



**Solid Waste Department
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: June 2, 2020

Public Hearing Required	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Published Notice Required	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Advertised Published Notice	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
CONTACT PERSON: Guillermo Hermoso PHONE: (559)624-7198		

SUBJECT: Approve Disposal of Livestock Carcasses

REQUEST(S):

That the Board of Supervisors:

1. Approve disposal of livestock carcasses pursuant to Emergency Waiver of Standards Dated May 5, 2020.
2. Conduct a Public Hearing to approve a Special Handling fee of \$250.00 for each livestock carcass disposed at the Visalia Landfill to take effect June 2, 2020.
3. Approve one-time event Wednesday, June 24, 2020 for disposal of livestock carcasses.
4. Authorize the Department to dispose livestock carcasses from approved list of dairies affected by the emergency declaration.

SUMMARY:

On May 5, 2020, the Tulare County Solid Waste Department received an Emergency Waiver of Standards for the disposal of decomposed livestock carcasses from Tulare County Environmental Health. This waiver is effective 60 days from the date of the waiver, May 5, 2020, for the Visalia Disposal Site (54-AA-009).

The Department requests that your Board approve the disposal of livestock pursuant to the Emergency Waiver of Standards granted by Tulare County Environmental Health on May 5, 2020. Currently, the Department has no mechanism in place to assess a fee for the disposal of livestock. The Department requests your Board to conduct a Public Hearing to create a new special handling fee for livestock disposal and that the new fee be set at \$250.00/carcass which will be added to the current Refuse Disposal Rate of \$34.00/ton.

SUBJECT: Approve Disposal of Livestock Carcasses

DATE: June 2, 2020

To help with coordination of operations at the Visalia Landfill, the Department requests that your Board approve a one-time, single-day event, Wednesday, June 24, 2020 to dispose the livestock. This event only applies to carcasses that were irregularly handled as a result of the emergency declaration, therefore, the Department requests that your Board authorize the Department to dispose livestock from an approved list of dairies affected by the emergency declaration. Should your Board approve this action, the Department will notify the approved dairies in advance to coordinate the event.

In the event that another emergency is declared by your Board, a new waiver would need to be granted by Tulare County Environmental Health. If granted, the Department will come back at a later date to seek approval for a separate carcass disposal event using the establishing special handling fee.

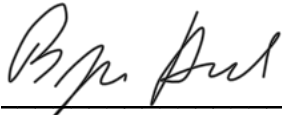
FISCAL IMPACT/FINANCING:

There is no cost to the General Fund associated with this action.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The requested action assists the County in its efforts to manage its natural resources in addition to providing for the health and safety of the general public through environmental protection.

ADMINISTRATIVE SIGN-OFF:



Bryce Howard
Director- Solid Waste Department

cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) Exhibit A- Emergency Waiver of Standards
Exhibit B- Notice of Publication
Exhibit C- List of Authorized Dairies
Exhibit D- Fee Study

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE)
DISPOSAL OF LIVESTOCK CARCASSES) Resolution No. _____
) Agreement No. _____
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

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2. Conducted a Public Hearing to approve a Special Handling fee of \$250.00 for each livestock carcass disposed at the Visalia Landfill to take effect June 2, 2020.
3. Approved one-time event, Wednesday, June 24, 2020 for disposal of livestock carcasses.
4. Authorized the Department to dispose livestock carcasses from approved list of dairies affected by the emergency declaration.



TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY

Timothy W. Lutz, MBA
Agency Director

Nilsa Gonzalez • Public Health Branch Deputy Director • Environmental Health Director

May 5, 2020

BRYCE HOWARD
TULARE COUNTY DEPARTMENT OF SOLID WASTE
5961 SOUTH MOONEY BLVD.
VISALIA, CA 93277

RE: Emergency Waiver of Standards for the Visalia Disposal Site (54-AA-0009)

On May 5, 2020 this office has received a request from the County of Tulare Solid Waste Department for an Emergency Waiver of Standards for the Visalia Disposal Site.

The Emergency Waiver of Standards was requested due the accumulation of livestock carcasses as a result of a temporary closure of a local rendering plant due to maintenance. On February 25, 2020 the County of Tulare declared a State of Emergency which allows emergency disposal measures for livestock carcasses to be taken to protect public health and safety.

Tulare County Solid Waste Department has requested the following to be waived as per 14 CCR section 17210:

1. Acceptance of dead animals which is prohibited by the August 2001 Environmental Impact Report for the Visalia Disposal Site.
2. Enforcement Agency Conditions 17(b) and 17(g) on page 4 of the Solid Waste Facility Permit.

