

**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**

**Regular Session      Tuesday February 18, 2020**

**4:00 PM**

+++++

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.

+++++

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](http://www.recycledelnorte.ca.gov)  
For more information call 465-1100 or email [dnswwma@recycledelnorte.ca.gov](mailto: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.

**CEREMONIAL ITEMS:**

1. Discussion and possible action regarding Resolution 2020-01, Honoring Lori Cowan's services as Chair of the Del Norte Solid Waste Management Authority. \*\*

**OPEN SESSION ITEMS:**

**2.    CONSENT AGENDA**

- 2.1    Approve minutes, Regular Session, Tuesday 21 January 2020. \*\*
- 2.2    Approve budget transfer for fiscal year 2019/2020 in the amount of \$6,009.00 \*\*

**END CONSENT AGENDA**

**3.    TREASURER'S REPORTS**

**Agenda items 2.1 through 2.5 are provided for information only**

- 3.1    Director's Report for February 2020. \*\*
- 3.2    Treasurer / Controller Reports for December 2019 \*\*
- 3.3    Claims approved by Director & Treasurer for January 2020 \*\*
- 3.4    Monthly Cash and Charge Reports for January 2020 \*\*
- 3.5    Earned Revenue Comparisons between FY18/19 and FY19/20 \*\*

## **DISCUSSION/ACTION ITEMS**

### **4. LANDFILL POSTCLOSURE – No Items**

### **5. COLLECTIONS FRANCHISE**

- 5.1 Discussion and possible action regarding a letter of 06 February 2020 from Jeremy Herber of Recology Del Norte requesting the annual rate adjustment based on changes to the Consumer Price Index. \*\*

### **6. TRANSFER STATIONS – No Items**

### **7. GENERAL SOLID WASTE AUTHORITY MATTERS**

- 7.1 Discussion and possible action regarding the Independent Auditor's Report from Harshwall & Associates and the Annual Financial Statements for the Del Norte Solid Waste Management Authority for the year ended June 30, 2020, and associated responses. \*\*
- 7.2 Discussion and possible action regarding Hambro Recycling's application to provide pilot project recycling collections to outlying areas of Del Norte County. \*\*
- 7.3 Discussion and possible actions regarding efforts to develop and advocate for legislation prescribing the roles of rural communities like Del Norte County in addressing Statewide organic disposal reduction targets. \*\*
- 7.4 Discussion and possible action regarding sending support letters to legislators regarding SB 54 (Allen) and AB 1080 (Gonzalez). \*\*
- 7.5 Discussion and possible action regarding Guiding Principles for Legislative Advocacy. \*\*
- 7.6 Discussion and possible action regarding a request for an Authority-allocated dumpster in support of the 2020 Broom Bash. \*\*

### **8. ADJOURNMENT**

Adjourn to the next Regular meeting the Del Norte Solid Waste Management Authority scheduled for 4:00 P.M. Tuesday March 17, 2020 at the Del Norte County Board of Supervisors' Chambers, 981 H Street, Suite 100 in Crescent City.

Resolution Number 2020 – 01

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**

**HONORING LORI COWAN FOR HER SERVICE &  
LEADERSHIP AS CHAIR FOR THE YEAR 2019**

**WHEREAS, LORI COWAN's** personal efforts to promote recycling included efforts during her tenure as a Boardmember of the Del Norte County Unified School District, when she personally helped teach students how to separate their recyclables and trash in the lunchroom; and

**WHEREAS, LORI COWAN** has served as a Commissioner of the Del Norte Solid Waste Management Authority (Authority) since February 2017; and

**WHEREAS, LORI COWAN** actively participated in committees to consider ways to reduce the amount of trash in Del Norte's recycling streams, and

**WHEREAS, LORI COWAN** was in no way responsible for the factors that made styrofoam and gable-top carton recycling impractical in Del Norte following her extraordinary efforts to promote recycling of those materials, but those experiences made her a passionate advocate for practical recycling solutions; and

**WHEREAS, LORI COWAN** served as Authority Chair in 2019; and

**WHEREAS, LORI COWAN** served during periods of many significant Authority motions, actions and activities, including:

- The first Tansy Games were successfully completed. This new competition, spearheaded by volunteer Janet Gilbert, resulted in nearly 10,000 pounds of tansy ragwort removed.
- The Authority contracted with the Eco-Hero Show to provide 8 presentations in 7 schools this year, reaching over 1500 attendees. Messages promoted reuse, reducing litter, and increasing recycling of beverage containers and used oil.
- The Authority was awarded a CalRecycle grant to promote small reusable propane containers as well as less toxic alternatives to marine flares.
- The Authority hired Stillwater Sciences, who presented initial analysis regarding potential sites for a Northern Transfer Station.
- Initiation of efforts to work with legislative representatives and partners to advocate for more practical approaches to reduce greenhouse gas emissions in rural areas.
- Securing a contractor to provide cleanup services in association with the US Forest Service grant, as well as assistance with vegetative control at the Crescent City Landfill.

**NOW, THEREFORE, BE IT RESOLVED**, that the Del Norte Solid Waste Management Authority Board hereby acknowledges the diligence and dedication Lori Cowan exhibited during her years of service as an Authority Commissioner and Chair.

**PASSED AND ADOPTED** by the Board of Commissioners of the Del Norte Solid Waste Management Authority Board, County of Del Norte, State of California, this 18<sup>th</sup> day of February 2020, by the following polled vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

\_\_\_\_\_  
Blake Inscore, Chair

\_\_\_\_\_  
Kyra Seymour, Clerk

1

**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 January 21, 2020**

**4:00 PM**

**PRESENT:** Commissioner Lori Cowan, Chair  
Commissioner Jason Greenough, Vice Chair  
Commissioner Blake Inscore  
Commissioner Chris Howard  
Commissioner Michael Tomkins  
Authority Director Tedd Ward  
Authority Clerk Kyra Seymour  
Legal Counsel Martha Rice

**ABSENT:** Authority Treasurer/Controller Rich Taylor

**ALSO PRESENT:** Joel Wallen, Hambro /WSG  
David Slagle CEO Hambro/ WSG  
Jeremy Herber, Recology Del Norte  
Chandra Ordway, Recology Del Norte

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

Chair Cowan called the meeting to order.

Roll was called with all Commissioners present as listed.

Commissioner Inscore led the 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.

The Chair called for public comments, seeing none the Chair closed public comment.

## OPEN SESSION ITEMS:

### **1. CONSENT AGENDA**

- 1.1 Approve minutes, Regular Session, Tuesday 17 December 2019.
- 1.2 Approve an interdepartmental transfer to Del Norte County in the amount of \$35,934.00
- 1.3 for sub-lease rental and interest payments. **090201**
- 1.4 Approve Director's vacation requests for: February 14-17 and July 22-28, 2020.
- 1.5 Approve budget transfer for fiscal year 2019/2020 in the amount of \$ 9,910.00 **022101**

On a motion by Commissioner Howard and seconded by Commissioner Greenough and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved and adopted the consent agenda, consisting of items 1.1 through 1.5

### **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 January 2020. **231501**
- 2.2 Treasurer / Controller Reports for November 2019
- 2.3 Claims approved by Director & Treasurer for December 2019 **031202**
- 2.4 Monthly Cash and Charge Reports for December 2019
- 2.5 Earned Revenue Comparisons between FY18/19 and FY19/20

Director Ward presented the reports listed above, which the Board accepted.

## DISCUSSION/ACTION ITEMS

### **3. LANDFILL POSTCLOSURE – No Items**

### **4. COLLECTIONS FRANCHISE – No Items**

### **5. TRANSFER STATIONS – No Items**

### **6. GENERAL SOLID WASTE AUTHORITY MATTERS**

- 6.1 Discussion and possible action regarding election of Del Norte Solid Waste Management Authority officers for 2020. **012104**

The Board discussed the election of officers for the Authority, and that the Chair, and the Vice Chair must be either from the City or the County. Chair Cowan nominated Commissioner Inscore to be elected as Chair. Commissioner Tompkins seconded the nomination. On a polled vote, the motion to elect Commissioner Inscore as Chair was approved, with a NO vote from Commissioner Howard.

Commissioner Tompkins nominated Commissioner Howard to be elected as Vice Chair, and Commissioner Cowan seconded the nomination. On a polled vote, the motion to elect Commissioner Howard as Vice Chair was approved, with a NO vote from Commissioner Howard.

Commissioner Inscore nominated commissioner Greenough to be elected Secretary, and Commissioner Cowan seconded the nomination. On a polled vote, the motion to elect Commissioner Greenough as Secretary was approved, with a NO vote from Commissioner Howard.

- 6.2 Receive and file GASB 75 Actuarial Report for the Fiscal Year Ending June 30, 2019 from MacLeod Watts. **180520**

On a motion by Commissioner Howard and seconded by Commissioner Greenough and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved the filing of GASB 75 Actuarial Report for the Fiscal Year Ending June 30, 2019 from MacLeod Watts.

- 6.3 Discussion and possible action regarding Engagement letter from MacLeod Watts offering to provide OPEB Actuarial Valuation Services for Fiscal Year End 2019, 2020, and 2021 for an estimated \$4,950. **180520**

On a motion by Commissioner Howard and seconded by Commissioner Tompkins and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved signatures on an Engagement letter from MacLeod Watts offering to provide OPEB Actuarial Valuation Services for Fiscal Year End 2019, 2020, and 2021 for an estimated \$4,950.

- 6.4 Discussion and possible action regarding setting a Special Meeting for 4 P.M. on August 11, 2020, and cancelling the Regular Meeting scheduled for August 18<sup>th</sup>, 2020. **101503**

On a motion by Commissioner Howard seconded by Commissioner Greenough and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority approved setting a Special Meeting for 4 P.M. on August 11, 2020, and cancelling the Regular Meeting scheduled for August 18<sup>th</sup>, 2020.

- 6.5 Discussion and possible action regarding support for Director Ward's application for appointment to the California Commission on Recycling Markets and Curbside Recycling. **180505**

On a motion by Commissioner Howard and seconded by Commissioner Tompkins and unanimously carried on a polled vote, the Del Norte Solid Waste Management Authority

approved Director Ward's application for appointment to the California Commission on Recycling Markets and Curbside Recycling.

**7. ADJOURNMENT**

Adjourn to the next Regular meeting the Del Norte Solid Waste Management Authority scheduled for 4:00 P.M. Tuesday February 18, 2020 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 4:51 P.M. until the regular meeting on February 18<sup>th</sup>, 2020.

\_\_\_\_\_  
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 / /

## 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	Printing		\$ 300	
Solid Waste	422	421	20232	Prof Services - Well Monitoring		\$ 5,709	
Solid Waste	422	421	91121	Misc. Reimbursements	\$ 1,300		
Solid Waste	422	421	91131	UI Recovery	\$ 4,709		
<b>Department complete and send to Auditor's Office for transfer number</b>					<b>Total Amounts</b>	\$ 6,009	\$ 6,009

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

Department Head Signature _____	Date _____
Auditor's Office: Sufficient balances exist per above (Under \$100 Auditor's Office approves)	County Administrative Officer: (Under \$1000 - CAO approves)
Deputy Auditor-Controller _____ Date _____	Recommendation: _____ Approve _____ Deny _____ Submit for Board approval _____
TR No. _____ Budget Revision No. _____	_____ Date _____
Includes Revenue Appropriation _____ Requires 4/5ths Vote _____	County Administrative Officer _____ Date _____

Passed by Board of Commissioners of the Del Norte Solid Waste Management Authority on 18 February 2020

Ayes:  
Noes:  
Absent:

Attest: Clerk of the Board

By: \_\_\_\_\_  
Kyra Seymour

\_\_\_\_\_  
Blake Inscore, Chair  
Del Norte Solid Waste Management Authority

2.2



# 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: 13 February 2020  
To: Commissioners of the Del Norte Solid Waste Management Authority  
From: Tedd Ward, M.S. – Director *Tedd*  
Reporting Period: 17 January 2020 – 13 February 2020  
Attachments:  
1. Annual Filing Notice for Form 700  
2. Letter from CalRecycle re. 5-year RAIWMP review  
3. Letter from Houawa Moua approving the 5-year permit review of the Del Norte County Transfer Station.  
4. **Del Norte Triplicate** article re. Drug TakeBack bins  
5. Recycling instructions provided to Crescent Elk Middle School  
6. DDR Report addressing Work Order 20-01

**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 and accounting, along with 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 charged at Authority-managed facilities continue to be lower than other similar facilities in Humboldt and Curry Counties.

**Ceremonial Item 1** is a Resolution Honoring Lori Cowan's service as Authority Chair.

**Consent Agenda Item 2.2** is a budget transfer, adding funds for well monitoring associated with the Constituent of Concern monitoring at the Crescent City Landfill, and a small amount to the printing budget. These funds come from reimbursements in unemployment insurance and miscellaneous reimbursements that have already been received in excess of the budgeted amounts.

**Landfill:** On 27 January, staff met with Heidi Kunstal to discuss the respective permitting requirements for different options for reducing vehicular trespassing on the landfill property. These options were discussed during a walkthrough on 15 January looking at specific areas where vehicles have been driving. Types of barriers discussed include k-rails, rock barriers, fences, gates, signs, and moat-like excavations. Staff signed Work Order 20-01 with DDR to provide general plans for constructing different barrier types so staff can start the process to

3.1

plan for what type of barrier would be deployed at each access point. The resulting report is attached.

**Transfer Stations:** Attached is a letter approving of the 5-year permit review of the Del Norte County Transfer Station.

On January 30, Supervisor Howard and Director Ward made a presentation to the Tolowa Dee-ni' Tribal Council to discuss potential sites for a Northern Transfer Station. It was generally a positive meeting, and Authority and Tolowa Dee-ni' Tribal staff will coordinate efforts as this project moves forward.

**Collections Franchise:** **Agenda Item 5.1** is Recology Del Norte's request for the CPI-based rate adjustment, based on changes to the Consumer Price Index (CPI). The rate adjustment will be based on the CPI index for March, (which is not published until April) and the will be effective starting in July 2020.

**Finances:** **Agenda Item 7.1** is the Independent Auditor's Report from Harshwall & Associates and the annual financial statements for FY 18/19, as well as the response to comments prepared by staff and reviewed by the Authority's Treasurer.

**Grants:** **Agenda Item 7.2** is a discussion of Hambro Recycling's application to CalRecycle for a pilot-project beverage container collection program providing limited redemption services to outlying areas of Del Norte County.

The grant agreement between the Authority and the California Product Stewardship Council (CPSC) has been signed, and staff anticipate more activity on this grant project in the coming months. Justin Weiss of CPSC has already visited Del Norte, confirming that both CVS and Walgreen already have bins to receive pharmaceuticals, as described in the attached press release.

**Outreach / Advocacy:** **Agenda Item 7.3** is a summary of the legislation that the staff of the Rural Counties' Environmental Joint Powers Authority (ESJPA) hope to convince a representative to propose in this legislative session, addressing the requirements of SB 1383 as they apply to rural communities like Del Norte.

On 21 January, Director Ward discussed with Allison Tans the updated website for the North Coast Recycling Market Development Zone, which includes Humboldt and Del Norte counties. The new website is: <https://northcoastrmdz.org/>

On 24 January, Director Ward and Programs Coordinator Seymour participated in another KFUG broadcast of Rethinking Recycling, on the topic of Treecycling, and the variety of free materials (untreated wood, concrete, etc.) that are available at the Del Norte County Transfer Station. As a public service, after entering in over the entrance scale and reporting to the attendant, customers may take untreated wood for their wood stoves at the Del Norte County Transfer station for no charge. Concrete is also available. Items from the Reuse shed are

available only to paying customers.

Also on 24 January, Staff initiated discussions with Eco-Hero to plan for presentations in all public elementary and middle schools in Del Norte County during this school year, to be funded by a combination of oil and beverage container grant resources. Both Authority and Recology staff will have input regarding the content of these approximately 1 hour presentations, which will focus on beverage container and used oil recycling messages.

On 04 February, Director Ward and Programs Coordinator Seymour participated in a meeting with Crescent Elk Principal Paige Swan. The meeting included Jeremy Herber of Recology Del Norte, organized by Randy Scott of Hambro Recycling. The purpose was to discuss ways Crescent Elk could expand the amount of materials collected for recycling, and to increase the recycling of beverage containers in programs that could benefit the school. As a follow-up, staff provided the attached signs and instructions.

**Agenda Item 7.4** is discussion of potential support for SB 54 (Allen) and AB 1080 (Gonzalez), which are companion bills introduced last year to address packaging materials with low recycling rates.

**Agenda Item 7.5** presents a draft of the Guiding Principles for Legislative Advocacy, building on the document adopted for this purpose last year.

**Administration:** On 11 February, staff spoke with Doug Svensson, providing input to be used in the drafting of the Comprehensive Economic Development Strategy (CEDS) for Del Norte County. Staff provided an overview of recent history with respect to the closure of Julindra and the global downturn in recycling markets. Staff also discussed the ongoing navigation of requirements under SB1383, as well as the business recruitment incentives available through the North Coast Recycling Market Development Zone.

**Compliance:** Attached to this report is a reminder that all Commissioners, the Director and the Facilities and Programs Coordinator all must file a Form 700 report before April.

Having made presentations to both the Crescent City Council and the Del Norte County Board of Supervisors on the topic, Authority staff met with City and County representatives on 12 February to discuss potential coordinated efforts to address the requirements of SB 1383 to reduce and control short-term climate pollutants. Related issues will be discussed under **Agenda Item 7.3**.

**Community Cleanup:** **Agenda Item 7.6** is a request to support the 2020 Broom Bash in a manner similar to past years, with an Authority-allocated dumpster.

**Personnel:** During the past month, Robyn Campbell completed training as a refuse site attendant. Staff intend to start the internal recruitment process for the new position of Refuse Site Attendant / Office Technician in coming weeks.

**Tedd Ward**

---

**From:** NetFile on behalf of Alissia Northrup, County Clerk/Recorder <do-not-reply@netfile.com>  
**Sent:** Thursday, February 6, 2020 11:23 AM  
**To:** tedd@recycledelnorte.ca.gov  
**Subject:** Reminder - Annual Form 700 - Statement of Economic Interests Filing

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**DATE: February 6, 2020**

**TO: County of Del Norte Statement of Economic Interests (Form 700) Filers**

**FROM: Alissia Northrup, County Clerk/Recorder**

---

**SUBJECT: 2020 STATEMENT OF ECONOMIC INTERESTS - ANNUAL FILING NOTICE - NEW ELECTRONIC FILING SYSTEM**

---

Based on your position with the County of Del Norte, you are required to file an annual Statement of Economic Interests (Form 700) by April 1, 2020.

The County of Del Norte Form 700 filers will be using NetFile - an online e-filing system. NetFile will save you time and it is easy to use! The advantage of filing electronically is that the system ensures that all required data is complete, eliminating the filing of amendments due to errors, all data is saved for future filings, and you do not have to deliver a signed copy to the County. **Once you e-file, you are done.** You can also log in to your account at any time to retrieve your electronic prior filings.

**WHEN TO FILE:** No later than **Wednesday, April 1, 2020**

**HOW TO FILE:** Go to [NetFile account \(https://netfile.com/filer\)](https://netfile.com/filer) and sign in or, if you are new user, click the "New User? Request a Password" link in the Form 700 (SEI) Filers area below the log-in form. Submit your county e-mail address to receive an e-mail from the system containing a link to create your password. Click on the link to display a web page to create your password.

Passwords are case-sensitive and you should make sure to record your password as it is displayed. You can change the password to something you are more likely to remember once you log in.

*Important Notes about your filing:*

- After you log in, you can use click the "Get Help for this Page" button for additional information and instructions. Each page also contains links to various types of documentation including PDF help files, and video tutorials for every part of the system.
- All Form 700s are public records. You are encouraged to list your business (not home) address on the cover page.

- This annual filing covers the **prior** (2019) calendar year.
- Bookmark the following link to access your NetFile account anytime: <https://netfile.com/filer>.
- Your information will be saved securely in your account to make future filings easier.
- **NOTHING TO DISCLOSE?** File in a flash through the NetFile app (only for filers with nothing to disclose). For an iPhone or iPad, download the app from iTunes. For an Android phone or tablet, download the app from Google Play. Visit <https://netfile.com/content/mobileapps> for direct links to download the application and further information about using NetFile's mobile application on Android and Apple devices.

**WHAT TO FILE:** Your disclosure categories will be displayed upon logging into your user account along with a link to download the County's Conflict of Interest Code document.

**LATE FILINGS:** Please be aware that your annual filing is due on April 1, 2020. There is no provision in the law for an extension of a filing deadline. Late statements are subject to a \$10 per day fine, up to a maximum of \$100, in addition to fines imposed by the Fair Political Practices Commission (FPPC).

**RESOURCES:**

Visit the FPPC's website at [www.fppc.ca.gov/Form700.html](http://www.fppc.ca.gov/Form700.html) for resources for filers, including:

- Gift/Travel Fact Sheet for Local Officials
- Reference Pamphlet (explains reporting requirements)

Specific questions about reporting your economic interests:

Contact the FPPC at [advice@fppc.ca.gov](mailto:advice@fppc.ca.gov) or (866) 275-3772 \*2.

Questions regarding this letter:

Contact Alissia Northrup, at [anorthrup@co.del-norte.ca.us](mailto:anorthrup@co.del-norte.ca.us) or (707) 464-7216.

Technical assistance with NetFile:

Send an e-mail to [filerhelp@netfile.com](mailto:filerhelp@netfile.com).

February 12, 2020

Tedd Ward, M.S. – Director  
Del Norte Solid Waste Management Authority  
1700 State Street  
Crescent City, CA 95531

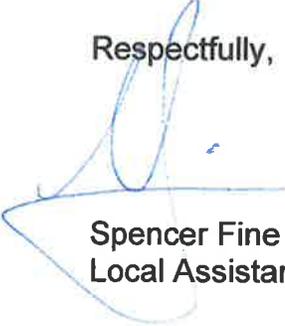
Re: Receipt of Complete 5-Year RAIWMP Review Report

Dear Mr. Ward,

I am writing regarding the adequacy of Del Norte Solid Waste Management Authority's 5-Year RAIWMP Review Report (Report) submitted to the California Department of Resources Recycling and Recovery (CalRecycle) on January 10, 2020. The purpose of this letter is to notify you that CalRecycle staff has reviewed the Regional Agency's Report and find that it meets the requirements of Public Resources Code (PRC), Sections 41770 and 41822 and Title 14, California Code of Regulations (CCR), Section 18788. Accordingly, CalRecycle staff is preparing a recommendation for management's consideration for approval of the Regional Agency's Report findings. It is anticipated that this item will be considered for approval through CalRecycle's Executive Director's action on March 17, 2020.

If you have any questions about this letter or the 5-Year RAIWMP Review process, please contact me at (916) 341-6465 or [spencer.fine@calrecycle.ca.gov](mailto:spencer.fine@calrecycle.ca.gov).

