



DAN KARLESKINT, LINCOLN, CHAIR
ROBERT WEYGANDT, PLACER COUNTY
PAULINE ROCCUCCI, ROSEVILLE
BONNIE GORE, PLACER COUNTY
BILL HALLDIN, ROCKLIN
KEN GREHM, EXECUTIVE DIRECTOR

MEETING OF THE BOARD OF DIRECTORS AGENDA

March 10, 2022 5:00 PM

Materials Recovery Facility Administration Building
3013 Fiddymment Road, Roseville, CA 95747

*The WPWMA Board of Directors March 10, 2022 meeting will be open to in-person attendance.
Individuals may also participate in the meeting via Zoom at <https://placer-ca-gov.zoom.us/j/99243924805>*

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection by emailing the Clerk of the Board at info@WPWMA.ca.gov. The Western Placer Waste Management Authority is committed to ensuring that persons with disabilities are provided the resources to participate fully in its public meetings. If you require disability-related modifications or accommodations please contact the Clerk of the Board at (916) 543-3960 or at info@WPWMA.ca.gov. If requested, the agenda shall be provided in appropriate alternative formats to persons with disabilities. All requests must be in writing and must be received by the Clerk three business days prior to the scheduled meeting for which you are requesting accommodation. Requests received after such time will be accommodated if time permits.

1. Call Meeting to Order
2. Pledge of Allegiance (Director Roccucci)
3. Roll Call
4. Statement of Meeting Procedures (Clerk of the Board)
5. Public Comment
This is a time when persons may address the Board regarding items not on this Agenda. It is requested that comments be brief, since the Board is not permitted to take any action on items addressed under Public Comment.
6. Announcements & Information
 - a. Reports from Directors ----
 - b. Report from the Executive Director (Ken Grehm) ----
 - c. Financial Reports (Eric Oddo) Pg. 5
 - d. Monthly Tonnage Reports (Eric Oddo) ----
 - e. Quarterly MRF Operator's Report (Nortech Waste) Pg. 7
 - f. Quarterly Landfill Operator's Report (Nortech Landfill) Pg. 15
 - g. WPWMA Operations and Engineering Report (Will Scheffler/Keith Schmidt) Pg. 17
 - h. Sunset Area Landowner Updates (Ken Grehm) Pg. 21

7. Consent Agenda

- a. Minutes of the Board Meeting held January 13, 2022 Pg. 23
Approve as submitted.
- b. First Amendment to the Agreement with Geo-Logic Associates for North Compost Pond Expansion Design and CQA (Ryan Schmidt) Pg. 27
Authorize the Executive Director or designee, upon review and approval by WPWMA Counsel, to sign the First Amendment to the North Compost Pond Expansion Design and CQA Services Agreement with Geo-Logic Associates, authorizing an additional \$51,205 in project management and construction services, increasing the total not-to-exceed cost of the Agreement to \$302,552.
- c. Concrete Inert/Soil Stockpile Screening and Processing (Ryan Schmidt) Pg. 33
Authorize staff to solicit bids for the screening and processing of the concrete inert and soil stockpiles.

8. Action Items

- a. Sixth Amendment to the Agreement with SCS Field Services for Landfill Gas Operation and Maintenance Services (Will Scheffler) Pg. 35
Authorize the Chair to sign the Sixth Amendment to the Agreement with SCS Field Services to provide landfill gas operations and maintenance services for the Western Regional Sanitary Landfill extending services for an additional year and authorizing additional related services for a total of \$1,592,458, increasing the total not-to-exceed cost of the Agreement to \$5,454,902.
- b. MRF and WRSL Operating Agreements (Ken Grehm) Pg. 43
1. Authorize the Chair to sign the following agreements with FCC Environmental Services, LLC, contingent on receiving flow commitment agreements from Member Agencies:
 - a. Operating Agreement and Addendum #1 for the Materials Recovery Facility; and
 - b. Operating Agreement and Addendum #1 for the Western Regional Sanitary Landfill.
 2. Provide direction to staff related to flow commitment negotiations with the Member Agencies and conducting flow commitment discussions with non-Member Agencies.

Supplemental on file documents associated with Item 8b are available with the Clerk of the Board at the WPWMA's Administrative Offices and online at
<https://www.wpwma.ca.gov/wp-content/uploads/2022/03/8bSI1.pdf>
<https://www.wpwma.ca.gov/wp-content/uploads/2022/03/8bSI2.pdf>
<https://www.wpwma.ca.gov/wp-content/uploads/2022/03/8bSI3.pdf>
<https://www.wpwma.ca.gov/wp-content/uploads/2022/03/8bSI4.pdf>

- c MRF Equipment Repair (Ken Grehm) Pg. 49
Staff recommends your Board authorize the Executive Director to take all necessary actions, including but not limited to entering into a sole source agreement with Van Dyk Recycling Solutions or other qualified contractors to make repairs to the Materials Recovery Facility processing equipment damaged during the November 10, 2021 fire, up to a maximum cost of \$2.5 million.

9. Timed Items

5:25 P.M.

- a. Tipping Fee Increase for FY 2022/23 (Eric Oddo) Pg. 51
After conducting a public hearing:
1. Adopt Resolution 22-01 that increases tipping fees effective July 1, 2022; and
2. Find this action exempt from CEQA pursuant to Section 21080(b)(8) of the Public Resources Code.

10. Upcoming Agenda Items

Identification of any items the Board would like staff to address at a future meeting.

11. Adjournment

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Western Placer Waste Management
Operations Fund Income Statement
(unaudited/depreciation excluded)

Year-to-Date
January 2022

	Year to Date			Variance	Notes
	Annual Budget	Budget	Actuals		
Revenue					
42010:Investment Income	109,229	63,717	38,888	(24,829)	Overestimated rate of return
42030:Rents and Concessions	412,477	240,612	281,707	41,095	Energy 2001 royalties exceeding budgeted amounts.
46240:Sanitation Services - Other	33,018	18,936	19,861	925	Quantity of waste tonnages received at facility exceeding budgeted projections
46250:Solid Waste Disposal	42,514,953	24,493,402	25,987,505	1,494,103	Quantity of waste tonnages received at facility exceeding budgeted projections
48030:Miscellaneous	7,500	4,375	71,332	66,957	Variance predominately related to recyclable revenue sharing payment from Nortech and sale of excess soils
Total Revenue	43,077,177	24,821,042	26,399,294	1,578,252	
Expenses					
Capital Assets:					
54450:Equipment	385,000	97,828	-	97,828	Projects not initiated yet.
54470:Infrastructure	2,025,000	343,033	-	343,033	Projects not initiated yet.
54480:Land Improvements	8,048,140	1,513,223	724,780	788,443	Costs related to compost pond project only - project temporarily halted due to weather conditions.
Operating Expenses:					
51010: Wages and Salaries	2,187,698	1,276,157	1,119,285	156,871	Approximately \$154,200 allocated for positions not filled.
52030:Clothing and Personal	3,500	2,042	527	1,515	
52040:Communication Services Expense	35,000	20,417	6,924	13,492	SCADA related fees not yet realized or billed.
52050:Food	1,500	875	550	325	
52060:Household Expense	3,000	1,750	211	1,539	
52080:Insurance	212,000	123,667	121,040	2,626	Reflects monthly payment of property and drone insurance and full annual premium for pollution liability.
52140:Parts	1,500	875	203	672	
52160:Maintenance	32,746	19,102	20,438	(1,337)	Includes annual payment for drone deploy software. Other costs incurred monthly or quarterly.
52161:Maintenance - Building	25,000	12,500	21,138	(8,637)	Annual building maintenance costs significantly higher than budgeted or previous year's amounts
52170:Fuels & Lubricants	300	175	691	(516)	WPWMA now direct billed for vehicle fuel - previously built into County hourly labor rates as overhead.
52180:Materials - Buildings & Improvements	300	175		175	
52240:Professional / Membership Dues	2,600	2,600	1,685	915	
52250:Services and Supplies	200	117	90	27	
52260:Misc Expense	2,000	1,167	-	1,167	Per Placer County Auditor, costs should no longer be billed to this account.
52320:Printing	8,000	4,667	13,288	(8,621)	Includes \$9,578.92 in overhead costs previously built into County hourly labor rates as overhead.
52330:Other Supplies	25,000	14,583	12,763	1,820	
52340:Postage	3,500	2,042	1,847	195	
52360:Prof. & Special Svcs - General	4,730,305	2,759,344	1,364,440	1,394,904	Anticipated costs not yet realized due to phased nature of projects and resulting consultant services
52370:Professional and Special Services - Legal	75,000	43,750	43,863	(113)	
52380:Prof. & Special Svcs - Tech., Eng. & Env.					
SC3140 Building Maintenance Installation and Repair Services	5,000	2,917	-	2,917	
SC3180 MRF Operations	19,397,601	10,275,440	9,771,821	503,620	Reduced processing fee payment in November 2021 due to service interruption from MRF fire
SC3190 Landfill Operations	2,764,327	1,612,524	1,257,542	354,982	Includes \$160,000 in reverse accruals and lower extra services charges than anticipated.
SC3320 Environmental and Ecological Services	1,000,000	583,333	310,684	272,649	Labor charges for Auburn staff conducting WPWMA business - payments for Nov, Dec & Jan not yet posted.
SC3322 Hazardous Waste	110,000	-	-	-	
52390:Prof. & Special Svcs - County	126,000	73,500	52,152	21,348	MOU charge from County Auditor not realized yet. Includes nearly \$40,000 in unanticipated facility repair costs
52400: Prof. & Special Svcs - IT	40,000	23,333	10,667	12,666	Monthly IT charges less than budgeted amount.
52440:Rents and Leases - Equipment	100	58	-	58	
52450:Rents and Leases - Buildings & Improvements	100	58	-	58	
52460:Small Tools & Instruments	1,000	583	587	(4)	
52480:PC Acquisition	12,500	-	-	-	
52510:Commissioner's Fees	6,000	3,500	2,800	700	Did not hold the August 2021 meeting; one director absent at October meeting.
52540:Signing & Safety Material	10,000	5,833	48	5,785	Majority of budget for new facility signage with change in facility operators; cost not yet incurred.
52570:Advertising	30,000	17,500	8,093	9,407	Actual advertising costs lower than budgeted.
52580:Special Department Expense	14,060	8,202	3,825	4,377	Budgeted for office equipment for additional staff - staff not yet hired, office equipment not required yet
52785:Training / Education	10,000	5,000	-	5,000	Training expenses not realized yet.
52790:Transportation and Travel	50,000	29,167	28,745	422	
52800:Utilities	300,000	175,000	68,286	106,714	Annual costs factored into YTD budget amount but not billed or realized yet.
52810:Operating Materials	-	-	-	-	
53190:Taxes and Assessments	749,302	374,651	320,026	54,625	Several annual permit operating fee expenditures not yet realized or billed
53250:Contributions to Other Agencies	266,553	266,553	262,870	3,683	
53390:Transfer Out A-87 Costs	250,000	145,833	145,833	0	
55510:Operating Transfer Out	-	-	-	-	
59000:Appropriation for Contingencies	-	-	-	-	
Total Expenses	42,949,831	19,843,073	15,978,933	3,864,140	
Net Income	127,346	4,977,969	10,420,361	5,442,392	

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MATERIALS RECOVERY FACILITY
QUARTERLY OPERATIONS REPORT
2nd QTR, 26th OPERATING YEAR
ENDING December 31, 2021



NORTECH WASTE LLC
3033 FIDDYMENT ROAD
ROSEVILLE, CA 95747
(916) 645-5230

OPERATIONS REPORT
Material Recovery Facility Operation
Quarter Ending December 31, 2021 (2nd Qtr. 26th Operating Year)

PROCESSED TONNAGE AND RECOVERY LEVEL

Processed Tonnage:

Nortech processed 80,184.82 tons through the materials recovery facility (MRF) during the quarter. Of these 42,862.28 tons were municipal solid waste, 19,527.83 tons were separated green waste, 2,123.46 tons were source separated wood waste, 637.48 tons of food waste compost, and 15,033.77 tons of construction and demolition waste.

