

COUNCIL AGENDA: FEBRUARY 5, 2013

SUBJECT: ADOPTION OF THIRD AMENDMENT OF NONDISPOSAL FACILITY ELEMENT

SOURCE: Public Works Department – Field Services Division

COMMENT: California Public Resources Code (PRC), Sections 41730 et seq, requires every California city and county to prepare and adopt a Nondisposal Facility Element (NDFE) for all new nondisposal facilities and any expansions of an existing nondisposal facility which are needed to implement the City's Source Reduction and Recycling Element (SRRE). A nondisposal facility is defined by PRC Section 40151 as any solid waste facility required to obtain a state solid waste facility permit, except solid waste disposal facilities or transformation facilities.

On October 16, 2012, Council approved amending the City's NDFE to operate a transfer facility that would expand the existing facility to no more than 150 tons per day of recyclables, compostables and municipal solid waste. The material received at the transfer station is then transferred to either a permitted materials recovery facility (MRF), permitted compostable materials handling facility, or a permitted landfill.

On December 4, 2012, Council approved amending the contract with Pena's Disposal Service to include the transfer and processing of all solid waste streams, including green waste. Attached for Council's review, Staff has prepared a third amendment to the City's Nondisposal Facility Element, moving the green waste processing onto a separate 200 ton per day operating site with an Enforcement Agency Notification. As indicated by PRC Section 41735 (a) & Section 15282 (p), the adoption or amendment of this NDFE is not subject to environmental review under the California Environmental Quality Act (CEQA).

The third amendment to the NDFE will be forwarded to Tulare County for inclusion in the County-wide Integrated Waste Management Plan, and it will also be submitted to the Department of Resources, Recycling and Recovery (CalRecycle) for their records.

RECOMMENDATION: That City Council:

1. Approve the amended Nondisposal Facility Element.

ATTACHMENTS: Draft Resolution
Amended Nondisposal Facility Element

Dir DD Appropriated/Funded MD CM J

Item No. 8

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE AUTHORIZING THE ADOPTION OF A THIRD
AMENDMENT OF THE NONDISPOSAL FACILITY ELEMENT (NDFE)
FOR THE CITY OF PORTERVILLE

WHEREAS, an amended Nondisposal Facility Element (NDFE) has been prepared to implement the City's local Source Reduction and Recycling Element (SRRE);

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Porterville as follows:

Section 1. The Council hereby adopts the proposed amended Nondisposal Facility Element (NDFE) as attached hereto as Exhibit "A".

Section 2. The City of Porterville amended Nondisposal Facility Element (NDFE) shall be transmitted to the County of Tulare, and to the Department of Resources, Recycling and Recovery (CalRecycle), for their records.

Section 3. This Resolution shall take effect immediately upon its passage.

BE IT FURTHER RESOLVED that the Mayor of the City of Porterville is hereby authorized to execute those documents as are necessary to implement the provisions hereof.

PASSED, APPROVED and ADOPTED this 5th day of February, 2013.

Virginia R. Gurrola, Mayor

ATTEST:
John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk

CITY OF PORTERVILLE

NONDISPOSAL FACILITY ELEMENT

California Public Resources Code (PRC), Sections 41730 et seq, requires every California city and county to prepare and adopt a Nondisposal Facility Element (NDFE) for all new nondisposal facilities, and any expansions of existing nondisposal facilities, which will be needed to implement local Source Reduction and Recycling Element (SRRE). A nondisposal facility is defined as any solid waste facility required to obtain a solid waste facility permit except a disposal facility or a transformation facility (PRC Section 40151).

The City of Porterville has prepared, adopted, and hereby transmits to Tulare County, the City's amended NDFE, as required by PRC Section 41730 for inclusion in the County-wide Integrated Waste Management Plan. The City is also submitting a copy of its amended NDFE to the Department of Resources, Recycling and Recovery (CalRecycle) for their records.

The City has no permitted nondisposal facilities within its jurisdiction. This amended NDFE identifies a green waste processing site located at the City's Corporation Yard, along with the utilization of the existing transfer facility to collect and transfer residential, mixed commercial and drop-off recyclables, and municipal solid waste, as nondisposal facilities necessary to implement the City's waste diversion goals. Table A, attached, identifies the nondisposal facilities the City is currently utilizing to implement its SRRE and meet the solid waste diversion requirements of PRC Section 41780.

As indicated by PRC Section 41735 (a), the adoption or amendment of this element is not subject to environmental review under the California Environmental Quality Act (CEQA).

<p>TABLE A CITY OF PORTERVILLE NDFE FACT SHEET</p>
<p>FACILITY: City of Porterville Direct Transfer Facility</p>
<p>FACILITY LOCATION: City of Porterville Corporation Yard 555 N. Prospect Street</p>
<p>TYPE OF FACILITY: Transfer Station</p>
<p>FACILITY CAPACITY: Not to exceed 150 tons per day.</p>
<p>Up to 150 tons of residential curbside recyclables, mixed commercial and drop-off recyclables and municipal solid waste will be transferred to either a permitted materials recovery facility (MRF) or a permitted landfill.</p>
<p>EXPECTED DIVERSION RATE: 75%</p>

<p>CITY OF PORTERVILLE NDFE FACT SHEET</p>
<p>FACILITY: City of Porterville Green Waste Processing</p>
<p>FACILITY LOCATION: City of Porterville Corporation Yard 555 N. Prospect Street</p>
<p>TYPE OF FACILITY: Processing</p>
<p>FACILITY CAPACITY: 200 tons per day</p>
<p>Green waste and wood waste to be dumped and top loaded to transfer trailers and hauled to a permitted compostable materials handling facility.</p>
<p>EXPECTED DIVERSION RATE: The City of Porterville hauls an average of 8000 tons of green waste per year.</p>