

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, CA 95826
(916) 255-2200

Tuesday, September 10, 1996
1:30 p.m.
meeting of the

ADMINISTRATION COMMITTEE

Daniel G. Pennington, Chairman
Robert C. Frazee, Member
Janet Gotch, Member

AGENDA

- Note:
- o Agenda items may be taken out of order.
 - o If written comments are submitted, please provide 15 two-sided copies.
 - o Public testimony may be limited to five minutes per person.
 - o Unless otherwise indicated, Committee meetings will be held in the CIWMB Hearing Room, 8800 Cal Center Drive, Sacramento, CA.
 - o To request special accommodations for those persons with disabilities, please contact the Committee Secretary at (916) 255-2151.

Important Notice: The Board intends that Committee Meetings will constitute the time and place where the major discussion and deliberation of a listed matter will be initiated. After consideration by the Committee, matters requiring Board action will be placed on an upcoming Board Meeting Agenda. Discussion of matters on Board Meeting Agendas may be limited if the matters are placed on the Board's Consent Agenda by the Committee. Persons interested in commenting on an item being considered by a Board Committee or the full Board are advised to make comments at the Committee meeting where the matter is considered.

Some of the items listed below may be removed from the agenda prior to the Committee meeting. To verify whether an item will be heard, please call Marlene Kelly, Committee Secretary, at (916) 255-2151.

1. CONSIDERATION OF FUNDING RECOMMENDATIONS FOR THE 1996/97 FY USED OIL GRANT PROGRAM FOR NONPROFIT ORGANIZATIONS
2. CONSIDERATION OF APPROVAL AND AWARD OF A CONTRACT TO THE COMMUNITY ENVIRONMENTAL COUNCIL TO PROVIDE R-TEAM SERVICES IN SOUTHERN CALIFORNIA FROM OCTOBER 1, 1996 TO SEPTEMBER 30, 1997
3. CONSIDERATION OF APPROVAL AND AWARD OF A CONTRACT WITH THE WALT DISNEY COMPANY
4. UPDATE ON THE STATUS OF OUT-OF-STATE WASTE EXPORT
5. OPEN DISCUSSION
6. ADJOURNMENT

1

10

15

19

Notice:

The Board or the Committee may hold a closed session to discuss the appointment or employment of public employees and litigation under authority of Government Code Sections 11126 (a) and (q), respectively.

For further information contact:
INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, CA 95826

Patti Bertram
(916) 255-2156

NOTE: BOARD AND COMMITTEE AGENDAS ARE AVAILABLE ON THE INTERNET. THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD'S HOME PAGE IS AS FOLLOWS: [HTTP://WNW.CIWMB.CA.GOV/](http://wnw.ciwmb.ca.gov/)

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

ADMINISTRATION COMMITTEE

September 10, 1996

AGENDA ITEM # 1

ITEM: CONSIDERATION OF FUNDING RECOMMENDATIONS FOR THE 1996/97 FY USED OIL GRANT PROGRAM FOR NONPROFIT ORGANIZATIONS

I. SUMMARY

In accordance with the Board's grant award process, the Administration Committee hears staff recommendations for funding based upon the criteria and scoring process established by the Board. Staff has applied these criteria in evaluating the applications for the Used Oil Grants for Nonprofit Organizations for 1996/97. This item presents Board staff's recommendations for the Nonprofit Grant awards.

II. PREVIOUS COMMITTEE ACTION

At the time this item was written, no action had been taken by the Administration Committee.

III. OPTIONS FOR THE COMMITTEE

Committee members may wish to:

1. Approve staff recommendations and award the Used Oil Grants for Nonprofit Organizations for 1996/97 as presented in Attachment A, and approve Board Resolution No. 96-380; or
2. Direct staff to reconsider the proposed Nonprofit Grant awards.

IV. STAFF RECOMMENDATIONS

Staff recommends Option 1: Approve staff recommendations for award of the Used Oil Grants for Nonprofit Organizations and approve Resolution No. 96-380.

V. ANALYSIS

Background

The California Oil Recycling Enhancement Act (Public Resources Code §48600 et seq.) mandates the Board to collect \$0.16 per gallon on the sale of lubricating oil. These funds are used for collection and recycling programs. Public Resources Code §48632(b) authorizes a grant program to nonprofit organizations. At least 10% of the Oil Recycling Fund (Fund) shall be used for the grants specified in this section. The amount recommended,

\$3,313,615, is at least 10% of the Fund.

Administrative Review Process

In April 1996, the Board offered the second cycle of Used Oil Grants for Nonprofit Organizations. The Board made available up to \$100,000 per application for two year programs. By the June 14, 1996 deadline the Board received 49 applications for a total request of \$4,107,594.

Applications were reviewed by one of three panels consisting of three staff from the Used Oil and Household Hazardous Waste Program, and the Administration and Finance Division. Applications were reviewed to assure that:

- all information and attachments required in the application instructions were included and complete
- the application included proof of nonprofit status in the form of an official Letter of Determination of 501(c) status from the Internal Revenue Service
- the proposal is eligible for funding by receiving at least 70 of the possible 100 General Review Criteria points available

Applicants who provided incomplete information were contacted by phone or facsimile and asked to provide the necessary information.

