



Central Contra Costa Solid Waste Authority

# Agenda Report

**TO:** CCCSWA BOARD OF DIRECTORS  
**FROM:** BART CARR, SENIOR PROGRAM MANAGER  
DEBORAH MILLER, LEGAL COUNSEL  
**DATE:** OCTOBER 24, 2019

**SUBJECT: FIRST READING OF ORDINANCE 19-1, AMENDING ORDINANCE 12-2 -  
CONSTRUCTION & DEMOLITION DEBRIS PROGRAM**

## SUMMARY

RecycleSmart is preparing to implement a new and improved construction and demolition (“C&D”) debris facility certification program, in continuing partnership with Solano and Sonoma Counties. As part of that effort, staff reviewed the agency’s existing Ordinance 12-2 pertaining to C&D debris matters and recommends amendments to Ordinance 12-2 to more fully describe the C&D debris facility certification program and procedures, clarify application of the ordinance, and streamline and update the ordinance to make it better reflect current law and practice.

The proposed amendments have been circulated among Member Agency building staff and their comments have been incorporated. Adoption of these amendments will not require revision to the Member Agencies’ C&D ordinances or building codes.

## RECOMMENDED ACTION

1. Introduce First Reading of Ordinance 19-1, amending Ordinance 12-2 Construction & Demolition Debris Program; waive full reading thereof; schedule second reading/adoption of the Ordinance at the next regular Board meeting on December 12, 2019; and direct agency legal counsel to prepare a summary for publication as required by law.

## DISCUSSION

Each Member Agency has adopted ordinance or building code provisions regulating management of C&D debris resulting from certain construction projects. RecycleSmart adopted Ordinance 12-2 in 2012 to support the Member Agencies’ C&D management efforts and allow RecycleSmart staff to operate two important activities supporting C&D debris recovery efforts: (1) requiring transporters (haulers) of C&D debris from covered projects to be permitted for waste transfer (if the waste is not self-hauled by the generating entity); and (2) establishing certification of processing facilities for C&D material recovery from covered projects. These two programs, along with Member Agency C&D debris ordinance compliance and use of the “Green Halo” electronic

reporting system, constitute RecycleSmart's C&D debris waste diversion program. The program has been successful in achieving higher rates of C&D debris recovery and diversion since 2012.

RecycleSmart is preparing to implement a new and improved C&D debris facility certification procedure that will be more comprehensive, accurate, and regional in application, in continuing partnership with Solano and Sonoma Counties. The new facility certification procedure is currently being prepared for a one-year test program phase.

Ordinance 12-2 at Section II acknowledges that it would be periodically reviewed and amended, as needed. Consistent with that expectation and in light of the new planned facility certification procedures, staff reviewed the existing ordinance. Staff recommends amendments to Ordinance 12-2 to more fully describe the C&D debris facility certification program and procedures, clarify application of the ordinance, and streamline and update the ordinance to make it better reflect current law and practice.

Staff is submitting for introduction Ordinance 19-1, which would amend Ordinance 12-2. See Attachment A, with redlines showing proposed changes to current Ordinance 12-2.

Staff has circulated a copy of the amendments to Member Agency building permit staff and others, and incorporated their comments. Adoption of the amendments does not require any change to the Member Agencies' C&D ordinances or building codes.

Second reading/adoption of Ordinance 19-1, amending Ordinance 12-2, will be scheduled for the next regular Board meeting on December 12, 2019.

#### ATTACHMENT

- A. Ordinance 19-1, amending Ordinance 12-2 Construction & Demolition Debris Program (redline version showing proposed changes to Ordinance 12-2)