



A Public Agency

INFORMATIONAL ITEMS ONLY

STAFF REPORT

To: SBWMA Board Members
From: Tj Carter, Program Manager II, Recycling and Compliance
Date: November 17, 2022 Board of Directors Meeting
Subject: Update on the Status of SB 1383 Implementation and Compliance

Summary

As detailed in the 2021 SBWMA SB 1383 Memorandum of Understanding authorized by the SBWMA Board of Directors and SBWMA Member Agencies, SBWMA staff has been delegated a significant portion of the SB 1383 program responsibilities.

Staff has updates on the following item:

Annual Contamination Monitoring

SB 1383 requires jurisdictions to conduct annual contamination monitoring of all three containers to keep the organics waste stream clean. On October 30th – November 4th, 2022, SCS Engineers conducted inspections of randomly selected containers on each collection route for solid waste, recyclable materials, and organic materials to meet the SB 1383 requirements. This included identifying what contaminants were being found in each bin/carts. Inspections took place on every Recology route. Roughly, 2,700 accounts were inspected throughout the service territory.

Homes that were found to have excessive contamination received a tag on their cart educating them about items that were considered contaminants and informing about how to properly sort (Attachment A). Apartments and businesses that had contamination will receive a follow up letter in the mail with resources to educate staff and tenants.

SBWMA staff will share the 2022 Contamination Monitoring Route Review Report in the next Board of Directors meeting in January 2023. The information learned from the route reviews and detailed in the report will be used to inform the next 3-year Public Education Plan.

Background

In September 2016, SB 1383 (Lara, Chapter 395, Statutes of 2016) established statewide methane emissions reduction targets in an effort to reduce emissions of short-lived climate pollutants in various sectors of California's economy. It includes statewide goals to reduce the disposal of organic waste and recover edible food for human consumption. To accomplish these statewide goals, SB 1383 regulations were developed, which were approved on November 3rd 2020, and include prescriptive requirements for jurisdictions related to recycling and organics collection, inspection, and enforcement policies and programs and edible food recovery. The SBWMA and its Member Agencies need to comply with nearly all SB 1383 requirements by January 1, 2022 with the significant exception that enforcement actions do not need to commence until January 1, 2024.

More information regarding SB 1383 can be found online at www.calrecycle.ca.gov/organics/slcp/.

Fiscal Impact

None.

Attachments: Attachment A - Route Review Contamination Cart Tag Example

Attachment A - Route Review Contamination Cart Tag Example

Front

**HELP ACHIEVE A BETTER COMMUNITY
BY SORTING PROPERLY**
Ayude a lograr una mejor comunidad al
clasificar adecuadamente
正確的分類幫助造就更好的社區

The item(s) marked below **DO NOT** belong in the designated cart. Visit WhatBin.com for a list of what goes into each cart.

Los artículos marcados a continuación **NO** pertenecen al carrito designado. Visite WhatBin.com para obtener una lista de lo que se incluye en cada carrito.

下面標記的物品不屬於指定的桶查看 WhatBin.com 以獲取每個桶的物品清單



Contamination Circled Below
Contaminación en un círculo debajo
下面圈出的污染

Plastic Film/Bags Cubiertas, Bolsas de Plástico 塑料薄膜/袋子	Glass Vidrio 玻璃	Animal Waste Residuo de Mascotas 寵物垃圾
Food Scraps Restos de Comida 廚餘	Black Plastic Plástico Negro 黑色塑料	Textiles Los Textiles 紡織品
E-Waste/Hazardous Waste Desechos electrónicos 電子垃圾	Food/Beverage Soiled Paper Papel Sucio con Comida y Bebidas 沾有食物和飲料的紙類	Polystyrene Foam Poliestireno 保麗龍

Other | Otro | 其他

More information about contamination monitoring at
Más información sobre el control de la contaminación
有關更多的監測分類資訊
RethinkWaste.org/SB1383



Back

PROPER SORTING
CLASIFICACIÓN ADECUADA
正確分類



Special Handling

- **Household Hazardous Waste (HHW):** It is illegal to place HHW such as paint, cleaners, e-waste and fluorescent lights in your curbside carts. For information visit RethinkWaste.org/HHW.
- Place household batteries in a clear sealed bag **ON TOP OF YOUR BLACK CART** on normal collection day.
- **Textiles:** Please reuse or donate textiles. Place in the black landfill cart if textiles are not reusable.