Award of Grants

Included as Attachment A is the list of applicants and their recommended award status. Of the 49 applications received 42 are recommended for funding.

One application, San Luis Obispo County Builders Exchange, is listed as Conditionally Recommended pending confirmation of their 501(c)(6) tax exempt status. They have lost their official Letter of Determination. Because of the potential benefit to the public and the environment, staff advocates that this proposal be recommended for funding on the condition that a formal agreement will not be signed by either party until San Luis Obispo County Builders Exchange can provide a replacement Letter of Determination. An Internal Revenue Service employee told staff that a new letter can be issued within 30 days after the request is received.

VI. FUNDING INFORMATION

<p>Amount Requested in Item: \$ <u>3,313,615</u></p> <p>Fiscal Year: <u>1996/97</u></p> <p>Fund Source:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> Used Oil Recycling Fund<input type="checkbox"/> Tire Recycling Management Fund<input type="checkbox"/> Recycling Market Development Revolving Loan Account<input type="checkbox"/> Integrated Waste Management Account<input type="checkbox"/> Other _____ (Specify) <p>Approved From Line Item:</p> <ul style="list-style-type: none"><input type="checkbox"/> Consulting & Professional Services<input type="checkbox"/> Training<input type="checkbox"/> Data processing<input checked="" type="checkbox"/> Other <u>Nonprofit Organizations</u> (Specify) <p>Redirection:</p> <p>If Redirection of Funds: \$ _____</p> <p>Fund Source: _____</p> <p>Line Item: _____</p>

VII. ATTACHMENTS

- A. Staff Funding Recommendations for the 1996/97 Used Oil Grants for Nonprofit Organizations.
- B. Scoring Criteria Approved by the Board.
- C. Board Resolution No. 96-380: "Approval of 1996/97 FY Used Oil Grants for Nonprofit Organizations."

VIII. APPROVALS

Prepared by: Nora Keenan Phone: 255-4576

Reviewed by: Debra Kustic Phone: 255-2136
Debra Kustic, Interim Section Manager

Reviewed by: Mitch Delmage Phone: 255-4455
Mitch Delmage, Branch Manager

Reviewed by: Marie Laverne 8/30 Phone: 255-2269
Marie Laverne, Deputy Director
Administration & Finance Division

Reviewed by: Judith G. Friedman Phone: 255-2376
Judith Friedman, Deputy Director
Diversion, Planning & Local Assistance Division

STAFF FUNDING RECOMMENDATIONS FOR 1996/97 FY
USED OIL GRANTS FOR NONPROFIT ORGANIZATIONS

<u>Recommended</u>	<u>Funds Recommended</u>
American Oceans Campaign	\$100,000.00
Anaheim Family YMCA	\$43,237.00
Arcata Community Recycling Center, Inc.	\$38,059.00
Association for the Developmentally Handicapped of Madera County	\$48,289.00
Beacon House Association of San Pedro	\$67,153.00
The Boys and Girls Club of Fullerton	\$80,379.00
Boys and Girls Club of San Gabriel Valley	\$100,000.00
California Association of 4 Wheel Drive Clubs	\$40,336.00
Charity Without Borders	\$92,898.00
Community Action Commission of Santa Barbara County	\$98,500.00
Community Environmental Council	\$99,966.00
Concerned Citizens of South Central Los Angeles	\$87,564.00
Conservation Corps of Long Beach	\$87,668.00
East Bay Conservation Corps	\$93,610.00
El Concilio del Condado de Ventura	\$96,851.00
Environmental Health Coalition	\$8,679.00
Epiphany Catholic Church	\$44,850.00
First American Methodist Episcopal Assistance Corporation	\$85,177.00
Fresno County Economic Opportunities Commission - Fresno Conservation Corps	\$79,864.00
Girls and Boys Clubs of Garden Grove	\$71,450.00
Glenn Economic Development Corporation	\$100,000.00
Heal the Bay	\$96,491.00
I Love a Clean San Diego County, Inc.	\$88,757.00
Keep California Beautiful	\$39,580.00
Local Government Commission	\$100,000.00
Los Angeles Conservation Corps	\$85,623.00
Los Angeles Economic Development Corporation	\$97,744.00
Marin County Conservation Corps	\$74,846.00
Oakland Recycling Association	\$100,000.00
Orange County Conservation Corps	\$55,342.00
Partnership for Environmental Progress	\$88,640.00
Petersen Automotive Museum	\$64,135.00
Regional Planning and Analysis Services, Inc.	\$100,000.00
Sacramento Local Conservation Corps	\$82,539.00
San Jose Conservation Corps	\$99,999.00
Save Our Shores	\$87,596.00
Silicon Valley Pollution Prevention Center	\$85,000.00
Solana Recyclers, Inc.	\$73,475.00
Tulare County Conservation Corps	\$90,809.00
Urban Corps of San Diego	\$96,450.00
Waste Watch Center	\$83,147.00
Western Partnership for Environmental Technical Education	\$52,422.00

Conditionally Recommended

Funds Recommended

San Luis Obispo County Builders Exchange

\$6,490.00

No Recommendation

Acorn Education Foundation, Inc.