Respectfully,

  
Spencer Fine  
Local Assistance & Market Development Branch, North Section



**COUNTY OF DEL NORTE**  
COMMUNITY DEVELOPMENT DEPARTMENT

981 "H" Street, Suite 110  
Crescent City, California 95531

Fax (707) 465-0340

Planning  
(707) 464-7254

Engineering & Surveying  
(707) 464-7229

Roads  
(707) 464-7238

Building Inspection  
(707) 464-7253

Environmental Health  
(707) 465-0426

January 16, 2020

Eric Kiruja  
CalRecycle  
Permitting & LEA Support

Subject: Del Norte County Transfer Station 5 year permit review.

Dear Mr. Eric Kiruja,

Attached is the completed 5 Year Permit Review for the Del Norte County Transfer Station. The due date for this 5 Year Permit Review is April 7, 2020. The attached documents include the CalRecycle forms E-1-77, 678 and the Solid Waste Facility Permit. The LEA observed during the 5 Year Permit Review that the TPR was updated, but the updates did not require a RFI amendment, modification or revision.

The LEA has approved the 5 Year Permit Review for the Del Norte County Transfer Station and the next 5 Year Permit Review date is January 16, 2025..

If there are any questions or concerns, you can contact Senior Environmental Health Specialist, Houawa Moua, at (707) 465-0426 or email at [hmoua@co.del-norte.ca.us](mailto:hmoua@co.del-norte.ca.us).

Regards,

Houawa Moua  
Senior Environmental Health Specialist

3.1.3

# SOLID WASTE FACILITY PERMIT

Facility Number:

**08-AA-0018**

**1. Name and Street Address of Facility:**

Del Norte County Transfer Station  
1700 State Street  
Crescent City, CA 95531

**2. Name and Mailing Address of Operator:**

Del Norte Solid Waste Management Authority  
391 Front Street  
Crescent City, CA 95531

**3. Name and Mailing Address of Owner:**

Del Norte Solid Waste Management Authority  
391 Front Street  
Crescent City, CA 95531

**4. Specifications:**

- a. Permitted Operations:**  Solid Waste Disposal Site  Transformation Facility  
 Transfer/Processing Facility (MRF)  Other: \_\_\_\_\_  
 Composting Facility (MSW/green material/C&G)

**b. Permitted Hours of Operation:** Receipt of Refuse/Waste: 0800-1700 Mon.-Fri.  
0900-1700 Sat.- Sun.

Ancillary Operations/Facility Operating Hours: 0700-1900 Mon.-Fri.  
0800-1800 Sat.-Sun.

**c. Permitted Maximum Tonnage:** 300 Tons per Day

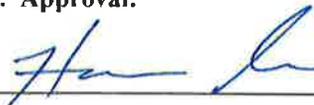
**d. Permitted Traffic Volume:** 848 Vehicles per Day

**e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CalRecycle validations):**

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	13.3	N/A	4.74	N/A	N/A
Design Capacity (cu.yds)		N/A	300	N/A	N/A
Max. Elevation (Ft. MSL)		N/A			
Max. Depth (Ft. MSL)		N/A			
Estimated Closure Year		N/A			

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

**5. Approval:**

 1/16/2020  
\_\_\_\_\_  
Approving Officer Signature  
Houawa Moua  
Senior Environmental Health Specialist

**6. Enforcement Agency Name and Address:**

County of Del Norte County  
Community Development Department  
Environmental Health Division  
981 H Street, Suite 110  
Crescent City, CA 95531

**7. Date Received by CalRecycle:**

June 23, 2004

**8. CalRecycle Concurrence Date:**

September 21, 2004

**9. Permit Issued Date:**

October 20, 2004

**10. Permit Review Due Date:**

January 16, 2025

**11. Owner/Operator Transfer Date:**

# SOLID WASTE FACILITY PERMIT

Facility Number:

**08-AA-0018**

## 12. Legal Description of Facility:

The legal description of this facility is contained in page B.1 of the Transfer/Processing Report, dated April 16, 2004.

## 13. Findings:

- a. This permit is consistent with the Del Norte County Integrated Waste Management Plan, which was approved by CalRecycle on (September 21, 1994). The location of the facility is identified in the Nondisposal Facility Element, pursuant to Public Resources Code (PRC), Section 50001(a).
- b. This permit is consistent with the standards adopted by CalRecycle, pursuant to PRC 44010.
- c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.
- d. The Crescent City Fire Protection District Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151.
- e. An Environmental Impact Report and Supplemental Environmental Impact Report was filed with the State Clearinghouse (SCH #2001042014) and certified by the board of the Del Norte County Solid Waste Management Authority on 3/11/2002 and 3/7/2003. The Environmental Impact Report and Supplemental Environmental Impact Report describe and support the design and operation which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on 3/13/2003.

## 14. Prohibitions:

The permittee is prohibited from accepting the following wastes:

1. Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency.
2. Sewage Sludge or skimmings except in sealed containers as described in the Transfer/Processing report.
3. Fish Waste from commercial sources.
4. Waste containing friable asbestos.

## 15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
<u>(Report of Facility Information, JTD, TPR)</u> Amendments	4/16/2004 and 11/7/2019	<u>(Preliminary or Final)</u> Closure and Postclosure Maintenance Plan	N/A
Waste Discharge Requirements Order No. SA178210	9/4/2019	Closure Financial Assurance Documentation	N/A
APCD Permit to Operate #	N/A	Stormwater Pollution Prevention Plan	9/2003
<u>(CEQA document(s))</u> (SCH #2001042047)	3/11/2002 and 3/7/2003	Land Use and/or Conditional Use Permit	4/2/2003
Agreement between DNSWMA and Hambro/Waste Solutions Group (Contract Operator Agreement)	1/20/2003	Local Coastal Development Permit	4/2/2003

# SOLID WASTE FACILITY PERMIT

Facility Number:

**08-AA-0018**

## 16. Self Monitoring:

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 15 days of the end of the reporting period (for example, 1<sup>st</sup> quarter = January – March, the report is due by April 30, etc.. Information required on an annual basis shall be submitted with the 4<sup>th</sup> quarter monitoring report, unless otherwise stated.)

Program	Reporting Frequency
a. The types and quantities (in tons) of waste, including separated or commingled recyclables, entering the facility per day.	Monthly
b. The types and quantities (in tons) of waste, including recyclables and other diverted waste shipping from the facility each operating day.	Monthly
c. The number and types of vehicles using the facility per day.	Monthly
d. Results of the hazardous waste load checking program, including the quantities and types of hazardous waste, medical waste or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	Quarterly
e. A log of all complaints regarding this facility and the operator's action taken to resolve these complaints.	Monthly
f. Maintain daily records of the quantity of each class of diverted waste stored on site as listed in Tab 1-17 of the Transfer/Processing Report.	Monthly

# SOLID WASTE FACILITY PERMIT

Facility Number:

**08-AA-0018**

## 17. Enforcement Agency (EA) Conditions:

- a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title *(27 and/or 14)*, California Code of Regulations.
- b. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.
- c. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.
- d. The maximum permitted daily tonnage for this facility is 300 tons per day, and shall not receive more than this amount without a revision of this permit. *(If applicable, include a statement regarding what counts toward the permitted tonnage.)*
- e. This permit is subject to review by the EA and may be temporarily suspended or revoked at any time by the EA for sufficient cause, in accordance with Division 30 of the Public Resource Code, Part 4, Chapter 4, Article 2, Sections 44305 et seq and associated regulations.
- f. The EA reserves the right to suspend or modify waste receiving and handling operations due to an emergency, a potential health hazard, or the creation of a public nuisance.
- g. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the EA at least 180 days in advance of the change.
- h. A copy of this permit shall be maintained at the facility.

**APPLICATION FOR SOLID WASTE FACILITY PERMIT AND WASTE DISCHARGE REQUIREMENTS**

CALRECYCLE E-1-77 (Rev. 11-15)

NOTE: This form has been developed for multiple uses. It is the transmittal sheet for documents required to be submitted to the appropriate agency. Please refer to the attached instructions for definitions of terms and for completing this application form in a complete and correct manner.

**FOR OFFICIAL USE ONLY**

SWIS/WDID/Global ID NUMBER: <b>08-AA-0018</b>	FILING FEE: <b>\$375.00</b>	RECEIPT NUMBER: <b>TN-31972</b>	DATE RECEIVED: <b>11/7/2019</b>
DATE ACCEPTED: <b>12-26-2019</b>	DATE REJECTED:	ACCEPTANCE DATE OF INCOMPLETE APPLICATION:	DATE DUE:

**Part 1. GENERAL INFORMATION**

A. ENFORCEMENT AGENCY: <b>Del Norte County Department of Environmental Health</b>	B. COUNTY: <b>Del Norte</b>
--	--------------------------------

C. TYPE OF APPLICATION (Check one box only):

- 1. NEW SWFP and/or WDRS
- 2. CHANGE TO SWFP and/or WDRS
  - REVISION
  - MODIFICATION
  - OTHER (As authorized by law)
- 3. WAIVER
- 4. PERMIT REVIEW
- 5. AMENDMENT OF APPLICATION
- 6. RFI/ROWD/JTD AMENDMENTS

**Part 2. FACILITY DESCRIPTION**

A. NAME OF FACILITY:  
**Del Norte County Transfer Station**

B. LOCATION OF FACILITY:

1. PHYSICAL ADDRESS OR LOCATION AND ZIP CODE:  
**1700 State Street, Crescent City, CA 95531**

2. LATITUDE AND LONGITUDE:  
**Latitude: 41 degrees, 45', 23" North; Longitude: 124 degrees, 10', 7" West**

3. LEGAL DESCRIPTION OF PERMITTED BOUNDARY BY SECTION, TOWNSHIP, RANGE, BASE, AND MERIDIAN, IF SURVEYED:

**APN 115-180-22. Section 27, Township 16 North, Range 1 West, Humboldt Meridian, Del Norte County, California**

C. TYPE OF ACTIVITY: (Check applicable boxes):

- 1. DISPOSAL
  - a. TYPE: \_\_\_\_\_
- 2. COMPOSTABLE MATERIALS HANDLING
  - a. TYPE: \_\_\_\_\_
- 3. TRANSFORMATION
- 4. TRANSFER/PROCESSING
  - a. TYPE: \_\_\_\_\_
- 5. C&D/INERT DEBRIS PROCESSING
- 6. IN-VESSEL DIGESTION
- 7. OTHER (describe): \_\_\_\_\_

D. IDENTIFICATION OF FACILITY IN CIWMP [CONFORMANCE FINDING]:

1. FACILITY IS IDENTIFIED IN (Check one):

<input type="checkbox"/> SITING ELEMENT	DATE OF DOCUMENT	_____	PAGE #	_____
<input checked="" type="checkbox"/> NONDISPOSAL FACILITY ELEMENT	DATE OF DOCUMENT	<b>Dec-03</b>	PAGE #	_____

E. TYPE OF PERMITTED WASTES TO BE RECEIVED: (Check applicable boxes):

- 1. AGRICULTURAL
- 2. ASBESTOS  Friable  Non-friable
- 3. ASH
- 4. AUTO SHREDDER
- 5. COMPOSTABLE MATERIAL (describe): \_\_\_\_\_
- 6. CONSTRUCTION/DEMOLITION
- 7. CONTAMINATED SOILS
- 8. DEAD ANIMALS
- 9. INDUSTRIAL
- 10. INERT  
brush, grass, untreated wood, stumps
- 11. LIQUIDS
- 12. MUNICIPAL SOLID WASTE (MSW)
- 13. SEWAGE SLUDGE (in sealed containers, not opened on-site)
- 14. WASTE TIRES
- 15. OTHER (describe): **Electronics, Metals, concrete, asphalt, carpet**

**Part 3. FACILITY INFORMATION**

**A. FACILITY INFORMATION:**

**1. INFORMATION APPLICABLE TO ALL EXISTING FACILITIES:**

a. MAXIMUM DAILY TONNAGE OR CUBIC YARDS 300 tons per day

b. AS-DESIGNED DAILY TONNAGE or CUBIC YARDS 200 tons per day

c. FACILITY SIZE (acres) 4.74 acres

d. MAXIMUM TRAFFIC VOLUME PER DAY (vpd) 848 vehicles per day

e. DAYS AND HOURS OF OPERATION Mon-Fri 8AM-5PM ; Sat & Sun 9AM-5PM  
Closed on 7 major holidays

**2. PROPOSED CHANGE(S) OR INFORMATION APPLICABLE TO NEW SWFP AND/OR WDRs**

a. MAXIMUM DAILY TONNAGE OR CUBIC YARDS \_\_\_\_\_

b. AS-DESIGNED DAILY TONNAGE or CUBIC YARDS \_\_\_\_\_

c. FACILITY SIZE (acres) \_\_\_\_\_

d. MAXIMUM TRAFFIC VOLUME PER DAY (vpd) \_\_\_\_\_

e. DAYS AND HOURS OF OPERATION \_\_\_\_\_

f. OTHER \_\_\_\_\_

**3. ADDITIONAL INFO. REQUIRED FOR COMPOSTABLE MATERIALS HANDLING FACILITIES ONLY:**

a. TOTAL SITE CAPACITY (cu yds) 160 cubic yards

**4. ADDITIONAL INFORMATION REQUIRED FOR LANDFILLS ONLY:**

a. AVERAGE DAILY TONNAGE (TPD) \_\_\_\_\_

b. SITE CAPACITY CURRENTLY PERMITTED (Airspace) (cu yds) \_\_\_\_\_

c. SITE CAPACITY PROPOSED (Airspace) (cu yds) \_\_\_\_\_

d. SITE CAPACITY USED TO DATE (Airspace) (cu yds) \_\_\_\_\_

e. SITE CAPACITY REMAINING (Airspace) (cu yds) \_\_\_\_\_

f. DATE OF CAPACITY INFORMATION (Date) (See instructions): \_\_\_\_\_

g. LAST PHYSICAL SITE SURVEY (Date) \_\_\_\_\_

h. ESTIMATED CLOSURE DATE (month and year) \_\_\_\_\_

i. DISPOSAL FOOTPRINT (acres) \_\_\_\_\_

j. SITE CAPACITY PLANNED (cu yds) \_\_\_\_\_

k. 1. (i) IN-PLACE WASTE DENSITY (lbs of waste per cu yd of waste) AND  
(ii) WASTE-TO-COVER RATIO (Estimated) (v:v) OR  
2. AIRSPACE UTILIZATION FACTOR (tons of waste per cu yd of landfill airspace) \_\_\_\_\_

**Part 4. SOURCE OF WATER SUPPLY (Check applicable boxes)**

A. MUNICIPAL OR UTILITY SERVICE: City of Crescent City

B. INDIVIDUAL (wells): \_\_\_\_\_

C. SURFACE SUPPLY: \_\_\_\_\_

1. NAME OF STREAM, LAKE, ETC. \_\_\_\_\_

2. TYPE OF WATER RIGHTS:

RIPARIAN  APPROPRIATION

3. STATE PERMIT OR LICENSE NUMBER, IF APPLICABLE: \_\_\_\_\_

D. OTHER: \_\_\_\_\_

**Part 5. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (Check applicable boxes)**

A. CHECK BOX(ES) IF ENVIRONMENTAL DOCUMENT WAS OR WILL BE PREPARED FOR THIS PROJECT:

- 1 ENVIRONMENTAL DOCUMENT WAS PREPARED:
- ENVIRONMENTAL IMPACT REPORT (EIR) SCH# 2001042047
  - NEGATIVE DECLARATION (ND)/MITIGATED NEGATIVE DECLARATION (MND) SCH# \_\_\_\_\_
  - ADDENDUM TO (Identify environmental document) \_\_\_\_\_ SCH# \_\_\_\_\_
2. ENVIRONMENTAL DOCUMENT WILL BE PREPARED (Enter lead agency if known): \_\_\_\_\_
- B. IF ENVIRONMENTAL DOCUMENT(S) WAS NOT PREPARED, PLEASE PROVIDE THE FOLLOWING INFORMATION:
- CATEGORICAL/STATUTORY EXEMPTION (CE/SE) EXEMPTION TYPE \_\_\_\_\_ GUIDELINE # \_\_\_\_\_

**Part 6. LIST OF ATTACHMENTS (Fill in the date for each document checked)**

**A. REQUIRED WITH ALL APPLICATION SUBMITTALS:**

- |  |  |
|--|--|
| <input type="checkbox"/> RFI/JTD <u>Updated Novemembr 2019</u>                               | <input checked="" type="checkbox"/> ENVIRONMENTAL DOCUMENT(S): |
| <input type="checkbox"/> LOCATION MAP _____  | [X] EIR <u>2001042047</u>                                      |
| <input type="checkbox"/> MITIGATION MONITORING & REPORTING PROGRAM _____                     | <input type="checkbox"/> MND/NO _____                          |
| <input type="checkbox"/> LIST OF PUBLIC HEARINGS AND OTHER MEETINGS OPEN TO THE PUBLIC _____ | <input type="checkbox"/> EXEMPTION _____                       |
|  | <input type="checkbox"/> ADDENDUM _____                        |

**B. ADDITIONAL REQUIRED DOCUMENTS FOR DISPOSAL FACILITIES ONLY:**

- |  |  |
|--|--|
| <input type="checkbox"/> OPERATING LIABILITY FINANCIAL MECHANISM _____ | <input type="checkbox"/> FINANCIAL RESPONSIBILITY DOCUMENTATION _____                          |
| <input type="checkbox"/> CLOSURE/POST CLOSURE MAINTENANCE PLAN _____   | <input type="checkbox"/> KNOWN OR REASONABLY FORSEEABLE CORRECTIVE ACTION COST ESTIMATES _____ |
| <input type="checkbox"/> PRELIMINARY _____                             | <input type="checkbox"/> LANDFILL CAPACITY SURVEY RESULTS (see instruct _____)                 |
| <input type="checkbox"/> FINAL _____                                   |  |

**C. IF APPLICABLE:**

- |  |   |
|--|---|
| <input type="checkbox"/> REPORT OF WASTE DISCHARGE _____   | <input type="checkbox"/> DEPT. OF TOXIC SUBSTANCES CONTROL OR CERTIFIED UNIFIED PROGRAM AGENCY PERMIT _____ |
| <input type="checkbox"/> STORMWATER PERMIT APPLICATION <u>No Exposure Cert dated 9/4/2011</u> (SWAT (Air and water)) |   |
| <input type="checkbox"/> NPDES PERMIT APPLICATION _____  | <input type="checkbox"/> WETLANDS PERMITS _____   |
| <input type="checkbox"/> OTHER _____   | <input type="checkbox"/> VERIFICATION OF FIRE DISTRICT COMPLIANCE _____                                     |

**Part 7. OWNER INFORMATION (For disposal site, if operator is different from land owner, attach lease or other agreement)**

**TYPE OF BUSINESS:**

- SOLE PROPRIETORSHIP       PARTNERSHIP       CORPORATION       GOVERNMENT AGENCY

<b>OWNER(S) OF LAND (Name):</b> <i>Del Norte Solid Waste Management Authority</i>	<b>SSN OR TAX ID #</b> 94-2254126
<b>ADDRESS, CITY, STATE, ZIP</b> 1700 State Street Crescent City, CA 95531	<b>TELEPHONE #:</b> (707)465-1100
	<b>FAX #:</b> (707)465-1300
	<b>E-MAIL ADDRESS:</b> dnswma@recycledelnorte.ca.gov
	<b>CONTACT PERSON (Print Name):</b> Tedd Ward, Director

**Part 8. OPERATOR INFORMATION (For disposal site, if operator is different from land owner, attach lease or other agreement)**

TYPE OF BUSINESS:

SOLE PROPRIETORSHIP       PARTNERSHIP       CORPORATION       GOVERNMENT AGENCY

FACILITY OPERATOR(S)

(Name):

Hambro / WSG

SSN OR TAX ID #:

94-1583186

ADDRESS, CITY, STATE, ZIP

445 Elk Valley Road      Crescent City, CA  
95531

TELEPHONE #:

(707) 464-6131

FAX #:

[joel.wall@hambrowsg.com](mailto:joel.wall@hambrowsg.com)

E-MAIL ADDRESS:

(707) 464-9375

CONTACT PERSON (Print Name):

Joel Wallen, Operations manager

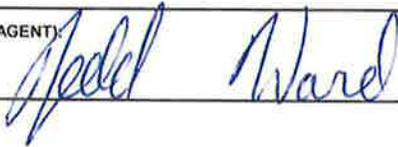
ADDRESS WHERE LEGAL NOTICE MAY BE SERVED:

Part 9. SIGNATURE BLOCK

Owner:

I certify under penalty of perjury that the information I provided for this application and for any attachments is true and accurate to the best of my knowledge and belief. I am aware that the operator intends to operate a solid waste facility at the site specified above pursuant to this application and understand that I may be responsible for the site should the operator fail to meet applicable requirements.

SIGNATURE (LAND OWNER OR AGENT):



PRINTED NAME:

Tedd Ward

TITLE: Director

DATE: 6-Nov-19

Lessee:

I certify under penalty of perjury that the information I provided for this application and for any attachments is true and accurate to the best of my knowledge and belief. I am aware that the operator intends to operate a solid waste facility at the site specified above pursuant to this application.

SIGNATURE (LESSEE):

PRINTED NAME:

TITLE:

DATE:

Operator:

I certify under penalty of perjury that the information contained in this application and all attachments are true and accurate to the best of my knowledge and belief.

SIGNATURE (FACILITY OPERATOR OR AGENT):



PRINTED NAME:

Joel Wallen

TITLE: Operations Manager for Hambro/WSG

DATE: 6-Nov-19

Part 10. OTHER (Attach additional sheets to explain any responses that need clarification).