Recovery Level:

Overall recovery for the quarter was 44.52%. Creditable recovery for the Materials Recovery Facility was 14.69%, or 7.31% below the guaranteed minimum recovery level of 22%. Creditable recovery for Construction and Demolition is 49.70% or 0.30% below the guaranteed minimum of 50% for the year.

Mechanical & Operational Performance:

The plant sustained significant damage due to a fire that occurred on November 10th, 2021. The fire caused major damage to electrical & mechanical processing equipment. We experienced an approximately two-week shutdown of processing material through the MRF while assessing the extent of the damage, coordinating efforts to restore some processing capacity. Nortech worked with Machinex and Rex Moore Electrical & Systems Contractors & Engineers to identify an operational plan for moving forward. Nortech isolated three “overs” lines and modified the Trommels, plugging the “unders” separation, running MSW straight through the system. Nortech repositioned sorters to remove HHW and/or contaminants as the primary focus, while picking commodities and focusing on recovery remains a secondary focus.

The plant operated at 88.61% mechanical up time (451.81 hours of 510) during the quarter. The total plant up time with current operational capacity for the quarter was 58.11% (296.36 hours out of 510) electrical, mechanical, and other problems are maintained in a spreadsheet for easy assessment of reoccurring problems and are available for WPWMA staff review.

Current operational capacity references the time that the MRF was running only running three lines. Two lines are still undergoing repairs after the MRF fire in November of 2021. The total plant time with all lines for the quarter was 30.71% (156.62 hours of 510) during the quarter. “All lines” accounts for the three operational lines, as well as the two non-operational lines.

Staffing:

Staffing for the period averaged full time equivalent employees. The permanent, full-time staff averaged, and the contract service employees averaged:

Description	Head Count
Total Full Time Equivalent (FTE)	155.6
FTE Nortech	120.7
FTE Contract	35
Department	Percentage of Head Count
Tipping Floor	4.9%
Sort Line	31.0%
Finished Product	5.2%
Buy back Center	3.6%
Composting	7.1%
C&D	10.9%
Haz-Mat	1.9%
Maintenance	12.0%
Clean Up	6.5%
House & Yard	3.6%
Administration	6.4%
Transportation	3.9%
Public Receiving	1.9%

1. Special Occurrences

A brief summary of the special occurrences that occurred during the quarter are summaries below; a detailed description of each occurrence can be found in WPWMA's Special Occurrence Log.

- 10/3; Compost Fire (Tier 3), no injuries
- 10/4; Compost Fire (Tier 1), no injuries
- 10/4; Vehicle accident between two Nortech staff, no injuries, both trucks involved sustained damage
- 10/4; Hydraulic oil spill, no injuries, no environmental concerns
- 10/5; Fire alarm, no injuries, overhead sprinkler damaged
- 10/7; Dozer damage to door from wood, no injuries
- 10/7; Fire alarm, no injuries, overhead sprinkler damaged
- 10/11; Compost Fire (Tier 1), no injuries
- 10/11; Compost Fire (Tier 1), no injuries
- 10/11; Compost Fire (Tier 1), no injuries
- 10/11; Compost Fire (Tier 3), employee was transported to hospital
- 10/13; Customer fell and hit head, declined emergency medical care
- 10/19; Hydraulic oil spilled inside MRF – approximately 20 gallons, no injuries, no environmental concerns
- 10/19; Fire alarm, no injuries, overhead sprinkler damaged

- 10/21; North pad flooding, no injuries
- 10/22; North pad flooding, no injuries
- 10/22; Handgun found on sort line, turned over to police, no injuries
- 10/24; Compost Fire (Tier 2), no injuries
- 10/24; Approximately 516 gallon red-dye diesel fuel spill, no injuries (additional information subject to attorney-client privilege)
- 11/01; Diesel spill at landfill by County of Placer truck, no injuries
- 11/10; Fire in MRF, significant fire damage, no injuries
- 11/19; Loader operator loaded truck with tarp still on, no injuries, customer tarp damage
- 11/24; Oil spill in MRF - approximately 30 gallons, no injuries, no environmental concerns
- 12/16; Debris ejected from tub grinder damaged BioGas shed, no injuries
- 12/28; Employee had severe migraine, 911 was called, no injuries

1. Ongoing COVID-19 Prevention:

1. Coronavirus specific policies are being continued.
2. Janitorial employees clean and disinfect the bathrooms and lunch areas around the facility during the morning and afternoon shifts.
3. Employees receive training on how to protect themselves and fellow employees (proper hand washing, etc.).
4. Employees are encouraged to wash their hands as soon as they enter the break area.
5. Unvaccinated employees are provided respirators upon request.
6. Employees are provided disposable “surgical” gloves and encouraged to wear them for additional protection.
7. Outdoor canopies are available where employees may eat their meals.
8. Advisory signs and posters are put up in the lunchroom.
9. Additional appropriate safety equipment (gloves, face shields, etc.) is being used as necessary.
10. Safety personnel monitor web sites to stay up to date on COVID-19 regulations.
11. Employees are allowed to self-screen according to CDPH guidelines and are strongly encouraged to stay home if they are sick.
12. Sick employees are sent home.
13. Employees are encouraged to be tested for the COVID-19.
14. Fully vaccinated employees without symptoms exposed to the Coronavirus were not required to quarantine. Unvaccinated employees are excluded from the workplace in case of an outbreak.
15. After 12/15 masks were required for all employees when indoors or in vehicles.

Training

Individual Safety Training

- New Hire Safety Orientation – 20 new employees

Safety Training

- 10/30 Emergency Training:
- Hazard Communication
 - Spill Control Procedures
 - Fire Prevention
 - Operation of Fueling Equipment
- 11/01 Multiple Trainings
- Cold Related Illness
 - Hazard Communication
 - Emergency Action Plan
- 11/15 Spill Control and Countermeasures
- 12/06 Risk Management in Public Areas
- 12/13 Fire Prevention and Safety

Workers Compensation Reporting:

There were 7 recordable injuries this quarter.

TOTAL DAYS LOST TIME THIS QUARTER: 5 DAYS

TOTAL DAYS RESTRICTED DUTY THIS QUARTER: 253 DAYS

<u>Date</u>	<u>Position</u>	<u>Location</u>	<u>Incident</u>
10/06	Appliance Tech	Tip-floor	Slipped and twisted knee
10/11	Equip. Operator	Compost	Seizure
10/13	Spotter	Z-wall	Dropped printer on foot
10/29	Maintenance Labor	MRF	Wrist Strain
11/19	Compost	Compost	Needle Stick
12/23	Equip. Operator	C&D	Laceration of finger
12/27	Sorter	Sort Platform	Shoulder Strain

HOUSEHOLD HAZARDOUS WASTE PROGRAM:

A comprehensive report is submitted monthly to WPWMA staff that identifies types and quantities of materials, origin of persons using the facility, materials recycled, etc.

In summary:

Quarterly Totals	
Customer Count	5,249
Liquid Waste Processed (gallons)	30,731
Recycled Lead Acid Batteries (tons)	10.15
Recycled Household Batteries (tons)	14.83

REGULATORY COMPLIANCE:

Materials Recovery Facility (MRF):

During the month of October, the MRF was issued a violation regarding Litter Control. Windblown litter was observed along Foothills Blvd, and Athens Ave. Patrols of these areas have been increased. During the month of November, three areas of concern were issued to the MRF citing, Litter Control, Vector, Bird, and Animal Control, and Solid Waste Removal. All areas of Concern have been addressed as of November 18, 2021. A violation was also issued in the month of November for Hazardous, Liquid, and Special Wastes, due to aerosols being observed on the line feeding the bailing unit. Nortech has since removed all aerosols from the lines during processing. During the month of December, no violations or areas of concern were issued to the MRF.

Compost:

For the month of November, there was once area of concern issued related to compost. The area of concern cited that compost temperatures have exceeded 160 degrees. Actions have been taken to reduce the temperatures of the compost pile. There were no violations or areas of concerns issued for October and December.

SALES:

Prices for commodities have remained moderately stable, although there were some large decreases. We are continuing to look for more markets to increase sales in compost, as well as our recovered commodities. With the changing of the seasons quickly approaching, Nortech can anticipate increased compost sales.

COMMODITY	TONNAGE	AVG PRICE/TON	TOTAL REVENUE
ADC	7,765.07	-	-
Aluminum Cans	106.22	\$1,643.53	\$175,908.80
Aluminum Scrap	18.04	\$540.00	\$10,071.60
Batteries	10.15	\$360.12	\$3,683.85
Cardboard	2,483.92	\$1,735.00	\$392,577.88
Carpet	8.83	-	-
Compost	5,645.04	\$5.27	\$31,168.39

Compost Overs	11,838.87	(\$6.97)	(\$82,375.08)
CRT's	73.92	\$580.30	\$42,856.76
E-Waste	6.12	\$382.45	\$2,227.48
Film Plastic	-	-	-
Food Waste	-	-	-
Glass	416.73	(\$11.28)	(\$4,995.18)
HDPE-Colored	64.92	\$566.67	\$36,660.00
HDPE-Natural	67.86	\$1,753.00	\$122,660.60
Inerts	916.88	-	-
Lumber	-	-	-
Misc. HHW Disposal	158.38	-	-
Misc. Recyclables	-	-	-
Mixed Plastic	-	-	-
Mixed Rigid Large	116.20	\$90.03	\$15,441.50
Mixed Rigid Small	0.93	\$60.00	\$55.80
Mixed Waste	-	-	-
Newspaper	69.44	\$97.57	\$6,722.30
Office Pak	-	-	-
PET-Grade A	43.79	\$760.00	\$33,269.00
PET-Grade B	290.24	\$260.67	\$81,885.60
Rock-Crushed	-	-	-
Scrapping Material	23.28	\$1,019.44	\$24,649.22
Steel	2,111.85	\$184.22	\$389,257.02
Used Oil	-	-	-
Woodchips-Natural	4,625.20	-	-
Woodchips-Biofuel	-	-	-
Wood Fuel	-	-	-
OVERALL	36,911.88	\$64.11	\$1,281,725.54

Summary:

Operations were not consistent with the prior quarter due to a large fire that damaged essential equipment within the MRF on November 10th, 2021. The MRF was not operational until November 25, 2021, as we were able to troubleshoot bringing the MRF back to a decreased level of operational capacity. Nortech was able to get two additional lines, with a total of three lines of operational capacity in the beginning of December 2021. We are continuing to make progress on modifying lines 2 and 3. We are working on restoring line 3 as the top priority to allow for the use of the debagger to potentially afford the ability to put some additional tonnage through the MRF. Our primary focus in the MRF was in ensuring that all HHW/contaminants were removed from the MSW, with the secondary focus of pulling commodities from the waste stream.