\$ 0.00

AGBU Marie Manoogian School

\$ 0.00

Celebrate Freedom Outreach, Inc.

\$ 0.00

National University, Department of Continuing Education

\$ 0.00

San Francisco Conservation Corps

\$ 0.00

San Mateo County Community College District

\$ 0.00

\$3,313,615

Scoring Criteria Approved by the Board.

Points	Description
GENERAL REVIEW CRITERIA (must attain at least 70 out of 100 points)	
30	1. Grant Proposal clearly describes and demonstrates the need for the project and the benefits and end products resulting from the project.
25	2. Grant Proposal and Work Statement are clearly and sufficiently detailed to determine the project scope and objectives.
20	3. Budget Summary and Itemization are sufficiently detailed to determine that proposed expenses are reasonable. All project elements described in the Grant Proposal and Work Statement are itemized in the budget. Quotes, estimates, or other documentation to support claimed costs are included.
10	4. Applicant exhibits knowledge of and coordination with local government used oil collection efforts.
10	5. Grant application is clearly presented and complete as described in the application instructions including adherence to all deadlines as required in the application.
5	6. Applicant has successfully implemented hazardous waste projects <u>or</u> a grant project administered by a governmental agency.
100	SUBTOTAL
PREFERENCE CRITERIA (up to 35 points available)	
10	7. The proposal outlines a plan to establish a permanent used oil collection center in an underserved area. An underserved area is defined as one that has no certified used oil collection centers in a five-mile radius.
10	8. Public education projects incorporate established recycling infrastructure, e.g., telephone hotline numbers or a recycling theme.
5	9. Residents cannot receive free used oil collection containers from other sources, e.g., certified centers, temporary or permanent HHW events, and community celebrations.
5	10. Applicant is targeting an area or jurisdiction that did not implement an oil grant project in the 1995/96 fiscal year.
5	11. Likelihood that the project will continue after grant term expires.
135	MAXIMUM POSSIBLE POINTS

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION 96-380

APPROVAL OF 1996/97 FY USED OIL GRANTS FOR NONPROFIT ORGANIZATIONS

WHEREAS, Public Resources Code Section 48656 authorizes the Board to award grants to nonprofit organizations for programs outlines in Public Resources Code Section 48632(b); and

WHEREAS, Board staff mailed a Notice of Funding Availability during March 1996; and

WHEREAS, 49 applications were received by the June 14, 1996 deadline; and

WHEREAS, Board staff reviewed the applications to determine their conformance with established Board requirements; and

WHEREAS, Board staff has determined that the applications for nonprofit organizations listed below are eligible for specified funding under the Used Oil Grant for Nonprofit Organizations Program;

NOW, THEREFORE, BE IT RESOLVED, that the board hereby approves the award of the following 43 Used Oil Grants for Nonprofit Organizations up to the following amounts:

American Oceans Campaign	\$100,000.00
Anaheim Family YMCA	\$43,237.00
Arcata Community Recycling Center, Inc.	\$38,059.00
Association for the Developmentally Handicapped of Madera County	\$48,289.00
Beacon House Association of San Pedro	\$67,153.00
The Boys and Girls Club of Fullerton	\$80,379.00
Boys and Girls Club of San Gabriel Valley	\$100,000.00
California Association of 4 Wheel Drive Clubs	\$40,336.00
Charity Without Borders	\$92,898.00
Community Action Commission of Santa Barbara County	\$98,500.00
Community Environmental Council	\$99,966.00
Concerned Citizens of South Central Los Angeles	\$87,564.00
Conservation Corps of Long Beach	\$87,668.00
East Bay Conservation Corps	\$93,610.00
El Concilio del Condado de Ventura	\$96,851.00
Environmental Health Coalition	\$8,679.00
Epiphany Catholic Church	\$44,850.00
First American Methodist Episcopal Assistance Corporation	\$85,177.00
Fresno County Economic Opportunities Commission - Fresno Conservation Corps	\$79,864.00
Girls and Boys Clubs of Garden Grove	\$71,450.00
Glenn Economic Development Corporation	\$100,000.00

Heal the Bay	\$96,491.00
I Love a Clean San Diego County, Inc.	\$88,757.00
Keep California Beautiful	\$39,580.00
Local Government Commission	\$100,000.00
Los Angeles Conservation Corps	\$85,623.00
Los Angeles Economic Development Corporation	\$97,744.00
Marin County Conservation Corps	\$74,846.00
Oakland Recycling Association	\$100,000.00
Orange County Conservation Corps	\$55,342.00
Partnership for Environmental Progress	\$88,640.00
Petersen Automotive Museum	\$64,135.00
Regional Planning and Analysis Services, Inc.	\$100,000.00
Sacramento Local Conservation Corps	\$82,539.00
San Jose Conservation Corps	\$99,999.00
San Luis Obispo County Builders Exchange	\$6,490.00
Save Our Shores	\$87,596.00
Silicon Valley Pollution Prevention Center	\$85,000.00
Solana Recyclers, Inc.	\$73,475.00
Tulare County Conservation Corps	\$90,809.00
Urban Corps of San Diego	\$96,450.00
Waste Watch Center	\$83,147.00
Western Partnership for Environmental Technical Education	\$52,422.00
	<hr/>
	\$3,313,615.00

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of the resolution duly and regularly adopted at a meeting of the Board of the California Integrated Waste Management Board held September 25, 1996.

