

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
CITY OF CRESCENT CITY
COUNTY OF DEL NORTE
STATE OF CALIFORNIA**

**Board of Supervisors Chambers
Flynn Center 981 H Street Crescent City, CA**

Special Session

Tuesday August 27, 2019

4:00 PM

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The Solid Waste Management Authority of the City of Crescent City and the County of Del Norte, State of California, is now meeting in Special Session. Only those items that indicate a specific time will be heard at the assigned time. All items may be taken out of sequence to accommodate public and staff availability.

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All documents referred to in this agenda are available at the Office of the Del Norte Solid Waste Management Authority at 1700 State Street in Crescent City, between the hours of 8 A.M. and 5 P.M. Monday through Friday OR online at www.recycledelnorte.ca.gov For more information call 465-1100 or email dnswwma@recycledelnorte.ca.gov

**4:00 PM CALL MEETING TO ORDER / ROLL CALL
PLEDGE OF ALLEGIANCE**

4:01 PM PUBLIC COMMENTS: ANY MEMBER OF THE PUBLIC MAY ADDRESS THE SOLID WASTE MANAGEMENT AUTHORITY ON ANY MATTER ON OR OFF THE AGENDA. After receiving recognition from the Chair, please give your name and address for the record. Comments will be limited to three minutes.

OPEN SESSION ITEMS:

1. CONSENT AGENDA

- 1.1 Approve minutes, Regular Session, Tuesday 16 July 2019. **
- 1.2 Approve use of four Authority-allocated bin pulls to support the Sept 21, 2019 Coastal Cleanup. **
- 1.3 Approval of budget transfer for Fiscal Year 2018/2019 in the amount of \$ 22,156.00**
- 1.4 Approval of budget transfer for Fiscal Year 2019/2020 in the amount of \$ 28,338.00 **

END CONSENT AGENDA

2. TREASURER'S REPORTS

Agenda items 2.1 through 2.5 are provided for information only

- 2.1 Director's Report for August 2019. **
- 2.2 Treasurer / Controller Reports for June 2019 **
- 2.3 Claims approved by Director & Treasurer for July 2019 **
- 2.4 Monthly Cash and Charge Reports for July 2019 **
- 2.5 Earned Revenue Comparisons between FY18/19 and FY19/20 **

DISCUSSION/ACTION ITEMS

3. LANDFILL POSTCLOSURE

- 3.1 Status report regarding communications with the Regional Water Quality Control Board staff regarding the wells and constituents to be included in the Constituent of Concern sampling starting later this year. **

4. COLLECTIONS FRANCHISE

- 4.1 Discussion and possible action regarding process for negotiating and discussing a possible extension of the Franchise Agreement for Solid Waste and Recyclable Collection Services for Crescent City and Del Norte County, California.

5. TRANSFER STATION

- 5.1 Discussion and possible action regarding process and identification of potential properties for locating a Northern Transfer Station. **

6. GENERAL SOLID WASTE AUTHORITY MATTERS

- 6.1 Discussion and possible action regarding setting a Special Meeting on Tuesday September 10th, 2019 to interview and appoint a Public Commissioner to serve on the Del Norte Solid Waste Management Authority Board for a term of up to 24 months.
- 6.2 Discussion and possible action following a presentation by Amanda Hixson, DNATL Community Food Council Program Director, regarding their objectives and activities under a CalRecycle Food Rescue grant, and how DNSWMA could assist in these efforts. **
- 6.3 Status report announcing award of a \$100,000 Household Hazardous Waste Discretionary grant from CalRecycle to promote small refillable propane containers and less toxic alternatives to marine flares. **
- 6.4 Discussion and possible action regarding possible advocacy for legislating alternative routes for rural compliance with CalRecycle's Short-lived Climate Pollutants regulations and SB 1383. **
- 6.5 Discussion and possible action regarding proposals received to provide Assessment, Cleanup, Vegetation Management, and Consulting Services.
- 6.6 Discussion and possible adoption of revised job descriptions for the Administrative Assistant – Solid Waste and the Facilities & Programs Coordinator positions. **
- 6.7 Discussion and possible action regarding **Resolution No. 2019-04, A RESOLUTION OF THE GOVERNING BOARD OF THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY AND EMPLOYEES / SEIU LOCAL 1021** **

7. ADJOURNMENT

Adjourn to the next Regular meeting the Del Norte Solid Waste Management Authority scheduled for 4:00 P.M. Tuesday September 17th, 2019 at the Del Norte County Board of Supervisors' Chambers, 981 H Street, Suite 100 in Crescent City.

**** Asterisks next to Agenda Item indicates an associated attachment**

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY
CITY OF CRESCENT CITY
COUNTY OF DEL NORTE
STATE OF CALIFORNIA**

Minutes

**Board of Supervisors Chambers
Flynn Center 981 H Street Crescent City, CA**

Regular Session

Tuesday July 16, 2019

4:00 PM

PRESENT: Commissioner Lori Cowan, Chair
Commissioner Blake Inscore
Commissioner Issiah Wright (*Alternate*)
Authority Director Tedd Ward
Authority Clerk Kyra Seymour
Authority Treasurer/Controller Rich Taylor
Legal Counsel Autumn Luna

ABSENT: Commissioner Jason Greenough, Vice Chair
Commissioner Chris Howard

ALSO PRESENT: Joel Wallen, Hambro /WSG
David Slagle CEO Hambro/ WSG
Jeremy Herber, Recology Del Norte.
Dylan Caldwell, Stillwater Science

**4:26 PM CALL MEETING TO ORDER / ROLL CALL
PLEDGE OF ALLEGIANCE**

Chair Cowan called the meeting to order in regular session at 4:26 P.M.

Roll was taken with all Commissioners present as listed above with Commissioners Greenough, and Howard absent, and the inclusion of alternate Commissioner Isiah Wright.

The Pledge of Allegiance was led by Commissioner Inscore.

4:27 PM PUBLIC COMMENTS:

At 4:27 Chair Cowan called for public comments. Seeing none, the Chair closed public comments.

1.1

OPEN SESSION ITEMS:

1. CONSENT AGENDA

- 1.1 Approve minutes, Regular Session, Tuesday 18 June 2019.
- 1.2 Payment of FY 19/20 claim #8478 to the RCRC Environmental Services JPA for ESJPA member dues 2019/2020 in the amount of \$6,000.00
- 1.3 Payment of FY 18/19 claim #8471 to Stillwater Sciences for Invoice 7870003 in the amount of \$11,130.64
- 1.4 Approval of budget transfer for Fiscal year 2018/2019 in the amount of \$ 203,663.00 **022101**

On a motion by Commissioner Inscore, and seconded by Commissioner Wright and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority Board of Commissioners approved and adopted the consent agenda, consisting of items 1.1 through 1.4

END CONSENT AGENDA

2. TREASURER'S REPORTS

Agenda items 2.1 through 2.5 are provided for information only

- 2.1 Director's Report for July 2019. **231501**
- 2.2 Treasurer / Controller Reports for May 2019
- 2.3 Claims approved by Director & Treasurer for June 2019 **031202**
- 2.4 Monthly Cash and Charge Reports for June 2019
- 2.5 Earned Revenue Comparisons between FY17/18 and FY18/19

The above reports were presented by Director Ward and accepted.

DISCUSSION/ACTION ITEMS

3. LANDFILL POSTCLOSURE

- 3.1 Discussion and possible action regarding Change Order 1 with Stillwater Sciences for Engineering review of the Non-Water Corrective Action Plan for the Crescent City Landfill for an additional \$1,978.00. **022104**

On a motion by Commissioner Inscore and seconded by Commissioner Wright and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority Board of Commissioners approved Change Order 1 with Stillwater Sciences for Engineering review of the Non-Water Corrective Action Plan for the Crescent City Landfill for an additional \$1,978.00.

4. COLLECTIONS FRANCHISE

- 4.1 Discussion and possible action regarding proposed replacement for street side trash and recycling containers. **180510**

Kyra Seymour Presented the choice made by the City of Crescent City for a new and more durable trash and recycling receptacles to replace the current dilapidated ones.

Eileen Cooper (County resident) discussed revitalizing existing trash and recycling receptacles.

5. TRANSFER STATIONS

- 5.1 Discussion and possible action regarding Second Tier Assessment and Maps of potential locations for a northern transfer station prepared by Stillwater Sciences. **142019**

Dylan Caldwell presented the Second Tier Assessment and Maps of potential locations for a northern transfer station prepared by Stillwater Sciences.

6. GENERAL SOLID WASTE AUTHORITY MATTERS

- 6.1 Discussion and possible action regarding the selection process for a Public Commissioner to serve on the Del Norte Solid Waste Management Authority Board for a term of up to 24 months. **031501**

The Del Norte Solid Waste Management Authority directed staff to advertise the open position of Public Commissioner to serve on the Del Norte Solid Waste Management Authority Board for a term of up to 24 months.

The Del Norte Solid Waste Management Authority approved by consensus the setting of a special meeting in September for the purpose of selecting a Public Commissioner.

On a motion by Commissioner Cowan and seconded by Commissioner Wright and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority Board of Commissioners approved appointing Commissioner Blake Inscore as Secretary.

- 6.2 Discussion and possible action regarding proposals received to provide Assessment, Cleanup, Vegetation Management, and Consulting Services.
031209

On a motion by Commissioner Inscore and seconded by Commissioner Wright and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority Board of Commissioners directed staff to enter negotiations with DDR Consulting Services to provide the services described in their proposal.

- 6.3 Discussion and possible action regarding setting a Special Authority meeting for August 27th, 2019 at 4 PM.

On a motion by Commissioner Inscore and seconded by Commissioner Wright and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority Board of Commissioners approved setting a Special Authority meeting for August 27th, 2019 at 4 PM.

7. CLOSED SESSION ITEMS:

- 7.1 CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Section 54957.6)
Agency designated representative: Tedd Ward, DNSWMA Director
Employee Organization: Del Norte Solid Waste Management Authority Employees / SEIU Local 1021

At 5:22 PM, the Authority Board adjourned to Closed Session.

Emerging from closed session at 5:40 PM, acting legal counsel Autumn Luna announced that no action was taken during closed session.

8. ADJOURNMENT

Adjourn to the next Special meeting the Del Norte Solid Waste Management Authority scheduled for 4:00 P.M. Tuesday August 27, 2019 at the Del Norte County Board of Supervisors' Chambers, 981 H Street, Suite 100 in Crescent City.

There being no further business to come before the Authority the Chair adjourned the meeting at 5:41 P.M.

Lori Cowan, Chair
Del Norte Solid Waste Management Authority

Date / /

ATTEST:

Blake Inscore, Secretary
Del Norte Solid Waste Management Authority

Date / /

Submitted:

Kyra Seymour, Clerk
Del Norte Solid Waste Management Authority

Date / /

2019 Coastal Cleanup

Saturday, September 21

9:00 am – RSVP for mtg location

Purpose:

Cleanup trash from beaches and CA Dept. of Fish and Wildlife land in the coastal zone.



Lunch and snacks are provided!

What to bring: Gloves, Water, Long Pants, & Closed Toed Shoes.

Early sponsors for this volunteer event include the Whale Tail Grants Program, Crescent City Ace Hardware, Smith River Alliance, Kokatat, Rumiano Cheese Company, Elk Valley Rancheria, Home Depot, Wildberries Market Place, Take a Bite out of Blight, the Trash Dogs, Chimney Kraft, SurfRider Foundation, Tidewater Contractors, Rural Human Services, Hambro/WSG, and the Del Norte Solid Waste Management Authority.

To RSVP + for more info: dburgess@dnrhs.org or 954-3569



**SMITH
RIVER
ALLIANCE**

Del Norte County Budget Transfer Request FY 18/19

Department Name	Fund	Dept.	Line Item	Description	Budget Transfer Amount(s)		
					Reduce Expenditures or Increase Revenue	Increase Expenditures or Reduce Revenue	
Solid Waste	422	421	10010	Payroll		\$ 13,333	
Solid Waste	422	421	10015	Part-Time/Temp		\$ 574	
Solid Waste	422	421	10020	Retirement		\$ 2,320	
Solid Waste	422	421	10030	Employee Benefits		\$ 131	
Solid Waste	422	421	20230	Prof services - Co/City	\$ 3,417		
Solid Waste	422	421	20231	Professional Services		\$ 1,430	
Solid Waste	422	421	20238	TS Collection		\$ 4,367	
Solid Waste	422	421	20290-064	Travel - OPP grant 17/18		\$ 1	
Solid Waste	422	421	90153	Franchise Fees	\$ 10,070		
Solid Waste	422	421	90300	Interest - Solid Waste	\$ 7,331		
Solid Waste	422	421	91121	Misc Reimbursements	\$ 1,338		
Department complete and send to Auditor's Office for transfer number before sending to CAO. Round amounts up to whole dollars.					Total Amounts	\$ 22,156	\$ 22,156

Department Justification - Include cover letter that addresses the following: 1) Reason for request; 2) Why sufficient balances exist to finance transfer; 3) Why

Ned Ward
 Department Head Signature

27 AUG 2019
 Date

Auditor's Office: Sufficient balances exist per above (Under \$100 Auditor's Office approves) Deputy Auditor-Controller _____ Date _____ TR No. _____ Budget Revision No. _____ Includes Revenue Appropriation _____ Requires 4/5ths Vote _____	County Administrative Officer: (Under \$1000 - CAO approves) Recommendation: Approve _____ Deny _____ Submit for Board approval _____ County Administrative Officer _____ Date _____
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Passed by Board of Commissioners of the Del Norte Solid Waste Management Authority on 27 August 2019

Ayes:
 Noes:
 Absent:

Attest: Clerk of the Board

By: _____
 Kyra Seymour

 Lori Cowan, Chair
 Del Norte Solid Waste Management Authority

1.3

Del Norte County Budget Transfer Request FY 19/20

Department Name	Fund	Dept.	Line Item	Description	Budget Transfer Amount(s)		
					Reduce Expenditures or Increase Revenue	Increase Expenditures or Reduce Revenue	
Solid Waste	422	421	20221-071	Printing - OPP Grant 18/19		\$ 500	
Solid Waste	422	421	20221-072	Printing - DOC Grant 18/19		\$ 3,000	
Solid Waste	422	421	20240-064	Advertising - OPP Grant 17/18		\$ 1,561	
Solid Waste	422	421	20240-069	Advertising - DOC Grant 17/18		\$ 375	
Solid Waste	422	421	20240-071	Advertising - OPP Grant 18/19		\$ 2,016	
Solid Waste	422	421	20240-072	Advertising - DOC Grant 18/19		\$ 3,000	
Solid Waste	422	421	20285-069	Spec Dept Exp - DOC Grant 17/18		\$ 810	
Solid Waste	422	421	20285-071	Spec Dept Exp - OPP Grant 18/19		\$ 3,608	
Solid Waste	422	421	20285-072	Spec Dept Exp - DOC Grant 18/19		\$ 4,500	
Solid Waste	422	421	20290-069	Travel - DOC Grant 17/18		\$ 810	
Solid Waste	422	421	20290-071	Travel - OPP Grant 18/19		\$ 3,608	
Solid Waste	422	421	20290-072	Travel - DOC Grant 18/19		\$ 4,500	
Solid Waste	422	421	70910-123	Op Trans Out Bad Check Fee		\$ 50	
Solid Waste	422	421	81000	Contingency	\$ 3,000		
Solid Waste	422	421	91003	Gate Tipping Fees	\$ 25,338		
Department complete and send to Auditor's Office for transfer, number before sending to					Total Amounts	\$ 28,338	\$ 28,338

Department Justification - Include cover letter that addresses the following: 1) Reason for request; 2) Why sufficient balances exist to finance transfer; 3) Why request


 Department Head Signature

27 AUG 2019
 Date

Auditor's Office: Sufficient balances exist per above
 (Under \$100 Auditor's Office approves)

Deputy Auditor-Controller _____ Date _____

TR No. _____ Budget Revision No. _____

Includes Revenue Appropriation _____ Requires 4/5ths Vote _____

County Administrative Officer:
 (Under \$1000 - CAO approves)

Recommendation: Approve _____
 Deny _____
 Submit for Board approval _____

County Administrative Officer _____ Date _____

Passed by Board of Commissioners of the Del Norte Solid Waste Management Authority on 27 August 2019

Ayes:
 Noes:
 Absent:

Attest: Clerk of the Board

By: _____
 Kyra Seymour

 Lori Cowan, Chair
 Del Norte Solid Waste Management Authority

1.4



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531

Phone (707) 465-1100 Fax (707) 465-1300

www.recycledelnorte.ca.gov

The Authority's mission is the management of Del Norte County solid waste and recyclable material in an environmentally sound, cost effective, efficient and safe manner while ensuring 100% regulatory compliance with law.

Director's Report

Date: 22 August 2019
To: Commissioners of the Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. – Director *Tedd*
Reporting Period: 15 July 2019 – 23 Aug 2019
Attachment: Flyer re. upcoming HHW collection event
Electronic Annual Report as submitted to CalRecycle

File Number: 231501 – Authority Work Plans

Summary: The Del Norte Solid Waste Management Authority continues to operate the Klamath, Gasquet and Del Norte County Transfer Stations and to provide required monitoring, accounting and reports to overseeing agencies. Authority staff provide these services without any financial support from the City of Crescent City or the County of Del Norte, and without receiving a penny of taxes. Rates increased starting July 1, though the rates charged at Authority-managed facilities continue to be lower than other similar facilities in Humboldt and Curry Counties.

Consent **Agenda item 1.2** is for approval of four Authority-allocated bins to support the Sept 21st Coastal Cleanup.

Consent Agenda Items 1.3 and 1.4 are budget transfers. The first is intended to be the final budget transfer for FY 18/19, and the second essentially adds remaining grant budgets from prior fiscal years into this year's budget.

Landfill Post-closure: **Agenda Item 3:1** includes documents and e-mail correspondence with respect to the Constituent of Concern sampling which will be done at the Crescent City Landfill before the end of the year. Staff are working with Lawrence & Associates and Regional Water Quality Control Board staff to refine the sampling strategy for efficiency and usefulness.

Collections: **Agenda Item 4.1** is an e-mail from Jeremy Herber of Recology Del Norte with a brief summary of some of the areas Recology would like included within the negotiations.

Transfer Station: In August, the scales were serviced and re-certified and this process was coordinated by Facilities & Programs Coordinator Kyra Seymour. When the scales were serviced during open hours, Authority staff directed both in-bound and out-bound traffic over a single scale, which resulted in some customer delays. For example, on one day there were 240 customers all routed over one scale. This process required staff to help with



traffic control, and delayed progress on some of our other work tasks.

Agenda item 5.1 is an item seeking direction from the Board to address the Tolowa Dee-Ni' Tribal Council inviting their input and feedback and possible collaboration in the site assessment and development process for the Northern Transfer Station.

Compliance: Attached is a copy of the Electronic Annual Report compiled and submitted by Coordinator Seymour. On 13 August 2019, the Del Norte County Board of Supervisors appointed Eileen Cooper, Jeremy Herber, and Joel Wallen to the Del Norte Solid Waste Task Force, and reduced the number of appointees to that body to 5. The Solid Waste Task Force now has a quorum and will meet in the coming months to fulfill their obligations to review and comment on the effectiveness of solid waste, reuse, recycling, composting, and hazardous waste programs in Del Norte.

Agenda Item 6.1 is to set a special meeting on September 10 for the purpose of interviewing applicants and appointing a Public Commissioner.

Grants: **Agenda Items 6.2 and 6.3** are announcements of grant awards from CalRecycle for programs in Del Norte County.

Advocacy: **Agenda Item 6.4** relates to SB 1383, which requires local governments to take a variety of actions to control short-lived climate pollutants. CalRecycle has issued draft regulations implementing this law which allow rural communities like Del Norte to defer some requirements for a few years. The scope and complications of these regulations are such that staff are just beginning to assess what would be required for compliance. Based on this initial review, staff are inclined to work with legislators to advocate for a more focused approach towards developing more comprehensive programs for organics in rural areas.

Contractors: **Agenda Item 6.5** is a re-consideration of the proposals to provide Assessment, Cleanup, Vegetation Management and Consulting Services. Staff was directed to negotiate with DDR contractors. DDR asked if they could increase the hourly rates in their proposal. Staff and legal counsel responded that such action would invalidate their proposal. On 21 August 2018, Dave Mason confirmed in a phone call that they could not stand by the hourly rates in their proposal, and so the proposal was withdrawn.

Staff: During this past month, the Authority hosted a booth and was a sponsor at the annual Del Norte County Fair. Director Ward and Coordinator Seymour attended the annual California Resource Recovery Association conference. Director Ward moderated a session entitled 'Practical Proposals for Problematic Plastic Packaging' and led a yoga class.

On August 17th, Coordinator Seymour hosted a free Backyard Composting workshop at the Community Health center.

The attachment describes the upcoming Household Hazardous Waste collection event on September 27.

FREE EVERY DAY

Household Hazardous Waste Recycling

Mon-Fri: 8 AM- 5 PM, Sat & Sun: 9 AM - 5 PM

At the Del Norte County Transfer Station,



Non-aerosol latex paint



Household fluorescent tubes & bulbs



Televisions & computer monitors



Home sharps containers



Cooking Fats, Oils & Grease



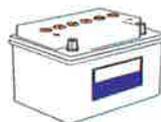
Used motor oil



Drained oil filters



Old antifreeze



Lead acid batteries



All household batteries

Remember to tape one terminal

Household Hazardous Waste Collection Event

FREE for Del Norte Residents Only

September 28, 2019, 9 AM - 2 PM

at the Del Norte County Transfer Station

TRANSPORTATION LIMITATIONS: STATE TRANSPORTATION LAWS LIMIT EACH VEHICLE TO A MAXIMUM OF 15 GALLONS OF LIQUID OR 125 POUNDS OF SOLID HAZARDOUS WASTE OR 50 POUNDS OF SOLID HAZARDOUS WASTE.

Commercial Hazardous Waste Disposal Service

Friday September 27, 2019 by appointment only

If your business or agency has hazardous materials to dispose, this is the only time this year in Del Norte County that you can legally deliver those materials for disposal.

1. **Get an EPA ID number online:** www.dtsc.ca.gov/idmanifest/id_numbers.cfm
2. **Call 1-800-433-5060 before September 20th to schedule an appointment** and receive an estimate of your disposal costs.
3. Bring your hazardous materials and payment at your appointed time to the Del Norte County Transfer Station at 1700 State St. in Crescent City on Friday September 27, 2019.



Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

This Annual Report Summary is an official record of your CalRecycle Electronic Annual Report submission, except for your Venue/Event section information, which is contained in a separate report. You may reach that section from the Electronic Annual Report's left navigation bar.

Before submitting your report to CalRecycle, please take the time to review everything on this page to confirm it is complete and correct. If you need to modify some information, close this window to return to the Electronic Annual Report to make your corrections. Then, preview the report again.

Summary Generated On: Thursday, August 8, 2019, 8:27:58 AM

Summary

Jurisdiction: Del Norte Solid Waste Management Authority
Report Year Filed: 2018
Report Status: Submitted

Submitted Information

Date Report Submitted: Wednesday, July 31, 2019
Report Submitted By:
Kyra Seymour (kyra@recycledelnorte.ca.gov)

Jurisdiction Contact

Jurisdiction Contact: Tedd Ward

Address: 1700 State St, Crescent City, CA 95531

Phone Number: (707) 465-1100

Fax Number: (707) 465-1300

Email Address: tedd@recycledelnorte.ca.gov

Update Contact Info: <https://www2.calrecycle.ca.gov/Forms/LGCentral/ReportingEntityContactChange/>

Disposal Rate Calculation

Definition of Terms

Reporting-Year Disposal Amount (tons) – defaults to the total tonnage disposed in the Reporting-Year by a jurisdiction as reported to the Disposal Reporting System (DRS). Disposal contains all jurisdiction waste that was disposed in CA landfills, transformation facilities, and exported out-of-state. Any changes will require you submit a Reporting Year Disposal Modification Certification Sheet (PDF). See User's Guide or contact LAMD representative if uncertain.

Disposal Reduction Credits - the EAR calculator will subtract these credits from your requested total in the Reporting-Year Disposal Amount field. Requesting credits will require you submit a Reporting Year Disposal Modification Certification Sheet (PDF). Descriptions of these credits can be found on that sheet. See EAR User's Guide or contact LAMD representative if uncertain.

Reporting-Year Transformation Waste (tons) – defaults to the total tonnage of waste sent in the Reporting-Year by a jurisdiction to a CalRecycle-permitted transformation facility as reported to the Disposal Reporting System (DRS). Transformation is factored into the Per Capita rate only, and is not deductible. To eliminate the Per Capita credit for transformation tonnage, change the Reporting-Year Transformation Waste (tons) number to 0.00.

Reporting-Year Population – January 1st estimate of the number of inhabitants occupying a jurisdiction in the Reporting-Year as prepared by the California Department of Finance (DOF)

Reporting-Year Employment – the estimate of the annual average number of employees by jurisdiction in the Reporting-Year as prepared by the California Employment Development Department (EDD).

Additional Definitions - for additional definitions and/or acronym descriptions, see the LGCentral Glossary.

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Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

Green Material ADC (tons):	0.00
Reporting-Year Disposal Amount (tons):	20,133.33
Disposal Reduction Credits (Reported):	
Disaster Waste (tons):	0.00
Medical Waste (tons):	0.00
Regional Diversion Facility Residual Waste (tons):	0.00
C & D Waste (tons):	0.00
Class II Waste (tons):	0.00
Out of State Export (Diverted) (tons):	0.00
Other Disposal Amount (tons):	0.00
	<hr/>
Total Disposal Reduction Credit Amount (tons):	0.00
	<hr/>
Total Adjusted Reporting-Year Disposal Amount (tons):	20,133.33
Reporting-Year Transformation Waste (tons):	0.00
Reporting-Year Population:	27,192
Reporting-Year Employment:	8,138

Reporting-Year Calculation Results (Per Capita)

	Population		Employment	
	Target	Annual	Target	Annual
Disposal Rate without Transformation (pounds/person/day):		4.1		13.6
Transformation Rate (pounds/person/day):	0.8	0.0	3.0	0.0
The Calculated Disposal Rate (pounds/person/day)	4.0	4.1	14.8	13.6

As of January 1, 2020, the use of green material as alternative daily cover (ADC) will be considered disposal in terms of measuring a jurisdiction's annual 50 percent per capita disposal rate.

	Population		Employment	
	Target	Annual	Target	Annual
Calculated Disposal Rate w/out Green Material ADC:		4.1		13.6
Green Material ADC Rate:		0.0		0.0
Disposal Rate with Green Material ADC:		4.1		13.6

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

Calculation Factors

If either 1. Alternative disposal or 2. Deductions to DRS boxes are checked, please complete, and sign the [Reporting Year Disposal Modification Certification Sheet \(PDF\)](#) and save to your computer. You may enter the data and save the Disposal Modification Form to your computer. Then either upload the sheet and supporting documentation using the [Document Upload Section](#) before submitting your report, or mail, e-mail or FAX to CalRecycle within 7 business days of submitting your report. If you are only claiming report-year disposal deductions for waste transported to a certified Transformation facility, you do not need to fill out the certification request.

If 3. Green Material ADC (AB 1594) box is checked: Pursuant to [Public Resources Code \(PRC\) Section 41781.3](#) [(AB) 1594 ([Williams, Chapter 719, Statutes of 2014](#))], beginning in the 2017 EAR jurisdictions are required to include information on plans to address how green material that is being used as ADC will be diverted. Jurisdictions can review disposal facilities that assigned green material ADC and the amount by using the [Inflow Outflow Map Generator on the CalRecycle website](#).

More information and brief instructions for using the inflow/outflow map is available on [CalRecycle's Green Material Used as Alternative Daily Cover \(ADC\)](#) webpage.

- 1. Alternative disposal tonnage
- 2. Deductions to DRS disposal tonnage
- 3. Green Material ADC (AB1594)

2018 Del Norte Solid Waste Management Authority Green Material ADC (tons): 0.00

Please describe in the box below the jurisdiction's plans to divert green material that is being used as ADC.

NOTE: Beginning with report year 2020, jurisdictions, as a result of not being able to claim diversion for the use of green material as ADC, that are not meeting the requirements of Section 41780, will be required to answer these additional questions:

- Identify and address barriers to recycling green material and,
- If sufficient capacity at facilities that recycle green material is not expected to be operational before the jurisdiction's next review pursuant to Section 41825, include a plan to address those barriers that are within the control of the local jurisdiction.

Although you will be able to submit your electronic Annual Report without completing a disposal modification form, your Annual Report will not be deemed complete until it is completed and received by CalRecycle. Contact your [LAMD representative](#) for details.

Questions and Responses

Rural Petition for Reduction in Requirements

Rural Petition For Reduction

1. Question:

Was your jurisdiction granted a Rural Petition for Reduction by CalRecycle? See [Jurisdictions with an Approved Petition for Rural Reduction](#)
For more information regarding Rural Petition For Reduction, go to [Rural Solid Waste Diversion Home Page](#).

Response:

Yes. Total waste produced is under 200,000 tons

Newly Incorporated Cities

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

New City

1. Question:

Since the date of your last Annual Report, are there any newly incorporated cities within your county/regional agency?

Response:

No.

Disposal Rate Accuracy

Disposal Rate Accuracy

1. Question:

Are there extenuating circumstances pertaining to your jurisdiction's disposal rate that CalRecycle should consider, as authorized by the [Public Resources Code Section 41821\(c\)](#)? If you wish to attach additional information to your annual report, please send those items or electronic files to your LAMD representative; include a brief description of those files below. If so, please use the space below to tell CalRecycle.

Response:

No.

Planning Documents Assessment

Source Reduction and Recycling Element (SRRE)

1. Question:

Does the SRRE need to be revised?

Response:

No.

Household Hazardous Waste Element (HHWE)

2. Question:

Does the HHWE need to be revised?

Response:

No.

Non-Disposal Facility Element (NDFE)

3. Question:

Describe below any changes in the use of nondisposal facilities, both existing and planned (e.g., is the jurisdiction using a different facility within or outside of the jurisdiction, has a facility closed, is a new one being planned).

Response:

Starting in 2017, Julindra Recycling stopped processing recyclables, collected by Recology

Del Norte. Julindra stopped operating as the County's only CRV Buy-back recycling center on September 23 2017. Hambro/WSG began to operate in that capacity on January 03 2018, and a move from the south end to the north end of the centrally located County fairgrounds to the north end on April 12 2018. Recology Del Norte is renting a building from Hambro/WSG at 445 Elk Valley Rd. to unload trucks, remove larger contaminants, and reload recyclables onto outbound trailers. This facility is closed to the general public. Recology has purchased Eel River Disposal, including a recycling processing facility in Samoa in Humboldt County. Recology Del Norte intends that Del Norte's recyclables be processed at this facility starting in August 2017.

Non-Disposal Facility Element (NDFE)

4. Question:

Are there currently any nondisposal facilities that require a solid waste facility permit located (or planned to be sited) in your jurisdiction that are not identified in your NDFE?

Response:

No.

Summary Plan Assessment

Summary Plan

1. Question:

Does the Summary Plan need to be revised?

Response:

No.

Siting Element Assessment

Total County or Agency Wide Disposal Capacity

1. Question:

Based on the best available estimates of current and future disposal, how many years of disposal capacity does your county or regional agency have?

Response:

21

Total County or Agency Wide Disposal Capacity

2. Question:

If you do not currently have 15 years of disposal capacity, describe your strategy for obtaining 15 years of capacity.

Response:

(No response has been entered)

Siting Element Adequacy

3. Question:

Does the Siting Element need to be revised? The Siting Element will need to be revised if you have less than 15 years disposal capacity and have not described a strategy for obtaining 15 years disposal capacity.

Response:

No.

Areas of Concern / Conditional Approvals

Areas of concern

1. Question:

Did CalRecycle require your jurisdiction to address any areas of concern when determining the adequacy of your solid waste planning documents, or any of their elements?

Response:

No.

Conditional approvals

2. Question:

Did CalRecycle give conditional approval to any of your solid waste planning documents, or any of their elements?

Response:

No.

Additional Information

Additional Information

1. Question:

Is there anything else you would like to tell CalRecycle about unique or innovative efforts by your jurisdiction to reduce waste generation and increase diversion, about your jurisdiction's public education efforts, or about specific obstacles to reaching your jurisdiction's diversion goal? If you wish to attach additional information to your annual report, please use the "Document Management" button below to upload additional files or you can send them directly to your LAMD representative. Please include a brief description of those files in the text box below.

Response:

No.

Annual Report Summary: **Del Norte Solid Waste Management Authority (2018)**

Hauler Information

Parent Company: Recology

Hauler Name: Recology Del Norte- Del Norte Unincorporated

Franchise Hauler: Yes

Activities Curbside Organics Hauler - Commercial, Curbside Organics Hauler - Residential, Curbside Recycling Hauler - Commercial, Curbside Recycling Hauler - Residential, Solid Waste Hauler - Commercial, Solid Waste Hauler - Residential,

Notes:

New Hauler: No

Contract End Date: 06/30/2023

The hauler information is correct.

SRRE and HHWE Diversion Programs

Detailed information for Mandatory Commercial Recycling (MCR) in code 2030 and Mandatory Commercial Organics Recycling (MORe) in code 3035 can be found at the end of this section.

1010-SR-BCM (Backyard and On-Site Composting/Mulching)

Current Status: SO - Selected and Ongoing	Program Start Year: 1994	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes

Jurisdiction Notes:

1020-SR-BWR (Business Waste Reduction Program)

Current Status: AO - Alternative and Ongoing	Program Start Year: 1999	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes

Jurisdiction Notes:

1030-SR-PMT (Procurement)

Current Status: SO - Selected and Ongoing	Program Start Year: 1994	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes

Jurisdiction Notes:

1050-SR-GOV (Government Source Reduction Programs)

Current Status: SO - Selected and Ongoing	Program Start Year: 2011	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

Jurisdiction Notes:		
1060-SR-MTE (Material Exchange, Thrift Shops)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1990	Existed before 1990: Yes
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: No
Jurisdiction Notes: Reusable items are available for a period of time in the Reuse Shed, the Reuse Shed is cleared out every few days.		
2000-RC-CRB (Residential Curbside)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1990	Existed before 1990: Yes
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes
Selected Program Details: Single-family residences Multi-family residences Commingled (Single-stream) Source separated Uncoated corrugated cardboard and paper bags Office paper (white & colored ledger, computer paper, other office paper) Metal Plastic 1-2 Newspaper Miscellaneous paper (includes phone books, catalogs, magazines and other paper) Glass Other material types (describe below)		
Jurisdiction Notes: When Recology Del Norte ended processing through Julindra Recycling, several materials were dropped from our recycling programs due to processing costs, distance to markets, and reduced scrap value. Materials eliminated from the recycling stream included: film plastics, plastic bags and bubble wrap, styrofoam (block and peanuts), cartons, and hard plastic toys and auto parts. In terms of plastic codes, non-container plastics #3 and #6 are no longer recyclable in Del Norte County. Non-container plastics #1, #2, #4, #5, and #7 are still acceptable.		
2010-RC-DRP (Residential Drop-Off)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1993	Existed before 1990: Yes
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: Community recycling dropoff location at the Del Norte County Fairgrounds were re-located to the Del Norte County Transfer Station, increasing the number of cardboard and mixed material containers at this location but reducing the total numbers of recycling drop-off locations. Recology Del Norte has expressed concern regarding the proportion of non-recyclable materials dumped near or in these bins at unstaffed community drop-off recycling locations, which has resulted in a contamination level of 20% to 30% at three drop-off locations.		
2020-RC-BYB (Residential Buy-Back)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1990	Existed before 1990: Yes
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: No
Jurisdiction Notes: In January 2017, the Authority Director lobbied legislators and CalRecycle staff for swift actions to relieve the financial challenges facing the buy-back centers in California remaining since the over 30% reduction in the number of buy-back centers since 2013. We also tried to communicate the critical role such centers play in processing a wide variety of non-beverage container and non-used-oil materials. In short, as each additional buy-back center closes, our state's capacity to recycle is also diminished. To date, no significant action has been made at the state level to assure the continued viability of buy-back centers. Hambro Forest Services is our Counties only CRV redemption place, open only 3 days per week.		
2030-RC-OSP (Commercial On-Site Pickup)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1994	Existed before 1990: No

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: No
Selected Program Details:		
Large Generators (4.0 cy/week) Multi-family residences Commingled (Single-stream) Source separated Uncoated corrugated cardboard and paper bags Office paper (white & colored ledger, computer paper, other office paper) Metal Plastic 1-2 Plastic 3-7 Newspaper Miscellaneous paper (includes phone books, catalogs, magazines and other paper) Glass Film Plastic Polystyrene/Styrofoam Other material types (describe below)		
Jurisdiction Notes:		
There are no separate facilities that target commercial generators. Recovery programs available to self-haulers are also available to commercial businesses.		
2040-RC-SFH (Commercial Self-Haul)		
Current Status: AO - Alternative and Ongoing	Program Start Year: 1978	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: No
Jurisdiction Notes:		
2070-RC-SNL (Special Collection Seasonal (regular))		
Current Status: AO - Alternative and Ongoing	Program Start Year: 1994	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes
Jurisdiction Notes:		
Special collections included Crescent City's annual Spring Sweep, collecting yard debris within City limits, which collected 25.05 tons of material, the annual acceptance of Holiday Trees, which collected 3.26 tons, and acceptance of Tansy Ragwort for no charge, which is a weed that is noxious to livestock, which collected 15.47 tons of material.		
2080-RC-SPE (Special Collection Events)		
Current Status: AO - Alternative and Ongoing	Program Start Year: 1996	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes
Jurisdiction Notes:		
2090-RC-OTH (Other Recycling)		
Current Status: AO - Alternative and Ongoing	Program Start Year: 2013	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes
Jurisdiction Notes:		
3000-CM-RCG (Residential Curbside Greenwaste Collection)		
Current Status: AI - Alternative and Implemented	Program Start Year: 2012	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: No

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

Selected Program Details: Single-family residences Green Waste		
Jurisdiction Notes:		
3010-CM-RSG (Residential Self-haul Greenwaste)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1994	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: 1538 tons of self-haul brush received.		
3020-CM-COG (Commercial On-Site Greenwaste Pick-up)		
Current Status: AI - Alternative and Implemented	Program Start Year: 2012	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: No
Selected Program Details: Green Waste		
Jurisdiction Notes:		
3030-CM-CSG (Commercial Self-Haul Greenwaste)		
Current Status: AO - Alternative and Ongoing	Program Start Year: 1994	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: No
Jurisdiction Notes: All self-haul yard debris was reported as residential.		
3040-CM-FWC (Food Waste Composting)		
Current Status: DE - Dropped in an earlier year	Program Start Year: 1993	Existed before 1990: Yes
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: No
Jurisdiction Notes: This program has been deferred at least until a permitted composting site is operational in Del Norte County.		
4010-SP-SLG (Sludge (sewage/industrial))		
Current Status: DE - Dropped in an earlier year	Program Start Year: 1990	Existed before 1990: Yes
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: No
Jurisdiction Notes:		
4020-SP-TRS (Tires)		

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

Current Status: DE - Dropped in an earlier year	Program Start Year: 1997	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: No
Jurisdiction Notes:		
4030-SP-WHG (White Goods)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1990	Existed before 1990: Yes
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: 74.31 tons, Tonnages include all metal appliances, refrigerators and freezers received at the Del Norte County Transfer Station		
4040-SP-SCM (Scrap Metal)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1998	Existed before 1990: No
	Report Year Diversion Tons: 85.72	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: Ferrous, non-ferrous, and mixed metals are received at the Del Norte County Transfer Station from self-haulers at a rate that is less than 20% of the per ton rate charged for mixed waste disposal.		
4050-SP-WDW (Wood Waste)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1993	Existed before 1990: No
	Report Year Diversion Tons: 62.49	Selected in SRRE: Yes
		Owned or Operated: No
Jurisdiction Notes: This is the tonnage of untreated wood taken by customers for fuel.		
4060-SP-CAR (Concrete/Asphalt/Rubble)		
Current Status: AO - Alternative and Ongoing	Program Start Year: 1996	Existed before 1990: No
	Report Year Diversion Tons: 27.44	Selected in SRRE: No
		Owned or Operated: Yes
Selected Program Details: Asphalt Paving Brick Concrete/cement Rock, soils and fines		
Jurisdiction Notes: This tonnage is concrete and asphalt taken by customers for reuse.		
4090-SP-RND (Rendering)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1990	Existed before 1990: Yes
	Report Year Diversion Tons: .38	Selected in SRRE: Yes
		Owned or Operated: No
Jurisdiction Notes:		

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

4100-SP-OTH (Other Special Waste)

Current Status: AO - Alternative and Ongoing	Program Start Year: 2013	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes

Jurisdiction Notes:

Tonnage reported includes .69 tons of paint reused in addition to 8.48 tons of paint recycled.

5000-ED-ELC (Electronic (radio ,TV, web, hotlines))

Current Status: SO - Selected and Ongoing	Program Start Year: 1992	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes

Jurisdiction Notes:

Website revised and redesigned. Facebook account now active and maintained. Authority staff have conducted radio outreach for household hazardous waste, and mattress collection events in addition to campaigns to reduce contaminants in recyclables collected by Recology Del Norte. Staff also conduct monthly Radio shows discussing resource management, Called Rethinking Recycling Radio.

5010-ED-PRN (Print (brochures, flyers, guides, news articles))

Current Status: SO - Selected and Ongoing	Program Start Year: 1990	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes

Jurisdiction Notes:

Outreach flyers and brochures updated annually. The Authority Director generally writes guest editorials ('Coastal Voices') for the Del Norte Triplicate 2-4 times per year.

5020-ED-OUT (Outreach (tech assistance, presentations, awards, fairs, field trips))

Current Status: SO - Selected and Ongoing	Program Start Year: 1992	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes

Jurisdiction Notes:

Green Ribbon awards issued in 2018. DNSWMA sponsorship of the Del Norte County Fair continues, though with diminished support under CalRecycle's Used oil and beverage container grant programs.

5030-ED-SCH (Schools (education and curriculum))

Current Status: SO - Selected and Ongoing	Program Start Year: 1996	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes

Jurisdiction Notes:

Outreach in schools was greatly increased due to a run of Eco Hero shows fully funded through Cal Recycles Beverage Container, and used oil grants.

6000-PI-PLB (Product and Landfill Bans)

Current Status: AO - Alternative and Ongoing	Program Start Year: 1996	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

Jurisdiction Notes: All locally-implemented disposal or product bans are those that have been adopted as State laws.		
6010-PI-EIN (Economic Incentives)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1996	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes
Selected Program Details: Variable can rate/Quantity based user fee Differential tipping fee Unlimited recycling Rebate Deposit		
Jurisdiction Notes: Programs previously described continue.		
6020-PI-ORD (Ordinances)		
Current Status: SO - Selected and Ongoing	Program Start Year: 2008	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes
Selected Program Details: Antiscavenging ordinance Other ordinances (describe below)		
Jurisdiction Notes: Efforts to replace this agency's Ordinances with City and County Ordinances concluded without result. This agency's Ordinances remain in effect.		
7000-FR-MRF (MRF)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1990	Existed before 1990: No
	Report Year Diversion Tons: 43.85	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: Tonnage is outbound CRV, corrugated cardboard and mixed plastics recovered from the floor of the Del Norte County Transfer Station.		
7010-FR-LAN (Landfill)		
Current Status: DE - Dropped in an earlier year	Program Start Year: 1995	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes:		
7020-FR-TST (Transfer Station)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1995	Existed before 1990: No
	Report Year Diversion Tons: 11.11	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: This is the tonnage of free reusable items taken by customers, excluding paint, wood, concrete, and asphalt.		
7030-FR-CMF (Composting Facility)		

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

Current Status: PF - Planned in Future	Program Start Year: 2012	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: No
Jurisdiction Notes: Transfer Station operations contractor Hambro/WSG is exploring the potential for operating a composting yard in Del Norte County		
7040-FR-ADC (Alternative Daily Cover)		
Current Status: DE - Dropped in an earlier year	Program Start Year: 1994	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes
Jurisdiction Notes:		
8010-TR-BIO (Biomass)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1991	Existed before 1990: Yes
	Report Year Diversion Tons: 1656.35	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: Though some yard debris, brush, and untreated wood is processed into compost, all tons are reported as Biomass. Tonnage is outbound yard debris sent primarily to co-gen plants. The facility accepting this material is Rogue Disposal.		
9000-HH-PMF (Permanent Facility)		
Current Status: SO - Selected and Ongoing	Program Start Year: 2005	Existed before 1990: No
	Report Year Diversion Tons: 48.84	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: All HHW received through ABOP program, excluding CRTs and consumer electronics.		
9010-HH-MPC (Mobile or Periodic Collection)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1993	Existed before 1990: No
	Report Year Diversion Tons: 15.38	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes: Single-day HHW event in September		
9030-HH-WSE (Waste Exchange)		
Current Status: SO - Selected and Ongoing	Program Start Year: 1990	Existed before 1990: Yes
	Report Year Diversion Tons: 0	Selected in SRRE: Yes
		Owned or Operated: Yes
Jurisdiction Notes:		
9040-HH-EDP (Education Programs)		

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

Current Status: AO - Alternative and Ongoing	Program Start Year: 1997	Existed before 1990: No
	Report Year Diversion Tons: 0	Selected in SRRE: No
		Owned or Operated: Yes
Jurisdiction Notes: collections franchise, Recology Del Norte has a person responsible for outreach and education.		
9045-HH-EWA (Electronic Waste)		
Current Status: AO - Alternative and Ongoing	Program Start Year: 2005	Existed before 1990: No
	Report Year Diversion Tons: 82.05	Selected in SRRE: No
		Owned or Operated: Yes
Jurisdiction Notes: Tonnage includes all CRT devices and consumer electronics.		
9050-HH-OTH (Other HHW)		
Current Status: AO - Alternative and Ongoing	Program Start Year: 2009	Existed before 1990: No
	Report Year Diversion Tons: 6.87	Selected in SRRE: No
		Owned or Operated: Yes
Jurisdiction Notes: Tonnage of household and auto batteries recycled		

Mandatory Commercial Recycling (MCR)
This detailed information was entered in the 2030 code noted above in the SRRE and HHWE Diversion Programs.

EDUCATION AND OUTREACH

Note: Regional Agencies should address education and outreach for individual members.

1. Describe education and outreach methods for the reporting year for electronic, print and direct contact, including those done by the jurisdiction and by the hauler(s).

Outreach by Recology staff: Jan-17

- 1-Jan Advertisements - Radio - New Years Temp bin - Holiday service - Prepaid bags - side walk cart placement - Holiday trees - Other rotating ads. Web page updates
- 5-Jan Little School of the Redwoods - Recycle presentation - 10 students 3 teachers
- 9-Jan Radio ads - New recycle guidelines
- 10-Jan Solid Waste meeting - new recycling
- 13-Jan Chamber of Commerce - Recycle presentation - new recycling rules - 22 business customers
- 17-Jan Elk Valley Head start - Recycle Presentation 3 classes - 45 students - 6 teachers
- 23-Jan C.E.R.T. Training ICS - Chain of Command
- 28-Jan Chamber Dinner

Feb-17

- 1-Feb Advertisements - Radio - Bulky item service - Temporary bin service - plus other rotating ads.
- 1-Feb Child Care Council -Head start - Recycle presentation - 15 students - 3 teachers
- 2-Feb County EOC meeting - FEMA Training course - MGT 340 course (Crisis Leadership and Decision Making Seminar - CLDM)
- 3-Feb Solid Waste meeting - Kayleen - Community Bins
- 13-Feb Unable to leave office due to staff training 2-13-17 to 2-16-17
- 21-Feb Meeting Advertisements with Radio station - new ads for March
- 23-Feb ESOP Meeting
- 27-Feb Recology Disaster training - After action for Orville Dam Evac

Mar-17

- 1-Mar Advertisements - Radio - Bulky item service - Temporary bin service - illegal dumping - brush service - prepaid bags - plus other rotating ads.
- 17-Mar Recology Exchange Project

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

4. Total number of covered multifamily complexes NOT recycling: 28

Explanation:

- A) Apartments = 6
- B) Hotels/Motels = 4
- C) Mobile Home Parks = 1
- D) RV parks = 4

5. What was done to inform those not recycling about the law and how to recycle? If the jurisdiction has an enforcement program for the Mandatory Commercial Recycling program then please provide information about what enforcement was conducted.

See outreach

6. If applicable, please describe any challenges encountered in implementing monitoring related to the jurisdiction's commercial recycling program. If not applicable, enter N/A.

See challenges

7. Provide the amount of recyclable material that is being diverted by covered businesses/multifamily complexes: 0 Tons

If this tonnage information is not available, please enter 0 and explain why:

Explanation: Due to our recycling being commingled we do not have the ability to track or sort diverted tonnages.

Mandatory Commercial Organics Recycling (MORe)

- Detailed information for Education and Outreach, and Monitoring, may have been entered in the 3035 code noted above in the SRRE and HHWE Diversion Programs.
- A Rural City, County, or Regional Agency with an exemption per [AB 1826 Exemptions](#), completion of each of the Mandatory Commercial Organics Recycling (MORe) questions is optional.
- A Rural County/Regional Agency, is required to answer the first 2 questions on the 'Infrastructure and Barriers' tab Per [AB 876 \(McCarty, Chapter 593, Statutes of 2015\)](#).

IDENTIFICATION OF COVERED BUSINESSES/MULTIFAMILY COMPLEXES

1. Please describe the methodology used to identify covered businesses and multifamily complexes.

This program applies to each commercial or public entity that generates four cubic yards, or 880 pounds or more of solid waste and recyclable or compostable materials per week, or that generates 16 cubic yards or 6520 pounds or more of solid waste and recyclable or compostable material per month. This commercial recycling program also applies to all multi-family residential properties with five or more units at the same address, regardless of the amount of commercial solid waste generated. total number of businesses services is 325 but only 69 meet threshold qualifications.

2. If any of this data is not available, please explain why it is not available and how you are addressing gathering the data and when it will be available?

N/A

EDUCATION AND OUTREACH (all years)

1. Describe education and outreach methods SPECIFIC TO AB 1826 for the reporting year for electronic, print and direct contact, including those done by the jurisdiction and by the hauler(s).

2. If applicable, please describe any challenges encountered in implementing education and outreach for the jurisdiction's organic recycling program. If not applicable, enter N/A.

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

MONITORING

Note:

- *Regional Agencies should use the text boxes to list the totals in each field for individual members.*
- *Reporting Jurisdictions that cannot separate businesses and multifamily data should provide an explanation in the applicable text box.*
- *Reporting Jurisdictions that have an unknown number for any of the numeric fields must input a '0' into the data field and provide an explanation in the corresponding box below.*

- **Exemptions: *** New 2018 EAR *****
How to report exemptions for MORE monitoring tab in the EAR:
 1. *Include number of exempted businesses in the total of regulated businesses.*
 2. *Do not include number of exempted businesses in "not recycling" column. The jurisdiction granted an exemption so the business is not considered out of compliance.*
Note: If a jurisdiction chooses to report this differently, they must explain this in the explanation field(s).
 3. *If Exemptions were granted by the jurisdiction, please provide each number of exemptions granted and describe the reasons why the exemptions were granted on the 'Enforcement, Self-Haul Requirements, and Exemptions' tab of the Mandatory Commercial Organics Recycling (MORE) section of the EAR.*

- **Thresholds: *** New 2018 EAR *****
 1. *Jurisdictions are not required to report different numbers for MCR and MORE. It is acceptable to use the 2019 MORE definition of 4 cy/week of trash/recycling/organics also for MCR regulated entities, if that is easier for reporting.*
 2. *Reminder that the 2019 threshold for MORE (4 cy/week of trash/recycling/organics) has been on the MORE FAQs webpage (FAQ 'General' #18) since the program began. If a jurisdiction needs assistance please contact your LAMD liaison.*

1. Total number of covered businesses:

Explanation:

2. Total number of covered businesses NOT recycling organics:

Explanation:

3. Total number of covered multifamily complexes:

Explanation:

4. Total number of covered multifamily complexes NOT recycling green waste, landscape and pruning waste, and nonhazardous wood waste:

Explanation:

5. What was done to inform those not recycling about the law and how to recycle? If the jurisdiction has an enforcement program for the Mandatory Commercial Organics Recycling program then please provide information about what enforcement was conducted.

6. If applicable, please describe any challenges encountered in implementing monitoring related to the jurisdiction's commercial organics recycling program. If not applicable, enter N/A.

7. Provide the amount of organic material that is being diverted by covered businesses/multifamily complexes: Tons

If this tonnage information is not available, please enter 0 and explain why:

Explanation:

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

INFRASTRUCTURE AND BARRIERS

These questions are pursuant to [AB 876 \(McCarty, Chapter 593, Statutes of 2015\)](#), and [AB 1826 Chesbro \(Chapter 727, Statutes of 2014\)](#).

Per AB 876, Questions #1, #1a, and #2, are to be reported for the entire County or Regional Agency (RA), including all cities within their boundaries. If a regional agency does not consist of all of the jurisdictions in a county, CalRecycle recommends that the county coordinate with the RA(s) and discuss how they want to compile their data. For example, it would be best if the data were for the county as a whole and not broken out by RA. In the EAR, regional agencies and the county should report the same data and explain that the data is for the county as a whole.

