

**SUBMITTAL TO THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**


**FROM:** Waste Management Department                      **SUBMITTAL DATE:** June 22, 2006

**SUBJECT:** City of Palm Springs Nondisposal Facility Element (NDFE) Amendment for the  
Palm Springs Recycling and Transfer Facility

**RECOMMENDED MOTION:**

The Solid Waste Management Advisory Council/Countywide Local Task Force (LTF) has reviewed the proposed amendment to the City of Palm Springs NDFE for the Palm Springs Recycling and Transfer Facility and has found that the amendment will not result in adverse regional impacts and will assist the City in meeting AB 939 goals. The LTF recommends that the City Council for the City of Palm Springs approve the proposed amendment.

*(Continued)*

  
\_\_\_\_\_  
Hans Kernkamp  
General Manager-Chief Engineer

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**MINUTE OF THE SOLID WASTE MANAGEMENT ADVISORY COUNCIL**

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

**Ayes:** Arciniega, Barrows, Campos, Echevarria, Fahrion, Foster, Magee, Riddle, Ryan, Skerbelis, Showalter, Wilcox, Williams, Wold

**Noes:** None

**Absent:** Alberg, Anderson, Foster, Housman, Keenan, Kroenke, Moran, Scott, Spoonhour

  
\_\_\_\_\_  
Frances Trevino  
Secretary

**Amendment to City of Palm Springs NDFE  
Palm Springs Recycling and Transfer Facility  
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**BACKGROUND:**

**Project Description:**

The proposed project, which was approved by the City of Palm Springs Planning Commission on July 28, 2004 (CUP 5.0976), involves the development and operation of the Palm Springs Recycling and Transfer Facility. The facility will be located within an industrial part within the City limits of North Palm Springs at the southwest corner of 19<sup>th</sup> Avenue and McLane Street, northwest of the I-10 and Indian Avenue interchange (see attached Vicinity Map). The facility, which will be developed and operated by Burrtec Industries, has been designed to handle the recyclables and municipal solid wastes generated by the City of Palm Springs, the City of Desert Hot Springs, and the surrounding unincorporated County areas. It is intended to assist Palm Springs Disposal Service/Desert Valley Disposal with all current and proposed recycling and diversion programs for the Cities of Palm Springs and Desert Hot Springs. It is described as a material recovery facility that will process organics, construction and demolition (C&D) materials, and recyclables and will allow floor sorting of recyclables from residual solid waste. Other ancillary uses will include a reuse or second hand store for the display and sale of usable second hand items and an education center for public education.

Per the attached Table H-2, at build-out of the project, the proposed recycling and transfer facility is expected to handle 750 tons per day (tpd); 21 tpd of organics, 60 tpd of C&D, 100 tpd of recyclables, 40 tpd of floor-sorted recyclables, and 529 tpd of residual waste for transfer. It is expected that the facility will have a 30 percent diversion rate.

**NDFE Amendment**

The proposed facility will require a Solid Waste Facility Permit (SWFP) to operate from the Local Enforcement Agency (LEA), which also requires review and concurrence by the California Integrated Waste Management Board (CIWMB). To issue the SWFP, the LEA and CIWMB must find the Palm Springs Transfer and Recycling Facility in conformance with the Countywide Integrated Waste Management Plan (CIWMP), which requires that the facility be identified and described in the NDFE for the jurisdiction, in which the facility is located; in this case, Palm Springs.

The City of Palm Springs NDFE is a required element of the Countywide Integrated Waste Management Plan (CIWMP). The adopted NDFE identifies and describes existing, proposed, and any proposed expansion of existing nondisposal facilities that will be needed to implement the City's Source Reduction and Recycling Element (SRRE). The proposed NDFE amendment will amend the City's NDFE to include the identification and description of the Palm Springs Recycling and Transfer Facility, as shown in the Table H-2 (attached), replacing the previous Table H-2, identifying and describing the Coachella Valley Transfer Station/Materials Recovery Facilities.