Dated:

Ralph Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee
September 10, 1996

AGENDA ITEM 2

ITEM: CONSIDERATION OF APPROVAL AND AWARD OF A CONTRACT TO THE COMMUNITY ENVIRONMENTAL COUNCIL TO PROVIDE R-TEAM SERVICES IN SOUTHERN CALIFORNIA FROM OCTOBER 1, 1996 TO SEPTEMBER 30, 1997

I. SUMMARY

Staff proposes approval and award of a \$75,000 contract with the Community Environmental Council (CEC) to provide Recycling Business Assistance Team (R-Team) services in Southern California for the term of October 1, 1996 to September 30, 1997. A Request for Proposal (RFP) was issued to solicit a contractor to provide services in Southern California. The CEC was the successful bidder. Funding for the contract will be provided by remaining grant funds from the U.S. EPA's 1994 Jobs through Recycling Initiative.

This contract is designed to help the R-Team and the Recycling Market Development Zone (RMDZ) staff identify, target and assist recycling manufacturing businesses in Southern California which have the potential to divert Board priority materials.

II. PREVIOUS COMMITTEE ACTION

On July 6, 1994, the Market Development Committee recommended that the Board:

1. Approve contract concepts to provide professional/technical services for businesses on an as-needed basis.
2. Direct staff to enter into contracts to implement the R-Team program. Staff executed contracts with the Business Environmental Assistance Centers (BEACs) in Northern and Southern California.

On July 27, 1994, the Board approved the Market Development Committee recommendations.

On April 11, 1996, the Market Development Committee considered the status of the R-Team and submitted an approval recommendation for future activities that were considered and approved by the Board on April 24, 1996.

On May 9, 1996, the Administration Committee recommended that the Board approve the contract concepts to provide services to recycling businesses in Northern and Southern California from July 1, 1996 to September 30, 1997. The Committee also

recommended extension of the contract with the University of California Extension at Santa Cruz. The contract concepts were approved by the Board on May 29, 1996.

III. OPTIONS FOR THE COMMITTEE

The Administration Committee may:

- a. Accept staff's recommendation.
- b. Modify staff's recommendation.
- c. Take no action and provide staff with further direction.

IV. STAFF RECOMMENDATION

Staff recommends that the Administration Committee recommend Board approval and award of a \$75,000 contract to the CEC, to provide R-Team services to recycling businesses in Southern California from October 1, 1996 to September 30, 1997.

V. ANALYSIS

R-Team Background:

The Board received a U.S. EPA 1994 Jobs Through Recycling Initiative grant to establish the R-Team. The Board contracted with Business Environmental Assistance Centers (BEACs) in both Northern and Southern California to provide statewide R-Team business development, technical, financial and marketing assistance to recycling manufacturing businesses. On October 21, 1995, the contract with the Southern California BEAC was terminated, which left a gap in the R-Team's ability to provide services in Southern California and fulfill the terms of the U.S. EPA grant.

On March 6, 1996, the U.S. EPA approved the Board's request to extend the term of the grant to September 30, 1997. Unexpended grant funds would be used for contracts to provide needed services in Northern and Southern California.

The contract concepts for R-Team services in Northern and Southern California were approved by the Administration Committee on May 9, 1996 and by the Board on May 29, 1996. Staff extended the contract with the University of California Extension at Santa Cruz to continue the partnership providing services in Northern California through September 30, 1997, augmenting their existing contract by \$75,000. An RFP was issued to solicit a contractor to provide services in Southern California. Two proposals were received. One of the proposals did not meet the minimum proposal score and was disqualified. The CEC was the successful bidder.

Staff proposes approval and award of a \$75,000 contract with the CEC to provide R-Team services in Southern California and allow the Board to complete the R-Team project within the extended grant term. The contractor will provide hands-on services to those businesses in the areas of business development, technical, financial and product marketing assistance. Services provided by the contractor will extend from October 1, 1996 to September 30, 1997.

Fiscal Impacts:

A total of up to \$75,000 is available for this contract from federal funds. No Board funds are required.

