Council Meeting of
December 7, 2010

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Public Works – Adopt ORDINANCE amending construction and demolition recycling requirements for compliance with new State Green Building Code. Expenditure: Not applicable.

RECOMMENDATION

Recommendation of the Public Works Director that City Council adopt an **ORDINANCE** amending the construction and demolition recycling requirements to comply with the State Green Building Code.

FUNDING

Not applicable.

BACKGROUND/ANALYSIS

On January 1, 2011, the new California Green Building Code becomes effective. Staff has prepared an Ordinance to incorporate these changes to the Torrance Municipal Code.

While the majority of the City's current construction and demolition (C&D) recycling program is already in compliance with the new regulations, there are a few minor changes needed, including a new requirement that 100% of excavated soil and land-clearing debris be recycled. We are also altering some language to clarify the definition of a certified facility, plan submittal requirements and types of exemptions.

With the large amount of infrastructure in our area for the sorting and recycling of C&D debris, we do not anticipate any difficulty for contactors and/or property owners to comply with these additional recycling requirements. We have attached the revised Waste Management Plan forms that the public will use.

While we need to make these amendments now for the State implementation date, staff will return with additional changes to the recycling program at a later date to better accommodate the upcoming one-stop permit counter.

Respectfully submitted,

ROBERT J. BESTE
Public Works Director

By Matthew Knapp
Sanitation Services Manager

CONCUR:

Robert J. Beste
Public Works Director

LeRoy J. Jackson
City Manager

Attachments: A. Ordinance
B. Revised C&D recycling forms

ORDINANCE No. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS OF THE TORRANCE MUNICIPAL CODE, DIVISION 4, CHAPTER 3, ARTICLE 8, REGARDING WASTE REDUCTION AND RECYCLING REQUIRMENTS FOR CONSTRUCTION AND DEMOLITION PROJECTS

The City Council of the City of Torrance ordains as follows:

SECTION 1

That Section 43.8.1, "Definitions" of the Torrance Municipal Code be amended to read as follows:

"...c) "Certified facility program" means a program wherein a recycling/reuse facility has been pre-approved by the City or other applicable agency to provide a minimum diversion percentage for all processed loads.

"...k) "Diversion requirement" means redirection from the waste stream of at least 50 percent of the total C&D debris generated by a project via reuse or recycling, and 100 percent reuse or recycling of excavated soil and land-clearing materials, such as trees, stumps or other vegetation.

That Section 43.8.3 (5) "Submittal of a Waste Management Plan" which reads "Total square footage of the project" be repealed.

That Section 43.8.4 (a) "Review of a Waste Management Plan" be amended to read as follows:

"...2) The WMP indicates that at least 50 percent of all C&D Debris and 100 percent of all excavated soil and land-clearing materials generated by the project will be diverted through recycling, deconstruction or reuse.

That Section 43.8.6 (c) (2) "Infeasibility Exemption" which reads "For a specific project, compliance with the requirements of the ordinance codified in this Article would result in minimal or no increase in recycled materials or reduction in the waste stream" be repealed and the remaining parts of the Section be renumbered appropriately.

SECTION 2

Any inconsistent provisions of the Torrance Municipal Code, or any other inconsistent ordinances of the City, are repealed, to the extent of the inconsistencies.

SECTION 3

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portion of this ordinance. The City Council of the City of Torrance hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or potion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or other portions might subsequently be declared invalid or unconstitutional.

SECTION 5

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the city of Torrance.

INTRODUCED and APPROVED this _____ day of _____, 2010.

_____
Frank Scotto, Mayor

ATTEST:

_____
Sue Herbers, City Clerk

APPROVED AS TO FORM:

JOHN FELLOWS III
City Attorney

By_____
Patrick Q. Sullivan
Assistant City Attorney

ATTACHMENT B

Building Permit Number: _____

CITY OF TORRANCE

Construction & Demolition Waste Management Plan (WMP)

THE REQUIRED GOAL IS TO REUSE OR RECYCLE AT LEAST 50% OF PROJECT WASTE AND 100% OF EXCAVATED SOIL AND LAND-CLEARING DEBRIS

1) As part of your application, you must complete the front and back of this page and the "estimate" or left side of the table on the backside of this page to the best of your ability, indicating that you will recycle at least 50% of the waste from the project and 100% of excavated soil and land-clearing debris.

2) As your project proceeds, collect and keep receipts of all waste disposed, recycled, reused or donated.