Manejo especial

- **Desechos domésticos peligrosos (HHW):** es ilegal colocar HHW, como pintura, limpiadores, desechos electrónicos y luces fluorescentes, en los carritos de la acera. Para obtener información, visite RethinkWaste.org/HHW.
- Coloque las baterías domésticas en una bolsa transparente sellada **ENCIMA DE SU CARRITO NEGRO** el día normal de recolección.
- **Textiles:** Por favor reutilice o done textiles. Colóquelo en el contenedor de basura negro si los textiles no son reutilizables.

特殊處理

- 家庭危險廢物 (HHW): 將 HHW (如油漆、清潔劑、電子垃圾和熒光燈) 放置在路邊的手推車中是違法的。有關信息，查看 RethinkWaste.org/HHW。
- 在正常收集日，把家用電池放入透明封口的塑膠袋內，放在黑色桶的上端。
- 紡織品：請重複使用或捐贈紡織品。如果紡織品不可重複使用，請放入黑色垃圾桶。

STAFF REPORT

To: SBWMA Board Members
From: Hilary Gans, Senior Facilities and Contracts Manager
Date: November 17, 2022 Board of Directors Meeting
Subject: Update on the Status of the Underground Fuel Storage Tanks Removal Project

Recommendation:

This item is informational only and no board approval is required.

Summary

This staff report provides an update on the status of the underground fuel storage tanks (UST) removal project. Periodic updates will be presented to the Board as the project progresses.

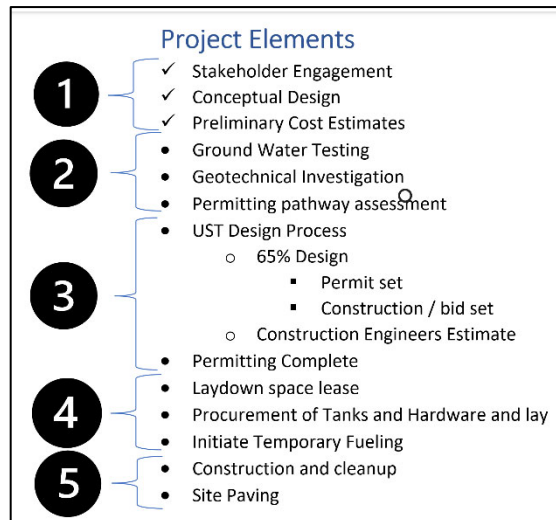
Analysis

Staff has concluded the initial planning phase of the UST removal and replacement project at Shoreway. This project is expected to take 2-years to permit and complete and is anticipated to be finished before the regulatory deadline of January 1, 2025. The major project phases and their estimated duration are listed below while the detail of each phase is presented in **Table 1**.

<u>Project Phases</u>	<u>Duration</u>
1. <i>Planning</i>	<i>Complete</i>
2. <i>Investigation</i>	<i>4 months</i>
3. <i>Design and Permitting</i>	<i>6 months*</i>
4. <i>Pre-Construction</i>	<i>6 months*</i>
5. <i>Construction</i>	<i>9 months</i>

**Timeframes for these items are expected to overlap*

Table 1 Phase elements



Staff is currently in the process of selecting a engineering and design company that will be responsible for creating the construction drawings and bid specifications for the bidding of the Construction Phase of the project. additionally, the design drawings will serve as the basis for a permit application to the Certified Unified Program Agency (CUPA) that serves as the lead agency for the permitting of this project.

At the January 2023 Board meeting, Staff will bring a recommendation for approval of a Design and Engineering firm for the project. Phase 2 site "Investigation" work will also commence in early 2023. The soil and groundwater

investigations will provide the information about potential leaks and contamination that could alter the trajectory of the project.

As part of the Phase 1, Planning process staff has outlined the contractor roles that will be needed to complete the project (either as a primary or sub-contractor) and current costs estimates for work (see **Table 2**). As the UST project advances, and contractors and costs become known, this table will be updated to provide the Board with the status of work and expenditures. Staff has included this project's projected first phase costs in our proposed FY2023 Capital Budget which is being considered by the Board today in agenda item 5A.