Finished product was down for 3 days due to the fire; however, we were able to troubleshoot isolating the balers to process finished product. This allowed us to receive inbound source separated material, ensuring that commodities were still able to be produced and shipped to our international and domestic buyers despite a reduction in capacity.

Shortages of labor, both skilled and unskilled being competitive in our local markets, continues to be a challenge for Nortech. We are continuing to shift our strategy to streamline the recruiting, onboarding, and retention processes. We have increased wages of unskilled labor to attract and retain employees given the challenges created in today's labor market. These challenges are not isolated as all industries are currently struggling to hire/retain an unskilled labor force. COVID-19 continues to create additional challenges regarding the labor market as we adapt to shifting policy and workforce challenges. We are continuing to stay up to date and current as it relates to COVID-19 business best-practices. We are working closely with our insurance carrier as it relates to risk mitigation as well as staying informed on CDC and Cal/OSHA recommendations to ensure the health and safety of our employees as well as meet business objectives.

Respectfully Submitted,



Byron Hildenbrand
Director of Operations

Nortech Waste LLC
3033 Fiddymment Rd.
Roseville, California 95747
Email byron@nortechwaste.com
Phone 916-645-5230 x119
Phone 916-759-6813

CC: P. Szura, Nortech Waste



January 17, 2022

**RE: NLI Quarterly Landfill Operations Report – 2nd Quarter of the 13th Operating Year in 2021
(October, November, and December)**

Dear Mr. Schmidt,

Pursuant to Section 8.4 “Quarterly Reporting” of the Agreement between the Western Placer Waste Management Authority (Authority) and Nortech Landfill, Inc. (NLI) for operation of the Western Regional Sanitary Landfill (WRSL), NLI submits the following summary of operational activities conducted by NLI during the 2nd Quarter of the 13th operating year – October, November, December 2021.

Operations

Operations included the burial of 93,652 tons of waste during the quarter. These totals are incorporated in the buried tonnage total for the quarter. Filling operations consisted of placing waste in Module’s 5,12,13,14 and 16. NLI saw an increase in buried tonnage and a 37% decrease in ADC during the quarter due to a fire that occurred in the MRF on 11/11/2021. NLI had to open a second operating face to mitigate the amount of tonnage entering the 21-22 winter plan.

Inspections

Daily load checking and random inspections were performed during the quarter. Monthly site safety inspections were performed by NLI staff. Local Enforcement Agency (LEA) performed three random site inspections during the quarter; there were two Violations and two Areas of Concern as it relates to NLI portions of the landfill.

Copies of all inspection reports are included in the NLI operating reports that are submitted to the Authority each month.

Cover Soil Utilization

NLI continues to use tarps, and reuse cover soil to minimize the burial of operational material. In addition, NLI uses Alternative Daily Cover (ADC) to maximize Materials Recovery Facility diversion rates and reduce the Authority’s tax liability. These totals represent operational material including soil used for intermediate cover for the quarter. The total number of operational materials including intermediate soil was 63,699 (CY).

Tonnages

The following table includes a summary of buried waste and operational material consumed at the WRSL for the quarter.

Month	Total Volume Change for the month (CY)	Taxable Buried Waste (Tons)	Estimated Taxable Buried Waste (CY)*	ADC (CY)	Soil (CY)	H2O Sludge (CY)	Inert (Tons)	Total Operational Material (CY)	Waste To Soil Ratio		Total Density (Lb/CY)
Q2 2021											
October	45,356	28,510	24,979	5,440	13,077	108	4,163	20,377	1.23	:1	1,257
November	71,288	32,677	55,287	3,457	12,428	116	5,294	16,001	3.46	:1	917
December	76,888	32,466	59,770	2,039	14,996	83	2,497	17,118	3.49	:1	844
TOTAL	193,532	93,652	140,036	10,937	40,501	306	11,954	63,699	2.72	:1	1,006

Compaction Results

NLI uses global positioning system (GPS) survey equipment to track the amount of airspace consumed. For the quarter, the total airspace consumed as provided by GPS survey was 193,532 cubic yards (CY). Using the scale house records of waste tonnage received and the GPS total airspace consumed, the average density of the buried waste was calculated to be 1,006 lbs. /CY, which falls short of the contractual range of 1,100 to 1,200 lbs. /CY. The compaction number reflects the increase in buried tonnage, second operating face, weather, and the construction of final elevation in module 12.

Please let me know if you require any further assistance regarding this report.

Sincerely,



Brandon Stevens
Contractor's Representative
Nortech Landfill, Inc.

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **MARCH 10, 2022**
FROM: **KEN GREHM / WILL SCHEFFLER / KEITH SCHMIDT** *WS KS*
SUBJECT: **WPWMA OPERATIONS AND ENGINEERING REPORT**

RECOMMENDED ACTION:

None. This report is for information purposes only.

BACKGROUND:

This report focuses on issues specific to operation and engineering of the WPWMA Materials Recovery Facility (MRF) and Western Regional Sanitary Landfill (WRSL).

Diesel Spill

On October 24, 2021, Nortech's fuel truck driver overfilled the truck's fuel tank that resulted in a spill of approximately 500 gallons of diesel. Due to heavy inclement weather at the time, the spilled diesel was conveyed into the stormwater collection and unlined water quality ponds and discharged off-site. Visible diesel in WPWMA's ponds was removed by Nortech's subcontractor, Clean Harbors; however, stormwater impacted by the diesel remained in the ponds. On December 9, 2021, Nortech began construction of a series of temporary ponds in the western areas of Modules 7 and 8 to provide additional storage capacity to prevent additional contaminated water from being discharged off-site in the event of future inclement weather. Clean Harbors pumped the contaminated water from the two impacted ponds to the new ponds through a series of carbon filters in an attempt to remove the diesel and contaminants. Post-treatment sample results of the affected water provided by Nortech's consultant, Roux, indicates that while the majority of diesel has been removed, the water is still too contaminated to discharge as stormwater. As a result, Nortech continues to hold the affected water in the Modules 7 and 8 ponds. In early February 2022, Nortech began removing approximately 1 foot of soil from the sides and bottom of one of the two originally affected ponds for sampling and remediation. Post-remediation sample results provided by Roux indicate that the diesel concentration in the remaining soil is low but remains detectable. Nortech has indicated that the excavated contaminated soil will be removed from WPWMA's property for disposal at Ostrom Road Landfill. Nortech is in contact with Central Valley Regional Water Quality Control Board staff regarding sufficient remediation of contaminated water across the WPWMA property.

MRF Fire

Since the Executive Director's MRF fire report to your Board during the December 9, 2021 meeting, Nortech staff modified a fourth MRF processing line bringing it back into operation on January 26, 2022. Currently four lines are in operation and all residential and commercial municipal solid wastes are being processed. Additionally, during the week of February 7, 2022, staff inspected the MRF multiple

times with representatives from FCC and their equipment supplier, Van Dyk, to determine if additional areas of the MRF could be returned to operation.

Safety Issues

On December 16, 2021, Nortech's green and wood waste tub grinder ejected the head of a sledgehammer several hundred feet, penetrating the Biogas Energy office adjacent to a Biogas employee. The tub grinder's manufacturer, Vermeer, indicates that the model of tub grinder that Nortech uses should have a minimum personnel buffer of 400-feet during operation. WPWMA staff met with Nortech and Risk Management and was unable to identify a permitted area on-site where the grinder could operate 400-feet from the public during normal business hours. As a result, Nortech currently operates the tub grinder after normal business hours to maximize safety for the public and personnel.

On January 31, 2022, a Nortech loader collided with a customer's truck near the green and wood waste processing area. The loader was driving forward with its bucket in the air which appears to have obstructed the loader operator's view and, as a result, the operator stated he did not see the truck. The truck cab was nearly removed from the bottom of the windshield up; although the customer was inside the truck when the accident occurred, he was not physically injured.

Odors

From January 1, 2022, to March 2, 2022, the WPWMA has received sixteen odor notifications. Of these, five were determined to be directly related to the WPWMA's operations, seven were likely a combination of WPWMA and non-WPWMA sources, and four did not appear to be related to the WPWMA's operations. For purposes of comparison, the WPWMA received an average of 35 odor notifications during the same time period in the last three years.

Gas Collection System Effectiveness Study, PCAPCD Settlement Agreement

As part of the July 27, 2021 Settlement Agreement between the WPWMA and the Placer County Air Pollution Control District (PCAPCD), SCS's operating agreement was amended to include a Gas Collection and Control System (GCCS) Evaluation Report to evaluate and make any necessary revisions to the WPWMA's GCCS Design Plan. The GCCS Evaluation Report was scheduled to be submitted to PCAPCD by December 31, 2021 pursuant to the Settlement Agreement. On November 14, 2021, staff received a draft GCCS Evaluation Report from SCS and provided it to PCAPCD for comment and feedback. PCAPCD requested additional information and approved a new report deadline; WPWMA staff submitted the revised report to PCAPCD on January 12, 2022. On February 28, 2022, PCAPCD staff responded with comments on the revised GCCS Evaluation Report and WPWMA staff are currently reviewing those

comments and scheduling a meeting with PCAPCD and SCS staff to discuss a final revision to the GCCS Evaluation Report.

Landfill Gas Emissions

During the fourth quarter 2021, LFG emissions measured at the surface of the landfill were in compliance with the regulatory thresholds set forth by the State and Federal governments and enforced by the PCAPCD. Twelve (12) approximately one-acre areas of the landfill initially did not pass the compliance threshold in November 2021 but were brought back into compliance by SCS adjusting the existing gas wells and Nortech completing additional landfill cover installation. WPWMA staff and SCS anticipate additional gas wells will be required to accommodate the newly landfilled waste and have recommended allocating budget in item 8a of this agenda.

Compost Pond Project

Last year the WPWMA recorded the heaviest October rainfall since 1880, followed by multiple large storms and the heaviest recorded rainfall experienced between October 1 and December since 1983. RJ Gordon Construction completed excavation of the North Compost Pond and contained runoff from both the north and south compost areas, pumping all the water to the lined South Compost Pond as planned. However, the heavy rainfall filled the South Compost Pond and the WPWMA had to resume use of the North Compost Pond before it could be lined, thus the WPWMA suspended the project with RJ Gordon's agreement. Staff is currently addressing issues discovered during construction, as noted in Item 7b of this agenda, and intend to return to your Board in the spring with amended construction costs to remobilize construction, complete final grading and install the pond liner.

