measures approved by the DEH/LEA.</p> <p>11. Feedstock composition must be adjusted to achieve a high carbon to nitrogen ratio (30:1), proper moisture contents, and good porosity, all of which are conducive to aerobic decomposition and odor minimization.</p> <p>12. Reduce material mixing activities in unfavorable weather conditions (stagnant air or windy) to minimize odor generation.</p>
Active Composting (AC)	<ul style="list-style-type: none"> 1. Static pile composting method is prohibited for facilities that will contain more than 5,000 cubic yards of material (including feedstock, additives, amendments, chipped/ground material, and compost) at any one time. 2. Active composting shall be by means of either the windrow method, aerated static pile, extended aerated static pile, or an alternative technology approved by the LEA/DEH. 3. Where feasible, the active composting pad location and windrow/pile configuration and orientation should be such that wind-driven off-site exposures of receptors to composting odors can be minimized. 4. Daily monitoring of windrow moisture content and temperature shall be conducted to ensure continuous aerobic composting and detect overheating so as to avoid spontaneous combustion. 5. All windrows and piles aerated with positive or negative pressures shall be covered with a layer of finished compost, or other covering methods as approved by LEA/DEH, immediately after windrow and/or pile formation. 6. Moisture conditioning of active windrows and piles during the rainy season should be coordinated with weather forecasts. The composter should use his best judgment on the degree of watering to be carried out when rainfall is forecasted. As a good practice, no moisture conditioning should be carried out during rainfall or when there is a 60% or greater chance of rainfall in the next day or two. 7. When heavy or extended rainfalls are forecasted, the composter should take the appropriate measures to protect active windrows and piles from saturation with water, including but are not limited to: cover windrows and piles with tarps; add dry feedstock or compost on top of windrows and piles; and increase positive drainage on side slopes of windrows and piles by making the slopes steeper or covering them with tarps. 8. The active composting pad shall be graded and maintained to prevent ponding and transmit any free liquid laterally to containment structures on-site. The composting pad and containment structures shall be designed and constructed in compliance with all applicable water quality control regulations. 9. All windrows shall be turned regularly to ensure continuous aerobic composting, or according to applicable regulatory requirements pertaining to achieving pathogen reduction and odor minimization standards. 10. Avoid windrow turning in unfavorable weather conditions.

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Facility Maintenance (FM)	<ol style="list-style-type: none"> 1. On-site dust control shall use domestic water, non-potable reclaimed water, or dust suppressants, as identified in SCAQMD Rule 403. 2. Site drainage design shall prevent run-on onto the active composting area, feedstock storage area, compost curing area, and finished compost storage area. 3. Surface run-off from all compostable materials processing, treatment, and storage areas shall be contained on-site, in compliance with applicable water quality control regulations. 4. All wastewater conveyance and containment facilities shall be periodically inspected to ensure performance and assess their capacity to attract vectors and generate odors and to effectively collect and contain wastewater. 5. Use compost filter berms to filter stormwater entering the containment structure. The compost filters can be reintroduced back to the composting process. 6. Re-circulate retained wastewater into the composting process.

Characteristics	Tier 1	Tier 2
Total Facility Capacity at Any One Time	<25,000 cy (all allowable materials received, processed, and stored: feedstock, amendments, active and curing composting, and finished products)	≥25,000 cy (all allowable materials received, processed, and stored: feedstock, amendments, active and curing composting, and finished products)
Allowable Feedstock ¹	Agricultural material, green material, paper material, vegetative food material, or a combination of these feedstock, including anaerobic digestate derived from the acceptable feedstock.	Tier 1 feedstock plus biosolids, or food materials, or manure, or grease waste, or a combination of these feedstock.
Bond Amount Calculation Methodology		
Base Bond Amount (BBA)	\$250,000 or Apply Formula	APPLY FORMULA
Cleanup Activities Covered	Material Loading + Transportation + Disposal + Testing + Administration (assuming 7.5%)	
Material Loading Cost ²	\$8 per ton	
Transportation Cost ²	0.0041 cent per ton per vehicle-mile-traveled (VMT), assuming 22 tons/truck load	
Total Disposal VMT (TVMT)	Total onsite Storage Capacity (TSC) ÷ 22 tons/load x roundtrip VMT to landfill	
Disposal in Riverside County	At current fees: Unprocessed Greenwaste (GW) @ Greenwaste Rate (GR) (e.g., \$45.80 in 2014) Active compost, biosolid, and grease waste @ Hard-to-Handle Rate (H2H) (e.g., \$47.73/ton in 2014) Finished compost and ground clean greenwaste @ Beneficial Refuse Rate (BR) (e.g., \$10/ton in 2014)	
Administration Fee (AF)	7.5% of the sum of material loading and transportation costs	
Material Testing (MT)	\$5,000	\$10,000
Maximum Total On-site Storage Capacity (ton or cy) ³	Feedstock Receiving Area: Maximum Greenwaste (GW) capacity Active Composting Area: Maximum Active Compost (AC) capacity Curing & Product Storage Areas: Maximum Finished Compost (FC) capacity TSC = GW + AC + FC	
Conversion Factors	GW: 0.5 ton/cy AC: 0.65 ton/cy FC: 0.4 ton/cy	
Formula	$\{[(\mathbf{TSC} \times \$8/\text{ton}) + (\mathbf{TSC} \times \mathbf{TVMT} \times 0.0041 \text{ cent/ton/mile} \times 1 \text{ dollar}/100 \text{ cent})] \times (1 + 7.5\%)\} + (\mathbf{GW} \times \mathbf{GR} + \mathbf{AC} \times \mathbf{H2H} + \mathbf{FC} \times \mathbf{BR}) + \mathbf{MT};$ or BBA , whichever is greater.	
Annual Bond Adjustment	Due to the long CUP life of composting facilities, the bond value need be adjusted according to the CPI during its annual update. Adjustable values include: BBA , material loading cost (\$8/ton), transportation cost (0.0041 cent), MT , and AF . In addition, disposal fee needs be updated, as warranted.	

¹ A composting facility is a Tier 2 facility regardless of its total facility capacity, as long as it composts food materials, or manure, or grease waste.

² Material loading and transportation unit costs are derived from the RCWMD unit costs for CalBioMass cleanup.

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