Per AB 1826, #3-13 are to be answered by all non-rural/exempted reporting jurisdictions for progress achieved in implementing their commercial organics waste recycling program. *Beginning with the 2017 report year, the [AB 876 \(Organics Management Infrastructure Planning\) Calculator](#) now has additional lines to show users how much of the county's/regional agency's organic waste stream is comprised of food waste. Of all the fractions of the organics waste stream, food is the most difficult to process. Chip and Grind facilities are limited to processing green material which expressly excludes food waste [(14 CCR Sections (a)(10) and (a)(21.)). Therefore, if a jurisdiction's organics capacity planning primarily relies on Chip & Grind, there is a shortfall of food waste capacity. Only a limited number of all composting facilities are permitted to take food waste; contact your hauler or facility operator to find out whether they are permitted to take food waste, or if they have plans to expand their permit to accept food waste in the future. In-vessel digesters are still fairly uncommon, but many of these do accept food waste. Additionally, do not overlook food waste reduction and edible food rescue programs in your planning.*

1. Please provide an estimate of the amount of organic waste, in cubic yards or tons, that will be disposed by the entire county (unincorporated and incorporated areas) or regional agency over a 15-year period ("Over a 15-year period," means how many tons of organic waste will be disposed of in one single year 15 years from now, not the cumulative total of 15 years). 27718

Please indicate which unit of measurement you are reporting in for this question and the rest of this report tab. Cubic Yards Per Year

a. Please provide an estimate of the additional organic waste recycling facility capacity, that will be needed to process the amount of organic waste identified in #1 above. 2881

2. Please identify areas for new or expanded organic waste recycling facilities capable of safely meeting the additional organic waste recycling facility capacity need identified in #1a above. If the answer to #1a is less than #1, please be sure to explain why, e.g. note that there is currently unused capacity that can be utilized, and/or note that since there is tangible planning for new or expanded facilities now, that in 15 years, the needed capacity will be available. These details can be further clarified in #4 - #7 below.

The estimates provided in our answer to question 1 presume the Authority will foster the development of a compost facility capable of processing up to 6000 tons per year of yard debris and wood waste. The Authority has not yet begun the community planning process to develop this facility.

3. Please provide the names of existing organic waste recycling facilities within a reasonable distance from your major population centers, and the available capacity at each facility to accept your jurisdiction's organic materials, including food waste. Note: CalRecycle strongly encourages counties and regional agencies to collaborate with cities and special districts within their boundaries, and communicate with haulers and with organics facility operators servicing those entities, in order to understand available capacity and to minimize double counting at facilities used by multiple jurisdictions. Listed capacities should be specific to the amount of capacity available to your jurisdiction.

Answer Box below: Consider the following when answering question #3:

- i. Differentiate between facilities currently being used and potential facilities.
- ii. Make it clear which facility is being listed by including its SWIS #. If no SWIS number is available, give details about the name, address and type of facility.
- iii. Available capacity may be calculated by subtracting a facility's current throughput from its maximum capacity to process organic materials; however, maximum capacity should be discussed with the facility operator.
- iv. Do not include ranges of greater than 10,000 tons.

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

4. Please identify existing organic waste recycling facilities within the jurisdiction that may be suitable for potential expansion, and/or existing solid waste facilities within the jurisdiction that may be suitable for colocation with organic waste processing facilities.

5. Please describe any efforts underway to develop new private or public regional organic waste recycling facilities, the anticipated timeline for completion, the types of feedstocks these facilities may accept, and the potential available organic material capacity at those facilities for your county or regional agency's organic waste, including food.

6. Please provide a list of closed or abandoned sites that may be available for new organic waste recycling facilities.

7. Please describe other non-disposal opportunities (on-site composting, food waste to animal feed, etc.) available to covered entities in the jurisdiction.

8. Please describe the jurisdiction's efforts to reduce food waste at the source and increase edible food recovery (e.g. promoting source reduction, expanding food donation, incentivizing partnerships with local food recovery organizations, changes in local government and school programs to reduce and/or donate surplus edible food).

9. Describe local zoning codes that allow organic waste processing facilities and local permit requirements for siting a new organic waste recycling facility within the jurisdiction.

10. Please describe any local incentives available for developing new organic waste recycling facilities within the jurisdiction (e.g. economic incentives, workforce training, permit fee waivers etc.)

11. Describe any local efforts by the jurisdiction or its partners to promote local markets for processed organic material (e.g. jurisdiction purchase of recycled organic products, compost giveaways to residents, promotion of sustainable landscaping, or education and outreach about recycled organic products).

12. Describe any waste and recycling service-rate adjustments implemented or planned in the jurisdiction, how they target the diversion of organic waste, and/or fund organic recycling infrastructure development.

1. Did the jurisdiction make a rate adjustment this year, or in prior years, for garbage or organics rates related to AB 1826 (or in anticipation of SB 1383) Implementation?
2. Is this planned in the future, if so what year?
3. Did the jurisdiction go through a Prop 2018 Process?

13. Any other barriers? No

Indicate all known barriers to siting or expanding organic waste recycling facilities in the jurisdiction, such as lack of suitable parcels, zoning issues, economic issues, lack of local markets for finished products, environmental justice issues or the known opposition of community groups, regulatory agencies or public officials, or other impediments. If there are identified barriers that are within the jurisdiction's control, please provide a summary of the jurisdiction's plan to remedy the barriers that are under its control.

Annual Report Summary: Del Norte Solid Waste Management Authority (2018)

ENFORCEMENT, SELF-HAUL REQUIREMENTS, AND EXEMPTIONS

The following elements do not need to be implemented as part of the jurisdiction's organic waste recycling program; however, if the jurisdiction implements any of these, then the jurisdiction is required to report on any efforts related to these provisions.

1. Has the jurisdiction implemented any enforcement measures for covered businesses (including multifamily) that are not in compliance? If so, please describe.

2. Has the jurisdiction implemented any certification requirements for self-haulers? If so, please describe.

3. Have any exemptions been granted? Exemptions noted in the law include;

- i. Lack of sufficient space to provide additional bins,
- ii. Current business practices already result in a significant reduction in its organic waste (can be revoked 2020),
- iii. The business does not generate at least one-half cubic yard of organic waste per week,
- iv. Limited term exemptions,
- v. Unforeseen events,

If exemptions were granted by the jurisdiction;

- i. Please provide the number of exemptions granted,
- ii. Describe the reasons why the exemptions were granted,
- iii. Guidance on how to report exemptions for MORE monitoring tab in the EAR:
 - 1. Include number of exempted businesses in the total of regulated businesses
 - 2. Do not include number of exempted businesses in "not recycling" column. The jurisdiction granted an exemption so the business is not considered out of compliance.

Note—If a jurisdiction chooses to report this differently, they must explain this in the explanation field(s) of the 'Monitoring' tab or the 3035-CM-COR Diversion Program Code monitoring fields.

ADDITIONAL INFORMATION

Is there anything else you would like to tell CalRecycle about unique or innovative efforts by your jurisdiction to reduce organic waste generation and increase diversion, about your jurisdiction's public education efforts, or about specific obstacles to reaching your jurisdiction's implementation of an organic recycling program?

Brief description of additional information files, including calculation data for infrastructure planning.

Solid Waste
Balance Sheet
 June 30, 2019

Unaudited

ASSETS

422 010 00000	Cash Solid Waste	1,105,946.95
422 010 00300	Imprest Cash	3,500.00
422 010 00500	I Bank Loan Deposit Held by County	198,177.17
422 010 01100	Accounts Receivable	284,705.23
422 010 02130	Prepaid Expenses	750.00
422 010 03200	Land	493,000.00
422 010 03300	Transfer Station	3,266,990.64
422 010 03400	Equipment	158,443.55
422 010 03410	Buildings & Improvements	141,638.89
422 010 03440	Accum Depr Equipment	(158,444.00)
422 010 03450	Accum Depr Bldg & Improv	(223,435.00)
422 010 03460	Accum Depr Transfer Station	(1,082,227.00)
	Total Assets	<u><u>4,189,046.43</u></u>

LIABILITIES AND FUND EQUITY

422 010 05100	Accounts Payable	235,948.92
422 010 05105	Sales Tax Payable	9.19
422 010 05120	Accrued Wages Payable	16,419.32
422 010 05210	Sublease Payable	2,513,212.50
422 010 05300	Compensated Absences Payable	57,426.74
422 010 05400	Deferred Revenue	1,934.31
422 010 05500	Post Closure Liability	2,046,994.00
422 010 05600	Net OPEB Obligation	423,573.00
422 010 07100	Fund Balance	(1,817,598.31)
422 010 09600	Investment in Capital Assets net of related debt	671,843.00
	Revenue	3,800,160.45
	Expenditure	(3,760,876.69)
	Total Liabilities and Fund Equity	<u><u>4,189,046.43</u></u>

Del Norte Solid Waste Management Authority A/R Aging Summary As of August 7, 2019

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
A	2,139.99	0.00	0.00	0.00	0.00	2,139.99
A	53.51	0.00	0.00	0.00	0.00	53.51
A	32.30	30.29	0.00	0.00	0.00	62.59
A	394.02	1,147.69	895.37	0.00	900.00	3,337.08
B	49.22	0.00	0.00	0.00	0.00	49.22
B	56.91	1.80	0.00	0.00	0.00	58.71
B	44.06	0.00	0.00	0.00	0.00	44.06
B	1,714.38	592.12	118.13	0.00	0.00	2,424.63
C	36.91	0.00	0.00	0.00	0.00	36.91
C	199.65	0.00	0.00	0.00	0.00	199.65
C	0.00	0.88	0.00	0.00	0.00	0.88
C	0.00	0.00	0.00	0.00	0.01	0.01
C	2,591.58	1,395.80	1,657.20	66.34	0.00	5,710.92
C	18.46	0.00	0.00	0.00	0.00	18.46
C	92.91	0.00	0.00	0.00	0.00	92.91
C	495.96	287.76	0.00	0.00	0.00	783.72
C	99.85	154.46	0.00	0.00	0.00	254.31
C	267.62	-39.99	0.00	0.00	0.00	227.63
C	8.00	0.00	0.00	0.00	0.00	8.00
C	240.60	0.00	0.00	0.00	0.00	240.60
C	36.91	21.20	44.09	0.00	0.00	102.20
C	73.22	0.00	0.00	0.00	0.00	73.22
D	466.11	0.00	0.00	0.00	0.00	466.11
D	32.30	0.00	0.00	0.00	0.00	32.30
D	75.00	0.00	0.00	0.00	0.00	75.00
D	112.32	0.00	0.00	0.00	0.00	112.32
D	25.90	0.00	0.00	0.00	0.00	25.90
D	1,129.63	0.00	0.00	0.00	0.00	1,129.63
D	232.24	0.00	0.00	0.00	0.00	232.24
D	501.75	0.00	0.00	0.00	0.00	501.75
D	81.51	1,338.60	0.00	82.43	59.35	1,561.89
E	1,416.50	0.00	0.00	0.00	0.00	1,416.50
E	172.55	0.00	0.00	0.00	0.00	172.55
F	58.44	0.00	0.00	0.00	0.00	58.44
G	417.23	0.00	0.00	0.00	0.00	417.23
G	0.00	56.22	0.00	0.00	0.00	56.22
G	134.89	0.00	0.00	0.00	0.00	134.89
G	144.32	0.00	0.00	0.00	0.00	144.32
G	971.39	198.53	0.00	0.00	0.00	1,169.92
G	41.55	0.00	0.00	0.00	0.00	41.55
H	25.59	309.17	0.00	0.00	0.00	334.76
H	178.41	0.00	0.00	0.00	0.00	178.41
H	164.51	0.00	0.00	0.00	0.00	164.51
H	129.19	108.37	0.00	0.00	0.00	237.56
H	132.27	0.00	0.00	0.00	0.00	132.27
H	16.92	0.00	0.00	0.00	0.00	16.92
H	27.68	0.00	0.00	0.00	0.00	27.68
H	36.91	0.00	0.00	0.00	0.00	36.91
In	265.84	140.97	0.00	0.00	0.00	406.81
J	80.29	0.00	0.00	0.00	0.00	80.29
K	114.18	0.00	0.00	0.00	0.00	114.18
K	1,172.07	0.00	0.00	0.00	0.00	1,172.07
L	75.37	0.00	0.00	0.00	0.00	75.37
L	152.26	0.00	0.00	0.00	0.00	152.26
L	111.54	146.89	0.00	0.00	0.00	258.43
L	77.41	0.00	0.00	0.00	0.00	77.41
M	18.45	0.00	0.00	0.00	0.00	18.45
M	281.61	0.00	0.00	0.00	0.00	281.61
M	5,653.83	0.00	0.00	0.00	0.00	5,653.83
M	8.00	0.00	0.00	0.00	0.00	8.00
M	38.74	0.00	0.00	0.00	0.00	38.74
M	80.60	0.00	0.00	0.00	0.00	80.60
N	660.28	0.00	0.00	0.00	0.00	660.28
N	49.21	0.00	0.00	0.00	0.00	49.21
N	318.39	231.89	399.81	0.00	0.00	950.09
N	41.53	0.00	0.00	0.00	0.00	41.53
P	731.58	0.00	0.00	0.00	0.00	731.58

Del Norte Solid Waste Management Authority A/R Aging Summary As of August 7, 2019

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
P.	110.74	0.00	0.00	0.00	0.00	110.74
P.	370.53	0.00	0.00	0.00	0.00	370.53
P.	84.59	0.00	0.00	0.00	0.00	84.59
P.	9.23	7.75	0.00	0.00	0.00	16.98
P.	446.02	0.00	0.00	0.00	0.00	446.02
P.	97.52	0.00	0.00	0.00	0.00	97.52
P.	343.57	94.50	352.85	444.98	0.00	1,235.90
R	207.62	258.28	0.00	0.00	0.00	465.90
R	142,111.64	0.00	0.00	0.00	0.00	142,111.64
R	12,788.47	0.00	0.00	0.00	0.00	12,788.47
R	12,270.18	12,301.63	0.00	0.00	0.00	24,571.81
R	3,246.09	2,960.19	0.00	0.00	0.00	6,206.28
R	0.00	0.00	0.00	0.00	1,503.53	1,503.53
R	8.00	0.00	0.00	0.00	0.00	8.00
R	159.95	0.00	0.00	0.00	0.00	159.95
R	577.60	0.00	0.00	0.00	0.00	577.60
R	90.75	0.00	0.00	0.00	0.00	90.75
R	379.13	2,511.00	0.00	0.00	0.00	2,890.13
R	190.72	0.00	0.00	0.00	0.00	190.72
R	15.38	7.75	0.00	0.00	0.00	23.13
R	35.38	0.00	0.00	0.00	0.00	35.38
R	83.88	18.35	0.00	0.00	0.00	102.23
S	110.74	0.00	0.00	0.00	0.00	110.74
S	0.00	0.00	0.00	0.00	834.87	834.87
S	41.71	0.00	0.00	0.00	0.00	41.71
S	3,311.32	0.00	0.00	0.00	0.00	3,311.32
S	8.00	0.00	0.00	0.00	0.00	8.00
S	83.79	81.48	0.00	0.00	0.00	165.27
S	130.48	0.00	0.00	0.00	0.00	130.48
S	8,420.56	5,388.23	0.00	0.00	0.00	13,808.79
S	23.69	0.00	0.00	0.00	0.00	23.69
T	224.93	0.00	0.00	0.00	0.00	224.93
T	31.06	0.00	0.00	0.00	0.00	31.06
T	26.15	0.00	0.00	0.00	0.00	26.15
T	361.17	0.00	0.00	0.00	0.00	361.17
T	142.25	0.00	0.00	0.00	0.00	142.25
V	53.83	0.00	0.00	0.00	0.00	53.83
V	1,987.09	0.00	0.00	0.00	0.00	1,987.09
W	161.48	0.00	0.00	0.00	0.00	161.48
W	8.00	7.75	0.00	0.00	0.00	15.75
Y	120.55	0.00	0.00	0.00	0.00	120.55
Y	8.28	1,285.22	82.81	0.00	0.00	1,376.31
Y	35.37	65.78	296.78	599.15	175.63	1,172.71
TOTAL	214,219.79	31,110.56	3,847.04	1,192.90	3,473.39	253,843.68

CLAIMS APPROVED BY THE DIRECTOR

Del Norte Solid Waste Management Authority
 Claims for July 2019

<i>Date Paid</i>	<i>Paid to:</i>	<i>Budget</i>	<i>Amt. Paid</i>	<i>Description</i>	<i>Claim #</i>
7/1/2019	Taylor, Richard D.	20235	\$ 280.00	Treasurer/Controller Services June 2019	8473
7/1/2019	U S Bank Corp P S	20290	\$ 16.00	RCPT 7755 Parking Sacramento 06/20/19	8474
	U S Bank Corp P S	20290-069	\$ 50.00	Agent Fee Dalianes	
	U S Bank Corp P S	20175	\$ 110.61	SO 1202270585 Power Supply	
	U S Bank Corp P S	20175	\$ 12.00	SO 1202270605 3yr Protection Plan	
	U S Bank Corp P S	20175	\$ 538.07	SO 1202270565 Computer Parts	
	U S Bank Corp P S	20232-002	\$ 499.73	INV E020087HPM MS Office 04/23/19-02/20/20	
7/1/2019	U S Bank Corp P S	20180	\$ 2,031.76	WO 39071 Double Ended Shear Beam Load Cell, 2	8475
7/1/2019	Lawrence & Associates	20231	\$ 2,173.75	INV 26280 PRO 015063.00 May 2019	8476
7/2/2019	Creative Information Systems	20232-002	\$ 2,912.00	INV SMSQ13825 Maint/Support SMS, 07/01/19-06/30/20	8477
7/3/2019	G.H. Outreach	20285	\$ 150.00	INV 304429 June 2019 Recycling Service	8479
7/8/2019	DNC Agriculture Department	20285	\$ 600.00	Device and Location Fee, scales	Interdepartmental
	DNC Agriculture Department	20230	\$ 24.00	Administrative Fee	
7/8/2019	Merle Helstowski Signs	20180	\$ 824.25	INV, Price Update Signage at TS, KTS; New Sign GTS	8480
7/8/2019	Recology Del Norte	20238	\$ 1,744.47	INV 3766 Klamath Beach Rd 06/19 Bin Pull	8481
	Recology Del Norte	20238	\$ 969.15	INV 3765 Old Gasquet Toll Rd 06/19 Bin Pull	
7/8/2019	Resource Recycling	20227	\$ 107.00	SUB 1109333 Jul 2019 - Jun 2022	8482
7/8/2019	Country Media, Inc.	20240-069	\$ 858.15	INV 2457430 CRV Buy Back Cntr Ads, 06/26-29/19	8483
7/8/2019	Floyd L. Clemann	20239-001	\$ 570.00	INV 988050 Vegetation Control 06/21/19	8484
7/8/2019	DNC Auditor	20237	\$ 4,112.59	Debit/Credit Mo. June 2019	Interdepartmental
7/9/2019	Curry Transfer Roto-Rooter	20140	\$ 173.08	INV 65998079 KTS PortaPotty June 2019	8485
	Curry Transfer Roto-Rooter	20140	\$ 173.08	INV 65998078 GTS PortaPotty June 2019	
7/10/2019	U S Bank Corp P S	20290-069	\$ 29.00	RES B4843E Amtrak Sacto-OakInd 08/16/19	8486
	U S Bank Corp P S	20290-069	\$ 142.98	CONF T2SHM2 OAK-ONT 08/11/19	
	U S Bank Corp P S	20290-069	\$ 78.98	CONF T36ZRL ONT-SMF 08/14/19	
	U S Bank Corp P S	20290-069	\$ 177.99	Airfare CEC-OAK 08/11&08/14/19	
7/10/2019	Country Media, Inc.	20240-064	\$ 803.50	INV 2457430 Oil Recycling Ads 3 Color, 06/12-29/19	8487
	Country Media, Inc.	20240-064	\$ 490.00	INV 2457430 2019 DN Map, 06/15/19	
7/10/2019	Stillwater Sciences	20231	\$ 2,275.25	INV 7870004 PRO 787.00 Jun 3 - Jun 30, 2019	8488
7/11/2019	DNSWMA Revolving Fund	20224	\$ 9.66	Rite Aid 516603 Ace Com Re-Usable Cold	8489
	DNSWMA Revolving Fund	20140	\$ 10.74	Safeway 95471371962 Emergen C Vitamin	
	DNSWMA Revolving Fund	20180	\$ 3.75	Crescent Ace JRNL#H69161 Duplex Receptacle	
7/15/2019	Butcher, Andrew	20231	\$ 750.00	INV 2942 IT Services Aug 2019	8490
7/15/2019	DNC Auditor	20297	\$ 47.83	C Renner Petroleum fuel charges Jun 16-30, 2019	Interdepartmental
7/15/2019	Hambro/Waste Solutions Group	20239	\$ 205,194.27	INV 2019-06 Material Management Jun 2019	8491
7/16/2019	Black Rice & Luna LLP	20234	\$ 61.50	INV 134 Legal Fees Jun 2019	8492
7/16/2019	United States Cellular	20121	\$ 86.22	INV 0318786918 07/04-08/03/19 Cell Service	8493
7/22/2019	Canon Financial Services, Inc.	20221	\$ 51.05	INV 20327752 Printing Charges Jun 2019	8494
	Canon Financial Services, Inc.	20250	\$ 142.02	INV 20327752 Contract Rental Charges Jul 2019	
7/22/2019	DNC Information Technology	20230	\$ 40.79	INV 23290 Labor, Board Meeting 07/16/19	Interdepartmental
7/27/2019	Recology Del Norte	20283	\$ 525.88	BILL 05629282 500 Cooper Ave - County Yard	8495
	Recology Del Norte	20288	\$ 722.63	BILL 05629266 1001 Front St - Cultural Cntr	
	Recology Del Norte	20288	\$ 290.17	BILL 05629290 900 Tenth St - City Yard	
7/27/2019	Ward, Tedd	20121	\$ 34.62	Cell Phone Allowance 07/05/19	Interdepartmental
7/27/2019	DNC Auditor	20121	\$ 119.97	Office Telephone Service 07/19-08/18/19	Interdepartmental
7/28/2019	Crescent Ace Hardware	20180	\$ 6.71	INV 780291 Screws Nuts Bolts, 16	8496
	Crescent Ace Hardware	20180	\$ 31.16	INV 781365 Acrylic Sheet32X40X.100", 1	
	Crescent Ace Hardware	20180	\$ 4.29	INV 781372 Folding Utility Knife +5 Blades, 1	
	Crescent Ace Hardware	20170	\$ 48.36	INV 781510 Lyksys 5Port Desktop Gigabit SW, 1	
	Crescent Ace Hardware	20180	\$ 8.16	INV 778387 Glasses Safety Clr/Blu, 1	
	Crescent Ace Hardware	20180	\$ 15.04	INV 778387 Dewalt Work Glove XL, 1	
	Crescent Ace Hardware	20180	\$ 8.59	INV 778387 Protectr Hearing Headset, 1	

	Crescent Ace Hardware	20180	\$ 26.86	INV 781365 Drill/Drivr Bit Set 52Pc, 1	
	Crescent Ace Hardware	20180	\$ 62.02	INV 780291 Plexy Glass, 1	
	Crescent Ace Hardware	20180	\$ 2.15	INV 781365 Bulk Nails/Screws, .50	
	Crescent Ace Hardware	20180	\$ 2.23	INV 780291 Screws Nuts Bolts, 16	
	Crescent Ace Hardware	20180	\$ 5.42	INV 781365 Screws Nuts Bolts, 18	
	Crescent Ace Hardware	20180	\$ 2.52	INV 781365 Screws Nuts Bolts, 18	
	Crescent Ace Hardware	20180	\$ 2.14	INV 781365 Screw Eye, 130X1-5/16 CD8, 1	
	Crescent Ace Hardware	20180	\$ 10.73	INV 781365 Narrow Hinge 3" Zinc, 2	
	Crescent Ace Hardware	20180	\$ 4.28	INV 781365 Gate Hook Zinc 3" CD2, 2	
	Crescent Ace Hardware	20224	\$ 20.41	INV 778769 Pickup Tool 36", 1	
7/29/2019	Knopf, LeRoy	20290	\$ 251.95	Mileage Reimbursement 07/02-28/19	8497
7/30/2019	U S Bank Corp P S	20121	\$ 243.89	INV 11522871 Commerce-Yrly Website Hosting	8498
	U S Bank Corp P S	20224	\$ 15.44	ORD 113-2230125-6609852 Monroe M33X Ribbon, 2	
7/31/2019	Mission Linen Supply	20140	\$ 30.86	INV 510414803 Linen Service 07/30/19	8499
	Mission Linen Supply	20140	\$ 30.86	INV 510318040 Linen Service 07/16/19	
	Mission Linen Supply	20140	\$ 30.86	INV 510224871 Linen Service 07/02/19	
7/31/2019	41st District Agricultural Association	20285	\$ 666.68	INV 2019 Del Norte County Fair Day Sponsor	8500
	41st District Agricultural Association	20285-071	\$ 666.66	INV 2019 Del Norte County Fair Day Sponsor	
	41st District Agricultural Association	20285-069	\$ 666.66	INV 2019 Del Norte County Fair Day Sponsor	
7/31/2019	DNC Information Technology	20223	\$ 64.81	Postage, Jun 2019	Interdepartmental
7/31/2019	DNC Auditor	70530-199	\$ 6,226.00	Interfund Cost Plan Jun 2019	Interdepartmental
	TOTAL		\$ 240,174.23		

DNSWMA			
GRAND TOTALS			
July 2019			
	Amount to 422-421 91003	Amount to 422-421 91004	TOTAL AMOUNT
	66.53%	33.47%	
DNCTS Cash Total	40,515.54	20,382.61	60,898.15
DNCTS Charge Total	149,784.19	75,353.63	225,137.82
DNCTS Credit/Debit	38,005.10	19,119.65	57,124.75
DNCTS Adjustment	-1,488.13	1,488.13	0.00
DNCTS Totals	226,816.70	116,344.02	343,160.72
Klamath Cash Total		6,876.67	6,876.67
Klamath Charge Total		622.30	622.30
Klamath Adjustment			
Klamath Totals		7,498.97	7,498.97
Gasquet Cash Total		2,311.44	2,311.44
Gasquet Charge Total		18.45	18.45
Gasquet Adjustment			
Gasquet Totals		2,329.89	2,329.89
GRAND TOTALS	226,816.70	126,172.88	352,989.58

MONTHLY SPLIT SHEET														
DNSWMA TRANSFER STATION														
MONTH: JULY 2019														
Date	Cash	Checks	Cash/Check Total	Visa	Master	Discover	AmExp	Credit Card Total	Charges	Grand Total	66.53% 91003	33.47% 91004	20286	Total
1	\$ 1,990.36	\$ 86.12	\$ 2,084.48	\$ 1,592.41	\$ 109.41	\$ 73.59	\$ 26.15	\$ 1,801.56	\$ 11,245.81	\$ 15,131.85	\$ 1,386.80	\$ 697.68	\$ 0.76	\$ 2,085.24
2	\$ 2,099.24	\$ 19.83	\$ 2,119.07	\$ 1,133.61	\$ 85.83			\$ 1,219.44	\$ 14,939.96	\$ 18,278.47	\$ 1,409.82	\$ 709.25	(\$15.57)	\$ 2,103.50
3	\$ 1,673.46	\$ 21.84	\$ 1,695.30	\$ 2,126.89	\$ 239.05	\$ 27.99		\$ 2,393.93	\$ 8,236.15	\$ 12,325.38	\$ 1,127.88	\$ 567.42	(\$3.00)	\$ 1,692.30
4	CLOSED		\$ -					\$ -		\$ -	\$ -	\$ -		\$ -
5	\$ 2,139.41	\$ 515.42	\$ 2,654.83	\$ 1,771.54	\$ 288.47		\$ 28.79	\$ 2,088.80	\$ 11,661.81	\$ 16,405.44	\$ 1,766.26	\$ 888.57	\$ 0.66	\$ 2,655.49
6	\$ 2,515.42	\$ 260.36	\$ 2,775.78	\$ 2,484.86	\$ 186.18	\$ 29.14	\$ 27.68	\$ 2,727.66	\$ 8,864.25	\$ 12,387.89	\$ 1,846.73	\$ 929.05	(\$29.07)	\$ 2,746.71
7	\$ 2,026.41	\$ 119.08	\$ 2,145.49	\$ 2,225.39	\$ 222.27			\$ 2,447.66	\$ 143.79	\$ 4,736.94	\$ 1,427.39	\$ 718.10	(\$0.75)	\$ 2,144.74
8	\$ 2,252.95	\$ 65.53	\$ 2,318.48	\$ 1,676.44	\$ 103.25	\$ 138.24		\$ 1,917.93	\$ 13,137.77	\$ 17,374.18	\$ 1,542.48	\$ 778.00	\$ 1.63	\$ 2,320.11
9	\$ 1,663.90	\$ 40.02	\$ 1,703.92	\$ 3,750.75	\$ 189.06		\$ 41.53	\$ 3,981.34	\$ 10,966.72	\$ 16,651.98	\$ 1,133.62	\$ 570.30	\$ 4.00	\$ 1,707.92
10	\$ 2,081.36	\$ 454.71	\$ 2,536.07	\$ 2,501.63	\$ 19.88			\$ 2,521.51	\$ 6,785.85	\$ 11,843.43	\$ 1,667.25	\$ 848.82	(\$0.20)	\$ 2,535.87
11	\$ 1,771.64	\$ 233.83	\$ 2,005.47	\$ 1,367.12	\$ 217.05		\$ 67.82	\$ 1,651.99	\$ 9,216.23	\$ 12,873.69	\$ 1,334.24	\$ 671.23	(\$2.90)	\$ 2,002.57
12	\$ 1,797.91	\$ 40.38	\$ 1,838.29	\$ 1,072.53	\$ 135.34	\$ 41.84	\$ 13.84	\$ 1,263.55	\$ 10,369.25	\$ 13,471.09	\$ 1,223.01	\$ 615.28	(\$8.91)	\$ 1,831.38
13	\$ 2,340.59	\$ 54.77	\$ 2,395.36	\$ 1,738.21	\$ 45.22	\$ 47.68		\$ 1,831.11	\$ 297.45	\$ 4,523.92	\$ 1,593.63	\$ 801.73	\$ 0.20	\$ 2,395.56
14	\$ 2,407.03	\$ 10.77	\$ 2,417.80	\$ 1,578.60	\$ 143.37			\$ 1,721.97	\$ 1,369.07	\$ 5,508.84	\$ 1,608.56	\$ 809.24	\$ 0.16	\$ 2,417.96
15	\$ 1,670.18	\$ 72.91	\$ 1,743.09	\$ 1,295.92	\$ 57.92	\$ 12.57		\$ 1,366.41	\$ 8,471.65	\$ 11,581.15	\$ 1,159.68	\$ 583.41	(\$0.10)	\$ 1,742.99
16	\$ 2,543.30	\$ 90.74	\$ 2,634.04	\$ 1,455.50	\$ 87.67	\$ 32.30	\$ 26.14	\$ 1,601.61	\$ 9,738.06	\$ 13,973.71	\$ 1,752.43	\$ 881.61	\$ 1.00	\$ 2,635.04
17	\$ 1,424.99	\$ 140.47	\$ 1,565.46	\$ 1,687.42	\$ 182.81	\$ 480.55		\$ 2,350.76	\$ 8,544.50	\$ 12,460.74	\$ 1,041.50	\$ 523.96	(\$0.89)	\$ 1,564.57
18	\$ 1,634.17	\$ 135.34	\$ 1,769.51	\$ 852.24	\$ 61.83	\$ 55.09		\$ 969.16	\$ 7,642.16	\$ 10,380.83	\$ 1,177.26	\$ 592.25	\$ 2.09	\$ 1,771.60
19	\$ 1,874.52	\$ 63.68	\$ 1,938.20	\$ 1,484.45	\$ 153.71	\$ 112.95	\$ 8.00	\$ 1,739.11	\$ 9,421.66	\$ 13,098.97	\$ 1,289.48	\$ 648.72	(\$0.08)	\$ 1,938.12
20	\$ 2,103.43	\$ 217.20	\$ 2,320.63	\$ 2,052.56	\$ 293.76	\$ 56.90		\$ 2,403.22	\$ 812.68	\$ 5,536.53	\$ 1,543.92	\$ 776.71	(\$0.07)	\$ 2,320.56
21	\$ 1,858.53	\$ 66.01	\$ 1,924.54	\$ 1,403.74	\$ 100.29		\$ 86.80	\$ 1,590.83	\$ 1,265.81	\$ 4,801.18	\$ 1,280.40	\$ 644.14	(\$0.75)	\$ 1,923.79
22	\$ 1,513.18	\$ 219.82	\$ 1,733.00	\$ 1,123.70	\$ 52.30	\$ 87.65	\$ 33.84	\$ 1,297.49	\$ 10,324.66	\$ 13,355.15	\$ 1,152.96	\$ 580.04	(\$0.08)	\$ 1,732.92
23	\$ 1,381.69	\$ 115.66	\$ 1,497.35	\$ 1,819.66	\$ 190.49	\$ 189.94	\$ 18.33	\$ 2,218.62	\$ 10,377.36	\$ 14,093.33	\$ 996.19	\$ 501.16	\$ 0.80	\$ 1,498.15
24	\$ 1,560.48	\$ 81.10	\$ 1,641.58	\$ 1,408.28	\$ 94.13	\$ 111.36	\$ 15.38	\$ 1,629.15	\$ 6,508.44	\$ 9,779.17	\$ 1,092.14	\$ 549.44	\$ 0.03	\$ 1,641.61
25	\$ 1,993.81	\$ 51.07	\$ 2,044.88	\$ 1,615.14	\$ 34.15		\$ 32.30	\$ 1,681.59	\$ 7,659.54	\$ 11,386.01	\$ 1,360.46	\$ 684.42	(\$0.01)	\$ 2,044.87
26	\$ 1,634.23	\$ 177.49	\$ 1,811.72	\$ 1,094.97	\$ 181.96		\$ 191.27	\$ 1,448.20	\$ 7,582.65	\$ 10,842.57	\$ 1,205.34	\$ 606.38	(\$1.02)	\$ 1,810.70
27	\$ 2,036.53	\$ 36.91	\$ 2,073.44	\$ 1,593.21	\$ 89.20			\$ 1,682.41	\$ 1,364.33	\$ 5,120.18	\$ 1,379.46	\$ 693.98	\$ 1.31	\$ 2,074.75
28	\$ 1,586.55	\$ 132.27	\$ 1,718.82	\$ 1,490.41	\$ 223.33			\$ 1,713.74	\$ 1,265.18	\$ 4,697.74	\$ 1,143.53	\$ 575.29	(\$0.10)	\$ 1,718.72
29	\$ 1,497.90	\$ 115.37	\$ 1,613.27	\$ 1,519.37	\$ 116.90			\$ 1,636.27	\$ 11,298.25	\$ 14,547.79	\$ 1,073.31	\$ 539.96	(\$0.05)	\$ 1,613.22
30	\$ 1,887.34	\$ 398.37	\$ 2,285.71	\$ 2,069.96	\$ 401.92			\$ 2,471.88	\$ 11,133.58	\$ 15,891.17	\$ 1,520.68	\$ 765.03	\$ 0.66	\$ 2,286.37
31	\$ 1,389.33	\$ 503.24	\$ 1,892.57	\$ 1,655.34	\$ 100.29			\$ 1,755.63	\$ 6,473.20	\$ 10,121.40	\$ 1,258.13	\$ 633.44	\$ 0.01	\$ 1,892.58
TOTALS	\$56,357.84	\$4,540.31	\$60,898.15	\$50,622.05	\$4,387.04	\$1,497.79	\$617.87	\$57,124.75	\$225,137.82	\$343,180.72	\$40,515.54	\$20,382.61	(\$48.24)	\$60,849.91

DAILY TICKET REPORT					
DNSWMA TRANSFER STATION					
MONTH: July 2019					
			VOIDED	TICKET	
Date	BEGIN	END	TICKETS	COUNT	
1	1085537	1085818		282	
2	1085819	1086063	1	244	
3	1086064	1086300		237	
4	CLOSED				
5	1086301	1086573		273	
6	1086574	1086888		315	
7	1086889	1087154		266	
8	1087155	1087449	1	294	
9	1087450	1087675	1	225	
10	1087676	1087912		237	
11	1087913	1088142		230	
12	1088143	1088368		226	
13	1088369	1088608	1	239	
14	1088609	1088838		230	
15	1088839	1089070		232	
16	1089071	1089309		239	
17	1089310	1089549		240	
18	1089550	1089755		206	
19	1089756	1090012		257	
20	1090013	1090268	1	255	
21	1090269	1090489		221	
22	1090490	1090706		217	
23	1090707	1090923	3	214	High
24	1090924	1091127		204	315
25	1091128	1091336		209	
26	1091337	1091548		212	Low
27	1091549	1091762		214	202
28	1091763	1091971		209	
29	1091972	1092186		215	Daily Ave.
30	1092187	1092426		240	236
31	1092427	1092628		202	
TOTAL			8	7084	

DNSWMA KLAMATH TRANSFER STATION - DEPOSITS July-2019									
Date	Cash	Checks	TOTAL Deposit	Over / Short	Sales	TOTAL Sales	Charges	TOTAL Cash + Charge	Tickets
July 3, 2019	437.60	154.49	592.09	10.00	582.09	592.09	120.55	712.64	23
July 5, 2019	355.81	9.00	364.81		364.81	364.81		364.81	6
July 7, 2019	917.95	408.68	1,326.63	0.05	1,326.58	1,326.63		1,326.63	54
July 10, 2019	345.65	30.60	376.25		376.25	376.25		376.25	15
July 12, 2019	155.81	38.07	193.88		193.88	193.88		193.88	5
July 14, 2019	739.46	81.66	801.12	9.32	791.80	801.12		801.12	35
July 17, 2019	528.17	166.68	694.85	0.05	694.80	694.85		694.85	20
July 19, 2019	124.49		124.49		124.49	124.49		124.49	1
July 21, 2019	536.86	83.73	620.59		620.59	620.59		620.59	33
July 24, 2019	502.62	52.22	554.84		554.84	554.84		554.84	16
July 26, 2019	155.37		155.37		155.37	155.37		155.37	5
July 28, 2019	547.32	124.54	671.86	0.05	671.81	671.86		671.86	36
July 31, 2019	386.13	33.76	399.89		399.89	399.89	501.75	901.64	24
			0.00			0.00		0.00	
TOTAL	5,713.24	1,163.43	\$ 6,876.67	19.47	6,857.20	\$ 6,876.67	\$ 622.30	\$7,498.97	273
TOTAL SALES (CASH + CHARGE)									
Date	Wednesday	Friday	Sunday						
July 3, 2019	712.64								
July 5, 2019		364.81							
July 7, 2019			1,326.63						
July 10, 2019	376.25								
July 12, 2019		193.88							
July 14, 2019			801.12						
July 17, 2019	694.85								
July 19, 2019		124.49							
July 21, 2019			620.59						
July 24, 2019	554.84								
July 26, 2019		155.37							
July 28, 2019			671.86						
July 31, 2019	901.64								
TOTALS	3,240.22	838.55	\$3,420.20						
DAILY AVERAGE	648.04	209.64	\$855.05						

DNSWMA GASQUET TRANSFER STATION - DEPOSITS July-2019										
Date	Cash	Checks	TOTAL Deposit	Over / Short	Sales	TOTAL Sales	Charges	TOTAL Cash + Charge	Tickets	Notes
July 4, 2019	CLOSED									
July 6, 2019	483.41	272.54	755.95	\$0.95	755.00	755.95	18.45	774.40	37	
July 11, 2019	251.60	42.30	293.90		293.90	293.90		293.90	21	
July 13, 2019	184.61	121.58	306.19	\$0.07	306.12	306.19		306.19	23	
July 18, 2019	160.65	50.26	210.91	(\$0.25)	211.16	210.91		210.91	18	
July 20, 2019	306.29	123.75	430.04		430.04	430.04		430.04	32	
July 25, 2019	81.46	91.84	173.30	\$0.01	173.29	173.30		173.30	12	
July 27, 2019	66.60	74.55	141.15		141.15	141.15		141.15	8	Closed early, smoke
			0.00			0.00		0.00		
TOTAL	\$ 1,534.62	\$ 776.82	\$ 2,311.44	\$0.78	\$ 2,310.66	\$ 2,311.44	\$ 18.45	\$2,329.89	151	
TOTAL SALES (CASH + CHARGE)										
Date	Thursday	Saturday								
July 4, 2019	CLOSED									
July 6, 2019		774.40								
July 11, 2019	293.90									
July 13, 2019		306.19								
July 18, 2019	210.91									
July 20, 2019		430.04								
July 25, 2019	173.30									
July 27, 2019		141.15								
TOTALS	\$678.11	\$1,651.78								
DAILY AVERAGE	\$226.04	\$412.95								

AUTHORITY REVENUE REPORT July 2019

2018/19			2019/2020		
Authority Service Fees			Budget/Month	Adjusted Annual Budget	
			\$ 86,123.74	\$ 1,033,484.84	
2018/19		Comparison FY18/19	2019/2020 Actual / Month		Over Budget / Month
July	\$ 113,416.74	\$ 2,927.28	July	\$ 116,344.02	\$ 30,220.28
August	\$ 115,106.61	\$ -	August		\$ -
September	\$ 106,561.83	\$ -	September		\$ -
October	\$ 116,356.03	\$ -	October		\$ -
November	\$ 98,098.36	\$ -	November		\$ -
December	\$ 89,040.99	\$ -	December		\$ -
January	\$ 98,331.77	\$ -	January		\$ -
February	\$ 77,577.14	\$ -	February		\$ -
March	\$ 101,658.28	\$ -	March		\$ -
April	\$ 99,121.74	\$ -	April		\$ -
May	\$ 106,034.46	\$ -	May		\$ -
June	\$ 114,801.94	\$ -	June		\$ -
Total	\$ 1,236,105.89	\$ 2,927.28	Total	\$ 116,344.02	\$ 30,220.28
Over last year			Exceeding Budget		

AUTHORITY REVENUE REPORT July 2019

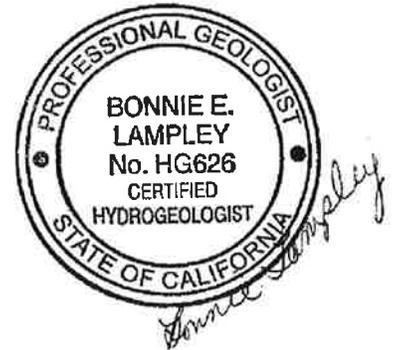
2018 / 2019			2019 / 2020		
Franchise Fee			Budget/Month	Budget/Year	
Actual Annual			\$ 27,666.67	\$ 332,000.00	
2018 / 2019		Comparison FY 18/19	2019 / 2020 Actual / Month		Over Budget
July	\$ 24,992.00	\$ 4,200.00	July	\$ 29,192.00	\$ 1,525.33
August	\$ 26,314.00	\$ -	August		\$ -
September	\$ 30,671.00	\$ -	September		\$ -
October	\$ 28,701.00	\$ -	October		\$ -
November	\$ 27,995.00	\$ -	November		\$ -
December	\$ 27,122.00	\$ -	December		\$ -
January	\$ 25,732.00	\$ -	January		\$ -
February	\$ 28,141.00	\$ -	February		\$ -
March	\$ 27,399.00	\$ -	March		\$ -
April	\$ 25,974.00	\$ -	April		\$ -
May	\$ 27,119.00	\$ -	May		\$ -
June	\$ 26,832.00	\$ -	June		\$ -
Total	\$ 326,992.00	\$ 4,200.00	Total	\$ 29,192.00	\$ 1,525.33
Over last year			Exceeding Budget		

2.5



Technical Memo

To: Tedd Ward, DNSWMA
From: Bonnie Lampley
CC: Kyra Seymour, DNSWMA
Date: August 5, 2019
Re: Discussion of proposed COC monitoring points



As you requested, this memo presents the proposed constituents of concern (COC) monitoring points and parameters for the planned second-half 2019 COC sampling.

The previously proposed list, based on 2002 COC sampling points was as follows (June 29, 2009, email, T. Ward to G. Morrison); in response, Gina requested sampling L-3 (leachate point), and eliminating the W-9 pair and W-10 SH:

W-3S SH	W-9 DEEP
W-9 SH	E-1 DEEP
W-10 SH	E-2 DEEP
SM-7 SH	E-3 DEEP
W-6E SH	W-2 DEEP
E-3 SH	S-1
E-1 SH	S-2B
SM-6 SH	S-3

The following points, and their rationale, are proposed for the 2019 COC sampling; routine sampling would be conducted at currently monitored wells:

POINTS PROPOSED TO BE SAMPLED FOR COC:	
E-1 SH & DEEP E-3 SH & DEEP E-4 SH & DEEP	These points are proposed as downgradient points between the landfill and the nearest residences.
S-3	The surface-water point at the downgradient edge of the landfill, to measure concentration at the point of compliance for surface water.

3.1

POINTS <u>NOT</u> PROPOSED TO BE SAMPLED FOR COC:		
SM-7 SH	Upgradient of landfill, near clean-closed or remediated features; concentrations have been stable since at least 2005. COC analyses would not provide useful data for compliance evaluation in that it has been verified that a release from the landfill has occurred.	
W-3S SH	Upgradient of landfill, downgradient of clean-closed or remediated features; concentrations of general parameters (e.g., TDS, see graph) have been stable since 2004; one VOC detection in 2001, one pesticide detection in 2014. COC analyses would not provide useful data for compliance evaluation in that it has been verified that a release from the landfill has occurred.	
W-6E SH	Cross-gradient and near the landfill, upgradient of E-3 SH and E-4 SH; concentrations have been stable for the period of record, with periodic higher concentrations; VOC have never been detected. Inclusion of this well would not provide useful data for compliance evaluation in that further downgradient points (E-3 and E-4 pairs) will be sampled.	
SM-6 SH	Although this point is downgradient of the landfill, it is a very low producer and it would be difficult to collect the volume needed for the COC analyses. Concentrations of general parameters have been relatively stable (although showing seasonal variations) since 2004. VOC have been nondetected since 2016, since the well head was repaired.	

<p>W-2 DEEP</p>	<p>Cross-gradient and near the landfill; several parameters showed increasing trends through early 2016. It is unusual, in that there is not a correlative increase in TDS in other deep downgradient wells, for example E-2 Deep which has been stable for the period of record. A video survey of W-2, conducted in 2016, did not show damaged casing, but did show that surface-water intrusion had been occurring. L&A staff redeveloped and properly capped W-2 in 2016. Data since then suggests that this work may have been effective in slowing or stopping the increasing trends, as the concentrations of several parameters (alkalinity, bicarbonate, calcium, conductivity, hardness, magnesium, and TDS) have declined or stabilized (see graphs in Attachment B of the second-half 2019 monitoring report). Additionally, VOC have been detected only three times in this well, most recent in 2009 (the 2009 detection likely represented outside contamination, as the same compound was detected at similar concentrations in five other wells, and has not been detected since).</p>	
<p>L-3</p>	<p>L-3 represents leachate within the waste; it is a low-producing point, and typically is dry in summer and fall. Because it is representative of leachate within the waste, it does not provide useful information with regard to compliance, considering that the landfill is already in corrective-action monitoring.</p>	
<p>S-1 S-2B</p>	<p>These surface-water points are upgradient of the proposed sampling point, S-3; because they are upgradient of the surface-water point of compliance, they would not provide useful information with regard to compliance.</p>	

With regard to the parameter list, it is proposed that well pairs E-1 and E-3 (four samples total) be analyzed for the full COC list.

The other COC points would be analyzed for all parameters except chlorinated herbicides (EPA 8151A), organochlorine pesticides and PCB (EPA 608), organophosphorous pesticides (EPA 8141A), and triazine pesticides (EPA 619). Previous analysis (September 2009 and August 2014) of these parameters in all wells except the E-3 pair showed no detections.

Kyra Seymour

From: Morrison, Gina@Waterboards <Gina.Morrison@waterboards.ca.gov>
Sent: Friday, August 9, 2019 12:23 PM
To: Tedd Ward
Cc: 'Kyra Seymour'; 'Bonnie Lampley'; Reed, Charles@Waterboards
Subject: RE: Crescent City Landfill COC points and parameters proposal

Hi Tedd,

Ronald did not say how many 8151's he is limited you to – and you are doing less samples, so hopefully they can do them all – but if not ask him to give you a specific number they can do and then give me your prioritized list. We may require doing this sampling later when the supply issue is resolved if we do not get enough coverage.

Comments on the technical memo.

First off you provide a list of sampling points for the COC and then at the end of the report half the samples are dumped out if the full 5-year COC. This is not acceptable – all the proposed COC points need to be sampled for the full 5-year COC list (notwithstanding the separate 8151 supply issue). Please correct this.

I do not see any reason for excluding E-2 deep and given its downgradient location from an area that other wells do not cover, it should be added for full 5-year COC sampling. For the same reason SM-6 should also be added, even though it is a low producer. Prioritize the sampling like you did in the past for L-3 and if the sampling does not all get done within the time the overall sampling is being done (I would expect the sampling to start here on the first day) then that can be explained in the report.

W-2 Deep's TDS came back up in the very last sample. I will not ask for it to be included in the 5-year COC sample this time, but if the trend continues upward it may be added next time.

W-3S-SH's pesticide detection last time means that if you did not do a retest that was then ND (please provide those results in the memo, if you did a retest), it needs to be sampled for pesticides this time in addition to its regular sampling.

The memo lacks explanation of why previously tested W-9 SH 7 Deep are not on the 5-year COC. Please add this information to the revised memo.

Also, if you continue to be denied sampling at the off-site residences, then the E-4 pair should be added to your regular sampling program.

This leaves you with 9 full sampling points for your full 5-year COC list, cutting your number by around half. Once you get longer term data for the E-4 pair, we can reconsider for next time whether both the E-3 and E-4 pair are need on the COC list.

Please update the memo and resubmit for approval.

Thanks.

Gina

From: Tedd Ward <tedd@recycledelnorte.ca.gov>
Sent: Friday, August 09, 2019 9:19 AM
To: Morrison, Gina@Waterboards <Gina.Morrison@waterboards.ca.gov>
Cc: 'Kyra Seymour' <kyra@recycledelnorte.ca.gov>; 'Bonnie Lampley' <blampley@lwrnc.com>
Subject: FW: Crescent City Landfill COC points and parameters proposal
Importance: High

Gina:

Resending our proposal for COC monitoring this month. See additional feedback from Ron of Northcoast labs below.

Please let us know when your review is complete so we can place the bottle order.

Thanks,

Tedd

From: Ronald Canady <rcanady@northcoastlabs.com>
Sent: Wednesday, August 7, 2019 10:06 AM
To: Kyra Seymour <kyra@recycledelnorte.ca.gov>
Subject: 5 year Sampling 8151

Hi Kyra,

I forgot to warn about this. We are limited on the amount of 8151's that we can do. 8151's were part of the testing 5 years ago. The reason being there is a worldwide shortage of the chemical Diazald, which is required for extraction/esterification. We have about a 1 month supply and it is back ordered until December. We are trying to extract and meet hold times in large batches.

It looks like and I could be wrong, 5 years ago you folks did the Surface Water which was 3 locations. 4 years ago was the 18 locations for ground water. I'm just going by bottle orders right now for this and not looking at actual reports so I could be wrong.

We are trying to get a source from Canada hopefully For Diazald. Many labs are not accepting 8151's until this shortage is over. If you could let us know a rough time frame for sampling that would be helpful. I'm gone thursday afternoon and friday this week (yeah oregon coast!! with doggies) so no rush on getting back to me. This is just a heads up. Hopefully the water board is aware of this issue because it also affects regulated drinking water as well. Take care!

Ron

Ron Canady
Project Manager

Tedd Ward

From: Jeremy Herber <JHerber@recology.com>
Sent: Friday, August 23, 2019 12:00 PM
To: Tedd Ward
Cc: Ed Farewell
Subject: FW: Contract Extension Bullet Points
Attachments: image001.png

Sent from Mail<<https://go.microsoft.com/fwlink/?LinkId=550986>> for Windows 10

From: Jeremy Herber<<mailto:JHerber@recology.com>>
Sent: Monday, August 19, 2019 10:27 AM
To: Ed Farewell<<mailto:EFarewell@recology.com>>
Subject: Contract Extension Bullet Points

Tedd,

Here is a list of bullet points I am recommending for our discussions regarding franchise contract extensions discussions. I apologize for the delay in getting this to you.

- * Place Holder for Northern Transfer Station/ Recycling Containers
- * Set limits on Compactor weights
- * Possible changes in recycling material 1-7
- * Possible recycling theft ordinance
- * Rate review process
- * Purchase of new Streetside/ City Cans
- * Review CPI rate calculations
- * Various minor changes to contract as needed (verbiage)

Please let me know if you would like me to add anything else.

Regards,

Jeremy Herber
General Manager

Recology Del Norte™ | P.O. Box 1933 | Crescent City, CA 95531
T: 707.464.4181 | Jherber@recology.com<<mailto:sphillips@recology.com>>
[cid:image001.png@01D55677.3C040110]Please consider the environment before you print this email.

4.1



Del Norte Solid Waste Management Authority

1700 State Street, Crescent City, CA 95531
Phone (707) 465-1100 Fax (707) 465-1300
www.recycledelnorte.ca.gov

The Authority's mission is the management of Del Norte County solid waste and recyclable material in an environmentally sound, cost effective, efficient and safe manner while ensuring 100% regulatory compliance with law.

Staff Report

Date: 23 August 2019
To: Commissioners of the Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. - Director
File Number: 142019 – Northern Transfer Station
Attachments: None
Topic: Northern Transfer Station Site Identification

Recommendation: That the Board direct staff to work with Supervisor Howard to make a government-to-government presentation to the Tolowa Dee-Ni' Tribal Council within the next 90 days expressly inviting their input and possible collaboration in the identification, selection and development of a site to serve as a Northern Transfer Station.

Background: On 20 August 2019, Director Ward and Facilities Coordinator Seymour met with Executive Director Troy Ralstin and planner Tim Hoone of the Tolowa Dee-Ni to discuss this project.

Analysis: The Tolowa Dee-Ni headquarters is located along Rowdy Creek Road, and tribal staff are quite familiar with the traffic issues and riparian protection concerns in that area. Following that initial meeting, staff felt it was especially important at this time to take a step back and listen to suggestions, feedback and input from the Tribal Council before taking further steps in identifying and/or further evaluating potential sites.

Project: Food Waste Prevention and Rescue Grant funded by the Department of Resources Recycling and Recovery (CalRecycle) through California Climate Investments.

