

MARIN COUNTY HAZARDOUS & SOLID WASTE  
MANAGEMENT JOINT POWERS AUTHORITY

AB 939 LOCAL TASK FORCE

**Note:**  
***Special Location!***

Wednesday, December 4, 2013  
899 Northgate Drive, Suite 104  
San Rafael, CA 94903  
8:30 – 10:00 AM

AGENDA

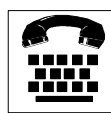
Call to Order.

- 1) Open Time for Public Comment
- 2) Approval of the November 6, 2013 JPA Local Task Force Minutes (Action)
- 3) Proposed Changes to Model Construction and Demolition Debris Ordinance (Action)
- 4) Updates from LTF Subcommittees (Information)
- 5) Election of Local Task Force Chair and Vice Chair (Action)
- 6) Open Time for Member Comments (Information)

The next scheduled LTF Meeting is February 5, 2013 at 8:30 AM

The full agenda including staff reports can be viewed at:  
<http://zerowastemarin.org/who-we-are/2013-jpa-agendas-and-minutes/>

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All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be requested by calling (415) 473-4381 (voice) (415) 473-3232 (TTY) at least **four work days** in advance of the event. Copies of documents are available in alternative formats, upon written request.

Contact the County's Waste Management Division, at 473-6647 for more information

**2**  
**DRAFT**

**MARIN COUNTY HAZARDOUS & SOLID WASTE  
MANAGEMENT JOINT POWERS AUTHORITY**

AB 939 Local Task Force Meeting  
Wednesday, November 6, 2013  
Northgate Community Room  
5800 Northgate Dr., San Rafael, Calif. 94903

MINUTES

**MEMBERS PRESENT**

Loretta Figueroa, Almonte Sanitary District  
Renee Goddard, Ross Valley Cities  
Russ Greenfield, LGVSD  
Delyn Kies, Sustainable Novato  
Joan Irwin, Southern Marin Cities  
Alex Stadtner, San Rafael  
David Green, Unincorporated Marin County  
Jennie Pardi, Conservation Corps North Bay  
Dee Johnson, Novato Sanitary District  
Patty Garbarino, Marin Sanitary Service  
David Haskell, Sierra Club

**MEMBERS ABSENT**

Dan North, Redwood Landfill  
Steve McCaffrey, Redwood Empire Disposal  
Matt McCarron, City of Novato

**STAFF PRESENT**

Steve Devine, JPA Staff  
Alex Soulard, JPA Staff

**OTHERS PRESENT**

Kim Scheibly, Marin Sanitary Service  
Sam Ferrero, CalRecycle  
Casey Mazzoni, Marin Builders Association

Call to Order. The LTF Meeting came to order at 8:35AM

1. Open Time for Public Comment

No public comments were heard.

2. Approval of the October 2, 2013 JPA Local Task Force Minutes

M/s Goddard, Irwin to approve the minutes from the October 2, 2013 LTF meeting. The motion passed unanimously.

3. Receive and File Summary of Recent Outreach

Staff provided a summary of the October 24 JPA Board meeting, including: positive feedback on the zero waste outreach provided by JPA contractor O'Rorke, approval of a second contract with O'Rorke, the early appointment of the JPA Budget Subcommittee (Hymel, Mackle) to help address the interim diversion goal shortfall for 2012, and the currently open 45 day comment period for the Single Use Bag Draft Environmental Impact Report. Staff encouraged members to disseminate information on the Toxic Away Day taking place in Tomales November 9<sup>th</sup>. LTF Chair, Vice-Chair and members expressed satisfaction with outreach efforts developed to date by contractor O'Rorke. Staff fielded questions from Members. No action was required.

4. Updates from LTF Subcommittees LTF Members provided updates on the progress made by the Subcommittees since the last meeting noting; meeting dates, issues discussed, and spoke on possible future meeting dates.

C&D/Asphalt Shingles Subcommittee reported: Having met on during the week of September 23<sup>rd</sup> where the Roofs to Roads project was discussed with Tom Barr of Ghilotti Construction and evaluated a pilot program in coordination with Dutra Materials. Updates to the model C&D Ordinance are currently under review by subcommittee members. Next meeting to occur November 20<sup>th</sup>. No action was necessary.

EPR, Sharps & Pharmaceuticals subcommittee reported: Having met November 4<sup>th</sup> to discuss expanded funding for drop-off locations through the sanitary districts and identified an upcoming February 5, 2014 Marin County Health & Human Services Prescription Drug Abuse Strategic Planning session. Future meeting dates were not identified. No action was necessary.

JPA Long Term Funding subcommittee reported: not meeting. Future meeting dates were not identified. No action was necessary.

#### 5. Open Time for Member Comments

LTF Members shared various community updates. Staff noted there will be no January LTF meeting due to the New Year's holiday. No action was necessary.

**MARIN COUNTY HAZARDOUS AND SOLID WASTE  
MANAGEMENT JOINT POWERS AUTHORITY**

Date: December 4, 2013

**Belvedere:**  
Mary Neilan

To: Local Task Force Members

**Corte Madera:**  
David Bracken

From: Alex Soulard, Senior Planner

**County of Marin:**  
Matthew Hymel

Re: Proposed Changes to Model Construction and Demolition(C&D) Debris Ordinance

**Fairfax:**  
Garret Toy

The Construction and Demolition Subcommittee has revised the JPA’s model C&D ordinance to reflect changes to the Green Building Council’s LEED certification program, California’s Build It Green program, and CALGreen state building standards. Additionally, changes reflect more realistic diversion rates for facilities, reclassify Alternative Daily Cover as disposal, and no longer exempt roofing projects (except tar and gravel or built up roofs) due to new diversion opportunities becoming available.