# 5 Year Permit Review Report

Del Norte County Transfer Station	SWIS# 08-AA-0018	12/19/2019
Facility Name	Facility Number	Review Date
County of Del Norte Environmental Health Division	Houawa Moua	
Enforcement Agency	Reviewer's Name (Type or Print)	Reviewer's Signature

## Documents Reviewed

Document Name	Document Code*	Date	Updates
Application for Permit Review	APR	11/7/2019	
Transfer Processing Report	TPR	11/7/2019	
No Exposure Certification Status - NCRWQCB	NECS	10/14/2014	9/4/2019
Site Map Layout	SML	11/7/2019	
Injury Illness and Prevention Plan	IIPP	1/16/18	
Daily Tonnage	DT	2014-2019	
Inspection Reports	IR	2014-2019	
Solid Waste Facility Report	SWFP	4/7/2015	

## Findings

Document Code	Page Number	Finding
TPR		The updated TPR do not require a RFI amendment, modification or revision. The updated TPR did not change the design or operation of the transfer station.
IR		<p>An inspection was conducted on 11/27/2019. No violations or areas of concern were observed.</p> <p>Since the last permit review report the Del Norte County Transfer Station received 4 violations and 9 Areas of Concern (AOC):</p> <p>AOC:</p> <ul style="list-style-type: none"> <li>• 3/28/2017- Site Security- Hole cut into the fence.</li> <li>• 5/25/2017- Housekeeping- Not Maintaining/organizing scrap metal in bins/area.</li> <li>• 6/22/2017- House Keeping- AOC noted in the 5/25/2017 LEA inspection report was not corrected.</li> <li>• 7/17/2017- House Keeping- AOC noted in 6/22/2017 and 5/25/2017 LEA inspection reports not corrected.</li> <li>• 5/23/2018- House Keeping- Not Maintaining/organizing scrap metal in bins/area.</li> <li>• 6/11/2018- House Keeping- AOC noted in the 5/23/2018 LEA inspection report was not corrected.</li> <li>• 7/30/2018- House Keeping- AOC noted in the 6/11/2018 and 5/23/2018 LEA inspection reports was not corrected.</li> </ul>

		<ul style="list-style-type: none"> <li>• 8/23/2018- House Keeping- Not Maintaining/organizing scrap metal in bins/area.</li> <li>• 9/17/2019- House Keeping- Not Maintaining/organizing scrap metal in bins/area.</li> </ul> <p>Violations:</p> <ul style="list-style-type: none"> <li>• 8/25/2017- Site Security- Hole cut into the fence.</li> <li>• 9/21/2017- Site Security- Violation noted in 8/25/2017 LEA inspection report not corrected.</li> <li>• 10/25/2017- Site Security- Violation noted in 9/21/2-17 and 8/25/2017 LEA inspection reports not corrected.</li> <li>• 5-23-2018- Site Security- Hole cut into the fence.</li> </ul>
SWFP		<p>The 2015 SWFP (Issued 4/7/2015) states the following:</p> <ul style="list-style-type: none"> <li>• Facility is permitted maximum tonnage is 300 tons per day.</li> <li>• Permitted Traffic Volume is 848 Vehicles per day.</li> <li>• Hours of Operation for Monday – Friday from 0800- 1700.</li> <li>• Hours of Operation for Saturday and Sunday are 0900-1700.</li> <li>• Facility Size- 13.3 acres.</li> </ul>
APR		<p>The APR (Issued 12/19/2019)- No changes to the design or operation to the transfer station.</p>

\* The Document Code is any symbol you choose to represent the name of a document (e.g. EIR, RDSI, CUP, etc.)

Check here if additional pages have been attached to this form.

### Conclusions Re: Permit Status (Revision/Suspension/Revocation)

The LEA has completed the review of the above mentioned documents and made the following determination. The existing SWFP terms and conditions adequately govern the continued operation at the facility. The 5 Yr Permit Revision application was received by the LEA on November 7, 2019. There is no RFI Amendment, revision or modification of the SWFP permit in the last 5 years. The TPR was update, but the updates did not change the operation or layout of the transfer station. The TPR updates provided a more detail explanation of the transfer station operation or information. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling.

### Directives Given to Operator

Permit Action Required:  
 (Check One Box)

Documents to be Submitted:  
 (Check All Applicable Boxes)

- |  |   |
|--|---|
| <input type="checkbox"/> Submit Application for Permit Revision    | <input type="checkbox"/> Updated RFI              |
| <input type="checkbox"/> Permit Suspension                         | <input type="checkbox"/> Financial Assurances     |
| <input type="checkbox"/> Permit Revocation                         | <input type="checkbox"/> CEQA Compliance          |
| <input type="checkbox"/> Submit Application for RFI Amendment      | <input type="checkbox"/> Preliminary Closure Plan |
| <input type="checkbox"/> Submit Owner/Operator Change Notification | <input type="checkbox"/> Final Closure Plan       |
| <input type="checkbox"/> Other (specify below)                     | <input type="checkbox"/> Other (specify below)    |

The LEA received the 5 Yr Permit Review application on November 7, 2019. The package was accepted as complete and correct on December 19, 2019. No further action is required for the operator. The next permit review due date is April 7, 2025.

## Del Norte pharmacies offer drug take-back service

Feb 13, 2020



Ted Ward, director of the Del Norte Solid Waste Management Authority, shows how CVS's new drug take-back bin works. Courtesy photo.

Two pharmacies in Del Norte County now take back medicines for no charge. Both CVS and Walgreens drug stores now have bins next to their pharmacy counters where customers can deposit their prescription and over-the-counter medicines, ointments, lotions, vitamins, medicine patches and pet medications.

CVS is located at 657 U.S. Highway 101. Walgreens is located at 787 L St.

"This is big news that we now have not one but two locations where people can safely dispose of their medications and pharmaceuticals," said Ted Ward, director of the Del Norte Solid Waste Management Authority, in a press release.

Medicines may be placed in these bins in their original packaging and those materials will be properly managed, following collection so personal information is kept secure. The double-lock bins cannot be opened without two separate keys from both the pharmacist and the collection

3.1.4

company.

Customers who are especially concerned about protecting their personal information may also choose to empty their solid medications into a clear Ziploc bag. After removing or obscuring personal information, empty plastic pill bottles with numbers 1, 2, 4 or 5 inside the chasing recycling arrows may be placed in recycling bins.

Ward advises that medicines should never be flushed down the drain or toilet, as those drugs are pollutants and neither wastewater treatment plants nor septic tank companies have the means to remove drugs dissolved into wastewater.

Both Walgreens and CVS programs also accept liquid medicines. CVS asks its customers to place those closed liquid containers into sealed Ziploc bags before placing them into the bins.

One slight difference in the programs is Walgreens accepts inhalers while CVS does not.

Neither medicine drop-off program accepts illegal drugs like heroin, cocaine or methamphetamine; chemicals like hydrogen peroxide; or mercury thermostats. Similarly, neither program accepts "sharps" like Epi-pens, needles, syringes, lancets or other sharp containers. Sharps in FDA-approved containers can be disposed of without charge at the following locations:

- Del Norte County Transfer Station, 1700 State St.
- Open Door Community Health Center, 550 East Washington Blvd.
- Del Norte Senior Center, 1765 Northcrest Dr.

"I am especially impressed by the commitment Walgreens and CVS have shown by creating and paying for these drug take-back programs," Ward said. "In my opinion, that is really an excellent new customer service."

In 2018, SB 212 was signed into law with the intent to reduce accidental poisonings, reduce abuse of prescription drugs and to improve water quality. Ward said when fully implemented, this law will establish comprehensive, producer-funded take-back programs for pharmaceutical and sharps wastes across California.

"One of the requirements of this law is that every community with a population of 50,000 or more will have access to an in-store drug take-back program. I am just thrilled that years ahead of this requirement, we already have two local pharmacies in Del Norte which are taking these new and important responsibilities seriously," Ward said.

For questions, or to learn more about the program, call the Del Norte Solid Waste Management



# 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](http://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.

## Paper Reuse and Recycling at Crescent Elk Middle School

Principal Paige Swan asked me to put together a description of how each classroom can increase reuse and recycling of paper. Attached to this memo are labels that can be cut and taped to appropriate containers.

1. Establish one or more Reuse boxes for your classroom. Tape the 'REUSE' label to a box. Instruct students and others to place any paper that has a blank side that could be reused. If needed, you can also create REUSE boxes for other supplies like colored pencils, markers, and other supplies.
2. Attach the 'White Paper Recycling' and 'Colored Paper Recycling' labels to containers where paper is placed that has been used on both sides. White paper with blue and/or black ink can be placed in 'White Paper Recycling.' Lightly colored papers and white papers with colored inks should be placed in the 'Colored Paper Recycling' container. Neon, fluorescent, and astro-bright papers should be placed in the trash as they are not recyclable. Magazines and catalogs can be recycled with newspapers, but should not be mixed with either 'White Paper' or 'Colored Paper' recycling.
3. The last label may be used where beverage containers are placed for recycling. Containers should be rinsed and caps removed.

3.1.5



Crescent Elk



# REUSE

Crescent Elk



## White Paper RECYCLING



Crescent Elk



## Colored Paper RECYCLING



Crescent Elk



## Beverage Container RECYCLING



# DNSWMA

## Del Norte Solid Waste Management Authority

Work Order 20-01- Site Security for Crescent City Landfill

February 11, 2020

Submitted by:  
David Mason  
**DDR Cleaning and Hauling**  
PO Box 489  
Crescent City CA 95531  
(707) 954-0504  
ddrdelnorte@gmail.com

This analysis or cost opinion includes data that shall not be disclosed outside the DNSWMA and shall not be duplicated, used, or disclosed—in whole or part—for any purpose other than to evaluate this analysis or cost opinion. If, however, a contract is awarded as a result of—or in connection with—the submission of this data, the DNSWMA shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the DNSWMA's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in all sheets. This restriction does not limit the DNSWMA's right to use information contained in this data in accordance with existing contract or contracts with DDR. DDR Proprietary Information to the extent allowed by law.

3.1.6

## TABLE OF CONTENTS

<b>Section 1: Entry / Egress Security and Containment .....</b>	<b>2</b>
1.1 Site Visits.....	2
1.2 Methods of Vehicular Flow .....	2
1.3 Barrier Types.....	2
1.3.1 BOLLARDS .....	3
1.3.2 FENCES.....	4
1.3.3 GATES.....	5
1.3.4 LARGE ROCKS.....	5
1.3.5 GUARDRAILS .....	6
1.3.6 CONCRETE GUARDRAILS / K-RAIL .....	6
1.3.7 DITCHES AND SWALES.....	7
1.3.8 COMBINED DESIGN.....	8
1.3.9 RECTANGULAR DITCH .....	8
1.3.10 TRIANGULAR DITCH.....	9
1.3.11 SIDEHILL CUT DITCH.....	10
1.4 RECOMMENDATION .....	11
<i>Figure 1 - Poured in place 5" Diameter steel bollard with anchors, x 52" total length (42" above ground).....</i>	<i>3</i>
<i>Figure 2 - Poured in place 8" Diameter Plastic bollard with anchors, x 72" total length (48" above ground).....</i>	<i>4</i>
<i>Figure 3 - On-Grade ditch, rectangular cut.....</i>	<i>9</i>
<i>Figure 4 - On-Grade ditch, triangular cut.....</i>	<i>9</i>
<i>Figure 5 - Sloped grade. In elevation site-cut 'ditch' as vehicle barrier.....</i>	<i>9</i>
<i>Exhibit A – Copies of U.S.D.A Forest Service "Standard Trail Plans" for barriers .....</i>	<i>12</i>

# Section 1: Entry / Egress Security and Containment

## 1.1 Site Visits

DDR performed three site visits for the subject site, on January 15, February 5, and 7, 2020. All potential entry/egress points were examined, including the previously used access point through the PP&L/electrical utility service unofficial access road, along with the newly formed access point to the south. Terrain considerations, elevation changes, foliage, and adjacent property environmental considerations were reviewed. Options for the site included: Bollards, Fences, Gates, Rocks, Curbs/Berms, Guard-Rails, K-Rails, and Natural barriers through ditches.

## 1.2 Methods of Vehicular Flow

Barrier design depends on an area's intended use; the areas native materials/aesthetics; the likelihood of vandalism; and the types of vehicles being deterred. Generally, wooden barriers are more at risk because wood is easily cut/used for campfires or carving projects. Concrete fences, although more durable, easily succumb to vehicle ramming or chipping from sledgehammers. Often metal is used as the rail portion of a barrier to deter vehicle ramming.

Some barriers keep vehicles within defined spaces such as on a road, within a spur, or in a specific parking area. Others are meant to deter access to a road or trail. Most people recognize and respond to clues and design features such as a simple curb. Trespassers/vandals tend to ignore simple clues; therefore sturdier and more robust deterrents are required at this site.

## 1.3 Barrier Types

Generally, barriers are divided into six types: bollards, fences, gates, large rocks, guard-rails, and ditches. The barrier size and its material(s) vary depending on the problem's severity and the proper scale to fit with the site's resources/characteristics.

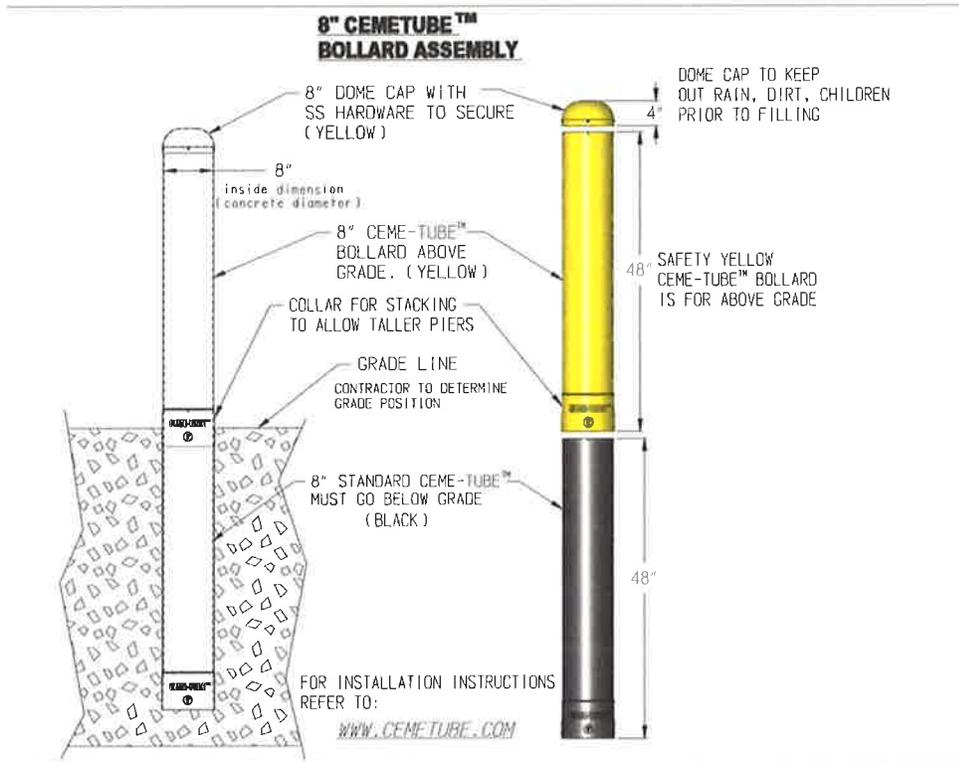
### 1.3.1 Bollards

A bollard is a large post with no stringer or rail, commonly 12" to 52" inches tall, and used singly or grouped. Installation methods for bollards include both on-grade bolt-down options, as well as pour in place models such as Ceme-Tube™ and traditional steel tube bollards with anchors for 10" depth post-hole wet concrete installation, with pour-in-place options. Other options include both post-installation sleeves, and multi-part Ceme-Tube™ designs. Bollard prices range from \$140 to \$400 (not including shipping costs), for the bollard itself, which does not include either poured concrete or rebar. Installation depends on the bollard model, and for this site includes post-hole digging, rebar cutting and forming, concrete pouring/finishing, and final installation of bollard materials. For a thirty-foot section, six bollards spaced at five feet each, would necessitate 2-3 days of labor. Total cost for non-decorative, poured in place concrete-reinforced bollards ranges from \$3500 to \$6500 per thirty-foot section, dependent on depth requirements based on soil. The following two cement filled bollard options are recommended for consideration at the site: 5" Steel bollard, and 8" HDPE Plastic Bollard.

The steel bollard provides the advantages of simple installation; no rebar; smaller post-hole; and faster total install time. Risks include long-term need to be painted and re-finished, and possible corrosion / rust. The HDPE Plastic Ceme-Tube™ Bollard provides the advantages of plastic construction which will minimally fade over time, and not rust. However, the Ceme-Tube™ requires a deeper footing below grade, rebar, longer installation time, and nearly twice the total concrete volume. All bollard types, if properly installed, provide very high ingress and trespass control.



**Figure 1 - Poured in place 5" Diameter steel bollard with anchors, x 52" total length (42" above ground).**



**Figure 2 - Poured in place 8" Diameter Plastic bollard with anchors, x 72" total length (48" above ground).**

### 1.3.2 Fences

A fence is a structure functioning as a boundary or barrier, usually made of posts, boards, wire, or rails. Existing fences at the site, and at the adjacent site across the road, use wood and metal posts with barbed wire. These barriers are not designed to provide or withstand vehicular impact or removal from cutting or pulling. However, when combined with curbing, bumper stops, wheel stops, or vegetation, can provide adequate and cost-effective vehicle intrusion protection.

Materials used in typical fencing include wood, metal, or plastic lumber in developed sites. On range lands, a wooden post or steel t-post and wire fence is common. Openings between the wire strands of the fence allow small animals to go through the fence. Barbed wire fencing requires braced posts for tensioning at intersections, corners, and points of elevation change. Further, larger diameter posts can be used, in lieu of bollards, at critical entry/egress points. Typically, 4 to 8" diameter x 6 to 8' long posts are used for tensioning. As a substitute for bollards, a larger post would be advised, to minimize the risk of cutting

with a chainsaw or reciprocating saw. Posts are typically pressure-treated to prevent rot/spoilage. Also, additional posts can be easily added, if additional entry/egress points are established that require remediation. Materials for barbed wire fencing, with steel t-post, per 30-foot section ranges from \$80 to \$250, depending on the number of wooden posts required at intersection and corner locations, or to be used as substitutes for bollards at current entry points. Labor cost to install fencing varies on terrain, soil type, and site characteristics. Typically, a two-man crew can install 100 to 200 feet of barbed wire fencing across soft level ground in 8 hours. Long runs of fencing typically involve the use of a tractor with post hole auger or power post installer, allowing for more fence per hour.

### 1.3.3 Gates

Gates allow passage; they may or may not swing open. Secure gates to a fence or a substantial natural feature to prevent people from driving around them. A gate at the entry/egress point was not considered as Pacific Power has sufficient access through the Hights access road. Installation of a gate at illegal access point would necessitate installation of a footing and mounting system for two 10" posts. Estimated cost for a gate at this point ranges from 3,000-\$4,500, including materials and labor. However, significant grading would likely be required, adding to the potential cost.

### 1.3.4 Large Rocks

Rocks are difficult to drive over in a standard automobile and most drivers would not try. However, OHV users will view the rocks as a challenge. Large rocks prevent people from parking off the pavement and keep drivers within designated parking areas. Rocks block entry to decommissioned roads and trails. Large rocks have been used effectively on the State property across the street. However, these were installed in an area that does not have an elevation difference, and which leads to an area of minimal benefit of entry for the offending traffic. As such, large rocks along the south-western edge of Sand Hill Road, likely would not provide a significant barrier along the adjacent hill at the current entry points. Larger rocks would be required to prevent OHV access, and also to minimize the risk that the rocks become a target / challenge for the perpetrators. Overall, rocks mimic nature by planting rocks in clusters of one to five and varying space between the rocks and the clusters. End a cluster of rocks where there is sufficient vegetation to prohibit vehicle

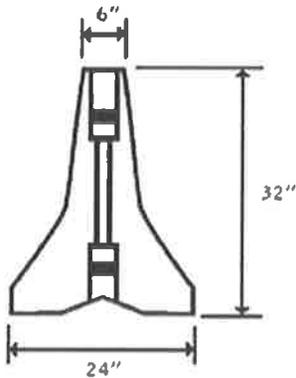
entry. To utilize the large rock method, rocks in excess of 42" would be required. For stability on-grade, a portion of the rock must be buried. After sourcing materials, grading, and final installation, the cost for the rock option, per thirty feet, would include \$2,500-3,000 for materials, and an additional \$2,000-3,000 for labor to include delivery, off-loading, grading, and final placement. Total estimated cost of between \$4,500 and \$6,000 per thirty-foot section.

### 1.3.5 Guardrails

Guardrails are a series of low posts tied together by wooden or steel rails. Generally, these are most commonly found in areas of restriction of vehicular flow; roadway exit prevention; and visual demarcation of roadway in curves. While guardrails offer stronger protection against illegal traffic flow, due to elevation differences, they would not provide a suitable design aesthetic across the entire area. Those concerns aside, guard rails can be installed as an effective deterrent to vehicular flow. As much of the surface is not level, significant grading would be required. Guardrail installation includes steel railing sections bolted to wooden posts. A thirty-foot section of guardrail, including materials and labor, would range between \$2,500 and \$5,500, depending on the grading needed for the area.

### 1.3.6 Concrete Guardrails / K-Rail

K-Rail is generally regarded as a temporary measure to block and control vehicular access; and are designed to resist vehicular impact. Precast concrete K-Rail comes in 10-foot and 20-foot lengths. While not aesthetically pleasing in a rural or natural setting, they are extremely effective and simple to install along the edge of a roadway.



Temporary Railing (Type K) 32" High-24" Wide at Bottom

10' Section=4,000 lbs., 20' Section=8,000 lbs.

Expected cost of installation, on-grade, along sand-hill road for thirty-foot section would be \$3,800-\$5,000. While individual K-Rail sections are low-cost per unit, the cost of delivery, off-loading, grading, and setting, adds considerably to the total cost of deployment. K-Rails are rarely regarded as a permanent installation option in the type of setting for this project, due to their urban appearance.

### 1.3.7 Ditches and Swales

Ditches and swales or berms can be placed to deter vehicular passage and if done properly can blend in well with the natural landscape. Care must be taken to avoid creating rain drainage problems such as flooded roadways. Litter and trash tend to accumulate in ditches and swales, so future cleaning of the ditches must be considered during the design phase. Ditches are typically cleaned by the County using a wheeled excavator. Placing a ditch close enough to the roadway that an excavator can easily reach the ditch will reduce future cleaning costs.

A ditch or swale alone is not an adequate obstacle and will not stop a determined trespasser. Additional procedures to increase ditch effectiveness are to:

- Tie ends of ditches into existing obstacles such as steep slopes, wooded areas, and man-made structures like guardrails and gates.
- Place guardrails, bollards, or rocks in front of or behind the ditch.

- Place a second ditch behind the first with a berm between the ditches

### 1.3.8 Combined Design

The configuration of the most effective ditch has been a subject of much discussion and field testing with such constraints as time and equipment available, and soil conditions. The most efficient ditch is either a rectangular or triangular ditch.

Frequently, you can save time, materials, and manpower by improving existing gullies or ditches rather than constructing entirely new ones. One method is to excavate along natural drainage or contour lines to create a sidehill cut ditch.

A rectangular ditch 1.5 meters deep by 3 meters in consolidated, firm soil cannot be crossed by wheeled vehicles without the aid of bridging or earthmoving equipment (A ditch 1.5 meters deep is 4.9 feet, just shy of the OSHA requirement for shoring). A ditch 1 meter

Rectangular ditches should have a 1- to 2-meter berm on their protected side which serves to increase the obstacle height, decrease traction to crossing vehicles, and keep the trespassers from simply pushing the soil back into the ditch. Sidehill cut ditches should not have the spoils placed on the uphill side to prevent gravity/erosion from filling in the ditch. Rectangular ditches are not recommended at this site due to the potential fall hazard and drainage considerations.

Costs for the excavation, cutting, and associated earth-moving for a mixed-model of both triangular and side-cut ditch can be deployed at the site with an average cost of \$1,500-3,500 per thirty-foot section. Note that transporting the tractor/excavator to and from the site is a daily cost, and a skilled operator can dig thirty feet of ditch rather quickly. Therefore, an actual estimate/bid for a complete ditch system at this site would vary some from this approximation.