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**LTF Consideration of NDFE Amendment:**

Under Section 41734 (b) of the California Public Resources Code, "*Comments by the task force shall include an assessment of the regional impacts of potential diversion facilities and shall be submitted to the city, county, or regional agency and to the board [CIWMB] within 90 days of the date of receipt of the nondisposal facility element for review and comment.*"

Per Section 18765 (b) of Title 14, Chapter 9, Article 7 of the California Code of Regulations (CCRs), "*Ninety (90) days prior to the public hearing for the adoption of the NDFE, the jurisdiction shall send a copy of the final draft NDFE to the LTF for review. Within 90 days of receipt of the final draft NDFE, the LTF shall provide written comments to the city or county and the Board regarding the final draft.*"

Per Section 18765 (c), "*If deficiencies are indicated in the LTF's comments, the LTF shall meet with the jurisdiction to resolve them. If no resolution between the jurisdiction and the LTF can be achieved, the LTF shall send a letter to the jurisdiction and the Board indicating the remaining deficiencies of the SRRE, HHWE and NDFE.*"

At the LTF meeting held on May 18, 2006, the Waste Management Department staff asked the LTF to consider the following regional issues to help determine whether the facility will have regional adverse impacts:

**Regional Considerations**

- Potential increased rates to residents in the unincorporated portion of Riverside County
- Potential risk of waste leaving Riverside County landfill system (i.e., potentially jeopardizes economies of scale and diversion programs and potentially increases environmental impacts related to longer haul distances, traffic congestion, etc.)

After consideration of these issues, the LTF members present at the meeting voted unanimously to support the City's NDFE amendment. However, it was later learned that this vote did not represent a quorum of the membership. Therefore, the LTF is being asked to reconsider that action. In preparation of this Special Meeting of the LTF, Staff submitted a list of questions to the City of Palm Springs for the City and its contractors to respond to (attached). Responses to these questions have been enclosed for the LTF to review as they consider the regional aspects of the project.

Any LTF recommendations or comments on the regional effects of the project or its ability to assist jurisdictions in meeting AB 939 diversion requirements will be forwarded to City staff for presentation to the Palm Springs City Council, who is required to conduct a noticed public hearing for the adoption of the NDFE amendment. City staff will also transmit a copy of the NDFE amendment to the Riverside County Waste Management Department and to each of the

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other Riverside County cities within 30 days of the City's adoption of the amendment. City staff is also required to transmit copies of the NDFE amendment to the California Integrated Waste Management Board (CIWMB), along with a copy of the public notice for the public hearing, a copy of the resolution adopting the NDFE amendment, and a copy of the LTF comments. The CIWMB has a 60-day review period for consideration of approval of the amendment to the NDFE.

The NDFE and its amendments are not subject to environmental review under the California Environmental Quality Act (CEQA).

LBL/lbl  
Attachments



# City of Palm Springs

David H. Ready, City Manager

3200 Tahquitz Canyon Way • Palm Springs, California 92262  
TEL: (760) 323-8201 • FAX: (760) 323-8207 • TDD: (760) 864-9527

Via Facsimile  
951-486-3230

February 24, 2006

Mr. Hans Kernkamp  
General Manager – Chief Engineer  
Riverside County Waste Management Department  
14310 Frederick Street  
Moreno Valley, California 92553

Re: Request to Amend Non-Disposal Facility Element (NDFE)

Dear Mr. Kernkamp:

On behalf of the City of Palm Springs, I would like to request that the Solid Waste Management Advisory Council/Countywide Local Task Force (LTF) review and provide comment on a proposed amendment to the Non-Disposal Facility Element (NDFE) for the Cities of the Coachella Valley. The purpose of this amendment is to add the Palm Springs Transfer and Recycling Facility as a designated non-disposal facility. A copy of the proposed NDFE amendment and a vicinity map showing the location of the non-disposal facility is attached.

The developer of the proposed non-disposal facility, Burrtec Industries, is working under an accelerated timetable and has requested that the City hold a public hearing on the proposed amendment to the NDFE in April. I understand that we missed the last regularly scheduled meeting of the LTF, which was held on February 16<sup>th</sup>, and that future meetings of the LTF are being held on an as warranted basis. If possible, I would like to request that a LTF meeting be scheduled as soon as possible to review and comment upon the proposed amendment so the City can facilitate the developer's request.

Thank you in advance for your prompt attention to our request. If you have any questions or need further clarification regarding this request, please contact Troy Butzlaff, Assistant City Manager, at (760) 322-8336.