**Larkspur:**  
Dan Schwarz

**Mill Valley:**  
Jim McCann

The Subcommittee has recommended the LTF move to send the updated documents to the JPA Board for consideration. If the changes are adopted by the JPA Board the JPA will begin certifying facilities to the revised ordinance’s standards. It will be recommended that all municipalities update their ordinance to reflect the changes made to the model.

**Novato:**  
Michael Frank

**Ross:**  
Rob Braulik

Additionally, the Subcommittee will begin on working on an Request for Proposals (RFP) to select a new contractor to conduct certifications and work with the member agencies to adopt the model ordinance or incorporate these updates.

**San Anselmo:**  
Debbie Stutsman

**San Rafael:**  
Nancy Mackle

Following LTF approval staff will forward the updated Model Ordinance to County Counsel for review and comment. Staff will also attempt to solicit comments from the Community Development Directors’ group. If any substantial changes to the documents are made by either party the documents will be revisited by the LTF to ensure the group’s support prior to being presented the JPA Board for consideration.

**Sausalito:**  
Adam Politzer

**Tiburon:**  
Margaret Curran

**Recommendation**

The C&D Subcommittee recommends your Task Force adopt a motion to recommend the JPA update the Model C&D Ordinance to the attached version and forward the revised model and associated documents to the JPA Board for consideration.

**Attachments:**

1. Summary of Updates
2. Model C&D Ordinance
3. Facility Certification Standards
4. Facility Certification Application
5. Annual Facility Tonnage Report
6. Diversion Report Form

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## **Revised Model Construction and Demolition Ordinance: Summary of Updates**

The County's Model Construction and Demolition (C&D) Debris Program Ordinance was first developed and approved by the JPA in 2011. Since then, 7 cities have adopted C&D waste diversion programs based on the Model Ordinance.

Given this experience with the Model Ordinance and significant changes in the C&D recycling industry, both in Marin County and the U.S., the Local Task Force (LTF) is recommending changes to update the Ordinance.

The LTF's objectives in making these suggestions are two-fold:

1. Update the Model Ordinance to reflect changes in green building standards such as the US Green Building Council's LEED certification program, California's Build It Green program, and CALGreen state building standards.
2. Continue to strive for increased diversion of C&D debris while recognizing the availability of stable markets in or near Marin County for the recovered materials.

The primary changes include the following:

- Remove exemption for roofing projects except built-up/tar and gravel roofing due to new diversion opportunities.
- Added definition and references for reuse of salvaged C&D materials and definitions for other key terms used in the Ordinance.
- Clarified that use of C&D waste as alternative daily cover (ADC) in landfills shall not count as diversion for either the building permit applicant or any certified C&D recovery facility. This is consistent with newly adopted criteria by the US Green Building Council for LEED certification.
- Reduced the minimum required diversion from mixed C&D loads from 70% to 50%. This takes into consideration no longer counting ADC as diversion, consistency with CALGreen state building standards, and varying diversion from new construction, renovation and demolition projects.
- Kept the 100% diversion requirement for asphalt & concrete (A&C) but clarified that this means clean loads of non-contaminated A&C that can reasonably be processed to meet Caltrans specifications for aggregate base and subbase.
- Deleted escalating diversion requirements based only on years from the facility certification requirements in favor of stating the specific diversion requirements for clean A&C and mixed C&D loads and continuing to allow adjustments in the diversion requirements as set forth in regulations promulgated by the JPA.

The LTF represents environmental organizations, special districts, haulers, facility operators and public members representing the County of Marin, San Rafael, Ross Valley, Novato and Southern Marin. In addition, representatives of the Marin Builders Association and its members as well as JPA staff participated in the development of these recommendations.

# *Model Construction and Demolition Debris Ordinance*

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Endorsed by the Marin County Hazardous and Solid Waste Management Joint Powers Authority: Date

## Model Construction and Demolition Debris Program Ordinance

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF \_\_\_\_\_ AMENDING THE MUNICIPAL CODE BY ADDING A NEW ARTICLE XX (CONCERNING THE COLLECTION, RECYCLING AND DISPOSAL OF WASTE GENERATED FROM CONSTRUCTION, DEMOLITION, AND RENOVATION PROJECTS WITHIN THE CITY OF \_\_\_\_\_)**

### **SECTION 1 (ENACTMENT):**

The City Council of the City of \_\_\_\_\_ does ordain this ORDINANCE No. \_\_\_\_ in full, amending the \_\_\_\_\_ Municipal Code by adding a new Article to the \_\_\_\_\_ Municipal Code which shall read as follows:

**ARTICLE XX.XX     COLLECTION, RECYCLING AND DISPOSAL OF WASTE GENERATED FROM CONSTRUCTION, DEMOLITION, AND RENOVATION PROJECTS WITHIN THE CITY OF \_\_\_\_\_**

### **XX-1 FINDINGS**

- A. The City finds that the State of California through its California Waste Management Act of 1989, Assembly Bill 939 (AB 939 passed and signed into law in 1989) and Alternative Compliance Act of 2008 (SB 1016 passed and signed into law in 2008), requires that each local jurisdiction in the state divert 50% of discarded materials from landfill garbage disposal on a per capita basis.
- B. The City finds that every city and county in California, including the City, could face fines up to \$10,000 a day for not meeting the above mandated goal.
- C. The City finds that the State of California through its California Global Warming Solutions Act of 2006 (AB 32 passed and signed into law in 2006), requires that commercial generators statewide participate in recycling programs.
- D. The City finds that in recent years, inerts and mixed Construction and Demolition (C&D) debris constituted approximately 22% of the materials landfilled in Marin County and a similarly large portion of the waste stream in the City. These materials have significant potential for waste reduction and recycling.
- E. The City finds that reusing and recycling C&D debris is essential to further the City's efforts to reduce waste and comply with AB 939, AB 32 and other waste reduction goals.
- F. The City finds that C&D debris waste reduction and recycling have been proven to reduce the amount of such material in landfills, increase site and worker safety, be cost effective, and thereby assist in the protection of public health, safety and welfare.
- G. The City finds that, except in unusual circumstances, it is feasible to divert on average one hundred percent (100%) clean asphalt and concrete, and at least fifty percent (50%) of all remaining C&D debris from most construction, demolition, and renovation projects.