### 1.3.9 Rectangular Ditch

### Rectangular Ditch

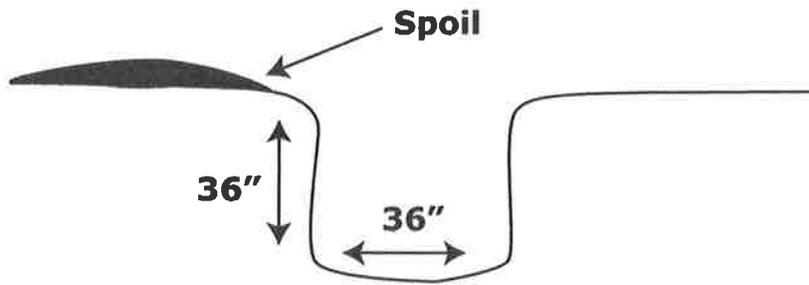


Figure 3 - On-Grade ditch, rectangular cut.

### 1.3.10 Triangular Ditch

#### Triangular Ditch

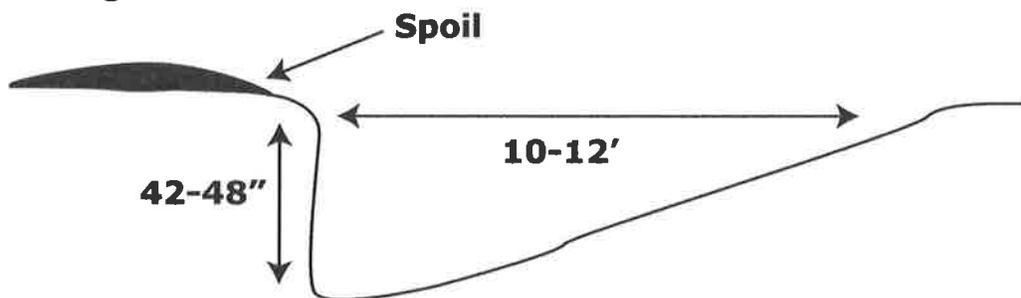
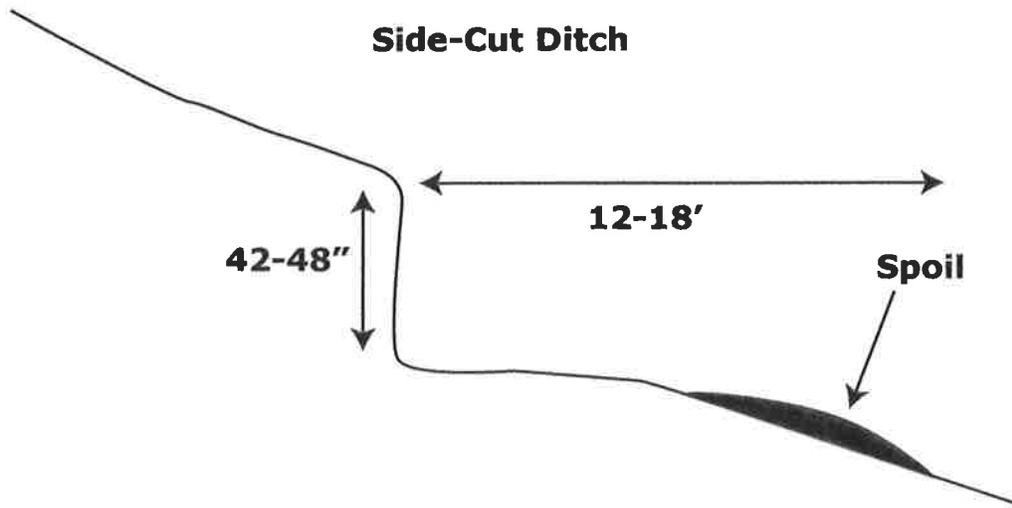


Figure 4 - On-Grade ditch, triangular cut.

### 1.3.11 Sidehill Cut Ditch



**Figure 5 – Sloped grade. In elevation site-cut ‘ditch’ as vehicle barrier.**

## 1.4 Recommendation

After a careful analysis of the site characteristics and the stated intent of deterring vehicular trespass/vandalism, DDR recommends using a combination of ditches/swales along Old Mill Road/Sand Hill Road and a barbed wire fence along the top of the embankment. These physical barriers combined with adequate signage should provide sufficient psychological deterrent to keep all but the most determined trespassers off of DNSWMA property. Replacing the existing (dilapidated) barbed wire fence with new fencing would increase the psychological effect. These measures would be the most cost effective and aesthetically pleasing.

Dilapidated fencing and overgrowth of vegetation makes a property appear to be abandoned, creating an attractive nuisance more inviting to the trespasser. Therefore, DDR recommends that the DNSWMA adopt a maintenance program to repair/replace signs, fencing, etc. as needed, and keeping the Hights Access Road swept/clear of debris.

Signage is an integral part of the psychological deterrence. Signage should be placed where readable visible, but slightly out of reach. This deters defacement and theft to a degree and makes the signage more effective as well as longer lasting. Signage should be explicit and clearly state the restriction as well as the authority for the restriction. Stating the penalty for violating the restriction serves as an additional deterrent.

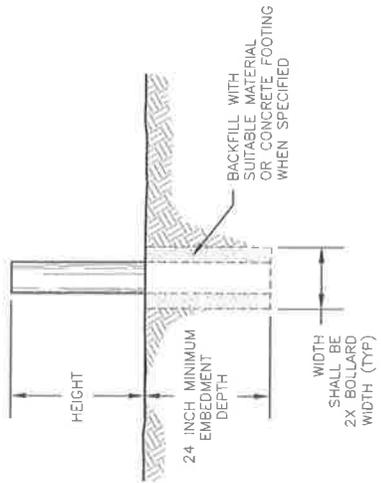
For example:

DEL NORTE SOLID WASTE MANAGEMENT PROPERTY  
NO TRESPASSING OR VEHICLES ALLOWED  
DESTRUCTION OF HABITAT PROHIBITED  
VIOLATORS SUBJECT TO FINES UP TO \$10,000  
AND/OR IMPRISONMENT UP TO 3 YEARS  
CA PENAL CODE §594(b) & §602

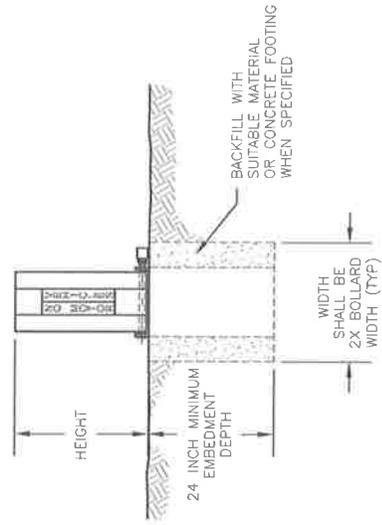
# BOLLARDS

TYPICAL ID	SECTION TYPE	TYPE	SIZE	HEIGHT	EMBEDMENT DEPTH	PRESERV. TYPE	COMMENTS
BLD--1		BD				P	

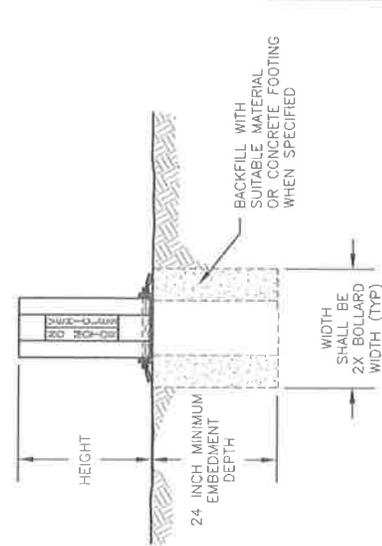
N/A WHEN NOT APPLICABLE



**(A) PERMANENT INSTALLATION SECTION**



**(B) REMOVABLE INSTALLATION SECTION**  
SINGLE LOCK SYSTEM SHOWN



**(C) DROP-DOWN INSTALLATION SECTION**  
DUAL LOCK SYSTEM SHOWN

## BOLLARD MATERIAL

TYPE	MATERIAL	COMMENTS
BD1	LOG	
BD2	STEEL	
BD3	CONCRETE	
BD4	TIMBER	
BD5	RAILROAD TIE	
BD6	MANUFACTURED	
BD7		

- NOTES:
- REMOVE AND DISPOSE OF DUFF AND TOP ORGANIC LAYERS DOWN TO MINERAL SOIL.
  - COMPACT BACKFILL IN 6 INCH LIFTS UNTIL NO VISUAL DISPLACEMENT.
  - WHEN SPECIFIED INSTALL PER MANUFACTURERS INSTRUCTION.
  - OBJECT MARKERS REQUIRED ON MOTORIZED TRAILS.

PRESERVATIVE TREATMENT TYPE	TREATMENT TYPE	USE CATEGORY	COMMENTS
P1	WB	UC4A	
P2	WB	UC3B	
P3			

TREATMENT TYPE  
 WB = WATERBORNE  
 OT = OIL-BORNE

USE CATEGORY  
 UC3B = ABOVE GROUND  
 UC4A = GROUND CONTACT - EXPOSED  
 UC4B = GROUND CONTACT - GENERAL USE  
 UC4C = GROUND CONTACT - HEAVY DUTY

PROJECT NAME & LOCATION

**U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
STANDARD TRAIL PLAN**

DRAWING NAME

**BOLLARDS**

945 - BOLLARDS

TYPICAL ID

BLD

REVISION DATE

XX/XX/XX

NO SCALE

DRAWING NO.

STD\_945-10-01

SHEET OF

EXHIBIT 'A' 1047

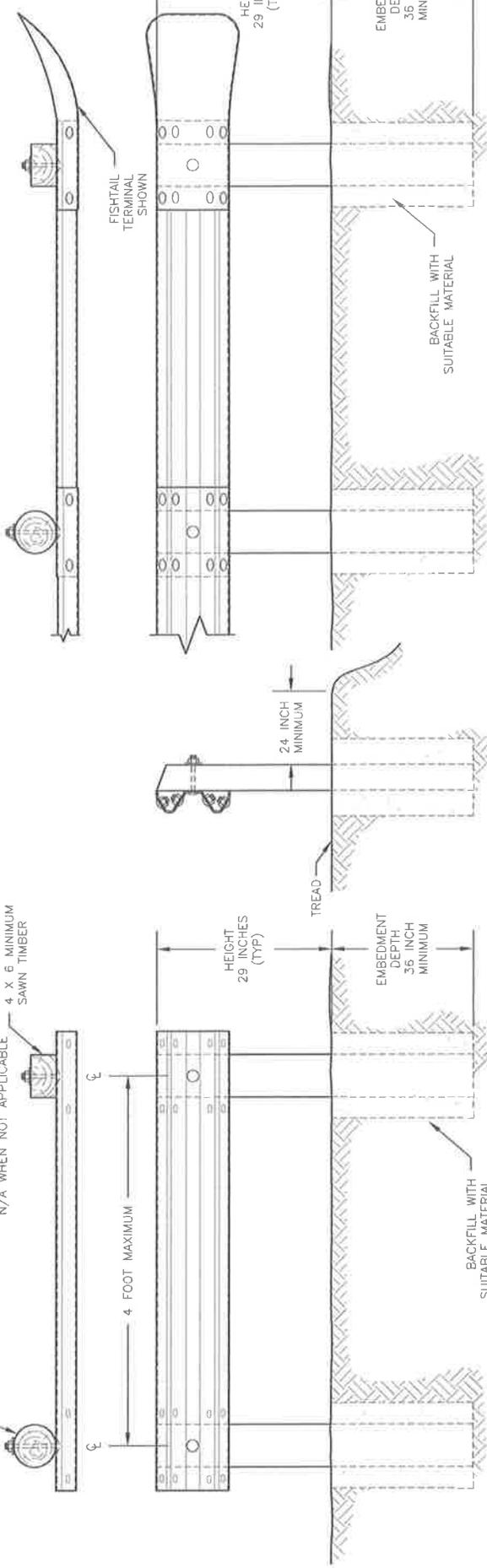


**GUARDRAIL**

TYPICAL ID	SECTION TYPE	SIZE	LENGTH	EMBEDMENT DEPTH	SPECIES	PRESERV. TYPE	RAIL		COMMENTS
							SIZE	END	
WGR-1						P			

N/A WHEN NOT APPLICABLE  
4 X 6 MINIMUM  
SAWN TIMBER

6 INCH DIA.  
MINIMUM POST



**(A) SINGLE GUARDRAIL SECTION**

**(B) CONTINUOUS GUARDRAIL SECTION**

PRESERVATIVE TREATMENT - (REFER TO AWPAL USE CATEGORY SYSTEM)

PRESERVATIVE TYPE	TREATMENT TYPE	USE CATEGORY	COMMENTS
P1	WB	UC4A	
P2	WB	UC3B	
P3			

TREATMENT TYPE

WB = WATERBORNE  
OT = OIL-BORNE

USE CATEGORY

UC3B = ABOVE GROUND - EXPOSED  
UC4A = GROUND CONTACT - GENERAL USE  
UC4B = GROUND CONTACT - HEAVY DUTY

- NOTES:
1. PRE-DRILL HOLES FOR FASTENERS TO PREVENT SPLITTING OF LOGS OR SAWN TIMBERS.
  2. COMPACT BACKFILL IN 6 INCH LIFTS UNTIL NO VISUAL DISPLACEMENT.
  3. ALL FIELD DRILLED HOLES AND CUTS SHALL BE FIELD TREATED.
  4. ALL HARDWARE SHALL BE GALVANIZED OR STAINLESS STEEL.
  5. USE ONLY HARDWARE MANUFACTURED FOR GUARDRAILS.

DRAWING NO.  
**STD\_933-60-01**

REVISION DATE  
**XX/XX/XX**

SHEET  
**NO SCALE**

DRAWING NAME  
**GUARDRAIL**

SECTION  
**933 - SIDE BARRIERS**

TYPICAL ID  
**WGR**

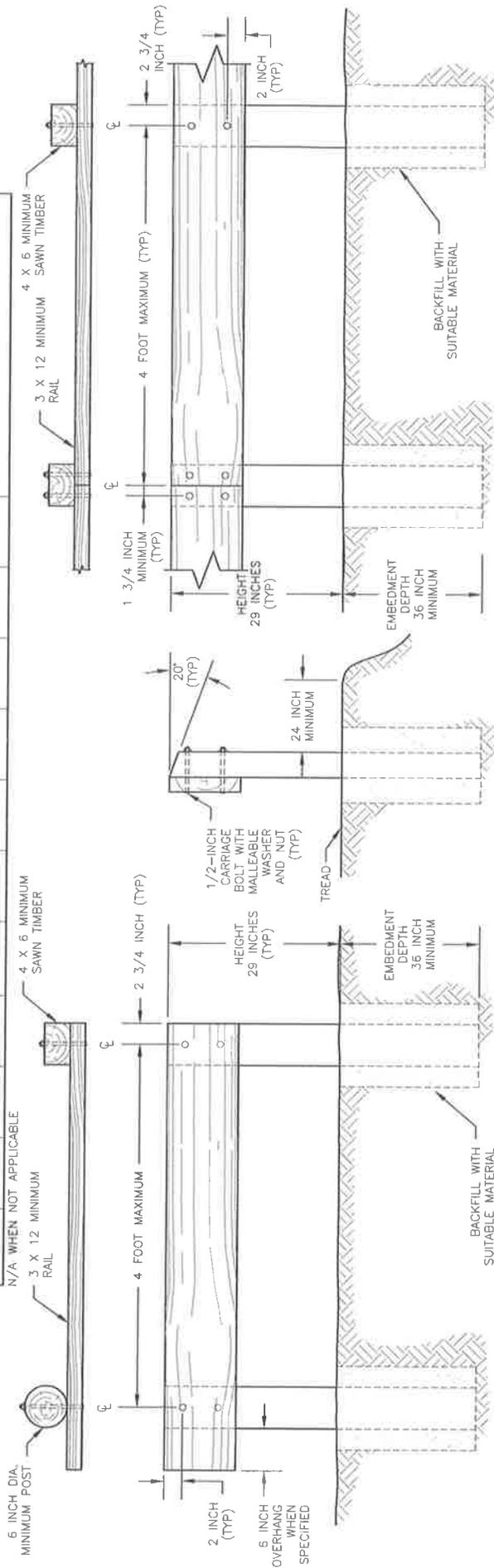
PROJECT NAME & LOCATION

U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
**STANDARD TRAIL PLAN**

EXHIBIT 'A' 3 of 7

TIMBER BARRIER ON POST

RAIL		POST			RAIL			PRESERV. TYPE	SPECIES	OVERHANG	SIZE	PRESERV. TYPE	SPECIES	COMMENTS
TYPICAL ID	SECTION TYPE	SIZE	LENGTH	EMBEDMENT DEPTH	EMBEDMENT DEPTH	SIZE	TYPICAL ID							
TBP-1	N/A WHEN NOT APPLICABLE	3 X 12 MINIMUM			4 X 6 MINIMUM		P				P			



**(A)** SINGLE GUARDRAIL SECTION

**(B)** CONTINUOUS GUARDRAIL SECTION

NOTES:

1. PRE-DRILL HOLES FOR FASTENERS TO PREVENT SPLITTING OF LOGS OR SAWN TIMBERS.
2. COMPACT BACKFILL IN 6 INCH LIFTS UNTIL NO VISUAL DISPLACEMENT.
3. FIELD TREAT ALL FIELD CUTS AND PRE-DRILLED HOLES.
4. ALL HARDWARE SHALL BE GALVANIZED OR STAINLESS STEEL.

PRESERVATIVE TREATMENT TYPE	USE CATEGORY	COMMENTS
P1	WB	UC4A
P2	WB	UC3B
P3		

TREATMENT TYPE  
 WB = WATERBORNE  
 OT = OIL-BORNE  
 UC3B = ABOVE GROUND - EXPOSED  
 UC4A = GROUND CONTACT - GENERAL USE  
 UC4B = GROUND CONTACT - HEAVY DUTY

U.S. DEPARTMENT OF AGRICULTURE  
 FOREST SERVICE  
**STANDARD TRAIL PLAN**

PROJECT NAME & LOCATION  
**TIMBER BARRIER ON POST**

SECTION  
**933 - SIDE BARRIERS**

TYPICAL ID  
**TBP**

REVISION DATE  
**XX/XX/XX**

NO SCALE

DRAWING NO.  
**STD\_933-40-02**

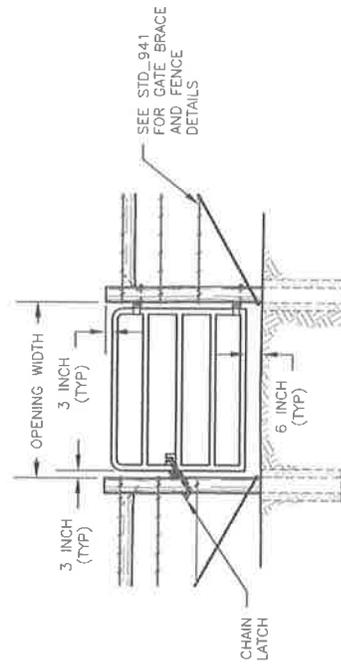
SHEET  
**OF**

EXHIBIT A 4 of 7

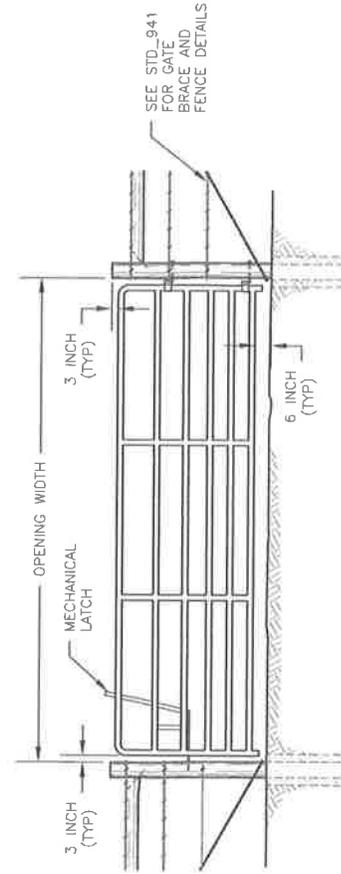
METAL SWING GATE

TYPICAL ID	OPENING WIDTH	TYPE	SIZE	GATE		COMMENTS
				LATCH CLOSURE TYPE	HINGE TYPE	
MSG-1		G	X			

N/A WHEN NOT APPLICABLE



**G1** TYPICAL METAL SWING GATE FOR TRAILS



**G2** TYPICAL METAL SWING GATE FOR ROADS

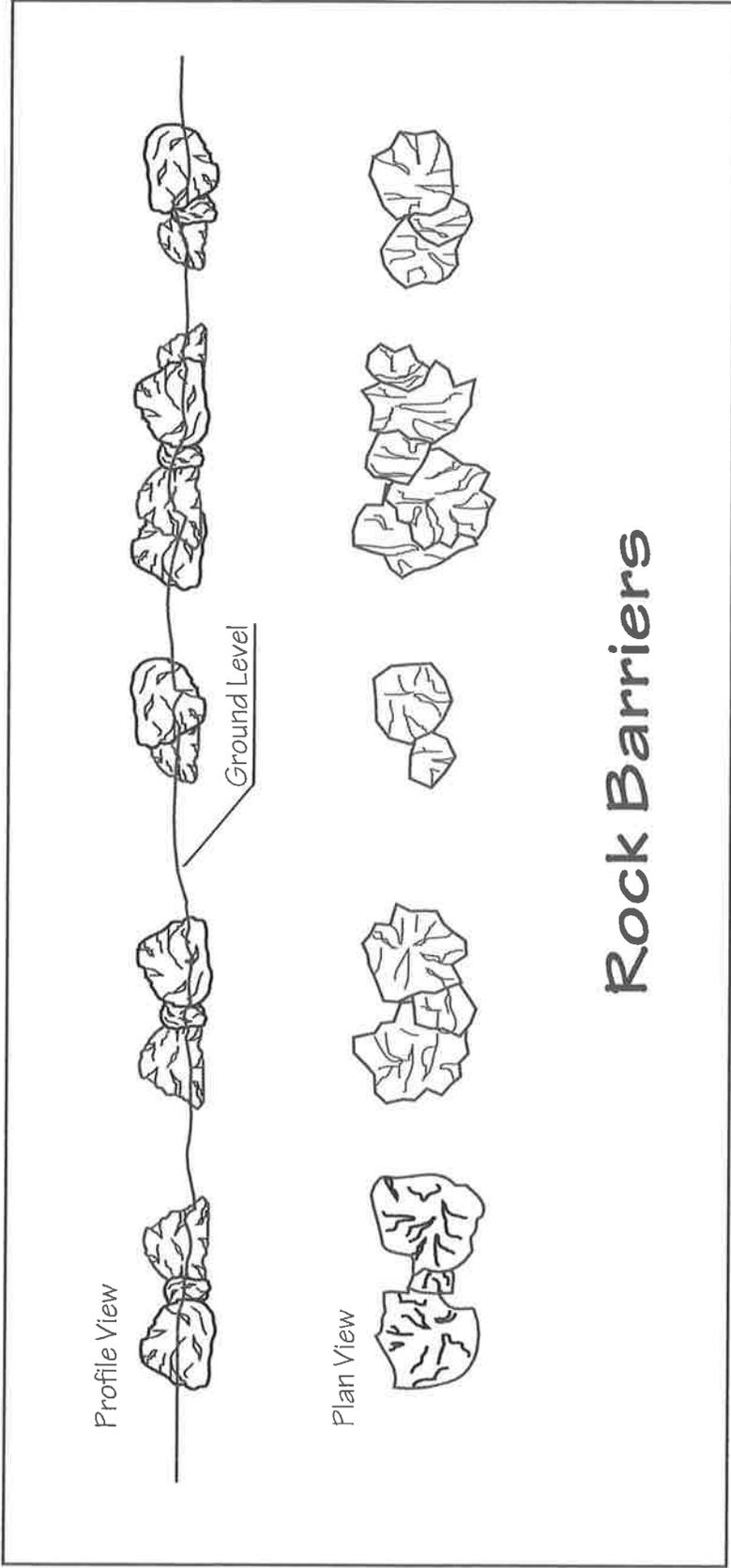
NOTES:

1. REFER TO THE PUBLICATION "FENCES" PREPARED BY THE MISSOURIA TECHNOLOGY AND DEVELOPMENT CENTER FOR ADDITIONAL CONSTRUCTION DETAILS AND INSTALLATION PROCEDURES.
2. GATE LOCATIONS AS STAKED IN THE FIELD.
3. PRE-DRILL HOLES FOR FASTENERS TO PREVENT SPLITTING OF POSTS.
4. COMPACT BACKFILL IN 6 INCH LIFTS UNTIL NO VISUAL DISPLACEMENT.
5. GATE DIMENSIONS AS PER MANUFACTURER OR APPROVED EQUAL.