Timeframe: July 22, 2019 – April 1, 2021

Total Grant Funds: \$302,106

Executing Agency: DNATL Community Food Council under Family Resource Center of the Redwoods.

Objective: Rescue, Repurpose (if necessary), and Redistribute 400,000 pounds of edible food in Del Norte County for human consumption through county food assistance organizations.

Identified sectors for food rescue (ordered by highest to lowest in pounds to be rescued): Restaurants; Residential; General Merchandise Stores; Food and Beverage Stores; Institutions (Pelican State Prison, K-12 Schools, College of the Redwoods); Arts, Entertainment, and Recreation; Not Elsewhere Classified (crop & animal production, fishing, agriculture); Hotels and Lodging; Medical and Health.



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Press Release

FOR MORE INFORMATION, CONTACT:

Kyra Seymour, Facilities and Programs Coordinator

Del Norte Solid Waste Management Authority 465-1100

Local Solid Waste Authority wins \$100K Grant

The Del Norte Solid Waste Management Authority with help from California Product Stewardship Council, was recently awarded a competitive Cal Recycle Grant (HD33) worth \$100,000. This grant project will promote use of refillable propane gas cylinders and safe sustainable nontoxic LED marine flares.

Staff will be promoting and building upon the existing infrastructure of local retailers that offer alternatives to these single use hazardous waste items. Del Norte County currently has three locations participating in the Refuel your Fun refillable propane program: Hiouchi Hamlet, Lucky 7 Fuel Mart, and Suburban Propane. As part of this grant, the Authority will host events where single-use propane containers will be exchanged for refillable propane containers.

Authority staff will also be working with the Coast Guard, the Harbor District and marine retailers to expand sales and availability of less-toxic LED marine flares for Del Norte's boating community.

Kyra Seymour, Facilities and Programs Coordinator of the Del Norte Solid Waste Management Authority, said "Our County is the ideal location for these programs as an international recreation destination, with our famous redwoods, clean rivers, and beautiful coastline. With so many opportunities for camping, and boating. Removing propane containers from the waste stream, and toxic marine flares from our waterways, helps keep our environment attractive to the recreating tourists, and locals alike."

6.3

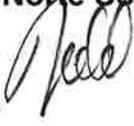


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Staff Report

Date: 23 August 2019
To: Commissioners of the Del Norte Solid Waste Management Authority
From: Tedd Ward, M.S. - Director 
File Number: 151803 - Organic Materials
Attachments: Information related to SB 1383 and requirements for implementation as described in proposed regulations from CalRecycle, and comments on those regulations from the ESJPA of the Rural Counties
Topic: Rural requirements to manage organic materials address short-lived climate pollutants

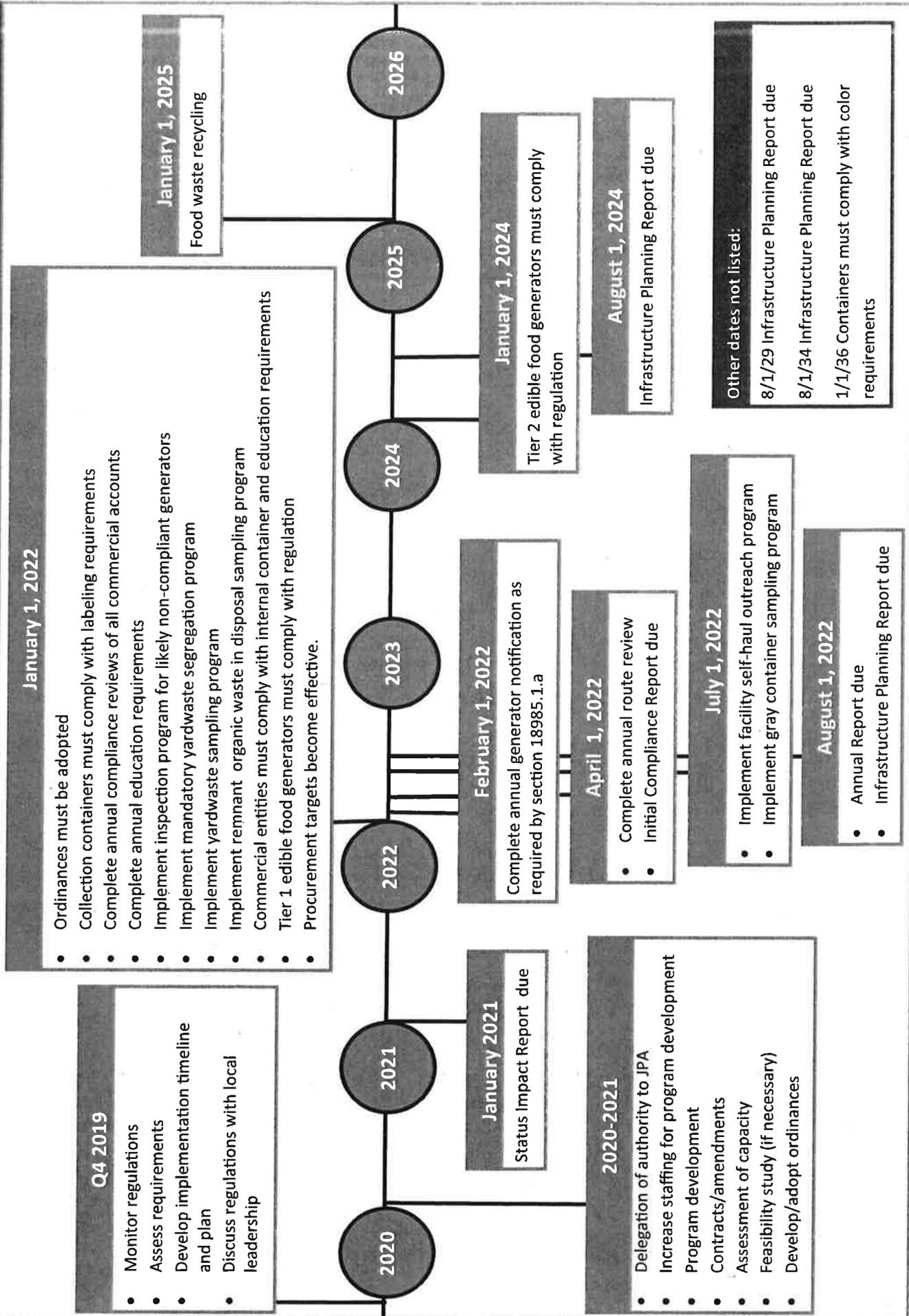
Recommendation: That the Board direct staff to initiate conversations with Senator Mark McGuire and Assemblyman Jim Wood to discuss the potential for proposing legislation for the 2020 legislative session to allow for or enact alternative compliance strategies for rural communities to manage organic materials to address short-lived climate pollutants.

Background: See attached materials. When Director Ward discussed the potential for developing legislation to address our rural concerns, ESJPA staff and other rural representatives expressed interest and concurrence with this strategy. Staff believe the ESJPA staff could be especially helpful in the development and advocacy for such legislation, so their interest and support is a positive sign.

Analysis: See comments from ESJPA on proposed CalRecycle regulations.

Alternatives: Compliance with these regulations as written would require a significant additional community investment. Tehama County estimates that they would need to double their staff in the next few years to do so.

Timeline of Development and Implementation



California Counties - population that speak English less than well

County	Alameda Co.	Alpine Co.	Amador Co.	Butte Co.	Calaveras Co.	Colusa Co.	Contra Costa Co.	Del Norte Co.	El Dorado Co.	Fresno Co.	Glenn Co.	Humboldt Co.	Imperial Co.	Inyo Co.	Kern Co.
Total	7,437	1,092	35,697	210,409	42,964	19,716	1,030,885	26,098	173,716	877,304	26,025	127,669	163,547	17,298	793,138
	1,092	1,092	178	1,052	99	5,154	130	869	4,387	130	638	818	86	3,966	
Spanish or Spanish Creole:	840,561	939	31,744	181,682	39,969	10,401	681,020	22,519	150,968	490,288	16,241	113,567	41,330	14,673	448,338
French (incl. Patois, Cajun):	109,616	14	656	6,134	584	3,998	80,913	906	4,994	128,176	3,630	2,840	52,482	782	126,842
French Creole:	1,268	0	0	24	0	0	465	0	116	69	0	66	1	0	104
Italian:	159	0	0	0	0	0	101	0	0	0	0	0	13	0	0
Portuguese or Portuguese Creole:	513	0	0	20	0	0	511	0	22	135	0	50	10	0	112
German:	1,648	0	0	46	0	0	1,250	15	43	286	15	68	0	0	58
Yiddish:	589	0	19	215	71	0	339	28	75	249	17	28	10	0	86
Other West Germanic languages:	16	0	0	0	0	0	0	0	0	0	0	0	0	0	8
Scandinavian languages:	85	0	5	0	25	0	132	0	12	25	1	0	0	0	0
Russian:	120	0	0	0	14	0	30	0	0	54	0	14	0	0	0
Polish:	273	0	33	3	0	0	107	0	3	45	0	0	0	0	16
Serbo-Croatian:	1,756	0	146	76	0	0	2,923	0	231	321	0	20	0	0	188
Other Slavic languages:	264	0	0	0	0	0	224	0	0	43	0	84	0	0	0
Armenian:	443	0	0	0	0	0	217	0	0	8	0	0	0	10	0
Persian:	483	0	0	39	25	0	447	0	0	236	24	4	0	0	0
Gujarati:	170	0	22	84	7	0	184	0	8	1,665	0	16	32	0	83
Hindi:	4,468	0	0	46	0	0	4,206	0	645	596	0	69	4	9	267
Urdu:	1,722	0	0	85	0	0	268	5	0	199	0	0	40	0	82
Other Indo-European languages:	4,727	0	0	2	15	0	1,643	15	110	507	0	0	61	0	42
Chinese:	1,089	0	0	10	0	0	589	0	0	96	0	0	0	0	11
Japanese:	8,440	0	4	188	0	0	3,734	0	17	6,934	0	31	1	11	3,562
Korean:	1,041	0	0	104	0	0	250	0	29	66	0	12	0	0	0
Other Indo-European languages:	72,517	0	39	555	15	0	17,028	25	301	2,464	11	329	422	34	1,658
Tagalog:	2,240	0	0	38	19	28	1,292	0	65	626	0	10	36	6	307
Other Asian languages:	6,814	0	0	20	0	16	3,610	0	45	728	0	21	162	0	759
Mon-Khmer, Cambodian:	1,414	0	59	427	0	10	427	1	11	2,044	0	18	0	0	377
Hmong:	119	0	107	2,157	31	0	129	87	0	11,286	71	565	0	0	32
Thai:	1,034	0	0	42	0	0	479	29	41	268	0	1	0	0	132
Laotian:	1,191	0	48	82	0	0	609	0	20	3,320	52	31	0	0	16
Vietnamese:	16,116	10	4	207	0	11	4,009	19	309	2,098	32	13	21	4	908
Other Asian languages:	8,005	0	0	95	8	0	2,955	0	35	321	0	27	45	12	459
Tagalog:	19,796	0	11	197	52	12	10,712	25	306	2,122	88	78	178	5	2,977
Other Pacific Island languages:	2,514	0	0	112	0	0	1,493	25	111	378	0	9	2	2	1,513
Navajo:	15	0	0	0	0	0	9	0	0	0	0	0	0	2	0
Other Native North American languages:	58	17	3	6	0	0	0	6	0	3	0	56	20	48	97
Hungarian:	183	0	0	12	0	0	229	0	9	23	0	0	0	0	0
Arabic:	2,702	2	0	92	20	0	1,596	0	17	1,143	20	11	63	0	939
Hebrew:	108	0	4	0	0	0	102	0	75	0	0	0	0	0	7
African languages:	3,427	0	0	13	0	0	1,376	0	0	168	0	0	0	0	213
Other and unspecified languages:	511	0	0	0	36	0	40	0	0	316	0	20	3	0	194

>0.5% English less than very well
>10,000 people English less than very

Compliance Plan Development (Years 2020 -2021)

In 2016, Governor Brown signed SB 1383 into law, requiring that local jurisdictions implement and enforce certain organic waste diversion and recycling programs. The regulations take affect January 1, 2022, with

several milestones taking effect at later dates. This plan is intended to outline the programs and administrative requirements that must be established in order to achieve compliance.

Compliance Plan Development includes development and/or facilitation of:

- 22 contracts, contract amendments, resolutions, ordinances and/or other enforceable mechanisms
- 18 outreach, monitoring and/or enforcement programs
- Infrastructure assessment and planning for edible food recovery and organic waste recycling

Program Development

To comply with the many requirements of the regulation, the Agency will:

- Develop public complaint program
- Develop commercial and residential monitoring and compliance programs
- Develop waste sampling programs for landfill, recyclable non-organic waste and organic waste
- Develop generator assistance programs

Target

By October 2021, all programs necessary to meet regulation requirements will be developed and vetted by Agency member jurisdictions, and implementation will begin.

Agreements & Ordinances

The proposed regulation requires specific enforceable mechanisms to be adopted by jurisdictions. To comply with this requirement, the Agency will facilitate:

- Franchise hauling agreement amendments
- Ordinance drafting and adoption
- Contracts or contract amendments for material stream management and/or processing

Target

By the fall of 2021, all contracts will be amended or approved by respective jurisdictions. As required by the regulation, enforceable mechanisms must be adopted by January 1, 2022.

Edible Food Recovery

The regulations identify two tiers of edible food generators, with phase-in compliance dates for each tier. In order to ensure that each tier is aware of its requirement to comply and sufficient storage infrastructure exists, the Agency will determine or facilitate:

- Develop identification and monitoring program
- Assess available capacity for edible food storage
- Construct additional capacity, as needed

Target

By August 2021, all program development and capacity analysis will be complete. Cold storage capacity shortfall will need to be assessed per regional area for efficiency purposes.

Recycling Infrastructure

The County does not currently have sufficient organic waste recycling capacity to manage projected organic waste generation. In the absence of a nearby program, the region will need to:

- Conduct feasibility studies
- Construct additional capacity
- Submit infrastructure planning reports periodically to ensure constructed capacity meets future needs.

Target

By January 1, 2022, the Agency will secure guaranteed yard and wood waste recycling capacity at a local composting facility. Infrastructure for food waste recycling will need to be constructed by 2025.

ESJPA Solid Waste 101

August 15, 2019

Preparing for Implementation of SB 1383

1. Overview of session
2. Current status
3. Review mandate and timelines
4. SB 1383 Components Review
5. Strategy
6. Tools available and tools needed
7. Next steps

Handouts

- Summary of Proposed regulations June 17, 2019 version
- SB 1383 regulations Diagram
- Cart collection chart
- Resource group overview
- Procurement chart
- Language chart

ESJPA/RCRC County SB 1383 Procurement Targets

June 17, 2019 version

Statistic	Jurisdiction	Population DOF E-1	Organic Waste Target	Compost	Any combination of the these options							Renewable gas Injection (therms)	Renewable gas Diesel Equivalents (gallon)
					Biomass (kilowatt-hours)	Renewable gas Electricity (kilowatt-hours)	Renewable gas Heating (therms)	Renewable gas Injection (therms)	Renewable gas Electricity (kilowatt-hours)	Renewable gas Heating (therms)	Renewable gas Injection (therms)		
Units	California	39,927,315	3,194,185	1,852,627	25,952,754,750	772,992,818	70,272,074	86,243,000	67,077,889				
ESJPA	Alpine	1,162	93	54	755,300	22,496	2,045	2,510	1,952				
ESJPA	Amador	38,294	3,064	1,777	24,891,100	741,372	67,397	82,715	64,334				
ESJPA	Butte	226,466	18,117	10,508	147,202,900	4,384,382	398,580	489,167	380,463				
ESJPA	Calaveras	45,117	3,609	2,093	29,326,050	873,465	79,406	97,453	75,797				
ESJPA	Colusa	22,117	1,769	1,026	14,376,050	428,185	38,926	47,773	37,157				
ESJPA	Del Norte	27,401	2,192	1,271	17,810,650	530,483	48,226	59,186	46,034				
ESJPA	El Dorado	191,848	15,348	8,902	124,701,200	3,714,177	337,652	414,392	322,305				
ESJPA	Glenn	29,132	2,331	1,352	18,935,800	563,996	51,272	62,925	48,942				
RCRC	Humboldt	135,333	10,827	6,279	87,966,450	2,620,047	238,186	292,319	227,359				
ESJPA	Imperial	190,266	15,221	8,828	123,672,900	3,683,550	334,868	410,975	319,647				
ESJPA	Inyo	18,593	1,487	863	12,085,450	359,960	32,724	40,161	31,236				
ESJPA	Lake	65,071	5,206	3,019	42,296,150	1,259,775	114,525	140,553	109,319				
ESJPA	Lassen	30,150	2,412	1,399	19,597,500	583,704	53,064	65,124	50,652				
ESJPA	Madera	159,536	12,763	7,402	103,698,400	3,098,617	280,783	344,598	268,020				
ESJPA	Mariposa	18,068	1,445	838	11,744,200	349,796	31,800	39,027	30,354				
RCRC	Mendocino	89,009	7,121	4,130	57,855,850	1,723,214	156,656	192,259	149,535				
RCRC	Merced	282,928	22,634	13,128	183,903,200	5,477,486	497,953	611,124	475,319				
ESJPA	Modoc	9,602	768	446	6,241,300	185,895	16,900	20,740	16,131				
ESJPA	Mono	13,616	1,089	632	8,850,400	263,606	23,964	29,411	22,875				
RCRC	Napa	140,779	11,262	6,532	91,506,350	2,725,481	247,771	304,083	236,509				
ESJPA	Nevada	98,904	7,912	4,589	64,287,600	1,914,781	174,071	213,633	166,159				
RCRC	Placer	396,691	31,735	18,406	257,849,150	7,679,938	698,176	856,853	666,441				
ESJPA	Plumas	19,779	1,582	918	12,856,350	382,921	34,811	42,723	33,229				
RCRC	San Benito	62,296	4,984	2,891	40,492,400	1,206,051	109,641	134,559	104,657				
RCRC	San Luis Obispo	280,393	22,431	13,010	182,255,450	5,428,408	493,492	605,649	471,060				
ESJPA	Shasta	178,773	14,302	8,295	116,202,450	3,461,045	314,640	386,150	300,339				
ESJPA	Sierra	3,213	257	149	2,088,450	62,204	5,655	6,940	5,398				
ESJPA	Siskiyou	44,584	3,567	2,069	28,979,600	863,146	78,468	96,301	74,901				
RCRC	Sonoma	500,675	40,054	23,231	325,438,750	9,693,068	881,188	1,081,458	841,134				
RCRC	Sutter	97,490	7,799	4,524	63,368,500	1,887,406	171,582	210,578	163,783				
ESJPA	Tehama	64,387	5,151	2,988	41,851,550	1,246,532	113,321	139,076	108,170				
ESJPA	Trinity	13,688	1,095	635	8,897,200	265,000	24,091	29,566	22,996				
RCRC	Tulare	479,112	38,329	22,231	311,422,800	9,275,608	843,237	1,034,882	804,908				
ESJPA	Tuolumne	54,590	4,367	2,533	35,483,500	1,056,862	96,078	117,914	91,711				
RCRC	Yolo	222,581	17,806	10,328	144,677,650	4,309,168	391,743	480,775	373,936				
RCRC	Yuba	77,916	6,233	3,615	50,645,400	1,508,454	137,132	168,299	130,899				

California Counties - pop

County	Santa Cruz Co.	Shasta Co.	Sierra Co.	Siskiyou Co.	Solano Co.	Sonoma Co.	Stanislaus Co.	Sutter Co.	Tehama Co.	Trinity Co.	Tulare Co.	Tuolumne Co.	Ventura Co.	Yolo Co.	Yuba Co.
Total	254,315	168,561	2,927	41,606	399,429	468,274	488,228	88,685	59,134	12,741	413,709	51,827	786,625	195,167	67,372
	1,272	843	15	208	1,997	2,341	2,441	443	296	64	2,069	259	3,933	976	337
	173,083	154,328	2,649	38,309	281,699	347,223	288,636	55,719	48,222	11,484	203,121	48,176	484,117	123,868	51,112
Spanish or Spanish Creole:	30,230	2,380	95	1,013	26,523	42,419	62,045	8,149	3,814	286	90,883	722	105,811	17,265	4,700
French (incl. Patois, Cajun):	140	48	0	18	149	204	71	23	7	0	61	6	453	40	0
French Creole:	0	0	0	0	44	54	0	0	0	0	0	0	0	0	5
Italian:	98	71	0	27	48	187	76	10	2	0	42	0	291	15	17
Portuguese or Portuguese Creole:	356	9	0	2	71	555	1,293	34	37	14	1,087	27	76	208	102
German:	168	83	0	6	174	234	300	15	1	0	23	24	533	79	18
Yiddish:	0	0	0	0	16	0	11	0	0	0	13	0	0	16	0
Other West Germanic languages:	16	9	0	0	19	53	49	0	9	0	133	0	54	0	0
Scandinavian languages:	0	7	0	0	7	3	17	0	4	0	13	9	74	0	0
Greek:	45	8	0	0	73	21	80	6	0	0	0	0	29	10	0
Russian:	112	160	0	9	298	373	521	118	16	0	14	17	413	1,642	24
Polish:	28	23	0	0	21	33	7	7	0	0	21	0	76	12	0
Serbo-Croatian:	36	0	0	0	8	47	28	0	8	0	63	7	77	15	0
Other Slavic languages:	53	0	0	0	7	89	71	15	0	0	0	10	102	247	15
Armenian:	14	37	0	4	7	36	109	0	26	0	0	0	193	46	0
Persian:	108	212	0	0	208	354	558	153	0	0	47	5	1,257	266	8
Gujarati:	0	30	0	5	93	119	97	0	0	0	0	0	240	70	24
Hindi:	66	0	0	4	381	132	1,047	99	0	0	4	0	357	325	0
Urdu:	0	0	0	0	97	216	130	104	0	0	12	0	85	133	6
Other Indic languages:	41	16	0	3	889	611	2,579	5,018	15	0	301	67	449	1,098	58
Other Indo-European languages:	0	14	0	0	63	144	129	7	0	0	0	0	159	235	0
Chinese:	856	608	0	56	1,598	1,628	1,289	150	36	10	444	63	3,915	3,749	365
Japanese:	235	43	0	0	403	291	120	109	0	0	125	7	769	193	22
Korean:	146	81	0	34	519	285	400	15	209	5	169	0	1,514	613	44
Mon-Khmer, Cambodian:	2	34	0	0	67	484	1,660	0	0	0	19	22	89	119	17
Hmong:	17	126	0	0	73	0	442	126	20	0	374	0	0	89	777
Thai:	78	114	0	4	173	155	13	0	0	0	2	8	376	161	13
Laotian:	0	127	0	33	318	396	587	34	0	0	594	6	32	222	19
Vietnamese:	167	53	1	19	1,284	766	830	110	10	0	196	0	1,618	774	95
Other Asian languages:	98	230	0	8	532	211	67	0	0	0	1,113	0	670	290	23
Tagalog:	430	187	0	27	9,081	667	911	215	8	0	1,381	9	4,433	487	163
Other Pacific Island languages:	185	37	0	51	535	256	364	55	0	1	944	0	398	104	35
Navaio:	0	0	0	0	0	0	0	0	0	0	0	17	0	0	0
Other Native North American languages:	12	4	0	2	0	4	0	0	18	0	3	0	0	35	0
Hungarian:	0	0	0	3	23	0	2	0	0	0	0	0	125	9	0
Arabic:	92	22	0	0	355	153	1,233	63	0	0	458	0	1,180	166	22
Hebrew:	0	0	0	0	0	0	0	0	0	0	0	0	88	5	0
African languages:	16	0	0	0	184	575	7	0	0	0	13	0	93	110	0
Other and unspecified languages:	129	19	0	0	0	52	3,331	0	0	0	3	0	743	0	30

>0.5% English less than very well
>10,000 people English less than very



**Rural Counties
Environmental Services
Joint Powers Authority**

ESJPA

**SB 1383 SLCP Organic Waste Reductions
Proposed Regulation Text Requirements**

August 15, 2019

This summary is based upon the June 17, 2019 proposed CalRecycle Short-Lived Climate Pollutants regulations and provides an overview, divided into proposed requirements for different entities including:

Contents

General Provisions	2
Jurisdictions	3
Generators	18
Haulers	21
Transfer/Processing Operations and Facilities	25
Composting Operations	32
In-Vessel Digestion Operations	34
Solid Waste Landfills	36
Local Enforcement Agencies	38
CalRecycle	40

Refer to the entire document for specific details regarding the requirements. The proposed regulations are available at: <https://www.calrecycle.ca.gov/docs/cr/laws/rulemaking/slcp/proptextjune2019.pdf>

Each respective entity should refer to Article 16 of the proposed regulations, Administrative Civil Penalties for Violations of Requirements of the Chapter, for the specific description of violations, the levels of violations, and penalty amounts that shall be imposed by the jurisdiction and the Department. (See pages 70-90 of the proposed regulations)

General Provisions

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 12: Short-Lived Climate Pollutants

General Provisions

18981.1. Scope of Chapter. This Chapter establishes regulatory requirements for jurisdictions, generators, haulers, solid waste facilities, and other entities to achieve the organic waste reduction targets.

Article 1. Definitions

18982. Definitions. All definitions are found on pages 4-12.

18982. (a)(46) "organic waste" means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges.

Article 2. Landfill Disposal and Reductions in Landfill Disposal

18983.1. Landfill Disposal and Recovery. (a) Final disposition of organics at a landfill and the use of organic waste as ADC or AIC at a landfill of organic waste, except the use of Material Recovery Fines that do not contain organic waste, shall be deemed to constitute landfill disposal.

18983.1. (b) Organic waste sent to an operation that qualifies as a "Recycling Center"; a "Compostable Material Handling Operation or Facility"; and "In-vessel Digestion Operation or Facility"; a Biomass Conversion operation or facility; used a soil amendment for erosion control, revegetation, slope stabilization, or landscaping at a landfill when the material is used in a specified manner; land application subject to conditions; and lawful use as animal feed shall be deemed to constitute a reduction of landfill disposal.

18983.2. Determination of Technologies that Constitute a Reduction in Landfill Disposal. Provides a process for other operations, facilities, or activities not listed above to be deemed to constitute a reduction in landfill disposal.

Jurisdictions

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 12: Short-Lived Climate Pollutants

General Provisions

18981.2. Implementation Requirements on Jurisdictions. (a) By January 1, 2022, a jurisdiction shall adopt an enforceable mechanism to mandate that organic waste generators, haulers, and other entities under its jurisdiction comply with the requirements of this chapter.

18981.2. (b) A jurisdiction may designate a public or private entity to fulfill its responsibilities under this chapter. A designation shall be made through any one or more of the following: (1) Contracts with haulers or other private entities; or, (2) Agreements.

18981.2. (c) If a jurisdiction chooses to use public or private entities to fulfill the requirements, the jurisdiction is ultimately responsible for compliance.

18981.2. (d) Nothing in this chapter authorizes a jurisdiction to delegate its authority to impose civil penalties, or to maintain an action to impose civil penalties, to a private entity.

Article 3. Organic Waste Collection Service

18984. (c) A jurisdiction may provide any combination of organic waste collection services specified in Sections 18984.1, .2, and .3 (below) to generators subject to its authority.

18984.1. Three-Container Organic Waste Collection Service. A jurisdiction may implement a three-container collection service by providing a green (organic waste), blue (recyclables), and a gray (non-organic waste) containers. This section provides additional details on materials accepted and restricted in each container, changes yellow to brown container for separated food waste, when the use of compostable plastic or plastic bags are acceptable in the containers, the acceptable use of uncontainerized green waste and yard waste collection service, labeling requirements, and facility requirements for each container type (pages 17-18).

18984.2. Two-Container Organic Waste Collection Service. A jurisdiction may implement a two-container collection service by providing a green (organic waste) and a gray (comingling of all other collected waste not intended for the green container) container, or a blue (non-organic recyclables only) and a gray (comingling of all other collected waste not intended for the blue container) container. This section provides additional details on materials accepted and restricted in each container, when the use of compostable plastic or plastic bags are acceptable in the containers, the acceptable use of uncontainerized green waste and yard waste collection service, labeling requirements, and facility requirements for each container type (pages 19-20).

18984.3. Unsegregated Single-Container Collection Services. (a) A jurisdiction may implement a single gray container collection service provided the contents are transported to a high diversion organic waste processing facility. (page 21)

18984.3. (b) If the facility has an annual average mixed waste organic content recovery rate that is lower than required for two consecutive quarterly reporting periods or three reporting periods within three years, the facility shall not qualify as a high diversion organic waste processing facility.

18984.3. (c) If a jurisdiction is in violation due to using a facility unable to meet the required annual average mixed waste organic content recovery rate, the jurisdiction shall be subject to the enforcement process, which may include a corrective action plan.

This section provides additional details on the use of consolidation sites, the use of bags for organic wastes are acceptable in the containers, and the acceptable use of uncontainerized green waste and yard waste collection service.

18984.5. Container Contamination Minimization. (a) A jurisdiction shall monitor the 3 and 2 container collection service to minimize prohibited contaminants in a manner that complies with either subdivision (b) or (c) of this section. (pages 22-24)

18984.5. (b) A jurisdiction may meet its container contamination minimization requirements by conducting route reviews for prohibited contaminants on randomly selected containers, with all collection routes being reviewed annually.

- (1) If contaminants are found in a generator's container, the jurisdiction shall contact or provide written notice to the generator, which may be left on the container, and shall include information on the requirements to properly separate materials.
- (2) If contaminants are found in the green or blue container, the contents may be disposed.
- (3) If contaminants are found on more than three consecutive occasions, the jurisdiction may impose additional contamination processing fees and may impose penalties.
- (4) If the jurisdiction designates container contamination monitoring requirements to a designee, and the designee observes container contaminants, the designee shall inform the jurisdiction in writing, each month, with the address of the generator and the date the contamination was observed. A designee may only dispose of a container with visible prohibited container contaminants with the consent of the jurisdiction.

18984.5. (c)(1)(A)&(B) A jurisdiction may meet its container contamination minimization requirements by conducting waste evaluations that meet the following standards. Conduct waste evaluations of the green and blue containers twice per year in different seasons. (pages 23-24)

- (1)(C) Samples shall be taken for each container type from different areas in the jurisdiction that are representative of the jurisdiction and account for no less than 0.5% of the weekly tonnage collected.
- (1)(D) The number of samples is determined by the number of generators on the route according to the following:

Route customers	Minimum samples
<1,500	25
1,500-4,000	30
4,000-7,000	35
>7,000	40

- (1)(E) Samples are transported to a permitted solid waste facility sorting area to determine the ratio of contaminants for each container type by weight. For each container type, all samples are emptied in a pile on the sorting area. A 200-pound sample is randomly selected from different areas of the pile, contaminants removed and weighed, and the ratio determined.
- (2) If contamination exceeds 25% for any container type, the jurisdiction shall notify all generators on the sampled collection route to properly separate materials or perform targeted route reviews and notify the specific generators to properly separate materials.

18984.5. (e) A jurisdiction is not required to monitor containers for contamination (page 24) if:

- (1) The solid waste facilities processing the jurisdiction's green container recover 75 % of the organic content received at the facility.
- (2) The solid waste facilities serving the jurisdiction's gray containers demonstrates organic waste present is less than 25% as determined by Sections 17409.5.7 – 17409.5.7.2 (page 119) and Sections 20901-20901.2 (page 153).

18984.7. Container Color Requirements. (a) A jurisdiction shall provide collection containers to generators that comply with the container color requirements. (b) A jurisdiction is not required to replace functional containers or lids that do not comply with the color requirement prior to the end of their useful life or January 1, 2036, whichever comes first.

18984.8. Container Labeling Requirements. (a) and (b) Commencing January 1, 2022, a jurisdiction shall place a label that include language or graphic images on each new container or lid provided to generators, consistent with the applicable container collection requirements and limitations, specifying what materials are allowed in each container.

18984.8. (c) Labels shall clearly indicate items that are prohibited container contaminate for each container.

Waivers and Exemptions

18984.11. Waivers and Exemptions Granted by a Jurisdiction. (a) A jurisdiction may grant one or more of the following types of waivers: (page 28)

- (1) A De Minimis Waiver if the total solid waste collection service is two cubic yards or more per week and the organic waste is less than 20 gallons per week of the total waste or the total solid waste collection service is less than two cubic yards per week and the organic waste is less than 10 gallons per week of the total waste.
- (2) A physical space waiver if there is documentation or evidence that its premises lack adequate space for separate organic waste containers.
- (3) A collection frequency waiver to any generator that subscribes to a 3 or 2 container organic waste collection service to arrange for a service that collects waste not placed in the green container once every fourteen days provided it is approved by the solid waste Local Enforcement Agency (LEA) and will not result in the propagation of vectors or other public health, safety, or nuisance issues.

18984.11. (c) The authority to issue a waiver authorized by this section cannot be delegated to a designee.

18984.12. Waivers and Exemptions Granted by the Department. (a) and (b) Low Population Waiver. An incorporated city that disposed of less than 5,000 tons of solid waste in 2014 and that has a total

population of less than 7,500 people or a county with census tracts that have a population density of less than 75 people per square mile may apply to CalRecycle for a low population waiver as specified in this section. The waiver shall be good for a period of up to five years.

→ 18984.12. (b) (3) A jurisdiction may apply to renew a waiver at any time up to 180 days prior to the expiration of an existing waiver.

18984.12. (c) Rural Exemptions. The Department shall grant an exemption from complying with the organic waste collection requirements until January 1, 2025, for jurisdictions that meet the definition of a "Rural Jurisdiction" under the AB 1826 mandatory commercial organics recycling (counties with a population less than 70,000) if the jurisdiction adopts a resolution that includes a finding as to the purpose of and need for the exemption.

18984.12 (d) Elevation Waivers. (1) and (2) A city or a county may apply to the Department for waiver for the jurisdiction and some or all of its generators from the requirement to separate and recover food waste and food soiled paper if the jurisdiction is located at or above an elevation of 4,500 feet. This section includes additional specific provisions for applying for this waiver.

18984.13. Emergency Circumstances, Abatement, and Quarantined Materials. (a) Emergency Processing Facility Temporary Equipment or Operational Failure Waivers. If a facility processing a jurisdiction's organic waste notifies the jurisdiction that unforeseen operational restrictions have been imposed on it by a regulatory agency or that a unforeseen equipment or operational failure will prevent the facility from processing, the jurisdiction may allow the organic waste stream to be deposited in a landfill for up to 90 days from the date of the restriction or failure. The jurisdiction shall notify the Department within 10 days of the waiver decision and shall include the period that the jurisdiction has allow the organic waste stream to be deposited in a landfill.

18984.13. (b) Disasters and emergency waivers: (1) A jurisdiction may submit a request for a waiver for the disposal of "disaster debris" that cannot be diverted that are subject of a disaster. (2) The Department may waive the organic waste collection requirement of this article in the affected areas for the duration of the waiver. (3) A jurisdiction may dispose of sediment debris removed from dams, culverts, reservoirs, channels and other flood control infrastructure if the material is subject to a waste discharge requirement issued by the regional water quality control board that requires the average organic content of the debris to be less than five percent.

18984.13. (c) A jurisdiction is not required to separate or recover organic waste that is removed from homeless encampments and illegal disposal sites as part of an abatement activity to protect public health and safety. If the total amount of solid waste removed is expected to exceed 100 tons annually, the jurisdiction shall record the amount of materiel removed.

18984.13. (d) A jurisdiction may dispose of specific types of organic waste that are subject to quarantine and meet specific requirements involving the California Department of Food and Agriculture or the County Agricultural Commissioner.

Article 4. Education and Outreach

18985.1. Organic Waste Recovery Education and Outreach. (a), (b), and (c) Prior to February 1, 2022 and annually thereafter, a jurisdiction shall provide specific information to organic waste generators on the proper segregation for the type of collection service provided, methods for prevention and recycling,

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methane reduction benefits, public health, safety and environmental impacts, through print or electronic media or direct contact through workshops, meetings, or on-site visits.

18985.1. (d) A jurisdiction may comply with the requirements through use of a designee.

18985.1. (e) A jurisdiction shall make the information linguistically accessible to its non-English speaking residents in the following manner.

(1) For any language that is spoken by more than 10,000 persons or 0.5% of the jurisdiction's residents, and the population speaking that language speaks "English less than very well," the jurisdiction shall make the information available online in the language, and provide a notice in their written materials in the applicable language informing its generators where non-English speaking residents can find linguistically accessible information online.

(2) For any language that is spoken by more than 50,000 persons or 5% of the jurisdiction's residents, and the population speaking that language speaks English less than very well, the jurisdiction shall include the information required by this section in the materials it provides generators pursuant to subdivision.

18985.1. (f) A jurisdiction is only required to provide the education and outreach material every other year if the solid waste facilities processing the jurisdiction's green containers collection stream recover 75% of the organic content received at the facility and the sampling conducted of the gray container collection stream demonstrates an average weight of organic waste present in gray container material of less than 25%.

18985.2. Edible Food Recovery Education and Outreach. (a) Prior to February 1, 2022, a jurisdiction shall develop and maintain a list of food recovery organizations and services operating within the jurisdiction and maintain the list on the jurisdiction's website.

18985.2. (b) At least annually a jurisdiction shall provide commercial businesses that generate edible food with information about the jurisdiction's edible food recovery collection program, about commercial edible food generators requirements, and about food recovery organization and services operating within the jurisdiction.

Article 7. Regulation of Haulers

18988.1. Jurisdiction Approval Haulers and Self-Haulers. (a) A jurisdiction shall require haulers to meet the requirements and standards and to identify the facilities to which they will transport the organic waste as a condition of approval to collect organic waste.

18988.1. (b) If a jurisdiction allows generators to self-haul organic waste, it shall adopt an enforceable mechanism that requires compliance with the requirements for self-haulers.

Article 8. CALGreen Building Standards and Model Water Efficient Landscape Ordinance

18989.1. CalGreen Building Codes. A jurisdiction shall adopt an enforceable requirement that requires compliance with the CalGreen Building Standards Code pertaining to recycling by residential and non-residential.

18989.2. Model Water Efficient Landscape Ordinance. A jurisdiction shall adopt an enforceable requirement that requires compliance with the Model Water Efficient Landscape Ordinance.

Article 9. Locally Adopted Standards and Policies

18990.1. Organic Waste Recovery Standards and Policies. (b) A jurisdiction shall not implement or enforce an ordinance, policy, procedure, permit condition, or initiative that prohibits processing organic waste; limit a particular solid waste facility, operation, property, or activity from accepting organic waste imported from outside the jurisdiction for processing or recovery; require a generator or hauler to transport organic waste to a solid waste facility that does not process or recover organic waste; require a generator to use an organic waste collection service that do not recover at least the same types of organic waste recovered by a service the generator previously had in place.

18990.2. Edible Food Recovery Standards and Policies. (a) A jurisdiction shall not prohibit the ability of a generator or food recovery organization to recover edible food that could be recovered for human consumption.

18990.2. (c) The provisions of the California Good Samaritan Food Donation Act of 2017 apply.

18990.2 (d) An edible food recovery service or organization may refuse to accept edible food from a commercial edible food generator.

Article 10. Jurisdiction Edible Food Recovery Programs, Food Generators, and Food Recovery

18991.1 Jurisdiction Edible Food Recovery Program (a) A jurisdiction shall implement an edible food recovery program that shall educate commercial edible food generators as set forth in section 18985.2, increase edible food generators access to edible food recovery organizations and recovery services, monitor commercial edible food generators compliance, and increase edible food recovery capacity if the jurisdiction does not have sufficient capacity to meet it recovery needs.

18991.1 (b) A jurisdiction may fund the actions taken to comply with this section through franchise fees, local assessments, or other funding mechanisms.

Article 11. Organic Waste Capacity Planning

18992.1. Organic Waste Recycling Capacity Planning. (a) Counties, in coordination with cities and regional agencies shall estimate the amount of all organic waste in tons that will be disposed by the county and jurisdictions, identify the amount in tons of existing organic waste recycling infrastructure capacity both in county and outside of the county that is verifiably available to the county and jurisdictions within the county, and estimate the amount of new or expanded organic waste facility capacity that will be needed to process the organic waste identified.

18992.1. (b) Cities and regional agencies shall respond to a counties request for information within 120 days of the request. If a jurisdiction fails to provide the information, the county is not required to include estimates for that jurisdiction in the report it submits to the Department but shall identify the jurisdiction that did not provide the information in the report submitted to the Department.

18992.1. (c) The county shall consult with the EA and local task force on the status of locations for new or expanded solid waste facilities; consult with haulers and owner of facilities, operations, and activities that recover organic waste, including composting, in-vessel digestion facilities and POTWs; and consult with composting operators to gather information on the existing capacity and potential new or expanded capacity at those facilities.

18992.1. (c)(3) The county shall conduct community outreach regarding locations being considered for new or expanded facilities to seek feedback on the benefits and impacts that may be associated with the new or expanded facilities, including communication with disadvantaged communities and include communication that is linguistically accessible to non-English speaking residents that conforms with the requirements of section 18985.1 (e).

18992.1. (d) If a county determines that additional organic waste capacity is needed, the county shall notify the jurisdiction(s) that lack sufficient capacity that each jurisdiction is required to submit an implementation schedule to the Department that demonstrates how it will ensure there is enough new or expanded capacity to recover the organic waste generated within the jurisdiction by the end of the report period, that includes timelines and milestones for planning efforts to access facilities, including obtaining funding and identification of the new or expanded facilities.

18992.1. (e) The notice the county provides jurisdictions shall be provided on or before the county submits its report to the Department.

18992.2. Edible Food Recovery Capacity. (a) Counties, in coordination with cities and regional agencies shall estimate the amount of edible food that will be disposed of by commercial edible food generators within the county, identify existing capacity at edible food recovery organizations that is available to commercial edible food generators, identify proposed new or expanded edible food recovery organizations that will be used to process edible food, and identify the amount of capacity at edible food recovery organizations that is necessary to recover 20 % of the edible food that is estimated to be disposed.

18992.2. (b) The county shall consult with edible food recovery organizations and services regarding existing, or proposed new and expanded, capacity that could be accessed by the jurisdiction and its commercial edible food generators.

18992.2. (c) If a county identifies that new or expanded capacity is needed to recover the amount of edible food identified to recover, then each jurisdiction within that county that lacks capacity shall submit an implementation schedule to the Department that demonstrates how it will ensure there is enough new or expanded capacity to recover the edible food currently disposed of by commercial edible food generators within its jurisdiction by the end of the reporting period, that includes timelines and milestones for planning efforts to access facilities, including obtaining funding and identification of the new or expanded facilities.

18992.2. (d) If the county finds that new or expanded capacity is needed then on or before the county submits its report to the Department, the county shall notify the jurisdictions that lack sufficient capacity.

18992.3. Schedule for Reporting. (a) Counties shall conduct the planning requirements and report to CalRecycle on the following schedule:

- (1) August 1, 2022 for the period covering January 1, 2022 through December 31, 2024.
- (2) August 1, 2024 for the period covering January 1, 2025 through December 31, 2034.
- (3) August 1, 2029 for the period covering January 1, 2030 through December 31, 2039.
- (4) August 1, 2034 for the period covering January 1, 2035 through December 31, 2044.

Article 12. Procurement of Recovered Organic Waste Products

18993.1. Recovered Organic Waste Product Procurement Target. (a) A jurisdiction shall annually procure a quantity of organic waste products that meets or exceeds its current annual recovered organic waste product procurement target as determined by the Department.

18993.1. (b) Annually the Department shall confirm the annual recovered organic waste product procurement target for each jurisdiction, calculated by multiplying the per capita procurement target (=0.08 tons of organic waste per CA resident per year) by the jurisdiction's population.

18993.1. (e) A jurisdiction shall comply by direct procurement of recovered organic waste products or requiring that a direct service provider procure organic waste products.

18993.1. (f) The recovered organic waste products that a jurisdiction may procure to comply are:

- (1) Compost that is produced at a permitted or authorized compostable material handling operation or facility or a permitted large volume in-vessel digestion facility (one ton of organic waste in a recovered organic waste product procurement target shall constitute 0.58 tons or 1.45 cubic yards of compost).
- (2) Renewable gas used for fuel for transportation, electricity, heating application, or pipeline injection (one ton of organic waste in a recovered organic waste product procurement target shall constitute 19 diesel gallon equivalents, or DGE, of renewable transportation fuel).
- (3) Electricity from biomass conversion.

18993.1 (g) The following conversion factors shall be used to convert tonnage in the annual recovered organic waste product procurement target for each jurisdiction to equivalent amounts of recovered organic waste products. One ton of organic waste in the recovered waste product procurement target constitute:

- (A) 21 diesel gallon equivalents, or "DGE", of renewable gas in the form of transportation fuel
- (B) 242 kilowatt-hours of electricity derived from renewable gas
- (C) 22 therms for heating derived from renewable gas
- (D) 27 therms for pipeline injection of renewable gas
- (E) 650 kilowatt-hours of electricity derived from biomass conversion
- (F) 0.58 tons or 1.45 cubic yards of compost

18993.1. (h) Renewable gas procured from a POTW may only count toward a jurisdiction's procurement target if the POTW actively receives organic waste from a permitted solid waste facility and the POTW transported less than 25% of the biosolids it produced for landfill disposal in the previous calendar year.

18993.1. (i) Electricity procured from a biomass conversion facility may only count toward a jurisdiction's target if the biomass conversion facility receives feedstock from a permitted solid waste facility.

18993.1. (j) If a jurisdiction exceeds its annual procurement requirement with renewable transportation fuel, electricity, and gas for heating applications and pipeline injection from the previous year, the excess can be applied to the current year requirement.

18993.3. Recycled Content Paper Procurement Requirements. (a) A jurisdiction shall procure paper products, and printing and writing paper consistent with the requirements of section 22150-22154 of the Public Contract Code.

18993.3. (b) Paper products and printing and writing paper shall be eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal regulations (CFR) section 260.12.

18993.3. (c) A jurisdiction shall require all businesses from whom it purchases paper products and printing and writing paper to certify the minimum or exact percentage of postconsumer material in the products offered.

Article 14. Enforcement Requirements

18995.1. Jurisdiction Inspection and Enforcement Requirements. (a) By January 1, 2022, a jurisdiction shall have an inspection and enforcement program that includes:

- (1) Beginning January 1, 2022, and annually thereafter:
 - (A) If the jurisdiction is using a 2 or 3 bin system, the jurisdiction shall:
 1. Complete a compliance review of all garbage accounts for commercial businesses and that generate two or more cubic yard of solid waste per week and produce organic waste and determine compliance with organic waste generator requirements and self-haul requirements.
 2. Beginning April 21, 2022, conduct route reviews of commercial businesses and residential generators for compliance with organic waste generator requirements and container contamination requirements or perform waste composition studies consistent with section 18984.5 (c) to verify commercial businesses and residential generators for compliance.
 - (B) If the jurisdiction is using the compliance method for unsegregated single container collection system the jurisdiction shall conduct a compliance review of all garbage accounts for commercial businesses and that generate two or more cubic yard of solid waste per week and produce organic waste and determine compliance with organic waste generator requirements and document if the business is transporting the contents to a high diversion organic waste processing facility, and self-haul requirements.
- (2) Beginning January 1, 2022, conduct inspections of Tier One commercial edible food generators and food recovery organizations and services. On or after January 1, 2024, conduct inspections of Tier Two commercial edible food generators.
- (3) Beginning January 1, 2022, conduct inspections, route reviews, or compliance reviews when investigating a complaint.
- (4) Beginning January 1, 2022, and until January 1, 2024, if a jurisdiction determines that an organic waste generator, self-hauler, hauler, or commercial edible food generator, or other entity is not in compliance, it shall provide educational material to the entity describing its obligations.
- (5) Beginning January 1, 2024, if a jurisdiction determines that an organic waste generator, self-hauler, hauler, or commercial edible food generator, or other entity is not in compliance, it shall document the violation and take enforcement action.
- (6) Every 24 months verify that commercial businesses are meeting de minimis and physical space waivers for compliance.

18995.1. (b) A jurisdiction shall conduct a sufficient number of compliance reviews, route reviews, and inspections to adequately determine overall ensure compliance.

18995.1. (c) A jurisdiction shall generate a written or electronic record for each inspection, route review, and compliance review conducted that includes the name or account name of each person or entity, a description of the routes and addresses covered by a route review, and a list of accounts reviewed for each compliance review; the date or dates of the action; the person or persons who conducted the action, the jurisdiction's findings; any supporting evidence or findings; the review records shall include locations of the route review, the source of contamination, photographs, and notice or education material given to generator.

18995.1. (d) Documentation of route reviews, compliance review, and inspections, as well as all other records enforcement maintained in the Implementation Record.

18995.1. (e) A jurisdiction may have a designee conduct inspections required by this section.

18995.1. (f) Any records obtained by a jurisdiction during its inspections and review shall be subject to the requirement and applicable disclosure exemptions of the Public Records Act.

18995.3. Jurisdiction Investigation of Complaints of Alleged Violations. (a) Any person or the Department may file a complaint including the name and contact information of the complainant, the identity of the entity allegedly in violation, the location and description of the violation, and all known facts relevant to the alleged violation.

18995.3. (b) the jurisdiction shall ensure the name and contact information of the complainant remain confidential.

18995.3. (d-f) The jurisdiction shall within 90 days investigate the complaint, provide a method for a complainant to find out the results of the complaint, and shall maintain records of all complaints and responses.

18995.3. (g) if the jurisdiction determines a violation has occurred, it shall take enforcement action as required.

18995.4. Enforcement by a Jurisdiction. (a) For violation of this chapter occurring on or after January 1, 2024, the jurisdiction shall take enforcement action, as follow:

- (1) Issue a Notice of Violation (NOV) within 60 days.
- (2) Conduct follow-up inspections at least every 90 days until compliance is achieved or a penalty has been issued.
- (3) Commence actions to impose a penalty within 150 days after the issuance of the NOV for a first violation and 90 days after any subsequent violation. The commencement of an action against the same entity for the same violation within one year of imposing a penalty for a first offense shall constitute a second or subsequent offense for purposes of penalty calculations.

18995.4. (b) A jurisdiction may grant extensions to the compliance deadlines if it finds the entity has made an effort and there are circumstances outside its control (acts of god) or due to limitations in infrastructure and the jurisdiction is under a Corrective Action Plan (CAP).

18995.4. (d) A jurisdiction may seek penalties for a violation of the container contamination requirements, if found on more than three consecutive occasions.

Article 16. Administrative Civil Penalties for Violations of Requirements of the Chapter

18997.1. Scope. (b) A jurisdiction shall adopt ordinance(s) or enforceable mechanisms that are equivalent or stricter than those amounts of this chapter.

18997.2. Penalty Amounts. A jurisdiction shall impose penalties that are equivalent or stricter than those in Table 1 (page 70) (b) for a first violation, \$50-100 per offense; for a second violation, \$100-200 per offense; and for all subsequent violation, \$250-500 per offense.

(See pages 70-74 for the specific description of violations and levels of violations.)

18997.1. Scope. (a) The Department may impose administrative civil penalties.

18997.3. Department Penalty Amounts. (a) Penalties shall be imposed administratively using the penalty tables contained in section (b) for Level 1 the penalty range shall be \$50-\$500 per violation; for Level 2 the penalty range shall be \$250-\$1,000 per violation; for Level 3 the penalty range shall be \$500-\$2,500 per violation; for Level 4, the penalty range shall be \$500-2,500 per day; for level 5 the penalty range shall be \$1,000-5,000 per day; and for Level 5, the penalty range shall be \$5,000-10,000 per day.

18997.3. (e) For violation of the Recovered Organic Product Procurement requirements, the Department shall calculate the jurisdictions daily procurement equivalent and using the total amount of recovered organic waste products procured, determine the number of days a jurisdiction was out of compliance. The penalty amount shall not exceed \$10,000 per day.

(See pages 75-90 for the specific description of violations and levels of violations.)

Implementation Record (IR) and Recordkeeping Requirements

General Provisions

18981.2. General Provisions. (d) A jurisdiction shall include copies of all agreements and contracts with public and private entities it uses to fulfill its responsibilities.

Article 3. Organic Waste Collection Services

18984.4. Recordkeeping Requirement for Compliance with Organics Collection. (a) A jurisdiction is required to include documentation of which collection method(s) it will use and the geographical area for each collection method. If the jurisdiction uses a service that requires the use of a high diversion organic waste processing facility, it shall list all the HDOWP facilities used and their quarterly and annual average mixed waste organic content recovery rates, a list of all approved haulers, and the geographical areas the hauler(s) serve. If a jurisdiction allows compostable plastics to be placed in the green container or organic waste to be collected in plastic bags, a copy of written notification from each facility that it can recover that material.

18984.6. Container Contamination Minimization. (a) A jurisdiction is required to provide a description of the jurisdiction's process for determining the level of container contamination and documentation of the random route reviews for each collection date conducted; documentation of waste composition studies, including information on targeted route reviews conducted as a result of the studies; copies of all written notices, violations, education and enforcement actions issued to generators; and

documentation of the number of containers disposed of due to observation of prohibited container contaminants.

18984.11. Waivers and Exemptions Granted by a Jurisdiction. (a) (1) (B) A jurisdiction shall verify de minimis waivers every two years.

18984.14. Waivers and Exemptions. (a) A jurisdiction shall include all correspondence received from a facility that triggered a processing facility temporary equipment or operational failure waiver, the timeframe for the waiver, and location or routes affected by the waiver; description of the jurisdiction's process for issuing waivers and frequency of inspection to verify the validity of the waivers; all de minimis waivers, physical space, and collection frequency waivers, including the location, date issued, and name of generators; a record of the amount of sediment debris from disasters or emergencies that is disposed of on an annual basis; a record of the amount of solid waste from removed homeless encampments and illegal disposal sites if the total amount of material removed exceeds 100 tons; a copy of all compliance agreements for quarantined organic waste that is disposed, including the name of generator, date issued, location of file disposition and the amount of organic waste disposed.