VI. FUNDING INFORMATION

Amount Requested in Item: \$ \$75,000

Fund Source:

- Used Oil Recycling Fund
- Tire Recycling Management Fund
- Recycling Market Development Revolving Loan Account
- Integrated Waste Management Account
- Other Federal Grant
(Specify)

Approved From Line Item:

- Consulting & Professional Services
- Training
- Data processing
- Other _____
(Specify)

Redirection:

If Redirection of Funds: \$ _____

Fund Source: _____

Line Item: _____

VII. ATTACHMENTS N/A

VIII. APPROVALS

Prepared by: Joan Martfeld *Joan Martfeld* Phone: 255-2441

Reviewed by: Ranny Eckstrom *R. Eckstrom* Phone: 255-2440

Reviewed by: Martha Gildart *M. Gildart* Phone: 255-2619

Reviewed by: Caren Trgovcich *C. Trgovcich* Phone: 255-2320

Reviewed by: Marie LaVergne *Marie LaVergne* Phone: 255-2269

Legal review/Approval: N/A Date/Time: _____

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee

September 10, 1996

AGENDA ITEM # 3

ITEM: CONSIDERATION OF APPROVAL AND AWARD OF A CONTRACT WITH THE WALT DISNEY COMPANY

I. SUMMARY

For the past two years, the CIWMB has collected sponsorship dollars from fourteen state agencies to be pooled into an account to support a partnership between the State of California and the Walt Disney Co. This partnership, the Jiminy Cricket *Environmentality Challenge*, is designed to promote environmental education programs to fifth grade students statewide. The third year of this program is now beginning. A contract needs to be established between the Board and the Walt Disney Co. in order to reimburse Disney for part of the contest materials and associated expenses. The total amount of the contract will be \$30,000, with only \$5000 coming from the CIWMB as a participating sponsor. The balance of the funds will come from other state agencies transferred to the Board through interagency agreements.

II. ACTION BEFORE THE COMMITTEE

Approve award of contract for \$30,000 to the Walt Disney Co. and forward to the full Board for action.

III. ANALYSIS

The California Environmental Education Interagency Network (CEEIN) is comprised of education representatives from the California Department of Education and all of the boards and departments under both Resources Agency and Cal/EPA. CEEIN is formalized through a joint memorandum of understanding and works to facilitate communication and coordination in the implementation of environmental education efforts statewide.

One of the major projects sponsored by CEEIN is the *Environmentality Challenge*, a public-private partnership between CEEIN and the Walt Disney Co. This program provides incentives to fifth grade students and teachers to promote awareness for and understanding of environmental education issues, and works to promote student-based action projects focusing on community concerns. Every step of the way, students are rewarded for their efforts--whether they simply fill out a pledge form promising to turn off lights or to recycle more--or take on larger efforts to actually conduct broad-scale environmental action projects sponsored by their teacher and their class. Students who participate in the pledge receive special gifts, such as yo-yo's

made out of recycled plastic; students who participate in action projects receive certificates of achievement, and compete for larger prizes such as t-shirts made out of recycled plastic soda bottles, and even a trip to Disneyland for the grand prize winner.

In its first year of implementation, approximately 12,000 fifth grade students participated in this program. Last year, the number rose to 16,000. This year, we already have 26,000 students registered, and the deadline for registration isn't until November 15, 1996.

CEEIN and the Walt Disney Co. have agreed to make the *Environmentality Challenge* an annual event. The contract that confirmed last year's project expired June 30, 1996. A sole source justification was drafted and approved by the Department of General Services, authorizing the relationship and the corresponding contract for the next six years, until the year 2001. To ease coordination, the CIWMB would like to once again act as the accountant for the CEEIN member agencies. These agencies will transfer their share of partnership dollars to the CIWMB via interagency agreements. The contract dollar amount will reflect the minimum required of the state to meet its terms of the partnership: \$30,000. As in the previous two years, Disney will continue to provide a minimum of \$100,000 in materials and services as partners in this project.

IV. STAFF RECOMMENDATION

Staff recommends that the Committee approve the contract.

V. ATTACHMENTS

1. Funding Block document
2. Board Resolution

VI. APPROVALS

Prepared by:	<u>Tricia Broddrick</u> <i>TJB</i>	Phone:	<u>255-2389</u>
Approved by:	<u>Phil Moralez</u> <i>PM</i>	Phone:	<u>255-2345</u>
Approved by:	<u>Judith Friedman</u> <i>JF</i>	Phone:	<u>255-2376</u>
Approved by:	<u>Marie LaVergne</u> <i>ML</i>	Phone:	<u>255-2269</u>

V. FUNDING INFORMATION

Amount Requested in Item: \$30,000 (\$25,000 to be reimbursed from other state agencies)

Fiscal Year:_'95-'96_

Fund Source:

- Used Oil Recycling Fund
- Tire Recycling Management Fund
- Recycling Market Development Revolving Loan Account
- Integrated Waste Management Account
- Other _____
(Specify)

Approved From Line Item:

- Consulting & Professional Services
- Training
- Data processing
- Other _____
(Specify)

Redirection:

If Redirection of Funds: \$ _____

Fund Source: _____

Line Item: _____

California Integrated Waste Management Board

Resolution

BE IT RESOLVED that the California Integrated Waste Management Board hereby approves the contract with the Walt Disney Co. for \$30,000 for the promotion of the *Environmentality Challenge*, an environmental education public-private partnership between the State of California and the Walt Disney Co. This agreement will be renewed annually for a period of six years, as reflected in the sole source agreement approved by the Department of General Services.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board on

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Administration Committee
September 10, 1996

AGENDA ITEM 4

ITEM: UPDATE ON THE STATUS OF OUT-OF-STATE WASTE EXPORT

I. SUMMARY

This item is an update on the information previously provided to the Administration Committee on the waste exported from California by local jurisdictions. The attached table entitled "Waste Export Summary" details the twelve local jurisdictions currently exporting waste out-of-state, the fees paid by those jurisdictions into the Integrated Waste Management Account (IWMA), and the percentage of waste being exported.