	<u>Project Element</u>	<u>Contractor</u>	<u>Cost/Est.</u>
1	Construction Design		\$250K Est at 10% project cost
2	Construction Management		\$250K Est at 10% project cost
3	Geotechnical Investigation		\$10K Rockwell quote
4	Ground Water Sampling	Pathforward	\$50K Path Forward quote
5	Permitting Assistance		\$25K HG Estimate
6	UST Removal and Replacement Construction		\$3.0 M
7	Temporary Fueling Contractor		\$TBD
8	Land Lease with County San Mateo		\$TBD
9	Fire Suppression Installation		\$TBD
10	Lighting and Electrical Installation		\$TBD
11	Fencing Contractor to		\$TBD
12	Recology lease agreement and Impact		\$TBD
13	Soils disposal and hazmat contingency		\$TBD

Background

The three existing USTs at Shoreway are each 12,000-gallon single-wall fiberglass tanks currently utilized for the storage of diesel fuel (see **Figure 2** on following page). Four above-ground fuel dispensers on two fuel islands and a remote dispenser provide over 1 million gallons per year of fuel to the collection trucks, long haul vehicles and material handling equipment used by Recology and SBR (see **Figure 3** following page). The USTs and dispensers are believed to have been installed in 1985 by Browning-Ferris Industries. While there have been periodic upgrades to the piping and fueling system over the years, the existing USTs and associated infrastructure require permanent closure under SB445 which requires the phase out of all single-wall systems by January 1, 2025.

While the SBWMA has the long-term goal of converting all collection trucks and equipment to electricity, this equipment is not available at this time, hence the need to replace the tanks with modern, compliant infrastructure and technology. The scaled transition to an EV-based fleet is expected over the next 10+ years.

Since the collection and site operations require large quantities of fuel each day (4,000 gallons/day - roughly a tanker truck), it is imperative that fueling is not disrupted during construction. Also, site space is constrained and the SBWMA is currently seeking looking to lease nearby land for parking, construction, and equipment laydown during the project.

Figure 2 Existing USTs and Dispensers

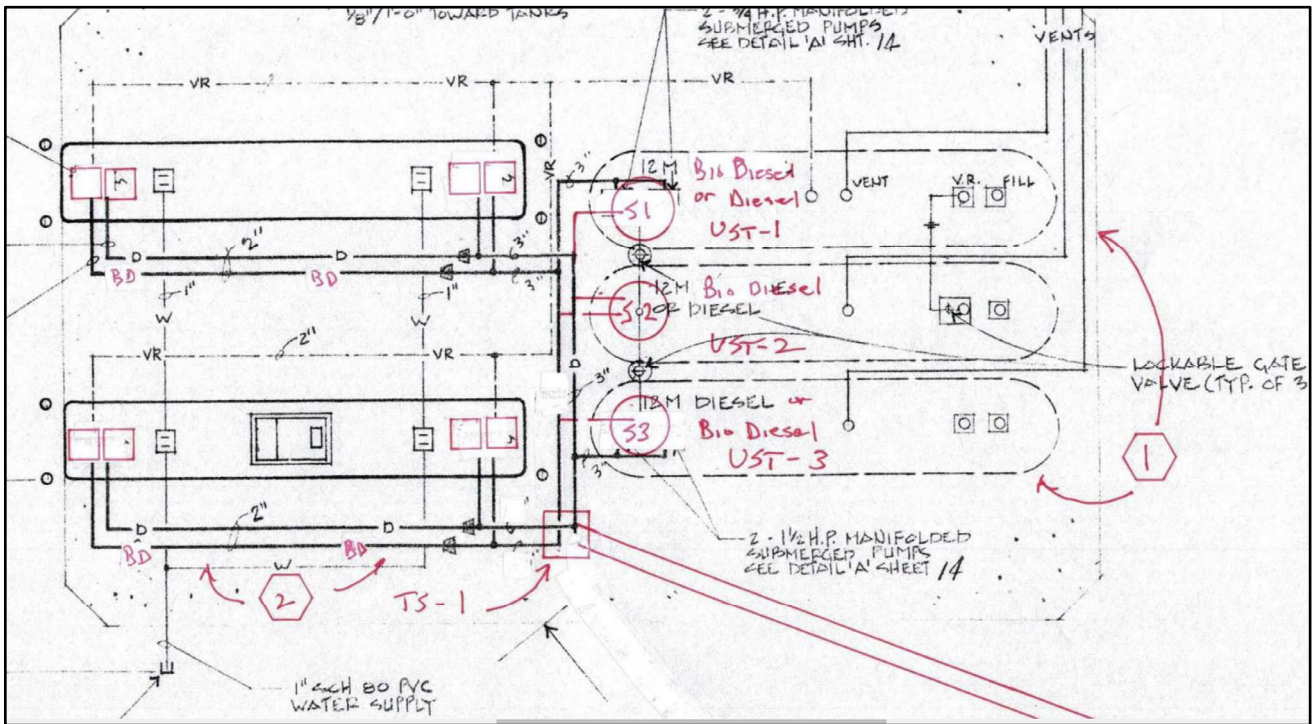


Figure 3 Truck Fueling at UST Station



STAFF REPORT

To: SBWMA Board Members
From: John Mangini, Senior Finance Manager
Date: November 17, 2022, Board of Directors Meeting
Subject: 2022/23 Finance and Rate Setting Calendar

Recommendation

This is an informational report, and no action is necessary.