Article 4. Education and Outreach

18985.3. Compliance with Education and Outreach Requirements. A jurisdiction shall include all relevant documents supporting its compliance including copies of the media information provided to comply; dates, type of media, copies of the information and the type and number of accounts receiving the information, and to whom the information was disseminated; copies of materials distributed by any designee, and the number of languages in which the jurisdiction is required to provide information in.

Article 7. Regulation of Haulers

18988.4. Recordkeeping Requirements for Compliance with Jurisdiction Hauler Program. (a) A jurisdiction shall include all relevant documents supporting its compliance including copies of ordinances, contracts, agreements, policies, procedures, or programs; description of the hauler program including type of hauler systems used, type and conditions of approvals per type of hauler, and criteria for approvals, denials, and revocations; the jurisdictions process for issuing, revoking, and denying self-hauling and back-hauling; and records of hauler compliance including copies of reports required by haulers, and copies of all written approvals, denials, and revocations.

18988.4. (b) All records shall include the date of action, the name of the hauler, and the type of the action taken by the jurisdiction.

Article 10. Jurisdiction Edible Food Recovery Programs, Food Generators, and Food Recovery

18991.2. Recordkeeping Requirements for Jurisdiction Edible Food Recovery Program. A jurisdiction shall include all relevant documents supporting its compliance including copies of a list of commercial edible food generators in the jurisdiction that have arrangements with edible food recovery organization or services, a list of edible food recovery organizations in the jurisdiction and their edible food recovery capacity, and documentation of the actions the jurisdiction has taken to increase edible food recovery capacity.

Article 12. Procurement of Recovered Organic Waste Products

18993.2. Record Keeping Requirements for Recovered Organic Waste Procurement Target. A jurisdiction shall include all documents supporting its compliance including a description of how the jurisdiction will comply; the name physical location, and contact information of the entity from whom the recovered

products were procured; all records evidencing all procurement; all records of procurements made by direct service providers on behalf of the jurisdiction; and if applicable, a written certification by an authorized representative of a POTW of the tons of landfill-diverted organic waste processed into renewable gas provided to the jurisdiction.

(6) If a jurisdiction will include electricity procured from a biomass conversion facility, a written certification from the facility that biomass feedstock is sourced from a permitted solid waste facility shall be provided.

(7) If the jurisdiction is implementing adjusted recovered organic waste product procurement from a previous year, evidence the total volume of products procured from the prior reporting period.

18993.4. Recordkeeping Requirement for Recycled Content Paper Procurement. A jurisdiction shall include all documents supporting its compliance including copies of invoices and receipts for all paper purchases and copies of all certification or verifications required.

Article 14. Enforcement Requirements

18995.2. Implementation Record and Recordkeeping Requirements (Enforcement). A jurisdiction shall maintain the Implementation Record that shall be stored in one central location, physical or electronic, that can be readily accessed by the Department and provide a point of contact person to facilitate review of the records; shall provide access to the IR within one business day; include all records and information from each reporting period, within 30 days of the last day of the reporting period; and be retained by the jurisdiction for five years.

18995.2. (f) At a minimum, the IR shall include a copy of all enforceable mechanisms; a copy of the jurisdiction's inspection and enforcement program, all organic waste collection service records, all contamination minimization records, all waiver and exemption records, all education and outreach records, all hauler program records, all jurisdiction edible food recover program records, all recovered organic waste procurement target records, all recycled content paper procurement records, all inspection, rout review, an compliance review reports, all records of enforcement action, all records of complaints and investigation of complaints and compliance with the jurisdiction's inspection and enforcement requirement.

Reporting Requirements

Article 13. Reporting

18994.1. Initial Jurisdiction Compliance Report. Each jurisdiction shall report to the Department by April 1, 2022 on its implementation and compliance with the requirements of this chapter including a copy of enforceable mechanisms adopted to implement the requirements, all reporting items listed in a jurisdiction's annual report, and contact information for the compliance-related responsible person.

18994.2. Jurisdiction Annual Reporting. (a) Commencing August 1, 2022 and annually thereafter a jurisdiction shall submit an annual report. The first report shall cover the period of January 1, 2022 – June 30, 2022 and is due October 1, 2022. Each subsequent report shall cover the entire previous year.

Each jurisdiction shall report the following

(b) Relative to the organic waste collection services: the type of organic waste collection services provided to its generators, the total number of generators receiving each type of organic waste collection service, and the RDRS Number of any high diversion organic waste processing facility it uses.

If the jurisdiction allows placement of compostable plastic in green containers or organic waste to be collected in plastic bags, notices from each facility that accepts and recovers that material.

(c) Relative to contamination monitoring: the number of route reviews conducted for container contaminants; the number of times notices, violations, or targeted education material were issued; the number of notifications received from a solid waste facility operator regarding container contaminants received at the facility, and the number of waste composition studies performed to meet the container contamination minimization requirement and resulting targeted route reviews.

(d) Relative to waivers: the number of days an emergency circumstances waiver in effect and the type of waiver issued, the tons of organic waste that were disposed as a result of waivers, the number of generators issued a physical space waiver, the number of generators waived by the department from the requirements of organic waste collection service.

(e) Regarding education and outreach: the number of organic waste generators and edible food generators that received information and the type of education and outreach use and the number of limited English speaking and linguistically isolated households that received information.

(f) Regarding the hauler oversight requirements: the number of haulers approved to collect organic waste, the RSRS number of each facility that is receiving organic waste from haulers, the number of haulers that have had their approval revoked or denied, and the number of self-haulers approved to operate within the jurisdiction.

(g) Regarding the Cal-Green Building Standards: the number of Construction and Demolition removal activities conducted.

(h) Regarding the edible food recovery: the number of commercial edible food generators, the number of food recovery services and organizations that serve commercial food generators, and the total amount of edible food recovered by edible food recovery organizations and services.

(i) Regarding the organic waste recycling capacity planning and edible food recovery capacity planning: the tons estimated to be generated for disposal, the amount of capacity verifiably available to the county and jurisdictions within the county, the amount of new capacity needed, the location identified for new or expanded facilities, the jurisdictions that are required to submit implementation schedules, and the jurisdictions that did not provide information required to the county within 120 days.

(j) Regarding the procurement requirements: the volume of each recovered organic waste product procured directly or through direct service providers by the county or cities during the prior calendar year, the total dollar amount spent on all paper purchases, the total dollar amount spent on all recycled content paper purchases, the total volume of transportation fuel, electricity, and gas for heating applications and pipeline injection procured from the previous year if the jurisdiction procures a reduced amount pursuant to section 18993.1. (j), and additional procurement opportunities identified within the jurisdiction's departments.

(k) Regarding compliance, monitoring, and enforcement: per calendar year, the number of commercial businesses subject to compliance reviews and the number of violations found and corrected; the number of route reviews conducted; the number of inspections conducted by type for commercial

edible food generators, food recovery organizations, and commercial businesses; the number of complaints received, investigated, and violations found; and the number of NoVs and penalties issued by type of entity, and the number of entities by type that came into compliance.

Generators

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 12: Short-Lived Climate Pollutants

Article 3. Organic Waste Collection Service

18984.9. Organic Waste Generator Requirements. (a) Organic waste generators shall subscribe to the organic waste collection service provided by the jurisdiction or self-haul organic waste to a facility that processes source separated organic waste.

18984.9. (b) Commercial businesses shall provide containers for the collection of organic waste and non-organic recyclables in all areas where disposal containers are provided for customers, except for restrooms; prohibit employees from placing organic waste in wrong containers; and periodically inspect organic waste containers for contamination and inform employees if contamination is found and of proper disposal requirements.

18984.9. (d) A commercial business is not required to replace functional containers that do not comply with the requirements of this article prior to the end of the useful life or January 1, 2036, whichever comes first.

18984.9. (e) If a business does not generate any of the materials that would be collected in one type of container the business does not have to provide that particular container.

Property and Business Owners Responsibilities

Article 3. Organic Waste Collection Service

18984.10. Property and Business Owners Responsibilities. Property owners that are not single family units, and business owners shall provide or arrange for organic waste collection services for employees, contractors, tenants, and customers; shall annually provide information to employees, contractors, tenants, and customers about organic waste recovery and proper sorting of organic waste; provide information to new tenants within 14 days of occupation of the premises; and provide or arrange for access to their properties during all inspections. This subdivision is not intended to permit an employee or agent of the Department jurisdiction to enter the interior of a private residential property.

Non-Local Entities

Article 5. Generators of Organic Waste

18986.1. Non-Local Entities Requirements. Non-local entities shall comply with the requirements of this chapter by subscribing to and complying with the requirements of an organic waste collection service or self-hauling to a facility that processes source separated organic waste; provide containers for the organic waste and non-organic recyclables in all areas where disposal containers are located, except restrooms; prohibit employees from contamination; periodically inspect containers for contamination and inform employees if contaminated; and provide information to employees on organic waste prevention.

18986.3. Waivers for Non-Local entities and Local Education Agencies. The Department shall waive a non-local entity's or local education agency's obligation to comply with organic waste collection service

requirements if it meets the de minimis or space waiver specifications of 18984.11 or it is located in a jurisdiction that has been granted a department waiver pursuant to 18984.12.

Article 15. Enforcement Oversight by the Department

18996.6. Department Inspections and Compliance Reviews of State Agencies and Facilities. If the Department finds that a state agency or facility is violating these provisions, the Department may issue a NOV requiring compliance within 90 days and may grant an additional 180-day extension if evidence is provided that additional time is needed.

18996.6. (4) If the Department finds a state agency or state facility fails to comply with the Notice of Violation (NOV), the Department may take the following enforcement actions: list the state agency or facility on the Organic Waste Recovery Noncompliance Inventory, request that the Department of General Service (DGS) conduct an audit, notify the Governor, and notify the legislature.

Local Education Agencies

Article 5. Generators of Organic Waste

18986.2. Local Education Agencies Requirements. Local education agencies shall comply with the requirements of this chapter by subscribing to and complying with the requirements of an organic waste collection service or self-hauling to a facility that processes source separated organic waste; provide containers for the organic waste and non-organic recyclables in all areas where disposal containers are located, except bathrooms; prohibit employees from contamination; periodically inspect containers for contamination and inform employees if contaminated; and provide information to employees on organic waste prevention.

18986.2. (d) nothing prohibits a local education agency from preventing waste generation, managing organic waste on site, using a community composting site.

18986.3. Waivers for Non-Local entities and Local Education Agencies. The Department shall waive a non-local entity's or local education agency's obligation to comply with organic waste collection service requirements if it meets the de minimis or space waiver specifications of 18984.11 or it is located in a jurisdiction that has been granted a department waiver pursuant to 18984.12.

Article 9. Locally adopted Standards and Policies

18990.2. Edible Food Recovery Standards and Policies. (b) A local education agency shall not prohibit share tables or adhere to food safety standards not specified in the Health and Safety Code.

Article 15. Enforcement Oversight by the Department

18996.7. Department Enforcement Action Regarding Local Education Agencies and Federal Facilities. If the Department finds that a local education agency or federal facility is violating these provisions, the Department may issue a NOV requiring compliance within 90 days. If the local education agency or federal facility fails to comply, the Department may list the local education agency or federal facility on the Organic Waste Recovery Noncompliance Inventory.

Publicly Owned Treatment Works (POTW)

Article 6. Biosolids Generated at a POTW

18987.1. Biosolids Generation a POTW (a) A POTW generating biosolids is not subject to the generator, diversion and measurement, or record keeping and reporting requirements of this chapter.

18987.1. (b) Material received at a POTW that it is not allowed to accept shall be deemed to constitute landfill disposal.

Edible Food Generators

Article 10. Jurisdiction Edible Food Recovery Programs, Food Generators, and Food Recovery

18991.3. Commercial Edible Food generators. (a) Tier One commercial edible food generators shall comply with the requirements commencing January 1, 2022. Tier Two commercial edible food generators shall comply with the requirements commencing January 1, 2024.

18991.3. (b) Commercial edible food generators shall arrange to recover the maximum amount of edible food that would otherwise be disposed through contracting with food recovery organizations or services that will collect the food for recovery or self-hauling edible food to a food recovery organization that will accept the food for recovery.

18991.3. (b)(3) A large venue or event operator that does not provide food services, but allows for food to be provided, shall require food facilities operation at the event to comply with the requirements of this section.

18991.3. (c) In no case may a commercial edible food generator recover no edible food absent extraordinary circumstances, which are a failure by the jurisdiction to increase edible food recovery capacity and acts of God such as inclement weather, earthquakes, wildfires, flooding, and other emergencies or natural disasters.

18991.3. (d) An edible food generator shall not intentionally spoil edible food that is capable of being recovered.

18991.4. Recordkeeping Requirements for Commercial Edible Food Generators. A commercial edible food generator subject to these requirements shall keep that includes a list of each food recovery service or organization that collects or receives its edible food, a copy of documents between the edible food generator and a food recovery service or organization with the name address and contact information of the service or organization, the types of food that is collected by or transported to the service or organization, the established frequency that food is collect or transported, and the quantity measured in pounds per month of food collected or transported to a service or organization.

18991.5. Food Recovery Services Organizations. (a) A food recovery organization or service that collects or receives edible food directly from commercial edible food generators shall maintain a record that includes the name, address and contact information for each edible food generator that it collects or receives food from, the quantity in pounds of edible food collected from each commercial generator per month, the quantity in pounds of edible food transported to each recovery organization per month, and the name address, and contact information for each food recovery organization that the service transports food for recovery.

18991.5. (a) (2) A food recovery organization shall maintain a record of the name, address and contact information for each commercial edible food generator that the organization receives edible food from; the quantity in pounds of edible food received from each commercial edible food generator per month; and the name address and contact information for each food recovery service that the organization receives edible food from for recovery.

Haulers

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 12: Short-Lived Climate Pollutants

General Provisions

18981.2. Implementation Requirements on Jurisdictions. (a) By January 1, 2022, a jurisdiction shall adopt an enforceable mechanism to mandate that organic waste generators, haulers, and other entities under its jurisdiction comply with the requirements of this chapter.

18981.2. (b) A jurisdiction may designate a public or private entity to fulfill its responsibilities under this chapter. A designation shall be made through any one or more of the following: (1) Contracts with haulers or other private entities; or, (2) Agreements.

Article 3. Organic Waste Collection Service (see pages 3 and 4 for specific container requirements)

18984.5. Container Contamination Minimization. (a) A jurisdiction shall monitor the 3 and 2 container collection service to minimize prohibited contaminants in a manner that complies with either subdivision (b) or (c) of this section. (pages 22-24)

18984.5. (b) A jurisdiction may meet its container contamination minimization requirements by conducting route reviews for prohibited contaminants on randomly selected containers, with all collection routes being reviewed annually.

- (1) If contaminants are found in a generator's container, the jurisdiction shall contact or provide written notice to the generator, which may be left on the container, and shall include information on the requirements to properly separate materials.
- (2) If contaminants are found in the green or blue container, the contents may be disposed.
- (3) If contaminants are found on more than three consecutive occasions, the jurisdiction may impose additional contamination processing fees and may impose penalties.
- (4) If the jurisdiction designates container contamination monitoring requirements to a designee, and the designee observes container contaminants, the designee shall inform the jurisdiction in writing, each month, with the address of the generator and the date the contamination was observed. A designee may only dispose of a container with visible prohibited container contaminants with the consent of the jurisdiction.

18984.5. (c)(1)(A)&(B) A jurisdiction may meet its container contamination minimization requirements by conducting waste evaluations that meet the following standards. Conduct waste evaluations of the green and blue containers twice per year in different seasons. (pages 23-24)

- (1)(C) Samples shall be taken for each container type from different areas in the jurisdiction that are representative of the jurisdiction and account for no less than 0.5% of the weekly tonnage collected.
- (1)(D) The number of samples is determined by the number of generators on the route according to the following:

Route customers	Minimum samples
<1,500	25

1,500-4,000	30
4,000-7,000	35
>7,000	40

- (1)(E) Samples are transported to a permitted solid waste facility sorting area to determine the ratio of contaminants for each container type by weight. For each container type, all samples are emptied in a pile on the sorting area. A 200-pound sample is randomly selected from different areas of the pile, contaminants removed and weighed, and the ratio determined.
- (2) If contamination exceeds 25% for any container type, the jurisdiction shall notify all generators on the sampled collection route to properly separate materials or perform targeted route reviews and notify the specific generators to properly separate materials.

18984.5. (e) A jurisdiction is not required to monitor containers for contamination (page 24) if:

- (1) The solid waste facilities processing the jurisdiction's green container recover 75 % of the organic content received at the facility.
- (2) The solid waste facilities serving the jurisdiction's gray containers demonstrates organic waste present is less than 25% as determined by Sections 17409.5.7 – 17409.5.7.2 (page 119) and Sections 20901-20901.2 (page 153).

Article 4. Education and Outreach

18985.1. Organic Waste Recovery Education and Outreach. (d) A jurisdiction may comply with the requirements through its haulers.

18985.1. Organic Waste Recovery Education and Outreach. (a), (b), and (c) Prior to February 1, 2022 and annually thereafter, a jurisdiction shall provide specific information to organic waste generators on the proper segregation for the type of collection service provided, methods for prevention and recycling, methane reduction benefits, public health, safety and environmental impacts, through print or electronic media or direct contact through workshops, meetings, or on-site visits.

18985.1. (e) A jurisdiction shall make the information linguistically accessible to it non-English speaking residents in the following manner.

- (1) For any language that is spoken by more than 10,000 persons or 0.5% of the jurisdiction's residents, and the population speaking that language speaks English less than very well, the jurisdiction shall make the information available online in the language, and provide a notice in their written materials in the applicable language informing its generators where non-English speaking residents can find linguistically accessible information online.
- (2) For any language that is spoken by more than 50,000 persons or 5% of the jurisdiction's residents, and the population speaking that language speaks English less than very well, the jurisdiction shall include the information required by this section in the materials it provides generators pursuant to subdivision.

18985.1. (f) A jurisdiction is only required to provide the education and outreach material every other year if the solid waste facilities processing the jurisdiction's green containers collection stream recover 75% of the organic content received at the facility and the sampling conducted of the gray container collection stream demonstrates an average weight of organic waste present in gray container material of less than 25%.

Article 7. Regulations of Haulers

18988.1. Jurisdiction Approval of Haulers and Self-haulers. (a) Haulers are required to meet the requirements and standards of this chapter, including Article 3, Organic Waste Collection Services, as a condition to collect organic waste.

18988.1. (a)(2) Haulers shall identify the facilities to which they will transport organic waste as a requirement for approval.

18988.2. Hauler of Organic Waste Requirements. (a) A hauler providing organic waste collection services shall transport the organic waste to a facility, operation, activity or property that recovers organic waste, obtain approval issued by the jurisdiction, and keep a record of the jurisdictional approval.

18988.2. (c) This section is not applicable to transporting source separated organic waste to a community composting site or lawfully transporting construction and demolition debris.

Article 14. Enforcement Requirements

18995.1. Jurisdiction Inspection and Enforcement Requirements. (e) A jurisdiction may have a designee conduct inspections required by this section.

18995.1. Jurisdiction Inspection and Enforcement Requirements. (a) By January 1, 2022, a jurisdiction shall have an inspection and enforcement program that includes:

- (1) Beginning January 1, 2022, and annually thereafter:
 - (A) If the jurisdiction is using a 2 or 3 bin system, the jurisdiction shall:
 - 1. Complete a compliance review of all garbage accounts for commercial businesses and that generate two or more cubic yard of solid waste per week and produce organic waste and determine compliance with organic waste generator requirements and self-haul requirements.
 - 2. Beginning April 21, 2022, conduct route reviews of commercial businesses and residential generators for compliance with organic waste generator requirements and container contamination requirements or perform waste composition studies consistent with section 18984.5 (c) to verify commercial businesses and residential generators for compliance.
 - (B) If the jurisdiction is using the compliance method for unsegregated single container collection system the jurisdiction shall conduct a compliance review of all garbage accounts for commercial businesses and that generate two or more cubic yard of solid waste per week and produce organic waste and determine compliance with organic waste generator requirements and document if the business is transporting the contents to a high diversion organic waste processing facility, and self-haul requirements.
- (2) Beginning January 1, 2022, conduct inspections of Tier One commercial edible food generators and food recovery organizations and services. On or after January 1, 2024, conduct inspections of Tier Two commercial edible food generators.
- (3) Beginning January 1, 2022, conduct inspections, route reviews, or compliance reviews when investigating a complaint.
- (4) Beginning January 1, 2022, and until January 1, 2024, if a jurisdiction determines that an organic waste generator, self-hauler, hauler, or commercial edible food generator, or other entity is not in compliance, it shall provide educational material to the entity describing its obligations.

18995.1. (b) A jurisdiction shall conduct a sufficient number of compliance reviews, route reviews, and inspections to adequately determine overall ensure compliance.

18995.1. (c) A jurisdiction shall generate a written report for each inspection, route review, and compliance review conducted that includes the name or account name of each person or entity, a description of the routes and addresses covered by a route review, and a list of accounts reviewed for each compliance review; the date or dates of the action; the person or persons who conducted the action, the jurisdiction's findings; any supporting evidence or findings; the review records shall include locations of the route review, the source of contamination, photographs, and notice or education material given to generator.

18995.1. (d) Documentation of route reviews, compliance review, and inspections, as well as all other records of enforcement shall be maintained in the Implementation Record.

18995.1. (f) Any records obtained by a jurisdiction during its inspections and review shall be subject to the requirement and applicable disclosure exemptions of the Public Records Act.

Chapter 9: Planning Guidelines and Procedures for Preparing, Revising, and Amending Countywide or Regional Integrated Waste Management Plans

Article 9.25. Recycling and Disposal Reporting System (AB 901 requirements)

18815.4. Reporting Requirements for Haulers. (f) Commencing January 1, 2022, a hauler providing organic waste collection service shall identify for all materials delivered to each receiving reporting entity whether the material is collected from a source separated or a mixed waste organic waste collection stream.

Self-Haulers

Article 7. Regulations of Haulers

18988.3. Self-Haulers of Organic Waste. (b) (1) If a jurisdiction allows self-hauling, the generator shall source separate organic waste consistent with these requirements or haul organic waste to a high diversion organic waste processing facility

18988.3. (b)(2) The generator shall haul source separated organic waste to a solid waste facility, operation, activity, or property that processes or recovers source separated organic waste.

18988.3. (b)(3) Generators shall keep a record of the amount of organic waste delivered to each facility, including delivery receipts and weight tickets (if the entity has scales), indicate the amount of material in cubic yards or tons transported by the generator to each entity, and annually report the total amount of source separated organic waste in tons that was self-hauled and the location or address of each entity that accepted the organic waste from the generator.

18988.3. (b)(4) A residential organic waste generator that self-hauls organic waste is not required to record or report the above information.

18988.3. (c) A self-haul generator located in a jurisdiction or area that received a waiver is not required to comply with the requirements of this section.

Transfer/Processing Operations and Facilities

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 3: Minimum Standards for Solid Waste Handling and Disposal

Article 6.2. Operating Standards

17409.5.1. Organic Waste Recovery Efficiency (a) This section applies to transfer and processing facilities and operations that conduct processing activities.

17409.5.1. (b) For purposes of compliance with the reporting requirements and demonstrating that a facility is a "high diversion processing facility" that meets or exceeds an annual average mixed waste organic content recovery rate of 50 percent by 2022 and 75 percent by 2025, (c) the operator shall:

- (1) Determine the sum of outgoing weights of organic waste recovered from the mixed waste organic collection stream by adding together the weights pursuant to 17409.5.2(b)(6) for each operating day that measurements were conducted during the reporting period.
- (2) Determine the sum of outgoing weights of organic waste removed from the mixed waste organic collection stream for disposal by adding together the weights as measured pursuant to 17409.5.3(b)(5) for each operating day that measurements were conducted during the reporting period.
- (3) Report the sums to the Department.

17409.5.1. (d), the operator shall additionally:

- (1) Determine the sum of outgoing weights of organic waste recovered from the source separated collection stream by adding together the weights determined pursuant to 17409.5.4(b)(6) for each operating day that measurements were conducted during the reporting period.
- (2) Determine the sum of outgoing weights of organic waste removed from the source separated collection stream that is sent for disposal by adding together the weights determined pursuant to 17409.5.4(b)(5) for each operating day that measurements were conducted during the reporting period.
- (3) Report the sums to the Department.

17409.5.1. (e), the operator shall maintain records of compliance.

17409.5.2. Measuring Organic Waste Recovered from Mixed Waste Organic Collection Stream (a) The operator of an attended facility shall measure the amount by weight of organic waste separated from the mixed waste organic collection stream after processing for end-use, recovery, or further processing.

- (1) The measurements shall be conducted at the following frequency:
 - (A) For each reporting period, the operator shall perform the sampling protocol over 10 consecutive operating days.
 - (B) An operator may use the results of samples conducted over a period of more than 10 days if the following apply: (1) If less than 10 additional days are sampled in the reporting period, the additional operating days shall be where sampling is performed shall be a consecutive continuation of the original 10 consecutive days of sampling. (2) if 10 additional operating days or more are selected for sampling, the additional operating days shall be conducted on consecutive days but may be performed during a different part to the reporting period and are not required to be a continuation of the original 10 operating days.

(b) The operator shall comply by using the following protocol:

- (1) On each sampling day, take one sample of at least 200 pounds from each organic waste type separated after processing, representative of a typical operating day and taken either from various times of the day or from various locations within each pile of each of the organic waste types separated after processing, prior to sending to its destination.
- (2) Record the weight of each sample from each organic waste type. If the total weight of a single organic waste type processed in a single operating day is less than 200 pounds, the operator shall sample all of the organic waste type.
- (3) Remove any incompatible material and determine the remaining weight of organic waste for each sample.
- (4) Determine a ratio for each type of organic waste by dividing the total weights from (b)(3) by the total weights recorded in (b)(2).
- (5) Multiply the ratio for each type of organic waste by the total weight of all of the same type of organic waste separated after processing for its destination.
- (6) Determine the total weight of organic waste separated from the mixed waste organic collection stream by adding the sum of all the weights calculate in (b)(5).

17409.5.2. (c)(d) The operator shall conduct a measurement in the presence of the EA when requested and the A may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

17409.5.2. (e) If the operator sends any material to a POTW that is not authorized to receive, that material shall be deemed landfill disposal and the weight of that material shall be added to the value calculated pursuant to Section 17409.5.3.

17409.5.3. Measuring Organic Waste in Material Removed from Mixed Waste Organic Collection Stream for Disposal. (a) The operator of an attended facility that accepts a mixed waste collection stream shall measure the amount by weight of organic waste present in the material removed from the mixed waste organic collection stream after processing that is sent to disposal.

(1) The measurements shall be conducted at the following frequency:

(A) For each reporting period, the operator shall perform the sampling protocol over 10 consecutive operating days.

(B) An operator may use the results of samples conducted over a period of more than 10 days if the following apply: (1) If less than 10 additional days are sampled in the reporting period, the additional operating days shall be where sampling is performed shall be a consecutive continuation of the original 10 consecutive days of sampling. (2) if 10 additional operating days or more are selected for sampling, the additional operating days shall be conducted on consecutive days but may be performed during a different pare to the reporting period and are not required to be a continuation of the original 10 operating days.

(b) The operator shall comply by using the following protocol:

- (1) On each sampling day take one sample of at least 200 pounds of the material removed from the mixed waste stream on that operating day prior to sending to disposal, representative of a typical operating day and taken either from various times of the day or from various locations within the pile after processing.
- (2) Record the total weight of the sample. If the total weight of a single organic waste type processed in a single operating day is less than 200 pounds, the operator shall sample all of the organic waste type.

- (3) Remove any incompatible material and determine the remaining weight of organic waste in the sample.
- (4) Determine the ratio of the organic waste in the materials removed from the mixed waste organic collection stream for disposal by dividing the total weight from (b)(3) by the total weight recorded from (b)(2).
- (5) Determine the total weight of organic waste removed from the mixed waste organic collection stream that is sent to disposal by multiplying the ratio determined in (b)(4) by the total weight of the materials removed from the stream.

17409.5.3. (c)(d) The operator shall conduct a measurement in the presence of the EA when requested and the EA may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

17409.5.3. (e) The operator shall maintain records of measurements and the training of personnel in evaluation the amount of organic waste in the residual material.

17409.5.3. (f) For the purposes of this section "disposal" has the same meaning as "activities that constitute disposal" as defined in Section 18982.

17409.5.4. Measuring Organic Waste Recovered from Source Separated Organic Waste (a) The operator shall measure the amount by weight of organic waste separated from the source separated organic waste collection stream after processing for end-use, recovery, or further processing.

(1) The measurements shall be conducted at the following frequency:

(A) For each reporting period, the operator shall perform the sampling protocol over 10 consecutive operating days.

(B) An operator may use the results of samples conducted over a period of more than 10 days if the following apply: (1) If less than 10 additional days are sampled in the reporting period, the additional operating days shall be where sampling is performed shall be a consecutive continuation of the original 10 consecutive days of sampling. (2) if 10 additional operating days or more are selected for sampling, the additional operating days shall be conducted on consecutive days but may be performed during a different part to the reporting period and are not required to be a continuation of the original 10 operating days.

(b) The operator shall comply by using the following protocol:

- (1) On each sampling day, take one sample of at least 200 pounds from each organic waste type separated after processing on that operating day, representative of a typical operating day and taken either from various times of the day or from various locations within each pile of each of the organic waste types separated after processing, prior to sending to its destination.
- (2) Record the weight of each sample from each organic waste type. If the total weight of a single organic waste type processed in a single operating day is less than 200 pounds, the operator shall sample all of the organic waste type.
- (3) Remove any incompatible material and determine the remaining weight of organic waste for each sample.
- (4) Determine a ratio for each type of organic waste type by dividing the weight from (b)(3) by the weight recorded from (b)(2).
- (5) Multiply the ratio for each type of organic waste by the total weight of all of the same type of organic waste separated after processing for its destination.
- (6) Determine the total weight of organic waste separated from the mixed waste organic collection stream by adding the sum of all the weights calculate in (b)(5).

17409.5.4. (c)(d) The operator shall conduct a measurement in the presence of the EA when requested and the EA may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

17409.5.2. (e) If the operator sends any material to a POTW that is not authorized to receive, that material shall be deemed landfill disposal and the weight of that material shall be added to the value calculated pursuant to Section 17409.5.3.

17409.5.5. Measuring Organic Waste in Materials Removed from Source Separated Organic Waste Collection Stream for Disposal.

a) The operator shall measure the amount by weight of organic waste present in the materials removed from the source separated organic collection stream after processing that is sent to disposal:

(1) The measurements shall be conducted at the following frequency:

(A) For each reporting period, the operator shall perform the sampling protocol over 10 consecutive operating days.

(B) An operator may use the results of samples conducted over a period of more than 10 days if the following apply: (1) If less than 10 additional days are sampled in the reporting period, the additional operating days shall be where sampling is performed shall be a consecutive continuation of the original 10 consecutive days of sampling. (2) if 10 additional operating days or more are selected for sampling, the additional operating days shall be conducted on consecutive days but may be performed during a different part to the reporting period and are not required to be a continuation of the original 10 operating days.

(b) The operator shall comply by using the following protocol:

(1) On each sampling day, take one sample of at least 200 pounds materials removed from the source separated organic waste stream prior to sending to disposal, representative of a typical operating day and taken either from various times of the day or from various locations within the pile after processing.

(2) Record the total weight of the sample. If the total weight of a single organic waste type processed in a single operating day is less than 200 pounds, the operator shall sample all of the organic waste type.

(3) Remove any incompatible material and determine the remaining weight of organic waste in the sample.

(4) Determine the ratio of the organic waste in the materials by dividing the total from (b)(3) by the total weight recorded in (b)(2).

(5) Determine the total weight of organic waste removed from the source separated waste organic collection stream that is sent to disposal by multiplying the ratio determined in (b)(4) by the total weight of the materials removed from the stream for disposal.

17409.5.3. (c)(d) The operator shall conduct a measurement in the presence of the EA when requested and the EA may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

17409.5.3. (f) For the purposes of this section "disposal" has the same meaning as "activities that constitute disposal" as defined in Section 18982.

17409.5.6. Source Separated Organic (SSO) Waste Handling. (a) Source separated organic waste processing shall be kept separate from other solid waste streams.

- (1) Remnant organic material separated from the gray container collection stream can be combined with the organic material removed from the source separate organic waste collection stream once that material has gone through the measurement protocol in section 17409.5.4.
- (2) Construction and Demolition Debris shall be kept separate from the source separated organic waste collection stream and the mixed waste organic collection stream and shall not be included in the measurements required pursuant to 17409.5.1-17409.5.8.

17409.5.6. (b) Source separated organic waste and organic waste removed from a mixed waste organic collection service for recovery shall be:

- (1) Stored away from other activity areas in specified, clearly identifiable areas as described in the Facility Plan or Transfer/Processing Report; and
- (2) Removed from the site and transported only to another solid waste facility or operation for additional processing, composting, in-vessel digestion, or together recovery or used in a manner approved by local, state, and federal agencies having appropriate jurisdiction.

17409.5.7 Gray Container Waste Evaluation (*The daily loadchecking every 500 tons of source separated organic waste received was deleted.*)

- (a) Commencing July 1, 2022, the operator of an attended transfer/processing facility that receives a gray container collection stream shall conduct waste evaluations of the gray container collection stream received from each jurisdiction collection service to identify the ratio of remnant organic material present.
- (b) Waste evaluations from each jurisdiction shall be conducted quarterly.
- (c) The quarterly frequency shall be determined by July 1 of each year based on total tons received in the gray container collection stream from each jurisdiction during the previous January through December calendar year.
- (d) Total tons received in the gray container collection stream from each jurisdiction per calendar year shall be reported by the operator in the RDRS.
- (e) The operator shall maintain records of waste evaluations and the training of personnel in evaluating the amount of remnant organic material. The records shall be maintained for 5 years and be available for review by appropriate and authorized regulatory agencies.
- (f) The operator shall provide information to self-haulers regarding the requirements of self-haulers of organic waste.

17409.5.7.1. Gray Container Waste Evaluations – Frequency. The operator of an attended transfer/processing operation or facility shall conduct waste evaluations at the following frequency for each 12-month period:

Annual tons received	Frequency/quarter
<100	None
100 - <500	2
500 - <1,000	3
1,000 or more	5

17409.5.7.2. Gray Container Waste Evaluations – Measuring Remnant Organic Material. (a) The operator of an attended transfer/processing facility or operation shall use the following measurement protocol:

- (1) Take one representative, composite, random sample of at least 200 pounds, representative of a typical operating day.
- (2) Remove any remnant organic material and determine the weight of the remnant organic waste material.
- (3) Determine the ratio of the remnant organic material in the sample.

17409.5.7.2. (c)(d) The operator shall conduct a measurement in the presence of the EA when requested and the EA may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

17409.5.8. Incompatible Materials Limit in Recovered Organic Waste. (a) Beginning January 1, 2022, a transfer/processing facility or operation shall send organic waste recovered after processing from the source separated organic waste stream and from the mixed waste organic collection stream with no more than 10 percent of incompatible material to the destination it is being sent.

17409.5.8. (b) Using the samples taken from the MW and SSO waste streams, remove incompatible materials and determine the ratio of incompatible material for each type of organic waste, multiply the ratio for each type of organic waste by the total weight of all of the same type of organic waste, add the sum of all the incompatible materials, determine the ratio of incompatible materials by dividing the sum of the outgoing weight of the recovered waste stream and multiply by 100.

17409.5.8. (c) The recovered organic waste stream shall not be subject to (a) if it is sent to the listed specific facilities that will process that waste.

17409.5.8. (d)(e) The operator shall conduct a measurement in the presence of the EA when requested and the EA may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

17409.5.8. (f) For the purposes of this section "disposal" has the same meaning as "activities that constitute disposal" as defined in Section 18982.

17409.5.9. Alternatives to Measurement Protocols. (a) The EA may approve, with the concurrence by the Department, alternative measurement protocols.

17409.5.9. (b) When required by this article, the operator shall report tonnages using a scale. If scales are not accessible, the EA may approve, with concurrence by the Department, the operator to report the tonnages using a method described in Section 18815.9(g).

17409.5.10. Solid Waste Handling at Consolidation Sites. Consolidation sites (including limited volume transfer operations, direct transfer, and sealed container transfer) are not subject to the above requirements, recordkeeping and reporting requirements, but shall keep SSO streams separate for other solid waste streams and materials shall be transported only to transfer/processing facilities or operations that comply with the above organics waste recover in Section 17409.5.1.

17409.5.10.5 Solid Waste Handling at Co-located Facilities. (a) The operator of an attended operation or facility that accepts a mixed waste organic collections stream for processing and passes the organic waste removed from the mixed waste organic collection stream for processing to a co-located activity within the boundary of the facility is subject to the following requirements:

- (1) If the facility disposes less than 10 percent of the organic waste, then only the organic waste that is sent off-site for further processing and disposal are subject to the requirements of Sections 17409.5 through 17409.8 and 17409.11.
- (2) If the facility disposes of more than 10 percent of the organic waste, then the organic waste removed after processing and sent for further processing on-site or off-site and disposed is subject to the requirements of Sections 17409.1 through 17409.8.

17409.5.11. Remnant Organic Material Separated from Gray Container Processing. (a) Remnant organic material separated from the gray container collection stream is not subject to the organic waste recovery efficiency requirements or incompatible material limit and can be mixed with SSO stream after it has gone through the measurement protocol.

17409.5.12 Transfer/Processing EA Verification Requirements. The operator shall provide the EA all requested information and other assistance so that the EA can verify that the measurements conducted by the operator are consistent with the requirements of section 17409.5.2-17409.5.5, 17409.5.8, and 17409.5.11 by the review of records, and the periodic, direct observation of measurements.

Recordkeeping and Reporting Requirements

17414.2. Recordkeeping and Reporting Requirements – Organic Waste Recovery. (a) The operator shall keep adequate and accurate records of the daily incoming weights of MO and SSO waste, the results of each sample conducted, the daily outgoing weight of material recovered and removed from the MW and SSO waste streams, and the results of the percentage of incompatible materials.

17414.2. (b) The operator shall keep records of the weight and location of land applied compostable material.

17414.2. (c-e) The records shall be kept in one location, retained for three years, and available for inspections by the EA or other authorized regulatory agencies.

Chapter 9: Planning Guidelines and Procedures for Preparing, Revising, and Amending Countywide or Regional Integrated Waste Management Plans

Article 9.25. Recycling and Disposal Reporting System (AB 901 requirements)

18815.5. Reporting Requirements for Transfer/Processors. (d) Commencing with the first reporting period in 2022, (1) A reporting receiving facility that receives material from a mixed waste organic waste stream shall, for purposes of determining the annual average organic content recovery rate, report the quarterly sum of outgoing weights of organic waste recovered, the organic waste that is sent to disposal, and the sum of the daily records of incoming and outgoing weights of material from the mixed waste organic collection stream measured in 17414.2 (a)(2), (3), and (6) above.

18815.5. (d)(2) A reporting receiving facility that receives material from a source separated organic waste stream shall report the quarterly sum of outgoing weights of organic waste recovered and the organic waste that is sent to disposal as measured in 17409.5.1 (d) (1) and (2) above.

Composting Operations

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 3.1: Composting Operations Regulatory Requirements

Article 5.0. Composting Operation and Facility Siting and Design Standards

17867. General Operating Standards.

17867. (a)(16) The operator shall determine the quarterly percentage of organic waste contained in materials sent to disposal using the following protocol:

(A) The measurements shall be conducted at the following frequency:

(A) For each reporting period, the operator shall perform the sampling protocol over 10 consecutive operating days.

(B) An operator may use the results of samples conducted over a period of more than 10 days if the following apply: (1) If less than 10 additional days are sampled in the reporting period, the additional operating days shall be where sampling is performed shall be a consecutive continuation of the original 10 consecutive days of sampling. (2) if 10 additional operating days or more are selected for sampling, the additional operating days shall be conducted on consecutive days but may be performed during a different part to the reporting period and are not required to be a continuation of the original 10 operating days.

(B) The operator shall comply by using the following protocol:

(1) Take one sample of at least 200 pounds of materials that the operation or facility is sending to disposal, on that operating day representative of a typical operating day and taken either from various times of the day or from various locations within the pile after processing.

(2) Record the total weight of the sample. If the total weight of a single organic waste type processed in a single operating day is less than 200 pounds, the operator shall sample all of the organic waste type.

(3) Remove any material that is not organic waste and determine the remaining weight of organic waste in the sample.

(4) Determine the ratio of the organic waste in the materials by dividing the total from (B)(3) by the total weight recorded in (B)(2).

(5) Determine the total weight of organic waste that is sent to disposal by multiplying the ratio determined in (B)(4) by the total weight of the materials sent to disposal.

(6) Determine the sum of outgoing weights of organic waste present in the material that is sent to disposal as determined in (B)(5).

(7) Determine the ratio of organic waste sent to disposal.

(8) Determine the percentage of organic waste present in the material sent to disposal.

17867. (C)(D) The operator shall conduct a measurement in the presence of the EA when requested and the EA may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

17867 (E) An alternative measurement protocol may be approved by the EA with concurrence by the Department.

Article 8. Composting Operation and Facility Records

17869. General Record Keeping and Reporting Requirements. (d) The operator shall maintain records in a manner approved by the EA, be maintained for five years, and be available for review, which shall include the quarterly percentage of organic waste contained in materials, daily outgoing weights of materials sent to disposal, compost or chopped and ground material produced, incoming weights by material type, and the weight and location of property receiving compostable material for land application.

17869. (h) The operator shall provide the EA all requested information and other assistance so that the EA can verify that the measurements conducted by the operator are consistent with the requirements of section 17867 (a)(16) by the review of records, and the periodic, direct observation of measurements.

Chapter 9: Planning Guidelines and Procedures for Preparing, Revising, and Amending Countywide or Regional Integrated Waste Management Plans

Article 9.25. Recycling and Disposal Reporting System (AB 901 requirements)

18815.7. Reporting requirements for Recycling and Composting Facilities and Operations. (f) Commencing with the first reporting period in 2022, and in each subsequent reporting period thereafter a recycling or compost facility or operation shall, if applicable, additionally report the monthly percentage of organic waste contained in residuals removed from processing as calculated pursuant to 17869 (e)(5) (composting operation) or 17896.45 (a)(1)(E) (in-vessel digestion operation).

In-Vessel Digestion Operations

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 3.2: In-Vessel Digestion Operations and Facilities Regulatory Requirements

Article 3. Operating Standards for In-Vessel Digestion Operations and Facilities

17896.44.1. Measuring Organic Waste in Residuals (a) The operator shall determine the quarterly percentage of organic waste contained in materials sent to disposal using the following protocol:

(1)(A) The measurements shall be conducted at the following frequency:

(1) For each reporting period, the operator shall perform the sampling protocol over 10 consecutive operating days.

(2) An operator may use the results of samples conducted over a period of more than 10 days if the following apply: (i) If less than 10 additional days are sampled in the reporting period, the additional operating days shall be where sampling is performed shall be a consecutive continuation of the original 10 consecutive days of sampling. (ii) if 10 additional operating days or more are selected for sampling, the additional operating days shall be conducted on consecutive days but may be performed during a different part to the reporting period and are not required to be a continuation of the original 10 operating days.

(2) The operator shall comply by using the following protocol:

(A) Take one sample of at least 200 pounds of materials that the operation or facility is sending to disposal, on that operating day representative of a typical operating day and taken either from various times of the day or from various locations within the pile after processing.

(B) Record the total weight of the sample. If the total weight of a single organic waste type processed in a single operating day is less than 200 pounds, the operator shall sample all of the organic waste type.

(C) Remove any material that is not organic waste and determine the remaining weight of organic waste for each sample.

(D) Determine the ratio of organic waste present in the materials removed for disposal by dividing the total from (C) by the total from (B).

(E) Determine the total weight of organic waste that is sent for disposal by multiplying the ratio above by the total weight of materials removed for disposal from the SSO waste collection stream after processing.

(F) Determine the total weight of organic waste that is sent for disposal by multiplying the ratio above by the total weight of materials removed for disposal from the SSO waste collection stream after processing.

(G) Determine the sum of outgoing weights of organic waste present in the material that is sent to disposal as determined in (E).

(H) Determine the ratio of organic waste sent to disposal.

(I) Determine the percentage of organic waste present in the materials sent to disposal.

17896.44.1. (b)(c) The operator shall conduct a measurement in the presence of the EA when requested and the EA may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

17896.44.1. (d) 17867 (E) An alternative measurement protocol may be approved by the EA with concurrence by the Department.

17896.44.1. (e) Textiles, carpet, hazardous wood waste, non-compostable paper and material subject to a quarantine on movement issued by a county agricultural commissioner is not required to be measured as organic waste.

Article 4. Record Keeping Requirements

17869.45. General Record Keeping and Reporting Requirements. (a) The operator shall maintain records in a manner approved by the EA, be maintained for five years, and be available for review, which shall include the quarterly percentage of organic waste contained in materials sent to disposal, daily outgoing weights of materials sent to disposal, outgoing weights or volumes or organic waste recovered and produced or salvaged materials, incoming weights of material, and the weight and location of property receiving compostable material for land application.

17869.45. (k) The operator shall provide the EA all requested information and other assistance so that the EA can verify that the measurements conducted by the operator are consistent with the requirements of section 17867 (a)(16) by the review of records, and the periodic, direct observation of measurements.

Article 6. Digestate Handling Standards

17896.57. Digestate Handling (a) Digestate not contained in an in-vessel digester shall, within 24 hours be:

(3) Removed from the site and be (A) transported only to one of the following solid waste facility or operation for additional processing, composting, or disposal: transfer/processing facility or operation that complies with Section 17409.5.8 or a compostable material handling facility or operation that, demonstrates that no more than 10 percent of the materials sent too disposal are organic waste.

Chapter 9: Planning Guidelines and Procedures for Preparing, Revising, and Amending Countywide or Regional Integrated Waste Management Plans

Article 9.25. Recycling and Disposal Reporting System (AB 901 requirements)

18815.7. Reporting requirements for Recycling and Composting Facilities and Operations. (f) Commencing with the first reporting period in 2022, and in each subsequent reporting period thereafter a recycling or compost facility or operation shall, if applicable, additionally report the monthly percentage of organic waste contained in residuals removed from processing as calculated pursuant to 17869 (e)(5) (composting operation) or 17896.45 (a)(1)(E) (in-vessel digestion operation).

Solid Waste Landfills

Title 27: Environmental Protection

Division 2. Solid Waste

Chapter 3: Criteria for All Waste Management Units, Facilities, and Disposal Sites

Subchapter 4: Criteria for Landfills and Disposal Sites

Article 3. CalRecycle – Handling, Equipment, and Maintenance

20750.1. CalRecycle – Organic Waste Handling (a) For new or expanding solid waste landfills, the operator shall implement organic waste recovery activities, as approved by the EA. The ORGANIC WASTE recovery activities shall be confined to specified, clearly identifiable areas of the site and shall be arranged to minimize health and safety hazard, vector harborage, or other hazard or nuisance, and be limited to volume and storage time as approved by the EA.

20750.1. (b) For purposes of this section, organic waste recovery activities mean activities that divert organic waste from disposal to constitute a reduction of landfill disposal.

20750.1. (c) For purposes of this section, expanding means a solid waste landfill proposing to make a significant change to the design or operation as determined by the EA. Changing the hours of operation of a landfill is not considered an expansion.

Article 4. CalRecycle – Controls

20901. Gray Container Waste Evaluations. (a) Commencing July 1, 2022, the operator of a disposal facility that receives a gray container collection stream shall conduct waste evaluations of the gray container collection stream received directly from each jurisdiction collection service to identify the ratio of remnant organic material present.

(b) Waste evaluations from each jurisdiction shall be conducted quarterly.

(c) The quarterly frequency shall be determined by July 1 of each year based on total tons received in the gray container collection stream from each jurisdiction during the previous January through December calendar year.

(d) Total tons received in the gray container collection stream from each jurisdiction per calendar year shall be reported by the operator in the RDRS.

(e) The operator shall maintain records of waste evaluations and the training of personnel in evaluating the amount of remnant organic material. The records shall be maintained for 5 years and be available for review by appropriate and authorized regulatory agencies.

20901.1. Gray Container Waste Evaluations – Frequency. The operator of a disposal facility shall conduct waste evaluations at the following frequency for each 12-month period:

Annual tons received	Frequency/quarter
<100	None
100 - <500	2
500 - <1,000	3
1,000 or more	5

20901.2.2. Gray Container Waste Evaluations – Measuring Remnant Organic Material. (a) The operator of a disposal facility shall use the following measurement protocol:

- (4) Take one representative, composite, random sample of at least 200 pounds, representative of a typical operating day.
- (5) Remove any remnant organic material and determine the weight of the remnant organic waste material.
- (6) Determine the ratio of the remnant organic material in the sample.

20901.2. (c)(d) The operator shall conduct a measurement in the presence of the EA when requested and the EA may require the operator to increase the frequency of measurements and/or revise the protocol to improve accuracy.

Chapter 4: Documentation and Reporting for Regulatory Tiers, Permits, WDRs, and Plans

Subchapter 3: Development of Waste Discharge Requirements (WDRs) and Solid Waste Facility Permits

Article 2. CalRecycle – Applicant Requirements

21570. CalRecycle - Filing Requirements. (f)(13) For new or expanded solid waste facilities, provide evidence that the operator held a public meeting with any affected groups or disadvantaged communities (as defined by CalEnviroScreen) within 180 days prior to submittal of the permit application package. Provide copies of the notices, a summary of the comments received and responses to the public comments, and any other steps taken by the applicant relative to those comments.

Article 3.2. CalRecycle – Other Requirements

21695. CalRecycle – Organic Disposal Reduction Status Impact Report (a) Operators of a solid waste landfill shall submit a status Impact Report (SIR) to CalRecycle that provides and analysis of the potential impact to the landfill resulting from the implantation of the organic disposal reduction requirements; (b) shall be prepared by a CA registered civil engineer or certified engineering geologist; and contain specific information found in (c), including a description and/or map of the areas(s) that have or will have intermediate cover, the length of time that the intermediate cover has been used and expected time that it will be used for each defined area, and a description of how the intermediate cover will be maintained to continue to meet the control criteria of section 20700 (a); and (d) be submitted to CalRecycle no later than one year from the effective date of this regulation.

Local Enforcement Agencies

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 3: Minimum Standards for Solid Waste Handling and Disposal

Article 6.2. Operating Standards

17409.5.12 Transfer/Processing EA Verification Requirements. The operator shall provide the EA all requested information and other assistance so that the EA can verify that the measurements conducted by the operator are consistent with the requirements of section 17409.5.2-17409.5.5, 17409.5.8, and 17409.5.11 by the review of records, and the periodic, direct observation of measurements.

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 4: Documentation and Reporting for Regulatory Tiers, Permits, WDRs, and Plans

Subchapter 3: Development of Waste Discharge Requirements (WDRs) and Solid Waste Facility Permits

Article 3. CalRecycle – Enforcement Agency (EA) Requirements

21660.2. Informational Meeting for New and Revised Full Solid Waste Facilities permit Applications. (a) and (c) The meeting informational meeting for all new and revised full solid waste facilities permit applications conducted by the EA within one mile from the facility that is the subject of the meeting shall now also include one mile from any disadvantaged community as defined, at a minimum, by CalEnviroScreen.

Chapter 5: Enforcement of Solid Waste Standards and Administration of Solid Waste Facilities

Article 2.2. LEA Performance Standards, Evaluation Criteria, and Duties and Responsibilities.

18083. LEA Duties and Responsibilities for Inspections. (c) At least annually the EA shall select a statistically significant number of land application sites within their jurisdiction and inspect those sites to verify that compostable material is being land applied consistent with the requirements of section 178529A)(24.5).

Title 27. Environmental Protection

Division 2. Solid Waste

Chapter 3: Criteria for All Waste Management Units, Facilities, and Disposal Sites

Subchapter 4: Criteria for Landfills and Disposal Sites

Article 3. CalRecycle – Handling, Equipment, and Maintenance

20750.1. CalRecycle – Organic Waste Handling (a) For new or expanding solid waste landfills, the operator shall implement organic waste recovery activities, as approved by the EA. The ORGANIC WASTE recovery activities shall be confined to specified, clearly identifiable areas of the site and shall be arranged to minimize health and safety hazard, vector harborage, or other hazard or nuisance, and be limited to volume and storage time as approved by the EA.

20750.1. (b) For purposes of this section, organic waste recovery activities means activities that divert organic waste from disposal to constitute a reduction of landfill disposal.

20750.1. (c) For purposes of this section, expanding means a solid waste landfill proposing to make a significant change to the design or operation as determined by the EA. Changing the hours of operation of a landfill is not considered an expansion.

Chapter 4. Documentation and Reporting for Regulatory Tiers, Permits, WDRs, and Plans

Subchapter 3: Development of Waste Discharge Requirements (WDRs) and Solid Waste Facility Permits

Article 3. CalRecycle – Enforcement Agency (EA) Requirements

21660.2. CalRecycle – Informational Meeting for New and Revised Full solid Waste Facilities Permit applications.

For the required informational meeting held by the EA for any new or revised full solid waste facilities permit applications, (c) The EA shall identify any disadvantaged communities that meets or exceeds using CalEPA's CalEnviroScreen (Health and Safety Code Section 39711) and the meeting shall be held within one mile from the facility and from any disadvantaged communities affected.

CalRecycle

Title 14: Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 12: Short-Lived Climate Pollutants

Article 3. Organic Waste Collection Service

18984.12. Waivers and Exemptions Granted by the Department. (a) Low Population Waiver. An incorporated city that disposed of less than 5,000 tons of solid waste in 2014 and that has a total population of less than 5,000 people or a county with census tracts that have a population density of less than 50 people per square mile may apply to CalRecycle for a low population waiver as specified in this section. The waiver shall be good for a period of up to two years.