II. PREVIOUS COMMITTEE ACTION

This item has not been heard previously by the Board however, at its December 5, 1995 meeting, members of the Administration Committee requested that staff review programs administered by the California Integrated Waste Management Board (Board) that provide either program/technical or monetary (grant and loan programs) support to local entities from the Integrated Waste Management Account (IWMA). In particular, several members requested information on the amount of monetary support to jurisdictions exporting solid waste to other states, thus avoiding full payment into the IWMA. The Committee heard this item, "Discussion of Programs Funded by the Integrated Waste Management Account and the Impacts of Out-of-State Waste Disposal on Those Programs" at its February 6, 1996, meeting. The Policy and Analysis Office (PAO) was requested to periodically update the Board on the status of out-of-state waste export as it relates to lost tip fee revenue. PAO provided the attached update, which includes the updated table, "Summary of Grant and Loan Award Distribution and IWMA Account - April 1996", to Board Advisors on April 16, 1996

III. OPTIONS FOR THE COMMITTEE

This is a discussion item only. Committee members may wish to:

1. Direct staff to further examine the fee impacts of out-of-state waste export and to provide possible options to address the impacts of waste export at a future committee meeting or Board meeting; and to provide periodic updates on the amount of waste being exported out-of-state.

IV. STAFF RECOMMENDATION

This item has been prepared to provide information to Committee members as a basis of discussion. There is no staff recommendation.

V. ANALYSIS

Background

At the December Administration Committee meeting, members requested staff to prepare an item summarizing the Board's current practice for determining eligibility for state program/technical and monetary support for the Board's various programs as it relates to payment into the IWMA. Concerns were raised that the award of monetary assistance to jurisdictions that export solid waste to other states for handling/disposal constitutes unfair treatment of those jurisdictions that paid their "full contribution" of disposal fees. For purposes of this agenda item, "full contribution" refers to the total fees paid for solid waste that would be disposed, regardless of location of disposal (that is whether it is within or outside the State).

At the February 6, 1996, Administration Committee staff provided the following information, along with a table summarizing the level of monetary support provided to those jurisdictions exporting all or a portion of their waste out-of-state for disposal:

- Several counties have chosen to export a portion or all of their waste out-of-state, as noted in the April 16, 1996 table. Consequently, tipping fees are not paid at the full contribution level to the IWMA for this waste.

- No current statute provides for distinguishing between jurisdictions making a full contribution to the IWMA, and jurisdictions that do not, for purposes of obtaining program/technical or monetary support.
- Current Board programs do not consider payment into the IWMA as a basis for providing these services.

Potential Impacts of Waste Export on the Integrated Waste Management Account (IWMA)

The IWMA is the largest of the Board's funding sources. It is funded by surcharges levied by the State Board of Equalization on each ton of solid waste received by the state's approximately 300 permitted solid waste landfills that accept at least five tons of solid waste per operating day. In 1995, this amounted to 33,515,878 tons and just over \$44,911,276. Public Resources Code sections 48000-48008 set forth the collection and administration criteria for the IWMA. The fee itself is currently assessed at \$1.34 per ton, and is not allowed to exceed \$1.40 per ton by statute.

The Board is required by statute to expend the funds from the IWMA, upon appropriation by the Legislature, for: 1) the administration and implementation of the requirements of Division 30 of the Public Resources Code; and, 2) the State Water Board's and regional boards' implementation of Division 7 (commencing with section 13000) of the Water Code which governs the water quality aspects of waste discharge to landfills.

For purposes of implementing Division 30 of the Public Resources Code, the IWMA is used to fund a broad range of activities. While revenue is derived from permitted solid waste disposal sites, these funds support a very comprehensive mandate, including disposal site management. All of the activities supported by programs provided for in Division 30 in some way contribute towards implementing the hierarchy of integrated waste management. Included in Division 30 are Countywide Integrated Waste Management Plan development and implementation requirements: the tool for characterizing and defining the means that local entities will undertake to reach the statutory 25% and 50% diversion mandates. Market development activities are promoted to use the portion of the waste stream that is diverted from disposal. Facility management (permitting and enforcement)

programs assist in ensuring that waste diverted from disposal is managed in an environmentally sound manner while promoting the diversion benefit. Educational programs then assist local entities in bringing about a behavioral change in their population to realize success in meeting the mandates.