Summary

The purpose of this staff report is to keep the Board and Member Agency staff informed on the schedule of important financial and rate setting events in 2022 and 2023. This staff report is updated as necessary and included in the Board packet each month.

2022 Schedule of Finance, Contractor Compensation and Rate Adjustment Activities:

March 2022

- Recology submission of the unaudited 2021 Revenue Reconciliation Report (*Due: March 31*) *Complete*

June 2022

- Mid-year review of the adopted FY2022 SBWMA Operating Budget. *Complete*
- Recology's 2023 Compensation Application submission to the SBWMA/Member Agencies (*Due: June 15*) *Complete*
- SBWMA / Member Agency submit comments to Recology on its 2023 Compensation Application (*Due: June 29*) *Complete*
- SBWMA issues Member Agency letters requesting formal confirmation on their estimated 2022 Member Agency fees (e.g., franchise fees) to be included in their 2023 solid waste rates. *Complete*
- Review of Recology's Revenue Reconciliation Report from the independent Financial Systems audit report. *Complete*
- Approval of the FY2021 Audited Financial Statements. *Complete*

July 2022

- SBR's 2023 Compensation Application submission to the SBWMA (*Due: July 1*). *Complete*
- Recology revised 2023 Compensation Application submission to SBWMA/Member Agencies (*Due: July 15*). *Complete*
- SBWMA issues the following reports to the Board and Member Agency staff for review and comment:
 - 1. Estimated 2022 and 2023 residential and commercial base revenue. *Complete*
 - 2. Estimated collected tonnage for 2022 and 2023. *Complete*
 - 3. Summary of 2023 Member Agency fees to be used in the 2023 cost projections based on Member Agency feedback. *Complete*

August 2022

- SBWMA issues the Draft Report Reviewing Recology's 2023 Compensation Application, recommended total Revenue Requirement, and Rate Adjustment (*Due: August 10*). *Complete*
- SBWMA issues the Draft Report Reviewing SBR's 2023 Compensation Application (*Due: August 17*). *Complete*
- Comments due from Member Agencies on draft Reports Reviewing Recology's & SBR's 2023 Compensation Application (*Due: August 26*). *Complete*

September 2022

- SBWMA TAC Meeting reviewing Pre-Final Report Reviewing Recology's 2023 Compensation Application (*September 8*). *Complete*
- SBWMA issues Amended Final Report Reviewing Recology's 2022 Compensation Application including the recommended total Collection Rate Adjustment for 2023. (*September BOD Packet*) *Complete*
- SBWMA issues Final Report Reviewing SBR's 2023 Compensation Application. (*September BOD Packet*).
- Approval of SBR 2023 Compensation Application (*September 22 BOD Meeting*) *Complete*
- Approval of Recology 2023 Compensation Application and total recommended Revenue Requirement (*September 22 BOD Meeting*) *Complete*

October 2022

- Finance Committee review of SBWMA's DRAFT FY2023 Budget (*October 18 Meeting*) *Complete*
- SBWMA Board Study Session: Review (Draft) 2023 Fiscal Year Budget + CIP Plan (*October 27*) *Complete*

September – December 2022

- Member Agencies establish/issue Prop. 218 notices and approve their final 2023 solid waste rates

November 2022

- Approval of the SBWMA's Final Fiscal Year 2023 Budget at the November 17th Board meeting

2023 Schedule of Finance, Contractor Compensation and Rate Adjustment Activities:

March 2023

- Recology submission of the unaudited 2022 Revenue Reconciliation Report (*Due: March 31*)

June 2023

- Mid-year review of the adopted FY2023 SBWMA Operating Budget.
- Recology's 2024 Compensation Application submission to the SBWMA/Member Agencies (*Due: June 15*)
- SBWMA / Member Agency submit comments to Recology on its 2024 Compensation Application (*Due: June 30*)
- SBWMA issues Member Agency letters requesting formal confirmation on their estimated 2024 Member Agency fees (e.g., franchise fees) to be included in their 2024 solid waste rates.
- Review of Recology's Revenue Reconciliation Report from the independent Financial Systems audit report
- Approval of the FY2022 Audited Financial Statements

July 2023

- Recology revised 2024 Compensation Application submission to SBWMA/Member Agencies (*Due: July 15*)
- SBWMA issues the following reports to the Board and Member Agency staff for review and comment:
 - 1. Estimated 2023 and 2024 residential and commercial base revenue
 - 2. Estimated collected tonnage for 2023 and 2024.
 - 3. Summary of 2024 Member Agency fees to be used in the 2024 cost projections based on Member Agency feedback.