## *Model Construction and Demolition Debris Ordinance*

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- H. The City desires to implement a program to comply with the Marin County Hazardous and Solid Waste Management Joint Powers Authority (JPA) goal to increase the diversion of materials from landfill disposal and transformation facilities to achieve 80% diversion goal by 2012 and Zero Waste by 2025, ensure that resources are used to their highest potential, reduce upstream waste, and reduce Marin's ecological footprint.
- I. The City finds that, to ensure compliance with this Article and to ensure that those contractors that comply with the Article are not placed at a competitive disadvantage, it is necessary to impose a financial incentive.
- J. The City finds that, to ensure compliance with this Article, facilities will be evaluated annually through an extensive certification process conducted by the JPA.

### **XX-2 DEFINITIONS**

- A. "Alternative Daily Cover (ADC)" means disposal facility cover material, other than organic waste and at least six (6) inches of earthen material, placed on the surface of the active face of the refuse fill area at the end of each operating day to control vectors, fires, odor, blowing litter and scavenging, as defined in Section 20164 of the California Code of Regulations.
- B. "Applicant" means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever who applies to the City for the applicable permits to undertake any construction, demolition or renovation project within the City.
- C. "Avoided Disposal Fee" means three percent (3%) of the value of the project, not to exceed ten thousand dollars (\$10,000).
- D. "Biomass Conversion" means the controlled combustion, when separated from other solid waste and used for producing electricity or heat, of (1) agricultural crop residues; (2) bark, lawn, yard, and garden clippings; (3) leaves, silviculture residue, tree and brush pruning; (4) wood, wood chips, and wood waste; or (5) nonrecyclable pulp or nonrecyclable paper.
- E. "Certified Recovery Facility" means a recycling, composting, materials recovery or reuse facility determined to process incoming C&D materials to divert from landfill disposal or transformation for which the JPA has issued a certification.
- F. "C&D Diversion Report" means a form issued by the Director to be completed and submitted by the Applicant when applying for a building permit and prior to final inspection and issuance of occupancy permit. The reports shall contain estimated amounts of C&D waste expected to be generated by the project, documentation of the actual diversion of C&D waste including use of a Certified Recovery Facility, all receipts from recycling/reuse/disposal facilities used, and such additional information deemed necessary by the Director to document accomplishment of the requirements of this Ordinance.
- G. "Clean Asphalt and Concrete" means asphalt and concrete not contaminated with any other materials and that can reasonably be processed to meet Caltrans specifications for aggregate base and subbase.
- H. "Construction and Demolition Waste (C&D Waste)" means used or discarded materials generated from construction, remodeling, repair, deconstruction, demolition, and



## *Model Construction and Demolition Debris Ordinance*

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renovation activities performed on any pavement, dwelling, commercial building, or other structure. Such materials include, but are not limited to: dirt, sand, rock, concrete, gravel, bricks, plaster, gypsum wallboard, ferrous and non-ferrous scrap, glass, asphalt material, plastics, roofing material, cardboard and other associated packaging, carpeting, cinder blocks, electrical wire, fiberglass, fixtures, granite, marble, pressboard, porcelain, stucco, ceramic tile, vinyl, wood, masonry, remnants of new materials (including paper, plastic, carpet scraps, wood scraps, scrap metal and packaging material), and plant debris resulting from land clearing and landscaping activities related to construction, remodeling, repair, deconstruction, demolition, and renovation activities.

- I. "Deconstruction Project" means a process to carefully dismantle or remove usable materials from structures prior to, or as an alternative to, demolition. "Director" means the City Manager, including his or her designee.
- J. "Diversion" or "Diverted" means a reduction of the amount of waste being disposed in a landfill or transformation facility by any of the following methods:
  - i. Use of new construction methods, as described in regulations promulgated by Director, that reduce the amount of waste generated.
  - ii. On-site re-use of the waste.
  - iii. Delivery of the waste from the site to a Certified Recovery Facility described in Section XX-5.
  - iv. Other methods as approved in regulations promulgated by the Director.
- K. "Joint Powers Authority" or "JPA" means the Marin County Hazardous and Solid Waste Management Joint Powers Authority.
- L. "Project" means a construction, demolition or renovation project for which a building permit is required under Chapter XXXX, with the exception of a project exempted under Section XX-4.
- M. "Recyclable Materials" means segregated residential, commercial or industrial by-products of some potential economic value, set aside, handled, packaged, or offered for collection in a manner different from garbage destined for landfill disposal. Recyclable Materials include, but are not limited to, paper, glass, cardboard, plastics, ferrous and non-ferrous metals, yard and lawn trimmings and food scraps.
- N. "Recycling" means the collection of Recyclable Materials that would otherwise be discarded without receiving compensation and returning them to the economy in the form of raw materials for new, reused, or reconstituted products in compliance with AB 939 diversion requirements.
- O. "Reuse" means using an object or material again, either for its original purpose or for a similar purpose, without significantly altering the physical form of the object or material.
- P. "Transformation" means incineration, pyrolysis, distillation, gasification or biological conversion other than composting. "Transformation" does not include composting or biomass conversion.