Landfilling and Liner Construction

The Landfill Operations contract requires Nortech to fill according to a pre-determined topography prior to advancing to other areas of the WRS. As of the most recent topographic survey conducted December 30, 2021, the current fill plan indicates approximately 25 months of landfill airspace remain from today based on the current recovery rate at the MRF, minimum landfill compaction rate and inability to use MRF fines as ADC due to the MRF fire. WPWMA staff are accelerating the Module 6 excavation and liner construction project, intending to complete it approximately one year earlier than originally planned. Staff recently arranged soil sale agreements to export approximately 250,000 cubic yards of the soil stockpile, reducing the cost of excavating Module 6 by approximately \$750,000 dollars. Staff is also working on permitting new soil stockpile locations with the Water Board and CalRecycle and will return to your Board in the coming months for permission to bid the excavation contract.

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**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS**

DATE: **MARCH 10, 2022**

FROM: **KEN GREHM**

SUBJECT: **SUNSET AREA LANDOWNER UPDATES**

RECOMMENDED ACTION:

None. This report is for information purposes only.

BACKGROUND:

In light of ongoing development in the Sunset Area, staff invited the larger landowners and developers proximate to the WPWMA's facility as well as representatives from California State University, Sacramento (CSUS) to provide updates on their development plans.

This evening, representatives of Buzz Oates Construction, Inc., the United Auburn Indian Community and CSUS will be providing a brief overview of the current and future plans for their respective properties.

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WESTERN PLACER WASTE MANAGEMENT AUTHORITY

Minutes of January 13, 2022

The meeting of the Western Placer Waste Management Authority Board of Directors was called to order at 5:01 PM by Chairman Halldin in the WPWMA Administration Building at the Materials Recovery Facility.

Directors Present:

Bill Halldin
Dan Karleskint
Robert Weygandt
Pauline Roccucci
Bonnie Gore

Staff Present:

Ken Grehm
Eric Oddo
Rob Sandman
Heather Wilden
Kevin Bell (virtual)
Becky Correa (virtual)

1. Call Meeting to Order: Chairman Halldin called the meeting to order at 5:01 PM.
2. Pledge of Allegiance: Director Weygandt led the Pledge of Allegiance.
3. Roll Call: All Directors were present.
4. Statement of Meeting Procedures: Heather Wilden read the procedures for in-person and virtual meeting participation.
5. Public Comment: No one from the public addressed the Board in-person or virtually.
6. Closed Session:
Anticipated Litigation:
 - a. Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code §54956.9: one potential case.WPWMA Counsel reported out of Closed Session noting that the Board provided direction to Counsel.
7. Announcements & Information:
 - a. Reports from Directors: None.
 - b. Report from the Executive Director: None.
 - c. Financial Reports: Eric Oddo summarized the financials. There were no questions from the Board.
 - d. Monthly Tonnage Reports: Eric Oddo summarized the tonnage reports. There were no questions from the Board.
8. Consent Agenda:

Director Gore requested that Item 8c be pulled from the Consent Agenda for further discussion.

 - a. Minutes of the Special Board Meeting held November 29, 2021:
Staff recommended approving as submitted.
 - b. Minutes of the Board Meeting held December 9, 2021:

Staff recommended approving as submitted.

- d. First Amendment to the Agreement with Shaw Yoder Antwih Schmelzer & Lange for Legislative Advocacy Services:

Staff recommended authorizing the Chair to sign the First Amendment to the Legislative Advocacy Services Agreement with Shaw Yoder Antwih Schmelzer & Lange, Inc. for a total cost of \$54,000, increasing the total not-to-exceed cost of the Agreement to \$108,000.

MOTION TO APPROVE THE CONSENT AGENDA:

Weygandt/Roccucci

Vote: Unanimous

- c. 2022 Meeting Schedule:

Staff recommended approving the WPWMA Board of Directors meeting date schedule for calendar year 2022.

Director Gore and Chairman Halldin noted they may have a potential conflict with the scheduled June 9, 2022 WPWMA Board meeting. Both Directors indicated they would confer with their alternates on their availability to attend a June 9th meeting. The Board did not select an alternative June 2022 meeting date.

MOTION TO APPROVE ITEM 8c:

Gore/Weygandt

Vote: Unanimous

9. Action Items:

- a. MRF and WRSL Operations Procurement – Operator Selection and Authorization to Negotiate Final Agreements; Ratification of November 29, 2021, Board Actions:

Staff recommended the Board, via four separate and discrete actions:

1. Authorize staff to conduct formal contract negotiations with FCC Environmental Services, LLC (FCC), as the top-ranked firm, for future operation of the Materials Recovery Facility; and
2. Authorize staff to conduct formal contract negotiations with FCC, as the top-ranked firm, for future operation of the Western Regional Sanitary Landfill; and
3. Ratify authorization to staff approved on November 29, 2021, to initiate formal contract negotiations with FCC, as the top-ranked firm, for future operation of the Materials Recovery Facility; and
4. Ratify authorization to staff approved on November 29, 2021, to initiate formal contract negotiations with FCC, as the top-ranked firm, for future operation of the Western Regional Sanitary Landfill.

Ken Grehm provided an overview of the Materials Recovery Facility (MRF) and Western Regional Sanitary Landfill (WRSL) operations detailing the procurement process with a PowerPoint presentation.

The Chair provided Greenwaste of Placer County (GWP) and FCC (as the entities that had proposed to operate both the MRF and WRSL) and Republic Services (as the entity that had proposed to operate the WRSL) each ten minutes to address the Board.

Emily Hanson, Chief Strategy Officer of GWP; Dan Brazil, Vice President of Operations for FCC; and Colin Wallace, Area Senior Manager, Municipal Sales for Republic Services addressed the Board.

THE CHAIR OPENED PUBLIC COMMENT AT 6:43 PM.

April Marskell, President of the Blue Oaks Neighborhood Association inquired why the Board is hearing this item again.

Ken Grehm noted that when staff first presented this item to the Board at the November 29, 2021 meeting, the slide deck used during staff's presentation had not been made available to the public prior to the meeting. In response to Brown Act issues raised by GWP, Ken Grehm explained that the actions before the Board served as ratification of the November 29, 2021 Board actions, as described on the agenda, and served to cure and correct any potential Brown Act violations.

THE CHAIR CLOSED PUBLIC COMMENT AT 6:45 PM.

The Board asked questions about the firms' approaches to meeting the WPWMA's operational and financial goals. Representatives of the proposing entities and WPWMA staff answered the Board's questions.

After deliberations, all Board members voted to approve all four action items.

MOTION TO APPROVE ITEM 9a1:

Weygandt/Roccucci

ROLL CALL VOTE:

Halldin:	YES	Karleskint:	YES
Roccucci:	YES	Gore:	YES
Weygandt:	YES		

Vote: 5 In Favor, 0 Opposed – Motion Passed

MOTION TO APPROVE ITEM 9a2:

Weygandt/Roccucci

ROLL CALL VOTE:

Halldin:	YES	Karleskint:	YES
Roccucci:	YES	Gore:	YES
Weygandt:	YES		

Vote: 5 In Favor, 0 Opposed – Motion Passed

MOTION TO APPROVE ITEM 9a3:

Weygandt/Roccucci

ROLL CALL VOTE:

Halldin:	YES	Karleskint:	YES
Roccucci:	YES	Gore:	YES
Weygandt:	YES		

Vote: 5 In Favor, 0 Opposed – Motion Passed

MOTION TO APPROVE ITEM 9a4:

Weygandt/Roccucci

ROLL CALL VOTE:

Halldin:	YES	Karleskint:	YES
Roccucci:	YES	Gore:	YES
Weygandt:	YES		

Vote: 5 In Favor, 0 Opposed – Motion Passed

10. Election of Officers:

The Board elected officers for calendar year 2022 as follows:

Chair – The Director representing the City of Lincoln.

Vice Chair – The Director representing the City of Roseville.

MOTION TO APPROVE:

Halldin/Gore

Vote: Unanimous

11. Upcoming Agenda Items: None.

12. Adjournment: Meeting was adjourned at 7:33 PM.

Respectfully Submitted,



Heather Wilden, Clerk of the Board
Western Placer Waste Management Authority

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **MARCH 10, 2022**
FROM: **KEN GREHM / RYAN SCHMIDT** *RS*
SUBJECT: **FIRST AMENDMENT TO THE AGREEMENT WITH GEO-LOGIC ASSOCIATES FOR NORTH COMPOST POND EXPANSION DESIGN AND CQA**

RECOMMENDED ACTION:

Authorize the Executive Director or designee, upon review and approval by WPWMA Counsel, to sign the First Amendment to the North Compost Pond Expansion Design and CQA Services Agreement (Agreement) with Geo-Logic Associates (GLA), authorizing an additional \$51,205 in project management and construction services, increasing the total not-to-exceed cost of the Agreement to \$302,552.

BACKGROUND:

On April 5, 2021, the WPWMA entered into the Agreement with GLA to provide design and CQA services for the North Compost Leachate Pond Expansion Project. The scope of the Agreement includes project management, pond and infrastructure design, permitting/bidding assistance, engineering during construction, and construction quality assurance (CQA) services.

Last year the WPWMA recorded the heaviest October rainfall since 1880, followed by multiple large storms and the heaviest recorded rainfall experienced between October 1 and December since 1983. The heavy rainfall filled the South Compost Pond and the WPWMA had to resume use of the North Compost Pond before it could be lined. After careful consideration by WPWMA staff, GLA, and the construction contractor, the WPWMA made the decision to suspend the construction phase of the project, tentatively until April 2022, weather depending.

Suspending the project protected the WPWMA from rain related construction claims however the suspension will result in additional project management and an extended CQA timeline for which GLA has requested \$30,475. The proposed amendment also includes funding for GLA to design an additional drainage system below the pond to address the potential for inflow from a previously abandoned storm-drain pipe from the MRF and funding to revise the electrical design drawings for the pond aeration and pumping system.

ENVIRONMENTAL CLEARANCE:

Modification to the north compost pond is categorically exempt from further environmental review under California Environmental Quality Act Guidelines, Article 19, Section 15301 "Existing Facilities", which includes minor alteration to an existing facility involving negligible or no expansion of the existing use. Although the pond itself will be expanded, the pond use is not expanded.

FISCAL IMPACT:

The proposed First Amendment would authorize up to an additional \$51,205 in funding and would bring the total authorized expenditures under this Agreement to an amount not to exceed \$302,552.

Sufficient funding is available in the FY 2021/22 Budget to incur this additional cost.

ATTACHMENT: FIRST AMENDMENT

ADMINISTRATING AGENCY: Western Placer Waste Management Authority

AGREEMENT NO: SCN103038

DESCRIPTION: First Amendment to the North Compost Leachate Pond Improvement Design and CQA Services Agreement

This FIRST Amendment is made to be effective as of, from and after the day of _____ 2022, and between the **WESTERN PLACER WASTE MANAGEMENT AUTHORITY**, a joint powers authority organized under California law (hereinafter referred to as the "WPWMA"), and **Geo-Logic Associates** (hereinafter referred to as the "Consultant").