Tulare County Local Enforcement Agency grants the waiver request with the following conditions:

- The operator's use of the emergency waiver will not pose a threat to public health, safety, or the environment.
- The operator must provide written report to EA within 90 days of granting waiver (14 CCR section 17210.5 for contents of report).
- The operator shall comply with all reporting requirements as per Section 17210.5.
- Waiving of Enforcement Agency Conditions 17(b) and 17(g) on page 4 of the Solid Waste Facility Permit only as they pertain to items 1 & 2 of the waiver items listed above.

Tulare County LEA finds that the Visalia Disposal Site has a valid Solid Waste Facility Permit and does not pose a threat to public health, safety, or the environment.

The effective period of the waiver would be for 60 days from the time the waiver.

Pursuant to 14CCR section 17210.2(f), this waiver may be modified, canceled, or revoked by Tulare County LEA without advance notice should the LEA determine that any of the following conditions occur:

1. The use of a waiver will cause or contribute to a public health and safety or environmental problem;
2. The terms of the waiver are not being used expressly to handle the state of emergency or local emergency and are not in the best interest of the public health and safety;
3. The waiver is no longer necessary; or
4. The operator is not utilizing disaster debris diversion programs to the extent feasible.

If you have any questions regarding this matter please call me.

Sincerely,

A handwritten signature in blue ink that reads "Keith Jahnke". The signature is written in a cursive style with a long horizontal line extending to the right.

Keith Jahnke

CC: Joy Isaacson, CalRecycle

EXHIBIT C

Approved Dairies for Carcass Disposal

Curtimade Dairy

Elbow Creek Dairy

Fernjo Dairy

Little Rock Dairy

Rob Van Grouw Dairy

EXHIBIT D

Activity **Livestock Carcass Disposal**

Direct Costs	Quantity	Rate	Hours	Total
Refuse Site Attendant II	0.4	28.66	8	91.71
Refuse Site Caretaker	1	24.65	8	197.20
Refuse Equipment Operator II	1	34.33	8	274.64
Refuse Site Supervisor	1	55.78	8	446.24
PPE (masks, gloves, hand sanitizer)	3	20.00		60.00
John Deere Loader	1	50.00	8	400.00
Caterpillar D7E Track Type Tractor	1	75.00	8	600.00
Account Clerk I	0.4	23.16	8	74.11
Total Direct Costs				<u>2,143.90</u>

Indirect Costs	Quantity	Cost	Years	Total
Landfill Space Consumption (5 cubic yards/1,000 lbs.)		60	12.00	1 720.00
Depreciation- John Deere Loader (8hrs/2080 annual hours)	0.003846154	307,785.18		1 1,183.79
Depreciation- Caterpillar D7E Track Type Tractor (8hrs/2080 annual hours)	0.003846154	742,749.84		1 <u>2,856.73</u>
Total Indirect Costs				<u>4,760.52</u>

Total Costs **\$ 6,904.42**

Estimated Cow Disposal	Quantity (Tons)	Rate	Total
One-Time Disposal Event (per Ag. Commissioner Estimate) Carcasses/Manure	56	34.00	1,904.00
<i>Proposed Special Handling Fee (1,000 lbs./cow)</i>	20	250.00	<u>5,000.00</u>

Estimated Revenue **\$ 6,904.00**

One day event to handle 20 cows due to emergency declared by BOS. \$6,904/20 cows = \$345 cost for each cow. \$250 fee is reasonable.
 Lori Martin 5/12/20

EXHIBIT B

**NOTICE OF HEARING PERTAINING TO
APPROVING SPECIAL HANDLING FEE FOR DISPOSAL OF LIVESTOCK
CARCASSES AT VISALIA LANDFILL PURSUANT TO EMERGENCY WAIVER OF
STANDARDS**

NOTICE IS HEREBY GIVEN that on June 2, 2020, at the hour of 9:30 a.m., in the Chamber of the Board of Supervisors, County Administration Building, County Civic Center, 2800 Burrell Avenue, Visalia, California; the Board of Supervisors will hear the matter of approving a Special Handling Fee for the disposal of livestock carcasses at the Visalia Landfill pursuant to Emergency Waiver of Standards dated May 5, 2020.

The Board of Supervisors shall provide reasonable time and opportunity for all interested persons to be heard at said hearing. Please visit the County of Tulare website for instructions on making public comments during the COVID-19 pandemic.

Dated: May 12, 2020

Bryce Howard

Director- Tulare County Solid Waste Department