18984.12. (c) Rural Exemptions. The Department shall grant an exemption from complying with the organic waste collection requirements until January 1, 2025, for jurisdictions that meet the definition of a "Rural Jurisdiction" under the AB 1826 mandatory commercial organics recycling (counties with a population less than 70,000) if the jurisdiction adopts a resolution that includes a finding as to the purpose of and need for the exemption.

18984.13. Emergency Circumstances. (a) Emergency Processing Facility Temporary Equipment or Operational Failure Waivers. If a facility processing a jurisdiction's organic waste notifies the jurisdiction that operational restriction have been imposed on it by a regulatory agency or that a temporary equipment or operational failure will prevent the facility from processing, the jurisdiction may allow the organic waste stream to be deposited in a landfill for up to 90 days from the date of the restriction or failure. The jurisdiction shall notify the Department within 10 days of the waiver decision and shall include the period that the jurisdiction has allowed the organic waste stream to be deposited in a landfill.

18984.13. (b) Disasters and emergency waivers: (1) A jurisdiction may submit a request for a waiver for the disposal of "disaster debris" that cannot be diverted that are subject of a disaster. (2) A jurisdiction may dispose of sediment debris removed from dams, culverts, reservoirs, channels and other flood control infrastructure if the material is subject to a waste discharge requirement issued by the regional water quality control board that requires the average organic content of the debris to be less than five percent.

Article 12. Procurement of Recovered Organic Waste Products

18993.1 Recovered Waste Product Procurement Target. (d) On or before January 1, 2022 and on or before every five years thereafter, the Department shall recalculate the annual recovered organic waste product procurement target for each jurisdiction according to the requirements of 18993.1. (b).

Article 15. Enforcement Oversight by the Department

18996.1. Department Evaluation of Jurisdiction requirement. (a)(b) The Department shall evaluate a jurisdiction's compliance with its IR, conduct of inspection, compliance reviews, and route reviews.

18996.1. (c)(d) The Department shall notify the jurisdiction prior to conducting an evaluation and provide the jurisdiction a summary of the Department's findings.

18996.1. (e) If the Department determines that a jurisdiction's ordinance (enforceable mechanism) does not meet the requirement of this chapter, the Department shall notify the jurisdiction of the deficiencies, and the jurisdiction shall have 90 days from that notice to correct the deficiencies.

18996.2. Department Enforcement Action Over Jurisdictions. If the Department finds that a jurisdiction is violating any provisions, the Department may take the following actions:

- (1) Issue a NOV requiring compliance in 90 days. If requested within 60 days, an extension may be granted for an additional 90 days if there is evidence that additional time is needed, and that compliance can be achieved within the 189 days.
- (2) The Department may extend the timeframe for a jurisdiction to comply beyond the 180 days by issuance a Corrective Action Plan (CAP) for up to 24 months if there are extenuating circumstances and the jurisdiction has made substantial effort to comply. A jurisdiction shall submit a written request for the extension at least 30 days prior to the NoV final compliance date with documentation demonstrating its substantial effort to comply. Substantial effort does not include circumstances where a decision-making body of a jurisdiction has not taken the necessary steps to comply including failure to provide staff resources, a failure to provide sufficient funding to assure compliance, or a failure to adopt required ordinances.
- (3) The CAP shall be issued for no longer than 24 months, shall include compliance dates for each milestone, and shall include penalties that may be imposed if a jurisdiction fails to comply with the milestones or the final compliance date.

18996.3. Department Enforcement When Jurisdiction Fails to Enforce. If a jurisdiction fails to enforce the requirements, the department may take enforcement action against an entity and also enforcement action against the jurisdiction and may seek administrative penalties against the jurisdiction.

18996.4. Access for Inspection by the Department. An authorized Department employee or agent shall be allowed to enter an entity's premises during normal working hours to conduct inspections and investigations in order to determine compliance. This is not intended to permit an employee or agent of the Department to enter property.

18996.5. Enforcement Action Against Organic Waste Generators Located in Multiple Jurisdictions and Non-Local Entities. A jurisdiction may refer an organic waste generator that has violated a requirement and that has locations in more than one jurisdiction to the Department for review and enforcement action after it has issued a NOV to the entity and may also refer violations of a non-local entity to the Department. The Department may take enforcement action.

18996.6. Department Inspections and Compliance Reviews of State Agencies and Facilities. If the Department finds that a state agency or facility is violating these provisions, the Department may issue a NOV requiring compliance within 90 days and may grant an additional 180-day extension if evidence is provided that additional time is needed.

18996.6. (4) If the Department finds a state agency or state facility fails to comply with the NoV, the Department may take the following enforcement actions: list the state agency or facility on the Organic Waste Recovery Noncompliance Inventory, request that the Department of General Service (DGS) conduct an audit, notify the Governor, and notify the legislature.

18996.7. Department Enforcement Action Regarding Local Education Agencies. If the Department finds a local education agency, is violating these provisions the Department may issue a NoV requiring

compliance within 90 days. If the local education agency fails to comply with the NoV, the Department may list the local education agency on the Organic Waste Recovery Noncompliance Inventory.

18996.8. Complaints of Alleged Violations by Jurisdictions and Entities. Any person having information that a jurisdiction or an entity is in violation of a requirement may file a written complaint to the Department. If the complaint is against an entity within the jurisdiction, the Department shall refer the complaint to the jurisdiction for investigation and enforcement. The Department shall commence an investigation within 60 days.

18996.9. Department Enforcement Actions Against Entities. (a) The Department may take enforcement action against organic waste generators, including commercial edible food generators, haulers, and food recovery organizations and services where a jurisdiction has failed to enforce this chapter or where the entity is a non-local entity that is not a state agency or facility or local education agency.

18996.9. (b) If an entity is found in violation, the Department shall:

- (1) Issue a NoV within 60 days for the first violation. If the violation is not corrected, the Department shall issue a Notice and Order to Correct (NOTC) requiring compliance with 30 days and include potential penalties for failing to comply. If the violation continues after the 30 days, the Department shall commence action to impose a penalty no later than 90 days after the issuance of the NOTC.
- (2) For all subsequent violations, the Department shall issue a NOTC requiring compliance with n 30 days and include the potential penalties for failing to comply. If the violation continues after the 30 days, the Department shall commence action to impose a penalty no later than 90 days after the issuance of the NOTC.

18996.9. (c) The Department may grant extensions to the compliance deadlines if it makes finding that the entity is making timely progress toward compliance and there are extenuating circumstances outside its control, such as acts of god and limitations in infrastructure and the jurisdiction is under a CAP.

Article 16. Administrative Civil Penalties for Violations of Requirements of the Chapter

18997.1. Scope. (a) The Department may impose administrative civil penalties.

18997.3. Department Penalty Amounts. (a) Penalties shall be imposed administratively using the penalty tables (b) for level 4, \$500-2,500 per violation, per day; for level 5, \$1,000-5,000 per violation, per day; and for all subsequent violation, \$5,000-10,000 per violation, per day.

(See pages 41-48 for the specific description of violations and levels of violations.)

18997.4. Organic Waste Recovery Noncompliance Inventory. If the Department finds that a state agency, state facility, or local education agency is in violation, the Department shall send a notice to the entity stating that the department intends to place it on the Inventory if the violation is not corrected within 90 days, and then shall do so if it is not corrected.

18997.5. CalRecycle Procedure for Imposing Civil Penalties. The Department shall serve and accusation on a person against whom civil penalties are being sought; the respondent shall have 15 days to file a request for a hearing; within 30 days of receiving the request the Department shall schedule a hearing

within 90 days; and the Director shall issue a written decision within 60 days of the conclusion of the hearing.



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

July 17, 2019

Gwen Huff
Materials Management and Local Assistance Division
California Department of Resources Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812

Transmittal Via E-mail: SLCP.Organics@calrecycle.ca.gov

RE: Comments on the Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions, Proposed Regulation Text Second Formal Draft

Dear Ms. Huff:

On behalf of the Rural County Representatives of California (RCRC), I am writing to provide input into the development of Senate Bill 1383 (Lara, 2016) regulations for organics diversion from our landfills, Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions Proposed Regulation Text (Proposed SLCP Regulations), Second Formal Draft dated June 17, 2019.

RCRC is an association of thirty-six rural California counties, and the RCRC Board of Directors is comprised of an elected supervisor from each of those member counties. In addition, twenty-four member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements to reduce waste being disposed in landfills and increase recycling/re-use efforts for certain products. Our counties' solid waste managers are dedicated to providing meaningful, environmentally-conscious, and cost-effective solid waste services to their residents and businesses.

RCRC would like to thank CalRecycle for the extensive outreach to stakeholders during the informal development of the Proposed SLCP Regulations and during the formal process. This second formal draft reflects the consideration that CalRecycle gave to stakeholder comments as the changes are a direct response to concerns that were voiced during the last comment period. We also appreciate that CalRecycle included a number of previous conceptual provisions in this draft.

Notwithstanding the above provisions and other flexibilities that were included in the Proposed SLCP Regulations, some previous issues still generate serious concerns and need further addressing. These concerns primarily deal with: additional waivers; capacity

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planning; procurement; monitoring, reporting, and enforcement; and penalty requirements. This letter provides a summary of key issues and includes an attachment with more specific comments dealing with the regulatory language (Attachment A).

Organic Waste Collection Services

Containers

We support the changes to the container requirements, as they provide clarity and are helpful.

Container Contamination Minimization

Reducing the container contamination monitoring route review from quarterly to annually is appreciated. The Proposed SLCP Regulations now include an alternative to the container contamination monitoring annual route review, waste evaluations conducted every six months. It appears this method would require a separate collection run for the collection of the sample containers, a sorting area where random sampling of the contents occur, and then determining the ratio of contaminants for each container type. This appears to be even more labor intensive than the route review and RCRC suggests this also be on an annual basis.

Providing this alternative is appreciated but the term "route" used for determining the number of samples is confusing. There are daily routes for a specific truck or route areas of a community that are served by a number of trucks on a certain day of the week. The average garbage truck only has capacity for 600 to 800 residential stops per day. Collection at commercial generator routes may be significantly less per day. Some customers are served on an on-call basis and are not part of a designated route. The term "route" needs a definition for the purposes of this draft. The proposed regulations sampling methodology is confusing in terms of the number of samples per each range of customers and taking a 200-pound sample of each container stream. The relationship to the number of generators to sample and the size of the samples needs to be clarified.

Waivers and Exemptions

Most important to our member counties is the inclusion of various provisions for waivers and exemptions to the organic waste collection requirements. The Proposed SLCP Regulations include a delay of implementation of the residential organic collection service to the same rural jurisdictions (counties with a population of less than 70,000) that received a five-year delay from the mandatory commercial organic waste diversion requirements. This delay is valid until 2025 or until five years after the CalRecycle determines that the statewide disposal of organic waste has not been reduced to 50 percent of the 2014 level of disposal, whichever is later. In addition, the Proposed SLCP Regulations include a provision for rural areas of counties with populations of 70,000 or greater to apply to CalRecycle for up to a five-year waiver (previously two) for census tracts located in unincorporated areas of the county that have a population density of less than 75 persons per square mile (previously 50) or incorporated cities with a total population of less than 7,500 people (previously 5,000) and less than 5,000 tons of solid waste as reported in 2014.

This allowance is helpful but there are circumstances where the population within a census tract is concentrated in one or two areas on the fringe of the census tract. For example, one census tract in a rural county has a density of 85 people per square mile in a census tract that is 86.2 square miles, but 81% of the population resides in only 37% of the census tract all concentrated on one side. If the criteria applied the same 75 people per square mile criteria to the census block groups within that tract, the excluded portion would have a density of 26 people per square mile but covers 63% of the area of the census tract (see Attachment B). We request that there be a process that allows for these large census tracts to use the census blocks or block groups with the same 75 people per square mile. These changes help to address the challenges of collection in rural areas throughout the state.

As previously stated, RCRC is most appreciative of the proposed waivers and exemptions provided for rural jurisdictions and low-population areas. Section 30.12 (c), Rural Exemptions, specifies that Rural Jurisdictions meeting the definition in Section 42649.8 of the Public Resources Code are exempt from the organic waste collection requirements specified in the Organic Waste Collection Services article until 2025. While this is helpful to rural jurisdictions, we request reconsideration that these counties be exempted from the entire Chapter.

It is not productive to mandate these counties participate in the various other organic programs for the small percentage of benefits received. As an example, the Tehama County Solid Waste Management Agency (TCSWMA) has estimated it will take three to five additional full-time equivalents (FTEs) to implement the remainder of the new requirements. The TCSWMA currently has a staff of three FTEs to conduct all aspects of their solid waste management programs. There are nineteen (nearly one-third) of the state's counties that qualify for the Rural Exemption and represent only 4 percent of the State's total solid waste stream. It also seems difficult to justify the state spending any of their valuable resources ensuring compliance with one-third of the state's counties for such a small fraction of the organic waste stream.

The new waiver exempting areas located at or above the 4,500-foot elevation from the requirement to include food waste in their organic waste collection service is extremely helpful where food waste collection is a public safety issue in bear habitat. However, there are areas in the state that have bear populations below that elevation that also have public safety issues with food waste collection (such as Butte County and Del Norte County) that should be able to submit a request for this waiver. Included in Attachment C are excerpts of various bear related activities under the 4,500-foot elevation. RCRC understands this may add a tremendous workload to CalRecycle and suggests the entire elevation/bear territory waivers be delegated to jurisdictional approval and reporting and be included in Section 18984.11.

Finally, RCRC also still believes it is appropriate to allow a local jurisdiction to request a waiver from CalRecycle for a proposed area based upon the local circumstances and conditions. Local jurisdictions need to have the ability to appeal to CalRecycle when

lack of easily accessible organics facilities, the greenhouse gas impact tradeoffs, or other unique situations occur that are beyond the reasonable ability of the jurisdiction.

Emergency Circumstances, Abatement, and Quarantined Materials

The “temporary” equipment or operational failure has been replaced with “unforeseen” equipment or operational failure. RCRC believes that the operative word should remain “temporary” which would include unforeseen circumstances. Equipment maintenance may be scheduled or unforeseen that will impact the ability to process material. Additionally, it needs to be clarified whether the organic waste landfilled due to the temporary or equipment failure is counted as organics disposal.

The disaster and emergency waivers also need clarification that the disposal waiver of organic materials does not count towards organic disposal. There is no safe means to process organics from quarantine areas and homeless encampments.

The addition of the waiver for the separation and recovery of organic waste from homeless encampments and illegal disposal sites, as well as organic waste subject to quarantines, are thoughtful and important additions to protect public health and safety. It needs to be clarified whether the organic waste landfilled due to these waivers is counted as organics disposal.

Education and Outreach

Education and outreach are critical components of any successful solid waste diversion and disposal program. As proposed, the requirement for providing information in languages other than English is confusing. The proposed regulatory text proposes a more extensive requirement than referenced in the previous version and in the amended Initial Statement of Reasons. The proposed regulatory text is also more extensive than the current requirements used by Public Health Department’s in providing essential health information. We recommend that the regulations utilize the same current standards as Local Public Health Departments so that current resources can be utilized rather than developing a more extensive and expensive infrastructure further increasing the cost of these proposed regulations.

CalGreen Building Standards and Model Water Efficient Landscape Ordinance

Both these standards are already existing ordinance requirements under the authority of the Building Departments within the jurisdictions. These requirements have enforcement authorities of their own so that inclusion in SB 1383 regulations is excessive. Therefore, if these requirements are included in the Proposed SLCP Regulations, these regulations need to acknowledge that CalRecycle’s enforcement authority is over the jurisdiction’s appropriate department for implementing the requirements and not a part of the jurisdiction’s solid waste agency review. It is inappropriate to expect our solid waste managers to manage the actions of other departments within the jurisdiction. It is much like CalRecycle staff cannot dictate the actions and are not held responsible for the Air Resources Board or the State Water Quality Control Board.

Jurisdiction Edible Food Recovery Programs

Much like the above requirements, edible food recovery programs are not under the purview or expertise of our solid waste managers. This program is more appropriate to be delegated to social services departments that are familiar with the various programs available to residents of the jurisdiction, or even Environmental Health Departments that oversee the safe handling of food intended for public consumption. Again, it is unsuitable to expect our solid waste managers to manage the actions of other departments within the jurisdiction.

Capacity Planning

The Proposed SLCP Regulations capacity planning for edible food recovery and processing facility infrastructure includes a requirement that jurisdictions that lack sufficient capacity shall submit an implementation schedule to CalRecycle that demonstrates how it will ensure there is enough new or expanded capacity to recover the organic waste currently disposed of by its generators. This is beyond the ability of local jurisdictions to achieve.

It is common knowledge that California does not have sufficient infrastructure capacity today to handle the quantity of organics to be diverted from landfills to meet the goals of AB 1826 and SB 1383. In addition to being costly, the facilities are difficult to site and usually take five to ten years to get through the permitting process. Placing the responsibility of providing sufficient capacity on local jurisdictions is not realistic. This effort will necessitate all stakeholders, including the state, local jurisdictions, private industry, and the residents of the state to participate in this endeavor.

Since capacity planning is already a requirement of the Electronic Annual Reports (EAR), any additional capacity planning requirements should be added to the existing EAR process and not create a separate obligation for jurisdictions which could potentially result in redundant and possibly contradictory reporting.

Procurement of Recovered Organic Waste Products

The expansion of the range of renewable natural gas uses that count towards a jurisdiction's procurement target was appropriate and in direct response to the many stakeholder requests to do so. However, mulch, which is easier and less costly to process, has more potential for use in rural counties, and has water saving benefits, is still not allowed as procurement.

While market development is a crucial component of the success of meeting our organics diversion goals, RCRC still believes that the SLCP Regulations should not be the vehicle to address this issue. We suggest that procurement be removed from the proposed regulations and that it be an all-encompassing (state and local government) effort. As we

stated in our previous letter to CalRecycle dated March 4, 2019, we believe this procurement mandate was not authorized by SB 1383 and constitutes an unfunded mandate.

Enforcement

RCRC appreciates the inclusion of a mechanism to allow consideration of a jurisdiction's efforts for compliance. The "Corrective Action Plans" (CAPs) allows extended timelines and milestones for achieving compliance, if the jurisdiction has demonstrated that it has made a "substantial effort" to comply and there are extenuating circumstances that have prevented it from complying. Substantial effort is then defined to mean that a jurisdiction has taken all practicable action to comply. However, it further clarifies that substantial effort does not include circumstances where a decision-making body of a jurisdiction has not taken the necessary steps to comply with the Chapter, including but not limited to, a failure to provide staff resources or sufficient funding to assure compliance. We believe this to be too severe of a requirement for determining compliance.

There are many factors for a decision-making body to consider when establishing programs that are reasonable and economically feasible. A program in solid waste is not compared to just other solid waste programs, but weighed against the need for every other program impacting that same jurisdiction. The decision-making bodies have a myriad of programs to consider ranging from, but not limited to, social services, public health, environmental health, economic development, land development, to public safety. The benefits of a program are considered against the public's overall needs. For instance, in rural counties, the cost of every new program gets compared to how many deputy sheriffs could be funded with those same dollars.

State agencies, such as the BDOs in CalEPA, work independently from each other, without consideration of how to reach an end goal that benefits the public in the broader picture. It appears that State agencies are focused on only their area of protection. Local jurisdictions do not have that luxury. The decision-making bodies of the local jurisdiction live in the jurisdiction, are a part of their communities, and answer to their constituents on a daily basis. Their decisions have to take into consideration the broad picture.

Penalties

While penalty requirements were reduced, we still believe the penalty section is premature and should be considered in a separate set of regulations. This regulation is complicated on all fronts and will be difficult to implement and administer. All stakeholders need to begin working through responsibilities and requirements to determine appropriate levels of fines for the various infractions. Jurisdictions have until 2022 to implement the programs so there is ample time to consider appropriate levels of penalties after implementation of these regulations.

It is inappropriate to call these regulations goals and targets with such a prescriptive set of penalties imposed on our residents, industry partners, and local jurisdictions. The

way these regulations are written constitutes an unfunded state mandate. It is even more inappropriate when the State entities, federal agencies, and schools, who are large contributors to the organic waste stream, have no consequence for non-compliance other than getting put on a "list-of-shame."

Facility Sampling and Loadchecking

The proposed requirements for sampling and loadchecking were vastly improved. Daily sampling was replaced with 10-day quarterly sampling periods and daily contamination load checking was replaced with quarterly gray container waste evaluations. However, the procedures are still complicated and time consuming and need more vetting and clarity.

- Most sites, especially landfills, will not have time to sort out loads delivered late in the day in order to obtain representative samples of a typical collection day and still have time to finish daily operations and cover the landfill.
- Reviewing all routes may take up to two weeks.
- Small scales will be needed to weigh samples and contaminants.
- Some sites may take both mixed and source separate organics, so it seems double sampling is required (or even three or four sets). The gray waste stream sorting will also have similar issues.
- Some sites may not have a spot to conduct the activity or may require a permit change to designate an area or new activity.
- Gray waste container sampling is required to be sampled at the transfer stations and then again at landfills. This seems duplicative and unnecessary.
- Many rural transfer stations are only open a few days a week. To collect samples for 10 consecutive operating days would mean sampling would occur 5 out of every 12 weeks for a facility operation only two days a week and would increase staffing significantly.

The regulations in their current form demand jurisdictions to concurrently plan, develop, and implement ordinances, enforcement programs, outreach and education programs, develop infrastructure, create organics collection services, monitor sampling programs, create edible food recovery programs, and more. Even with the organic collection exemption for rural jurisdictions, compliance will necessitate significant additional staff resources.

Many rural communities, particularly in the foothill and mountainous communities, produce very little organic material that warrants collection and processing. Tuolumne County recently conducted a survey at their main transfer station and found that very little yard waste or food waste was brought to the transfer station for disposal. Most residents explained that they either compost food waste or use it for animal feed. Brush is taken to a chipping facility or left onsite but is not handled in the solid waste collection system. RCRC would like the opportunity to come up with alternatives to collection for our rural areas and develop a performance-based goal for rural counties and areas that would also exempt

Ms. Gwen Huff
Comments on the SLCP Second Formal Draft
July 17, 2019
Page 8

them from monitoring and sampling, reporting, capacity planning, and/or other requirements.

RCRC appreciates the outreach efforts and stakeholder involvement that CalRecycle has provided to develop a regulation to assist all stakeholders in meeting the statewide organic diversion goals. We remain dedicated to working collaboratively to find a reasonable and responsible way to move forward in meeting our goals. Please do not hesitate to call if you have any questions or want to discuss any of these concerns further.

Sincerely,



Staci Heaton
Regulatory Affairs Advocate

Attachments:

Attachment A – RCRC Comments on SB 1383 Regulatory Language
Attachment B – Nevada County Census Tract versus Block Group
Attachment C - Excerpts of Various Bear Related Activities under the 4,500-foot Elevation

cc: Scott Smithline, Executive Director, CalRecycle
Hank Brady, Manager, CalRecycle
Members of the RCRC Board of Directors

ATTACHMENT A

RCRC/ESJPA Comments on SB 1383 Regulatory Language

General Provisions (page 3)

Section 18981. 2. Implementation Requirement on Jurisdictions

(d) This revision does not allow "a jurisdiction to delegate its authority to impose civil penalties, or maintain an action to impose civil penalties, to a private entity". Many jurisdictions delegate to a contractor the responsibility for implementing their solid waste programs. These agencies charge fees for service and in some cases, they may impose penalties for failure to abide by requirements. It should be made clear that the delegated contractor has the authority to impose these additional collection fees.

Article 1. Definitions

Section 18982. Definitions

(14.5) Designated Source Separated Organic Waste Facility (page 5)

This section should be limited to only the definition and not the operational requirements, which should be addressed later in the proposed regulations. The requirements for determining recovery rates in (A)(1) and (B)(1) are extremely restrictive and do not offer much opportunity for a transfer/processor or composting facility or operation to adjust. An activity exceeding these thresholds will become ineligible for a jurisdiction to direct their materials and thus will be unable to remain viable unless they accept materials from sources that are not required to use a "Designated Source Separated Organic Waste Facility". There is also no process that allows for an activity exceeding these thresholds to return to good standing.

There is also not requirement to notify jurisdictions. These entities report to CalRecycle on their performance. CalRecycle should be required to immediately notify source jurisdictions of the site disqualification.

(28) "Gray container" (page 7)

This definition should be corrected as follows: "Hardware such as hinges and wheels on a gray container may be a different color."

(33) "High diversion organic waste processing facility" (page 7)

This definition is confusing in that it is based upon the organic waste received from "Mixed Waste Organic Waste Collection Stream" as defined in Section 17402 (a)(11.5) of this division." The definition of "Mixed Waste Organic Waste Collection Stream" in Section 17402 (a)(11.5) is limited organic waste collected in the blue or gray container. Should a "High diversion organic waste processing facility" be based upon the processing efficiency of managing all carts?

(46) "Organic waste" (page 9)

Some items defined as organics, such as manure, paper, food, and textiles, should not be placed all in the same container since these products will contaminate each other and make diversion nearly impossible. Although not specifically listed, dead animals (domestic and other) are classified as "organic". Disposal of dead animals in a landfill is a common practice due to the lack of rendering capacity. The proposed regulations should clarify that dead animals will

continue to be accepted at landfills and not be required to be placed in the green container as organics.

Also, the definition is not used consistently throughout the proposed regulations. For example, the three-container Organic Waste Collection Services prohibits some organics in the green container (e.g. carpets and non-compostable paper are prohibited from the green container, section 18984.1(a)(5)(A)). Gray containers received by a solid waste facility will undergo periodic evaluation for "remnant organic" material" (section 17409.5.7 (a)). The organics in the gray container will be used to evaluate a jurisdictions effectiveness even though some organics are not allowed in the green container. If these items are placed in the gray container, will the jurisdiction be penalized by the presence of these materials?

Article 2. Landfill Disposal and Reductions in Landfill Disposal

Section 18983.1 Landfill Disposal and Recovery. (page 12)

(a) (1) This revised section categorically considers any organic material used as Alternative Daily Cover (ADC) and Alternative Intermediate Cover (AIC) to be considered disposal. Currently, only green materials used as ADC or AIC is considered disposal (Public Resources Code (PRC) Section 41781.3 (2)(A)). PRC Section 41781.3 (a)(1) provides that except for green material, other solid wastes used are considered diversion thus further limiting non-green material as ADC is in conflict with this section of the Public Resources Code. This change would classify several waste-derived materials that have traditionally been approved as ADC as disposal including; construction and demolition waste, compost, sludge, and even shredded tires made from petroleum. The revised Initial Statement of Reasons indicates the basis for this change is to reduce methane. Finished compost has undergone sufficient change so that any methane generation is minimal thus contradicting the methane generation rational. This change will nearly eliminate the concept of waste-derived material as ADC. This requirement should continue to allow the existing approved ADCs including finished compost and continue the current requirements for allowing other ADC materials after the approval demonstration.

(a)(2) Material recovery fines have been an effective ADC. The proposed regulation requires the fines to not include any amount of organic material. A threshold of zero organics in material recovery fines is not achievable. This strict limitation will result in fines being disposed of as a solid waste, but the fines would get flagged as an organic contaminant during the gray container evaluation. This section should be eliminated or modified to allow incidental amounts of organics or have the fines undergo a process to reduce the amount of organics present. Zero organics is not achievable without applying thermal energy.

Article 3. Organic Waste Collection Services (page 16)

This article contains requirements for collection and management of organics and other wastes. One issue that applies to all processing of collected material at facilities is that some border counties have their solid wastes and materials transported to other states that are not subject to California requirements for managing wastes. CalRecycle cannot impose requirements on these out-of-state facilities.

Section 18984.1. Three-container Organic Waste Collection Services (page 17)

(a)(5)(B) Composite-lined solid waste landfills (Class III) with Waste Discharge Requirements that specifically allow treated wood waste to be commingled with solid waste are not required to segregate the treated wood waste from solid waste. These approved landfills allow treated wood waste to be accepted as solid waste and therefore should not be prohibited from

placement in the gray container. Imposing a more restrictive standard will contribute to illegal dumping. The most likely problem of contamination will be if hazardous wood waste is placed in the green container. This section should be changed as follows:

(B) Hazardous wood waste shall not be collected in the green container

Section 18984.2. Two-container Organic Waste Collection Services (page 19)

(a)(1) The two-cart container system with green and gray containers prohibits non-organic material into the green container. Therefore, any materials eligible for the blue container will need to be placed in the gray container. Depending upon the subsequent processing of the containers, a jurisdiction might want to have blue container eligible recyclables placed in the green container. Using bags or other containers for the recyclables might be an option. Allowance of blue container eligible recyclables into either the green or gray containers provides a jurisdiction with more flexibility.

(a)(2) Similarly, allowing contained organics into the blue container for the blue and gray container option will also allow flexibility.

(c) Same comment as Section 18984.1. (a)(5)(B) above.

Section 18984.3. Unsegregated Single-Container Collection Services (page 21)

The exceedance levels are extremely restrictive and do not offer much opportunity for a transfer/processor or composting facility or operation to adjust. An activity exceeding these thresholds will become ineligible for a jurisdiction to direct their materials and thus will be unable to remain viable unless they accept materials from sources that are not required to use these "Designated Source Separated Organic Waste Facility". There is also no process that allows for an activity exceeding these thresholds to return to good standing.

There is also not requirement in the proposed regulations to notify jurisdictions of the failure of the processing facility to achieve the required diversion until the jurisdiction receives a violation from CalRecycle. These entities report to CalRecycle on their performance. CalRecycle should be required to immediately notify source jurisdictions of the site disqualification.

Section 18984.5. Container Contamination Minimization (page 22)

(b)(2) This section allows a jurisdiction to dispose the contents of a green or blue contaminated container, but (4)(A) requires consent of a jurisdiction prior to disposal "of a container with visible prohibited container contaminants". The proposed language is not clear on whether that consent is required per each container or if blanket consent, with conditions, can be granted to a contractor.

(b)(3) This section allows a jurisdiction to impose additional contamination processing fees on a generator if container contaminants are found on more than three consecutive occasions. This provision should also be extended to a jurisdiction's designee that services the routes. However, this is under the section of annual container contamination minimization, which could mean it could take four years before the fee could be imposed.

(c)(1)(C) The requirement that "samples taken from different areas in the jurisdiction that are representative of the jurisdiction" will require that if multiple jurisdictions are collected each individual jurisdiction will need to be sampled individually. This situation occurs often where a city limit is intertwined with a county area along the same street or area. In many cases, a

single load can contain multiple jurisdictions that cannot be separately analyzed unless each jurisdiction is collected separately. Separate sampling is an excessive requirement.

In addition, the waste composition study will need to be conducted over a period of at least five to seven days since it takes that long to collect from an entire jurisdiction. This time period will double if the collection frequency of a container type is increased to bi-weekly.

(c)(1)(D) This requirement tiers the number of samples by ranges of the number of generators. The specified ranges overlap. If there are exactly 4,000 generators on the routes, are 25 or 30 samples required. There is a similar overlap with the routes with 7,000 generators.

The proposed language is also unclear on what constitutes "routes". This term is not defined and common usage varies. A driver is assigned a specific "route" in one day that is extremely unlikely to have thousands of generators in that day. A jurisdiction can be divided in larger "routes" so that the material in a jurisdiction is collected over a period like five days. A clearer definition of what "routes" is needed.

Routes with less generators will need to sample a greater percentage of customers. A "route" with 1,000 generators will need to take 25 samples or 2.5%. A "route" with 8,000 customers will take 40 samples or 0.5%. Smaller routes should not have to sample 50 times more samples.

There is no guidance on how large a sample size from each route is required. There has to be enough sample volume to allow for taking a 200 pound sample as required in (c)(1)(E)(1). It is disproportionate, to take a 200-pound sample from 25 samples and also a 200-pound sample of 40 samples.

(c)(1)(E) This requirement indicates that, "All of the material collected for sampling is transported to a sorting area at a permitted solid waste facility" indicates that the samples are collected first and then transported to a permitted facility. Since the collected containers were heading to a permitted facility anyway the sampling should occur at the permitted facility. This language should be changed as follows:

The sampling of the routes will occur at the sorting area at a permitted solid waste facility

The requirement to transport all the collected material for sampling to a sorting area at a permitted solid waste facility may not be realistic depending upon the facility's permits and available space. Some permitted facilities are required to identify such operational areas in their Report of Facility Information so a permit change may be needed. Many smaller permitted facilities, especially in rural areas, lack adequate space to conduct such an activity so the samples will need to be transported to a more distant facility.

(c)(2) The list of methods to contact generators is limited. Some jurisdictions may have the ability to notify the target generators with electronic means such as emails, text, or even localized electronic applications like Nextdoor. Electronic notifications can be a cheaper and more expeditious method of notifying an area. Electronic notifications also avoid paper generation and additional organic waste.

(e)(1) The reference to section 17409.5.1 includes a subsequent reference to a demonstration that the facility is a "high diversion organic waste facility". The definition of "high diversion organic waste facility" has an issue identified earlier in the comments on section 18982 (a)(33) that needs to be fixed.

In addition, the recover percentage needs to be revised as follows so that it is not limited by only the exact number of 75%:

- (1) Pursuant to Section 17409.5.1, the solid waste facilities processing the jurisdictions green container collection stream recover at least 75 percent of the organic content received at the facility.

Section 18984.7. Container Color Requirements (page 25)

A common practice is to conduct minor repairs on a container, such as wheel, handle, or lids, so that the container can return to functionality. These minor maintenance activities should be clearly allowed to continue until January 1, 2036 rather than replace the entire container for minor issues.

Section 18984.9 Organic Waste Generator Requirements (page 27)

As indicated in comments on Section 18984.7, minor maintenance repairs should be allowed and not render a container not functional.

Section 18984.12. Waivers and Exemptions Granted by the Department (page 29)

Section 18984.12 (a) and (c) These sections should clearly specify that the exemption is from the Organic Waste Collection Services Article 3, including the annual container contamination minimization requirements.

In addition, local jurisdictions need to have the ability to appeal to CalRecycle when lack of easily accessible organic facilities, the greenhouse gas impact tradeoffs, or other unique situations for a proposed area occur that are beyond the reasonable ability of the jurisdiction based upon the local circumstances and conditions. RCRC recommends adding:

- (e) A local jurisdiction may apply to CalRecycle for a waiver for a proposed area based upon the local circumstances and conditions that are beyond the reasonable ability of the jurisdiction, such as lack of easily accessible organic facilities, the greenhouse gas impact tradeoffs or other unique situations that occur. CalRecycle may require evidence as deemed necessary to process such a request. Section 18984.13. Emergency Circumstances. Abatement, and Quarantined Materials (page 31)

This language should be revised as follows:

- (2) A jurisdiction shall notify the Department ... the facility that experienced the temporary equipment or operational failure preventing, or impairing, it from receiving the jurisdictions waste.
- (c) Similar to the existing waiver from disaster and emergency wastes counting as disposal, the wastes from homeless encampments and illegal disposal sites should not count as disposal tonnage against a jurisdiction. Often, these wastes cannot not safely be diverted, and landfilling is the safest option. A jurisdiction should not be penalized for this diversion nor should these wastes be targeted for sorting under the gray container waste evaluations in section 17409.5.7 and section 20901.

Article 4. Education and Outreach (page 33)

Section 18985.1. Organic Waste Recovery Education and Outreach

(e) Education and outreach are a critical component of any successful solid waste diversion and disposal program. As proposed, the requirement for providing information in languages other than English is confusing. The proposed regulations state the standard is "any language that is spoken by more than 10,000 persons or 0.5% of the jurisdiction's residents, and the population speaking that language speaks English less than very well". First, there is no reference cited for the term "speaks English less than very well". The Initial Statement of Reasons (ISOR) for the previous version of regulations indicates the source is the U.S. Census but the ISOR indicates a standard of "if more than five percent of a jurisdiction's generators are defined as "Limited English Speaking Households" or "linguistically isolated"". Another limitation of the U.S. Census is that each non-English language designation uses an "Other" category to consolidate some languages. For example, the 2010 Census values for the County of Fresno lists a more than 0.5% number of "Other Indic languages" but the listed specific language are not individually over the 0.5% threshold.

The typical Public Health Standard to provide materials is "substantial number of non-English-speaking people" "and who comprise 5 percent or more of the people served by the statewide or any local office or facility of a state agency" (California Government Code Section 7296.2). It seems an inappropriate public policy to have solid waste education and outreach more stringent than essential public health requirements.

We recommend that the proposed regulations use the current public health standard of five percent of a "substantial number of non-English-speaking people". This will allow a jurisdiction to utilize existing language resources and not invest in establishing a more stringent standard.

In addition, whatever source is utilized for determining the number of languages for materials that the regulations allow time to develop materials in any additional languages identified.

Article 5. Generators of Organic Waste

Section 18986.1. Non-Local Entities Requirements (page 36)

(c)(1)(B) As indicated in earlier comments on section 18984.1. and section 18984.2, treated wood waste is allowed to be commingled with solid waste in approved facilities. This reference should be changed to prohibit hazardous wood waste from the green container.

Article 7. Regulations of Haulers

Section 18988.3. Self-haulers of Organic Waste (page 40)

This section imposes excessive requirements on individuals that self-haul their own organic wastes. Residential organic waste generators are not required to record or report their information but still must source-separate and haul their organics to a "high diversion organic waste processing facility". Many rural, residential self-haulers transport their wastes to local small or limited volume transfer stations rather than larger facilities significantly further away. These remote rural transfer operations would not qualify as a "high diversion organic waste processing facility" since collected wastes are then transported to another facility. Many rural transfer operations consist of simply one or two debris boxes for all wastes. Some may have limited options for segregated recyclables or even organics that are transported elsewhere for processing. As proposed, these remote rural operations would be prohibited from accepting self-hauled organic wastes. The waivers and exemption in section 18984.12 only apply to Article 3 and not this article. This requirement should be removed since it contradicts the waiver provisions in section 18984.12.

Article 11. Organic Waste Recycling Capacity Planning (page 46)

Throughout this article, there are numerous references to county obligations to coordinate, comply, and identify various requirements of these regulations, e.g. the county coordinates with cities and regional agencies. When there is a CalRecycle approved Regional Agency, that Regional Agency functions as the main coordinating entity with the unincorporated county and cities. In one case the approved Regional Agency includes two counties. The proposed references for counties to coordinate with Regional Agencies negates the concept and responsibilities of a Regional Agency. All references in this article and the entire packet should recognize that role of a Regional Agency in coordinating with the county and cities.

Section 18992.1. Organic Waste Recycling Capacity Planning (page 46)

(a)(1)(B) This section allows a jurisdiction to use a local waste characterization study which is much appreciated. Some jurisdictions do not fit neatly into the averages developed in the statewide waste characterization studies coordinated by CalRecycle. A local waste characterization study provides a jurisdiction insight into specific waste categories in their area and allows for targeting additional categories. A local waste characterization study could be developed by expanding a Gray Container Waste Evaluation proposed in Section 20901.

Unfortunately, the advantage of a local waste characterization study is obliterated since the proposed regulations allow CalRecycle's most recent waste characterization study to override the local study. Currently, CalRecycle has been conducting waste characterization studies at two to five-year intervals. Local waste characterization studies are expensive, and the local waste characterization study should be allowed to remain in effect for these planning requirements for at least ten years.

(c)(3)(D) As indicated in comments on section 18985.1 (e), this requirement has issues. In addition, the reference on line 13 is incorrect. The reference should be to 18985.1 (e) and not (f).

Section 18992.3. Schedule for Reporting (page 50)

Since capacity planning is already a requirement of the Electronic Annual Reports (EAR), any additional capacity planning requirements should be added to the existing EAR process and not create a separate obligation for jurisdictions which could potentially result in redundant and possibly contradictory reporting.

Article 12. Procurement of Recovered Organic Waste Products (page 51)

Section 18993.1. Recovered Organic Waste Product Procurement Target

(b)(1) The increase of the per capita procurement target from 0.07 to 0.08 tons of organic waste is a 14.3% increase and compounds an already excessive requirement.

Article 13. Reporting

Section 18994.2. Jurisdiction Annual Reporting (page 55)

As discussed in comments on Section 18992.3, the required reports should be included in the appropriate Electronic Annual Reports and not create a new reporting requirement that may duplicate other reporting requirements.

(b)(5) The allowance for plastic bags requires recovery of the bags. This would apply even if the bags are compostable and the jurisdiction has approved their use as in sections 18984.1 and 18984.2.

Article 14. Enforcement Requirements

Section 18995.4. Enforcement by a Jurisdiction (page 62)

As of January 1, 2024, a jurisdiction shall start enforcement with financial penalties. A jurisdiction may grant extensions to the deadlines but is not allowed to consider extenuating circumstances other than acts of God or permit delays. Similar to other requirements such as in the RDRS regulations Section 18815.10), there should be an opportunity to notify organic waste generators of potential violations with an opportunity to correct the violations before imposing financial penalties.

Article 16. Administrative Civil Penalties for Violations of Requirements of This Chapter

Section 18997.2. Penalty Amounts (page 70)

This section imposes mandatory penalties without regards to circumstances. A jurisdiction has no discretion in regard to imposing penalties. Given the lack of organic infrastructure in many areas of California, jurisdictions will be forced to impose penalties while they are still trying to implement programs. The comments on Section 18995.4 also apply here to allow an opportunity to notify and fix a potential violation before imposing financial penalties.

Article 16. Administrative Civil Penalties for Violations of Requirements of This Chapter (page 73)

The penalty requirement under "Hauler Requirement Section 18988.3(b)" does not acknowledge the residential organic self-haul exemption under section 18988.3 (b)(4). This requirement should be revised as follows:

A generator who is a self-hauler fails to comply with the requirements of subsection 18988.3(b) unless exempted under subsection 18988.3 (b)(4) and (c).

Section 18997.3. Department Penalty Amounts (page 75)

Two of the violations conflict with each other. A jurisdiction can select both a three-container (section 18984.1) collection and two container collection (section 18984.2) for their collection options but if a jurisdiction selects one or the other they could get a violation not implementing the other program.

This requirement should be modified so that a jurisdiction will not get a violation if only one of the container collections is adopted.

Section 17409.5.1. Organic Waste Recovery Efficiency. (page 111)

This requirement imposes requirements on "transfer and processing facilities and operations that conduct processing activities". Nearly all transfer/processing facilities and operations have

some form of processing activities even if just providing self-serve bins for customers. Thus, these requirements would apply to nearly all facilities and operations.

Section 18997.2 Penalty Amounts (page 91)

(e) The process for determining penalties for lack of procurement and does not directly allow for extenuating circumstances such as in section 18997.2 (d). There should be explicit allowances for circumstances in subsection (e).

Section 17409.5.2. Measuring Organic Waste Recovered from Mixed Waste Organic Collection Stream. (Page 113) and

Section 17409.5.3. Measuring Organic Waste in Material Removed from Mixed Waste Organic Collection Stream for Disposal. (page 114) and

Section 17409.5.3. Measuring Organic Waste in Material in Residuals Removed from Mixed Waste Organic Collection Stream for Disposal. (page 114) and

Section 17409.5.4. Measuring Organic Waste Recovered from Source Separated Organic Waste Collection Stream. (page 115)

The sampling protocols of these sections are not realistic. Issues include:

- Taking a random composite sample that is representative of a typical operating day and taken throughout a day would require sampling loads received near the end of the operating day. Sites would need to close public access early or extend operating hours to allow time to take and process the samples. Equipment and staff would be waiting for the sampling to be completed, costing time and money.
- The additional time required and the designated area for sampling may require solid waste facility permit changes.

Section 17409.5.5. Measuring Organic Waste in Materials Removed from Source Separated Organic Waste Collection Stream for Disposal. (page 116)

In addition to the issues listed above:

- Many disposal facilities do not track jurisdiction of origin as material comes in, instead it allocated by the hauler in arrears. This is consistent with AB 901 requirements.
- Gray container waste may be mixed with multiple jurisdictions before it arrives to a disposal facility.

Article 6.2 Operating Standards

Section 17409.5.7 Gray Container Waste Evaluations (page 119)

Although an evaluation of gray carts can be one means of determining disposed organics for diversion and evaluating a jurisdiction's compliance efforts, the sampling requirements imposed in this section are unrealistic and excessive for the following reasons:

- Facilities serving many jurisdictions would be required to dedicate significant resources to conducting this evaluation.
- Multiple jurisdictions may be collected on the same vehicle so a per jurisdiction evaluation cannot be conducted without collecting each jurisdiction separately during this evaluation.
- The requirement to maintain five years of records is excessive. Most other regulatory requirement limit retention to three years.
- Smaller facilities and operations that receive gray container wastes are not equipped to dedicate resources to an evaluation and some lack sufficient space.
- Many rural attended transfer operations and facilities are staffed by a single employee that is not prepared to conduct evaluations.
- Many rural attended transfer operations and facilities accept gray container wastes from self-haulers and consist of self-serve compaction containers. There is not generally the facility space or infrastructure to provide sanitary conditions appropriate to the public.

Section 17409.5.7.1. Gray Container Waste Evaluations– Frequency (page 120)

This section calls out facilities, but most small transfer/processing are considered solid waste operations. This section should use both facilities and operations consistently.

(a) The exemption for facilities with less than 100 tons per calendar year equates to 548 pounds per day, roughly a one cubic yard per day. The number of facilities or operations that meet this exemption are almost non-existent. The Recycling and Disposal Reporting System has an exemption level for scale at 100 tons per day and 200 tons per day for rural areas. This same standard should be used for this exemption from conducting gray container evaluations.

We recommend the following revisions:

(a) If a facility received less than 100 tons per day in the gray container collection stream from a jurisdiction during the previous calendar year, no waste evaluations shall be conducted on the incoming gray container collection stream from that jurisdiction for the current 12-month period.

(b) If a facility received between 100 and less than 500 tons per day in the gray container collection stream from a jurisdiction during the previous calendar year, two (2) waste evaluations shall be conducted on the incoming gray container collection stream from that jurisdiction per quarter for the current 12-month period.

(c) If a facility received between 500 and less than 1000 tons per day in the gray container collection stream from a jurisdiction during the previous calendar year, three (3) waste evaluations shall be conducted on the incoming gray container collection stream from that jurisdiction per quarter for the current 12-month period.

(d) If a facility received 1000 tons or greater per day in the gray container collection stream from a jurisdiction during the previous calendar year, five (5) waste evaluations

shall be conducted on the incoming gray container collection stream from that jurisdiction per quarter for the current 12-month period.

Section 17409.5.7.2. Gray Container Waste Evaluations - Measuring Remnant Organic Material. (page 120)

This requirement identifies a number of unrealistic requirements including:

- Taking a random composite sample that is representative of typical operating day and taken throughout a day would require sampling loads received near the end of the operating day. Sites would need to close public access early or extend operating hours to allow time to take and process the samples. Equipment and staff would be waiting for the sampling to be completed, costing time and money.
- The additional time required and the designated area for sampling may require solid waste facility permit changes.
- Many disposal facilities do not track jurisdiction of origin as material comes in, instead it allocated by the hauler in arrears. This is consistent with AB 901 requirements.
- Gray container waste may be mixed with multiple jurisdictions before it arrives to a disposal facility.

Article 6.2.

Section 17409.5.9 (Page 122)

The use of alternatives to scales, such as volume conversion for small facilities, was extensively discussed throughout the AB 901/Recycling and Disposal Reporting System which was recently approved. The criteria are already established in section 18815.9 (g) and include additional flexibility for rural areas especially site that lack power to operate a scale. The cost of a scale for small sites has never been justified and these proposed regulations should not impose excessive and unnecessary requirements on jurisdictions, operators, EAs and CalRecycle to approve a concept that has successfully been operating for nearly 20 years.

This section should be revised as follows:

- (b) When required by this article, the operator shall report tonnages using a scale or report the tonnages using a method described in Section 18815.9(g).

Article 8. Composting Operation and Facility Records

Section 17869. General Record Keeping and Reporting Requirements (page 132)

(e)(5) It is understandable for CalRecycle and EAs to be concerned with improper land application but requiring composters to track the use of compostable materials to an address, parcel number, or other equivalent physical location is excessive and impractical and ignores the concept of how composting markets work. A composter provides materials to individuals and/or entities in small amounts and in bulk amounts. The composter should not be responsible for tracking the actual or intended use of the material. A user of compostable materials may appropriately change the use of the material after leaving the composter site. This requirement should be deleted as excessive.

Chapter 9

Article 9.25

Section 18815.5 (e) (page 146)

(e) The numbering has two (e). The second (e) should be changed to (f) and the old (f) should be changed to (g) in this section and in any references in the entire packet.

The use of a rolling quarterly recovery efficiency does not adequately allow for seasonal fluctuations or changes in waste flows. A longer period should be used. Calculating a new annual average every quarter based upon the immediately preceding quarters could result in jurisdictions having to change facilities too often resulting in increased transportation costs and would require contract negotiations with multiple sites.

The recovery efficiencies are reported to CalRecycle but there is no requirement on when or who notifies the jurisdictions of the rates.

Article 4

Section 20901 (page 153)

Many of the concerns expressed in comments for section 17409.5.7 (gray container waste evaluation for attended transfer/processing) are also applicable to this disposal facility standard.

(b) and (c) Gray container collection in a collection vehicle may include multiple jurisdictions. Under the recently adopted RDRS reporting system, the jurisdiction of origin can be provided at a later date (section 18815.9 (b)(1)). Conducting this evaluation by a specific jurisdiction may not be possible for mixed loads.

(e) Standard record retention time is three years and this proposal should be changed to three years instead of five.

Section 20901.1. Gray Container Waste Evaluations– Frequency (page 154)

(a) The same concerns on the evaluation frequency under comments on section 17409.5.7.1 also apply here. The exemption for 100 tons per year is of almost no benefit since there are few disposal sites that qualify. The levels should be increased to be per day and not year.

Article 3.2.

Section 21695 (page 164)

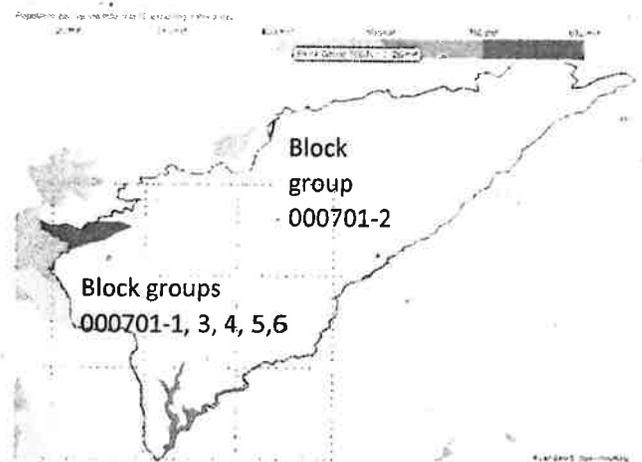
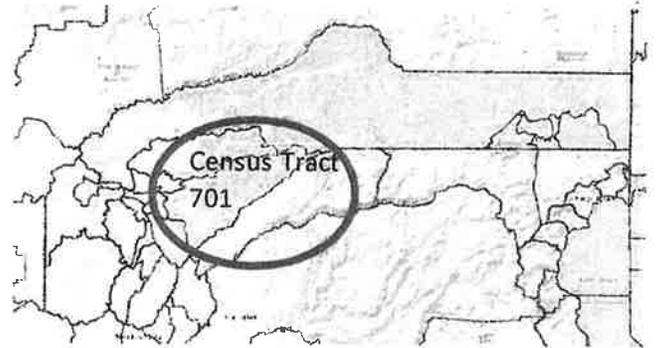
(i) Landfills in the State are already regulated under CCR Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Sub article 6: Methane Emissions from Municipal Solid Waste Landfills. This regulation requires surface monitoring that checks the integrity of the cover whether it is considered daily, intermediate, or final. If the cover doesn't meet these regulatory performance standards, immediate remediation is required to bring it back to standard. This requirement for surface monitoring should be deleted and only refer to the existing ARB surface monitoring requirements to avoid duplication and overlap between agencies.

(i)(4) There are no criteria specified on how an operator or EA can determine that intermediate cover is not as effective as final cover.

ATTACHMENT B

Nevada County Census Tract versus Block Group

Tract	Block Group	pop/sq. mi	pop	Sq. mi
County			98,639	957.8
701		85	7,327	86.2
	000701-1	87	878	10.1
	000701-2	26	1,422	54.7
	000701-3	965	1,246	1.3
	000701-4	195	808	4.1
	000701-5	321	1,479	4.6
	000701-6	124	1,494	12
900		8	4,130	516.3
1205		219	5,043	23
	1205-01	144	2,133	14.8
	1205-02	931	2,506	2.7
	1205-03	73	404	5.5
1206		1025	6,172	6
1203		347	2,824	8.1
1204		216	2,352	10.9
801		85	5,133	60.4
	801-01	139.7	1,395	10
	801-02	56.8	1,746	30.7
	801-03	102.2	1,992	19.5
802		573	6,436	11.2
501		1455	6,071	4.2
600		1169	6,677	5.7
502		1140	4,898	4.3
104		664	3,191	4.8
102		841	6,502	7.7
103		278	7,639	27.5
105		154	2,615	17
200		34	2,531	74.4
402		125	6,746	54
	402-01	749	1,627	2.2
	402-02	94	2,085	22.2
	402-03	245	2,016	8.2
	402-04	44	928	21.1
401		833	5,978	7.2
702		208	3,948	19



Census tract 701 is about 20 miles long with limited vehicle access. Block group 000701-2 is about 63% of the area of the census tract

Yellow highlighted Block Groups are below the 75 people per square mile threshold.

ATTACHMENT C

Excerpts of Various Bear Related Activities under the 4,500-Foot Elevation



Black Bear Habitat

Black bears occupy a variety of habitat; however, bear populations are densest in forested areas with a wide variety of seral stages. Habitats with both vegetative and structural diversity provide alternate food resources when other foods are in short supply. Food availability for black bears has been strongly correlated to reproductive success in female black bears (Rogers 1987, Piekielek and Burton 1975, Jonkel and Cowan 1971). Vegetation and structure diversity not only allow for greater survival of existing bears, they also provide for increased reproduction.