RECITALS

1. The WPWMA and Consultant have entered into that certain " North Compost Leachate Pond Improvement Design and CQA Services" as of April 5, 2021 (hereinafter referred to as the "Agreement").
2. The Agreement is a design/CQA agreement requiring Consultant to prepare a plan set for the improvement/expansion of the North Compost Leachate Pond and related pumping and aeration system electrical, as well as providing CQA services during the construction of the improvements.
3. The Agreement requires Consultant to prepare plans and specifications that can be competitively bid. After award of the construction project, WPWMA staff became aware that the Consultant's electrical design shifted the burden of final design to an equipment supplier, requiring the construction contractor to identify the supplier Consultant had contemplated during design and engage the supplier and complete design before the contractor could furnish the panels, complete construction and warrantee the electrical work.
4. WPWMA staff requested, and Consultant has agreed, to redesign the electrical using an electrical engineering subconsultant for which the WPWMA will pay \$15,000, an amount competitive to proposed electrical subcontractor costs of other firms considered during the consultant evaluation process.
5. During pond excavation, contractor encountered a stormwater pipeline which, despite being capped, continued to convey stormwater and will require a revision to the pond design, which revision Consultant has agreed to perform for \$5,730 under Task 4.
6. On December 17, 2021, the WPWMA suspended the North Compost Leachate Pond construction due to the abnormally wet winter. The WPWMA acknowledges that the suspension of the construction effectively lengthens the project, adds interim project environmental controls, and incurs additional CQA and Project Management costs for the Consultant in the amount of \$37,009. Consultant has agreed to internalize some of the electrical redesign costs such that the net increase in design and CQA is \$30,475.
7. The WPWMA and Consultant acknowledge that, by providing these additional services, the total cost of the Agreement shall increase by Fifty One Thousand Two Hundred Five Dollars (\$51,205) to **Three Hundred Two Thousand, Five Hundred Fifty-Two and no/100 Dollars (\$302,552.00)**.
8. The WPWMA and Consultant desire to amend the Agreement to reflect the revised understanding between the parties as set forth below. All references in this First

Amendment to a Section, to an Appendix, or to an Exhibit shall refer to that Section or Exhibit of the Agreement, and all terms defined in the Agreement shall have the same meaning herein.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

- a. The last sentence in item 2. **Payment**, shall be replaced with the following sentence which shall read in its entirety as follows:

“The total amount payable for all services provided under this Agreement, including Additional Services, shall not exceed **Three Hundred Two Thousand, Five Hundred Fifty-Two and no/100 Dollars (\$302,552.00)** without the prior written approval of the WPWMA.”

- b. Exhibit A, Scope of Work, shall be amended at the end to include the following text:

“Use of Subcontractors - Consultant shall administer and supervise the work of all subconsultants it contracted for the work of this Agreement, which subcontractors include: *1) IDS Group, Inc (electrical engineering)*. No other subcontractors are to be used in performing this scope of services without the prior written approval of the Project Manager.”

- c. Exhibit B shall be deleted, and Exhibit B.1 attached hereto is substituted, therefore.
- d. Except as expressly provided in this First Amendment, the Agreement shall remain unchanged and in full force and effect. After this First Amendment is duly executed and delivered by WPWMA and Consultant, this First Amendment shall be and constitute an integral part of the Agreement.

IN WITNESS WHEREOF, the WPWMA and Contractor have executed this First Amendment as of the day and year first above written.

WESTERN PLACER WASTE MANAGEMENT AUTHORITY

By: _____

Executive Director

Date: _____

GEO-LOGIC ASSOCIATES, CONSULTANT

By: _____

Gary L. Lass, Chief Executive Officer

By: _____

John M. Hower, Senior Vice President

Approved as to Form:

By: _____

WPWMA Counsel

EXHIBIT B.1

PAYMENT FOR SERVICES RENDERED

Payment to Consultant will be made by the WPWMA on an hourly basis in accordance with the schedule in Exhibit B-1 and subject to the task budgets listed in Table 1, below.

Consultant shall submit invoices monthly and describe in detail the work and work hours performed, staff performing the work, staff hourly rate, and expenses for which reimbursement is claimed. Consultant shall also include with the monthly invoice a spreadsheet indicating task budgets, charges by task for each invoice, cumulative charges to date by task, and percent of budget remaining by task. Consultant shall state hourly time in increments of no less than one-quarter (1/4) of an hour.

Provided the work has been satisfactorily performed, WPWMA will pay invoices within thirty (30) days after approval of the invoice. Consultant shall provide additional information requested by the WPWMA to verify any of the amounts claimed for payment in any invoice. The total amount payable for all services provided under this Agreement shall not exceed **Three Hundred Two Thousand, Five Hundred Fifty-Two and no/100 Dollars (\$302,552.00)** over the period of this Agreement; provided, however, upon written request of the Consultant and with written approval of the WPWMA's Executive Director or designee, the WPWMA may adjust the amount to be paid for any task if the WPWMA deems it necessary and appropriate.

Table 1 – Task Budgets

1	Kickoff Meeting, Site Visit, and Project Management	\$9,609	\$15,113
2	Compost Leachate Pond Improvements Design	\$108,747	\$123,747
3	Permitting and Bidding Assistance	\$4,660	\$4,660
4	Engineering Assistance During Construction	\$5,916	\$11,646
5	Construction Quality Assurance	\$120,159	\$145,130
6	Additional Services	\$2,256	\$2,256
TOTAL		\$251,347	\$302,552

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**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **MARCH 10, 2022**
FROM: **KEN GREHM / RYAN SCHMIDT** *RS*
SUBJECT: **CONCRETE INERT/SOIL STOCKPILE SCREENING AND
PROCESSING**

RECOMMENDED ACTION:

Authorize staff to solicit bids for the screening and processing of the concrete inert and soil stockpiles.

BACKGROUND:

The WPWMA accepts concrete and soil from the public, which is stored onsite. Although not contractually obligated to do so, Nortech has periodically processed a portion of these materials for reuse or sale. However, more than five years have passed since these materials were last processed, and the concrete and soil stockpiles have grown to approximately 32,000 and 142,000 cubic yards respectively, occupying approximately 9 acres of land in undeveloped Module 8 and creating a space constraint. Both stockpiles contain materials that may be valuable once screened and processed and could be sold for offsite use.

In preparation for the new operations agreement in July, WPWMA staff investigated options to screen and process the stockpiles. After discussions with other regional landfills and local contractors, staff estimates that the average cost of processing the material is approximately \$5 per cubic yard although some harder to process material may be more costly. With your Board's authorization, the Placer County Procurement Services Division will solicit competitive bids in accordance with the Public Contract Code and Procurement Policy to process the inert material stockpiles. Upon receipt of competitive bids, staff will return to the Board for approval to award a contract to the most competitive bidder.

To ensure inert materials received in the future are regularly processed and marketed, the draft MRF operating agreement negotiated with FCC requires regular management of the material stockpiles and provides a processing fee for doing so.

ENVIRONMENTAL CLEARANCE:

The proposed site maintenance project is categorically exempt from further environmental review pursuant to Article 19, Section 15304 "Minor Alterations to Land" of the CEQA guidelines. Processing wastes, including crushing rock and screening soil and stockpiling materials, are allowable activities in the current Conditional Use Permits and were contemplated in the Environmental Impact Reports for the Materials Recovery Facility and landfill.

FISCAL IMPACT

Staff estimates the fiscal impact of the resultant contract could be approximately \$1,000,000. This amount is based on preliminary quotes obtained from neighboring regional landfills and rock processing contractors and assumes that the resulting processed material remains on-site. Staff believe there is an opportunity for a lower price if contractors elect to haul a portion of the processed material off-site for their subsequent use or sale.

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS** DATE: **MARCH 10, 2022**
FROM: **KEN GREHM / WILL SCHEFFLER** *WS*
SUBJECT: **SIXTH AMENDMENT TO THE AGREEMENT WITH SCS FIELD
SERVICES FOR LFG OPERATION AND MAINTENANCE SERVICES**

RECOMMENDED ACTION:

Authorize the Chair to sign the Sixth Amendment to the Agreement with SCS Field Services (SCS) to provide landfill gas (LFG) operations and maintenance services for the Western Regional Sanitary Landfill (WRSL) extending services for an additional year and authorizing additional related services for a total of \$1,592,458, increasing the total not-to-exceed cost of the Agreement to \$5,454,902.

BACKGROUND:

On August 28, 2018, your Board directed staff to initiate a request for proposals (RFP) for the operation and maintenance of the LFG and leachate collection and recovery systems. The RFP called for an initial one-year agreement with the selected contractor which could be extended for up to 3 years in one-year increments upon the mutual agreement of both parties. After a competitive procurement process, your Board approved the Agreement with SCS on February 14, 2019 and has since approved two subsequent one-year term extensions. SCS has been responsive, competent, and professional in providing services for the term of the current Agreement and subsequent amendments. Staff recommends extending the Agreement for an additional one-year term to continue these services.

In staff's experience, SCS has been the most qualified contractor for the operation and maintenance of LFG and leachate collection and recovery systems. However, after the recommended extension period ends, staff intends to conduct a competitive procurement process for future services pursuant to the original RFP and to ensure that the WPWMA is receiving the best services at the most competitive rate.

As part of the proposed Sixth Amendment, staff requested SCS provide scope and budget for the installation of additional LFG collection wells and conveyance piping. Of the recommended \$1,592,458 in additional funding, a total of \$228,000 (or approximately 14.3% of the budget) is associated with installation of additional wells and piping. Including this provision will allow the WPWMA to more quickly respond to any regulatory requirements to amend the LFG system within 120 days of methane surface emission exceedances.

ENVIRONMENTAL CLEARANCE:

Operations, maintenance, and minor alterations of the LFG system are exempt from review under California Environmental Quality Act, Section 15301: Existing Facilities. A Notice of Exemption for the construction and operation of the system was filed on May 16, 1995.

FISCAL IMPACT:

The cost of providing the work in the proposed Sixth Amendment is \$1,592,458 and would increase the total not-to-exceed cost of the Agreement to \$5,454,902. Sufficient funding for these services is available in the FY 2021/22 Budget.

ATTACHMENT: SIXTH AMENDMENT

ADMINISTERING AGENCY: Western Placer Waste Management Authority

AGREEMENT: SCN101505

DESCRIPTION: Sixth Amendment to Agreement for GCCS and LCRS Operations, Monitoring and Maintenance, and Reporting

This Sixth Amendment is made to be effective as of, from and after the day of _____, 2022 and between the **WESTERN PLACER WASTE MANAGEMENT AUTHORITY**, a joint powers authority organized under California law (hereinafter referred to as the "WPWMA"), and Stearns, Conrad and Schmidt Consulting Engineers, Inc. dba **SCS Field Services**, a Virginia Corporation authorized to do business in California (hereinafter referred to as the "Contractor").