It is important to note that the most recent update to the "Out-of-State Waste Disposal" report, prepared by Board staff in April 1995, identified significant near-term and long-term out-of-state landfill capacity implications. Seventeen jurisdictions were identified as having a high potential for waste export, based upon a threshold cost per ton at which out-of-state disposal may become more economically efficient. These seventeen jurisdictions have the potential for exporting 11.7 million tons annually, reflecting a possible loss of revenue to the IWMA of \$15.8 million. This export is contingent upon: 1) landfill capacity of out-of-state landfill, 2) tipping fees outside of California, 3) transportation rates, 4) tipping fees within California, and 5) landfill closure schedules within California. However, the total waste exported for fiscal year 1995/1996 was slightly over 400,000 tons.

Legislative History

In previous years, two bills contained language to attach fees to solid waste which is exported. Neither of these bills were successfully passed with the waste export fee language included.

AB 688 This bill was introduced in the 1993/1994 legislative session. Language was added on August 8, 1994, which would have required each operator of a transfer station to pay a quarterly fee to the Board of Equalization (BOE), based upon the amount of solid waste handled at the transfer station that was to be disposed of outside the state. This bill specified that the fee bear a direct relationship to the reasonable and necessary cost of regulating the handling at the transfer station of the solid waste upon which the fee would have been imposed. This text was pulled from the bill on August 29, 1994. The Board supported this bill, however, it was passed and chaptered without the language outlined above.

SB 1023 This bill was introduced in the 1995 legislative session and would have required each operator of a transfer station to pay a quarterly fee to BOE, based upon the amount of solid waste handled at the transfer station that was to be disposed of outside the state. This bill specified that the fee bear a direct relationship to the reasonable and necessary cost of regulating the handling at the transfer station of the solid waste upon which the fee would have been imposed. This bill was not initiated by the Board and neither the Legislation and Public Education Committee nor the Board took a position on this bill. The bill died in committee.

Key Issue

- Several counties have chosen to export a portion or all of their waste out-of-state (see Attachment 1). Consequently, tipping fees are not paid at the full contribution level to the IWMA for this waste.

Fiscal Impacts

Attachment 1, "Waste Export Summary" summarizes fees paid into the IWMA by counties which have chosen to export some or all of their solid waste out-of-state and includes the percentage of their waste which is currently being exported.

Findings

There are currently twelve counties that export a portion or all of their waste out-of-state. These counties collectively exported approximately 406,400 tons of waste out-of-state for fiscal year 1995-1996. This export is approximately 1.2% of the non-recovered waste generated by California.

VI. ATTACHMENTS

1. Waste Export Summary
2. Board Advisors Memo & Summary of Grant and Loan Award Distribution and IWMA Account Analysis - April 1996

VII. APPROVALS

Prepared By:	<u>Maureen Goodall</u> <i>MG</i>	Phone:	<u>255-2422</u>
Reviewed By:	<u>Rubia Packard</u> <i>RPackard</i>	Phone:	<u>255-2650</u>
Reviewed By:	<u>Judy Friedman</u> <i>JF</i>	Phone:	<u>255-2376</u>
Reviewed By:	<u>Marie LaVergne</u> <i>ML</i>	Phone:	<u>255-2269</u>
Reviewed By:	<u>Susan Pedersen</u> <i>SP</i>	Phone:	<u>255-2171</u>
Legal Review	<u>N/A</u>	Phone:	<u> </u>

Waste Export Summary

Fiscal Year	IWMA Fees Paid		Current % Exporting	Reasons for Export
	94/95	95/96	As of 8/96	
	Note: Fees are approximate. Adjustments have been made for inter-county transfer of waste.		Note: The figures are approximate. As of 8/96	
Alpine	\$1,100	\$1,100	39%	No SW landfill; proximity; geography.
El Dorado	92,800	95,500	40	Cost; proximity, geography; safest route.
Modoc	3,700	0	100	Cost; proximity.
Napa	129,100	56,400	57	No in-state applicant qualified based on RFP requirements.
Nevada	13,400	9,800	75	Cost.
Placer	296,800	226,900	19	
Plumas	13,400	1,800	91	Cost; regional SW landfill is in Nevada.
San Bernadino	2,015,000	1,890,000	<1	Proximity; 8-10 miles to Arizona landfill.
San Diego	3,183,200	3,097,000	3	Cost.
Solano	473,200	378,300	25	Vallejo is part of Napa JPA which exports.
Tuolumne	38,200	9,900	99	Can't site new SW landfill; cost.
TOTAL	\$6,259,900	\$5,766,700		

TOTAL TONS EXPORTED FY 1995/1996	406,400
---	----------------

9/3/96

Amador County started exporting 30% of their waste effective July 1996.

25

Tuolumne County is currently conducting a one year pilot to export nearly all of its waste to Nevada, which includes the out-of-state transport of an additional 9 percent of their waste, previously landfilled within the county. This pilot is scheduled to end approximately March 1, 1997. If successful, Tuolumne County will be requesting a change in permit to convert their current landfill to a transfer station.

Riverside County is not currently exporting.