# *Model Construction and Demolition Debris Ordinance*

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## **XX-3 C&D DIVERSION REPORT REQUIRED**

- A. Except as otherwise specified in this Article, on or after the date this Ordinance is enacted, each person who applies for a building permit pursuant to Article XX.XX of this code shall complete a C&D Diversion Report estimating the amount of C&D waste expected to be generated from the project. No building permit shall be issued unless the applicant submits the C&D Diversion Report.
- B. One hundred percent (100%) clean asphalt and concrete, and at least fifty percent (50%) of all remaining C&D debris must be diverted from landfill, transformation or use as alternative daily cover (ADC) from applicable construction, demolition, and renovation projects.
- C. Except as otherwise specified in this Article, on or after the date this Ordinance is enacted, each person who applies for a building permit pursuant to Article XX.XX of this code shall remit a C&D Diversion Report documenting compliance with this Ordinance prior to final inspection and issuance of occupancy permit. An Avoided Disposal Fee may be imposed if a Certified C&D Recovery Facility is not used or recycling/reuse receipts are not submitted prior to final inspection and issuance of occupancy permit to ensure compliance and to fund enforcement. The Avoided Disposal Fee shall be based on three percent (3%) of the value of the project, not to exceed ten thousand dollars (\$10,000).

## **XX-4 C&D DIVERSION REPORT EXEMPTIONS**

- A. A C&D Diversion Report shall not be required for the following:
  - i. Work for which a building permit is not required under Article XX.XX.
  - ii. Residential alterations of less than \$2,000 in value.
  - iii. Non-residential alterations of less than \$5,000 in value.
  - iv. Tar and Gravel or Built-Up roofing projects.
  - v. Work for which only a plumbing permit, only an electrical or only a mechanical permit is required.
  - vi. Seismic tie-down projects.
  - vii. The installation or replacement of shelves.
  - viii. Installation of pre-fabricated patio enclosures and covers where no foundation or other structural building modifications are required.
  - ix. Installation of swimming pools and spas, provided that the exemption shall apply only to (1) the area to be excavated for the installation of the pool or spa and (2) the area for the pad for the pool/spa equipment that does not exceed sixteen square feet; and shall not apply to any related construction or alterations necessary for any other equipment or accessories, nor to any other portion of the project.
  - x. Installation of pre-fabricated accessories such as signs or antennas where not structural building modifications are required.
- B. It is unlawful to split or separate a project into small work projects for the purpose of evading the requirements of this Section XX-4.



# *Model Construction and Demolition Debris Ordinance*

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## **XX-5 CERTIFIED C&D RECOVERY FACILITIES**

- A. The JPA shall issue a certification only if the owner or operator of the facility submits the following documentation satisfactory to the JPA's designee:
  - i. The facility has obtained all applicable Federal, State, and local permits, and is in full compliance with all applicable regulations; and
  - ii. The percentage of incoming waste from construction, demolition, and renovation activities that is diverted from landfill disposal, transformation and/or use as alternative daily cover (ADC) meets a required minimum of one hundred percent (100%) clean asphalt and concrete and at least fifty percent (50%) of all remaining C&D waste, or other amount as set forth in regulations promulgated by the JPA.
- B. The JPA shall make available to the City a current list of Certified C&D Recovery Facilities and reuse facilities.
- C. The City shall make available to each building permit applicant a current list of Certified C&D Recovery Facilities and reuse facilities.

## **XX-6 USE OF AVOIDED DISPOSAL FEES**

- A. Moneys received by the City as Avoided Disposal Fees shall be used only for:
  - i. Costs of administration of the program established by this Article;
  - ii. Cost of programs whose purpose is to divert the waste from construction, demolition, and renovation projects from landfill disposal, transformation and use as ADC; and
  - iii. Costs of programs whose purpose is to develop or improve the infrastructure needed to divert the waste from construction, demolition and renovation projects from disposal in a landfill, transformation facility or use as ADC.

## **SECTION 2 (SEVERABILITY):**

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article XX, or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article XX or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article XX irrespective of that fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or effective. To this end the provisions of this Article are declared to be severable.

## **SECTION 3 (EFFECTIVE DATE):**

This Article XX shall take effect thirty (30) days after its passage.

## **SECTION 4 (NOTICE):**

**[Jurisdiction should insert the relevant notice requirements here]**

ADOPTED BY THE FOLLOWING VOTE:

AYES:



# *Model Construction and Demolition Debris Ordinance*

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NOES:

ABSENT:

ABSTAIN:

Mayor: \_\_\_\_\_

City Clerk: \_\_\_\_\_



# *Model Facility Certification Standards*

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## Facility Certification Types

1. **Administrative Facilities** – Facilities that do not have a solid waste facility permit and handle source separated non-solid waste materials only.
2. **Transfer Only Facilities** – Facilities that do not process mixed Construction and Demolition (C&D) materials<sup>1</sup> but transfer those materials to another C&D-Certified Facility.
3. **Transfer Station / Processing Facilities** – Transfer stations that receive solid waste and process mixed C&D materials.
4. **Landfills / Processing Facilities** – Landfills that receive solid waste and process mixed C&D materials.

## Diversion Rate

### ***(Does not apply to Administrative Facilities or Transfer-Only Facilities)***

Facilities will be required to achieve a minimum diversion rate of one hundred percent (100%) clean asphalt and concrete and at least fifty percent (50%) of all remaining C&D waste, or other amount as set forth in regulations promulgated by the JPA. The diversion rate shall be calculated as the percentage of incoming waste from construction, demolition, and renovation activities that is diverted from landfill disposal, transformation and/or use as alternative daily cover (ADC).

Facilities that fail to achieve the required diversion rates may request and receive a temporary waiver from the JPA provided they have:

- Complied with all of the other certification requirements;
- Can demonstrate, to the JPA's satisfaction, a "good faith effort" to achieve the required diversion rate; and
- Meet any and all other requirements that the JPA may establish, at its sole discretion, for issuing any such temporary waiver.

## Reporting Requirements

All facilities must comply with the JPA's C&D reporting requirements including providing complete, accurate and timely information on the Annual C&D Program Facility Tonnage Report (Annual Report), as applicable. Failure to provide complete, accurate and timely information on the Annual Reports is grounds for decertification.

