



THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060-4070
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: NOVEMBER 18, 2008

November 7, 2008

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street
Santa Cruz, California 95060

**SUBJECT: PLASMA ARC GASIFICATION DEMONSTRATION PROJECT
AT BUENA VISTA LANDFILL**

Members of the Board:

On October 7, 2008, Public Works provided your Board with a status update on the plasma arc gasification demonstration project at the Buena Vista Landfill. Included with the report was an outline of the probable permit process and a draft project description that would be used in the submittal process to the Planning Department.

After discussion, your Board deferred consideration of a hosting agreement and directed Public Works and County Counsel to continue negotiations with adaptiveARC and directed Public Works to return with a proposed hosting agreement along with an outline of necessary permits on or before November 25, 2008. In addition, your Board directed Public Works to request specific emissions data from adaptiveARC for their project.

Attached are copies of two letters that Public Works sent to adaptiveARC. The October 15, 2008, letter (Attachment A) requests emissions data from adaptiveARC for similar test projects, and for the exact equipment that they are proposing to use. In addition, it asks for an outline of how they plan to obtain approval from the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and suggests that they submit the emissions data to us in such detail and form that it would satisfy the MBUAPCD requirements for their evaluation. The October 16, 2008, letter (Attachment B) transmitted the draft hosting agreement with significant comments and requests for information.

Public Works received a letter from adaptiveARC (Attachment C), dated November 5, 2008. Their letter states that they have submitted all of the information that was requested. They also request that your Board defer a decision on this project until they have time to meet and educate the public on this project. Although the letter doesn't state the length of the requested delay, they have told us via e-mail that they are requesting a six-month delay. Their attachments are on file with the Clerk of the Board.

Our review of the information submitted leads us to conclude that adaptiveARC has not been responsive to our request for emissions information, information on how they plan to obtain approval from the MBUAPCD, or revisions and clarifications to the draft hosting agreement. The information submitted and on file includes over 1,000 pages of text from numerous case studies, reports and papers. Also included are an additional 97 pages of what could best be described as marketing information and another copy of the September 20, 2006, report on their Monterey Mexico project. There is no response to our requested changes to the draft hosting agreement.

When this project was originally presented to the Department of Public Works by adaptiveARC, we believed that plasma arc technology could provide a solution to the disposal of residual wastes, which would prove difficult to address in our efforts to move to a zero-waste community. We still believe that conversion technologies have the potential to convert these unwanted waste materials into high-value products such as energy or alternative fuels, while helping to solve some of the vexing environmental and global warming problems associated with waste disposal. However, due to a lack of information and sufficient follow-through, at this time we are unable to recommend moving forward with this project with adaptiveARC as our project partner.

It is therefore recommended that the Board of Supervisors direct Public Works to cease further consideration or negotiation of the hosting agreement with adaptiveARC for a plasma arc gasification demonstration project at the Buena Vista Landfill.

Yours truly,

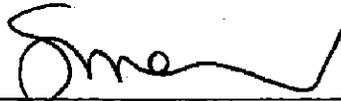


THOMAS L. BOLICH
Director of Public Works

TLB:BHT:mh

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

Copy to: Public Works
adaptiveARC
Planning Department
Monterey Bay Unified Area Pollution Control District



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THOMAS L. BOLICH
 DIRECTOR OF PUBLIC WORKS

October 15, 2008

KRIS SKRINAK, PRESIDENT
 adaptiveARC
 7683 Sitio Manana
 Carlsbad, CA 92009

SUBJECT: PLASMA ARC PROJECT AT BUENA VISTA LANDFILL

Dear Mr. Skrinak:

As you are aware, on October 7, 2008, the Board of Supervisors considered a status report on the progress of the subject project. The Board accepted the report and directed that Public Works report back to them on November 25, 2008, with a proposed hosting agreement and a complete outline of the permits required for the project. In addition, they requested that adaptiveARC provide any and all emissions data that are available for the proposed project.

Although the Board allowed continued negotiations for this project, it was very clear from the comments made during the meeting that the Board is losing interest in pursuing this project based on the lack of information about emissions. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) has determined that your application is insufficient and has ceased any work on it because of this same lack of information.

We will be preparing a report back to the Board for the November 25, 2008, agenda. The agenda deadline for submittal is November 5, 2008, therefore, we will need any and all information you intend to provide well before that date. We would suggest that you submit at a minimum the following:

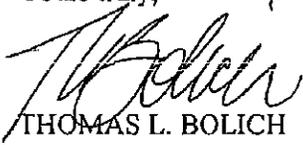
1. All documented emissions test data for similar projects that you have done or have information about, with an analysis of how and why it is similar to what you are proposing.
2. All documented emissions test data for the exact equipment that you are proposing. If that is not available, provide information on the predicted emissions with the "science" behind how and why the prediction was made.
3. An outline of how you plan to obtain permit approval from the MBUAPCD and a time schedule.

Attachment "A" 49

I would like to reiterate the importance of timely submittal of this information in a clear and detailed format. I would suggest that the information you submit be in such detail and form as to satisfy the MBUAPCD requirements for their evaluation of this project. And finally, please remember that if the County decides to proceed with participation in this project, the permit process will be lengthy, potentially two to three years, due to the fact that the Buena Vista Landfill is located in the Coastal Zone of California.

I look forward to your timely submittal of this information so that we can continue the evaluation of this project and determine whether we will be able to recommend that the Board proceed with the hosting agreement.

Yours truly,



THOMAS L. BOLICH
Director of Public Works

BHT:mh

Copy to: Board of Supervisors
Monterey Bay Unified Air Pollution Control District
Samuel Torres, County Counsel
Kasey Kolassa
Melodye Serino

plasmaarcmh.wpd



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THOMAS L. BOLICH
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October 16, 2008

KRIS SKRINAK, PRESIDENT
 adaptiveARC
 7683 Sitio Manana
 Carlsbad, CA 92009

SUBJECT: PLASMA ARC PROJECT AT BUENA VISTA LANDFILL

Dear Mr. Skrinak:

As you are aware, on October 7, 2008, the Board of Supervisors considered a status report on the progress of the subject project. The Board accepted the report and directed that Public Works report back to them on November 25, 2008, with a proposed hosting agreement and a complete outline of the permits required for the project.

Attached to this letter is a copy of your draft hosting agreement with County review comments. Please review the comments and make the requested changes and/or provide the information needed.

We will be preparing a report back to the Board for the November 25, 2008, agenda. The agenda deadline for submittal is November 5, 2008; therefore, we will need the revised agreement well before that date.

I look forward to your timely submittal of these revisions so that we can continue the evaluation of this project.

Yours truly,

THOMAS L. BOLICH
 Director of Public Works

BHT:mh

Attachment

Copy to: Samuel Torres, County Counsel

plasmaarcagreemh.wpd

Attachment "B"