Sincerely,

David H. Ready  
City Manager

Attachments

Post Office Box 2743 • Palm Springs, California 92263-2743

SCANNED # 41845  
By: MERT  
11 Date: 3/7/06

COUNTY OF RIVERSIDE  
WASTE MANAGEMENT  
06 MAR -7 PM 2:15

**CITY OF PALM SPRINGS**  
**AMENDMENT TO NON-DISPOSAL FACILITY ELEMENT**  
**(NDFE)**  
**Table H-2**

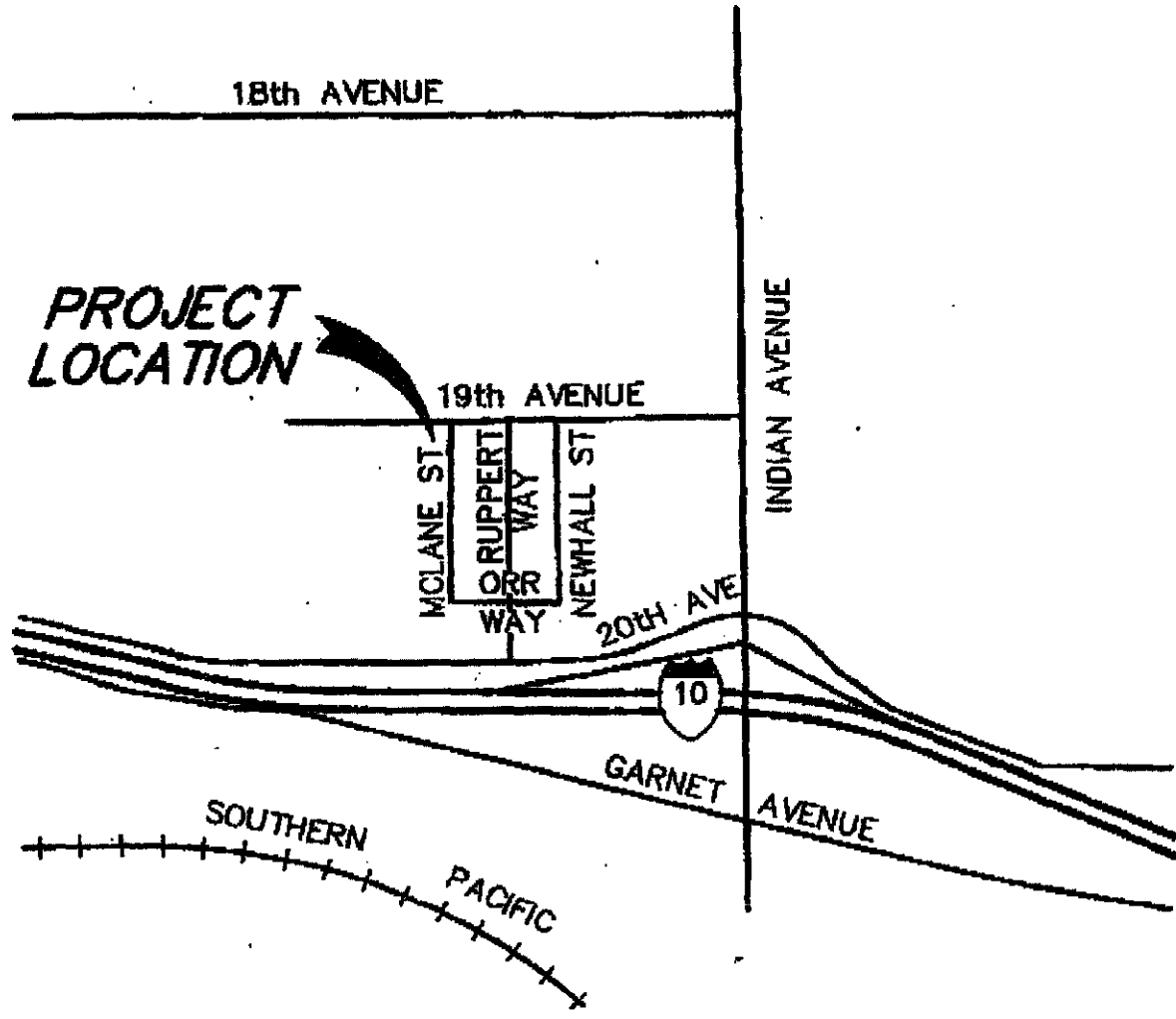
1. Facility Name: PALM SPRINGS RECYCLING AND TRANSFER FACILITY
2. Type of Facility: A Material Recovery Facility with Organics processing, C&D processing, Recyclables processing and floor sorting of Recyclables from Residual Solid Waste. The Facility will be augmented with a Second Hand Store for the display and sale of second hand items and an Education Center for public education.
3. Operator: Burrtec Industries
4. Location: North Palm Springs (Map attached)

Parcel 6 and the northerly 65 feet of Parcel 5 of Parcel Map 20820, as shown by map on file in Book 166, pages 70 through 73, inclusive, of Parcel Maps in the records of Riverside County, California.