The diversion rate for C&D-Certified Facilities seeking recertification shall be based on the information provided in the Annual Reports for the most recent calendar year (or other 12 month

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<sup>1</sup> C&D materials (debris/waste) include used or discarded materials generated from construction, remodeling, repair, deconstruction, demolition, and renovation activities performed on any pavement, dwelling, commercial building, or other structure. Such materials include, but are not limited to: dirt, sand, rock, concrete, gravel, bricks, plaster, gypsum wallboard, ferrous and non-ferrous scrap, glass, asphalt material, plastics, roofing material, cardboard and other associated packaging, carpeting, cinder blocks, electrical wire, fiberglass, fixtures, granite, marble, pressboard, porcelain, stucco, ceramic tile, vinyl, wood, masonry, remnants of new materials (including paper, plastic, carpet scraps, wood scraps, scrap metal and packaging material), and plant debris resulting from land clearing and landscaping activities related to construction, remodeling, repair, deconstruction, demolition, and renovation activities.



## *Model Facility Certification Standards*

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period specified by the JPA), subject to review and verification by the JPA. New facilities requesting initial certification must submit documentation acceptable to the JPA that demonstrates that the facility is achieving the required diversion rate.

### General Requirements / Standards

Facilities that accept C&D materials must adhere to the following conditions to be certified by the Marin County Hazardous and Solid Waste Management Joint Powers Authority:

1. All incoming loads of C&D materials:
  - a. Must be weighed and tracked by point-of-origin; and
  - b. Must be classified as either a source separated C&D load (i.e., less than 10% contaminants or other materials) or a mixed C&D load (more than 10% of contaminants or other material types).
2. All residual from processing must be:
  - a. Weighed and the weight recorded prior to disposal onsite or transfer off-site to another facility; and
  - b. Reported as “residue” on the Annual Reports along with the name of the receiving facility if transferred off-site.
3. Diversion credit will only be given for:
  - a. Source separated C&D materials directed to off-site markets or used on-site for beneficial use, to the extent allowed;
  - b. Materials recovered from mixed C&D loads processed on-site and delivered to off-site markets for diversion (e.g., reuse, recycling, composting, biomass conversion); and
  - c. Materials recovered from mixed C&D loads processed on-site and used on-site for beneficial use, to the extent allowed.
4. Diversion credit will not be given for use of C&D materials, processed or as received, as alternative daily cover (ADC).
5. Transfer-Only Facilities will be given diversion credit equal to the diversion rate for the receiving C&D-Certified Facility.
6. Residue from mixed C&D loads that are processed on-site that are then directed off-site to a C&D-Certified Facility or other facility shall not count toward the diversion rate of the facility directing that material off-site.
7. Residue received from a C&D-Certified Facility will not count as C&D tonnage for the receiving facility for purposes of calculating that facility’s diversion rate.
8. ADC or other processed C&D material received from a C&D-Certified Facility will not count as C&D tonnage received or diverted for the receiving facility for purposes of calculating that facility’s diversion rate.
9. All material directed off-site must be weighed and reported, and the facility (market, processing facility or disposal site) the material is delivered to must be identified on the Annual Report.



## *Model Facility Certification Standards*

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10. All tonnages reported in C&D Diversion Reports should be consistent with tonnages reported to the California department of Resources Recycling and Recovery's Disposal Reporting System required under Title 14 of the California Code of Regulations, Article 9.2, Sections 18800 through 18814.11.

### Processing Requirements

Facilities must process **ALL** mixed C&D loads. Under no circumstances may materials from a mixed C&D load be transferred off-site or disposed without first being processed. (This requirement does not apply to Administrative Facilities or Transfer-Only Facilities.)

### **Administrative Facilities**

No processing requirements.

### **Transfer-Only Facilities**

1. Must have a dedicated storage area for C&D loads;
2. **ALL** C&D loads must be segregated and must not be commingled with any non-C&D loads;
3. Any C&D materials from source separated C&D loads must be used on-site for beneficial use or delivered to off-site markets for diversion; and
4. **ALL** mixed C&D loads (materials) must be transferred to a C&D-Certified Facility for processing.

### **Transfer Stations / Processing Facilities**

1. Must have a dedicated mixed C&D processing area separated from the transfer operation;
2. Must direct **ALL** mixed C&D loads to the dedicated processing area for processing; and
3. At a minimum, processing at the dedicated processing area must include **Physical Separation** of C&D materials/loads (hand pickers, floor sorters, etc.), supported by dedicated **Heavy Equipment Separation** (front-end loaders, skip loaders, grapplers, etc.); and
4. Must process **ALL** mixed C&D loads at the dedicated processing area such that, to the JPA's satisfaction, a "good faith effort" is made to recover all available recoverable material.

### **Landfills / Processing Facilities**

1. Must have a dedicated mixed C&D processing area separated from the working face of the landfill;
2. Must direct **ALL** mixed C&D loads to the dedicated processing area for processing;
3. At a minimum, the dedicated processing area must have a dedicated, staffed and operating **Mechanical C&D Processing Line** (i.e., a C&D sorting belt that conveys materials past staffed sorting stations), and/or **Mechanical Separation** (e.g., shaker screens, magnets, float tanks, etc.), supported by dedicated **Heavy Equipment Separation** (front-end loaders, skip loaders, grapplers, etc.) and/or other appropriate capabilities (e.g., an initial floor sort); and
4. Must process **ALL** C&D loads at the dedicated processing area such that, to the JPA's satisfaction, a "good faith effort" is made to recover all available recoverable material.



## *Model Facility Certification Standards*

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Any facility not currently meeting the necessary Processing Requirements listed above that wishes to participate in the C&D Program ***must develop and adhere*** to a specific schedule for providing the necessary Processing Requirements that is acceptable to the JPA to be eligible for certification.