As with all wildlife, black bears have specific preferences for reproduction, cover, and feeding. With respect to reproduction, secure, dry den sites are needed for female bears giving birth or raising cubs. Many studies have indicated that female black bears selected the most secure den locations (Mack 1989, Alt and Gruttadauria 1984, LeCount 1983, Johnson and Pelton 1981, Lindzey and Meslow 1976). While black bears have been found to den in slash piles, under large rocks, and even on open ground, the most secure and thermally protective den sites are associated with large trees.

On a regional basis, black bears "thrive" in some habitats while other habitat types are marginal. For instance, black bears are known to use annual grasslands sporadically during the year. However, self-sustaining bear populations are not found in this habitat type. In contrast, montane hardwood, montane chaparral, and mixed conifer forests sustain high bear populations because they supply sufficient food, cover and water. Other habitat types, such as valley foothill hardwood, provide seasonally important habitat. Similarly, some habitat types vary in importance depending on the composition of surrounding areas.



[\(/Portals/0/Images/Game/BlackBear/rangelarge.png\)](/Portals/0/Images/Game/BlackBear/rangelarge.png)

Click on the map to view a larger size

Habitat loss is the leading threat to wildlife populations in California. Over half of the suitable black bear habitat in California is in public ownership of which an estimated 10 percent is managed as either wilderness or park. Current ownership patterns allow large blocks of habitat to remain undeveloped and core areas within these blocks where bears encounter few humans. Furthermore, black bears typically inhabit rugged lands and conversion projections indicate that only 1 percent of existing black bear habitat is expected to be lost each decade (FFRAP 1989).

Land management activities can effect the capability of an area to support bear populations. For instance, many of the important food plants (manzanita, oaks) only grow in forest openings. Therefore, controlled burns or other management strategies aimed at creating a mosaic of forest openings can be especially beneficial for black bears by providing abundant food resources in close proximity to cover. Additionally, retention and recruitment of snags and large woody debris provide den sites and potential food sources (colonial insects). Conversely, management practices (i.e.-fire suppression) which result in even aged stands without structural and vegetational diversity decrease habitat value for black bears. Often attendant activities such as road construction, which do not directly reduce habitat, adversely effect bear populations by increasing hunting vulnerability.

Wildlife Branch - Game Management

(<https://www.wildlife.ca.gov/Explore/Organization/WLB/Game-Management>)

1812 9th Street, Sacramento, CA 95811

(916) 445-0411



Black Bear (/Conservation/Mammals/Black-Bear)

Black Bear Biology (/Conservation/Mammals/Black-Bear/Biology)

Black Bear Habitat in California (/Conservation/Mammals/Black-Bear/Black-Bear-Habitat)

[Home Table of Contents](#)

§ 251.1. Harassment of Animals.

14 CA ADC § 251.1

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 1. Fish and Game Commission-Department of Fish and Game

Subdivision 2. Game, Furbearers, Nongame, and Depredators

Chapter 1. General Provisions and Definitions (Refs & Annos)

14 CCR § 251.1

§ 251.1. Harassment of Animals.

Except as otherwise authorized in these regulations or in the Fish and Game Code, no person shall harass, herd or drive any game or nongame bird or mammal or furbearing mammal. For the purposes of this section, harass is defined as an intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding or sheltering. This section does not apply to a landowner or tenant who drives or herds birds or mammals for the purpose of preventing damage to private or public property, including aquaculture and agriculture crops.

Note: Authority cited: Sections 200, 202, 203, 355, 3800 and 4150, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 215, 220, 2000, 3800 and 4150, Fish and Game Code.

HISTORY

1. New section filed 6-4-70; designated effective 7-1-70 (Register 70, No. 23).
2. Amendment filed 5-28-71; designated effective 7-1-71 (Register 71, No. 22).
3. Repealer filed 6-5-72; effective thirtieth day thereafter (Register 72, No. 24).
4. New section filed 11-14-90; operative 11-14-90 pursuant to Government Code section 11346.2(d) (Register 90, No. 50).

This database is current through 7/5/19 Register 2019, No. 27

14 CCR § 251.1, 14 CA ADC § 251.1

END OF DOCUMENT

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Winter Behavior of Black Bears in the Sierra Nevada, California

Author(s): David M. Graber

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WINTER BEHAVIOR OF BLACK BEARS IN THE SIERRA NEVADA, CALIFORNIA

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Abstract: Black bears (*Ursus americanus*) in the Sierra Nevada range of California do not reliably exhibit the classic pattern of compulsory winter dormancy generally reported for this species. Pregnant females and most other adults hibernate for approximately 3.5 months, but only 37% of males are winter dormant. Winter-active bears tend to use lower elevations where snow cover is sporadic, growth after autumn rains provides herbaceous foods, and acorns may remain on the ground. Warmer temperatures at these lower elevations also reduce energy costs for active bears. The absence of a single environmental or physiological factor that discriminates between winter-active and winter-dormant bears, however, suggests that a complex suite of factors affects a bear's decision to remain active or den.

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The environmental and endogenous factors that initiate and set the duration of winter dormancy in black bears have long been debated. Indeed, the very nature of dormancy remains at issue. It is generally accepted that black bear hibernation is designed to conserve energy stores during a period when the energy costs of foraging exceed the energy value of food obtained. The relative roles that food availability, weather, physical condition, functional adaptation to local climate, and evolved physiology play in this behavior remain a matter of speculation. Dormancy for pregnant females is compulsory because of the altricial state of neonates. There is an established correlation between latitude and the duration of winter dormancy. Denning periods of more than 7 months have been reported from southern Alaska (Schwartz et al. 1987); Montana, 6.5 months (Jonkel and Cowan 1971); Washington, 4 months (Lindzey and Meslow 1976); Arizona, 4 to 5 months (LeCount 1983); North Carolina, 3.5 months (Hamilton and Marchinton 1980). Johnson and Pelton (1980) working in Tennessee, and Smith (1986) working in Arkansas, assert that the characteristics of dormancy do not vary with duration nor latitude.

Physiological investigations of black bear hibernation (Nelson et al. 1973, Folk et al. 1976, Lundberg et al. 1976, Nelson et al. 1983) have found metabolic and biochemical changes in winter that suggest dormancy is structural rather than functional, and that once the transition to hibernation is effected, it is not readily reversed. In particular, this line of research proposes that food digestion during the hibernation period may not be possible.

In Arizona, however, LeCount (1983) reported that black bears spend time outside their dens on warm days well into their nominal denning period. Hamilton and Marchinton (1980) reported bears in North Carolina delaying den entry until mid-winter. Novick et al. (1981) found that some bears in the mountains of southern California remain active all winter, as did Hellgren and Vaughan (1987) in Virginia. Taylor (1971) described bears feeding and returning to dens in Louisiana.

This report of winter behavior was drawn from a research program designed to compare ecological and behavioral patterns of bears using camping or recreation sites and those in adjacent, undisturbed habitat. Although data collection in winter was sparser and less systematic than at other seasons, findings are sufficiently unusual to warrant communicating them.

I wish to acknowledge the excellent field work of L.A. Ayres, L. Chow, A. Clevenger, and J. Van Horn. L. Chow was responsible for most of the data management.

STUDY AREA

The area used by black bears described in this study lies in and adjacent to Sequoia National Park, on the western slope of the Sierra Nevada range in central California. Elevations extend from 400 m to 2,500 m, with steep topography generated by river gorges and glacial canyons. Climate is characterized by warm, dry summers and cool, moist winters during which most precipitation falls as snow above 1,500 m. Mean annual precipitation ranges from 66 cm at the lowest elevations to 125 cm at 2,000 m and varies greatly from year to year. January minimum temperatures range from 2 C to -9 C according to elevation.

Because of the steep topography, vegetation varies strikingly over short map distances. Plant communities used by black bears in Sequoia include chaparral (*Adenostoma fasciculatum*, *Ceanothus* sp., *Arctostaphylos* sp.), oak woodland (*Quercus douglasii*, *Q. chrysolepis*, *Q. kelloggii*), oak forest (*Q. kelloggii*, *Q. chrysolepis*), mixed conifer forest (*Abies concolor*, *Pinus lambertiana*, *Sequoiadendron giganteum*), and lodgepole pine (*Pinus contorta*)-red fir (*Abies magnifica*) forest.

METHODS

We captured most bears with Aldrich foot snares, occasionally supplemented by a variety of other methods. Bears were sedated with ketamine hydrochloride and xylazine hydrochloride, after which we took standard

measurements and extracted a premolar for age estimation. Unfortunately only a few of the individuals used in this analysis were weighed and measured in the autumn, so their condition at that time could not be used in this investigation. Some of those captured, particularly subadult males and adult females, were fitted with radio-transmitter collars. Two types of transmitters were used in this study: one type featured a 1-minute or 5-minute delay reset motion sensor; the other included the motion sensor and a real-time head position sensor that operated when the bear was active. I define "activity" in this paper as a change of location, established by a combination of motion sensor, signal direction, and direct observation (Ayres et al. 1986). Most telemetry data were collected on the ground with a hand-held, portable receiver, supplemented by telemetry from aircraft when bears could not be located from the ground.

From all data collected by capture, visual observation, and telemetry, I selected individual "bear-winters" as analytical units if there were sufficient location and activity records for the months of December through April to make a reliable determination of the presence, extent, and location of winter dormancy or other winter activity. Distribution and number of data points necessary varied with the activities of individual bears, but minimum sampling was once per week.

I calculated habitat selection and movements when there was a sufficient number of data points to do so. A preferred habitat was assigned to a winter-active bear if most locations during the months December through April were obtained within a single vegetation type. No food availability data were obtained. However, acorns and manzanita (*Arctostaphylos* spp.) berries are the predominant fall foods, herbaceous graminoids and dicots the predominant spring foods in the study area (Graber, unpubl. data).

RESULTS

During the winters of 1980 through 1985, we followed the activities of 31 individual bears (16 females, 15 males) for 63 bear-winters.

Denning Bears

Thirty-nine (62%) bears were winter-dormant for at least 2 weeks; the remaining 24 (38%) remained active all winter.

Females were about twice as likely (29, 81%) to den as males (10, 37%) ($X^2 = 10.6, P < 0.001$). All 7 females who had cubs denned. Individual bears did not necessar-

ily follow a pattern of dormancy from 1 year to the next. Of females for which there is information for sequential years, 80% (12) denning in 1 year did so the following year, while the remainder did not follow suit. Among males, 2 (18%) denned 2 years in a row, 3 (27%) remained active 2 winters in succession, and 6 (55%) switched behaviors.

The mean age of females in the winter study was 10.4 years, but only 4.4 years for males. (Overall, mean age of females in the study population was 2.6 years greater than males; we were less successful in locating dens of older male bears). The overall mean age of denning bears, 9.2 years, was substantially greater than that for winter-active bears, 5.7 years. However, there was little difference in either gender between the ages of denning and non-denning bears (10.7 yrs vs 9.3 yrs for females, 4.7 yrs vs 4.2 yrs for males).

The median onset of winter dormancy was 17 December, and the median emergence date was 30 March. The mean duration was 104 days (S.D. = 39). However, bears entered dens as early as 21 November and emerged as late as 31 May. One old female remained in her den for 178 days. The mean sampling interval during the winter was 3.5 days during the onset period, and 4.8 days during the emergence period, therefore there is an element of uncertainty surrounding estimates of denning periods.

We classified most bears in this study according to their association with human development. Between those that were strongly associated with human development—typically during the spring, summer, and fall—and those that rarely or never visited developments, there was little difference in denning habits. During the winter months, campgrounds are little used by park visitors or bears; the quantities of anthropogenic foods available to bears at that time are trivial. Of campground bears, 67% (12) denned, similar to 59% (23) of bears associated with natural areas ($X^2 = 0.07, P > 0.7$).

Denning rate (percent of bears denning) during the 6 years varied from 12% in 1981 to 85% in 1982. Mean winter snow depth varied (at a mid-elevation index station) from 20 cm in 1984 to 109 cm in 1983. Snow depth during December, when denning begins, varied from 0 cm in 1981 to 58 cm in 1983 and 1985. Neither variable correlates with denning rate nor median onset of denning when pregnant females are excluded and ranks are compared. O'Pezio et al. (1983) similarly failed to find a correlation between denning onset and weather in New York. However, in the winter of 1981 when 0/7 non-pregnant bears denned in Sequoia, autumn temperatures were warmest, autumn precipitation was least, and winter snow depth second-least of the 6 winters. In the winter of

1983, when 12/15 (80%) non-pregnant bears denned, precipitation and snow depth were at their greatest and autumn temperatures were the second coldest.

Data on food production for the study years were not sufficiently robust to evaluate against denning rates. We found no rank correlation, however, between autumn precipitation or minimum temperatures—the factors controlling winter greenup—and denning rate.

Winter-active Bears

Of the 24 bears that failed to den during the winter, nearly 80% changed location regularly January through March. The remainder, although active, remained confined to a few square kilometers.

Vegetation types are zoned along an elevation gradient in the Sierra Nevada (Barbour and Major 1977); in the Sequoia study area the lowest elevation type, chaparral, and the highest elevation type used by bears, lodgepole pine/red fir, are often separated by less than 10 km. Thus seasonal selection of habitat is not constrained by distance. Preferred winter habitat for active bears was quite different than that chosen for dens. The most popular habitat type for winter-active bears was chaparral (38%), followed by oak woodland (25%) and mixed conifer (25%). Bears denned preferentially in mixed conifer (38%), followed by oak woodland (23%), chaparral (15%), and lodgepole pine/red fir forest (15%). Denning bears that emerged early from dens tended to use the same habitat as winter-active bears.

Although bear scats were not systematically collected during winter, the small number examined contained either acorns or graminoids and herbaceous dicots.

Disturbance

We tried to visit most dens to confirm dormancy, to collect other information, and occasionally to remove transmitters. Unfortunately, in 8 (6 female, 2 male) of the 63 cases reviewed here, researcher visits led to den abandonment. This sometimes occurred when visitors remained at a considerable distance. If disturbance occurred before mid-February, bears re-denning within 2 weeks. But in 3 cases dormancy was abandoned entirely, and one of these led to abandoned cubs.

After bears had abandoned dens in mid-winter, we visited some of these and collected scat from the immediate vicinity. We cannot say with confidence whether these were produced during the nominal denning period, afterwards, or even by other bears in some cases. The scats, as those of winter-active bears, contained herbaceous material or acorns.

DISCUSSION

Winter activity among black bears in southern latitudes, where temperatures above freezing occur much of the time and many plants continue to grow, is more varied and complex than rigid hibernation practiced by black bears in northern climates. In Sequoia National Park and environs, oak forest and oak woodland frequently remain free of snow and provide acorns fallen from the previous autumn. The chaparral belt supports herbaceous plants growing throughout most of the winter. Yet these vegetation belts often occur less than 4 km from the conifer vegetation in which most dens are found.

If denning is elective, a functional calculation that one's energy budget is better served by hibernation than by foraging, then behavior such as that observed in Sequoia is readily understandable. Although I did not directly measure winter food availability, it is evident that a heavy autumn acorn crop provides high-energy foods into the winter. The availability of green plant material is a function of precipitation during the autumn months while temperatures are still high enough for plant growth. However, I found no pattern of denning rates reflecting these weather parameters.

Prior to the effective elimination of anthropogenic food in the 1980's, there were numerous instances of bears active and feeding in mid-winter in Yosemite Valley in Yosemite National Park, California, which is also in the Sierra Nevada (Wright 1929, Harwell 1932, Graber 1981). Although winters in Yosemite are somewhat colder than in the lower elevations of Sequoia, individual bears skilled at foraging for anthropogenic food could come out of the winter in better condition than others who hibernated if winter dormancy is a trade-off between energy conservation and foraging gain minus expenditure. The minimal difference in denning rates between well-fed campground bears and "natural" bears in this study suggests that fall fat levels may not be as important as winter food availability in determining whether denning will occur. However, the lack of direct fall weight measurements for many of the study animals makes this a weak inference.

It is tempting to propose that dormancy among black bears in the Sierra Nevada and similar climates is elective in some circumstances. Such a postulate is troubling because it conflicts with physiological evidence that hibernation is biochemically profound and it implies that individual bears consciously weigh information about present environmental conditions and perhaps their own physiological state. And if bears are capable of such calculation, may they also predict winter conditions based on environmental cues, and take this factor into account?

Research to date provides no evidence either to accept or reject this model. In locations such as Sequoia where not all bears hibernate, there is an opportunity to learn more about the forces that control this process. Accurate, quantitative information about autumn food availability, the nutritional status of individual bears, and weather, combined with high-resolution telemetric data on the winter activities of individual bears, would provide useful insights into the role of the different environmental parameters affecting the timing and extent of winter dormancy.

The Sequoia winter research effort was severely constrained by our desire not to cause den abandonment. Nonetheless this was a regular occurrence. This disturbance not only confounds analysis of winter behavior, it compromises the viability of the bears themselves. Our reticence about approaching bear dens has muddied our understanding of winter feeding. Abandonment caused by human disturbance, especially investigators, has been documented elsewhere (Poelker and Hartwell 1973, Tietje and Ruff 1980, Smith 1986, Hellgren and Vaughan 1987). This scientific and ethical problem calls for the use of remote sensing and telemetry to the greatest possible extent.

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EL DORADO COUNTY

Fish & Game Comm.

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April 24, 2019

El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

RE: Establishment of an ordinance to require the use of bear bins/dumpsters for the agricultural farms in the region collectively known as Apple Hill Farms and Vineyards.

Dear Board Members:

Recommendation:

The Fish & Game Comm. recommends the Board members create and establish a fair and equitable ordinance requiring Apple Hill Growers and Vineyards to use bear proof bins/dumpsters during the Apple Hill Season and harvest season. This would be to minimize the probable bear to human encounter that can occur due to the delicious enticing refuse being generated by the farms during the harvest season.

Reason for Recommendation:

Apple Hill is the trademarked name of the Apple Hill Growers Association, and refers to the many ranches located in the Sierra Mountain foothills in El Dorado County, California, in and around the communities of Placerville and Camino. Since its formation in the 1960s, Apple Hill has become California's largest concentration of apple growers as well as a significant tourist destination noted for its rural ambiance, apple products including pies and cider, pumpkins, and other produce and attractions.

This commission, working closely with the California Department of Fish and Wildlife (CDFW), some members of the BOS, Waste Management, and some Ranchers, has determined it would be beneficial to humans and bears alike, to implement measures that would help minimize a potential high profile bear to human interaction that may be detrimental to either the bears or tourists during the most popular seasons in Apple Hill. Many high tourist rural communities like Lake Tahoe have formed programs that have demonstrated low cost ways to help minimize the attraction. We can use some of their proven steps to help minimize that possibility in Apple Hill. Lake Tahoe ordinances require the use of bear proof bins and dumpsters for new construction or updated properties. It has proven to be a useful technique to discourage the daily returns of bears that were encountered before the use, however the visitors that do not follow the trash storage requirements is an area that needs improvement.

It is well documented by CDFW and observed by many ranch owners that the bear population has increased in the Apple Hill region. To exacerbate the problem there continues to be an increase in the number of visitors attracted to this area during the fall and winter seasons. Ranchers are challenged with keeping up with properly storing the copious amounts of trash these visitors leave behind. It is imperative that they take the responsibility to do so. The attractive centralized refuse has proven to be sought after by the bear population and has become a more noticeable nuisance. Neighboring private homeowners have seen an increase in garbage being strewn across their properties and an increase in bear sightings near their homes. Some ranchers have resorted to killing the offenders. Some have unsuccessfully tried to seal their bins and containers. Research has shown that bears learn to associate people with food. Bears that typically are more nocturnal become more accustomed to human interactions and begin increasing activity during the day. This is a recipe for disaster. It's hard to disagree that something must be done to prevent a probable, possibly

lethal, bear to human interaction.

Based on discussions with the CDFW biologists and game wardens and some Board members, a proposal has been created to work closely with the Waste Management that would provide bear proof bins and containers for the ranchers. The ranchers can safely dispose of the enticing refuse and the bears will begin to seek natural foods. It would ultimately move them further away from the mass of tourists routinely visiting the ranches during the harvest seasons. An ordinance requiring the use of the bear proof bins would be a first step in the right direction to protect both the wildlife and the tourists by eliminating the nuisance.

Fiscal Impact:

None to marginal.

Action to be Taken Following Approval:

The commission will work with the CDFW, BOS, County Ag Department, Waste Management, and the Apple Hill Growers to craft and implement a sound plan to discourage the growing concern of a potential high profile encounter that could have obvious detrimental effects for many years to come to this well known, highly successful, major tourist attraction that our County proudly enjoys the economic benefits of and notoriety it has created.

El Dorado County Fish & Game Comm.
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Subject: RE: Request for Comments on SB 1383 Proposed Regulations

Mary,

Regarding the bear issue, here's my quick search of local sightings and one in Auburn. I've included a link to the CDF&W Bear Range Map and a paragraph from Wikipedia.

I'll try to work on a cost model next week.

<https://www.wildlife.ca.gov/Portals/0/Images/Game/BlackBear/rangelarge.png>

From Wikipedia: In most of the contiguous United States, American black bears today are usually found in heavily vegetated mountainous areas, from 400 to 3,000 m (1,300 to 9,800 ft) in elevation.

American black bears tend to be territorial and non-gregarious in nature. However, at abundant food sources (i.e. spawning salmon or garbage dumps), American black bears may congregate and dominance hierarchies form, with the largest, most powerful males dominating the most fruitful feeding spots

Paradise Post, July 11, 2018 (Elevation: 2,200')

She says seeing the eaten remnants of their fruit on the ground, and broken branches everywhere, was devastating. "When you see them on the ground, it's disheartening." She says the business took a more than \$2 million hit.

The Nobles reached out to several organizations for help, and a solution has been found-one they think will be win-win. Partnering with the USDA and the Defenders of Wildlife, a national non-profit, the group has spent

three days building an 8-foot wooden fence, and supplementing it with a large electric fence. Says Noble, "This, quite frankly in the last few days, has turned into an old-fashioned barn-raising."

Pamela Flick, the California representative with Defenders of Wildlife, says these fences have proven effective in protecting and deterring wildlife in other states, like Montana. "When they get that pulse through their nose and all the way through their body, they really are deterred from targets like this."

Colleen Cecil with the Butte County Farm Bureau says changes to California's hunting laws have impacted not only the black bear population but how bears interact with people. "They have no fear," she says. In 2014, California banned hunters from using dogs to track and chase bears. Cecil says bears have grown accustomed to people, and they're thriving in number. "They're coming down because they're hungry and thirsty, and they found a beautiful orchard with peaches and beautiful apples."

Chico Enterprise-Record: (Elevation: 1,500')



Bears coming into town to get trash has become a common problem on the Paradise ridge. - Photo courtesy of Staci Galla

And in Auburn: (Elevation: 1,300')

AUBURN (CBS13) — An employee at an Auburn restaurant had to use extreme measures to scare away a family of bears that were digging through garbage.

The incident didn't happen inside the restaurant, but over in the back by the dumpsters.

"This is where she was going through the garbage," said restaurant employee Andrew Casperite, motioning to the dumpsters.

Casperite faced a task probably not in his job description.

"She started to walk out in defense mode...and that's when I had to tell people to get the heck back," he said.

Customers gathered around at the Auburn Ikeda's in awe of this massive black bear and her two cubs rummaging through the trash. But as the bear inched closer, Casperite knew he had to step in.

"My first initial response was to grab one of these (holding a water bottle) and start banging it, because that's how to scared them off, but apparently she was very used to humans, because she was not frightened by that at all," he said.

The bear was stubborn, and there are many more like it.

"A bear this size could cause a lot of damage very quickly," said California Fish & Game Warden Patrick Foy.

Foy says California black bear sightings are becoming more common as wet winters and springs in recent years have caused a population boom.

"The areas where the bears are on the fringe of human development, these bears tend to gravitate toward those areas because they find easy sources of food," said Foy.

But in the process of scavenging for these easy meals, the bears pose a danger to humans.

"I decided to jump in my car and kind of drive very fast at her honking the horn and that scared her off," said Casperite.

No one was injured in the incident, but from now on, employees are likely to mind the sign on the dumpster enclosure reminding them to keep the trash closed.

"We're going to have to take a lot more precautions," said Casperite.

Game officials say you should never approach a bear cub. They can still be vicious, and their mother is likely close by.

Thanks,

Steve Rodowick, SMCP

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From: mmpitto@gmail.com <mmpitto@gmail.com>

Sent: Wednesday, July 3, 2019 2:58 PM

To: aboyd@co.siskiyou.ca.us; ahmad@madera-county.com; alexandria.rodriguez@co.madera.ca.gov; tbeals@sierracounty.ws; BMoss@co.calaveras.ca.us; bobperreault@countyofplumas.com; bosfour@edcgov.us; bpeters@alpinecountyca.gov; cgrube@countyofglenn.net; dgonzalves@co.tuolumne.ca.us; dgreen@co.tuolumne.ca.us; donnabowlin@co.modoc.ca.us; drader@trinitycounty.org; drenz@co.shasta.ca.us; eddelgado@co.imperial.ca.us; Egarrett@co.siskiyou.ca.us; Miller, Eric <emiller@buttecounty.net>; faubrey@inyocounty.us; David.Garcia@co.nevada.ca.us; gracie.phillips@frontier.com; greg.stanton@edcgov.us; johoeverts2@madera-county.com; jmchague@co.amador.ca.us; jpack@co.calaveras.ca.us; jreinking@amadorgov.org; KMacFarlane@co.tuolumne.ca.us; larse@co.lake.ca.us; LKWaiwaiole@co.calaveras.ca.us; lsweetser@rcrcnet.org; mjazevedo@countyofcolusa.com; mkobseff@co.siskiyou.ca.us; mqureshi@countyofglenn.net;

mreusze@co.siskiyou.ca.us; jnalder@mono.ca.gov; NMendes@countyofglenn.net; GOlsen@co.tuolumne.ca.us; pminturn@co.shasta.ca.us; psmith@rcrcnet.org; publicworksdept@co.modoc.ca.us; rross@co.tehama.ca.us; sheaton@rcrcnet.org; slanphier@countyofcolusa.com; Rodowick, Steve <SRodowick@buttecounty.net>; cstreight@co.shasta.ca.us; swaite@co.siskiyou.ca.us; tdublino@mono.ca.gov; tedd@recycledelnorte.ca.gov; telliott@inyocounty.us; tomvalentino.chico@gmail.com; trichardson@countyofglenn.net
Subject: Request for Comments on SB 1383 Proposed Regulations

Hello all,

I'm sure you heard that CalRecycle gave the public a two week extension for comments! While RCRC/ESJPA has been working on our comments, since we have additional time, I am again asking for your specific input. It would be most helpful to have examples of hard costs associated with implementation. For those of you with problem bear populations below the 4,500' elevation, evidence (pictures) of existing problems and locations would be valuable. We are also interested in the edible food implementation challenges. For those rural counties (less than 70,000 population) that get a reprieve until 2025 from the organic waste collection requirement and those other low population areas (census tracts with less than 75 persons per square mile), you are still required to comply with the other provisions!

Attached you will find a summary of just the route monitoring and sampling at solid waste facilities requirements. They have been significantly reduced from the previous version, but still seem complicated and cumbersome. We especially would like your input on the impact of these requirements, such as staffing, costs, facility challenges and/or permit changes. Be advised, this is just a summary and some of the details have been left out. The section numbers and page numbers have been included if you would like to refer to the more detailed description.

Please send me comments by Friday July 12th. The formal comments are now due on July 17th at noon.

Thanks for your help!

Have a safe and Happy 4th of July!

Mary Pitto

THE UNION

Nevada County Police Blotter: Black bear seen wandering through backyard

Local News | August 7, 2017

GRASS VALLEY POLICE DEPARTMENT

Sunday

8:42 a.m. — A caller in the 600 block of East Main Street reported waking up to the sound of a crash. The caller then saw suspicious people near a trailer, adding that transients are loud when searching through trash.

5:14 p.m. — A caller in the 100 block of Union Jack Street reported the theft of an electric control module from his vehicle. The device controls the power windows and door locks. There was no sign of forced entry.

7:24 p.m. — A caller in the 100 block of West McKnight Way reported a man who stole a pair of shoes and then left the business. Officers arrived and made an arrest.

NEVADA COUNTY SHERIFF'S OFFICE

Sunday

11:05 a.m. — A caller at Town Talk and Old Tunnel roads reported transients yelling and smoking cigarettes in the woods behind some apartments.

8:53 p.m. — A caller on Alta Sierra Drive reported that his daughter jumped from his car while he was driving. The daughter was taken to a Roseville hospital.

9:33 p.m. — A caller in the 12000 block of Thunder Road reported that someone broke into her motor home.

NEVADA CITY POLICE DEPARTMENT

Friday

1:08 p.m. — A caller in the 200 block of Church Street reported that a 2005 Gray Lexis was towed. The caller said they knew who had the vehicle towed.

8:52 p.m. — A caller at Commercial and Coyote streets reported that a gas lamp was broken and leaking gas.

Saturday

6:26 p.m. — A caller at Old Downieville Highway and Wyoming Road reported that a suspect, who she'd filed a report on, was taking pictures of her vehicle.

8:44 p.m. — A caller at Argall Way and Zion Street reported someone walking in the road. The caller was worried a vehicle would hit the walker.

Sunday

1:53 p.m. — A caller in the 400 block of Searis Avenue reported a black bear strolling through her backyard.

— Alan Riquelmy



Currently Clear Sky 70° F

Listener Line: (530) 477-5626
Business Line: (530) 272-3424



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380 RAILROAD AVE
GRASS VALLEY
P:530-273-6171
M-F 7AM-5PM
SAT & SUN 9AM-5PM



1000 So. CANYON WAY
COLFAX
P:530-346-8685
M-F 7AM-6PM
SAT & SUN 9AM-5PM



< Back to All News

Bears On the Move in Nevada County

Posted: Jun. 26, 2015 1:42 PM PDT

More people are reporting encounters with Bears in Nevada County. California Fish and Wildlife Warden Jerry Karnow says he will respond when the sheriff's department or the Highway patrol get calls about bears.

click to listen to Jerry Karnow

Karnow says for the most part a bear will attempt to avoid human contact, but they still can be dangerous. Just last Monday night a woman who lives in Magalia in Butte County was awakened by her dog barking and went into the back yard to find a Bear. The Bear attacked her with scratches and bit her in the shoulder. She was taken to the hospital but has been released. Fish and Wildlife officials are now trying to trap the bear. Karnow says the best way to keep bears at bay is to keep your property clear of anything that would attract them like bird feeders or garbage. Spraying your garbage can with ammonia can also help detract bears.



Karnow says Bears can cause a lot of damage if they enter a vehicle in search of food in the vehicle that they can easily scent even through closed windows. Bears can also be a problem for people on the road, just like deer.



click to listen to Jerry Karnow

Karnow says People are more likely to see bears in the lower elevations of Nevada County because unlike bears in Truckee, they do not hibernate. He says the bear population is also expanding and there are a lot of theories why that is.

click to listen to Jerry Karnow

Bears are omnivorous by nature, feeding on food of both plant and animal origin. The drought has impacted berries and other typical foods they like to eat. Bears have been known to kill chickens, even small goats or deer fawns if they are hungry.

Last September this Bear was seen walking on Prospect Street in Nevada City.



Full Service Lumber Yard & Garden Center



Full Service Lumber Yard & Garden Center



530 - 272 - 7744
119 Neal Street - Grass Valley



(530) 273 - 4643



PAINT PAINT ACCESSORIES



GLASS



WINDOWS



SHOWER DOORS



AUTOMOTIVE GLASS





Department of
Resources Recycling and Recovery

Jared Blumenfeld
Secretary for
Environmental Protection

Scott Smithline
Director for CalRecycle

Date: July 30, 2019

TO: Interested Parties

FROM: Hank Brady, Implementation Manager SB 1383

SUBJECT: Draft Program Environmental Impact Report for the Adoption of Regulations for Short-Lived Climate Pollutants: Organic Waste Methane Emission Reduction (SCH #2018122023). 45-day Public Comment Period: July 30, 2019 – September 13, 2019

The California Department of Resources Recycling and Recovery (CalRecycle), as the California Environmental Quality Act (CEQA) lead agency, has released a Draft Program Environmental Impact Report (EIR) for the Statewide Adoption of Regulations for Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emission Reduction. The public review and comment period for the Draft Program EIR will be **July 30, 2019 through September 13, 2019.**

Public Hearing:

During the review period, CalRecycle will hold a hearing on **August 20, 2019** at 1:00 PM to discuss the Draft Program EIR and receive comments. The hearing will be held at:

Cal EPA Building, Byron Sher Auditorium
1001 I Street, 2nd Floor
Sacramento, CA 95814

Written comments, and comments made at the hearing should be germane to the substance of the environmental analysis presented in the Draft EIR.

Document Availability:

This Draft EIR is available for review online at:
<https://www.calrecycle.ca.gov/Laws/Rulemaking/SLCP/>

It can also be reviewed in person, along with all documents cited in the Draft EIR, on any business day between 8:00 a.m. and 4:00 p.m. at CalRecycle's offices at 1001 I Street in Sacramento. Please contact Marcus Santillano by email at the address below if you would like to schedule review of the document in person.

Written comments or questions concerning this Draft EIR should be directed to the name and address listed below:

Mail: CalRecycle
Attn: Marcus Santillano
P.O. Box 4025
1001 I Street
Sacramento, CA 95812-4025

Email: slcp.organics@CalRecycle.ca.gov

Thank you for your interest and participation in this process.



Resource Group: Engagement of Experts Overview of Process

Purpose of Resource Group

CalRecycle, with the support of HF&H Consultants, LLC (H&H), is creating SB 1383 Implementation Tools to support jurisdictions and other regulated entities with implementation of successful policies and programs to support compliance with the new SB 1383 regulations. These tools will include a model franchise agreement, enforcement ordinance, organics waste product procurement policy, and food recovery agreement, each reflecting provisions to comply with SB 1383 requirements. In addition, a guidance document will be prepared for each model tool. These SB 1383 Implementation Tools will be disseminated in 2020 to jurisdictions and other entities through over 50 presentations conducted throughout the State.

To support the development of the SB 1383 Implementation Tools, CalRecycle and HF&H are organizing and engaging a "Resource Group" of experts to hear different perspectives and receive input on the SB 1383 Implementation Tools. The Resource Group will be comprised of individuals that represent the varied perspectives of jurisdictions, multi-jurisdictional agencies and organizations, hauling and processing companies, food recovery organizations and services, and edible food generators. In addition, Resource Group members will be selected to represent a range of geographic areas, population densities, jurisdiction sizes, hauler regulation approaches, collection systems, processing methods, and more.

Benefits of Participation

- **Gain in-depth understanding** of how SB 1383 regulations will be implemented through agreements, ordinances, and policies.
- **Guide the process** by providing examples of exemplary approaches and best practices for programs, services, and policies covered by SB 1383 requirements.
- **Learn about SB 1383 compliance strategies** that are being considered through your review of one or more of the draft SB 1383 Implementation Tools.
- **Share your perspective** by commenting on one or more of the draft SB 1383 Implementation Tools.

Group Member Participation and Timeline

Group member participation is anticipated at several times during the development and dissemination of the SB 1383 Implementation Tools. To minimize time commitments of each Resource Group member and to set up for effective engagement, the Resource Group will be split into three smaller Subgroups. In most cases, each member will participate in one Subgroup. The Subgroups include the following:

Three Subgroups

Model Franchise Agreement

Model Enforcement Ordinance and Model Procurement Policy

Model Food Recovery Agreement and Food Recovery Ordinance



CalRecycle SB 1383 Implementation Tools 2019-2020

The Resource Group will be invited to participate in the process as summarized below. The estimated time commitment is 10 to 20 hours, spread over several months.

Resource Group Participation Plan

Research and Analysis

- | | | |
|------------------------------------------------------------------------------------------------------------------|---------|--------------|
| • Provide example agreements, policies, and other resources that include exemplary provisions and best practices | 1 hr | Jul/Aug 2019 |
| • Review draft outline of one or more Model Tools | 1-2 hrs | Aug 2019 |

Development of Model Tools & Guidance

- | | | |
|------------------------------------------------------------------------|---------|--------------|
| • Participate in webinar presentation of one or more draft Model Tools | 1 hr | Nov 2019 |
| • Review and comment on one or more draft Model Tools | 5-8 hrs | Nov/Dec 2019 |

Presentation of Model Tools to Various Audiences State-wide

- | | | |
|-----------------------------------------------------------------------------------------|---------|----------------|
| • Participate in test presentation on Model Tools (optional) | 0-2 hrs | Feb 2020 |
| • Assist in presenting SB 1383 Implementation Tools or hosting presentations (optional) | 0-4 hrs | Mar – Oct 2020 |

Note: Estimated timeframes are tentative and subject to adjustment.

Communication Guidelines

- Communications with Resource Group members will occur via email, phone, and web-conferencing. HF&H will provide meeting materials and an agenda prior to each meeting.
- The role of the Resource Group is to provide resources and constructive feedback for the SB 1383 Implementation Tools. As such, the Resource Group will be asked to remain solely focused on providing feedback on the content of the Model Tools. The Resource Group process is not intended to serve as a forum for advocating for changes to the regulatory text or requirements of SB 1383.
- With Resource Group members representing varied backgrounds, expertise, and perspectives, differing opinions will arise throughout the process. These diverse and valuable perspectives will be taken into consideration and, where appropriate, incorporated into the Model Tools. Full consensus from the Resource Group is not required of the process or practical given the project timeline. The final content included in the SB 1383 Implementation Tools will be at CalRecycle’s discretion.

CONTACT INFORMATION

Your interest in participating in the Resource Group for the SB 1383 Implementation Tools is appreciated. If you have questions regarding the Resource Group process, please contact HF&H Consultants.

Tracy Swanborn, P.E., Senior Manager
HF&H Consultants
(707) 246-4803
tswanborn@hfh-consultants.com

Recycling and Disposal Reporting System (RDRS)

Prepared by
Larry Sweetser

Must report and what to report

Reporting Entity	Inflow/Outflow	In-state/out-of-state	Solid waste		Recycling and composting	End users	Non-green beneficial reuse	Green beneficial reuse	Brokering/transporting	Designated waste	Disaster waste
			Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info							
Food waste self-hauler §18815.4 (b)	Outflow	In-state	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and end user category by region					
		Out-of-state	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and end user category by region	Material type (tons) and end user category by region					
Contract hauler §18815.4	Outflow	In-state (Land Application Only) ≥50 tons/quarter	Tons by jurisdiction of origin & source sector; and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Tons by jurisdiction of origin and RDRS #/contact info		Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
		Out-of-state ≥100 tons/quarter	Material type (tons) and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info		Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
Transfer/Processor §18815.5 ≥100 tons/quarter or ≥2,500 tons/qtr CDI	Inflow - transfer/processor	Either	Tons by jurisdiction of origin & source sector	Material type (tons)	Material type (tons)	Material type (tons)	Material type (tons)	Material type (tons)		Material type (tons)	Material type (tons)
		Either	Tons by jurisdiction of origin & source sector	Material type (tons)	Material type (tons)	Material type (tons)	Material type (tons)	Material type (tons)		Material type (tons)	Material type (tons)
Disposal Facility §18815.6	Outflow	In-state	Tons by jurisdiction of origin & source sector; and RDRS #/contact info (c)	Material type (tons) and region	Material type (tons) and RDRS #/contact info	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
		Out-of-state	Tons by jurisdiction of origin & source sector; and RDRS #/contact info (c)	Material type (tons) and region	Material type (tons) and RDRS #/contact info	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
Recycling and Composting Facilities and Operations §18815.7 ≥100 tons/quarter or ≥2,500 tons/qtr CDI	Outflow	In-state	Material type (tons) and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
		Out-of-state	Material type (tons) and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
Brokers and Transporters §18815.8 self or transfer, and control and determine destination of, ≥100 tons/quarter	Outflow	In-state	Material type (tons) and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
		Out-of-state	Material type (tons) and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info

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		Out-of-state ≥100 tons/quarter	Material type (tons) and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info		Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
Transfer/Processor §18815.5 ≥100 tons/quarter or ≥2,500 tons/qtr CDI	Inflow - transfer/processor	Either	Tons by jurisdiction of origin & source sector	Material type (tons)	Material type (tons)	Material type (tons)	Material type (tons)	Material type (tons)		Material type (tons)	Material type (tons)
		Either	Tons by jurisdiction of origin & source sector	Material type (tons)	Material type (tons)	Material type (tons)	Material type (tons)	Material type (tons)		Material type (tons)	Material type (tons)
Disposal Facility §18815.6	Outflow	In-state	Tons by jurisdiction of origin & source sector; and RDRS #/contact info (c)	Material type (tons) and region	Material type (tons) and RDRS #/contact info	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
		Out-of-state	Tons by jurisdiction of origin & source sector; and RDRS #/contact info (c)	Material type (tons) and region	Material type (tons) and RDRS #/contact info	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
Recycling and Composting Facilities and Operations §18815.7 ≥100 tons/quarter or ≥2,500 tons/qtr CDI	Outflow	In-state	Material type (tons) and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
		Out-of-state	Material type (tons) and RDRS #/contact info	Material type (tons) and region	Material type (tons) and end user category by region	Material type (tons) and end user category by region	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info	Material type (tons) and RDRS #/contact info
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(a) Report percentage of solid waste outflows that were direct-hauled vs. accepted from other transfer/processors, and report source sector (% residential, commercial, self-hauled) for all direct-hauled tons sent

(b) Total tons accepted of each stream for each transfer/processor from which material was received

(c) Solid waste disposal (material generated on-site) track - Material type (tons) and RDRS #/contact information

Jurisdiction means city, county, city and county, regional agency, territory, or tribal lands §18815.2 (B4)

Contact information means name, mailing address, physical address, phone number, and email address.

Region means End User located by County, State, Country, or Tribal Lands

Source sector (Section 18815.2.)

- Contract-hauled single-family residential (e.g., houses),
- Contract-hauled commercial/multi-family residential (e.g., businesses and apartments), or
- Self-hauled (e.g., hauled by a generator).

"Disaster debris" and "designated waste" disposal shall be assigned to the "self-hauled"

*** Recommend tracking disaster debris and designated waste separately *** (L5)

NOTE: Although not required, it is recommended to track jurisdiction of origin on all incoming materials and wastes.

7/8/19

Region	Due Date	Disposal
County, if in California	Due Date	Disposal
State, if outside Calif.	Due Date	Disposal
Country, if outside US	Due Date	Disposal
§18815.3 (b)(1)	Due Date	Disposal
Manufacturing and Packaging	Due Date	Disposal
Fuel consumer	Due Date	Disposal
Material consumer	Due Date	Disposal
Construction end user	Due Date	Disposal
Land application	Due Date	Disposal
Inert debris fill	Due Date	Disposal
Out of State Hauler	Due Date	Disposal
April 30th	Due Date	Disposal
May 31st	Due Date	Disposal
June 30th	Due Date	Disposal
July 31st	Due Date	Disposal
August 31st	Due Date	Disposal
September 30th	Due Date	Disposal
October 31st	Due Date	Disposal
November 30th	Due Date	Disposal
January 31st	Due Date	Disposal
February 28th	Due Date	Disposal
February 31st	Due Date	Disposal
March 31st	Due Date	Disposal

Section 18815.3. Registration, Reporting and Exemptions.

(a)(1) Reportable material categories: (if segregated upon delivery)

- Carpet
- Construction and demolition/inert debris
- Furniture, excluding mattresses
- Glass, excluding cathode ray tube glass
- Metal
- Organics
- Paper
- Plastic
- Solid waste
- Textiles
- Tire-derived rubber or fuels
- White and brown goods



DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY

JOB TITLE: ADMINISTRATIVE ASSISTANT – Solid Waste

Salary Range: 44 (DNSWMEA)

FLSA Status: EXEMPT

EEO Class: 6

This is a responsible clerical position that requires the ability and experience to perform a variety of complex administrative, managerial and supervisory duties under limited supervision. This position is classified as mid-management, exempt.

DESCRIPTION OF BASIC FUNCTION:

To perform and assist in various administrative, personnel, budgetary and analytical duties of varying degrees of complexity within a department or division.

ESSENTIAL DUTIES: Essential job duties may include any of the following tasks, knowledge, skills and other characteristics. The list that follows is not intended as a comprehensive list; it is intended to provide a representative summary of the major duties and responsibilities. Incumbent(s) may not be required to perform all duties listed, and may be required to perform additional, position-specific tasks. Assists the Director in supervising, coordinating and/or performing the administrative and budgetary activities of the department, including representing the department/division in meetings with various boards, commissions, and other appropriate agencies or individuals.

- Prepares analysis and recommendations on the basis of analysis and evaluation of various programs and procedures within the operational unit.
- Prepares claims, purchase orders, budget transfers, interdepartmental transfers, forms related to- personnel actions, and other departmental related functions.
- Develops, implements, monitors and analyzes fiscal control procedures with regard to effectiveness and efficiency.
- Audits, distributes and processes material, labor, equipment, and indirect

6.6

Administrative Assistant – Solid Waste (cont.):

costs of invoices; time and work reports; and/or other clearing cards and reports.

- Prepares, types, and processes various warrants, appraisals, billing statements, applications, etc.
- Audits invoices for proper extensions, taxes, discounts, and totals; and matches invoices to purchase orders insuring proper billing and recording.
- Prepares and reviews staffing schedules with the Director for scheduling and workload planning.
- Assists in the preparation of reports and plans related to finances or personnel, external audits, and the annual budget.
- Monitors, maintains, and works with Director in supervising departmental budget alterations and procedures.
- Allocates purchases to various budget accounts.
- Prepares and maintains records on moneys received, payroll, inventory, and bank statements.
- Approves correct invoices and/or related documents for routing and payment.
- Prepares, processes, and maintains records on miscellaneous dispersal's and encumbrances such as travel requests, revenue reduction plans, rentals, leases, fixed asset accounts, etc.
- Participates in interdepartmental meetings regarding departmental policies and procedures.
- Acts as an informational source regarding services, operations, rates, policies and procedures.

Administrative Assistant – Solid Waste (cont.):

- Assists in the presentation of various information to other departments, contractors, auditors, customers, advisory boards, commissions and other appropriate individuals.
- Serves as Account Clerk, Refuse Site Attendant and assigned stand-by duties as needed.
- In the absence of the Director and the Programs and Facilities Coordinator serves as the Acting Director of the Del Norte Solid Waste Management Authority. When serving as Acting Director, the Administrative Assistant does not have the authority to hire or fire employees or to discipline employees, but does have the authority to place an employee on paid administrative leave pending the return of the Director or appointment of an Interim Director.
- Performs related duties as required.

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JOB REQUIREMENTS, QUALIFICATIONS AND DIFFICULTY OF WORK:

Requires:

Working knowledge of modern principles, practices, and procedures of administration of departmental and/or operational unit activities.

Working knowledge of computer applications as they pertain to the organization, storage, and retrieval of data information.

Working knowledge of computer applications used in budget analysis and administrative evaluation.

Knowledge of principles, practices, methods, and techniques required for budget development and analysis.

Knowledge of statistical and measurement methods required for analysis of the efficiency and appropriateness of various programs, policies, and procedures.

Ability to supervise and monitor the activity of subordinate employees.

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Administrative Assistant – Solid Waste (cont.):

Ability to analyze administrative and organizational problems and situations.

Ability to present appropriate facts and recommendations in graphic, written and oral form.

Ability to establish and maintain effective working relationships with Authority, County, and City employees as well as customer and contractor representatives.

Minimum Qualifications:

A minimum of one-year administrative experience including program analysis and evaluation supplemented by college course work in business, accounting, public administration or related field, or an equivalent combination of education and experience. A Bachelor's Degree is desirable.

Possession of, or ability to obtain, a valid California Driver's License.

RESPONSIBILITIES:

Employees in this classification receive limited supervision within a framework of standard policies and procedures. Errors in work or judgment could result in inefficient operations, low staff morale, and/or unnecessary loss of funds.

ENVIRONMENTAL CONDITIONS:

Work is performed in an office environment under both quiet and noisy conditions. Work may involve continuous contact with staff and the public.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with a disability to perform the essential functions.

While performing the duties the employee is regularly required to sit, talk, hear,

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Administrative Assistant – Solid Waste (cont.):

and use hands and fingers.

The employee is frequently required to stand, walk, and drive.

The ability to operate a keyboard/typewriter, adding machine, telephone system, computer, copier, facsimile machines and similar equipment is required.



DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY

JOB TITLE: FACILITIES & PROGRAMS COORDINATOR

Salary Range: 50 (DNSWMEA)

FLSA Status: EXEMPT

EEO Class: 3

DESCRIPTION OF BASIC FUNCTION AND RESPONSIBILITY:

To perform complex professional analytical work, to act as an advisor in the planning and execution of assigned projects, and to manage various Del Norte Solid Waste Management Authority (Authority) facilities and programs. This position is classified as mid-management, exempt.

DUTIES: Essential job duties may include any of the following tasks, knowledge, skills and other characteristics. The list that follows is not intended as a comprehensive list; it is intended to provide a representative summary of the major duties and responsibilities. Incumbent(s) may not be required to perform all duties listed, and may be required to perform additional, position-specific tasks.

- Performs complex professional tasks related to planning, implementing, monitoring and reporting regarding solid waste, recycling, composting, special waste, household hazardous waste and public education and outreach programs and activities. Acts as advisor in the planning and execution of assigned projects and manages various Authority programs.
- Prepares grant applications, scopes of services for professional contractors, preliminary and final designs, plans and specifications, requests for proposals, invitations to bid, and related quantity estimates.
- Develops project budgets, tracks expenses and prepares final budget reports for resource recovery projects, community cleanup projects, and collection events as assigned.
- Administers Authority contracts and grants as assigned including reviewing invoices and related work products for progress and final payments.
- Administers most aspects of the used oil and beverage container recycling programs, including: budget management, contract management, inspections,

procurement, reporting and public education.

- Develops, plans and coordinates the implementation of programs and facilities for the recycling of used oil, hazardous waste, and other recyclables.
- Prepares and/or monitors evaluation of potential contractors, preliminary and final project deliverables and reports, related cost estimates, plans, and specifications.
- Conducts on-site inspections of facilities, both public and private, to obtain field data for planning and compliance. Manages and inspects programs and work in progress for compliance with Federal, State, and local regulations.
- Monitors and advises on compliance by Authority programs, facilities, and contracted service providers. Assesses future needs and provides and analyzes alternative compliance strategies to address those needs.
- Plans, conducts and coordinates maintenance and repair activities, monitoring, analysis, staff reports, and related agency correspondence pertaining to Authority management of the Crescent City Landfill, monitoring wells, and other Authority facilities and equipment.
- Conducts and/or assists with landfill surveys and environmental monitoring of the landfill, including inspections, water quality data and sample gathering, and gas monitoring.
- Provides assessment and analysis of software, equipment, structures, site improvements, environmental controls, contractors, operations and safety procedures at all Authority facilities.
- Assists the Director in the management of Authority contractors, review of contractors' reports, and addressing customer complaints.
- Prepares and presents written and oral reports and graphic presentations related to solid waste planning, monitoring and compliance, resolutions and Ordinances to the Del Norte Solid Waste Management Authority Board of Commissioners, the Del Norte County Board of Supervisors, the Crescent City Council and other agencies, departments and advisory groups as needed.
- Participates in drafting portions of the Authority budget; may monitor budgets and other financial reports.
- Inspects Authority programs and projects to ensure that performance meets

requirements.

- Serves as staff support to the Del Norte Solid Waste Task Force.
- Provides technical assistance to institutions, commercial businesses and the general public regarding waste audits and other requested assessments.
- Plans, coordinates and participates in face-to-face outreach and service events. Develops and distributes printed surveys and public education materials to support reuse, recycling and product stewardship programs.
- Develops and produces newspaper and radio ads and coordinates related education campaigns with local and social media.
- Plans and organizes public outreach and education activities, such as composting workshops, Earth Week activities, booths at the County Fair and other public events, etc.
- Assists and advises agencies, the general public and other interested parties regarding the laws, regulations, policies, procedures, and programs pertaining to Authority responsibilities.
- Composes letters of response or inquiry to government agencies, the general public, and other interested parties regarding questions, clarification or issues related to the Authority, or related programs, contractors, or facilities.
- Compiles data and prepares technical reports to document the cost and success of countywide resource recovery programs.
- Prepared documentation, correspondence and other written materials related to program services; maintains or directs maintenance of associated records and files.
- Monitors the progress of special projects under the guidance of the Director.
- Reviews various journals, reports, and other written material in order to stay abreast of the current practices and legal requirements pertaining to Authority responsibilities.
- Acts as an information source and provides assistance to the public regarding division programs, policies, projects, and procedures.

- Serves as Refuse Site Attendant and assigned stand-by duties as needed.
- ~~Acts as head of the Del Norte Solid Waste Management Authority in the absence of the Director. Serves as Acting Director during the temporary absence of the Director of the Del Norte Solid Waste Management Authority. When serving as Acting Director, the Facilities and Program Coordinator does not have the authority to hire or fire employees or to discipline employees, but does have the authority to place an employee on paid administrative leave pending the return of the Director or appointment of an Interim Director.~~
- Represents the Solid Waste Management Authority as needed on the Environmental Review Committee.
- Performs related duties as required.

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JOB REQUIREMENTS, QUALIFICATIONS, AND DIFFICULTY OF WORK:

Requires:

- Possession of a valid California Driver's License.
- Ability to communicate regarding complex issues quickly and accurately.
- Knowledge of the methods, practices, procedures, and legal requirements associated with development and implementation of a County-wide integrated waste management program in California.
- General knowledge regarding the laws, regulations and agencies and their respective responsibilities for managing solid waste, recycling, composting, landfills, and Authority facilities.
- Knowledge of hazardous waste management and recycling procedures and equipment.
- Knowledge of methods, materials, tools and equipment used in solid waste, resource recovery, composting, and product stewardship programs.
- Knowledge of the social and psychological aspects of solid waste management, resource recovery, and promoting behavioral changes.
- Ability to use computers, electronic spreadsheets, word processing, and graphics software for effective analysis and communications.
- Ability to comprehend and navigate laws, regulations and requirements related to solid, integrated, and hazardous waste management.
- Ability to gather data and prepare accurate comprehensible reports.
- Ability to establish and maintain effective working relationships with other agencies, individuals, and organizations of which the Authority is a member.
- Ability to inspect programs, facilities, and construction projects to assure compliance with plans, specifications and program requirements.