August 2023

- SBWMA issues the Draft Report Reviewing Recology's 2024 Compensation Application, recommended total Revenue Requirement, and Rate Adjustment (*Due: August 11*)
- Comments due from Member Agencies on draft Reports Reviewing Recology's 2023 Compensation Application (*Due: August 25*)

September 2023

- SBWMA TAC Meeting reviewing Pre-Final Report Reviewing Recology's 2024 Compensation Application (*September 14*).
- SBWMA issues Amended Final Report Reviewing Recology's 2024 Compensation Application including the recommended total Collection Rate Adjustment for 2024. (*September BOD Packet*)
- Approval of Recology 2023 Compensation Application and total recommended Revenue Requirement (*September 22 BOD Meeting*)

October 2023

- Finance Committee review of SBWMA's DRAFT FY2024 Budget (*October 10 Meeting*)
- SBWMA Board Study Session: Review (Draft) 2024 Fiscal Year Budget + CIP Plan (*October 26*)

September – December 2023

- Member Agencies establish/issue Prop. 218 notices and approve their final 2024 solid waste rates

November 2023

- Approval of the SBWMA's Final Fiscal Year 2024 Budget at the November 16th Board meeting

STAFF UPDATE

2023 SBWMA Meeting Planning Guide

- **Board Meetings**
- **Finance Committee Meetings**
- **TAC Meetings**
- **Legislative Committee Meetings**
- **Pub Ed Committee Meetings (tbd)**
- **Zero-Waste Committee Meetings**
- **Agency-Sponsored Community Events**

Proposed 2023 Meetings Schedule (To be Approved 11/17/2022)

January 2023

10: Finance Committee Meeting

26 Board Meeting

- Closed Session: Employee Policies
- Approval of Meeting Format for 2023, based on Brown Act Regulations
- Board Elections: Chair/Vice Chair
- Approval of Contract for fuel tank replacement project
- Resolution Accepting the finding of the Shoreway Site Optimization Study and authorization to move into a Master Plan Process
- Resolution Approving Updated Administrative Policies and revised employee handbook
- Resolution Approving 2023-2024 Legislative and Regulatory Platform
- 2022 Legislative Session Recap
- Approval of Organics to Energy Processing Contracts
- Resolution Approving work plan to create a Captive Insurance plan
- Resolution Approving Contract for 2023-2024 Outreach Campaigns
- Resolution Approving Contract for Printing and Mailing Services in 2023
- Update on EV Fleet Transition
- Hearing on Recology San Mateo County's Application for Special Compensation Review for Additional Compensation for COVID-19 Pandemic-Related Costs

February 2023

6: Legislative Committee

23-½ Day Board & TAC Retreat

March 2023

6: Legislative Committee

9: TAC Meeting

23: Board Meeting

- Approval of bid documents for the fuel tank replacement project—Engineered drawings/Design

April 2023

3: Legislative Committee

27: Board Meeting

- Approval of 2022 Annual Report
- Public Education and Environmental Education Update
- Renewal of Shoreway License Agreement
- Legislative Session Update (informational)

May 2023

1: Legislative Committee

11: TAC Meeting

25: Board Meeting

- Approval of Proposed Facility Master Plan Work Plan

June 2023

5: Legislative Committee

13: Finance Committee Meeting

22: Board Meeting

- FY2023 mid-year budget review
- Resolution Approving the findings from the annual Operational Systems/Financial Systems Audits
- Mid-Session Legislative Update

July 2023

27: Board Meeting

August 2023

No Board Meeting – DARK

10: TAC Meeting

28: Legislative Committee

September 2023

12: Finance Committee Meeting

14: TAC Meeting

28: Board Meeting

- Closed Session: Executive Director Performance Evaluation
- Resolution Approving Annual Contractor Compensation Applications

October 2023

2: Legislative Committee

17: Finance Committee Meeting

- Review of DRAFT FY2023 budget

26: Board Study Session

- Review of DRAFT FY2024 Budget
- Discussion on Operating Expenses
- Capital Improvement Plan Discussion for 2024

November 2023

7: Legislative Committee

16: Board Meeting

- Approval of FY2024 Budget
- 2023 Legislative Session Recap
- Public Education & Environmental Education Recap
- Approval of Proposed Facility Master Plan—Technical Contracts

December 2023

4: Legislative Committee

No Board Meeting - DARK