## *Model Facility Certification Application*

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Please carefully read and fill out this application form in its entirety. If a question is not applicable to your facility, please indicate by writing "N/A". The Application is in four (4) Sections, with three (3) Attachments:

- Section 1: General Information
- Section 2: Description of Operations
- Section 3: Permits and Licenses
- Section 4: Diversion Data
  - Attachment A: Facility Site Map
  - Attachment B: Facility Permits and Licenses
  - Attachment C: Diversion Documentation

Applications must be submitted by \_\_\_\_\_pm, \_\_\_\_\_, 20xx, to be eligible for certification in the JPA's Construction and Demolition program. **No applications will be accepted after \_\_\_\_\_ 20xx, and failure to submit an application will result in decertification.** Electronic or hard copy applications must be sent to

Marin County JPA Certification Program  
Attn: \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
Email Address \_\_\_\_\_





# *Model Facility Certification Application*

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## Model Facility Certification Application

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Section 1. General Information	
1.1 Name of Facility Applying for Certification:	1.2 Facility Address:
1.3 Contact Name:	1.4 Contact Email Address:
1.5 Contact Office Phone Number:	1.6 Contact Cell Phone Number:
1.7 Type of application:	<input type="checkbox"/> Initial <input type="checkbox"/> Renewal
1.8 If renewal application, indicate the date first certified as a C&D recycling facility:	
1.9 Administrative Office Address (if different than facility address):	
1.10 Address of Facility Applying for Certification:	
1.11 Names and Addresses of other Facilities Owned by Company (if applicable):	
a.	
b.	
c.	
d.	



## Model Facility Certification Application

Section 2. Description of Operations				
2.1 Date (month/year) C&D recycling operation was started:				
2.2 Requested Facility Certification Type: (mark only one):				
<input type="checkbox"/> (a) Administrative Facility – Facilities that do not have a solid waste facility permit and handle source separated non-solid waste materials only.				
<input type="checkbox"/> (b) Transfer Only Facility – Facilities that do not process mixed C&D materials but transfer those materials to another C&D-Certified Facility.				
<input type="checkbox"/> (c) Transfer Station / Processing Facility – Transfer stations that receive solid waste and process mixed C&D materials.				
<input type="checkbox"/> (d) Landfill / Processing Facility – Landfills that receive solid waste and process mixed C&D materials.				
2.3 Types of C&D materials accepted (check all that apply):				
<input type="checkbox"/> Carpet	<input type="checkbox"/> Wood	<input type="checkbox"/> Aggregate	<input type="checkbox"/> Paint	<input type="checkbox"/> Shingles
<input type="checkbox"/> Carpet Pad	<input type="checkbox"/> Ferrous Metals	<input type="checkbox"/> Wallboard	<input type="checkbox"/> Aluminum	<input type="checkbox"/> Copper
<input type="checkbox"/> Brass	<input type="checkbox"/> Stainless	<input type="checkbox"/> Tin	<input type="checkbox"/> Iron	<input type="checkbox"/> Green Waste
<input type="checkbox"/> Tree Stumps	<input type="checkbox"/> Concrete	<input type="checkbox"/> Asphalt	<input type="checkbox"/> Dirt/Soil	<input type="checkbox"/> AC Grindings
<input type="checkbox"/> Porcelain	<input type="checkbox"/> Brick	<input type="checkbox"/> Base Rock	<input type="checkbox"/> Wire	<input type="checkbox"/> Clean Fill
<input type="checkbox"/> Cardboard	<input type="checkbox"/> Plastic	<input type="checkbox"/> Ceramics	<input type="checkbox"/> E-waste	
If more materials apply, please list below:				

## Model Facility Certification Application

Section 2. Description of Operations			
2.4 List below the end market(s) for all accepted materials. Please provide company and contact information of end market destinations. If necessary, continue on a separate piece of paper.			
Material	Market	Company	Company Contact Info
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
2.5 Indicate facility's expansion plans for the next 5 years. If new materials are included, please list and indicate markets as was done in section 2.4.			
2.6 Attachment A – Please attach a site map of facility requesting certification to this application and label as “ <b>Attachment A</b> ”.			
Clearly indicate the following on the site map: (a) Scale house, (b) C&D material stockpiles prior to processing, (c) mixed C&D processing area(s), (d) source separated C&D processing areas, (e) recovered material stockpiles.			



**Section 2. Description of Operations**

2.7 Explain what classifications the facility records for C&D loads (e.g., mixed load, source separated, classification by individual material type (e.g., wood waste, concrete etc.).

2.8 Provide a list of the number of staff by job classification and equipment used for mixed C&D processing.

## Model Facility Certification Application

### Section 2. Description of Operations

2.9 C&D-Certified Facilities, with the exception of "Transfer-Only" facilities, are required to process all mixed C&D loads. Are all mixed C&D loads processed?

Yes       No       NA (Transfer-Only Facility)

If "NO" clearly explain what mixed C&D loads are not processed and why.

2.10 "Transfer Only" facilities are required to transfer all mixed C&D loads to a C&D-Certified Facility. Are all mixed C&D loads transferred to a C&D-Certified Facility?

Yes       No       NA (Not a Transfer-Only Facility)

If "NO" clearly explain what mixed C&D loads are not transferred to a C&D-Certified Facility and why.



### Section 2. Description of Operations

- 2.11 Explain how mixed C&D loads are handled and processed at the facility:
- a. Where do mixed C&D loads go after leaving the scale house?
  
  - b. What policies and procedures are used to assure that all mixed C&D loads are processed?
  
  - c. What specific manual and/or mechanical methods are used to process the mixed C&D loads?
  
  - d. What happens to the various materials that are recovered from mixed C&D loads after processing?
  