- Ability to investigate and provide comparative analysis of new software, alternative program, outreach, or compliance approaches, and related equipment.

Minimum Qualifications:

A Bachelor's degree from an accredited college or university in waste management, planning, engineering, public policy or related fields AND two (2) years of increasingly responsible professional experience in integrated waste management or related field; or an equivalent combination of education and experience.

This work consists of administrative, professional, and complex technical duties.

Special Requirements:

- Requires the abilities to maintain mental capacity which allows exercise of sound judgement and rational thinking under varied circumstances; to think and act quickly in emergencies; and effectively deal with personal change.
- Requires the ability to traverse hilly and uneven terrain and lift up to 50 pounds for the purpose of moving materials and equipment and collection of data at the Crescent City Landfill and other Authority facilities.

RESPONSIBILITY:

Employees in the classification receive limited supervision within a broad framework of policies and procedures. Employees in this classification may supervise personnel. Errors in work or judgment could result in loss of money, inappropriate application of regulations, unnecessary intervention or fines by regulatory agencies, damage to the environment, litigation against the agency, or poor community relations.

Resolution No. 2019-04

A RESOLUTION OF THE GOVERNING BOARD OF THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY AND EMPLOYEES / SEIU LOCAL 1021

WHEREAS, the California Government Code requires that the Governing Board shall fix, by resolution or ordinance, the compensation of all appointive officers and employees; and

WHEREAS, pursuant to the Governing Board's direction, the Authority's bargaining team has negotiated in compliance with the Meyers-Milias-Brown Act and all other applicable requirements to reach agreement with the Employees Union, SEIU Local 1021, upon a new Memorandum of Understanding ("MOU") that meets the needs of both parties and covers the period July 1, 2019 through June 30, 2021, included as Exhibit A to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Del Norte Solid Waste Management Authority that the attached Memorandum of Understanding Between the Del Norte Solid Waste Management Authority and SEIU Local 1021 for July 1, 2019 through June 30, 2021 attached hereto is approved.

APPROVED AND ADOPTED by the governing Board of the Del Norte Solid Waste Management Authority at a regular meeting thereof on the 27th day of August, 2019, by the following polled vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lori Cowan, Chair of the Board

ATTEST:

Kyra Seymour, Clerk of the Board

MEMORANDUM OF UNDERSTANDING

Del Norte Solid Waste
Management Authority



And
SEIU Local 1021



July 1, 2019 – June 30, 2021

Table of Contents

<u>Article Number</u>	<u>Beginning Page</u>
Article 1- Term.....	3
Article 2 – Definitions.....	5
Article 3 – General Information.....	12
Article 4 – Compensation and Hours of Employment.....	14
Article 5 – Authorized Absence.....	19
Article 6 – Evaluation.....	25
Article 7 – Transfer, Promotion, Reassignment, and Voluntary Demotion.....	27
Article 8– Classification and Reclassification.....	29
Article 9 – Health and Welfare Benefits.....	30
Article 10- Reimbursements	33
Article 11– Layoff and Re-Employment.....	35
Article 12– Grievance Procedures.....	37
Article 13 – Discipline.....	39
Article 14 – Labor-Management.....	45
Article 15– Effect of Memorandum of Understanding.....	46
Article 16– Article/Section Replacement Provision.....	47
Article 17 – Reopener.....	48
Article 18 – Neutrality Agreement.....	49
Article 19- Union Security	50

Appendix

Attachment A – Positions Covered & Salary Schedule.....	A-1
Attachment B – Health Care Plan Book.....	B-1
Attachment C – Health Care Premium Schedule.....	C-1

ARTICLE 1

TERM

This Memorandum of Understanding shall be entered and in effect from July 1, 2019- June 30, 2021 by the Del Norte Solid Waste Management Authority (hereafter DNSWMA) and Service Employees International Union Local 1021 (hereafter Union). This agreement is entered into under the authority of the Meyers-Milias-Brown Act (MMBA) Gov't Code section 3500 et seq. and ordinances of the DNSWMA. Nothing in this article is intended to derogate from legal protections enjoyed by employees under Federal or State law, except to the extent that variance, exception or exclusion is permitted through collective bargaining. If any term of this Agreement is found to be illegal, the offending term is severed and the remainder of the Agreement shall continue to have effect, and the parties agree to meet and confer on the subject matter of the severed term. At least sixty (60) days prior to the expiration either party shall file a written notice with the other of its desire to amend, modify or terminate this Memorandum of Understanding.

RECOGNITION

The DNSWMA recognizes the Union as the exclusive collective bargaining agent for all regular permanent full-time and permanent part-time employees in the miscellaneous unit, excluding all Executive Management, Management, Confidential and Extra-Help employees. See Attachment A for a list of classifications covered by this Agreement.

ASSIGNABILITY TO SUCCESSORS IN INTEREST

This contract will be fully assignable and binding upon any successor in interest of the Joint Powers Authority, and jointly and severally to any member thereof that shall succeed to operations or which shall assume operational control of the assets of the Joint Powers Authority and/or which shall assume the benefit and burdens of the third party contracts of the Joint Powers Authority for hauling and collection of waste.

MANAGEMENT RIGHTS AND RESPONSIBILITY

The DNSWMA retains, solely and exclusively, all the rights, powers and authority exercised or held prior to the execution of this Agreement, except as expressly limited by a specific provision of this Agreement. Without limiting the generality of the foregoing, the right, powers and authority retained solely and exclusively by DNSWMA and not abridged herein, include, but are not limited to, the following: To manage and direct its business and personnel; to manage, control and determine the mission of its departments, building facilities and operations; to create, change, combine or abolish jobs, departments and facilities in whole or in part; to direct the work force; to increase or decrease the work force and determine the number of employees needed; to hire, transfer, promote, layoff and maintain the discipline and efficiency of its employees; to establish work standards, schedules of operation and reasonable work load; to specify or assign work requirements and require overtime; to schedule work, working hours and shifts; to adopt rules of conduct; to determine the type and scope of work to be performed by DNSWMA employees and the services to be provided; classify positions and determine the content and title of such classifications; to determine the methods, processes, means and places of providing services and to take whatever action necessary to prepare for and operate in an emergency. The exercise of these rights shall not preclude employees or their representatives from meeting and conferring with the DNSWMA on the impact of DNSWMA actions on matters within the scope of representation pursuant to Government Code § 3500 et seq.

Management is expected to conform to the standard of conduct expected of public employees and is expected to refrain from activity which is in violation of federal, state or local law, or the DNSWMA Employer-Employee Relations Policy.

ARTICLE 2 DEFINITIONS

- 2.1. These definitions shall be applied throughout this MOU. Terms not defined shall have their ordinary dictionary and shall have the respective meanings given unless it is clearly apparent from the context that they are used in a different sense. The definition of a word shall apply to any of its variants.
- 2.2. **Anniversary Date:** The anniversary of the date that a given employee began performing the duties of a given permanent position. This date may change if an employee is promoted, demoted, or changes positions, classifications or is granted an unpaid leave of absence. Probationary periods do not affect anniversary dates.
- 2.3. **Appointing Authority:** The Director of the DNSWMA or his or her designee, who has the authority to fill a vacant position and to remove employees from employment.
- 2.4. **Assignment:** A particular project, program and/or activity related to the function and needs of the department.
- 2.5. **Class Series:** A series of positions in a particular class consisting of entry, journey and/or lead person levels (i.e. I, II, III, etc).
- A. Entry level is typically a trainee level. The entry levels are assigned duties that will increase experience. Employees perform the more routine, less complex job assignments, while learning the more complex operation, policies, assignments and programs related to their department or division function.
 - B. Journey level is the experienced working level. It is the second level in a class series and may be assigned paraprofessional, complex job assignments under minimal supervision. Employees advanced to this level in the series have demonstrated the ability to adequately fulfill the assigned responsibilities.
 - C. Lead worker or skilled level is the most experienced characterized by a combination of high level job assignments. Employees perform the full range of journey or specialist job assignments while also providing work direction, training and coordination for other workers. The emphasis of this series is on performing the more paraprofessional, complex work assignments. Employees advanced to this level are provided general direction in the performance of their responsibilities.
- 2.6. **Catastrophic Illness or Injury:** A severe illness or injury which is expected to incapacitate the employee for an extended period of time and which creates a financial hardship because the employee has exhausted all of his/her accumulated paid leave time. Catastrophic illness or injury is further defined as a debilitating illness or injury of an employee that results in the employee being required to take time off from work for an extended period. An employee's job related illness or injury subject to worker's compensation coverage may be eligible for the catastrophic leave provision.
- 2.7. **Class:** A group of positions with the same title and alike in duties, responsibilities and authorities requiring the same qualifications and level of compensation (salary). Positions in this group are assigned to various program and/or activities at the department head's discretion.
- 2.8. **Classification:** The process of job analysis and documentation by which newly created positions are defined and delineated in a formal class description, and assigned a specified rate of pay.

- 2.9. **Job Description:** The document, which defines the general essential duties, responsibilities and required skills, training and education applicable to incumbents in that class or position.
- 2.10. **Compensatory Time (CTO) (comp time):** Time off with pay to compensate an employee for overtime worked in lieu of overtime pay.
- 2.11. **Continuous Service:** Uninterrupted employment with the DNSWMA from the effective date of employment. For purposes of establishing seniority, eligibility for benefits, or vesting of permanent benefits, the following shall not constitute interruptions of service: paid or unpaid Family Leave under FMLA or CFRA; authorized leaves of absence with pay up to 1 calendar year in length. Unpaid periods of absence shall cause an adjustment, to total time served, anniversary dates and relative seniority.
- 2.12. **Demotion:** Movement of an employee from one position to another position with a lower maximum salary range.
- 2.13. **Disciplinary Action:** A negative action taken against an employee by the appointing authority in response to an employee's action or actions that constitutes grounds for discipline.
- 2.14. **Discrimination:** As generally used in personnel law, discrimination refers to the unlawful adverse treatment of an employee or groups of employees, whether intentional or unintentional, based on characteristics including, but not limited to, race, color, national origin, religion, sex, handicap or age.
- 2.15. **Dismissal:** Termination of employment with DNSWMA for reasons attributable to the employee for violation(s) of standards of conduct or safety regulations; unsatisfactory performance or any combination thereof that constitute cause and grounds for dismissal.
- 2.16. **Employee:** Any person who has been hired and occupying an authorized position in DNSWMA service:
- A. **Confidential Employee:** "Confidential employee" means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally requires access to confidential information that is used to contribute significantly to the development of management positions.
- B. **Temporary/Extra Help Employee:**
- An extra-help position is a generic term for a non-allocated position used to fill unanticipated, temporary needs of the Authority. An extra help employee is limited to working less than 1,000 hours per fiscal year.
 - Extra help employees do not receive vacation, ~~sick leave~~, holiday pay, health benefits, PERS benefits unless statutorily required by CalPERS, longevity pay or other benefits, incentives or conditions of employment specifically provided to permanent full-time or permanent part-time except those mandated by law. Extra help employees do not have a probationary period or achieve permanent status and shall not be eligible for benefits defined in this MOU. Probationary employees are not Extra-help employees.

- Acknowledging that DNSWMA has relatively few employees and that there are more work hours during the summer months (June thru October) than during the winter, extra-help employees may be needed from time to time. Extra-help shall not be normally used when the staffing could be appropriately assigned to a fully trained permanent employee. In no way shall the use of an extra-help employee be used in lieu of hiring a permanent full or part time position.
- C. **Limited-Term Employee:** An employee who works in a program of a limited duration, to be specified at the commencement of employment. Limited-term employees are paid per unit of work or on an hourly basis. Limited-term employees will not accrue holidays, vacation, sick leave or be entitled to group insurance or other benefits provided to permanent employees, nor are they covered by the provisions of this MOU.
 - D. **Executive Management Employee:** An employee classification status that requires the incumbent employee to exercise significant responsibility for formulating Departmental policy or administering DNSWMA programs. Executive Management positions will be designated by the Governing Board.
 - E. **Management Employee:** An employee classification status that requires the incumbent employee to exercise significant responsibility for formulating Departmental policy or administering DNSWMA programs in the absence of the appointing authority. Management positions shall be designated by the Governing Board.
 - F. **Mid-Management Employee:** An employee classification designated by the Board of Supervisors engaging in specialized and responsible work requiring knowledge acquired by prolonged course(s) or specialized instruction or study and whose work may include management duties of a department, division or unit.
 - G. **Professional Employee:** An employee classification status that requires specialized knowledge and skills attained through completion of a recognized course of instruction, including but not limited to: attorneys, physicians, registered nurses, engineers, architects, teachers and the various types of physical, chemical and biological scientists.
 - H. **Supervisory Employee:** An employee classification in which an employee has the authority, in the interest of the employer to recommend disciplinary action, assign tasks to, other employees, or the responsibility to assign work to and direct them, or to adjust their grievances, or effectively recommend that action, if in connection with the foregoing functions, the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgment.
 - I. **Permanent Employee:** An employee who is hired to perform the duties of a full-time or part-time position allocated to a departmental staffing chart, and who has completed the initial six-month or one-year probationary period required in Article VI.
 - J. **Probationary Employee:** An employee serving in a permanent full-time or part-time position, who has not yet completed the six-month or one-year probationary period as required in Article VI, herein.
 - K. **Provisional Employee:** An employee filling a permanent full-time or part-time position while awaiting certification from an eligibility list or completion of hiring procedures. Provisional employment must be approved by the Personnel Officer. Under no circumstances will an employee be in a provisional status for more than ninety (90) days unless approved by the Governing Board.
- 2.17. **Fair Labor Standards Act:** A federal law that governs minimum wage, overtime pay, equal pay, child labor standards and record keeping requirements. Not all employees of local government are affected by the FLSA. Certain positions are covered by the FLSA but exempted from specific provisions. Positions affected by the FLSA are designated as exempt, non-exempt or not covered. An employee's status as exempt or non-exempt establishes whether that

employee is subject to overtime under the Act. For purposes of this MOU the designations apply only to the overtime provisions:

- A. **Exempt Employee:** An employee classification status that establishes that the employee is not subject to FLSA overtime provisions. Overtime and compensatory time off will be provided pursuant to Article 4.9 and 4.10 hereinafter.
 - B. **Non-Exempt Employee:** An employee classification status that establishes that the employee is subject to the FLSA overtime provisions.
 - C. **Non-Covered Official/Employee:** A management classification status that designates that the official is not covered under the overtime provisions of the FLSA.
- 2.18. **Flextime:** A variation, but not a reduction, in working hours intended to provide better “time-planning” for employees’ or DNSWMA needs. All flextime earned or used must be in the same workweek.
- 2.19. **Governing Board:** The Board of Commissioners of the Del Norte Solid Waste Management Authority.
- 2.20. **Grievance:** A grievance is a written complaint of an employee or group of employees alleging a violation or misapplication of a provision of this MOU, or adopted DNSWMA policies, state or federal law or regulation.
- 2.21. **Grievant:** A grievant is an employee or groups of employees within the bargaining unit alleging a grievance.
- 2.22. **Immediate Family:** The lawful spouse or registered domestic partner, parent, or parent in-law, sibling, child, grandparent or grandchild of the employee, step-children, step-siblings, step-parents, step-grandparents or step-grandchildren residing in the same household.
- 2.23. **Layoff:** Termination of employment due to a reduction in force, by policy decision of the Governing Board.
- 2.24. **Leave of Absence:** Absence from duty, whether paid or not, under the provisions of Article V herein.
- 2.25. **Longevity:** Ten or more years of permanent, uninterrupted service for DNSWMA or with the City of Crescent City, the County of Del Norte, or for any future or former member of the Joint Powers Authority. Employees are entitled to tack continuous periods of service at DNSWMA with continuous periods before service at any member or former member of the JPA. For purposes of this article, changing employer employment from any member of the JPA to DNSWMA is not a break in service.
- 2.26. **PERB:** Public Employee Relations Board.
- 2.27. **Performance Improvement Plan:** A written plan devised by the Appointing Authority to assist an employee to improve deficient performance to an acceptable level.
- 2.28. **Personnel Officer:** The Director of the DNSWMA or his or her designee.
- 2.29. **Position:** A collection of tasks, duties and responsibilities assigned to and performed by one employee, as authorized by the Governing Board.

- A. **Emergency Position:** A position authorized by the Governing Board during an emergency situation in order to prevent endangerment of public health and safety. Entitlement to benefits will be on a case-by-case basis as authorized by the Governing Board.
 - B. **Grant Position:** A position typically of limited duration created as a result of a public or private grant. Employment is contingent on grant funding and if the grant funding should cease, the position will be terminated. An employee who is laid off from a grant position shall have the same retreat rights as any employee as provided in Article X of this MOU.
 - C. **Permanent Full-Time Position:** Any position approved and allocated on the DNSWMA staffing chart by the Governing Board, in which the employee works a continuing year-round shift of thirty-five (35) hours or more per week.
 - D. **Permanent Part-Time Position:** A position, designated by the Governing Board to be permanent, in which the employee works a continuing, year-round shift averaging twenty (20) hours or more per week, but less than thirty-five (35) hours per week. All these employees are entitled to benefits provided permanent full-time employees under this MOU, such benefits are pro-rated in proportion as the part-time employees regular weekly hours bear to full-time hours for that position.
 - E. **Work Experience Position:** A temporary position which is designated to provide job training to persons who might not otherwise be able to compete in the labor market for regular positions, or a position established to give temporary on the job training for full-time students.
- 2.30. **Probationary Period:** A period regarded as part of the examination process, which provides the Appointing Authority with an opportunity to observe and evaluate an employee's competence and ability to perform the assigned duties satisfactorily.
- 2.31. **Progressive Discipline:** An approach to imposing disciplinary action in which a lesser penalty may be appropriate for minor offenses the first time and more severe penalties are imposed for repeating the same or other offense(s). Progressive discipline will be used when the Appointing Authority believes that progressive discipline will serve the dual purpose of providing both corrective warning and a penalty to an employee whom the Appointing Authority intends to retain as an employee after discipline. Discipline may be imposed at any level depending upon the severity of the action of the employee. Progressive discipline will not be required when the Appointing Authority believes dismissal to be the appropriate discipline because of the severity of the employee's conduct.
- 2.32. **Promotion:** The movement of an employee from one position in one class to a position in a class with a higher maximum salary rate, or an increase in pay for an employee's current position as a result of a reclassification.
- 2.33. **Reclassification:** The process of job analysis and documentation by which positions are re-defined in response to changes in the duties, responsibilities and skills required of the incumbents. Reclassified positions may be assigned to different pay rates when justified by the degree of change. Reclassification does not affect an employee's anniversary date, unless reclassification results in a promotion.
- 2.34. **Regular Working Day/Business Day and Overtime:** The Appointing Authority will schedule employees work hours, consistent with the operational needs of the DNSWMA. Not all employees need work the same days or hours. The regular working/business week, consists of

forty (40) hours during seven (7) consecutive days including Friday through the following Thursday, excluding holidays, with the following exceptions:

- A. Those positions designated by the Governing Board as thirty-five (35) hours per week, shall consist of thirty-five (35) hours during seven consecutive days including Friday through the following Thursday, excluding holidays.
- C. The Appointing Authority may authorize an employee or group of employees to work an altered work schedule/flexitime where the needs of the employee(s) make an altered work schedule/flexitime either necessary or convenient and neither the DNSWMA nor the employees are unduly affected thereby. In no case may such altered work schedule/flexitime be approved if to do so would result in a violation of the FLSA or require the payment of overtime compensation.
- D. The Appointing Authority may offer flexitime in lieu of compensatory time off or overtime if the operational needs of the department require an employee to work more than their assigned hours in a day. The employee may decline flexitime, in which case the employee will receive either compensatory time off or overtime consistent with the provisions of this MOU.
- E. DNSWMA gate attendants and staff on assigned standby may be regularly scheduled for shifts longer than eight (8) hours per day under the following conditions:
 - 1. Weekday shifts for gate attendants at the Transfer Station will be from 7:45 AM until 5:30 PM, including an unpaid one-hour break for lunch and two (2) paid fifteen-minute breaks. Regular shifts at the Transfer Station can extend beyond these hours if necessary to print the required reports and properly compile that day's transactions.
 - 2. Administrative staff will not schedule any gate attendant to work more than four (4) full consecutive weekday shifts at the Transfer Station except under extraordinary circumstances.
 - 3. Gate attendants at the Gasquet or Klamath small-volume transfer stations are open and staffed during the posted hours. Gate attendants at these small-volume transfer stations are allowed to take a lunch and two (2) fifteen-minute breaks at their own schedule as customer traffic allows, and will be compensated for travel between the DNSWMA office and each small-volume transfer station or will be given access to a DNSWMA vehicle for this purpose.
 - 4. Administrative staff will not schedule any person to be on assigned standby for the purpose of providing support and back-up to the Transfer Station for more than three (3) consecutive weekends except under extraordinary circumstances.
 - 5. Persons scheduled to work on the weekends for the purpose of providing breaks and lunch relief for the gate attendant at the Transfer Station may be required to work more than three (3) weekend days per pay period.
 - 6. Administrative staff will distribute a schedule for gate attendants, as well as those on assigned standby or scheduled to provide breaks and lunch relief for gate attendants, one (1) week prior to the start of each calendar month unless extraordinary circumstances require otherwise. Persons with these duties are

advised to submit vacation requests at least two (2) weeks in advance of the upcoming calendar month.

- 2.35. **Suspension:** Temporary separation of an employee from DNSWMA service without pay for disciplinary reasons. Suspensions may only occur as a result of a disciplinary action conducted in accordance with Article XII, or LAPS.
- 2.36. **Transfer:** Movement of an employee from one position to another.
- A. **Demotional Transfer:** Movement of an employee from one position in a class to a different position in the same class at a lower rate of pay, or to a position in a different class with a lower rate of pay.
 - B. **Lateral Transfer:** Movement of an employee from one position in a class to a different position in the same class and at the same rate of pay.
 - C. **Promotional Transfer:** Movement of an employee from one position to a different position in at a higher rate of pay.
- 2.37. **Y-Rate:** A personnel action in which an employee is placed in a class with a lower maximum rate of pay but continues to receive the specific bi-weekly pay rate the employee received in the higher class until such time as the rate of pay of the lower class exceeds that specific rate.

ARTICLE 3
GENERAL INFORMATION

- 3.1 **Union:** All employees are eligible to join the union with the exception of Confidential, Management, and Executive Management employees as defined in Sections 2.21.A, 2.21.E, and 2.21.D respectively. Confidential, Executive Management, and Management employees may not represent an employee or the Union in any disciplinary action or grievance, or in a meet/confer. Once an employee applies for membership in the Union, they agree to maintain their membership and cannot revoke it except during the month of October of each year.
- A. **Release Time:** The Union Chapter President or designee will be granted up to four (4) hours paid release time per month to conduct union business. At least seventy-two (72) hours notice will be provided of any intent to use release time under this provision. Additionally, DNSWMA will grant up to two (2) hours of paid release time for the President or designee to attend meetings of the Governing Board whenever an agenda item affects the Union or its members or represented employees. This release time will be without loss of compensation and may not be accumulated.
 - B. **Union Paid Release Time:** Upon written request of the Union, with not less than ten (10) days advanced notice, DNSWMA will release any employee without loss of pay to attend union functions or activities for a period not to exceed three (3) business days, consistent with the operational needs of the DNSWMA. The DNSWMA will invoice the Union for the cost of payroll and benefits for that employee within thirty (30) days of the lost time, and the Union will reimburse the DNSWMA in full within thirty (30) days of receiving a timely invoice. The total number of days that may be released under this paragraph shall not exceed three (3) days (24 hours) per calendar year, inclusive of all employees.
 - C. **Use of DNSWMA Facilities:** The Union is entitled to use DNSWMA facilities, including computers, networks, email and phones and interoffice mail for official union communications. Such use must be limited in scope and time to actual release or break time and may not include any long distance phone charges or printing of more than 150 pages per fiscal year.
 - D. **Release Time for Negotiations:** Union members who serve as the Union's team for bargaining are entitled to paid release time for any scheduled bargaining session, independently of any release time discussed above, and additional time as needed for meetings of the bargaining team when bargaining is open, not to exceed two (2) hours per scheduled bargaining session.
 - E. **Payroll Deduction:** The County and DNSWMA agree to the automatic deduction of Union dues, agency shop fees if applicable, and voluntary Union sponsored vision insurance plans, and voluntary COPE contributions.
 - F. **Union Designated Area Representatives on the Union Executive Board** shall be Shop Stewards for the purpose of representing bargaining unit members. The Union may designate one (1) Area Representative per year, who will serve as Union Shop Steward, including the Union's Chief Steward.
 - G. **No bargaining unit members may be denied representation** due to release time limits in this MOU. In providing representation, Union Officers or Area Representatives will inform the Appointing Authority of their need for representation time. The supervisor may deny such time solely based upon operational need. If it is not possible to grant time as originally requested, the supervisor must arrange for release at the earliest possible time.
 - H. **New Employee Information and Orientation:** Each new employee in a represented classification shall be given a written statement approved by the Union notifying him or

her that the Union is the recognized employee organization for their classification. This statement shall include a space for the new employee's name, signature and contact information. The Union shall have the opportunity to make a 15 minute presentation with new DNSWMA employee(s) as practical during the first month of their employment. The Union President shall not lose any compensation to meet with any new represented employee(s).

- I. **Bulletin Boards:** The DNSWMA will furnish adequate bulletin board space measuring approximately 24x36 inches for the exclusive use of the Union at each worksite. The Bulletin board shall be located in mutually acceptable areas. Prior to posting, any material shall be plainly and legibly initialed by an authorized representative of the Union.
- J. **Right of Reasonable Notice:** The Union has the right to be given reasonable written notice of any new or proposed amendments to any ordinance, rule, resolution, or regulation that is directly related to matters within the scope of representation.
- K. **No Discrimination:** Provisions of this Memorandum shall be applied to all employees without unlawful discrimination as to age, sex (including gender, gender identity, gender expression, transgender, pregnancy and breastfeeding) race, color, creed, national origin, physical or mental disability, medical condition, sexual orientation, political affiliation, military and veteran status or any other consideration made unlawful by federal, state or local law. The parties agree that prohibition against sexual discrimination includes sexual harassment.

3.2 **Production and Distribution of the MOU:** DNSWMA will provide a copy of this MOU and any later amendments to each current employee in the bargaining unit. DNSWMA will also provide a copy of the MOU to any new employee upon hire during orientation.

3.3 **Conflicts of Interest:** Employees may be required to declare their private financial interests, including any outside employment. Employees must comply with the DNSWMA's Conflict of Interest Code.

ARTICLE 4
COMPENSATION AND HOURS OF EMPLOYMENT

4.1 **Salary Schedule:** The salary schedules for all positions in the bargaining unit are attached hereto as Attachment A. Hourly wages will be indicated for Refuse Site Attendant and bi-weekly wages for all other classifications.

- Effective in the first full pay period in July 2019, all bargaining unit members will be paid at the range rate adjusted as outlined in Attachment A.
- Because of duty changes and additional responsibilities, effective in the first full pay period in July 2020, the Account Clerk classification will move from range 28 to range 30 and the Refuse Site Attendant classification will move from range 24 to 26.
- Effective in the first full pay period in July 2020, all bargaining unit members will receive an base wage increase of \$.25 per hour for all hourly pay rates, and an increase of \$20 per bi-weekly pay period for all full-time salaried employees.

4.2 **Altered Work Hours:**

- A. The Appointing Authority may establish an alternative work schedule for employees. Eligibility, participation in, and implementation of any such work schedules will be at the sole discretion of the Appointing Authority.
- B. The Appointing Authority may authorize an employee to work an altered work schedule where the needs of the employee make an altered work schedule either necessary or convenient and neither the DNSWMA nor the employees are unduly affected thereby. In no case will such altered work schedule be approved if to do so would result in a violation of the FLSA or require the payment of overtime compensation.
- C. Any employee or group of employees desiring an alternative schedule may request, in writing, that the Appointing Authority establish such a schedule. Such a request will be considered by the Appointing Authority, but will not require the establishment of or assignment to such a shift. The Appointing Authority will have fourteen (14) calendar days to notify the employee or group of employees of his/her decision in writing with the reasons for the decision explained.
- D. Long Term Altered Work Schedules: The Appointing Authority, at the request of the employee(s), may establish long term alternate work schedules for individual employees or groups of employees. Alternate work schedules include, but are not limited to, for purposes of this paragraph: four (4) ten (10) hour days (also known as 4 tens), 9 80's, which consists of eight 9-hour workdays, one 8-hour workday and one additional day off every other work week, and a weekly work schedule consisting of forty (40) work hours during five (5) work days at other than traditionally scheduled hours for the assigned shift. Establishment of an alternative work schedule may be approved if it is consistent with operational requirements. The request, and the approval or denial, must be in writing. Permanent changes or cancellations of the alternate work schedule for cause may not be made without fourteen (14) days notice to the affected parties. Any proposed termination of such schedule will be appealable to the Appointing Authority within five (5) working days of notification of its termination. The Appointing Authority's decision will be final and not subject to grievance under Article XI of this MOU. In no case will alternate work schedules be approved if to do so would result in a violation of the Federal Labor Standards Act or require payment of overtime compensation.

4.3 **Beginning Salary:** Newly hired employees will be compensated at Step A of the appropriate salary schedule and range. Where it is difficult to hire qualified personnel or where a person of unusually high qualifications is hired, the Appointing Authority may request the Governing

Board to appoint at a higher step, but in no event higher than Step C. The Governing Board must approve appointment at a step higher than Step A.

4.3a **Bilingual Pay:** An employee in a position that has been approved as requiring the use of bilingual skills on a continuing basis averaging ten (10) percent of work time may qualify for bilingual pay. Use of bilingual skills includes any combination of conversational, interpretational, or translation work. The ten (10) percent standard is verified on a quarterly basis and is based upon the time spent conversing, interpreting or transcribing in a second language.

A. The position must be in a work setting where the bilingual skills are required to meet the needs of the public in either a direct public contact position or an institutional setting, or the position is utilized to perform interpretation, translation or specialized bilingual activities.

B. Upon qualification, employees in the designated positions will be compensated at a rate of one hundred (\$100.00) per pay period. Continuing payment will be based upon the quarterly verification and approval by the Appointing Authority. In the event of two or more employees in the department with bilingual skills, the Appointing Authority may request certification of those skills and appoint from the list of certified. If the employees are equally qualified, the more senior employee shall be selected.

4.4 **Probationary and Annual Salary Increases:** Employees who are subject to a six-month probationary period, and who attain permanent status will progress from their current step to the next step within a range on the salary schedule effective on their probationary evaluation date. Employees will progress from one step to the next within a range on the salary schedule each year on the employee's anniversary date until Step E is attained, provided that the employee's work performance is at a satisfactory level or above. In the event of a below satisfactory rating, the step increase will be effective upon attaining a satisfactory rating following completion of a Corrective Action Plan. The Appointing Authority will make recommendation to the Personnel Officer for approval. Any employee whose performance is determined below satisfactory will be given fifteen (15) working days notice prior to the step increase due date that a step increase will not be provided.

4.5 **Longevity Step Increases:** After completion of ten (10) years of uninterrupted, continuous service, an employee will advance to step F of the appropriate range. After completion of fifteen (15) years of uninterrupted, continuous service, an employee will advance to step G of the appropriate range. After completion of twenty (20) years of uninterrupted, continuous service, an employee will advance to step H of the appropriate range. After completion of twenty-five (25) years of uninterrupted, continuous service, an employee will advance to step I of the appropriate range. An employee on step F, G, H or I, if promoted, will remain at their longevity step in the new salary range.

4.6 **Step Placement After Promotion or Open Hiring:** If an employee is promoted or applies and is selected through open hiring for a position in a higher class, the employee will be placed at the lowest step of the new salary range that insures a minimum of 5 percent (5%) increase in salary; provided, however, that this position does not conflict. In the event the promotion or open hiring places the employee in a class paid less than 5 percent (5%) more than the old class, the employee will be placed at the same step in the new range that he or she held in the old range.

4.7 **Y-Rating:** An employee who is Y-rated will continue to receive the exact biweekly salary received at the time the y-rate is implemented, until such time as the dollar value of the salary range to which he or she is assigned increases to a level above the y-rate placement, at which time the employee will be again eligible for step and cost of living increases.

- 4.8 **Out of Class Assignment:** This provision will apply when an employee is specifically assigned and performs, on a temporary basis, the full duties of a higher-level position, in which there is no incumbent or in which the incumbent is on a paid or unpaid leave of absence, or is for some other reason away from the job. Compensation will be at the pay rate of the higher-level position, and will be calculated as though the employee has been promoted to the higher-level position.
- A. Employees, except those provided for in B below, will be compensated at the higher rate from the first day provided they work at least five (5) consecutive days in the higher-level position.
 - B. Employees designated as Mid-Management or Professional shall be compensated after working twenty (20) days in the higher level position.
 - B. Employees whose job description includes assuming the duties of a higher-level position will be compensated at the higher rate commencing on the sixth consecutive day, provided that the employee is not designated as Mid-Management/Professional or exempt.
 - C. When an employee is assigned part of the job duties of a higher-level position, the employees will be compensated an equivalent or adequate differential. The compensation will be paid in the manner provided for in subsection A or B above. Differentials will be recommended by the Appointing Authority based upon the amount of higher-level duties assigned to the employee, with final approval by the Personnel Officer. The differential will be a flat amount and may not exceed the amount that would be paid had the employee been promoted.
 - D. Prior to an authorized out of class assignment, the Appointing Authority must meet with the affected employee(s) and make a determination in writing as to what duties will be performed and the duration of the assignment, if known. The determination and proposed proportionate compensation will then be forwarded to the Personnel Officer for approval.
- 4.9 **Pay Day:** All employees will be paid on a bi-weekly basis. If a normal bi-weekly pay day falls on a holiday, then the pay day will be the last regular working/business day before the holiday or holidays. The pay period runs from Friday through the following Thursday, paid on the Friday of the following week. Direct deposit is available through the payroll office.
- 4.10 **Overtime:** Employees may not work overtime except when necessary and required by the Appointing Authority. Overtime will be calculated at the weekly rate. Overtime will not be paid to employees that elect to work an altered work schedule or flextime pursuant to Article 2.23 or 4.2 of this MOU.
- A. **Weekly Overtime:** If a non-FLSA exempt employee is required to work longer than forty (40) hours in a week (including any vacation time and including holiday time), he or she will be paid at time-and-a-half (1.5) for any time worked in excess of the regularly scheduled hours. Call back time as provided for in Section 4.15 shall remain as stated.
 - B. **Vacation Rule:** Employees may not take vacations on days which they work if the combined work and vacation time would result in exceeding the employee's regularly assigned non-overtime working hours for the day. In general, the Appointing Authority will not authorize vacation time which could result in daily or weekly overtime, unless absolutely necessary to meet emergency needs of the department. Sick time does not count towards overtime calculation.

C. ~~Overtime Limitation: Any employee earning less than 130 percent (130%) of the California State minimum wage (presently 10.40 per hour) will not be subject to the provision in this paragraph with respect to applicable overtime penalties. Instead, the more restrictive California Industrial Wage Commission order will apply.~~

D. Working Conditions: If an FLSA-exempt employee covered by this agreement is required to work more than six (6) days consecutively, or more than sixty (60) hours in a week, time worked in excess will be accrued compensatory time off at a rate of two (2) hours per hour worked on the seventh day or over sixty (60) hours.

4.11 **Compensatory Time Off:** The Appointing Authority will determine whether employees receive overtime pay or compensatory time off (“CTO”) for overtime worked, subject to the following conditions:

A. If an FLSA covered non-exempt employee is required to work overtime, above, the Appointing Authority may opt to provide, in lieu of overtime rates, corresponding compensatory time off at the corresponding rate. For example, an hour of time-and-one-half equals one-and-one-half hours of compensatory time off. Employees may accumulate up to 120 hours of compensatory time off, provided that in an emergency, if an employee accrues more than that which is allowed, the Appointing Authority, with the approval of the Personnel Officer, can permit additional hours. Employees entitled to overtime may request CTO in lieu, which should be granted unless inconsistent with operational necessity.

B. Use of Banked CTO: An employee must request the use of CTO in writing, on the provided form. DNSWMA shall grant the employee’s request to use CTO within a reasonable period of time, not to exceed sixty (60) days, unless granting the request would unduly disrupt operations, which means, would create an unreasonable burden on the DNSWMA’s ability to provide services of acceptable quality and quantity for the public during the time requested without the employee’s services. DNSWMA will, to the extent practical, grant requests for particular days off, if it is consistent with operational needs.

4.12 **Travel Time:** Refer to Personnel Rules, Travel and Other Expenses for the complete policy on meal and travel reimbursement.

4.13 **Training Attendance:** Employees may not be required or pressured to attend training sessions or seminars unless DNSWMA pays all actual and necessary costs.

4.14 **Assigned Standby:** Employees who are assigned standby duty by their Appointing Authority on weekends, overnight or on holidays will be compensated or given compensatory time off in accordance with this section. For purposes of this section, “assigned standby” is defined as a period of time during which an employee designated by his/her Appointing Authority must be available to provide services when needed. “Available” means that, during the entire standby period, the employee can be contacted immediately by those in need of services, either by telephone or other means of communication, and that the employee is able to commence providing the services within thirty (30) minutes of the contact. “Commence providing services” means either to give the needed service on the telephone or other means of communication, or to proceed to the location where the services are to be performed.

A. An employee will be compensated at his/her normal rate of pay or be given compensatory time off at a rate of two (2) hours for each eight (8) hours of assigned standby time,

excluding any hour during which the employee is paid or given compensatory time off for performing services pursuant to the subsection which follows.

- B. When an employee performs services during an assigned period, he or she will be compensated or given compensatory time off at the rate of one (1) hour for each hour worked. When the work performed qualifies for overtime compensation under Section 4.10, compensation or overtime will be granted in accordance with the corresponding overtime rate. However, in all cases the employee will be compensated or given compensatory time off for a minimum of two (2) hours.
 - C. Exempt employees may receive CTO under this provision.
- 4.15 **Call Back Time:** Employees will be compensated for call-back time. Call-back time is defined as only those instances when an employee is ordered back to work without prior notice after completing a shift and leaving the worksite. The use of call-back may be resorted to only in emergency situations or unusual instances when it is not possible for the work to be accomplished through normal scheduling or scheduling of overtime. Responses to phone calls or working at home are not considered call-back duty. Travel time will be compensable as provided in the Travel Policy. An employee who is called back will be compensated for a minimum of two (2) hours of work time. The two (2) hours, whether or not actually worked, are subject to the appropriate overtime provisions. Call-back time earned may be compensated by pay or compensatory time off at the option of the appointing authority. Call back time is not considered flex time or an alternative work schedule.
- 4.16 **Rest Breaks:** All employees are entitled to one paid fifteen (15) minute rest break for each four (4) hours worked. The employee may take the break away from the work station, provided transit time is included in the fifteen (15) minute period. The Appointing Authority should schedule individual employee's rest breaks so as to provide for the proper and efficient administration of DNSWMA's function.
- 4.17 **Direct Deposit:** All new employees will be required to receive their pay as direct deposit, unless waived by the Personnel Officer for extraordinary circumstances, under procedures established by the Treasurer-Controller.
- 4.18 **State Disability Insurance:** All qualified employees are covered by the State Disability Insurance Plan (SDI) with the sick leave integrated option, which is administered by the State of California. Qualified employees have a payroll deduction which is based on gross salary. The employee is entitled to use sick leave and/or vacation to supplement the benefit to an amount equal to, but not greater than, the employee's regular salary.

**ARTICLE 5
AUTHORIZED ABSENCE**

5.1 **Entitlement:** All permanent full-time, permanent part-time employees, and probationary employees are entitled to authorized absence subject to the provisions and exceptions of this article. Paid time addressed in this article illustrates time for full time employees.

- A. Permanent part-time employees receive paid holidays, vacation and sick leave based upon the position's allocated percentage of full-time. For example, an allocated position that works twenty (20) hours a work week in a forty (40) hour work week will earn fifty percent (50%) of the amount that is earned by a full-time employee.
- B. Employees entitled to holidays, vacation and sick leave will accrue floating holidays, vacation and sick leave from the date of employment. Sick leave and floating holidays may be used upon accrual. Vacation will be available for use after completion of six (6) months of continuous employment.
- C. For purposes of scheduling employee time off for vacation, compensatory time off, personal floating holidays or regular holidays, the employee must request time off in writing in advance with the Appointing Authority. Approval of all requests will be governed by the needs of the DNSWMA (subject to FLSA). However, employee requests should not be denied unless operational necessity requires it. A denial will be provided to the employee in writing, and must state the reason for the denial. Once the Appointing Authority or designee and the employee have agreed to a particular day or days off, the employee must be allowed to take those days off, unless an emergency occurs rendering the employee's attendance necessary. This procedure will also apply for scheduling purposes, whenever possible, for family sick leave and medical appointments. The Appointing Authority or designee may require an employee to take off accumulated compensatory time which would exceed the maximum amount which may be accrued in accordance with the provisions of this MOU, by giving an employee not less than forty-eight (48) hours notice. Compensatory time off, which is required to be taken off under this paragraph, must be taken in full day increments.

5.2 **Holidays:** Eligible employees are entitled to the following Holidays with pay up to a maximum of eight (8) hours:

New Year's Day.....	January 1
Dr. Martin Luther King's Birthday.....	Third Monday in January
Lincoln's Birthday.....	February 12
Washington's Birthday.....	Third Monday in February
Easter	varies from March 21 to April 19
Cesar Chavez Day.....	March 31
Memorial Day.....	Last Monday in May
Independence Day.....	July 4
Labor Day.....	First Monday in September
Veteran's Day.....	November 11
Thanksgiving Day.....	Fourth Thursday in November
Day after Thanksgiving Day.....	Fourth Friday in November
Work day before or after the Christmas holiday and	
Christmas Day.....	December 25 th or when:
Dec. 25 th falls on a Monday, the paid holidays shall be Monday 12/25 & Tuesday 12/26	
Dec. 25 th falls on a Tuesday, the paid holidays shall be Monday 12/24 & Tuesday 12/25	
Dec. 25 th falls on a Wednesday, the paid holidays shall be Tuesday 12/24 & Wed. 12/25	

Dec. 25th falls on a Thursday, the paid holidays shall be Thursday 12/25 & Friday 12/26
Dec 25th falls on a Friday, the paid holidays shall be Thursday 12/24 & Friday 12/25
Dec 25th falls on a Saturday, the paid holidays shall be Thursday 12/23 & Friday 12/24
Dec 25th falls on a Sunday, the paid holidays shall be Friday 12/23 & Monday 12/26

- A. Additionally, eligible employees will accrue three (3) (twenty four (24) hours) floating holidays per fiscal year. Employees hired during the period of July 1 through December 31 are eligible for three (3) (twenty four (24) hours) holidays during the first fiscal year of employment. Employees hired during the period January 1 through March 31 are entitled to two (2) (sixteen (16) hours) floating holidays during the first fiscal year of employment. Employees hired from April 1 through June 30 are not eligible for a floating holiday during the first fiscal year. These holidays may be used at any time with approval of the Appointing Authority. Floating holidays may only be used in full day increments; they may not be taken on an hourly basis. If not taken during the last full pay period in June of each fiscal year during which they are earned, the holidays are forfeited. Floating holidays accrued but not used may not be paid off at the time of termination of employment.
- B. If a holiday falls on a Saturday, the preceding Friday will be a holiday. If a holiday falls on a Sunday, the following Monday will be a holiday.
- C. Additionally, the Governing Board may declare an additional holiday each day declared by the President of the United States or the Governor of the State of California as a day of mourning, thanksgiving, or other special occasion. Such day will be treated as a holiday.
- D. If an employee is required to work on a recognized holiday, or of the employee's regular day off falls on a holiday, the employee will receive up to eight (8) hours of holiday pay on that day. The employee may, if mutually agreeable with the employer, take a holiday on an alternate day within the same pay week.

5.3 **Vacation:** Eligible employees are entitled to paid vacation as follows:

- A. No changes to this MOU will reduce vacation accrual rates of current DNSWMA employees.
- B. Employees will accrue vacation at a rate equal to the following annual vacation days: five (5) days during the first (1st) year of continuous service; ten (10) days per year for two (2) through (5) years of continuous service; fifteen (15) days per year for six (6) through ten (10) years of continuous service; twenty (20) days per year for eleven (11) through fifteen (15) years of continuous service; and twenty-five (25) days per year for sixteen (16) or more years of continuous service.
- C. Employees designated by the Governing Board as mid-management or professional, will be entitled to five (5) days of vacation per year in addition to the time provided under 5.3(B) above.
- D. An employee who terminates during the initial six (6) months of service will not be entitled to vacation leave or payment for accrued vacation.
- E. At no time may employees accrue more than the number of days of vacation they are entitled to earn in a one-and-a-half year period at their current rate of accrual. Employees who have reached this limit cease accruing vacation until such time as the total number of days accrued is less than this number.
- F. Employees eligible for vacation usage will be compensated for unused vacation upon separation from service.
- G. Vacation will continue to accrue while an employee is on other paid leave of absence or temporary disability. Accrued vacation may be used to supplement paid leave or temporary disability benefits at the employee's request.

H. Vacation Cash Out: Once per fiscal year, an employee with a minimum of five (5) years of continuous DNSWMA service and who has used a minimum of forty (40) hours of vacation during the previous six (6) months, may elect to convert up to twenty-four (24) hours of vacation to a cash payment at the employee's base hourly rate of pay, if it will not reduce the employee's vacation balance below one hundred twenty (120) hours at the time the payment is made. An employee's written request to cash-out vacation hours must accompany the employee's timecard to be processed by payroll.

5.4 **Scheduling of Vacation and Floating Holidays:** Employees must request time off in writing in advance with the Appointing Authority. Vacation or floating holiday scheduling is subject to the operational needs of the DNSWMA. Vacation or floating holiday requests should not be denied unless operational needs of the DNSWMA so dictate. A denial will be provided to the employee in writing and must state the reason for the denial. Once the Appointing Authority and the employee have agreed to a particular day or days off, the employee must be allowed to those days off, unless an emergency occurs rendering the employee's attendance necessary.

5.5 **Sick Leave:** All eligible employees are entitled to sick leave with pay. Employees are expected to work a complete designated workday. If an employee cannot report to work, the employee shall notify the Appointing Authority as early as possible but not later than one (1) hour after the workday begins. Sick leave entitlement is as follows:

- A. Eligible employees earn a rate of one (1) day of sick leave with pay for each month of service from the date of employment, accrued on a biweekly basis.
- B. Sick leave will only be authorized for illness of an employee, his/her immediate family or member of the employee's household. Abuse of this sick leave provision may be cause for discipline. The Appointing Authority is responsible for insuring that the sick leave is not misused.
- C. Sick leave may be used for purposes such as: personal illness or injury; medical, mental health or dental appointments; required attendance of the employee upon a sick or injured spouse or other member of immediate family defined in Section 2.26 of this MOU.
- D. Those employees separating in good standing between five (5) and ten (10) years of continuous service will be compensated at a rate of ten percent (10%) for accumulated unused sick leave.
- E. Upon separation from DNSWMA employment in good standing, those employees with ten (10) or more years of continuous service will be compensated at a rate of 25% for accumulated unused sick leave hours. Separation from employment under other conditions does not qualify for payment. The employee will have the option of trading sick leave for vacation at the rate of four (4) days of sick leave for one (1) day of vacation for sick leave accrued in excess of fifty (50) days.
- F. Upon retirement, accumulated unused sick leave hours will be eligible for payment at a rate of 50%, or retiring employees may choose to apply 100% of their unused sick leave towards PERS retirement credit. 50% payment for unused sick leave is not available to retiring employees who are qualified for, and elect to receive, the medical insurance plan provided by Del Norte County under provisions 9.3 of this MOU. Retiring employees may choose one benefit or the other, but not both.

5.6 **Vacation and Sick Leave:** Vacation and sick leave will continue to be accrued at the normal rate while an employee remains on temporary disability and continues to supplement the benefit

with sick leave and/or vacation. When the accrued sick leave and/or vacation hours are exhausted, the employee may request a leave under Section 5.10 of this MOU.

- 5.7 **Family Death Leave:** The Appointing Authority will authorize paid leave of up to five (5) days immediately following the death of a member of the immediate family or household as defined in Section 2.26 of this MOU.
- 5.8 **Jury Duty:** The Appointing Authority must authorize time off as needed for jury duty. If the employee transfers the fees paid for jury duty service to DNSWMA, then full pay will be continued during the leave. If vacation, compensatory time or other paid day off is used, the jury fees need not be paid to the DNSWMA.
- 5.9 **Military Leave:** In accordance with federal law, employees are entitled to military leave of absence with pay and benefits as provided in Division II, Part I, Chapter VII of the Military and Veterans Code.
- 5.10 **Leave of Absence Without Pay:** Leaves of absence without pay may be granted only upon specific written request of an eligible employee, and with the approval of the Appointing Authority and the Personnel Officer. Leaves may be granted for:
- A. Personal reasons which do not cause inconvenience to the DNSWMA, not to exceed thirty (30) days in duration.
 - B. Before a personal leave of absence is granted, an employee must exhaust all accrued vacation.
 - C. An unpaid leave of absence may be extended up to one (1) year, upon finding of unusual or special circumstances, if recommended by the Appointing Authority and approved by the Personnel Officer. Failure to report for duty after a leave of absence has expired, been disapproved or canceled will be considered an automatic resignation.
 - D. An unpaid leave of absence will cause a break in service, and the employee's anniversary date, evaluation date, and longevity date will be adjusted to reflect the length of time not credited to total service. An employee's seniority will be frozen at the time of the break in service and will continue to accrue at such time as the employee returns to paid status.
 - E. All paid benefits provided by this MOU will cease during the unpaid leave of absence, except as provided under Section 5.11, below. However the employee may continue to participate in medical, dental and life insurance, and the union provided vision insurance, by paying the monthly premiums at group rates.
 - F. The Appointing Authority may at his or her discretion approve up to five (5) days unpaid leave per calendar year to an employee for urgent or emergency absences for which the employee has insufficient accrued paid time. This time off will not be subject to approval by the Personnel Officer, and will not cause any seniority adjustment. Unpaid time off beyond the five (5) days in a calendar year is subject to all other provisions of Section 5.10.
- 5.11 **Family and Medical Leave:** The parties agree that DNSWMA will comply fully with the statutory rights of employees under the California Family Rights Act and the Family Medical Leave Act. Nothing in this paragraph waives any statutory rights of any employee. An employee with at least 12 months of service, who has worked at least 1250 hours during the preceding 12 month period prior to the date for which leave is requested, is eligible to take up to twelve (12) weeks of leave each year.

5.12 **Administrative Leave:** Where an employee has performed meritorious service, the Appointing Authority, may, in his or her discretion, grant up to three (3) days of administrative leave with pay during the fiscal year, in addition to any other holidays or leave available to the employee. Such days must be taken during the same fiscal year.

5.13 **Catastrophic Leave:** Catastrophic leave is a paid leave of absence due to a verifiable, long-term catastrophic illness or injury which clearly disables the employee. Catastrophic leave time is paid from hours donated by other DNSWMA employees.

A. Responsibility:

1. SWMA or its designee will be responsible for the administration of the catastrophic leave program. Administration includes determining employee eligibility, monitoring usage and balances, and providing the Union with quarterly time balance reports.
2. The Union will be responsible for soliciting donations to the leave bank.

B. Eligibility: All permanent employees may be eligible to withdraw hours from the Catastrophic Leave Bank in two ways. They must either meet the following criteria:

1. Successful completion of twenty-six (26) pay periods in paid status.
2. Have donated a minimum of one-day (8 hours) to the Bank in the preceding twelve (12) months.
3. Provide written documentation of application and qualification of State Disability Insurance.
4. Exhaustion of all available sick leave, compensatory time, vacation time and other accrued paid leaves of absence.
5. Is anticipated to be absent for at least fifteen (15) working days past the date of exhaustion of all of the employees accrued paid time/leave.
6. Provide written documentation of the need for the absence from work by a certified healthcare provider.

OR, they may draw leave that has been donated to the Authority's Catastrophic Leave Bank specifically for their use.

C. Donation of Hours:

1. Employees may donate up to five (5) days per fiscal year total from any of three sources: sick leave, vacation, and compensatory time off.
2. Employees may donate a maximum of three (3) days from any one source per fiscal year.
3. Donations must be made in increments of at least four (4) hours or more.
4. In order to donate sick leave, an employee must have not less than ten (10) days of sick leave available after donation.
5. Donated time will be credited on an hour for hour basis, regardless of wage of either donator or recipient.
6. Donations may be contributed to either the general Catastrophic Leave Bank for general usage, or to an individual employee.
7. Those hours donated to an individual employee, but not used, upon return to work will automatically revert to the Catastrophic Leave Bank for general use.
8. Once made, a donation to the Catastrophic Leave Bank becomes the property of the bank, and may not be recovered by the donating employee.

D. Approval Process for Use of Catastrophic Leave Bank:

1. A request for use of the Catastrophic Leave bank must receive approval through the Personnel Officer.
2. The Personnel Officer will be responsible for determining employee eligibility to make withdrawals from the donation bank. Requesting employees are responsible for providing documentation of the anticipated duration of absence.
3. Donated leave days contained in the general usage bank are available to eligible employees on a first-come, first-served basis. Two (2) or more eligible employees may draw from the bank concurrently, providing available resources exist.