The parties acknowledge that said Parcel 6 is intended to be enlarged to include the northerly 65 feet of said Parcel 5 pursuant to a lot line adjustment to be filed.

5. Facility Capacity (at build out): 750 tons per day (Organics, 21 tons per day, C&D Materials, 60 tons per day, Recyclables, 100 tons per day, floor-sorted Recyclables, 40 tons per day and Residual transfer, 529 tons per day).
6. Diversion Rate: 30%
7. Participating jurisdictions: The facility may serve the cities of Palm Springs and Desert Hot Springs and the adjacent unincorporated areas of Riverside County served by Palm Springs Disposal Services and Desert Valley Disposal, Inc.

# VICINITY MAP



## CITY OF PALM SPRINGS

**CASE NO.:** 5.0976 - CUP  
**APPLICANT:**  
Burrtec Waste Industries, Inc.

**DESCRIPTION:** A Conditional Use Permit Application for the construction of a solid waste and recycling transfer site located at the SW corner of 19<sup>th</sup> Ave. and McLane Street.



*Riverside County*  
**Waste Management Department**

*Hans W. Kernkamp, General Manager-Chief Engineer*

June 6, 2006

Troy Butzlaff, Assistant City Manager  
City of Palm Springs  
P. O. Box 2743  
Palm Springs, CA 92263-2743

**RE: Palm Springs Nondisposal Facility Element Amendment (NDFE) for Palm Springs Recycling and Transfer Facility**

Dear Mr. Butzlaff:

This letter is being written to first confirm our telephone conversation last Thursday, June 1, that, due to a quorum issue, a Special Meeting of the Local Task Force (LTF) will be held on Thursday, June 22, 2006 at 11:00 a.m. to reconsider the City's NDFE Amendment. Secondly, as I mentioned to you, the attached list of questions/comments has been prepared for the City and/or your contractors to respond to that will help my staff and the LTF prepare for the meeting. It would be appreciated if responses be prepared and submitted by June 15, 2006 to ensure that they can be included in the LTF agenda packet.

Thank you for your understanding and your attention in this matter.

Sincerely,

Hans Kernkamp  
General Manager-Chief Engineer

HK:JM:LBL/lbl  
Attachment

PD #44241

**City of Palm Springs NDFE Amendment  
for  
Palm Springs Recycling and Transfer Facility**

Please respond to the following questions/comments for the Solid Waste Management Countywide Local Task Force by June 15, 2006, prior to the Special Meeting that will be held on June 22, 2006:

1. It has been indicated that the facility would only be accepting curbside recyclables and organics. However, based on proposed tonnages, materials, and residuals, it appears that the facility will be a "dirty MRF" (Material Recovery Facility) and will be accepting all curbside materials, including waste for disposal. Please clarify.
2. The environmental documentation prepared for the project indicated that residual waste from this facility would be transferred directly to the Lamb Canyon or Badlands Landfills in transfer trailers. In light of Burrtec's pending acquisition of Waste Management of the Desert and the Edom Hill Transfer Station, is it still the intent to transfer directly to landfills from this facility or the Edom Hill Transfer Station?
3. If residual waste from this facility is taken to the Edom Hill Transfer Station (refer to #2 above), what type of vehicles will be used?
4. What type of vehicles will be used to transfer residual waste to the landfill from either this facility or the Edom Hill Transfer Station, and will these vehicles be in compliance with South Coast Air Quality Management District Rule 1193, and the City's mitigation measure, regarding the use of alternative fuel and dual fuel vehicles?
5. Burrtec has the ability through their contract with San Bernardino County to import up to 250,000 to 350,000 tons per year of waste for disposal from out-of-County sources. Does Burrtec's agreement with Palm Springs prevent Burrtec from exporting waste from this facility to San Bernardino County landfills?
6. Is the facility operator willing to enter into a Waste Delivery Agreement with Riverside County?
7. Please provide a projection of what the rate(s) will be at this facility.
8. In the event that the rate for waste generated in the unincorporated areas around Palm Springs and Desert Hot Springs is higher at the Palm Springs Recycling and Transfer Facility than at the Edom Hill Transfer Station, will the hauler be able to separate the County-generated waste from the City-generated waste in the event that the County, through its franchise agreement, directs the hauler to continue taking County waste to the Edom Hill Transfer Station?