\_\_\_\_\_

EXHIBIT A 5 of 7



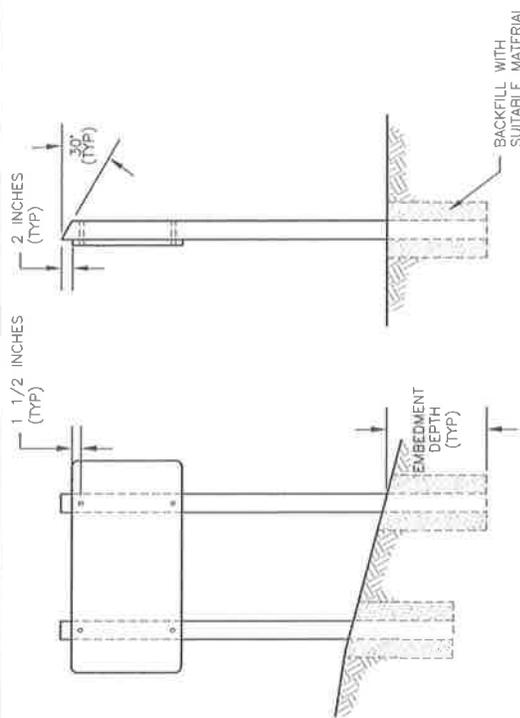
# Rock Barriers

EXHIBIT A 6 of 7

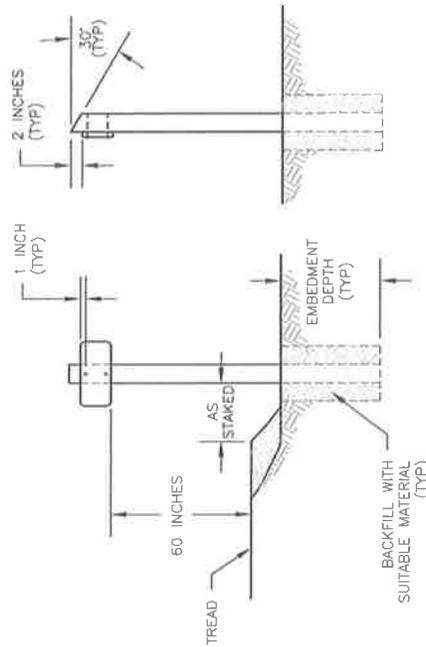
### WOOD SIGN POST SPACING AND SIZE REQUIREMENTS

POST SIZE (IN)	SINGLE POST		TWO-POST		MINIMUM EMBEDMENT DEPTH (FT)	
	MAX SIGN WIDTH (IN)	MAX SIGN AREA (SQ.FT)	MAX SIGN WIDTH (IN)	MAX SIGN AREA (SQ.FT)	MINIMUM EMBEDMENT DEPTH (FT)	MINIMUM EMBEDMENT DEPTH (FT)
4 X 4	48	10	72	20	3	3
4 X 6	48	20	72	50	4	4
6 X 6	48	20	96	95	4	4

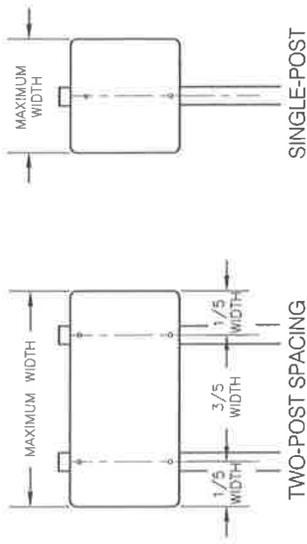
\*THE MAXIMUM WIDTH IS 36 INCHES FOR DIAMOND-SHAPED SIGNS.



### GUIDELINES FOR WOOD SIGN POSTS



### SIGN AND POST INSTALLATION



### NOTES:

- REFER TO "EM-7100-15 SIGN AND POSTER GUIDELINES FOR THE FS" FOR SIGN SPECIFICATIONS, MATERIALS, AND PLACEMENT.
- POST SPACING APPLIES TO BOTH WOOD AND STEEL POSTS.
- FOR SIZES OF STEEL POSTS, REFER TO EM 7100-15.
- ALL HARDWARE SHALL BE ALUMINUM OR GALVANIZED.
- LAG SCREW FASTENERS REQUIRE LEAD HOLES IN POSTS AND SHALL BE DRILLED PRIOR TO INSTALLATION.
- BOLT HOLES IN POSTS TO BE 1/16 INCH LARGER (MAXIMUM) LARGER THAN THE BOLT HOLE REQUIREMENT.
- SIGN AND MARKER POSTS ONLY SHALL BE TREATED WITH CCA (CHROMIATED COPPER ARSENATE) FOR UCA4 GROUND CONTACT FOR GENERAL USE.
- COMPACT BACKFILL IN 6 INCH LIFTS UNTIL NO VISUAL DISPLACEMENT.

Solid Waste  
**Balance Sheet**  
 December 31, 2019

**Unaudited**

**ASSETS**

422 010 00000	Cash Solid Waste	1,119,022.25
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	4,084.66
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>3,920,751.16</u></u>

**LIABILITIES AND FUND EQUITY**

422 010 05105	Sales Tax Payable	163.52
422 010 05210	Sublease Payable	2,513,212.50
422 010 05300	Compensated Absences Payable	57,426.74
422 010 05400	Deferred Revenue	3,249.79
422 010 05500	Post Closure Liability	2,046,994.00
422 010 05600	Net OPEB Obligation	423,573.00
422 010 07100	Fund Balance	(1,783,505.02)
422 010 09600	Investment in Capital Assets net of related debt	671,843.00
	Revenue	1,731,711.05
	Expenditure	(1,743,917.42)
	Total Liabilities and Fund Equity	<u><u>3,920,751.16</u></u>

RECEIVED  
 JAN 31 2020

DNSWMA

**Del Norte Solid Waste Management Authority**  
**A/R Aging Summary**  
As of February 1, 2020

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
A	7.63	0.00	0.00	0.00	0.00	7.63
A	115.35	0.00	0.00	0.00	0.00	115.35
A	989.02	0.00	0.00	0.00	0.00	989.02
A*****HOLD*****	21.69	321.15	66.26	3,011.53	0.00	3,420.63
B	78.44	0.00	0.00	0.00	0.00	78.44
B	64.60	0.00	0.00	0.00	0.00	64.60
B	96.28	0.00	0.00	0.00	0.00	96.28
B	144.58	204.56	0.00	0.00	0.00	349.14
C	35.60	0.00	0.00	0.00	0.00	35.60
C	184.56	321.44	0.00	0.00	0.00	506.00
C	140.66	0.00	0.00	0.01	0.00	140.67
C	719.17	329.45	350.16	66.34	0.00	1,465.12
C	35.37	0.00	0.00	0.00	0.00	35.37
C	479.23	0.00	0.00	0.00	0.00	479.23
C	72.60	0.20	0.00	0.00	0.00	72.80
C	598.28	0.00	0.00	0.00	0.00	598.28
C	0.00	15.38	0.00	0.00	0.00	15.38
C	7.69	0.00	0.00	0.00	0.00	7.69
C	19.23	0.00	0.00	0.00	0.00	19.23
C	1.69	0.00	16.92	0.00	0.00	18.61
D	51.06	29.48	0.00	0.00	0.00	80.54
D	173.71	0.00	0.00	0.00	0.00	173.71
D	16.00	0.00	0.00	0.00	0.00	16.00
D	38.45	0.00	0.00	0.00	0.00	38.45
D	11.42	0.00	0.00	0.00	0.00	11.42
D	439.28	0.00	0.00	0.00	0.00	439.28
D	0.00	58.44	0.00	0.00	199.48	257.92
D	8.00	0.00	0.00	0.00	0.00	8.00
E	764.46	0.01	0.00	0.00	0.00	764.47
E	9.23	0.00	0.00	0.00	0.00	9.23
E	3.11	0.00	31.06	0.00	0.00	34.17
F	19.99	0.00	0.00	0.00	0.00	19.99
G	440.81	0.00	0.00	0.00	0.00	440.81
G	33.84	0.02	0.00	0.00	0.00	33.86
G	602.90	0.00	0.00	0.00	0.00	602.90
G	251.94	0.00	0.00	0.00	0.00	251.94
G	163.75	157.28	139.38	86.34	0.00	546.75
G	29.36	167.60	0.00	0.00	0.00	196.96
H	35.67	0.00	0.00	0.00	0.00	35.67
H	2.72	0.91	18.13	0.00	181.28	203.04
H	81.51	0.00	0.00	0.00	0.00	81.51
H	51.01	0.00	0.00	0.00	0.00	51.01
H	725.94	0.00	0.00	0.00	0.00	725.94
H	36.91	0.00	0.00	0.00	0.00	36.91
I	134.69	0.00	0.00	0.00	0.00	134.69
J	353.75	0.00	0.00	0.00	0.00	353.75
K	47.04	0.00	0.00	0.00	0.00	47.04
K	216.46	0.00	0.00	0.00	0.00	216.46
L	48.34	0.00	0.00	0.00	0.00	48.34
L	13.22	32.30	9.23	0.00	0.00	54.75
L	221.47	0.00	0.00	0.00	0.00	221.47
L	1,449.87	207.37	0.00	0.00	0.00	1,657.24
M	108.05	0.00	0.00	0.00	0.00	108.05
M	91.40	0.00	0.00	0.00	0.00	91.40
M	19.45	0.00	0.00	0.00	0.00	19.45
N	586.04	0.00	0.00	0.00	0.00	586.04
N	16.00	0.00	0.00	0.00	0.00	16.00
N	305.65	184.55	0.00	0.00	0.00	490.20
N	504.47	0.00	0.00	0.00	0.00	504.47
P	272.23	0.00	0.00	0.00	0.00	272.23
P	319.91	0.00	0.00	0.00	0.00	319.91
P	30.76	0.00	0.00	0.00	0.00	30.76
P	0.00	164.57	0.00	0.00	0.00	164.57
P	8.00	0.00	0.00	0.00	0.00	8.00
P*****COLLECTIONS*****	0.00	0.00	0.00	0.00	682.16	682.16
R	224.16	0.00	0.00	0.00	0.00	224.16

**Del Norte Solid Waste Management Authority**  
**A/R Aging Summary**  
As of February 1, 2020

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
R	124,607.05	0.00	0.00	0.00	0.00	124,607.05
R	15,278.50	0.00	0.00	0.00	0.00	15,278.50
R	0.00	139.00	0.00	0.00	0.00	139.00
R	8,728.15	7,528.66	0.00	0.00	0.00	16,256.81
R	1,371.25	0.00	0.00	0.00	0.00	1,371.25
R*COLLECTIONS*	0.00	0.00	0.00	0.00	1,503.53	1,503.53
R	27.68	0.00	0.00	0.00	0.00	27.68
R	361.43	0.00	0.00	0.00	0.00	361.43
R	164.57	0.00	0.00	0.00	0.00	164.57
R	293.75	164.48	0.00	0.00	0.00	458.23
R	133.37	0.00	0.00	0.00	0.00	133.37
R	10.77	0.00	0.00	0.00	0.00	10.77
R	61.52	0.00	0.00	0.00	0.00	61.52
R	283.31	16.00	0.00	0.00	0.00	299.31
S	2,188.57	0.00	0.00	0.00	0.00	2,188.57
S	66.14	56.91	0.00	0.00	0.00	123.05
S	38.76	0.00	0.00	0.00	0.00	38.76
S	330.67	0.00	0.00	0.00	0.00	330.67
S	162.18	110.86	0.00	0.00	0.00	273.04
S	3,774.26	0.00	0.00	0.00	0.00	3,774.26
S	27.68	0.00	0.00	0.00	0.00	27.68
T	191.17	0.00	0.00	0.00	0.00	191.17
T	178.42	0.00	0.00	0.00	0.00	178.42
T	399.78	0.00	0.00	0.00	0.00	399.78
T	152.26	0.00	0.00	0.00	0.00	152.26
V	218.39	0.00	0.00	0.00	0.00	218.39
Y	504.47	56.35	0.00	0.00	0.00	560.82
Y*****HOLD*****	0.96	1.02	1.22	1.91	166.43	171.54
<b>TOTAL</b>	<b>172,328.76</b>	<b>10,267.99</b>	<b>632.36</b>	<b>3,166.13</b>	<b>2,732.88</b>	<b>189,128.12</b>

## CLAIMS APPROVED BY THE DIRECTOR

Del Norte Solid Waste Management Authority

Claims for January 2020

Date Paid	Paid to:	Budget	Amt. Paid	Description	Claim #
1/2/2020	Steven Williams	20231	\$ 200.00	INV NEW9 Website Support Dec 2019	8621
1/2/2020	Taylor, Richard D.	20235	\$ 100.00	Treasurer/Controller Services Dec 2019	8622
1/6/2020	G.H. Outreach	20285	\$ 210.00	INV 063314 Dec 2019 Recycling Services	8623
1/6/2020	Curry Transfer Roto-Rooter	20140	\$ 106.42	INV 66041671 GTS PortaPotty Dec 2019	8624
	Curry Transfer Roto-Rooter	20140	\$ 173.07	INV 66041672 KTS PortaPotty Dec 2019	
1/9/2020	Hambro/Waste Solutions Group	20239	\$ 160,968.39	INV 2019-12 Materials Management Dec 2019	8625
1/11/2020	DNC Auditor	20237	\$ 2,594.51	Debit/Credit Mo. Dec 2019	Interdepartmental
1/14/2020	DNC Auditor	20297	\$ 60.37	C. Renner Petroleum fuel charges 12/16-31/19	Interdepartmental
1/15/2020	Stillwater Sciences	20231	\$ 460.00	INV 7870009 PRO 787.00 Nov 4-Dec 29, 2019 Services	8626
1/15/2020	Recology Del Norte	20238	\$ 1,045.05	INV 4169 Klamath Beach Rd 12/19 Bin Pulls	8627
	Recology Del Norte	20238	\$ 209.01	INV 4168 Old Gasquet Toll Rd 12/19 Bin Pulls	
1/15/2020	Black Rice & Luna LLP	20234	\$ 389.50	INV 368 Legal Services Dec 2019	8628
1/15/2020	Butcher, Andrew	20231	\$ 750.00	INV 000008-R-0006 IT Services Feb 2020	8629
1/15/2020	MacLeod Watts Inc	20231	\$ 1,000.00	INV 200115DNSWM Prepare GASB 75 Rpt for 06/30/19	8630
1/21/2020	Canon Financial Services, Inc.	20221	\$ 43.74	INV 21006129 Printing Charges Dec 2019	8631
	Canon Financial Services, Inc.	20250	\$ 142.02	INV 21006129 Contract Rental Charges Jan 2020	
1/21/2020	Parkway Feed	20140	\$ 10.21	INV 23017 Straw for Conex	8632
1/22/2020	North Coast Laboratories, Ltd.	20232	\$ 5.00	INV 150694 ELAP Fee, 1	8633
	North Coast Laboratories, Ltd.	20232	\$ 105.00	INV 150694 Nitrate and/or Nitrite, 3	
	North Coast Laboratories, Ltd.	20232	\$ 170.00	INV 150694 Hexane Extractable Oil and Grease, 2	
	North Coast Laboratories, Ltd.	20232	\$ 27.50	INV 150694 Geotracker Reporting, 1	
1/22/2020	DNC Information Technology	20230	\$ 17.48	INV 203 Labor, Board Meeting 01/21/20	Interdepartmental
1/24/2020	Recology Del Norte	20288	\$ 687.07	BILL 05755491 1001 Front St - Cultural Cntr	8634
	Recology Del Norte	20283	\$ 525.88	BILL 05755517 500 Cooper Ave - County Yard	
	Recology Del Norte	20288	\$ 290.17	BILL 05755525 900 Tenth St - City Yard	
1/27/2020	DNC Auditor	20297	\$ 84.47	C Renner Petroleum fuel charges 01/01-15/20	Interdepartmental
1/27/2020	Crescent Ace Hardware	20239-001	\$ 2.14	INV 805196 Key AM3-ACE, 1	8635
	Crescent Ace Hardware	20180	\$ 3.86	INV 803902 Clip TNSN 3/8-5/8"CD5, 1	
	Crescent Ace Hardware	20180	\$ 8.16	INV 803902 Door Hold KICK-SWN 5"CRM, 1	
	Crescent Ace Hardware	20285-091	\$ 2.89	INV 804346 Nipple Galv 1"X2.5", 1	
	Crescent Ace Hardware	20285-091	\$ 3.00	INV 804346 Reducing Coup Glv 1X3/4, 1	
	Crescent Ace Hardware	20275	\$ 451.49	INV 804606 20V Max Combo Kit 4PC, 1	
	Crescent Ace Hardware	20239-001	\$ 3.00	INV 803902 Strainer Basket Cup 1.5", 1	
	Crescent Ace Hardware	20275	\$ (170.00)	INV 804606 Instant Savings-2526200, 1	
	Crescent Ace Hardware	20180	\$ 3.21	INV 806428 Bleach Liq Reg Conc 64OZ, 1	
	Crescent Ace Hardware	20239-001	\$ 7.51	INV 805196 Coupling Flex 1.5X1.5HUB, 1	
	Crescent Ace Hardware	20239-001	\$ 48.37	INV 805196 CM Wrench Set MM 11PC, 1	
	Crescent Ace Hardware	20239-001	\$ 42.99	INV 805196 Drill/Drive Utility 64PC, 1	
	Crescent Ace Hardware	20180	\$ 30.09	INV 806428 P100 High Eff Dual Cart, 1	
	Crescent Ace Hardware	20180	\$ 4.29	INV 806428 Goggles 3M Splash Impact, 1	
	Crescent Ace Hardware	20180	\$ 8.59	INV 806428 Home Armor Mldwblckr 320, 1	
	Crescent Ace Hardware	20275	\$ 2.65	INV 804606 Bulk Nails/Screws, .75	
1/27/2020	North Coast Laboratories, Ltd.	20232	\$ 5.00	INV 150825 ELAP Fee, 1	8636
	North Coast Laboratories, Ltd.	20232	\$ 3,000.00	INV 150825 Subcontracted Analysis, 6	
1/27/2020	North Coast Laboratories, Ltd.	20232	\$ 5.00	INV 150503 ELAP Fee, 1	8637
	North Coast Laboratories, Ltd.	20232	\$ 2,000.00	INV 150503 Subcontracted Analysis, 4	
	North Coast Laboratories, Ltd.	20232	\$ 30.00	INV 150503 Geotracker Sub-Contractor Charge, 1	
1/31/2020	United States Cellular	20121	\$ 102.25	INV 0350445558 01/04-02/03/20 Cell Service	8638
1/31/2020	U S Bank Corp P S	20227	\$ 20.00	ORD AB98667029 Subscription, Common Dreams	8639
	U S Bank Corp P S	20290	\$ 105.00	INV 02361 Nor Ca Recycle Assn Event 03/17/20, Kyra	
	U S Bank Corp P S	20290	\$ 60.00	INV 02360 Nor Ca Recycle Assn Mmbrshp, Kyra	

	U S Bank Corp P S	20290	\$ 358.67	ORD 1225989247 0 Waste Conf Reg 03/18-19/20, Kyra	
	U S Bank Corp P S	20224	\$ 24.55	TR# 07798 150 Lam Pouch	
	U S Bank Corp P S	20110	\$ 45.15	ORD FS4015290-SO Class 3 2PC Rainsuit Or SMMM	
	U S Bank Corp P S	20110	\$ 13.42	ORD FS4015290-SO Class 2 Srvyr Safety Vest Or M	
1/31/2020	Mission Linen Supply	20140	\$ 31.09	INV 511717074 Linen Service 01/28/20	8640
	Mission Linen Supply	20140	\$ 31.09	INV 511618340 Linen Service 01/14/20	
1/31/2020	Quill	20224	\$ 12.89	INV 4330762 Base Prong F/Fstnr 1In Cap, 1 box	8641
	Quill	20140	\$ 30.09	INV 4299803 Recyc Pprtowel 2Ply 8 Pk, 1	
	Quill	20224	\$ 8.05	INV 4296675 Hype Liquid Hightler 5Pk Asst, 1	
	Quill	20224	\$ 5.13	INV 4296675 Marker Liquid Accent Ble Flbe, 3	
	Quill	20224	\$ 1.82	INV 4296675 Liquid Accent Highlighter Florg, 1	
	Quill	20224	\$ 11.06	INV 4296675 Post-It 1.5X2 Grnr Pastel 12Pk, 1	
	Quill	20224	\$ 13.43	INV 4296675 Quill Ruled Pads, 5X8 Yellw, 1 doz	
	Quill	20224	\$ 26.86	INV 4296675 Scotchmagic Tape 3/4X1000 10Pk, 1	
	Quill	20224	\$ 8.30	INV 4296675 Quill Colored Copy Pater-Ltr Blue, 1 rm	
	Quill	20140	\$ 14.29	INV 4296675 reenworks Clnr Refill 64Oz, 1	
	Quill	20140	\$ 9.65	INV 4296675 Purell Natural Hd Sntzr 8Oz, 2	
	Quill	20224	\$ 45.13	INV 4296675 Brother Tze221 3/8 Blk on Wht, 2	
	Quill	20140	\$ 7.51	INV 4296675 Kleenex 3Pk Facial Tissue, 1	
1/31/2020	Ward, Tedd	20290-069	\$ (15.00)	Travel Claim CRRRA Conference 08/11-14/19 adjustment	Interdepartmental
1/31/2020	DNC Auditor	20121	\$ 119.97	Office Telephone Service 12/19/19-01/18/20	Interdepartmental
1/31/2020	DNC Information Technology	20223	\$ 56.88	Postage, Jan 2020	Interdepartmental
1/31/2020	DNC Auditor	70530-199	\$ 7,560.00	Interfund - Cost Plan Jan 2020	Interdepartmental
	<b>TOTAL</b>		<b>\$ 184,574.38</b>		