State of California

California Environmental
Protection Agency**MEMORANDUM****To:** Board Advisors**Date:** April 16, 1996**From:**Caren Trgovcih, Assistant Director
Policy and Analysis Office**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD****Subject:** DISCUSSION OF PROGRAMS FUNDED BY THE INTEGRATED WASTE
MANAGEMENT ACCOUNT AND THE IMPACTS OF OUT-OF-STATE
DISPOSAL ON THOSE PROGRAMS

The Policy and Analysis Office presented the above item at the February 1996, Administration Committee Meeting. At that time, Committee Members asked to have the item brought back to the Administration Committee in ninety days, with any updates.

Since this item was last researched, there have been two changes in the local jurisdictions' export of waste out-of-state, and the subsequent fees that are paid for their waste landfilled within California. These changes include Tuolumne County increasing its export from 90 percent to 99 percent¹, and Riverside County which is currently sending some of its waste to Indian Reservations within the county². Please see the revised "Summary of Grant and Loan Award Distribution and IWMA Account."

Please advise me whether this item should appear on the May Administration Committee Agenda, additional research on the subject should be conducted, or whether the topic should be tabled until further notice.

Attachment

¹ Tuolumne County is currently conducting a one year pilot to export nearly all of its waste to Nevada, which includes the out-of-state transport of an additional 9 percent of their waste, previously landfilled within the county. This pilot is scheduled to end approximately March 1, 1997. If successful, Tuolumne County will be requesting a change in permit to convert their current landfill to a transfer station.

² Riverside County is currently exporting an unknown amount of waste to Indian Reservations. They are currently working with DPLA staff to determine how much waste they are exporting, in order to comply with the Disposal Reporting Regulations. Riverside County was not included in the revised "Summary of Grant and Loan Award Distribution and IWMA Account" due to lack of data.

Summary of Grant and Loan Award Distribution and IWMA Account - April 1996

Note: The following table summarizes awards granted to jurisdictions which have been identified as exporting some portion of or all waste outside the state of California and is not inclusive of all awards funded by these programs. The programs noted distribute funds from the Integrated Waste Management Account.

Fiscal Year	Solid Waste Disposal and Codisposal Site Cleanup Program (AB 2136)		Enforcement Agency Grant Program		Household Hazardous Waste Grant Program		Recycling Market Development Zone Program (RMDZ)	IWMA Fees		Current % Exported	Reasons for Export
	94/95	95/96	94/95	95/96	94/95	95/96	Inception to Date	94/95	95/96	N/A	N/A
	Note: Awards are a variety of loans, grants, and matching grants		Note: All awards are grants to local gov't.		Note: All awards are grants to local gov't.		Note: 1) All awards are loans to private businesses located within a given zone 2) The awards listed below reflect all awards granted from the inception of the program to date (1993 - present)	Note: Fees are approximate. Adjustments have been made for inter-county transfer of waste. 95/96 fees are projected.		Note: The figures are approximate.	
Alpine			\$15,589	\$15,589	\$48,000	\$99,619		\$0	\$0	100%	No SW landfill; proximity; geography.
El Dorado			17,322	17,322	102,066	89,721		92,800	92,800	40	Cost; proximity, geography; safest route.
Modoc			20,951	20,951		112,185		3,700	0	100	Cost; proximity.
Napa			17,634	17,634		98,073		129,100	55,400	57	No in-state applicant qualified based on RFP requirements.
Nevada			17,364	17,364	111,935	96,140		13,400	13,400	75	Cost.
Plumas			19,983	19,983		84,595		13,400	1,900	91	Cost; regional SW landfill is in Nevada.
San Bernadino			44,131	44,131		75,890	\$1,000,000	2,015,000	2,015,000	<1	Proximity; 8-10 miles to Arizona landfill.
San Diego	loan 785,000* matching grant 750,000	loan \$615,000 (Proposed)	48,826	48,826	80,000	84,000	225,000 76,000 500,000 196,000	3,183,200	3,183,200	2	Cost.
Solano			20,323	20,323				473,200	345,900	27	Vallejo is part of Napa JPA which exports.
Tuolumne			17,623	17,623	118,720			38,200	12,000 11,100	90 99	Can't site new SW landfill; cost.
TOTAL	\$750,000*	\$615,000	\$239,746	\$239,746	\$460,721	\$740,223	\$1,997,000	\$5,962,000	\$5,719,600		

Amount Available for FY 94/95	\$5,000,000	\$1,500,000	\$3,000,000	\$21,511,000 (inception to date)
-------------------------------	-------------	-------------	-------------	-------------------------------------

% of Total Program Dollars Expended 94/95	15% *Loan funds have not been given and therefore have not been included.	16%	15%	9% (inception to date)
---	--	-----	-----	---------------------------

A
Tuolumne County is currently conducting a one year pilot to export nearly all of its waste to Nevada, which includes the out-of-state transport of an additional 9 percent of their waste, previously landfilled within the county. This pilot is scheduled to end approximately March 1, 1997. If successful, Tuolumne County will be requesting a change in permit to convert their current landfill to a transfer station.

Riverside County is currently exporting an unknown amount of waste to Indian Reservations. They are currently working with DPLA staff to determine how much waste they are exporting, in order to comply with the Disposal Reporting Regulations. Riverside County was not included in the revised "Summary of Grant and Loan Award Distribution and IWMA Account" due to lack of data.