RECITALS

1. The WPWMA and Contractor have entered into that certain "Agreement" for the Operation and Maintenance of the Western Regional Sanitary Landfill (WRSL) Gas Collection and Control System (GCCS) and Leachate Collection and Recovery System (LCRS) as of February 20, 2019 which was previously amended as of August 5, 2019 by the First Amendment, as of February 14, 2020 by the Second Amendment, as of January 14, 2021 by the Third Amendment, as of June 17, 2021 by the Fourth Amendment, and as of January 12, 2022 by the Fifth Amendment (hereinafter referred to as the "Agreement").
2. Consultant has consistently performed GCCS and LCRS operations, monitoring, and maintenance services for the WPWMA through changing conditions and regulations, maintaining a positive working relationship with the WPWMA and its consultants and contractors.
3. In recognition of the importance of these services and the value in maintaining consistency and reliability in how they are provided, the WPWMA has proposed, and Consultant has agreed to extend the term of the existing Agreement for an additional one-year period for a cost not to exceed One Million Five Hundred Ninety-Two Thousand Four Hundred Fifty-Eight Dollars (\$1,592,458).
4. As part of the Consultant's proposed work, Task 6B, Wellfield Build, budgeted \$208,000 of the total \$1,592,458 for the installation of ten 80-foot each landfill gas extraction wells and associated lateral pipelines and components. Additionally, Task 6A, Wellfield Design and Bid, and Task 6C, Wellfield Construction Management and CQA, that are associated with the installation of those ten landfill gas extraction wells, have \$10,000 per task budgeted for them. In consideration of the variable aspects of landfill operations and landfill gas generation and collection, the WPWMA would reserve the right to direct the Contractor to install all ten wells, no wells, or any number of wells in between, contingent to the needs of WRSL.
5. The WPWMA and Consultant desire to amend the Agreement to reflect the revised understanding between the parties as set forth below. All references in this Sixth Amendment to a Section, to an Appendix, or to an Exhibit shall refer to that Section or Exhibit of the Agreement, and all terms defined in the Agreement shall have the

same meaning herein.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

- a. The last sentence in item 2. **Payment**, shall be replaced with the following sentence:

“The total amount payable for all services provided under this Agreement, including Additional Services, shall not exceed Five Million Four Hundred Fifty-Four Thousand Nine Hundred Two Dollars (\$5,454,902) without the prior written approval of the WPWMA.”

- b. Exhibit A, Scope of Services, Task 6A Wellfield Design & Bid shall be amended to replace the first bulleted sentence “Three (3) 80-foot deep LFG extraction wells consisting of 8-inch diameter HDPE well casings LFG wellheads matching the WPWMA standard.” with:

“Up to ten (10) 80-foot deep LFG extraction wells consisting of 8-inch diameter HDPE well casings LFG wellheads matching the WPWMA standard.”

The second bulleted sentence shall be amended to replace “Header improvements including 500 feet of 6-inch lateral piping and appurtenances, all of which is above-ground piping and installation of metal staking with HDPE bushings for perimeter header piping, and soil mounds for all sub-header and lateral piping across the WSRL with a 50-foot spacing to maintain alignment of the piping, and limit condensate blockage.” with:

“Header improvements including sufficient amount of 6-inch lateral piping and appurtenances appropriate for the number of LFG extraction wells installed, all of which is above-ground piping and installation of metal staking with HDPE bushings for perimeter header piping, and soil mounds for all sub-header and lateral piping across the WSRL with a 50-foot spacing to maintain alignment of the piping, and limit condensate blockage.”

- c. Exhibit A, Scope of Services Task 10 Wellfield Improvements shall be amended to add the following improvements:

1. Install five (5) dual LFG extraction well pumps and associated components.
2. Modules 13-16 main pipeline modifications and regrading.
3. Install new QED orifice plate wellheads on perimeter wells and regrade lateral.
4. Leachate station flow meter upgrades.

Except as expressly provided in this Sixth Amendment, the Agreement shall remain unchanged and in full force and effect. After this Sixth Amendment is duly executed and delivered by WPWMA and Contractor, this Sixth Amendment shall be and constitute an integral part of the Agreement.

IN WITNESS WHEREOF, the WPWMA and Contractor have executed this Sixth Amendment as of the day and year first above written.

Western Placer Waste Management Authority

By: _____
WPWMA Chair

Date: _____

SCS Field Services

By: _____
Galen Petoyan,
Senior Vice President

By: _____
Curtis Jang,
Senior Vice President/CFO

APPROVED AS TO FORM:

By: _____
WPWMA Counsel

EXHIBIT B.4

PAYMENT FOR SERVICES RENDERED

Payment to Contractor will be made by the WPWMA on an hourly basis in accordance with Exhibit B-1.4 – Fee Schedule attached hereto.

Contractor shall submit invoices monthly for work performed describing in detail the work and work hours performed, the person(s) performing the work, his/her hourly rate, and the expenses for which reimbursement is claimed. Contractor shall include a spreadsheet that shows task budgets, charges by task for the current invoice, cumulative charges to date by task, and percent of budget remaining by task. Contractor shall state hours worked by each individual for the given reporting month. Contractor shall state hourly time in increments of no less than one-quarter ($\frac{1}{4}$) of an hour.

Provided the work has been satisfactorily performed, WPWMA will pay invoices within thirty (30) days after approval of the invoice. Contractor shall provide such additional information as the WPWMA may request to verify any of the amounts claimed for payment in any invoice. Contractor shall not exceed the individual task budgets set forth in Table 1. Such task budgets may be formally amended by written agreement of Contractor and the WPWMA Executive Director or designee. The total amount payable for all services provided under this Agreement shall not exceed Five Million Four Hundred Fifty-Four Thousand Nine Hundred Two Dollars (\$5,454,902).

Table 1: Not-to-Exceed Task Budgets

Task	Description	Existing Budget	Sixth Amendment	Total
1	GCCS & LCRS Baseline Field Inspection	\$10,000.00	\$0.00	\$10,000.00
2	GCCS & LCRS OMM			
2A	LFG Operation, Monitoring & Maintenance within the BFS	\$255,866.00	\$102,084.00	\$357,950.00
2B	LFG Operation, Monitoring & Maintenance outside the BFS	\$1,017,755.00	\$370,477.00	\$1,388,232.00
2C	LCRS Operation, Monitoring & Maintenance	\$799,394.00	\$330,413.00	\$1,129,807.00
3	GCCS & LCRS Reporting			
3A	Immediate Reports	\$10,000.00	\$5,000.00	\$15,000.00
3B	Biweekly Reports	\$42,427.00	\$15,696.00	\$58,123.00
3C	Monthly Reports	\$75,840.00	\$25,620.00	\$101,460.00
3D	Quarterly Reports	\$46,704.00	\$15,772.00	\$62,476.00
3E	Semi Annual Report	\$27,016.00	\$9,594.00	\$36,610.00
4	Flare Source Testing	\$59,021.00	\$19,802.00	\$78,823.00
5	Emergency or Non-Routine Monitoring, Maintenance & Reporting			
5A	Response for WPWMA	\$354,582.50	\$75,000.00	\$429,582.50
5B	Response for Energy	\$24,086.00	\$10,000.00	\$34,086.00
5C	Response for Landfill Operator	\$258,078.80	\$150,000.00	\$408,078.80
5D	Response for Landfill Subsurface Oxidation Event	\$15,000.00	\$0.00	\$15,000.00
6	Annual Wellfield Design, Bid, Build, CM & CQA			
6A	Wellfield Design & BID	\$24,616.08	\$10,000.00	\$34,616.08
6B	Wellfield Build	\$192,595.42	\$208,000.00	\$400,595.42
6C	Wellfield Construction Management and CQA	\$20,000.00	\$10,000.00	\$30,000.00
7	Spare Parts/Consumables	\$240,000.00	\$90,000.00	\$330,000.00
8	Prepare Wellfield Improvement Design for Impacted Probe Area	\$18,109.00	\$0.00	\$18,109.00
9	General Engineering Services	\$42,835.20	\$20,000.00	\$62,835.20
10	Wellfield Improvements	\$254,518.00	\$125,000.00	\$379,518.00
11	GCCS Evaluation Report	\$55,000.00	\$0.00	\$55,000.00
12	Air Permitting Support	\$19,000.00	\$0.00	\$19,000.00
Total		\$3,862,444.00	\$1,592,458.00	\$5,454,902.00

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**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS**

DATE: **MARCH 10, 2022**

FROM: **KEN GREHM**

SUBJECT: **MRF AND WRSL OPERATING AGREEMENTS**

RECOMMENDED ACTION:

1. Authorize the Chair to sign the following agreements with FCC Environmental Services, LLC, contingent on receiving flow commitment agreements from Member Agencies:
 - a. Operating Agreement and Addendum #1 for the Materials Recovery Facility; and
 - b. Operating Agreement and Addendum #1 for the Western Regional Sanitary Landfill.
2. Provide direction to staff related to flow commitment negotiations with the Member Agencies and conducting flow commitment discussions with non-Member Agencies.

BACKGROUND:

At the January 13, 2022 meeting, your Board authorized staff to enter into formal contract negotiations with FCC Environmental Services, LLC. (FCC) for future operations of the Materials Recovery Facility (MRF) and Western Regional Sanitary Landfill (WRSL).

The FCC proposal will provide a new state of the art Material Recovery Facility that will meet various diversion goals including 75% diversion of organics when the new facility is operational. The proposal includes an approximately \$110 million capital investment to upgrade the MRF and composting facilities. As this level of capital investment exceeds the WPWMA's current reserves, financing of these improvements will be necessary. Flow commitment agreements between the WPWMA and the Member Agencies are anticipated to be a requirement of the financing institutions to demonstrate the ability to repay the debt. Member Agencies previously provided these flow commitment agreements during past facility construction/upgrades that required financing. Based on several assumptions regarding potential financing terms and the type and amount of materials delivered to the WPWMA's facility in the near future, staff estimate that the change in processing fees associated with operation of the MRF and WRSL by FCC and the debt service associated with the necessary capital investment will not require a significant change to the WPWMA's tipping fee structure. Staff predicts that the tipping fee structure recommended for implementation on July 1, 2022 (included as a separate item on this agenda for your Board's consideration) coupled with modest future growth in the waste stream and annual inflationary adjustments to the tipping fees of between 2.5 and 3% will provide sufficient revenues to support anticipated operations.

Contract Negotiations

As part of the procurement process, the WPWMA provided draft operating agreements for both the MRF and WRSL based largely on the existing operating agreements with

Nortech. As part of the proposal process, firms were afforded the opportunity to note any exceptions they had to the draft agreements and provide alternative language.

Consistent with their proposals, FCC did not request substantive changes to either of the agreements; the negotiations predominantly focused on ensuring both agreements were consistent with each other, clear in the expectations of both parties, and were reconciled to align with the specific details of FCC's proposed operating methodologies and cost structures.

The processing fees included in the recommended MRF and WRSL agreements did not change from FCC's proposals. However, during negotiations WPWMA and FCC discussed the potential cost impact if the volume of materials received at the facility in the future differs substantially from the estimates provided in the initial request for proposals. Staff and FCC will continue to discuss potential changes to processing fees if future flows are significantly lower than anticipated; the proposed MRF operating agreement does provide reductions in the mixed waste processing fees when flows increase either through the anticipated growth in these waste streams or otherwise. The following table summarizes this tiered processing fee structure:

Tons per Year	MSW Fee per Ton	Tons per Year	C&D Fee per Ton
< 250,000	\$64.56	< 125,000	\$44.69
250,000 – 350,000	\$59.48	125,000 – 175,000	\$42.46
> 350,000	\$56.51	> 175,000	\$40.33

Estimated MSW and C&D tons sent to the MRF in FY 22/23 are 219,500 and 66,700 tons, respectively.