<b>DNSWMA</b>			
<b>GRAND TOTALS</b>			
January 2020			
	<b>Amount to 422-421 91003</b>	<b>Amount to 422-421 91004</b>	<b>TOTAL AMOUNT</b>
	<b>66.53%</b>	<b>33.47%</b>	
<b>DNCTS Cash Total</b>	25,163.19	12,659.13	37,822.32
<b>DNCTS Charge Total</b>	118,906.45	59,819.61	178,726.06
<b>DNCTS Credit/Debit</b>	30,822.97	15,506.46	46,329.43
<b>DNCTS Adjustment</b>	-836.26	836.26	0.00
<b>DNCTS Totals</b>	174,056.35	88,821.46	262,877.81
Klamath Cash Total		5,049.02	5,049.02
Klamath Charge Total			
Klamath Adjustment			
<b>Klamath Totals</b>		5,049.02	5,049.02
Gasquet Cash Total		1,002.76	1,002.76
Gasquet Charge Total		42.84	42.84
Gasquet Adjustment			
<b>Gasquet Totals</b>		1,045.60	1,045.60
<b>GRAND TOTALS</b>	<b>174,056.35</b>	<b>94,916.08</b>	<b>268,972.43</b>

**MONTHLY SPLIT SHEET**  
**DNSWMA TRANSFER STATION**  
**MONTH: JANUARY 2020**

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	CLOSED		\$ -					\$ -		\$ -	\$ -	\$ -		\$ -
2	\$ 2,104.73	\$ 187.68	\$ 2,292.41	\$ 2,484.09	\$ 243.20		\$ 35.37	\$ 2,762.66	\$ 7,887.94	\$ 12,943.01	\$ 1,525.14	\$ 767.27	\$0.10	\$ 2,292.51
3	\$ 1,545.76	\$ 109.97	\$ 1,655.75	\$ 2,860.54	\$ 172.40	\$ 152.26		\$ 3,185.20	\$ 5,491.94	\$ 10,332.89	\$ 1,101.57	\$ 554.18	\$0.22	\$ 1,655.97
4	\$ 2,200.23	\$ 55.37	\$ 2,255.60	\$ 3,314.12	\$ 113.81	\$ 55.37		\$ 3,483.30	\$ 5,472.75	\$ 11,211.65	\$ 1,500.65	\$ 754.95	(\$0.22)	\$ 2,255.38
5	\$ 1,225.17	\$ 103.52	\$ 1,328.69	\$ 2,596.06	\$ 92.91			\$ 2,688.97	\$ 129.51	\$ 4,147.17	\$ 883.98	\$ 444.71	(\$0.17)	\$ 1,328.52
6	\$ 1,016.70	\$ 111.05	\$ 1,127.75	\$ 1,821.59	\$ 143.65			\$ 1,965.24	\$ 9,644.37	\$ 12,737.36	\$ 750.29	\$ 377.46	(\$0.46)	\$ 1,127.29
7	\$ 768.61		\$ 768.61	\$ 657.50	\$ 39.99			\$ 697.49	\$ 11,447.73	\$ 12,913.83	\$ 511.36	\$ 257.25	\$3.10	\$ 771.71
8	\$ 1,029.23	\$ 137.19	\$ 1,166.42	\$ 873.39	\$ 65.21	\$ 8.00		\$ 946.60	\$ 4,224.04	\$ 6,337.06	\$ 776.02	\$ 390.40	(\$0.97)	\$ 1,165.45
9	\$ 1,082.14	\$ 249.30	\$ 1,331.44	\$ 2,960.31	\$ 125.19			\$ 3,085.50	\$ 5,811.96	\$ 10,228.90	\$ 885.81	\$ 445.63	(\$0.07)	\$ 1,331.37
10	\$ 994.44	\$ 39.99	\$ 1,034.43	\$ 567.92	\$ 40.61			\$ 608.53	\$ 9,044.98	\$ 10,687.94	\$ 688.21	\$ 346.22	(\$1.19)	\$ 1,033.24
11	\$ 1,083.89	\$ 154.06	\$ 1,237.95	\$ 1,333.77	\$ 72.89	\$ 18.46		\$ 1,425.12	\$ 313.90	\$ 2,976.77	\$ 823.48	\$ 414.27	\$0.01	\$ 1,237.76
12	\$ 811.52		\$ 811.52	\$ 928.78	\$ 9.23			\$ 938.01	\$ 1,030.77	\$ 2,780.30	\$ 539.90	\$ 271.62		\$ 811.52
13	\$ 368.97	\$ 46.14	\$ 415.11	\$ 402.83	\$ 38.45			\$ 441.28	\$ 7,808.91	\$ 8,463.30	\$ 276.17	\$ 138.94		\$ 415.11
14	\$ 1,190.37	\$ 13.84	\$ 1,204.21	\$ 578.13	\$ 78.44	\$ 19.23	\$ 30.76	\$ 706.56	\$ 8,770.34	\$ 10,681.11	\$ 801.16	\$ 403.05	\$0.91	\$ 1,205.12
15	\$ 732.04	\$ 75.67	\$ 807.71	\$ 536.22	\$ 8.00	\$ 30.76		\$ 574.98	\$ 5,958.35	\$ 7,341.04	\$ 537.37	\$ 270.34	(\$0.04)	\$ 807.67
16	\$ 969.60	\$ 83.10	\$ 1,052.70	\$ 664.38	\$ 15.38	\$ 12.30	\$ 161.49	\$ 853.55	\$ 5,864.18	\$ 7,770.43	\$ 700.36	\$ 352.34	\$0.01	\$ 1,052.71
17	\$ 1,323.67	\$ 156.94	\$ 1,480.61	\$ 2,733.91	\$ 209.17			\$ 2,943.08	\$ 8,289.38	\$ 12,713.07	\$ 985.05	\$ 495.56	\$0.02	\$ 1,480.63
18	\$ 1,291.79	\$ 90.74	\$ 1,382.53	\$ 1,832.85	\$ 133.26	\$ 39.99		\$ 2,006.10	\$ 403.01	\$ 3,791.64	\$ 919.80	\$ 462.73	(\$0.30)	\$ 1,382.23
19	\$ 1,223.00	\$ 217.45	\$ 1,440.45	\$ 2,225.47	\$ 346.05			\$ 2,571.52	\$ 2,416.42	\$ 6,428.39	\$ 958.33	\$ 482.12	\$1.00	\$ 1,441.45
20	\$ 1,479.52	\$ 44.44	\$ 1,523.96	\$ 1,544.66	\$ 46.14	\$ 41.53	\$ 6.54	\$ 1,638.87	\$ 8,856.06	\$ 12,018.89	\$ 1,013.89	\$ 510.07	\$0.04	\$ 1,524.00
21	\$ 946.42	\$ 49.84	\$ 996.26	\$ 1,202.46	\$ 8.00	\$ 8.00		\$ 1,218.46	\$ 9,445.60	\$ 11,660.32	\$ 662.81	\$ 333.45	\$0.10	\$ 996.36
22	\$ 1,502.90	\$ 10.77	\$ 1,513.67	\$ 861.28	\$ 173.79			\$ 1,035.07	\$ 6,162.93	\$ 8,711.67	\$ 1,007.04	\$ 506.63	(\$0.06)	\$ 1,513.61
23	\$ 998.92	\$ 8.00	\$ 1,006.92	\$ 1,436.19	\$ 130.73			\$ 1,566.92	\$ 6,707.12	\$ 9,280.96	\$ 669.90	\$ 337.02	(\$0.10)	\$ 1,006.82
24	\$ 1,175.41	\$ 33.84	\$ 1,209.25	\$ 1,152.37	\$ 206.40		\$ 30.76	\$ 1,389.53	\$ 7,151.12	\$ 9,749.90	\$ 804.51	\$ 404.74	\$0.59	\$ 1,209.84
25	\$ 1,584.23	\$ 105.16	\$ 1,689.39	\$ 946.37		\$ 24.61		\$ 970.98	\$ 342.96	\$ 3,003.33	\$ 1,123.95	\$ 565.44	\$0.01	\$ 1,689.40
26	\$ 1,165.86	\$ 51.07	\$ 1,216.93	\$ 1,514.23	\$ 47.20			\$ 1,561.43	\$ 1,395.33	\$ 4,173.69	\$ 809.62	\$ 407.31	\$0.03	\$ 1,216.96
27	\$ 900.66	\$ 29.23	\$ 929.89	\$ 565.07	\$ 53.54			\$ 618.61	\$ 7,744.56	\$ 9,293.06	\$ 618.66	\$ 311.23	(\$0.42)	\$ 929.47
28	\$ 830.12	\$ 48.61	\$ 878.73	\$ 694.16	\$ 339.90			\$ 1,034.06	\$ 10,024.47	\$ 11,937.26	\$ 584.62	\$ 294.11	\$0.77	\$ 879.50
29	\$ 1,269.77	\$ 29.22	\$ 1,298.99	\$ 1,354.49	\$ 108.47			\$ 1,462.96	\$ 6,382.39	\$ 9,144.34	\$ 864.22	\$ 434.77	\$0.03	\$ 1,299.02
30	\$ 1,299.90	\$ 107.97	\$ 1,407.87	\$ 508.22	\$ 44.61			\$ 552.83	\$ 8,599.18	\$ 10,559.88	\$ 936.66	\$ 471.21	(\$0.05)	\$ 1,407.82
31	\$ 1,338.77	\$ 20.00	\$ 1,358.77	\$ 1,269.28	\$ 65.22	\$ 61.52		\$ 1,396.02	\$ 6,105.86	\$ 8,858.65	\$ 902.66	\$ 454.11	\$0.23	\$ 1,357.00
TOTALS	\$ 35,452.16	\$ 2,370.16	\$ 37,822.32	\$ 42,420.64	\$ 3,171.84	\$ 472.03	\$ 264.92	\$ 46,329.43	\$ 178,726.06	\$ 262,877.81	\$ 25,163.19	\$ 12,659.13	\$3.12	\$ 37,825.44

\$9.37 VISA refund, APPIN  
 chgd as REFR on 01/07/20

<b>DAILY TICKET REPORT</b>					
<b>DNSWMA TRANSFER STATION</b>					
<b>MONTH: January 2020</b>					
			<b>VOIDED</b>	<b>TICKET</b>	
<b>Date</b>	<b>BEGIN</b>	<b>END</b>	<b>TICKETS</b>	<b>COUNT</b>	
1	<b>CLOSED</b>				
2	1122323	1122598		<b>276</b>	
3	1122599	1122821	1	<b>222</b>	
4	1122822	1123117		<b>296</b>	
5	1123118	1123309		<b>192</b>	
6	1123310	1123506		<b>197</b>	
7	1123507	1123629		<b>123</b>	
8	1123630	1123764		<b>135</b>	
9	1123765	1123966		<b>202</b>	
10	1123967	1124093		<b>127</b>	
11	1124094	1124270		<b>177</b>	
12	1124271	1124390		<b>120</b>	
13	1124391	1124475		<b>85</b>	
14	1124476	1124618		<b>143</b>	
15	1124619	1124730		<b>112</b>	
16	1124731	1124840		<b>110</b>	
17	1124841	1124983		<b>143</b>	
18	1124984	1125179		<b>196</b>	
19	1125180	1125367		<b>188</b>	
20	1125368	1125585		<b>218</b>	
21	1125586	1125744		<b>159</b>	
22	1125745	1125900		<b>156</b>	
23	1125901	1126036		<b>136</b>	High
24	1126037	1126217		<b>181</b>	296
25	1126218	1126360		<b>143</b>	
26	1126361	1126548		<b>188</b>	Low
27	1126549	1126671		<b>123</b>	85
28	1126672	1126797		<b>126</b>	
29	1126798	1126962		<b>165</b>	Daily Ave.
30	1126963	1127091		<b>129</b>	165
31	1127092	1127261		<b>170</b>	
<b>TOTAL</b>			<b>1</b>	<b>4938</b>	

DNSWMA									
KLAMATH TRANSFER STATION - DEPOSITS									
January-2020									
			TOTAL			TOTAL		TOTAL	
Date	Cash	Checks	Deposit	Over / Short	Sales	Sales	Charges	Cash + Charge	Tickets
January 5, 2020	869.42	46.36	915.78	1.24	914.54	915.78		915.78	50
January 8, 2020	330.83		330.83		330.83	330.83		330.83	11
January 12, 2020	712.40	61.66	774.06	21.01	753.05	774.06		774.06	32
January 15, 2020	100.36		100.36		100.36	100.36		100.36	8
January 19, 2020	712.14	202.40	914.54	1.00	913.54	914.54		914.54	37
January 22, 2020	646.60	59.21	705.81		705.81	705.81		705.81	16
January 26, 2020	651.59	89.77	741.36	(0.05)	741.41	741.36		741.36	38
January 29, 2020	127.46	438.82	566.28		566.28	566.28		566.28	11
			0.00			0.00		0.00	
			0.00			0.00		0.00	
			0.00			0.00		0.00	
			0.00			0.00		0.00	
			0.00			0.00		0.00	
			0.00			0.00		0.00	
<b>TOTAL</b>	4,150.80	898.22	<b>\$ 5,049.02</b>	23.20	5,025.82	<b>\$ 5,049.02</b>	\$ -	<b>\$5,049.02</b>	<b>203</b>
	<b>TOTAL SALES (CASH + CHARGE)</b>								
<b>Date</b>	<b>Wednesday</b>	<b>Friday</b>	<b>Sunday</b>						
January 5, 2020			915.78						
January 8, 2020	330.83								
January 12, 2020			774.06						
January 15, 2020	100.36								
January 19, 2020			914.54						
January 22, 2020	705.81								
January 26, 2020			741.36						
January 29, 2020	566.28								
<b>TOTALS</b>	<b>1,703.28</b>	<b>0.00</b>	<b>\$3,345.74</b>						
DAILY AVERAGE	425.82		\$836.44						



**AUTHORITY      REVENUE      REPORT      February 2020**

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		Over Budget / Month
			Actual / Month		
July	\$ 113,416.74	\$ 2,927.28	July	\$ 116,344.02	\$ 30,220.28
August	\$ 115,106.61	\$ 1,398.82	August	\$ 116,505.43	\$ 30,381.69
September	\$ 106,561.83	\$ (9,578.41)	September	\$ 96,983.42	\$ 10,859.68
October	\$ 116,356.03	\$ (3,894.30)	October	\$ 112,461.73	\$ 26,337.99
November	\$ 98,098.36	\$ (5,167.25)	November	\$ 92,931.11	\$ 6,807.37
December	\$ 89,040.99	\$ (957.74)	December	\$ 88,083.25	\$ 1,959.51
January	\$ 98,331.77	\$ (3,415.69)	January	\$ 94,916.08	\$ 8,792.34
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		\$ -
<b>Total</b>	<b>\$ 1,236,105.89</b>	<b>\$ (18,687.29)</b>	<b>Total</b>	<b>\$ 718,225.04</b>	<b>\$ 115,358.88</b>

Over last year      Exceeding Budget

**AUTHORITY      REVENUE      REPORT      February 2020**

2018 / 2019			2019 / 2020		
Franchise Fee      Actual Annual			Budget/Month      Budget/Year		
			\$ 28,492.50      \$ 341,910.00		
2018 / 2019		Comparison FY 18/19	2019 / 2020		Over Budget
			Actual / Month		
July	\$ 24,992.00	\$ 4,200.00	July	\$ 29,192.00	\$ 699.50
August	\$ 26,314.00	\$ 4,807.00	August	\$ 31,121.00	\$ 2,628.50
September	\$ 30,671.00	\$ 991.00	September	\$ 31,662.00	\$ 3,169.50
October	\$ 28,701.00	\$ 727.00	October	\$ 29,428.00	\$ 935.50
November	\$ 27,995.00	\$ 2,380.00	November	\$ 30,375.00	\$ 1,882.50
December	\$ 27,122.00	\$ 3,526.00	December	\$ 30,648.00	\$ 2,155.50
January	\$ 25,732.00	\$ 4,090.00	January	\$ 29,822.00	\$ 1,329.50
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		\$ -
<b>Total</b>	<b>\$ 326,992.00</b>	<b>\$ 20,721.00</b>	<b>Total</b>	<b>\$ 212,248.00</b>	<b>\$ 12,800.50</b>

Over last year      Exceeding Budget

Above/(Below) Budget to date      \$ 128,159.38

3.5



February 06, 2020

Tedd Ward, Director  
Del Norte Solid Waste Management Authority  
1700 State Street  
Crescent City, CA 95531

Dear Mr. Ward:

As per Section 7.02.A of the current Franchise Agreement, Recology is submitting a written application for the rate adjustment effective July 1, 2020. The adjustment will be based on the February CPI index. The February 2020 index will not be available until March 12, 2020. Therefore, we are requesting rates be adjusted based on the upcoming index and that the new per ton tipping fee be factored in. Please consider this letter to be our application for rate adjustment for the period 7/1/20 to 6/30/21. We request a copy of the Authority's rate calculations as soon as they are available so that we may review them for accuracy.

In addition, all required quarterly reports have been provided to the Authority as required under Section 5.17 of the current Franchise Agreement.

If you have any questions or require any additional information regarding this application, please contact me at 464-4181.

Thank you for your attention to this matter. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Herber', written over a horizontal line.

Jeremy Herber  
General Manager

Cc: Ed Farewell  
Nikki Burke

5.1

---

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY  
ANNUAL FINANCIAL REPORT  
JUNE 30, 2019

---

Draft

*Harshwal & Company LLP  
Certified Public Accountants  
7677 Oakport Street, Suite 460  
Oakland, CA 94621  
(510) 452-5051*

7.1

**INTRODUCTORY SECTION**

Draft

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**TABLE OF CONTENTS**  
**JUNE 30, 2019**

	Page
<b>INTRODUCTORY SECTION</b>	
Table of Contents.....	1
Official Roster.....	2
<b>FINANCIAL SECTION</b>	
Independent Auditor's Report.....	4
Basic Financial Statements:	
Statement of Net Position.....	8
Statement of Revenues, Expenses, and Changes in Net Position.....	9
Statement of Cash Flows.....	11
Notes to Financial Statements.....	12
Required Supplementary Information (Unaudited):	
Schedule of Changes in the Net OPEB Liability and Related Ratios.....	27
Schedule of Contributions.....	28
<b>COMPLIANCE SECTION</b>	
Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i> .....	30
Schedule of Findings and Responses.....	32

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY  
OFFICIAL ROSTER  
JUNE 30, 2019

<u>Name</u>	<u>Title</u>
Lori Cowan	Chair
Jason Greenough	Vice Chair
Blake Inscore	Commissioner
Michael Tomkins	Commissioner
Chris Howard	Commissioner

Draft

FINANCIAL SECTION

Draft

## INDEPENDENT AUDITOR'S REPORT

To the Board of Commissioners  
Del Norte Solid Waste Management Authority  
Crescent City, California

### Report on the Financial Statements

We have audited the accompanying financial statements of the proprietary fund of Del Norte Solid Waste Management Authority, Crescent City, California (Authority), as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the proprietary fund of the Authority as of June 30, 2019, and the respective changes in financial position and, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### Other Matters

#### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the Schedule of Changes in the Net OPEB liability and Related Ratios and Contribution on pages 27 - 28 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted the Management's Discussion and Analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. Our opinion on the basic financial statements is not affected by this missing information.

### Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Authority's basic financial statements. The introductory section is presented for purposes of additional analysis and is not a required part of the basic financial statements.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 27, 2020 on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Authority's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control over financial reporting and compliance.

Oakland, California  
January 27, 2020

Draft

**BASIC FINANCIAL STATEMENTS**

Draft

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**STATEMENT OF NET POSITION**  
**JUNE 30, 2019**

**ASSETS**

Current Assets:	
Cash and investments	\$ 1,109,447
Accounts receivable	282,771
Prepaid expenses	750
Deposit with Del Norte County	<u>198,177</u>
<b>Total Current Assets</b>	<u><b>1,591,145</b></u>
Noncurrent Assets:	
Capital assets:	
Non-depreciable	493,000
Depreciable, net	<u>2,112,488</u>
<b>Total Noncurrent Assets</b>	<u><b>2,605,488</b></u>
<b>Total Assets</b>	<u><b>4,196,633</b></u>
Deferred Outflows of Resources:	
Deferred outflows of resources - OPEB	<u>205,039</u>
<b>Total Deferred Outflows of Resources</b>	<u><b>205,039</b></u>
<b>Total Assets and Deferred Outflows of Resources</b>	<u><u><b>4,401,672</b></u></u>

**LIABILITIES AND NET POSITION**

**LIABILITIES**

Current Liabilities:	
Accounts payable	237,137
Salaries and benefits payable	16,419
Compensated absences	67,409
Sublease payable	119,986
Deferred revenue	<u>4,011</u>
<b>Total Current Liabilities</b>	<u><b>444,962</b></u>
Noncurrent Liabilities:	
Sublease payable	2,164,699
Post-closure	1,865,833
Net OPEB liability	<u>421,693</u>
<b>Total Noncurrent Liabilities</b>	<u><b>4,452,225</b></u>
<b>Total Liabilities</b>	<u><b>4,897,187</b></u>

**NET POSITION**

Net investment in capital assets	320,803
Unrestricted	<u>(816,318)</u>
<b>Total Net Position</b>	<u><b>(495,515)</b></u>
<b>Total Liabilities, and Net Position</b>	<u><u><b>\$ 4,401,672</b></u></u>

The accompanying notes are an integral part of these financial statements.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION**  
**FOR THE YEAR ENDED JUNE 30, 2019**

<b><i>OPERATING REVENUES:</i></b>	<u>Solid Waste</u>
Grants & contribution	\$ 31,554
Charges for services	3,402,246
Other revenue	<u>100,576</u>
<i>Total Operating Revenues</i>	<u>3,534,376</u>
 <b><i>OPERATING EXPENSES:</i></b>	
Salaries and benefits	665,928
Professional services	71,633
Audit & legal counsel	20,306
Printing	663
Postage	894
Advertising	4,265
Travel	9,037
Office supplies	12,800
Insurance	15,725
Special department expense	9,783
Telephone and utilities	3,651
Maintenance and repairs	9,706
Subscriptions and memberships	7,699
Rent	2,401
Landfill post-closure	9,296
Hazardous waste clean-up	34,538
Transfer station fees	2,246,267
State fees	41,747
Clothing	455
Waste collection fees	29,652
County overhead/ other expenses	74,819
Other expenses	37,578
Depreciation	<u>90,056</u>
<i>Total Operating Expenses</i>	<u>3,398,899</u>
Operating Income (Loss)	<u>135,477</u>

The accompanying notes are an integral part of these financial statements.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION**  
**FOR THE YEAR ENDED JUNE 30, 2019**

***NONOPERATING REVENUES (EXPENSES):***

Interest income	17,286
Franchise fees	326,992
Interest expense	<u>(84,982)</u>
<i>Total Nonoperating Revenues (Expenses)</i>	<u>259,296</u>
Change in Net Position	394,773
Net Position - Beginning	<u>(889,467)</u>
<i>Restatement</i>	(821)
Net Position - Beginning, Restated	<u>(890,288)</u>
Net Position - Ending	<u><u>\$ (495,515)</u></u>

Draft

The accompanying notes are an integral part of these financial statements.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**STATEMENT OF CASH FLOWS**  
**FOR THE YEAR ENDED JUNE 30, 2019**

<b>CASH FLOWS FROM OPERATING ACTIVITIES:</b>	
Receipts from customers	\$ 3,488,490
Payment to suppliers	(2,716,042)
Payment to employees	<u>(798,108)</u>
<i>Net Cash Provided (Used) by Operating Activities</i>	<u>(25,660)</u>
<b>CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:</b>	
Franchise fees	<u>326,992</u>
<i>Net Cash Provided (Used) by Noncapital Financing Activities</i>	<u>326,992</u>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:</b>	
Principal paid on sublease	(116,130)
Interest paid on debt	<u>(84,982)</u>
<i>Net Cash Provided (Used) by Capital and Related Financing Activities</i>	<u>(201,112)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES:</b>	
Interest income	<u>17,286</u>
<i>Net Cash Provided (Used) by Investing Activities</i>	<u>17,286</u>
Change in Cash and Cash Equivalents	117,506
Cash and Cash Equivalents - Beginning	<u>991,941</u>
Cash and Cash Equivalents - Ending	<u>\$ 1,109,447</u>
<b>RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES:</b>	
Operating income (loss)	\$ 135,477
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:	
Depreciation	90,056
Post-closure liability	(95,949)
Change in operating assets and liabilities	
Accounts receivable	(45,886)
Prepaid expenses	(750)
Accounts payable	22,384
Salaries and benefits payable	16,419
Compensated absences	1,898
Deferred revenue	1,188
Net OPEB liability and related items	<u>(150,497)</u>
<i>Net Cash Provided (Used) by Operating Activities</i>	<u>\$ (25,660)</u>

The accompanying notes are an integral part of these financial statements.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The basic financial statements of Del Norte Solid Waste Management Authority (Authority) have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to governmental agencies. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the Authority's accounting policies are described below.