E. Usage of Donated Hours:

1. An employee may use Catastrophic Leave to augment State Disability benefits not to exceed their base salary rate.
2. Catastrophic Leave Bank donations may be used to augment any benefits received due to a work-related illness or injury.
3. While an employee is on Catastrophic Leave using donated hours, the employee will be treated as in pay status, for purposes such as anniversary and longevity dates, health insurance, and other benefits, except that the employee will not accrue any vacation or sick leave.
4. Usage of catastrophic leave may not exceed twelve (12) weeks during any twelve-month period. Extensions may be granted pursuant to Section 5.10 of the MOU.

5.14 **Workers Compensation:** The parties agree that DNSWMA will comply fully with the Workers Compensation Code of the State of California. Nothing in this paragraph is intended to waive any statutory right of any employee. When an employee is injured on the job or becomes ill from job-related causes, the employee is responsible for notifying the Appointing Authority. The Appointing Authority must submit a report of the injury or illness, including the date and time of occurrence and any relevant circumstance, to the Risk Manager's office. The report will be processed in accordance with the Workers Compensation law of the State of California and the procedures of the DNSWMA workers' compensation plan.

- A. If an employee loses time because of a workplace injury or industrial illness, the worker will be entitled to the benefits of the Workers Compensation law. This provides payment for medical treatment and hospitalization up to a maximum established by the State's benefit schedule. The employee is entitled to use accrued sick leave, compensatory time off, and/or vacation time to supplement the temporary disability payments to an amount equal to, but no greater than, the employee's full salary. In the event that sick leave, compensatory time off, and/or vacation time are used in this manner, they will be charged first to sick leave, second to compensatory time off, and lastly to vacation.
- B. Vacation and sick leave will continue to accrue at the normal rate while the employee remains on temporary disability.

ARTICLE 6 EVALUATION

- 6.1 **General Provisions:** Each employee is expected to maintain high standards of performance. The work performance of each employee will be evaluated at the midpoint of the probationary period, at the conclusion of the probationary period, and annually thereafter on the employee's anniversary date. A special evaluation may be prepared by the employee's Appointing Authority at any time when warranted by either outstanding work performance or when work performance is unsatisfactory. In addition, a special evaluation will be prepared by an employee's Appointing Authority at an employee's written request but no more frequently than once between annual evaluations. In addition, the Personnel Officer may request a report from the Appointing Authority on the overall performance of any employee, at any time.
- A. Evaluation documents become a permanent part of the employee's personnel file.
 - B. It is the duty of the Appointing Authority during the probationary period of each employee in the department to investigate thoroughly the probationer's adjustment, performance and general acceptability, and to keep the probationer advised of his/her progress and to determine whether or not the probationer is fully qualified for permanent appointment. At least fifteen (15) working days prior to the completion of the probationary period, the Appointing Authority must submit a completed evaluation form to the Personnel Officer and provide a copy to the employee.
 - C. Violations of this section are subject to the grievance procedure. However, the actual ratings or comments made on an evaluation are not subject to mediation and/or binding arbitration or grievance unless they form the basis for a performance improvement plan or discipline. Employees will not be entitled to union representation at the initial evaluation meeting with the Appointing Authority, unless the previous evaluation received by the employee was less than satisfactory or the employee is on a performance improvement plan.
 - D. No complaint against an employee may be referred to in an evaluation unless the employee has been made aware of the details of the complaint within thirty (30) days that the DNSWMA became aware of the complaint.
 - E. The employee will have the right to file a response within ten (10) working days of receipt of the evaluation, including any attachments, witness statements, or the like. The response will be attached to any copy of the evaluation maintained by County or DNSWMA and will also be maintained in the employee's personnel file.
- 6.2 **Performance Improvement Plan:** If an employee receives a substandard evaluation, the Appointing Authority may prepare a performance improvement plan to provide clear direction to an employee whose performance is substandard. Performance Improvement Plans are described in detail in Article XII.
- 6.3 **Probationary Period:** All employees in permanent positions will be subject to a probationary period. A probationary period will commence upon the effective date of hire into a permanent position, including promotion. Service prior to a permanent appointment will, upon recommendation of the Appointing Authority and approval by the Personnel Officer, be counted as part of the probationary period, providing the temporary or provisional continuous service was in the same class as the position to which the probationary appointment is made. The regular probationary period will be six (6) months. An employee attains permanent status upon successful completion of the prescribed probationary period, and execution of the appropriate personnel action form.

- 6.4 **Extension of Probationary Period:** The Appointing Authority may, request an extension of the probationary period up to a total of six (6) additional months for an employee. Written extension requests are to be submitted for review to the Personnel Officer at least fifteen (15) working days prior to the end of the probationary period. The request must contain the reasons and justification for the extension, and the duration of the extension requested. The request must be accompanied by an employee's performance report and, when required by the Personnel Officer, a performance improvement plan. If approved by the Personnel Officer, the employee will be notified in writing by his/her Appointing Authority of the extension of his/her probationary period and the specific reasons for the extension. An employee attains permanent status upon successful completion of the probationary period, and execution of the appropriate personnel action form.
- 6.5 **Probationary Service:** A newly hired employee is subject to separation from DNSWMA service at any time during the prescribed probationary period, without right of appeal or hearing, except as may otherwise be required by law. In the case of a probationary termination, the Appointing Authority must notify the probationary employee in writing of the fact that he or she is being separated from DNSWMA service. Notice must be provided at least fifteen (15) working days prior to the end of the probationary period. In case of a promoted employee who fails to complete the probationary period following promotion, every reasonable attempt will be made to reinstate the employee to his/her previous position, provided that said position is vacant. If the employee's previous position is not vacant, every reasonable attempt will be made to place the employee in a vacant position that has equivalent pay and benefits to that of the previously held position and for which the employee is duly qualified for.
- 6.6 **Personnel File:** Upon separation, the DNSWMA will provide the employee with a copy of the employee's personnel file within ten (10) working days of the employee's written request.

ARTICLE 7
TRANSFER, PROMOTION, REASSIGNMENT, AND VOLUNTARY DEMOTION

- 7.1 **Effect of Lateral Transfer:** A permanent employee who is transferred laterally continues to be a permanent employee and does not have to serve a new probationary period in the new position. A probationary employee who is transferred laterally must serve a new probationary period in the new position. A transferred permanent employee retains all of the seniority accrued in the earlier position(s), but the employee's anniversary date will be changed to reflect the date of assignment to the new position. A transferred permanent employee retains the same salary step placement, including longevity, received in the former position.
- 7.2 **Effect of the Promotion:** An employee who is promoted must serve a probationary period in the new position. The employee receives a new anniversary date upon promotion. A promoted employee will be placed at the lowest step of the new salary range which provides for a minimum 5% increase in salary. A promoted employee on Step F, G, H or I will remain at their longevity step in the new range.
- 7.3 **Voluntary Demotion:** An employee may be demoted to a vacant position in a lower class, or to a lower level in the same class series, upon the employee's written request and with the approval of the Appointing Authority and the Personnel Officer. This action will be known as a voluntary demotion and will be noted on all official records.
- 7.4 **Effect of Demotion:** An employee who is demoted, either voluntarily or involuntarily, will be treated as follows:
- A. If the employee is probationary, his/her probationary period will be a continuation of the probationary period being served at the higher level.
 - B. If the employee is permanent, he or she will not be required to serve a new probationary period in the next lower class.
 - C. If the employee is returned to a former class in which the employee held permanence, the employee will not be required to serve a new probationary period.
 - D. The employee receiving a demotion will be placed at a step in the new salary range which provides for the least loss of pay, but will be placed on Step F or G, if that step was held in the previous position.
- 7.5 **Class Series Advancement:** Employees may move upward in a class series upon the recommendation of the Appointing Authority, and with approval of the Personnel Officer, when the following criteria are met:
- A. The employee's qualifications must satisfy the qualifications indicated on the job description in the area of experience, and work performance must be rated above satisfactory.
 - B. In addition to the above, advancement to a III level requires that the employee provide lead person duties or be the only clerical employee who is responsible for all clerical functions in the department or unit.
 - C. An employee who receives a class series advancement must serve a new probationary period.
- 7.6 **Grant Positions:** When a grant position is made a regular position by action of the Governing Board, the individual occupying that position may be appointed to that position by the Appointing Authority and with the approval of the Personnel Officer, without normal recruitment procedures.

7.7 **Reassignment:** Employees may, from time to time, be affected by reorganization, change of assigned worksite, or other factors which result in physical relocation of the employee's worksite or work station. In all such cases, employees will be reassigned to the new worksite or work.

ARTICLE 8
CLASSIFICATION AND RECLASSIFICATION

- 8.1 Classification: When the DNSWMA classifies a new position, the DNSWMA will notify the union of the compensation proposed for the new position or reclassified position before such classification or reclassification may be posted on the agenda of the Governing Board, and upon written request will meet and discuss on the subject within ten (10) days of the notification to the union in writing by the DNSWMA of the proposed classification.
- 8.2 Reclassification: If an employee's duties vary from his or her job description sufficiently to warrant a change in classification, either party may request to meet and discuss with the other about reclassification of the position to reflect the actual or proposed job duties of the position.

ARTICLE 9
HEALTH AND WELFARE BENEFITS

- 9.1 **General Provisions:** All permanent, probationary and grant employees are eligible for full health benefits through a self-funded plan subject to annual deductibles and co-pays. Extra help, limited term, temporary and seasonal employees will receive only those fringe benefits required by law. Employees entitled to health benefits will be eligible for coverage on the first day of the month following completion of sixty (60) days of continuous employment. Any employee whose date of hire falls between the 1st and 15th day of the month will have said month counted in its entirety toward the waiting period. Any employee whose date of hire is the 16th of the month or later will not begin their waiting period until the 1st day of the following month. The health plan includes medical, mental health, life and dental coverage. In addition, the employee may elect to cover dependents by the payment of premiums through payroll deduction. Covered employees and their covered dependents (spouses and children) have the opportunity to temporarily continue their health coverage if coverage is lost under certain qualifying circumstances. Employee's must contribute five percent (5%) of their gross biweekly salary toward their healthcare premium and the DNSWMA shall contribute the remaining amount. See the Health Care Plan Booklet contained in Attachment B for specific benefits, co-pays and continuation coverage provisions.
- 9.2 **Dependent Coverage Rates:** For specific dependent rate information, refer to Attachment C.
- 9.3 **Plan Continuation Benefit:**
- A. Employees who retire from DNSWMA service may continue their medical coverage at DNSWMA group rates at their option, and subject to all rules and regulations of the DNSWMA's medical benefits carrier at the time. It is understood and agreed that the DNSWMA will not be liable for payment of any premium to its medical carrier. If the retired employee fails for any reason to make a payment when due, the DNSWMA will not make the payment for him/her, and the benefit could be lost in this event. However, employees retiring after the age of fifty-five (55) and serving a minimum of twenty-five (25) continuous years in DNSWMA service will be eligible to continue the DNSWMA Health Care Plan at no premium cost for the retiree until the employee qualifies for Medicare benefits. Continued coverage in the DNSWMA's plan when the retiree qualifies for Medicare will be paid by the retiree at the same rate set by the DNSWMA for retirees. For specific retiree rates, including dependent coverage rates, refer to Appendix C.
 - B. Effective November 1, 2009, employees hired after November 1, 2009 will not be eligible to continue health insurance coverage as a retiree until they have achieved fifteen (15) years continuous DNSWMA service. Employees hired between January 1, 2007 and October 31, 2009 will not be eligible to continue health insurance coverage as a retiree until they have achieved ten (10) years continuous DNSWMA service. All employees hired prior to January 1, 2007 will be unaffected by this article.
 - C. The DNSWMA makes available to employees a premium conversion plan under IRS Code Section 125, by which employees who pay for dependent medical care may have their premium contributions paid with pre-tax dollars.
- 9.4 **Dental Benefits:** The DNSWMA provides dental benefits under its self-insured health plan, a copy of which is attached to this MOU as an exhibit. See the Health Care Plan Booklet contained in Attachment B for specific benefits, co-pays and continuation coverage provisions.

9.5 **Life Insurance:** The DNSWMA also provides a life insurance policy of fifteen thousand (\$15,000) at no cost to the employee. Mid-Management and professional employees are also provided a life insurance policy equal to one (1) year's gross pay at no cost to the individual.

9.6 **Voluntary Insurance Plans:** Employees are eligible for a variety of employee and dependent paid insurance plans offered through AFLAC. Union members may participate in a Union sponsored vision plan. For more details, contact an association area representative. Voluntary insurance plans are paid for by the employee through payroll deduction of premiums, at no cost to the DNSWMA.

9.7 **Ground and Air Ambulance Plan:** The DNSWMA provides ground and air ambulance coverage through Del Norte Ambulance and Cal-Ore Life Flight at no charge to permanent employees and their dependents upon eligibility for health benefits.

9.8 **Employee PERS Contribution:**

New Members: Pursuant to the California Public Employees' Pension Reform Act of 2013 (PEPRA), employees hired on or after January 1, 2013, defined as "New" employees, shall pay effective the first full pay period in July 2016, the member contribution established under the CalPERS Agreement, currently six and one quarter percent (6.25%). Should this rate established by CalPERS fluctuate during the term of this Agreement, the employees will pay the established rate.

Classic Members: Pursuant to the California Public Employees' Pension Reform Act of 2013 (PEPRA), employees hired prior to January 1, 2013, defined as "Classic" members, shall pay effective the first full pay period in July 2016, the member contribution established under the CalPERS Agreement, currently seven percent (7%). Should this rate established by CalPERS fluctuate during the term of this Agreement, the employees will pay the established rate.

9.9 **PERS Benefit Calculation:**

Pursuant to the California Public Employees' Pension Reform Act of 2013 (PEPRA), the benefit calculation for employees hired after January 1, 2013 who are not transferred from a CalPERS or CalPERS reciprocal agency or have a break in service of six (6) months or longer shall be the thirty-six (36) highest consecutive months final compensation provision using the 2% @ 62 formula for Miscellaneous Employees.

For employees hired prior to January 1, 2013, the benefit calculation shall be based on the twelve (12) highest paid consecutive months using the 2% @ 55 formula for Miscellaneous Employees.

9.10 **PERS Employer Contribution Cap:**

During the term of this Agreement, DNSWMA shall pay a maximum of twenty percent (20%) for the employer contribution rate. If during the term of this Agreement, the employer share exceeds twenty percent (20%), the employee shall pay fifty percent (50%) of the contribution in excess of the twenty percent (20%) cap, and DNSWMA shall pay the remaining fifty percent (50%). At no time during the term of this Agreement shall member's total contribution exceed eight percent (8%).

- 9.11 **Employee Discount Program:** The DNSWMA may participate in and pass along employee discounts offered by vendors as they become available, provided said participation does not violate legal or ethical rules. Participation in such discount programs may not hold the DNSWMA liable in any manner. Offers or programs that require DNSWMA staff time to verify employment or in any way assist in the overall management of the discount program will be considered on a case by case basis. Examples of employee discount programs are, but not limited to the following: Microsoft Office software purchase, Verizon Wireless discount, and Dell computer purchasing program. Specific information regarding current discount programs may be obtained from the Personnel Office.

ARTICLE 10
REIMBURSEMENTS

10.1 Employee Attire:

DNSWMA employees will need to dress appropriately for their positions, considering demands of safety, weather, durability and professional appearance. Given that employees are exposed to numerous elements it is essential that staff protect themselves. Clean t-shirts with denim jeans are acceptable clothing. Such items which are not appropriate for work include: athletic wear such as sweat pants, swimsuits, tanktops and no exposed undergarments. All employees who may work as refuse site attendants for all or part of any workday are expected to wear closed-toe shoes.

10.2 Clothing Benefits:

Allowances for clothing and footwear described in the following sections will be issued in August of each year to eligible employees. If an employee becomes eligible for such allowance(s) after August, such allowance(s) will be issued within 90 days of that employee's eligibility.

- A. **Generally.** Employees working at the gate or at outdoor collection areas are required to wear: safety vests and closed-toe protective shoes. DNSWMA will provide safety vests, name tags and assigned, clean, fitted and breathable rain coats with reflective safety colors which will be replaced every three years at no cost to employees.
- B. **Transfer Station and Landfill.** DNSWMA will provide work gloves, appropriately sized back support brace, hard hats, dust masks, ear plugs, and other appropriate safety equipment for staff as needed in their assigned duties.
- C. **Other Protection.** Any member of staff may suggest that DNSWMA administration procure additional safety equipment, supplies, or defensive or protective measures against animals or insects that have the potential to reduce injury or improve workplace safety for any regular aspect of the employee's work responsibilities. All such clothing, equipment, or supplies issued to employees by DNSWMA will be the responsibility of that employee to clean and maintain and must be returned to DNSWMA clean at the end of employment.
- D. DNSWMA will provide and replace anti-fatigue mats at the Del Norte County Transfer Station scale house every three years. Prior to replacement, union representatives will be invited to participate in the selection process for anti-fatigue mats.

10.3 Rain and Protective Footwear:

- A. Protective footwear is designed to protect the feet from injuries associated with the operation of equipment. The footwear should be above the ankle, heavy weight leather or like material, with steel toed boots. All employees working with heavy equipment, loading vehicles, and the like, must wear protective footwear.
- B. If any employee is required to work with heavy equipment, or load vehicles or the like, DNSWMA will provide \$150.00 every other fiscal year for protective footwear. The payment will be made in August of every other year. New employee's initial payment will be paid to the new employee within thirty (30) days of employment. It is the responsibility of the employee to ensure compliance with the protective footwear policy.
- C. All covered employees required to wear protective footwear must report to work, whether regularly scheduled or called out, with the appropriate footwear on their feet. Failure to

do so will restrict the employee from normal work duties requiring protective footwear and may result in disciplinary action. The employee will be required to obtain the protective footwear. Time away from work to obtain the protective footwear is not work time. Restriction from normal work duties may include assignment of those duties.

- D. **Transfer Stations:** Permanent employees who are regularly assigned to work as refuse site attendants will be provided a fifty dollar (\$50) allowance every other fiscal year for rain boots or waterproof shoes.
- E. **Hazardous Waste collection event and heavy lifting footwear:** Permanent employees who are assigned to work in the 'Hot Zone' during hazardous waste collection events or whom are assigned to tasks requiring lifting 50 pounds or more will be provided an allowance of hundred and fifty dollars (\$150) every other fiscal year for steel toed boots or equivalent protective footwear.

10.4 **Mileage:** An employee, who is authorized to use personal motor vehicle in the performance of official work, shall be reimbursed at the current applicable IRS rate for all miles driven.

- A. For the purpose of reporting mileage, the mileage shall be as far a one-way trip as calculated by using Google Maps as the primary source and if the ending point of Google Maps does not fully reach the destination Google Earth Pro will be used to extend the route.

**ARTICLE 11
LAYOFF AND RE-EMPLOYMENT**

- 11.1 **Reason for Layoff:** Whenever, in the judgment of the Governing Board, it becomes necessary to reduce staffing levels, positions may be abolished and employees may be laid off. The Personnel Officer must notify each employee who is to be laid off, and the Union, in writing not less than thirty (30) calendar days prior to the effective date of layoff. During the thirty (30) day notice period, up to twenty (20) hours paid leave shall be granted to each employee being laid off to be away from work for job search purposes. Upon request of the Union, shall promptly meet with the Union to discuss the anticipated reduction in force and alternatives thereto.
- 11.2 **Notice of Reduction in Force:** The Personnel Officer shall send a written notice to each employee affected by a reduction in force at least thirty (30) calendar days prior to the effective date of the action. The notice shall include:
- A. Reason for Layoff;
 - B. Classifications to which the employee has retreat rights to under section 11.6;
 - C. Effective date of the action;
 - D. Seniority score of the employee and the number of the employee on the seniority list;
 - E. Location of the Seniority list so the employee may compare their score with others;
 - F. Conditions governing retention on and reinstatement from reemployment lists;
 - G. Rules regarding waiver of reinstatement and voluntary withdrawal from the reemployment list.
- 11.3 **Seniority:** For the purposes of this section, each employee's seniority score is equal to the total number of hours worked as a permanent employee for this agency, the City of Crescent City or the County of Del Norte, or combination thereof.
- 11.4 **Equal Seniority:** If two employees in the same class have the same final seniority score, the DNSWMA and the Union shall meet and confer to determine which employee has the greatest seniority.
- 11.5 **Temporary Positions:** No employee serving in a temporary extra-help or limited-term position may be retained if an employee in the same class is being laid off. No temporary employee may be hired into a class while permanent employees are on a reemployment list for the same class in the department. Employees on the reemployment list have priority for temporary positions.
- 11.6 **Retreat Rights:** An employee to be laid off from his/her position may elect to displace the least senior employee in their class. If there is no less senior employee, the employee may displace the least senior employee in a lower class which the employee to be laid off has served in a permanent status, if the employee to be laid off has more seniority than that employee in the lower class. An employee displaced by a more senior employee may likewise exercise retreat rights, in order of seniority. An employee displaced by a more senior employee exercising retreat rights has the same reemployment rights as an employee who is laid off. An employee who is to be laid off who chooses to exercise retreat rights must inform the Personnel Officer of that

decision in writing within five (5) working days of receipt of notice of layoff. Employees who exercise retreat rights will not be required to serve a probationary period in the class they retreat to.

A. An employee who retreats to a lower class will be placed at a step of the appropriate salary range which represents the least loss of pay. An employee may not be advanced to a longevity step (F, G, H or I) unless longevity has already been attained.

11.7 **Re-employment Rights:** Laid off employees, and employees displaced from their positions by more senior employees, and grant employees whose grants are cancelled or expire will be eligible for re-employment in the class held at the time of layoff for a period of eighteen (18) months from the effective date of layoff or displacement. Re-employment will be in the reverse order of layoff. Their employment will take precedence over hiring and transfers when a vacancy in the class of former placement comes available.

A. Employees on a re-employment list will have the same rights as active employees to seek transfers and promotions to vacant positions in other classes throughout the DNSWMA.

B. An employee who is reemployed in the same class from which he or she was laid off or displaces while he or she was on a re-employment list, will be restored to the same salary step held at the time of layoff or displacement. If the employee exercised retreat rights to a lower class at the time of layoff, salary step placement will be adjusted upward upon re-employment as if the employee had served that time in the original class. The time on the re-employment list will not be considered a break in service, except that the employee's original hire and anniversary dates will be adjusted to deduct the time off work.

C. The names of persons laid off or demoted will be entered upon re-employment lists for positions for which they are qualified. The list will be used when a vacancy arises in the same or lower classes before certification is made for an eligibility list.

11.8 **Reemployment Notice:** Whenever there is an active re-employment list, the DNSWMA will provide written notification of appropriate openings to employees on the list by first class mail, addressed to the employee's last known address. It is the employee's responsibility to keep the DNSWMA informed of his/her mailing address. DNSWMA's responsibility to provide notice hereunder is waived if a notice is returned to DNSWMA as undeliverable.

11.9 **Employee Response:** A laid off/displaced employee who accepts a re-employment offer is responsible for notifying the Personnel Officer of that fact in writing within five (5) days of receipt of a re-employment notice. An employee accepting re-employment will return to duty not later than thirty (30) calendar days following the date of intended re-employment announced by the Personnel Officer. The employee is responsible for notifying the Personnel Officer in writing of the time needed to return to duty.

11.10 **Wage, Hour and Working Condition Issues:** DNSWMA and the Union agree that layoffs and displacement may trigger problems among remaining employees in such areas as distribution of work of laid off employees, preservation of bargaining unit work within the unit, classification levels of remaining employees, workload and work scheduling problems, and similar issues. It is agreed that these issues will be addressed on a case-by-case basis, upon receipt by the DNSWMA or a request to meet and confer with the Union.

ARTICLE 12
GRIEVANCE PROCEDURES

- 12.1 **Purpose:** It is the purpose of this procedure to provide an avenue of communication through which an employee or groups of employees may have their complaint heard and decided in an orderly and timely manner.
- 12.2 **Definition of a Grievance:** A grievance is a complaint of an employee or group of employees alleging the violation, misinterpretation or misapplication of any provision of this Memorandum of Understanding, or working conditions within the control of the Appointing Authority, including rules and regulations, and disciplinary action for which no other procedure for orderly adjudication of the complaint exists.
- 12.3 **Definition of a Grievant:** The employee(s) within a bargaining unit represented by the Union alleging a grievance is the grievant.
- 12.4 **Timeline:** A grievance must be filed (Step Two) within thirty (30) calendar days after the event, or after the grievant becomes knowledgeable of the event, but in no case after sixty (60) days from the event. Time limits set forth herein may be extended by mutual written agreement between the DNSWMA and the grievant, or DNSWMA and the Union, in a represented grievance.
- 12.5 **Informal Grievance Procedure (Step One):** An employee, or group of employees must first discuss their grievance with the Appointing Authority. If, within five (5) working days, the Appointing Authority has not resolved the grievance to the satisfaction of the employee, the employee may submit his or her grievance in writing formally.
- 12.6 **Formal Grievance Procedure (Step Two):** The grievant may submit a formal grievance in writing on the form provided by the DNSWMA. Within ten (10) regular working days of receipt of the grievance, the Personnel Officer will investigate and provide a response in writing to the grievant. The response will include a complete statement of the Appointing Authority's position and the facts and evidence upon which it is based, and the remedy or correction which has been offered, if any. The grievance form, and any requests for hearing must be in writing and set forth the specific provision(s) of the MOU the grievant alleges has been violated, misinterpreted, or misapplied, and must set forth facts supporting the allegations and the resolution desired.
- 12.7 **Step Three:** If, within five (5) regular working days of receipt of the Personnel Officer's written response, the grievant disputes the resolution proposed, the grievant may request that the grievance be heard by a mediator from the California Mediation and Conciliation Service. This request must be in writing or on a form provided by the DNSWMA stating the reasons why the proposed resolution is still disputed. The outcome of this mediation will be advisory in nature.
- 12.8 **Step Four:** If, within ten (10) regular working days of receipt of the response of the mediator, the grievant disputes the proposed resolution, the grievant may request binding arbitration. The request for binding arbitration must be submitted to the Personnel Officer. An arbitrator may be selected by mutual agreement by the Union and the DNSWMA from local attorneys registered with the State Bar. Should the parties fail to agree on an arbitrator, they shall make a joint request to the State or Federal Conciliation Service for a list of five (5) qualified arbitrators from Del Norte or Humboldt Counties. If five (5) are not available, the remaining slots shall be qualified arbitrators who reside in Northern California or Southern Oregon. The arbitrator shall be selected

from a list by the parties alternately striking names, with the opportunity to strike first determined by chance.

All documentation supporting the parties' positions shall be filed at least ten (10) days before the hearing with the arbitrator.

The arbitrator shall not have the power to alter, amend, change, add to, or subtract any of the terms of this Memorandum of Understanding. The decision of the arbitrator shall be based solely upon the evidence and arguments presented to the arbitrator by the respective parties. The decision of the arbitrator shall be final and binding upon the parties.

The cost of employing the arbitrator shall be borne equally by all parties. All other costs such as, but not limited to attorney's fee and witness fees shall be borne only by the party incurring that costs.

Court Report/ Transcript Fee: If a court reporter is requested, the requesting party is obligated to pay for services of the reporter. Cost of transcript copies shall be borne by those parties requesting copies.

- 12.9 **Non-Retaliation:** Employees who file a grievance or who participate in a grievance in any capacity, including as witnesses, will be free from retaliation as a result of filing or participating in a grievance. Retaliation protection is provided by state and federal laws.
- 12.10 **Performance Standards:** Employees who file grievances are not excused from performing their jobs to acceptable standards at all times during the processing or following a grievance.
- 12.11 **Right to Representation:** The Union will have the right to represent employees in grievances. Individual employees may process their own grievances without assistance from the union. Nothing in this MOU shall require the Union to represent a grievant that has filed a formal grievance at step two without Union representation in any subsequent proceeding.
- 12.12 **Employee Processed Grievances:** DNSWMA will provide the Union with a copy of the proposed resolution(s) to any grievances processed by employees without Union representation, except those grievances containing a confidential component. The Union will be granted five (5) business days to review the proposed resolution(s) prior to implementation, to determine that the proposed resolution(s) are in conformance with the terms of this MOU. Grievances processed without Union representation will not be precedent setting.
- 12.13 **Release Time for Witnesses:** DNSWMA will release from duty without loss of pay or benefits any employee called as a witness in any grievance hearing by the Union or an individual employee grievant.

ARTICLE 13
DISCIPLINE

- 13.1 **General Provisions:** Employees not subject to the provisions of Local Agency Personnel Standards (Government Code Title II, Administration, Division 5 [LAPS]), may be disciplined only in accordance with the provisions of this Article. Employees subject to LAPS may be disciplined only in accordance with the provisions of this Article and LAPS. In the event of conflict, the provisions of LAPS take precedence over this Article.
- 13.2 **Discipline:** Discipline means all personnel actions resulting from acts or omissions on the part of an employee consisting of written warnings, written reprimands, suspension without pay, demotion or dismissal. Permanent employees may be disciplined only for just cause. All reasonable efforts will be made to apply discipline progressively, to afford the employee a reasonable opportunity to correct deficient work practices or conduct. Newly-hired probationary employees may be suspended without pay, demoted or dismissed without the right to appeal or hearing. Promotional probationary employees who have previously achieved permanence in any class enjoy full due process rights established in this Article and in Section 6.5 of this MOU.
- A. Written warnings and written reprimands may be challenged through the grievance procedure contained in Article XI of this MOU, but such disputes will not be subject to Step Four.
- B. Discipline may not be imposed on a permanent employee for any cause if the Appointing Authority had knowledge of the conduct for more than six (6) months and failed to issue formal charges.
- 13.3 **Right to Representation:** Whenever disciplinary action is initiated by the Appointing Authority, the employee must be advised that s/he has a right to the presence of a representative, including the Union, at all stages of the proceedings, including, but not limited to, discussions and interrogations involving the employee, and at informal and formal disciplinary hearings.
- 13.4 **Clearance for Disciplinary Action:** Any proposed disciplinary action must be approved by the Personnel Officer prior to any action being taken, in order to insure conformity with the procedures established in this Article, and consistency in the severity of discipline applied.
- 13.5 **Leave Pending Investigation:** Only on approval of the Personnel Officer may an employee against whom charges have been served pursuant to Section 12.14, or who is under investigation for possible discipline, be placed on paid administrative leave pending an investigation.
- 13.6 **Short Suspension:** If formal charges are served on an employee, and the discipline recommended is a suspension without pay for five (5) working days or less, discipline may be imposed immediately. The employee may request a hearing on the charges. If requested, an informal and formal hearing will be conducted as provided for in Sections 12.17 and 12.18. If the charges are not sustained, and/or if the discipline is rejected at Arbitration, the employee will be compensated for those days of suspension without pay not upheld by the Arbitrator.
- 13.7 **Negative Evaluations:** A negative evaluation may not of itself constitute grounds for discipline of a permanent employee, however, the deficiencies in employee performance including conduct documented in a negative evaluation may constitute grounds for discipline, and may result in charges being brought against an employee under the provisions of this Article.

- 13.8 **Right to Seal Letter of Reprimand:** An employee has the right to request in writing that a letter of reprimand be sealed within the employee's personnel file if two (2) years has elapsed from the date of any reprimand. The Personnel Officer shall review the request and within fourteen (14) calendar days render a decision on the request. Should the employee disagree with the decision of the Personnel Officer, the employee has the right to pursue a remedy through the grievance procedure at Step 4.
- 13.9 **Disciplinary Documents:** All documents pertaining to a disciplinary action will become a permanent part of the employee's personnel file, provided that in the event disciplinary charges are not sustained through an appeal process, all references to the discipline will be removed from the personnel file at the written request of the employee.
- 13.10 **Performance Improvement Plan:** The purpose of a performance improvement plan is to provide the employee with an opportunity to improve performance to an acceptable level and ensure that the DNSWMA is using progressive discipline in all cases except those warranting termination. Accordingly:
- A. Performance improvement plans may be prepared when an employee receives an evaluation at less than satisfactory level, and must be prepared when an employee receives a written warning, written reprimand, suspension without pay, or involuntary demotion.
 - B. The plan must contain clear, objective and measurable performance targets that are both reasonable and designed to help the employee perform at a satisfactory level.
 - C. The plan should include training if there are any deficiencies in the employee's knowledge or skills, and should not be punitive in nature.
 - D. The length of the performance improvement plan, and the terms thereof, must, in all cases, demonstrate that the DNSWMA is using a process of progressive discipline which is designed to provide an opportunity to actually correct deficiencies in performance. The Personnel Officer must approve of any performance improvement plan before it is implemented.
 - E. A performance improvement plan, along with any disciplinary documents, will become a permanent part of the employee's personnel file. The performance improvement plan will be prepared by the appointing authority and be subject to the approval of the Personnel Officer prior to delivery to the employee.
 - F. The plan will also describe the necessary consequences of failing to abide by the performance improvement plan, failure to improve, or repeating the same violation within the time frame of the plan. A Performance improvement plan may become a basis for progressive discipline if the violation or act that generated the plan is repeated.
 - G. At the end of the performance improvement plan, the appointing authority will either file a notation in the personnel file that the employee has successfully completed the performance improvement plan, and improved performance to an acceptable level, or if performance has not improved, the Appointing Authority may revise the performance improvement plan for an additional period, or the Appointing Authority may refer the employee to progressive discipline. In no case may a performance improvement plan last longer than six (6) months.
- 13.11 **Grievability:** The allegations, contents and outcomes of disciplinary action are not grievable. However, alleged procedural violations of this Article must be raised as part of the disciplinary proceedings rather than under the grievance procedure set forth in the previous Article.

13.12 **Grounds for Disciplinary Action:** The following constitute grounds for disciplinary action:

- A. Conviction of a felony.
- B. Misappropriation of public funds or property.
- C. Misconduct.
- D. Intentional or neglectful misuse of public property resulting in increased maintenance or repair costs or a reduction in service life of the equipment.
- E. Use of DNSWMA property not related to job function or for personal gain.
- F. Failure to improve substandard performance.
- G. Discourteous, discriminatory, offensive or abusive treatment of the public or fellow employees.
- H. Drinking alcoholic beverages or use of controlled substances without a prescription on the job, or arriving on the job under the influence of alcohol or controlled substances without a prescription.
- I. Habitual absenteeism or tardiness.
- J. Absence without notification as defined in Section 5.5 of this MOU.
- K. Abuse of sick leave or any other paid leave.
- L. Disorderly conduct.
- M. Incompetence or inefficiency in the performance of assigned duties.
- N. Being wasteful of material, property or working time.
- O. Insubordination, including, but not limited to, refusal to perform assigned tasks.
- P. Violation of any lawful, safe and reasonable order or written regulation made or given by an employee's supervisor or higher DNSWMA authority.
- Q. Neglect of duty.
- R. Dishonesty.
- S. Fraud in securing employment.
- T. Gross Misconduct.
- U. Refusal or failure to comply with safety rules and/or regulations, including drug and alcohol policies, promulgated by any governmental agency with jurisdiction.
- V. Refusal to take a medical examination legally required by DNSWMA.
- W. Serious physical or mental disability which prevents the employee from performing the essential functions of the position, even with reasonable accommodation for the disability.
- X. Failure to maintain any formal licensing or certification required for the employee's position.
- Y. Falsification of DNSWMA records.
- Z. A violation of another person's constitutional rights.
- AA. Knowing and intentional disclosure of information that is confidential by law or written DNSWMA policy.
- BB. Engaging in threats or violence, direct, indirect, implied or actual, against co-workers or any other person in connection with DNSWMA business.

13.13 **Disciplinary Procedure:** Discipline may be imposed for the violation of any provision of Section 12.11. A written warning may be given for the first or a relatively minor infraction, and will specify the details of the offense and may include a performance improvement plan. A written reprimand may be given for repeated offenses or an offense of increased severity, and will specify the details of the offense(s) and include a performance improvement plan. If a suspension without pay of five (5) working days or less is proposed, the following procedure and the provisions of Sections 12.6 apply. If suspension without pay for more than five (5) working days, demotion or dismissal is proposed, the following procedure applies.

- 13.14 **Written Notice of Charges:** When the Appointing Authority determines that sufficient grounds exist for imposing discipline on an employee, and following clearance by the Personnel Officer, the Appointing Authority shall prepare and provide to the employee a written notice of charges five (5) days prior to the proposed effective date. The notice must contain the following information:
- A. The provisions of Section 12.11 cited as Grounds for Disciplinary Action.
 - B. A statement of the specific acts or omissions upon which the discipline is based, including the names, dates, times, locations and circumstances of the alleged offense(s), unless the information is privileged, stated in clear and concise language. The statement must be sufficiently specific as to fully inform the employee of the nature of the charges against him/her.
 - C. A statement that a copy of all non-privileged materials upon which the discipline is based are attached or available for inspection upon request.
 - D. A description of the proposed discipline and its effective date(s).
 - E. A statement advising the employee of the right to request a hearing on the charges, and the time frame in which such a request must be made.
 - F. A statement advising the employee of the right to representation at any and all disciplinary proceedings.
 - G. A blank "Response to Charges and Request for Hearing" form, the signing and return of which to the Personnel Officer constitutes activation of the hearing process.
- 13.15 **Service of Written Notice:** All notices of proposed discipline must be personally served upon the employee, or mailed by certified mail, return receipt requested, to the last known address of the employee. Refusal to acknowledge receipt of the written notice does not preclude response time referenced in Sections 12.15 and 12.16 below.
- 13.16 **Employee Response:** The employee may deny all of the charges and request a hearing on the charges by delivering a written statement which includes the grounds for denial of charges to the Personnel Officer within five (5) regular working/business days of the date of receipt of the charges. This statement may be made on the form provided for that purpose along with the charges, or on a separate piece of paper, signed and dated by the employee.
- 13.17 **Failure to Respond:** If the employee fails to request a hearing within five (5) business days of receipt of the charges, the right to a hearing is waived, and the Appointing Authority may impose discipline upon the employee, with the approval of the Personnel Officer.
- 13.18 **Informal (Skelly) Hearing:** If the employee requests a hearing on the charges, the Personnel Officer will schedule an informal hearing at which the employee may answer and refute the charges, present mitigating evidence or otherwise respond to the charges. The Personnel Officer must issue an opinion and decision within ten (10) business days of the hearing. If the Personnel Officer finds that the discipline proposed is not justified, the Personnel Officer may order the charges rejected and the employee is exonerated with full salary and benefits. The Personnel Officer may also reduce the severity of discipline proposed or imposed under Section 12.6. If this occurs, the employee may still choose to go forward to a formal hearing on the charges. It is the intent of the parties that all disputes be resolved at the lowest administrative level possible.
- 13.19 **Formal Hearing:** If the employee is dissatisfied with the Personnel Officer's decision, the employee must notify the Personnel Officer within ten (10) business days after the Personnel Officer's decision has been mailed or delivered to the employee. The Personnel Officer will

arrange for a formal hearing on the charges. The Union and DNSWMA may agree to a hearing officer; if they do not, they must select an arbitrator as provided below:

- A. The parties may agree to an arbitrator. If they cannot agree on selection of the arbitrator, they will make a joint request to the State Conciliation Service for a list of five (5) qualified arbitrators. The arbitrator will be selected from the list by alternatively striking names, with the opportunity to go first decided by chance.
- B. The parties will submit briefs and documents to the arbitrator at least ten (10) business days before the hearing.
- C. The arbitrator will not be empowered to alter, amend, change, add to or subtract from any of the terms of this MOU. The decision of the arbitrator must be based solely upon the evidence and arguments presented by the parties to the arbitration. The decision will be final and binding upon the parties.
- D. The parties will share equally the cost of the arbitration. Each party will bear its own witness and/or attorney fees. If a court reporter is requested, the party requesting the reporter will bear that cost. Any party requesting a copy of the transcript will bear the costs thereof. Because of the impact of *Florio v. City of Ontario*, (05 CDOS 6192), in cases where the hearing arises directly from imposed or proposed discipline against the employee, DNSWMA will bear the entire cost of the arbitration, but parties will continue to bear their own attorney's fees and/or witness fees.

13.20 **Conduct of Hearing:** The employee may request either an open or closed hearing at his/her discretion. The technical rules of evidence will not apply, but oral testimony will be taken only on oath or affirmation. Any relevant evidence will be admitted if it is the sort of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of this evidence over objection in a civil action. Hearsay evidence may be used for the purposes of supplementing or explaining other evidence, but will not be sufficient to support a finding unless it would be admissible over objection in a civil action under the California Evidence Code. The rules of privilege will be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence should be excluded.

- A. Each party will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though the matter was not covered in the direct examination; to impeach any witness regardless of which party first called him/her to testify; and to rebut the evidence against him. If the employee does not testify on his/her own behalf, he or she may be called and examined as if under cross-examination.
- B. DNSWMA will open the case and present evidence in support of the discipline proposed or imposed under Section 12.6. DNSWMA will have the burden of proving charges by a preponderance of the evidence.
- C. Relevant documents which are part of the employee's personnel file, and those constituting the disciplinary action being appealed and upon which the DNSWMA intends to rely in presenting its case, may be admitted as evidence in the hearing.
- D. The employee may present his/her case in person or through a representative of his/her choice.
- E. The hearing must be recorded verbatim by a court reporter, who will be compensated by the DNSWMA. The costs of any transcript ordered will be borne by the party ordering the transcript.
- F. The costs of the hearing officer will be borne by County.
- G. The decision of the hearing officer will be final and must be submitted within ten (10) business days. The arbitrator will issue a finding on each charge and specification

individually, and on the charges as a whole. The decision will be final and binding on the parties.

- 13.21 **Negotiated Settlement:** At any point in the proceedings the Personnel Officer and the employee and his/her representatives, if any, may negotiate, compromise, and/or settle any dispute concerning discipline. The employee should be granted a reasonable amount of time to have any proposed settlement reviewed by a representative of his/her choice before agreeing to and signing the settlement. Any negotiated settlement must be reduced to writing, and will become a permanent part of the employee's personnel file.
- 13.22 **Termination of a Grant or Temporary Extra-Help or Limited-Term Employee:** A grant or extra-help or limited-term temporary employee may be terminated at any time without right of appeal or hearing, except as otherwise may be provided by law. In case of termination the Appointing Authority must provide the employee written notice of the reason for termination.

ARTICLE 14
LABOR-MANAGEMENT

In order to encourage open communications, harmonious relations, and constructive problem solving, the DNSWMA and Union agree to meet on an annual basis to discuss items of mutual concern. To this purpose, two representatives from the Union, one of whom shall be the Union President, and two representatives from the DNSWMA, one of whom shall be the Executive Director, will meet at a time and date set by mutual agreement. Agenda items may be submitted by either party and will be mutually agreed upon. In no case may formal grievances or negotiations proposals be on the agenda. The Labor-Management meeting is advisory and has no authority to add to, delete from, or to modify the current Memorandum of Understanding.

ARTICLE 15
EFFECT OF MEMORANDUM OF UNDERSTANDING

It is understood that the specific provisions of this MOU shall prevail over DNSWMA practices and procedures to the extent permitted by California law, and that in the absence of specific provisions in this MOU, such practices and procedures are discretionary on the part of the DNSWMA. Unless specifically waived in this MOU, DNSWMA specifically reserves its right to make decisions relating to the merits, necessity or organization of any service or activity as authorized in Government Code section 3504.

ARTICLE 16
ARTICLE/SECTION REPLACEMENT PROVISION

If any provisions of this MOU are held to be contrary to the law by agreement of the parties or by a court of competent jurisdiction, those provisions will be deemed severed, except to the extent permitted by law, but all other provisions will remain in force and effect. If the event that any Article or Section of this MOU is held contrary to law, DNSWMA and the Union must meet and confer within thirty (30) days after the holding comes to the attention of the parties for the purpose of arriving at a mutually satisfactory and legally enforceable replacement for that Article or Section.

ARTICLE 17
REOPENER

- 17.1 **Changes in Law.** DNSWMA may reopen negotiations whenever there is a change in the Public Employees' Pension Reform Act (PEPRA), the Affordable Healthcare Act (ACA) or any other applicable state or federal law that renders, or will render, provisions of this MOU invalid. The reopening of negotiations will be limited to the issue affected by the change in law.
- 17.2 **Health and Welfare Benefits.** The parties agree to meet and confer as soon as practicable on any substantive changes made to the Health and Welfare Benefits by the County that will directly affect DNSWMA employees.
- 17.3 **Mutual Consent.** Reopening of this agreement on any issue may also occur by mutual consent of both parties.

ARTICLE 18
NEUTRALITY AGREEMENT

DNSWMA and the Union agree to abide by all applicable California Codes and regulations of PERB, with reference to employee organization. DNSWMA agrees that it will not threaten to impose or impose reprisals on any employees, discriminate or threaten to discriminate against any employees nor otherwise interfere with, restrain or coerce the right of any employee to select a recognized employee organization. DNSWMA will not attempt to dominate or interfere with the formation, selection, administration, or decertification of any employee organization nor contribute financial or any other support to any employee organization nor in any way encourage or attempt to influence employees to join any organization in preference to any other.

The Union agrees that it will not impose or threaten to impose reprisals on employees, to discriminate or threaten to discriminate against any employees, or otherwise interfere with, restrain or coerce employees because of their exercise of rights guaranteed by the California Codes and Federal regulations.

Nothing in this agreement may be construed to limit the freedom of speech or association of any individual. The parties agree that if either party believes that the other has violated, is violating, or is about to violate this neutrality agreement, prior to filing with PERB, the aggrieved party must provide at least four (4) working hours notice of such belief to the administration or leadership of the other party. Neither party may file with PERB unless such notice has been given.

ARTICLE 19
UNION MEMBERSHIP

19.1. Union Membership

All workers in the unit who, as of the effective date of this Agreement, have authorized Union dues shall have such deduction continued.

The Employer shall deduct from workers' paychecks and transmit to the Union dues at the various rates the Union shall, from time to time, specify.

DNSWMA shall honor an employee's check-off authorization for dues, COPE or other Union-sponsored program, which are submitted in writing, through electronically recorded phone calls, via online deduction authorization, or by any other means of indicating agreement allowable under state and federal law.

Deductions for dues, COPE or other Union-sponsored program shall start the pay period after the employer receives notification of the authorization. The employer shall transmit such payments to the Union through electronic funds transfer no later than thirty (30) days after the deduction from the employee's earnings occurs.

Requests to authorize dues/other deduction(s), or requests to change status regarding such deductions, shall be directed to the Union rather than the employer. The employer shall rely on the Union's explanations in a certified list, submitted by a representative of the Union who has authority to bind the Union, regarding whether an authorization/change in deduction(s) has been requested by the employee.

The Union shall indemnify the employer for any claims made regarding such deductions.

Reinstatement

Upon the reinstatement of any worker, or upon the recalling of any worker from layoff status, the Employer will resume or initiate dues, or agency fee deduction, at the rate specified by the Union, for such worker in accordance with Section (b) of this Article.

DEL NORTE SOLID WASTE
MANAGEMENT AUTHORITY

EMPLOYEE'S ASSOCIATION/
SEIU Local 1021

Tedd Ward
Executive Director

Michael McLellan, Chapter President

Darren Davis, Chapter Vice President

Patrick Hickey, Field Representative

Approved and adopted this _____ day of _____, 2019 by the Del Norte Solid Waste Management Authority Board of Commissioners.

[Name], Chair
DNSWMA Board of Commissioners

ATTEST:

[Name], Clerk of the Board

APPROVED AS TO FORM:

[Name], Legal Counsel

ATTACHMENT A
LIST OF CLASSIFICATIONS COVERED BY THIS MOU

Refuse Site Attendant
Account Clerk-Solid Waste
Administrative Assistant-Solid Waste*
Facilities and Programs Coordinator*

* These additions will be made following modifications to their job descriptions indicating that these mid-management positions are only empowered to place employees on suspension or leave without pay as disciplinary actions, but are not empowered to make hiring or firing decisions when the Director is absent or on leave.

Attachment A-Salary Schedule

Account Clerk Range: 28 (Move to Range 30 in 7/2020)										
Fiscal Year	A	B	C	D	E	F 10 YRS.	G 15 YRS.	H 20 YRS.	I 25 YRS.	J 30 YRS.
18/19	\$1,115.40	\$1,169.17	\$1,225.63	\$1,284.92	\$1,347.17	\$1,412.52	\$1,481.15	\$1,553.21	\$1,628.87	\$1,708.31
19/20	\$1,206.37	\$1,262.68	\$1,321.82	\$1,383.91	\$1,449.10	\$1,517.56	\$1,589.44	\$1,664.91	\$1,744.15	\$1,827.37
20/21	\$1,282.68	\$1,341.82	\$1,403.91	\$1,469.10	\$1,537.56	\$1,609.44	\$1,684.91	\$1,764.15	\$1,847.37	\$1,934.73

Administrative Assistant Range: 44										
Fiscal Year	A	B	C	D	E	F 10 YRS.	G 15 YRS.	H 20 YRS.	I 25 YRS.	J 30 YRS.
18/19	\$1,628.87	\$1,707.71	\$1,791.73	\$1,879.32	\$1,971.28	\$2,067.84	\$2,169.23	\$2,275.70	\$2,387.48	\$2,504.85
19/20	\$1,744.15	\$1,827.37	\$1,914.73	\$2,006.47	\$2,102.80	\$2,203.93	\$2,310.13	\$2,421.63	\$2,538.71	\$2,661.65
20/21	\$1,764.15	\$1,847.37	\$1,934.73	\$2,026.47	\$2,122.80	\$2,223.93	\$2,330.13	\$2,441.63	\$2,558.71	\$2,681.65

Facilities and Programs Coordinator Range: 50										
Fiscal Year	A	B	C	D	E	F 10 YRS.	G 15 YRS.	H 20 YRS.	I 25 YRS.	J 30 YRS.
18/19	\$1,879.32	\$1,971.28	\$2,067.84	\$2,169.23	\$2,275.68	\$2,387.47	\$2,504.84	\$2,628.08	\$2,757.49	\$2,893.36
19/20	\$2,006.47	\$2,102.80	\$2,203.93	\$2,310.13	\$2,421.63	\$2,538.71	\$2,661.65	\$2,790.73	\$2,926.27	\$3,068.58
20/21	\$2,026.47	\$2,122.80	\$2,223.93	\$2,330.13	\$2,441.63	\$2,558.71	\$2,681.65	\$2,810.73	\$2,946.27	\$3,088.58

Refuse Site Attendant Range: 24 (Move to Range 26 in 7/2020)										
Fiscal Year	A	B	C	D	E	F 10 YRS.	G 15 YRS.	H 20 YRS.	I 25 YRS.	J 30 YRS.
18/19 Bi-weekly	\$1,015.42	\$1,064.19	\$1,115.40	\$1,169.17	\$1,225.63	\$1,284.91	\$1,347.16	\$1,421.52	\$1,481.14	\$1,553.20
18/19 Hourly	\$12.69	\$13.30	\$13.94	\$14.61	\$15.32	\$16.06	\$16.84	\$17.66	\$18.51	\$19.42
19/20 Bi-weekly	\$1,101.65	\$1,152.73	\$1,206.37	\$1,262.68	\$1,321.82	\$1,383.91	\$1,449.10	\$1,517.56	\$1,589.44	\$1,664.91
19/20 Hourly	\$13.77	\$14.41	\$15.08	\$15.78	\$16.52	\$17.30	\$18.11	\$18.97	\$19.87	\$20.81
20/21 Bi-weekly	\$1,172.73	\$1,226.37	\$1,282.68	\$1,341.82	\$1,403.91	\$1,469.10	\$1,537.56	\$1,609.44	\$1,684.91	\$1,764.15
20/21 Hourly	\$14.66	\$15.33	\$16.03	\$16.77	\$17.55	\$18.36	\$19.22	\$20.12	\$21.06	\$22.05

ATTACHMENT B
Health Care Plan Book

ATTACHMENT C
Health Care Premium Schedule

Employee Rate Schedule

Biweekly Rate Employee:	5% of Gross*
Employee + 1*	\$ 49.18
Employee + 2*	\$102.37
Employee + 3*	\$109.00
Employee + 4 or more*	\$115.62

Cobra Rate Schedule Monthly Rate

Single	\$ 813.00
Single + 1	\$1,575.00
Single + 2 or more	\$1,934.00

Retiree Full Plan Rate Schedule

Retiree Age Under 65 Monthly Rate

10 to 15 years Single	\$ 386.06
10 to 15 years R+1 Dep	\$ 748.89
10 to 15 years R+ 2 or more	\$1,127.20
16 to 20 years Single	\$ 257.25
16 to 20 years R+1 Dep	\$ 559.76
16 to 20 years R+ 2 or more	\$ 875.02
21 to 24 years Single	\$ 128.68
21 to 24 years R+1 Dep	\$ 343.59
21 to 24 years R+ 2 or more	\$ 458.83
25 or more years Single	\$ -
25 or more years R+1	\$ 214.91
25 or more years R+2 or more	\$ 344.50

Retiree Age 65 & Over Monthly Rate

10 to 15 years Single	\$ 225.00
10 to 15 years R+1 Dep	\$ 439.91
10 to 15 years R+ 2 or more	\$ 555.15
16 to 20 years Single	\$ 200.00
16 to 20 years R+1 Dep	\$ 414.91
16 to 20 years R+ 2 or more	\$ 530.15
21 to 24 years Single	\$ 175.00
21 to 24 years R+1 Dep	\$ 389.91
21 to 24 years R+ 2 or more	\$ 505.15
25 or more years Single	\$ 150.00
25 or more years R+1	\$ 364.91
25 or more years R+2 or more	\$ 480.15

Retiree Age 65 & Over - Dental Only Monthly Rate

10 to 15 years Single	\$ 60.00
10 to 15 years R+1 Dep	\$ 115.00
10 to 15 years R+ 2 or more	\$ 165.00
16 to 20 years Single	\$ 60.00
16 to 20 years R+1 Dep	\$ 115.00
16 to 20 years R+ 2 or more	\$ 165.00
21 to 24 years Single	\$ 60.00
21 to 24 years R+1 Dep	\$ 115.00
21 to 24 years R+ 2 or more	\$ 165.00
25 or more years Single	\$ 60.00
25 or more years R+1	\$ 115.00
25 or more years R+2 or more	\$ 165.00