Additionally, to address the impacts associated with the November 2021 MRF fire, WPWMA and FCC negotiated addendums to both operating agreements to reflect temporary operating requirements until the MRF can be repaired.

Flow Commitment Agreements

To maximize the value of the proposed agreements, secure the necessary financing for capital improvements and maintain a competitive rate structure, WPWMA must be assured that the current type and volume of material will continue coming to the facility. As noted above, staff believe flow commitment agreements between the Member Agencies and WPWMA provide the necessary assurances. FCC's proposed facility modifications and upgrades were designed to accommodate the WPWMA's current waste stream and projected growth over the term of the agreement.

If there are substantial changes or reductions to the amount of materials the Participating Agencies deliver to the facility, the unit cost of processing these materials, as well as the per ton debt service component, will increase. These potential cost increases would necessitate corresponding increases to tipping fees.

Based on the most recent discussions with Member Agency staff, there appears to be a general interest and willingness to enter into flow commitment agreements with the WPWMA. Staff anticipate the basic structure of the flow commitment agreements will include:

- Continued delivery by the agencies and their designated or franchised haulers of all waste materials to the WPWMA facility for processing
- The term of the flow commitments will be consistent with the financing term; currently staff anticipate a financing term between 10 and 15 years.
- Commitment by the WPWMA to operate the MRF as a High Diversion Organic Processing Facility in accordance with SB 1383. This will enable signatories to the flow commitment agreements to comply with SB 1383 without the need to modify their collection operations.
- A defined reopener clause upon the 5th anniversary of the flow commitment agreements in the event performance and compliance metrics of the WPWMA/FCC as they related to SB 1383 are not being met.
- Notice of Intent prior to exiting the flow commitment agreement
- Other provisions that may be requested by the Member Agencies.

Next Steps

The following provides a brief summary of the remaining necessary actions that need to occur before the benefits of FCC facility operating proposals can be fully realized. This list is not necessarily exhaustive nor is it necessarily sequential; several of these items must occur in parallel to ensure operational continuity on July 1st.

- Execute flow commitment agreements with the Member Agencies by early April
- Discuss and potentially execute flow commitment agreements with non-Member Agencies by the end of June
- Repair the damage to the MRF that occurred during the November 2021 fire
- Execute Operating Agreements
- Execute separate Design/Build agreement for construction of facility improvements
- Order new MRF machinery
- Obtain capital financing term sheet/proposal from FCC
- Work with Placer County Treasurer/Tax Collector to determine most advantageous financing option and initiate process to obtain financing
- Execute the selected financing plan
- Make select repairs to MRF Building
- Coordinate transition discussions between FCC and Nortech with an emphasis on possible labor continuity and equipment and infrastructure acquisition
- Update permits and applicable regulatory-required operating documents to denote change in operators and operating practices
- Take action on the Master Plan Environmental Impact Report

ENVIRONMENTAL CLEARANCE:

Executing the WRSL operating agreement with FCC is categorically exempt from further environmental review under California Environmental Quality Act Guidelines, Article 19,

Section 15301 “Existing Facilities”, which includes continued operation of an existing facility involving negligible or no expansion of the existing use.

Executing the MRF operating agreement with FCC to operate the facility prior to any subsequent modifications is categorically exempt from further environmental review under California Environmental Quality Act Guidelines, Article 19, Section 15301 “Existing Facilities”, which includes continued operation of an existing facility involving negligible or no expansion of the existing use. FCC’s proposed facility modifications are consistent with previous environmental review efforts, within the project scope of the current Waste Action Plan Draft Environmental Impact Report (EIR) and consistent with the Sunset Area EIR. Staff anticipate presenting the Waste Action Plan Final EIR to your Board for consideration this summer; staff will work with FCC to ensure no facility modifications are undertaken until the WPWMA confirms the appropriate level of environmental review has been performed.

FISCAL IMPACT:

Under the proposed WRSL operating agreement, FCC will earn a minimum annual fee of \$2,511,231 in the first year of operations. This fee is based on a per ton disposal fee of \$30.82 and information in the original Request for Proposals regarding the annual quantity of material sent directly to the WRSL for disposal. The cost to dispose of residue generated at the MRF is included in the MRF processing fees; the WPWMA will not be charged an additional fee for disposal of MRF residue. Staff anticipates that until the proposed MRF expansion and retrofit is complete, direct-to-landfill tonnage may exceed 110,000 tons per year and result in an annual cost to the WPWMA of approximately \$3.4 million. Upon completion of the proposed MRF expansion, staff anticipate significantly less tonnage will be sent directly to the WRSL and that the WPWMA will pay the minimum annual fee. For purposes of comparison, WPWMA currently pays Nortech Landfill, Inc. a flat annual fee of approximately \$2.42 million; provisions in the existing WRSL operating agreement provide for additional payments to Nortech for exceeding defined operational performance metrics.

Under the proposed MRF operating agreement, assuming no change in collection or delivery operations by the Participating Agencies, staff estimate FCC will earn approximately \$25.8 million per year. Of this amount, approximately 54% is associated with processing Municipal Solid Waste (MSW), 11% with Construction and Demolition Debris, 15% with organics and 9% with inert materials (concrete, rock, dirt, etc.); the remainder is associated with other materials including appliances, tires and household hazardous waste. For purposes of comparison, WPWMA anticipates paying Nortech Waste approximately \$17.4 million this fiscal year.

The cost of the proposed MRF facility modifications is approximately \$110 million. If the WPWMA utilizes approximately \$25 million from reserves to reduce the amount that would need to be financed, and the WPWMA is able to secure financing at an effective annual interest rate of 2.75% over 15 years, the annual debt service is estimated to be approximately \$6 million per year. Shortening the financing term to 10 years could increase the annual debt service by approximately \$2.5 million.

Based on the cost projections noted above, operations of the MRF, WRSL and debt service represents approximately 63%, 11%, and 15% of the WPWMA’s annual

Operations Fund budget, respectively¹. The remaining 11% is associated with WPWMA labor, overhead and third-party consultant fees.

The proposed tipping fee adjustments identified as a separate item on this agenda account for these additional costs; the Financial Forecast includes an estimated 2.5% to 3% annual increase to tipping fees in subsequent years to cover anticipated costs. Assuming the Member Agencies continue to deliver the same type and quantity of materials to the WPWMA facility as they currently do, staff estimates that the MSW tipping fee of \$88 per ton can remain unchanged for Fiscal Year 2022/23. If the subsequent flow commitment negotiations result in a substantial change (e.g., 30% reduction, etc.) in the quantity of MSW delivered to the WPWMA's facility, the MSW tipping fee may need to be increased to approximately \$103 per ton.

ATTACHMENT: MRF AND WRSL OPERATING AGREEMENTS AND ADDENDUMS
(ON FILE WITH CLERK AND AT WPWMA.CA.GOV)

¹ Exclusive of large construction project and other non-reoccurring costs.

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**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS**

DATE: **MARCH 10, 2022**

FROM: **KEN GREHM**

SUBJECT: **MRF EQUIPMENT REPAIR**

RECOMMENDED ACTION:

Staff recommends your Board authorize the Executive Director to take all necessary actions, including but not limited to entering into a sole source agreement with Van Dyk Recycling Solutions (Van Dyk) or other qualified contractors to make repairs to the Materials Recovery Facility processing equipment damaged during the November 10, 2021 fire, up to a maximum cost of \$2.5 million.

BACKGROUND:

On the evening of November 10, 2021, the Materials Recovery Facility (MRF) experienced a major fire event which destroyed numerous pieces of MRF processing equipment, fire suppression and alarm systems, and elements of the building structure. As noted elsewhere in this agenda package, Nortech Waste, LLC (Nortech) has been able to modify the facility to allow for continued processing of the municipal solid waste (MSW) received at the facility but at a lower diversion rate than required in the MRF operating agreement.

During negotiations with FCC Environmental Services (FCC) for future operation of the MRF, the parties acknowledged that it may not be in the WPWMA's best interest to fully replace the damaged equipment to its pre-fire condition given that FCC has proposed to fully replace all of the MRF operating equipment. However, both parties acknowledge it is not reasonable to expect FCC to operate the MRF in its present condition and meet the pre-fire diversion rate of 22 percent (as contemplated in the WPWMA's Request for Proposal and FCC's subsequent proposal) within the processing fee framework proposed by FCC.

Over the past several weeks, FCC has had their equipment provider (Van Dyk) inspect the existing equipment and work to develop a plan for a rapidly implementable, near-term equipment modification to improve both MRF throughput and diversion rate potential. Nortech had also worked with the manufacturer of the damaged equipment (Machinex) to develop a proposal to repair the system to pre-fire conditions. Machinex's proposal included a cost of approximately \$1.7 million and 7 to 8 months to complete the repairs.

Van Dyk's preliminary cost estimate suggests MRF modifications can be completed within approximately 10 to 12 weeks and for a cost of approximately \$1.8 million. Given the need to address safety issues and make the necessary repairs as quickly as possible, staff recommends your Board approve foregoing the public procurement process for this work and authorize the Executive Director to take all necessary actions to initiate and complete the repairs as soon as practical up to a total cost not to exceed \$2.5 million.

Staff believes foregoing the public procurement process and not seeking competitive bids is in the WPWMA's and public's interest given the need to rapidly implement a customized and operationally appropriate repair solution. The timeline to make these fire-related repairs does not allow for the preparation of biddable plans and specifications or for conducting a bidding process pursuant to the Public Contract Code. Staff has reviewed the cost proposal prepared by Van Dyk and finds that it accurately reflects current market costs. Staff therefore believes that competitive bidding in this case would be unavailing and not produce an advantage for the WPWMA, and further that the advertisement for competitive bids would be impractical under the circumstances. If your Board approves the requested action, the Executive Director will finalize and execute a contract with Van Dyk and/or other qualified contractors, subject to WPWMA Counsel and Risk Management approval.

ENVIRONMENTAL CLEARANCE:

The recommended action is exempt from further environmental review under California Environmental Quality Act Guidelines, Article 19, Section 15301 "Existing Facilities", which includes minor alteration to an existing facility involving negligible or no expansion of the existing use.

FISCAL IMPACT:

Based on Van Dyk's preliminary estimate, the cost to repair and modify the MRF is approximately \$1.8 million. Staff recommends increasing the Executive Director's spending authority to a maximum of \$2.5 million to allow for the approval of any other necessary expenditures with the intent of returning the facility to full operations as soon as practical.

Staff has worked with Risk Management and submitted multiple, separate claims totaling nearly \$2 million to the WPWMA's insurance carrier. The WPWMA has received one claim payout of approximately \$143,000 associated with non-processing equipment damage, is awaiting resolution of a claim for approximately \$1.83 million for associated with the damaged equipment and may submit additional claims for other infrastructure damage as specific areas of the facility become safely accessible for the claims adjusters to evaluate. Sufficient funds are available in the Fiscal Year 2021/22 budget and within the Fixed Asset Acquisition reserve fund to pay for any costs, if any, that are over and above the total insurance settlement amount.