***A. Reporting Entity***

The Del Norte Solid Waste Management Authority (Authority) was formed September 21, 1992, and is a Joint Powers Authority between the County of Del Norte and the City of Crescent City.

The purpose of the Authority is to administer the siting, development, construction, and operation of solid waste facilities for the collection, reduction, recycling, composting, and disposal of discards generated within the City's and County's territorial boundaries. Under the terms of the Joint Powers Agreement, either the County or the City may withdraw and thereby dissolve the Authority. The County and City then would each reassume their respective responsibilities for waste management matters.

Generally accepted accounting principles require government financial statements to include the primary government and its component units. Component units of a governmental entity are legally separate entities for which the primary government is considered to be financially accountable and for which the nature and significance of their relationship with the primary government are such that exclusion would cause the combined financial statements to be misleading. The primary government is considered to be financially accountable if it appoints a majority of an organization's governing body and is able to impose its will on that organization or there is a potential for the organization to provide specific financial benefits to or impose specific financial burdens on the primary government.

***Component Units***

Based on the application of the criteria set forth by the Governmental Accounting Standards Board, management has determined that there are no component units of the Authority.

***Related Organizations***

The County of Del Norte appoints two members to the Board of Commissioners and performs certain accounting functions for the Authority. However, the County is not financially accountable for this organization and therefore it is not a component unit under Statement Nos. 14, 39, and 61 of the Governmental Accounting Standards Board.

***B. Basis of Presentation***

Fund financial statements of the Authority are organized into one fund, which is considered to be a separate accounting entity. The fund is accounted for by providing a separate set of self-balancing accounts that constitute its assets, liabilities, net position, revenues, and expenses. The fund of the Authority is organized into the proprietary category and is treated as a major fund.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONT'D**

***B. Basis of Presentation - Cont'd***

The Authority reports the following major proprietary fund:

- The Solid Waste Fund is an enterprise fund used to account for solid waste management, transfer station operations, and landfill post-closure.

***C. Basis of Accounting and Measurement Focus***

The proprietary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the Authority gives (or receives) value without directly receiving (or giving) equal value in exchange, include revenues from grants, entitlements, and donations. Revenues from grants, entitlements, and donations are recognized in the fiscal year in which all eligibility requirements have been satisfied.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of enterprise funds are charges to customers for services. Operating expenses for enterprise funds include the cost of sales and services, administrative expenses, and depreciation of capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

***D. Cash, Cash Equivalents, and Investments***

The Authority pools all cash and investments, other than imprest cash, with the County of Del Norte. The Del Norte County Treasury is an external investment pool for the Authority and the Authority is considered an involuntary participant. The Authority's share in the pool is displayed in the accompanying financial statements as cash and investments.

Participant's equity in the investment pool is determined by the dollar amount of participant's deposits, adjusted for withdrawals and distributed investment income. Investment income is determined on the amortized cost basis. Amortized premiums and accreted discounts, accrued interest, and realized gains and losses, net of expenses, are apportioned to pool participants each quarter based on the participant's average daily cash balance at quarter end in relation to the total pool investments. This method differs from the fair value method used to value investments in these financial statements. In these financial statements, the fair value of the Authority's investments in the pool was based on unaudited quoted market values as provided by the County Treasurer. The pool has not provided or obtained any legally binding guarantees during the period to support the value of the investments.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONT'D**

***D. Cash, Cash Equivalents, and Investments - Cont'd***

The County has established a Treasury Oversight Committee to monitor and review the management of public funds maintained in the investment pool in accordance with the County investment policy and the California Government Code. The oversight committee and the Board of Supervisors review and approve the investment policy annually. The County Treasurer prepares and submits a comprehensive investment report to the members of the oversight committee and the Board of Supervisors every month. The report covers the type of investments in the pool, maturity dates, par value, actual cost, and fair value.

Required disclosure information regarding categorization of investments and other deposit and investment risk disclosures can be found in the County's financial statements. The County of Del Norte's financial statements may be obtained by contacting the County of Del Norte Auditor Controller's office at 981 H Street, Suite 140, Crescent City, CA 95531.

For purposes of the accompanying statement of cash flows, the Authority considers all highly liquid investments with a maturity of three months or less when purchased, and their equity in the County of Del Norte investment pool, to be cash equivalents.

***E. Receivables***

Receivables consist mostly of amounts due from customers for services and amounts due from grant activities. These amounts are not shown a net of an allowance for doubtful accounts. Any doubtful accounts at June 30, 2019 were not considered material and therefore were not recorded.

***F. Other Assets***

***Inventory***

Inventory items are recorded as an expense at the time individual items are purchased rather than when consumed. Records are not maintained of inventory and supplies on hand, however, these amounts are not considered material.

***Deposit with Del Norte County***

The County of Del Norte holds a deposit of \$198,177 for the final sublease payment.

***G. Capital Assets***

Capital assets, which include property, plant, and equipment, are defined by the Authority as an asset with an individual cost of more than \$2,000 and an estimated useful life in excess of one year. Capital assets are valued at historical cost or estimated historical cost if actual historical cost is unavailable. Donated capital assets received prior to June 15, 2015, are recorded at their estimated fair value at the date of donation. Donated capital assets received after June 15, 2015, are recorded at acquisition value. Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase is not included as part of the capitalized value.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONT'D**

***G. Capital Assets - Cont'd***

Capital assets used in operations are depreciated or amortized using the straight-line method over the assets estimated useful life. The range of estimated useful lives by type of asset is as follows:

<u>Depreciable Assets</u>	<u>Estimated Lives</u>
Equipment	5-20 years
Structures and improvements	10-20 years

Maintenance and repairs are charged to operations when incurred. Betterments and major improvements which significantly increase values, change capacities or extend useful lives are capitalized. Upon sale or retirement of capital assets, the cost and related accumulated depreciation are removed from the respective accounts and any resulting gain or loss is included in the results of operations.

***H. Compensated Absences***

It is the Authority's policy to permit employees to accumulate a limited amount of earned but unused vacation and sick leave which vests with the employee and will be paid upon separation from Authority service. The liability for these compensated absences is recorded as long-term debt in the financial statements. The current portion of this debt is estimated based on historical trends. In the fund financial statements, proprietary funds report the liability as it is incurred. The Authority includes its share of social security and medicare taxes payable on behalf of the employees in the accrual for compensated absences.

***I. Deferred Outflows/Inflows of Resources***

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period and so will not be recognized as an outflow of resources (expense) until then.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period and so will not be recognized as an inflow of resources (revenue) until that time.

***J. Estimates***

The preparation of basic financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 2. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY**

**A. Deficit Net Position**

The Solid Waste fund had a net position deficit of \$495,515, caused by the post-closure liability.

**NOTE 3. CASH AND INVESTMENTS**

**A. Financial Statement Presentation**

As of June 30, 2019, the Authority's cash and investments consisted of the following:

Cash:	
Cash on hand	\$ <u>3,500</u>
Total Cash	<u>3,500</u>
Investments:	
Del Norte County Treasurer's Pool	<u>1,105,947</u>
Total Investments	<u>1,105,947</u>
Total Cash and Investments	<u>\$ 1,109,447</u>

**B. Cash**

**Custodial Credit Risk for Deposits** - Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or collateral securities that are in the possession of an outside party. The Authority and the County comply with the requirements of the California Government Code. Under this code, deposits of more than \$250,000 must be collateralized at 105 percent to 150 percent of the value of the deposit to guarantee the safety of the public funds.

**C. Investments**

The Authority does not have a formal investment policy. At June 30, 2019, all investments of the Authority were in the County of Del Norte investment pool. Under the provisions of the County's investment policy and the California Government Code, the County may invest or deposit in the following:

- Banker's Acceptances
- Commercial Paper
- Local Agency Investment Fund
- Medium Term Corporate Notes
- Money Market Funds
- Negotiable Certificates of Deposit
- Repurchase Agreements
- Securities of the Federal Government or its Agencies
- California State Registered Warrants, Treasury Notes and Bonds
- Local Agency Obligations
- Certificates of Deposit
- Pass-Through Security

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 3. CASH AND INVESTMENTS - CONT'D**

**Interest Rate Risk** - Interest rate risk is the risk of loss due to the fair value of an investment falling due to interest rates rising. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. To limit exposure to fair value losses resulting from increases in interest rates, the County's investment policy limits investment maturities to a term appropriate to the need for funds so as to permit the County to meet all projected obligations. The County limits its exposure to interest rate risk inherent in its portfolio by limiting individual maturities to 5 years or less.

**Credit Risk** - Credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The County's investment policy sets specific parameters by type of investment to be met at the time of purchase. As of June 30, 2019, the Authority's investments were all pooled with the County Treasury investment pool which is not rated by a nationally recognized statistical rating organization.

**Custodial Credit Risk for Investments** - Custodial credit risk for investments is the risk that, in the event of the failure of a depository financial institution, the Authority will not be able to recover its deposits or collateral securities that are in the possession of an outside party. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investments in securities through the use of mutual funds or government investment pools.

**Concentration of Credit Risk** - Concentration of credit risk is the risk of loss attributed to the magnitude of the Authority's investment in a single issuer of securities. When investments are concentrated in one issuer, this concentration presents a heightened risk of potential loss. The County's investment policy of the County contains limitations on the amount that can be invested in any one issuer. As of June 30, 2019, all investments of the Authority were in the County investment pool which contains a diversification of investments.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 4. CAPITAL ASSETS**

Capital assets activity for the year ended June 30, 2019 was as follows:

	<u>Balance</u> <u>July 1, 2018</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u> <u>June 30, 2019</u>
Capital assets, not being depreciated:				
Land	\$ <u>493,000</u>	\$ <u>      -</u>	\$ <u>      -</u>	\$ <u>493,000</u>
Total capital assets, not being depreciated	<u>493,000</u>	<u>      -</u>	<u>      -</u>	<u>493,000</u>
Capital assets, being depreciated:				
Equipment	168,324	-	-	168,324
Structures and improvements	<u>3,408,629</u>	<u>      -</u>	<u>      -</u>	<u>3,408,629</u>
Total assets, being depreciated	<u>3,576,953</u>	<u>      -</u>	<u>      -</u>	<u>3,576,953</u>
Less: Accumulated depreciation:				
Equipment	(158,804)	-	-	(158,804)
Structures and improvements	<u>(1,215,605)</u>	<u>(90,056)</u>	<u>      -</u>	<u>(1,305,661)</u>
Total accumulated depreciation	<u>(1,374,409)</u>	<u>(90,056)</u>	<u>      -</u>	<u>(1,464,465)</u>
Total capital assets, being depreciated, net	<u>2,202,544</u>	<u>(90,056)</u>	<u>      -</u>	<u>2,112,488</u>
Capital assets, net	<u>\$ 2,695,544</u>	<u>\$ (90,056)</u>	<u>\$      -</u>	<u>\$ 2,605,488</u>

Depreciation expense of \$90,056 was charged to operations.

**NOTE 5. LONG-TERM LIABILITIES**

The following is a summary of changes in long-term liabilities for the year ended June 30, 2019:

	<u>Balance July</u> <u>1, 2018</u>	<u>Additions/</u> <u>Adjustments</u>	<u>Retirements/</u> <u>Adjustments</u>	<u>Balance</u> <u>June 30,</u> <u>2019</u>	<u>Due Within</u> <u>One Year</u>
Compensated absences	\$ 65,511	\$ 35,963	\$ (34,065)	\$ 67,409	\$ 67,409
Sublease payable	2,400,815		(116,130)	2,284,685	119,986
Post-closure	1,961,782		(95,949)	1,865,833	
Net OPEB liability	<u>575,889</u>		<u>(154,196)</u>	<u>421,693</u>	
Total Long Term Liabilities	<u>\$ 5,003,997</u>	<u>\$ 35,963</u>	<u>\$ (400,340)</u>	<u>\$ 4,639,620</u>	<u>\$ 187,395</u>

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 5. LONG TERM LIABILITIES - CONT'D**

Individual issues of debt payable outstanding at June 30, 2019, are as follows:  
 Sublease Payable:

County of Del Norte Facility Sublease issued May 1, 2004 in the amount of \$3,535,000, due in annual installments of \$78,475 to \$183,454, with an interest rate of 3.32% and maturity of August 1, 2033. The sublease was used to finance the construction of the transfer station.

\$ 2,284,685

Total Sublease Payable

\$ 2,284,685

Following is a schedule of debt payment requirements of the proprietary fund, excluding compensated absences that have indefinite maturities, post-closure which is reported in Note 6 and Net OPEB Liability which is reported in Note 9.

Year Ended June 30	Sublease Payable		
	Principal	Interest	Total
2020	\$ 119,986	\$ 73,860	\$ 193,846
2021	123,969	69,810	193,779
2022	128,085	65,626	193,711
2023	132,337	61,303	193,640
2024	136,731	56,836	193,567
2025-2029	754,837	211,819	966,656
2030-2034	888,740	75,692	964,432
Total	\$ 2,284,685	\$ 614,946	\$ 2,899,631

**NOTE 6. POST-CLOSURE**

The Authority is responsible for one closed solid waste landfill site. State and federal laws and regulations require the Authority to perform certain maintenance and monitoring functions at the landfill site for thirty years after closure. GASB Statement No. 18 requires a portion of these post-closure care costs are reported as an operating expense in each period based on landfill capacity used as of each statement of net position date. Since the landfill is no longer accepting waste, the entire estimated expense and liability have been reported.

As of June 30, 2019, the Authority's estimated remaining liability for post-closure maintenance costs were \$1,865,833. This amount is based on the amount that would be paid if all equipment, facilities, and services required to monitor the landfill were acquired as of June 30, 2019. Actual costs may be higher due to inflation, changes in technology, or changes in regulations.

The Authority is required by the California Code of Regulations to provide financial assurance that appropriate resources will be available to finance post-closure costs in the future. The Authority intends to fund the post-closure liability through a pledge of revenue from the new transfer station/materials recovery facility. The Authority expects that future inflation costs will be paid from interest earnings on these annual contributions.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 7. NET POSITION**

The proprietary fund financial statements utilize a net position presentation. Net position is categorized as net investment in capital assets, restricted, and unrestricted.

- **Net investment in capital assets** - Consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction or improvement of those assets.
- **Restricted net position** - Consists of net position with constraints placed on the use either by (1) external groups such as creditors, grantors, contributors or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- **Unrestricted net position** - All other net position that does not meet the definition of "restricted" or "net investment in capital assets".

***Net Position Flow Assumption***

When a government fund outlays for a particular purpose from both restricted and unrestricted resources, a flow assumption must be made about the order in which the resources are considered to be applied. When both restricted and unrestricted net position is available, it is considered that restricted resources are used first, followed by the unrestricted resources.

**NOTE 8. EMPLOYEE BENEFITS**

**A. *Employee's Retirement Plan***

The Authority employees are covered under the retirement plan of the County of Del Norte. The County of Del Norte bills the Authority monthly for the costs of the retirement benefits.

The County contributes to the California Public Employees Retirement System (PERS), an agent multiple-employer public employees defined benefit plan. PERS provides retirement and disability benefits, the annual cost of living adjustments, and death benefits to plan members and beneficiaries. PERS acts as a common investment and administrative agent for participating public entities within the State of California. Benefit provisions and all other requirements are established by statute. Copies of PERS' annual financial report may be obtained from their executive office - 400 Q Street, Lincoln Plaza East, Sacramento, CA 95811. Required disclosure information regarding the total retirement plan can be found in the County's audited financial statements. Separate information regarding the Authority is not available.

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 9. OTHER POSTEMPLOYMENT BENEFITS (OPEB)**

***A. Important Dates Used in the Valuation***

GASB 75 allows reporting liabilities as of any fiscal year end based on: (1) a *valuation date* no more than 30 months plus 1 day prior to the close of the fiscal year end; and (2) a *measurement date* up to one year prior to the close of the fiscal year. The following dates were used for this report:

Fiscal year end	June 30, 2019
Measurement date	June 30, 2018
Measurement period	June 30, 2017 to June 30, 2018
Valuation date	June 30, 2017

***B. Plan Description***

The Authority provides medical and dental benefits for retired employees and their dependents through a self-insured trust administered by Del Norte County. The Authority recently made dental-only coverage available to retirees at age 65 and over. Composite premium rates as of the valuation date are as follows:

Coverage	Employee Only	Employee +1	Employee+2 or more
Medical and Dental	\$ 798	\$ 1,547	\$ 1,898
Post 65 Dental Only	60	115	165

This coverage is available to employees who retire after having attained age 50 (age 52 if a miscellaneous PEPRRA employee, or earlier age in the event of approved disability retirement) and complete a minimum number of years of service with the Authority. The required years of service to be eligible for benefits varies based on employment date, as shown below:

<u>Date of Hire</u>	<u>Years of Service</u>
Before January 01, 2007	5
January 01, 2007 to January 01, 2009	10
January 01, 2009 and after	15

The Authority permits eligible retirees to continue their medical and/or dental coverage through the Authority for their lifetime. The Authority then charges the retiree for coverage based on age, years of Authority service and coverage level (i.e. single, two-party or family coverage). The following table shows the monthly amounts paid by retirees in 2017 and in 2018 for medical and dental coverage:

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 9. OTHER POSTEMPLOYMENT BENEFITS (OPEB) - CONT'D**

Premium Rates paid by Retirees Effective November 1, 2009						
Age	Under 65			65 and over		
Years of Service	Retiree Only	Retiree & 1 Dep.	Retiree & Family	Retiree Only	Retiree & 1 Dep.	Retiree & Family
Less than 10 years	Cobra coverage for up to 18 months					
At least the 10 years, but less than 16	\$ 386.06	\$ 748.89	\$1,127.20	\$ 225.00	\$ 439.91	\$ 555.15
At least 16, but less than 21	257.25	559.76	875.02	200.00	414.91	530.15
At least 21, but less than 25	128.68	343.59	458.83	175.00	389.91	505.16
At least 25 or more	-	214.91	344.50	150.00	364.91	480.15

**C. Actuarial Methods and Assumptions**

The Authority's net OPEB liability was measured as of June 30, 2018 and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation dated June 30, 2017 that was rolled forward to determine the June 30, 2018 total OPEB liability, based on the following actuarial methods and assumptions:

Valuation Date	June 30, 2017
Measurement Date	June 30, 2018
Funding Method	Entry Age Normal Cost, level percent of pay
Asset Valuation Method	Market value of assets
Long Term Return on Assets	7.0% as of June 30, 2018 and as of June 30, 2017, net of plan investment expenses and including inflation
Discount Rate	7.0% as of June 30, 2018 and as of June 30, 2017
Participants Valued	Only current active employees and retiree participants and covered dependents are valued. No future entrants are considered in this valuation.
Salary Increase	3.25% per year; since benefits do not depend on salary, this is used only to allocate the cost of benefits between service years.
Assumed Wage inflation	3.0% per year; used to determine amortization payments for the ADC if developed on a level percent of pay basis.
General Inflation Rate	2.75% per year

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 9. OTHER POSTEMPLOYMENT BENEFITS (OPEB) - CONT'D**

Mortality rates and improvement: Mortality rates published by CalPERS, were adjusted to back out 20 years of Scale BB to central year 2008, then projected using the MacLeod Watts Scale 2017 applied generationally.

Termination rates: Termination rates described above were doubled as follows:

- All service values less than 5, regardless of attained age
- All service values less than 10 for attained ages less than 40

***D. Discount rate***

When the financing of OPEB liabilities is on a pay-as-you-go basis, GASB 75 requires that the discount rate used for valuing liabilities be based on the yield or index rate for 20-year, tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher (or equivalent quality on another rating scale). When a plan sponsor makes regular, sufficient contributions to a trust in order to prefund the OPEB liabilities, GASB 75 allows use of a rate up to the expected rate of return of the trust. Therefore, prefunding has an advantage of potentially being able to report overall lower liabilities due to future expected benefits being discounted at a higher rate.

***E. Funding Policy***

The Authority made partial prefunding contributions to its OPEB trust for many years; in the current year, it accelerated the contribution level substantially and future contributions are anticipated to exceed 100% of the Actuarially Determined Contributions each year. With the Authority's approval, the discount rate used in this analysis is 7.0% as of June 30, 2016 and as of June 30, 2017, the long term expected return on trust assets.

***F. Sensitivity of Liabilities to Changes in the Discount Rate and Healthcare Cost Trend Rate***

The discount rate used for the fiscal year end 2018 is 7.0%. Healthcare cost trend rate was assumed to start at 8.0% in 2019 and grade down to 5.0% for years 2025 and thereafter. The impact of a 1% increase or decrease in these assumptions is shown in the chart below.