  - e. Are any of the recovered materials that are used on-site for beneficial use weighed? If not, how are the tonnages estimated for purposes of their accounting on the Annual Reports?
  
  - f. What happens to the residue from processing operations? Is it weighed prior to disposal?
- 2.12 Does the facility stockpile materials prior to processing? If so, explain what types of materials are stockpiled, where they are stockpiled and for how long?

## Model Facility Certification Application

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### Section 2. Description of Operations

2.13 How does the facility estimate the tons of materials stockpiled prior to processing for purposes of reporting that figure on the Annual Reports?

2.14 Does the facility stockpile processed materials prior to (a) diverting off-site and/or (b) prior to using on-site? If so, explain what types of materials are stockpiled, where they are stockpiled and for how long?

2.15 How does the facility estimate the tons of processed materials stockpiled for purposes of reporting that figure on the Annual Reports?

2.16 List all types of materials that are used for beneficial use on-site and the specific on-site use of each material type.

2.17 Explain how source separated loads of C&D materials are handled/processed at the facility:

- a. Where do source separated C&D loads go after leaving the scale house?
  
- b. What specific manual and/or mechanical methods are used to process each type of source separated C&D material?





## Model Facility Certification Application

### Section 4. Diversion Data

Complete the following information based on actual records for Calendar Year 2010. Supporting documentation must be made readily available for review during the audit.

Written documentation must be attached to this application and labeled as “**Attachment C**” for all information provided. Acceptable written documentation is monthly or quarterly facility operations reports.

4.1 Provide the total diversion rate for all C&D material received at the facility for calendar year 2010:

4.2 How are loads measured?

Weight    Volume

4.3 Are all incoming loads measured?

Yes    No

4.4 Are all outgoing loads measured?

Yes    No

4.5 Are Marin County C&D materials recorded separately?

Yes    No

4.6 Does the facility identify the jurisdiction of origin on the weight tickets?

Yes    No

4.7 The following refers to all materials regardless of C&D status:

- a. What is the total capacity of the facility: \_\_\_\_\_ tons
- b. What is the total tonnage of incoming materials: \_\_\_\_\_ tons
- c. What is the total tonnage of outgoing materials: \_\_\_\_\_ tons
- d. What percentage of total tonnage originated in Marin County: \_\_\_\_\_ %
- e. How is that percentage determined?

The following refers only to C&D materials:

- a. What is the total C&D tonnage of incoming materials: \_\_\_\_\_ tons
- b. What is the total C&D tonnage of outgoing materials: \_\_\_\_\_ tons
- c. What percentage of total C&D tonnage originate in Marin County: \_\_\_\_\_ %
- d. How is that percentage determined?

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name/Title





# Model C&D Diversion Report Form

## Instructions:

Complete Part 1 when applying for a building permit. Prior to requesting a final inspection and issuance of occupancy permit, complete Part 2 and submit receipts from all recycling, reuse and disposal facilities used along with this completed form to the Building Division.

## Requirements:

- Applies to all construction, demolition and renovation projects requiring one or more building permits.
- 100% clean asphalt and concrete, and at least 50% of all remaining construction and demolition (C&D) debris must be diverted from the landfill, transformation or use as alternative daily cover (ADC) from construction, demolition, and renovation projects.
- A Certified C&D Recovery Facility must be used.
- Receipts for recycling/reuse/disposal must be submitted prior to issuance of occupancy permit.

## Part 1: Project Information and Estimated C&D Waste to be Generated

Permit Number \_\_\_\_\_ Job Address \_\_\_\_\_  
 Type & Size of Project: Demolition \_\_\_\_\_ sf Remodel \_\_\_\_\_ sf New/Addition \_\_\_\_\_sf  
 Type of Construction:  Wood frame  Concrete  Steel  Other (specify) \_\_\_\_\_  
 Waste Hauler or Recycling Contractor \_\_\_\_\_  
 Estimated Project Value \$ \_\_\_\_\_

Estimated C&D Waste Generation				
Project Type	Project Size		Debris Weight Projection Factor	Estimated Total Project Debris
New construction	_____ sf	X	4 lbs. / sf	= _____ lbs.
Renovation	_____ sf	X	40 lbs. / sf	= _____ lbs.
Demolition	_____ sf	X	70 lbs. / sf	= _____ lbs.
Demolition, including foundation	_____ sf	X	100 lbs. / sf	= _____ lbs.
PROJECT TOTAL =				_____ lbs.

## Part 2: Documentation of Compliance to C&D Ordinance

Complete Part 2a or Part 2b to show compliance with the City's C&D Ordinance requirements listed above.

### Part 2a: Documentation Showing Use of a Certified C&D Recovery Facility



## Model C&D Diversion Report Form

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Submit receipts from a Certified C&D Recovery Facility and any reuse or disposal facilities used along with this completed form to the Building Division prior to requesting a final inspection.

### Part 2b: C&D Diversion Report

Document actual waste diversion for your project. (Please attach all receipts.)

Date of Receipt	Facility Name	Materials Diverted for Recycling/Reuse (excludes ADC)	Materials Disposed in Landfill (includes ADC)	Quantity/Weight of Materials Diverted/Disposed

### Part 3: Actual Project Value and Avoided Disposal Fee

Please fill out the information below as accurately as possible, and submit this completed form along with receipts from your waste hauler/recycler/reuse facility/disposal facility prior to requesting a final inspection.

Value of Project \$ \_\_\_\_\_ X 3% (but no more than \$10,000) = \$ \_\_\_\_ Avoided Disposal Fee\*

\*Amount due prior to issuance of occupancy permit if diversion requirements are not meet.