**MEMORANDUM
WESTERN PLACER WASTE MANAGEMENT AUTHORITY**

TO: **WPWMA BOARD OF DIRECTORS**

DATE: **MARCH 10, 2022**

FROM: **KEN GREHM / ERIC ODDO** 

SUBJECT: **TIPPING FEE INCREASE FOR FY 2022/23**

RECOMMENDED ACTION:

After conducting a public hearing:

1. Adopt Resolution 22-01 that increases tipping fees effective July 1, 2022; and
2. Find this action exempt from CEQA pursuant to Section 21080(b)(8) of the Public Resources Code.

BACKGROUND:

Your Board periodically adjusts the WPWMA's tipping fee structure to reflect current and future financial needs while ensuring that the WPWMA remains competitive in the marketplace. The last time your Board adjusted rates was in March 2021 with the adjusted rates effective July 1, 2021.

At the January 13, 2022 meeting, your Board directed staff to enter into formal contract negotiations with FCC Environmental Services (FCC) for future operation of the Materials Recovery Facility (MRF) and Western Regional Sanitary Landfill (WRSL). Staff updated the WPWMA's financial forecasting tool to reflect the negotiated MRF and WRSL processing fee structures (which were unchanged from FCC's proposals) and estimated cost of capital upgrades to the MRF to determine the necessary adjustment to tipping fees.

The recommended tipping fee structure, presented in Exhibit A, is expected to generate sufficient revenues to offset anticipated operating costs – including those associated with FCC's operations – and to further reduce the amount that will need to be financed for planned upgrades to the MRF and composting operations to comply with SB 1383 organics diversion requirements.

The recommended tipping fees are based on the assumption that there will be no significant changes to collection operations of the Participating Agencies. However, should changes to collection programs be implemented by one or more of the Participating Agencies, the resultant financial impact to the WPWMA may necessitate tipping fee increases beyond those currently recommended.

Notice of the public hearing to consider the proposed tipping fee increase was published in the Roseville Press Tribune, Placer Herald, Lincoln News Messenger, Loomis News and Auburn Journal newspapers between March 3rd and March 5th and was mailed to all WPWMA account customers. Information related to the proposed rate increase was also posted on the WPWMA's website and social media sites and shared with Public Information Officers of the Member Agencies. Notice was also posted at the WPWMA's scalehouses, on all customer disposal tickets generated by the WPWMA, and

distributed to the Participating Agencies administrative offices the week of February 28th.

ENVIRONMENTAL CLEARANCE:

The recommended action is exempt from CEQA under Public Resources Code Section 21080(b) (8), provided your Board adopts findings that the rates are necessary to meet current and anticipated near-term operating expenses necessary for the maintenance of services.

FISCAL IMPACT:

The recommended adjustment to the FY 2022/23 tipping fee structure is anticipated to generate an additional \$2.66 million in gross revenues. The recommended adjustment will result in sufficient revenues to cover the estimated FY 2022/23 operating costs and provide additional funds that can be used to help offset capital expenditures associated with the MRF upgrades proposed by FCC.

ATTACHMENT: RESOLUTION 22-01
EXHIBIT A – PROPOSED TIPPING FEES
EXHIBIT B – NOTICE OF PUBLIC HEARING
EXHIBIT C – EXAMPLE DISPOSAL TICKET NOTICE

Before the Board of Directors

Western Placer Waste Management Authority

In the matter of:

Resolution No. 22-01

REVISION TO THE TIPPING FEES CHARGED BY THE WESTERN PLACER WASTE MANAGEMENT AUTHORITY

The following **RESOLUTION** was duly passed by the Board of Directors of the Western Placer Waste Management Authority at a regular meeting held March 10, 2022, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Western Placer
Waste Management Authority

Attest:

Clerk of said Board

WHEREAS, the Board of Directors has the duty to establish tipping fees for the Western Placer Waste Management Authority's facilities; and

WHEREAS, tipping fees must cover nearly all the costs of operating these facilities; and

WHEREAS, the proposed tipping fees (attached) reasonably correspond to the cost of providing services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Western Placer Waste Management Authority, that this Board approves the tipping fees presented in Exhibit A, effective July 1, 2022.

EXHIBIT A
WESTERN PLACER WASTE MANAGEMENT AUTHORITY
TIPPING FEES EFFECTIVE JULY 1, 2022

Category	Current Fee	Proposed Fee	Change
Municipal Solid Waste	\$88.00/ton \$20.00/cy	\$88.00/ton \$20.00/cy	\$0.00/ton \$0.00/cy
Construction and Demolition Debris	\$88.00/ton \$20.00/cy	\$88.00/ton \$20.00/cy	\$0.00/ton \$0.00/cy
Sludge and Mixed Inerts ¹	\$50.00/ton	\$50.00/ton	\$0.00/ton
Commercial Food Waste	\$46.50/ton	\$68.00/ton	\$21.50/ton
Source Separated Green Waste	\$66.00/ton \$14.00/cy	\$68.00/ton \$16.00/cy	\$2.00/ton \$2.00/cy
Source Separated Wood Waste ²	\$40.00/ton \$12.50/cy	\$55.00/ton \$16.00/cy	\$15.00/ton \$3.50/cy
Inert Materials ³	\$25.00/ton \$25.00/cy	\$60.00/ton \$60.00/cy	\$35.00/ton \$35.00/cy
Water treatment plant sludge	\$9.23/ton	\$10.00/ton	\$0.77/ton
Refrigerated Appliances	\$38.00 each	\$39.00 each	\$1.00 each
Non-refrigerated Appliances	\$8.25 each	\$8.50 each	\$0.50 each
Car and light truck tires	\$3.75 each	\$4.00 each	\$0.25 each
Semi-trailer tires	\$20.50 each	\$21.00 each	\$0.50 each
Tractor tires	\$82.00 each	\$84.00 each	\$2.00 each
Euclid & Bulk tires	\$205.00/ton	\$210.00/ton	\$5.00/ton
Treated Wood Waste	\$188.00/ton	\$193.00/ton	\$5.00/ton

¹ Applies to loads that qualify as Inert Materials but contain the presence of a small amount of contaminants.

² Applies to separated loads of wood, including: lumber, plywood, particleboard, and tree trunks and limbs less than 24 inches in diameter and greater than 1 inch in diameter. Loads can contain no more than 1% of contaminants. Contaminants include treated or painted wood.

³ Applies to separated loads of dirt, rock, asphalt and concrete if free from rebar or mesh and broken into pieces less than 2' x 2' x 4".

NOTICE OF PUBLIC HEARING

BY WHOM: Western Placer Waste Management Authority

WHERE: Western Placer Waste Management Authority's
Administrative Offices
3013 Fiddymment Road
Roseville, CA 95747

WHEN: Thursday March 10, 2022 5:25 P.M.

PURPOSE: NOTICE IS GIVEN that the Western Placer Waste Management Authority will conduct a public hearing to receive input on increasing its tipping fees, as identified below, effective July 1, 2022 unless otherwise noted. The proposed fee increases are intended to ensure sufficient funding is available for both ongoing operations and future projects and to account for inflation and increased material handling and processing costs.

Interested persons are invited to attend.

Additional information regarding the proposed fee increases is available for public review during normal business hours at the WPWMA's administrative offices, 3013 Fiddymment Road, Roseville CA 95747.

PUBLISH: Roseville Press Tribune, Rocklin Herald, Lincoln News Messenger, Auburn Journal

TIPPING FEES

Material Category	Current	Proposed
Municipal Solid Waste	\$88.00/ton, \$20.00/cy	\$88.00/ton, \$20.00/cy
Construction and Demolition Debris	\$88.00/ton, \$20.00/cy	\$88.00/ton, \$20.00/cy
Sludge and Mixed Inerts	\$50.00/ton	\$50.00/ton
Source Separated Food Waste	\$46.50/ton	\$68.00/ton
Source Separated Green Waste	\$66.00/ton, \$14.00/cy	\$68.00/ton, \$16.00/cy
Source Separated Wood Waste	\$40.00/ton, \$12.50/cy	\$55.00/ton, \$16.00/cy
Inert Materials	\$25.00/ton, \$25.00/cy	\$60.00/ton, \$60.00/cy
Water treatment plant sludge	\$9.23/ton	\$10.00/ton
Refrigerated Appliances	\$38.00 each	\$39.00 each
Non-refrigerated Appliances	\$8.25 each	\$8.50 each
Car and light truck tires	\$3.75 each	\$4.00 each
Semi-trailer tires	\$20.50 each	\$21.00 each
Tractor tires	\$82.00 each	\$84.00 each
Euclid & Bulk tires	\$205.00/ton	\$210.00/ton
Treated Wood Waste	\$188.00/ton	\$193.00/ton

****DUPLICATE TICKET****

W.P.W.M.A.

7:00 AM / 5:00 PM M-F

8:00 AM / 5:00 PM S-S

INBOUND CHARGE

000310 CITY OF ROSEVILLE-SOLID WASTE
311 VERNON STREET
ROSEVILLE CA 95678

SITE	TICKET	GRID		WEIGHMASTER	
34	03887595	LANDFILL		Tim Williams	
DATE IN	DATE OUT	TIME IN	TIME OUT	VEHICLE	ROLL OFF
02/28/22	02/28/22	08:06	08:16	R-457	R-0210
REFERENCE		ORIGIN			
		ROSEVILLE			

Scale 5 Gross Wt. 34500 LB

Scale 5 Tare Wt. 31080 LB

Net Weight 3420 LB

QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
1.71	TON	C&D Landfill				

Notice: A public hearing is scheduled for March 10, 2022 to consider increases to the WPWMA's tipping fees.
For more information, visit WPWMA.ca.gov

NET AMOUNT

TENDERED

CHANGE

CHECK NO.

SIGNATURE _____

****DUPLICATE TICKET****

W.P.W.M.A.

7:00 AM / 5:00 PM M-F

8:00 AM / 5:00 PM S-S

INBOUND CHARGE

000310 CITY OF ROSEVILLE-SOLID WASTE
311 VERNON STREET
ROSEVILLE CA 95678

SITE	TICKET	GRID		WEIGHMASTER	
34	03887595	LANDFILL		Tim Williams	
DATE IN	DATE OUT	TIME IN	TIME OUT	VEHICLE	ROLL OFF
02/28/22	02/28/22	08:06	08:16	R-457	R-0210
REFERENCE		ORIGIN			
		ROSEVILLE			

Scale 5 Gross Wt. 34500 LB

Scale 5 Tare Wt. 31080 LB

Net Weight 3420 LB

QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
1.71	TON	C&D Landfill				

Notice: A public hearing is scheduled for March 10, 2022 to consider increases to the WPWMA's tipping fees.
For more information, visit WPWMA.ca.gov

NET AMOUNT

TENDERED

CHANGE

CHECK NO.

SIGNATURE _____