# City of Palm Springs

Office of the City Manager

3200 E. Tahquitz Canyon Way Palm Springs, California 92262  
Tel: (760) 323-8201 Fax: (760) 323-8207 Web: [www.ci.palm-springs.ca.us](http://www.ci.palm-springs.ca.us)

June 14, 2006

Hans Kernkamp, General Manager-Chief Engineer  
Riverside County Waste Management Department  
14310 Frederick Street  
Moreno Valley, CA. 92553

RE: Response to questions/comments posed regarding the Palm Springs Nondisposal Facility Element Amendment (NDFE) for Palm Springs Recycling and Transfer Facility

Dear Mr. Kernkamp:

Please find enclosed our responses to the questions/comments posed in your correspondence dated June 6, 2006. We hope this information satisfactorily addresses your request.

I also want to inform you that I, along with representatives from Burrtec and Palm Springs Disposal Services, will attend the Special Meeting of the Local Task Force (LTF) scheduled for Thursday, June 22<sup>nd</sup>, 2006 at 11:00 a.m. to answer any questions you or members of the LTF may have concerning our response.

Sincerely,

Troy Butzlaff  
Assistant City Manager – Administrative Services

TLB/mh  
Enclosure

Troy Butzlaff

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**BURRTEC**  
WASTE INDUSTRIES, INC.

9890 Cherry Avenue  
Fontana, California 92335  
909-429-4200

**Palm Springs Disposal Services**

4690 East Mesquite Avenue  
P.O. Box 2711  
Palm Springs, California 92263-2711  
760-327-1351

June 14, 2006

Mr. Troy Butzlaff  
Assistant City Manager for Administration  
City of Palm Springs  
3200 East Tahquitz Canyon Way  
Palm Springs, California 92263

Dear Troy:

Chuck Tobin of Burrtec and I have reviewed the questions of the RCWMD staff regarding the Palm Springs Nondisposal Facility Element Amendment for the Palm Springs Recycling and Transfer Facility and offer the following responses:

1. The Palm Springs MRF has been designed to assist Palm Springs Disposal Services/Desert Valley Disposal with all of their current and proposed recycling and diversions programs for the cities of Palm Spring and Desert Hot Springs. These include the processing and transfer of curbside source separated recyclables from separately collected or commingled loads, commercial recyclables including source separated and high recyclable content select loads, construction and demolition loads, green waste loads, and other such recycling programs that the company and the cities develop. All of these activities were analyzed in the Environmental Assessment for the facility.
2. The Environmental Assessment analyzed the impact of the delivery of any residual material from the facility to the Lambs Canyon and Badlands Landfill in transfer trailers. The other option (hauling to the EHTS) was not available to the project at the time of the analysis, but may be considered at some future date and would be subject to potential environmental review.
3. Residuals could be delivered in either transfer trucks or roll-off trucks, although both forms would be subject to potential environmental review.

4. All vehicles used to transport residual from the Palm Springs MRF will comply with all SCAQMD rules and City of Palm Springs conditions. The County of Riverside requires the use of transfer trucks to access its landfills under a Waste Disposal Agreement.

5. The Environmental Assessment was for the delivery of residual to the Lambs Canyon and Badlands Landfills.

6. Yes, Burrtec is willing to enter into a Waste Delivery Agreement with Riverside County.

7. Future rates will be determined based upon the actual services provided by the facility to the company and the cities.

8. Yes, the company can separate waste collected in unincorporated areas from materials collected from other areas.

We will be present at the June 22 meeting of the Local Task Force to explain these responses and answer any other questions that may arise. In the meantime, please contact us if you have questions or require any additional information.

Sincerely,

Chuck Tobin  
Burrtec Waste Industries, Inc.  
909.429.4200  
[ctobin@burrtec.com](mailto:ctobin@burrtec.com)

Bob Kuznik  
For Palm Springs Disposal Services and  
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303.666.4760  
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