3) To final your project, you must then fill out the "actual" or right side of the table on the backside of this sheet, and submit it again with all the receipts to verify that at least 50% of the project's waste and 100% of excavated soil and land-clearing debris was diverted from the landfills.

If you have any questions about the City's C & D Recycling Ordinance or how to fill out this form, please call (310) 781-6900.

Please note, if you are contracting with a different company to haul your waste or using a roll off box from another company, that company must have a business license to operate in the City of Torrance.

A COPY OF THIS WMP AND RECEIPTS (TICKETS) FOR ALL RECYCLING AND DISPOSAL SHALL BE SUBMITTED BEFORE THE PROJECT WILL RECEIVE FINAL BUILDING APPROVAL. (FOR DEMO PERMITS, THE RECEIPTS FOR THE DEMOLITION WASTE SHOULD BE PROVIDED BEFORE THE FIRST FOOTING INSPECTION AFTER THE BUILDING PERMIT HAS BEEN ISSUED.)

Project Name: _____

Location: _____

Requesting Infeasibility Exemption: ☐ **Yes** ☐ **No**

Contractor Name: _____ **Contact Name:** _____

Address: _____ **Contact Phone:** _____

Recycler: _____ **Recycler Contact:** _____

Recycler Address: _____ **Recycler Contact Phone:** _____

CITY USE ONLY

	Application (Date)	Final (Date)
Approved		
Further explanation needed (see attached)		
Denied		
Infeasibility Exemption Approved		
Reviewed By		

Submit this form and the attached Waste Management Plan Table to:

WMP Compliance Official
Alison Sherman, Public Works
asherman@TorranceCA.Gov
Fax: 310-781-6902

Questions? Call 310-781-6900
Or for in-person visit (by appointment only)

CITY OF TORRANCE

Construction & Demolition Waste Management Plan Table

Project Name: _____

Total Estimated Waste Generated by Project: _____ (in tons).
(Ask your hauler, recycler or site cleanup vendor to assist you. Use receipts from your previous jobs for estimates)

Complete and return with Building Permit Application			**Complete and return with receipts prior to final building approval**		
Material Type	Estimated Reused/ Recycled	Estimated Disposed/ Landfilled	Actual Reused/ Recycled	Actual Disposed/ Landfilled	Vendor or Facility Used (Destination)
	(In Tons)	(In Tons)	(In Tons)	(In Tons)	
Asphalt & Concrete					
Bricks/Masonry/Tiles					
Building Materials (doors, windows, fixtures, etc.)					
Cardboard					
Asphalt & Concrete Pavement and Grindings					
Dirt					
Landscape Debris (Plant & Tree Trimmings)					
Scrap Metal					
Unpainted Wood & Pallets					
Other (painted wood & drywall, roofing, etc.)					
Mixed C&D*					
Trash/Garbage					
TOTAL					

If you are requesting an infeasibility exemption and the estimated amount reused/recycled is less than 50%, please explain why (attach additional sheets if necessary):

_____

_____

Prepared by (please print): _____ Date: _____

Signature: _____ Phone Number: _____

Must be signed by Contractor or Owner. Signatory accepts financial responsibility for any penalties for non-compliance.

* *Mixed C&D* is defined as a mixture of three or more materials (e.g. wood, drywall, roofing, etc.) from construction or demolition sites that will be taken to a facility capable of recycling those commingled materials.

Conversion Rates

The following conversion rates are estimates to help complete the Waste Management Plan by converting materials into tonnage format. The ranges vary widely, depending on how the materials are handled (compacted, loose, chipped, etc.). Use the conversion factors and receipts from any previous projects to help you estimate the potential amount of materials and diversion. Take into consideration the type and load of vehicles that will be used to haul the materials. Ask your hauler or recycler to assist you in estimating these numbers.

Material	Lbs/cy	Tons/cy
Asphalt	1,400 lbs/cy	0.7 tons/cy
Brick	2,430 lbs/cy	1.21 tons/cy
Cardboard	100 lbs/cy	0.05 tons/cy
Concrete	2,600 lbs/cy (Sources range from 1,000 to 4,000)	1.3 tons/cy
Dirt/Soils	2,660 lbs/cy	1.33 tons/cy
Drywall	700 lbs/cy	0.35 tons/cy
Wood (chipped)	300 - 650 lbs/cy	0.15 – 0.3 tons/cy
Mixed C&D Debris	900 lbs/cy	0.45 tons/cy
Mixed Waste/Trash	100 - 350 lbs/cy	0.5 - 0.175 tons/cy