Please find a full list of Certified Facilities at: [www.ZeroWasteMarin.org](http://www.ZeroWasteMarin.org)





# MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

**Belvedere:**  
Mary Neilan

Date: December 4, 2013

**Corte Madera:**  
David Bracken

To: Local Task Force Members

**County of Marin:**  
Matthew Hymel

From: Steve Devine, Program Manager

**Fairfax:**  
Garret Toy

Re: Updates from LTF Subcommittees

Currently there are three subcommittees:

**Larkspur:**  
Dan Schwarz

- EPR, Sharps and Pharmaceuticals Subcommittee – Meeting 12/9/13
- JPA Long Term Funding Subcommittee
- Construction & Demolition/Asphalt Shingle Subcommittee – Meeting 11/20/13, 1/15/14

**Mill Valley:**  
Jim McCann

**Novato:**  
Michael Frank

In addition there is the:

- JPA Board's Zero Waste Outreach Subcommittee

**Ross:**  
Rob Braulik

Members will report on progress they have made researching and addressing issues at each LTF Meeting.

**San Anselmo:**  
Debbie Stutsman

### **Recommendation**

**San Rafael:**  
Nancy Mackle

Adopt a motion to receive reports from Subcommittees.

**Sausalito:**  
Adam Politzer

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**Tiburon:**  
Margaret Curran

**MARIN COUNTY HAZARDOUS AND SOLID WASTE  
MANAGEMENT JOINT POWERS AUTHORITY**

**Belvedere:**  
Mary Neilan

Date: December 4, 2013

**Corte Madera:**  
David Bracken

To: Local Task Force Members

**County of Marin:**  
Matthew Hymel

From: Steve Devine, Program Manager

**Fairfax:**  
Garret Toy

Re: Election of Local Task Force Chair and Vice Chair

**Larkspur:**  
Dan Schwarz

The AB939 Local Task Force (LTF) Procedures state that the LTF shall elect a Chair and Vice-Chair Elections at the first meeting of the calendar year. However, with next LTF meeting occurring February 14, 2014 due to the regularly scheduled January meeting falling on New Year’s Day – it is prudent to elect a Chair and Vice Chair and this time – and have the newly elected officers assume responsibility at the end of this meeting.

**Mill Valley:**  
Jim McCann

**Novato:**  
Michael Frank

The current chair is David Green and the Vice Chair is Delyn Kies.

**Ross:**  
Rob Braulik

A copy of the Local Task Force “Procedures” is attached for reference.

**Recommendation:**

**San Anselmo:**  
Debbie Stutsman

The suggested course of action is to:

**San Rafael:**  
Nancy Mackle

1. Accept nominations of candidates and elect an LTF Chair for a term beginning at the end of this meeting and ending upon election of a new LTF Chair for 2015; and then:
2. Accept nomination of candidates and elect an LTF Vice-Chair for a term beginning at the end of this meeting and ending upon election of a new Vice Chair for 2015.

**Sausalito:**  
Adam Politzer

**Tiburon:**  
Margaret Curran

Attachment.

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MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT  
JOINT POWERS AUTHORITY - AB939 LOCAL TASK FORCE  
PROCEDURES

SECTION 1 – SUMMARY OF PURPOSES AND RESPONSIBILITIES

- Identify solid waste management issues of county-wide or regional concern
- Make recommendations to the JPA Board regarding updates and maintenance of the County Integrated Waste Management Plan including the five-year review(s) as set forth in Public Resources Code Sections 41770 and 41822
- Monitor and review proposed legislation related to integrated waste management. If determined appropriate, propose recommendations to the Joint Powers Authority Board regarding advocating for legislation that will assist the County in meeting its goals pursuant to the California Integrated Waste Management Act
- Consider recommendations to the Joint Powers Authority Board regarding ordinances and/or minimum standards for possible adoption by local jurisdictions to assist in meeting the goals according to the California Integrated Waste Management Act and related legislation

SECTION 2 – MEMBERSHIP

The Marin County Hazardous and Solid Waste Management Joint Powers Authority Board has determined that the Local Task Force membership shall include at least two representatives of waste haulers, with two alternate members for those positions, three representatives of environmental organizations, two representatives of special districts involved in the regulation and disposal of waste, and five public representatives appointed by the member agencies serving on the Joint Powers Authority Executive Committee.

Local Task Force members shall be appointed by the Joint Powers Authority Board of Directors, with the exception of the five public representatives which will be appointed by the respective member agency serving on the Joint Powers Authority Executive Committee.

SECTION 3 – MEETINGS

Local Task Force regular meetings will be held monthly on the first Wednesday of each month in the offices of the Marin County Department of Public Works or other available locations. All regular meetings shall comply with the noticing, agenda, and comment requirements of the Brown Act (Government Code §54950 et seq.). Special meetings may be called by the Chair or by a majority of the members, and held in accordance with the requirements of the Brown Act.

## SECTION 4 – QUORUM, VOTING, AND RULES OF ORDER

A quorum for the transaction of business shall exist when a majority of the appointed members are present. When a quorum is present, action may be taken by the Local Task Force upon the affirmative vote of a majority of the members present, unless a greater voting requirement is prescribed by statute. Meetings of the Local Task Force shall be governed by Robert's Rules of Order.

## SECTION 5 – ELECTION OF OFFICERS, TERM, AND DUTIES

The officers of the Local Task Force shall be the Chair and Vice-Chair. Elections will be held at the first meeting of the calendar year and the Chair and Vice-Chair will assume responsibilities immediately. The term of the Chair and Vice-Chair shall be one year.

If at any time the Chair vacates this position, the Vice-Chair shall assume the role of Chair for the remainder of the elected term and is authorized to appoint a new Vice-Chair to serve the remainder of that elected term.

### CHAIR'S DUTIES

1. Conduct meetings
2. Make reports to the Joint Powers Authority Executive Committee and Board of Directors.
3. Other duties as requested by Local Task Force membership

### VICE-CHAIR'S DUTIES

1. Acting Chair in the absence of Chair
2. Other duties as requested by Local Task Force membership