Change in Discount Rate	Discount Rate-1% (6%)	Current Discount Rate (7%)	Discount Rate+1% (8%)
Total OPEB Liability	\$ 865,552	\$ 761,379	\$ 676,645
Net OPEB Liability (Assets)	\$ 525,866	\$ 421,693	\$ 336,959
Change in Healthcare Cost Trend Rate	Current Trend - 1%	Current Trend	Current Trend +1%
Total OPEB Liability	\$ 652,083	\$ 761,379	\$ 898,859
Net OPEB Liability (Assets)	\$ 312,397	\$ 421,693	\$ 559,173

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 9. OTHER POSTEMPLOYMENT BENEFITS (OPEB) - CONT'D**

**G. Deferred Resources as of Fiscal Year End and Expected Future Recognition**

The exhibit below shows deferred resources as of the fiscal year end June 30, 2019.

	<u>Deferred Outflow of Resources</u>	<u>Deferred Inflow of Resources</u>
Changes of Assumptions	\$ -	\$ -
Differences Between Expected and Actual Experience	-	-
Net Difference Between Projected and Actual Earnings on Investments	859	-
Deferred Contributions	<u>204,180</u>	<u>-</u>
Total	<u>\$ 205,039</u>	<u>\$ -</u>

**H. Detail of Changes to Net Position**

The chart below details changes to all components of Net Position.

	<u>Total OPEB Liability (a)</u>	<u>Fiduciary Net Position (b)</u>	<u>Net OPEB Liability (c) = (a) - (b)</u>
Balance at Fiscal Year Ending 6/30/2018	\$ <u>740,081</u>	\$ <u>164,192</u>	\$ <u>575,889</u>
Changes During the Period:			
Service Cost	19,172	-	19,172
Interest Cost	51,422	-	51,422
Expected Investment Income	-	17,203	(17,203)
Employer Contributions	-	212,752	(212,752)
Changes of Benefit Terms	-	-	-
Administrative Expenses	-	(112)	112
Other Trust Expenses	-	(217)	217
Benefit Payments	(49,296)	(49,296)	-
Assumption Changes	-	-	-
Benefit Payments	-	-	-
Plan Experience	-	-	-
Investment Experience	-	(4,836)	4,836
Recognized Deferred Resources	-	-	-
Employer Contributions Subsequent to Measurement date	-	-	-
Net Changes in Fiscal Year 2018-2019	<u>21,298</u>	<u>175,494</u>	<u>(154,196)</u>
Balance at Fiscal Year Ending 6/30/2019	<u>\$ 761,379</u>	<u>\$ 339,686</u>	<u>\$ 421,693</u>

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2019**

**NOTE 9. OTHER POSTEMPLOYMENT BENEFITS (OPEB) - CONT'D**

The Authority will recognize the Deferred Contributions in the next fiscal year. In addition, future recognition of these deferred resources is shown below.

Measurement Period Ended June 30:	Deferred Outflows/ (Inflows) of Resources
2020	\$ (37)
2021	(37)
2022	(35)
2023	968
2024	-
Thereafter	-

**NOTE 10. RISK MANAGEMENT**

The Authority is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Authority purchases coverage from a private insurance company. In addition, they participate in the County liability program. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years. As of June 30, 2019, the Authority did not have landfill insurance.

**NOTE 11. RELATED PARTY TRANSACTIONS**

The Authority has related party transactions with the County of Del Norte. During the year ended June 30, 2019, the Authority paid the County \$2,158 for liability insurance and \$10,592 for health insurance. The Authority provides free dumping service to the County of Del Norte and the City of Crescent City as required in the Joint Powers Agreement.

**NOTE 12. OTHER INFORMATION**

**A. Subsequent Events**

Management has evaluated events subsequent to June 30, 2019 through January 27, 2020, the date on which the financial statements were available for issuance. Management has determined no subsequent events requiring disclosure have occurred.

**REQUIRED SUPPLEMENTARY INFORMATION (UNAUDITED)**

Draft

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**SCHEDULE OF CHANGES IN THE NET OPEB LIABILITY AND RELATED RATIOS**  
**JUNE 30, 2019**

	<u>June 30, 2019</u>	<u>June 30, 2018</u>
Total OPEB liability		
Service cost	\$ 19,172	\$ 18,569
Interest cost	51,422	48,880
Changes of benefit terms	-	-
Differences between expected and actual experience	-	-
Changes of assumptions	-	-
Benefit payments	<u>(49,296)</u>	<u>(14,175)</u>
Net change in Total OPEB Liability	<u>21,298</u>	<u>53,274</u>
Total OPEB Liability - Beginning	<u>740,081</u>	<u>686,807</u>
Total OPEB Liability - Ending (a)	<u>761,379</u>	<u>740,081</u>
Plan fiduciary net position		
Employer Contributions	212,752	36,425
Expected investment income	17,203	14,706
Investment experience	(4,836)	-
Benefit payments	(49,296)	(14,175)
Other trust expenses	(217)	-
Administrative expenses	<u>(112)</u>	<u>(75)</u>
Net change in plan fiduciary net position	175,494	36,881
Plan fiduciary net position - Beginning	<u>164,192</u>	<u>127,311</u>
Plan fiduciary net position - Ending (b)	<u>339,686</u>	<u>164,192</u>
Net OPEB Liability - Ending (a) - (b)	<u>\$ 421,693</u>	<u>\$ 575,889</u>
Covered - employee payroll	\$ 267,781	\$ 257,645
Net OPEB liability as a % of covered - employee payroll	157.48 %	223.52 %

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY**  
**SCHEDULE OF CONTRIBUTIONS**  
**JUNE 30, 2019**

<u>Schedule of Contributions</u>	<u>June 30, 2019</u>	<u>June 30, 2018</u>
Actuarially Determined Contribution (ADC)	\$ 53,877	\$ 163,456
Contributions in relation to the ADC	<u>204,180</u>	<u>212,752</u>
Contribution deficiency (excess)	<u>\$ (150,303)</u>	<u>\$ (49,296)</u>
Covered employee payroll during fiscal year	\$ 286,686	\$ 267,781
Contributions as a % of covered-employee payroll	71.22%	79.45%

**Notes to Schedule:**

**Methods and assumptions used to establish "actuarially determined contribution" rates:**

Valuation date	June 30, 2017
Actuarial cost method	Entry Age Normal Cost, level percent of pay
Amortization method	Level %
Amortization period	30 years closed
Asset valuation method	Market value
Inflation	2.75%
Healthcare cost trend rates	8% in 2019 to 5% in steps of 0.5%
Salary increases	3.25%
Investment rate of return	7.0%
Retirement age	50 to 75
Mortality	CalPERS 2014 Experience Study
Mortality Improvement	MW Scale 2017 generationally

COMPLIANCE SECTION

Draft

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH  
GOVERNMENT AUDITING STANDARDS**

To the Board of Commissioners  
Del Norte Solid Waste Management Authority  
Crescent City, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the proprietary fund of the Del Norte Solid Waste Management Authority, Crescent City, California (Authority) as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements and have issued our report thereon dated January 27, 2020.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Authority's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We did identify certain deficiency in internal control, described in the accompanying schedule of findings and responses as an item 2019-001 that we consider to be significant deficiency.

### Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Authority's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### Authority's Response to Findings

The Authority's responses to the findings identified in our audit are described in the accompanying schedule of findings and responses. The Authority's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

### Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Oakland, California  
January 27, 2020

DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY  
SCHEDULE OF FINDINGS AND RESPONSES  
FOR THE YEAR ENDED JUNE 30, 2019

**SECTION I - SUMMARY OF AUDITOR'S RESULTS**

**Financial Statements**

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

- |   |     |
|---|-----|
| ▪ Material weakness(es) identified?   | No  |
| ▪ Significant deficiency(ies) identified that are not considered to be material weakness? | Yes |
| ▪ Noncompliance material to financial statements noted?                                   | No  |

Draft

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY  
SCHEDULE OF FINDINGS AND RESPONSES  
FOR THE YEAR ENDED JUNE 30, 2019**

**SECTION II - AUDIT FINDING IN RELATION TO FINANCIAL STATEMENTS**

**2019-001 GASB 68 Implementation (Significant Deficiency) - Repeated (PY Finding 2018-002)**

**Condition:**

During our audit we noted that Authority employees are reported to CalPERS under the County of Del Norte pension plan.

**Criteria:**

Governmental Accounting Standards Board Statement No. 68, which is effective for the Authority for periods beginning after June 15, 2014, addresses accounting and financial reporting for pensions that are provided to employees of local governments.

**Effect:**

The Authority may not have information for compliance with GASB 68.

**Cause:**

The Authority employees are treated as County of Del Norte employees for purposes of pension reporting.

**Auditor's Recommendations:**

We recommend that the Authority review the requirements of GASB 68 and take steps necessary to ensure compliance with GASB 68.

**Management's Response:**

**DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY  
SCHEDULE OF FINDINGS AND RESPONSES  
FOR THE YEAR ENDED JUNE 30, 2019**

**SECTION III - STATUS OF PRIOR YEAR AUDIT RECOMMENDATIONS**

**2018-001**

**Deficit Net Position**

**Recommendation**

We recommend that the Authority consider all expenses including depreciation and post-closure costs when setting rates and adopting the annual budget. We further recommend that the Authority review options to manage this deficit and begin a program to fund the liability.

**Status**

Implemented

**2018-002**

**GASB 68 Implementation**

**Recommendation**

We recommend that the Authority review the requirements of GASB 68 and take steps necessary to ensure compliance with GASB 68.

**Status**

Not Implemented



# 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](http://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.

## CORRECTIVE ACTION PLAN PROPOSED BY THE DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY

Date: 14 February 2020

To: Albert Hwu, Patel & Associates, LLP

From: Tedd Ward, M.S. – Director  
Richard D. Taylor – Treasurer / Controller  
Del Norte Solid Waste Management Authority

cc: Clinton Schaad, Del Norte County Auditor

File Number: 012101 – DNSWMA Audit for FY 19/20

The following are staff responses and Draft Annual Financial Statement for the year ended June 30, 2019, and proposed corrective actions to the audit, findings and recommendations presented by Harshwall & Associates pertaining to the Del Norte Solid Waste Management Authority (Authority). These comments were reviewed and approved for submittal by the Authority Board on February 18, 2020.

### Management Responses:

The following responses are specific to the numbered findings presented in that report.

**2019-001** ***GASB 68 Implementation (Significant Deficiency) – Repeated (Page 33)***

**2018-002** ***(Page 34) – Not Implemented***

*The audit report indicates that Authority employees are reported to CalPERS under the County of Del Norte pension plan, and treated as County of Del Norte employees for the purposes of pension reporting. This same comment was made as part of the audits for the past six fiscal years.*

## **2019-001 Authority Staff Response & Plan for Action**

Authority implementation of GASB 68 requirements are similar to the level of implementation of these requirements achieved by other Del Norte County departments.

In conversation County Auditor Clinton Schaad has confirmed that until Del Norte County separates the pension records for Authority employees from other employees of Del Norte County and other entities for which it keeps accounts, Authority staff will not have the information necessary to comply with GASB 68. Authority staff have requested that the County Auditor separate Authority employees for pension reporting under CalPERS.

The Authority Treasurer/Controller and Authority staff will review the requirements of Governmental Accounting Standards Board Statement number 68, addressing accounting and financial reporting requirements for pensions provided to local government employees, and take steps in coordination with the Del Norte County Auditor and Del Norte County Personnel Departments to ensure compliance with GASB 68.

## **2018-001 Deficit Net Position (Page 34)**

*The annual financial the Solid Waste fund had a net deficit position for the agency of (\$495,515) at the end of FY 18/19, caused by the postclosure liability associated with the Crescent City Landfill. The Authority has met its requirements to address the financial liabilities and potential need for corrective actions associated with the Crescent City Landfill through a Pledge of Revenue under Resolution 2018-02.*

*This is a repeat of a prior finding, noting that the rates as set by the Authority were not sufficient to cover post-closure liability and debt service requirements. The audit report recommends that the Authority consider all expenses, including depreciation and postclosure costs when adopting the annual budget, and that the Authority review options to manage this deficit and begin a program to fund the liability.*

## **2018-001 Authority Staff Response & Plan for Action**

When the Del Norte Solid Waste Management Authority was formed in 1992 the adopted Joint Powers Agreement transferred all debt and liability related to solid waste, recycling and the County-owned, Crescent City Landfill to the Authority, and these

debts and liabilities still impact the financial position of this agency.

Because historical landfill operations and oversight did not set rates sufficiently high in the past to provide funds for closure and post-closure, the Authority must pledge revenue from the operational transfer station to pay for post-closure maintenance costs. This means that current customers are paying for expenses that accrued in the past.

While the Authority's continuing obligations with respect to the post-closure maintenance of the Crescent City Landfill will continue to keep the Authority in a net deficit position for the short and medium term, raising rates is not the only way to address this fiscal responsibility. Specifically, the California Department of Resources Recycling and Recovery (CalRecycle) requires that the Authority demonstrate that mechanisms are in place to address any potential urgent needs associated with this closed landfill.

CalRecycle requires under California Public Resources Code (PRC) sections 43500 through 43610.1 and Title 27 of the California Code of Regulations ("Regulations"), Division 2, Subdivision 1, Chapter 6, Article 2, that operators of solid waste landfills to demonstrate the availability of financial resources to conduct postclosure maintenance and corrective action activities, and sections 22228 and 22245 of the Regulations specify a Pledge of Revenue as an acceptable mechanism to demonstrate financial responsibility for financing postclosure maintenance and corrective action costs of a solid waste landfill. Towards that end, the Authority has used a Pledge of Revenue, approved by CalRecycle and provided to Patel & Associates, to address these requirements.

Furthermore, the Authority Board has standing direction that Authority staff annually request that CalRecycle review and approve a reduced multiplier for the approved annual postclosure maintenance cost estimate. This cost estimate of post-closure liability is determined by multiplying the annual post-closure maintenance cost estimate times 30. CalRecycle has repeatedly approved the Authority's application to reduce this multiplier from 30 to 18, reducing the Authority's post-closure liability by \$1,217,112. It is worth noting that the projected annual post-closure maintenance costs increased in 2018 as the Authority submitted information as part of the permit review for the Crescent City Landfill, and increasing the calculated amount of the landfill liability, though the programmatic responsibilities have changed little.

Compared to the prior fiscal year, the Authority's net position improved by \$393,952 from (\$889,467) to (\$495,515). Factors that impacted this calculation included estimates for annual landfill post-closure liability, increased recognition of retirement and other post-employment benefits as liabilities, and increases in County interfund payments (for accounting, payroll, human resources, and information technology services).

This is the eighth consecutive audit that has identified the Authority's deficit net position as a significant deficiency. It is also worth noting that though the Authority Board has raised rates as recommended by prior audits, it will still be many years before revenues accrue to adequately address the calculated liabilities associated with the Crescent City Landfill.

As a partial response to this repeated finding, the rates adopted by the Del Norte Solid Waste Management Authority Board which went into effect 01 July 2018 did consider all expenses, including depreciation and postclosure costs when adopting the annual budget, and increased customer rates to address both this comment and the outstanding OPEB liabilities and obligations. It is worth noting that the improvement in net position was greater this past fiscal year than it was the year prior. If trends continue, the Authority may see a positive net position within the next three fiscal years.

Considered together, the Authority's Pledge of Revenue addresses the potential financial obligations associated with the Crescent City Landfill, regardless of the specific amount, while the annual application to reduce the multiplier represents the Authority's ongoing efforts to reduce those calculated liabilities.

Despite these rate increases, Authority managed facilities continue to have the lowest per ton disposal fees in the region. The Authority will again consider this finding during the setting of rates in 2020.



P.O. Box 129 445 Elk Valley Road  
Crescent City, CA 95531

(707) 464-6131  
Fax (707) 464-9375

---

Hambro Forest Products, Inc. dba Hambro Recycling is considering offering remote location CRV recycling collection in addition to its Recycling Center in Crescent City. The plan is to provide an opportunity to the remote outlying areas of Del Norte County to recycle CRV beverage containers, aluminum, plastic and glass. It is our desire to provide residents of these locations the ability to recycle and be compensated for the funds mandated when consumers purchase CRV products.

CalRecycle recognizes the convenient recycling problem for rural communities. CalRecycle has established a Beverage Container Recycling Pilot Program (SB 458-2017 and AB 54-2019). Hambro is considering offering service to these underserved areas of Del Norte county. The pilot program would provide assistance in establishing this operation.

Hambro is considering travel to Klamath, Gasquet and Smith River following the schedule and locations below. Requirements of Section 14571.9 and AB 54 call for 8 hours per day on the weekdays and 8 hours per day on the weekend. This schedule would satisfy this requirement.

Klamath would be open on Sundays and would locate at the Klamath Transfer Station from 10:00 Am to 4:00 PM following the hours of the Transfer Station, this would allow for two people on site for convenience and security reasons. Criteria in Section 14571.9 and AB 54 mandate the operation be open to the public for the minimum of eight hours per day. Hambro would setup outside the receiving gate or secure another location in Klamath to fulfill the eight-hour CalRecycle requirement. Klamath is 22 miles from Crescent City and has a population of approximately 800 people.

Gasquet would be open on Saturdays and would locate at the Gasquet Transfer Station from 10:00 AM to 4:00 PM following the hours of the Transfer Station, as in Klamath, this would allow for two people on site for convenience and security reasons. Criteria in Section 14571.9 and AB 54 mandate the operation be open to the public for the minimum of eight hours per day. Hambro would setup outside the receiving gate or secure another location in Gasquet to fulfill the eight-hour CalRecycle requirement. Gasquet is 18 miles from Crescent City and has a population of approximately 700 people.

Smith River would be open on Tuesdays and would locate at the Howenquet Hall Community Center parking lot from 9:00 AM to 5:00 PM with permission granted by the Tolowa

Dee-ni' Nation. Smith River is 14 miles from Crescent City and has a population of approximately 900 people.

Hambro's plan is to provide this service to those people who may have no way or limited ability to visit our CRV Recycle Buy Back Center here in Crescent City. Hambro will send a truck equipped with certified scales, material moving equipment (pallet jack, etc.) an electronic tablet for recording transactions and a cash box, manned by a trained employee. We will inspect material, weigh, redeem and store CRV material in the truck. At the end of the day the employee will return truck, equipment, material and remaining cash our CRV storage facility at Hambro Forest Products, Inc. located at 445 Elk Valley Road, Crescent City, CA 95531.

Other requirements of Section 14571.9.

1. Located in a rural region
2. Per AB 54 operating in a convenience zone isn't a requirement.
3. Hours and days of operation are eight hours on the weekday and eight hours on the weekend are covered under AB 54.
4. Handling fees will be allowed anywhere within a pilot project area under AB 54.
5. Follow all requirements for signage (certification sign, open sign, payment method sign, daily purchase limits, CRV pricing, hours of operation), only eligible CRV containers are redeemable, separate transaction records for each location and provide a map of the pilot project area will be maintained.

A requirement that Hambro would like to see amended is Subchapter 9.5 Pilot Projects, Article 1. Requirements for Pilot Projects. 2768 (e), Pilot project recyclers shall pay the refund value for no more than 25 pounds of aluminum or plastic beverage containers or 250 pounds of glass beverage containers from a give consumer per day. Hambro has suggested the rural centers have the same redemption level as recycling center in Crescent City. That limit is 100 pounds for aluminum and plastic and 1000 pounds of glass per consumer per day. Giving the consumer one day a week to recycle and having a low limit may impact the amount of recycling at the rural recycling center

A successful application would provide the opportunity to apply for a grant to assist with the funding of the pilot project. The current CRV salvage prices are 25% of the salvage value a year ago. This program could provide additional material to spread costs of doing business in remote community over a larger volume of material.

Hambro would begin operations as soon as applications are approved by CalRecycle. Operations will be evaluated for profitability and the impact on the people served. Surveys to receive feedback from the customers will be conducted. If the program proves successful operations will continue after the pilot project ends in July of 2022 either by continued support from CalRecycle or Del Norte Solid Waste Management Authority.

---

Attachments: SB 458-2017

AB 54-2019

DIVISION 12.1 - CALIFORNIA BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION

CHAPTER 6 - Returns

Section 14571.9.

Pilot Projects Emergency Regulations Final Text

---



# 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:** 12 February 2020  
**To:** Commissioners of the Del Norte Solid Waste Management Authority  
**From:** Tedd Ward, M.S. - Director  
**File Number:** 120502 – Legislation & Support

**Attachments:**

1. California Climate Strategy - Waste Sector Goals
2. ESJPA's legislative proposal
3. Draft Survey re. SB 1383 from Larry Sweetser
4. City of Los Angeles proposal for legislation for funding organics recovery and recycling
5. SB 1383 Summary and Impacts on Rural Jurisdictions

**Topic:** Advocacy with ESJPA for legislation addressing rural communities' compliance with SB 1383

**Recommendation:** That the Board take the following actions:

1. Review and provide feedback regarding the ESJPA's legislative proposal,
2. Direct staff to work with ESJPA staff as well as other affiliated organizations and colleagues to advocate as necessary to find an author for this legislation this year,
3. Authorize Chair to sign support letters as needed while this bill moves through the legislative and committee review process.

**Background:** In August 2019, the Authority Board directed staff to "...begin preparations for discussions with legislative representatives to develop and advocate for legislation in the next legislative session that would enable rural jurisdictions like Del Norte to address short-term climate pollutants. Such alternative compliance might include serving as demonstration areas for new on-site composting technologies or end-use markets for finished compost on grazing lands to sequester carbon."

In October 2019, the Authority Board directed staff to "...hire a professional services contractor to develop a plan and cost projections for SB 1383 compliance in Del Norte." In January, Director Ward reported that he was in discussion with Mary Pitto, an independent contractor who had up until last year served as director of the ESJPA, to develop a sole-source contract to provide these services. Director Ward reported that Ms. Pitto's current work with the ESJPA - as a contractor analyzing the

requirements of SB 1383, including potential legislative proposals - would help provide essential context for any work she would do in Del Norte. Consequently, discussions with Ms. Pitto regarding this scope of services and analysis have been deferred for the next few months.

On 12 February, Director Ward met with County Administrative Officer Jay Sarina, City Manager Eric Weir and Community Development Director Heidi Kunstal to discuss these efforts. Such coordination meetings will continue as we work together to craft strategies to efficiently navigate these new requirements.

**Analysis:** Over the past eight months, staff have been engaged in educating the Authority as well as County and City staff regarding the significant level of effort and coordination that will be required to comply with SB 1383, perhaps even if it is significantly revised. The Authority Board has thus far consistently directed staff to stay engaged on this issue, also to work with the ESJPA and our legislative representatives to propose alternative compliance approaches that are better suited to our rural circumstances. It is in no small part due to that direction that the ESJPA staff have been working with Director Ward as they have been developing these legislative concepts and strategies to advocate for a bill with reasonable prospects for passage.

By endorsing legislative concepts and supporting all efforts of our legislative representatives to enact such legislation, the Authority Board can help craft legislation that results in more practical and effective rural programs.

**As the ESJPA staff feel Assembly member Wood could be a strategically attractive author of such a bill, the Authority's support for these legislative concepts at this time may be critical to the success of this effort.** In short, if the Authority cannot commit to supporting these concepts at this stage, Assembly member Wood might not agree to author such a bill. Staff feel if the Authority makes the extraordinary request that our legislative representative author and carry a bill for our benefit, then it is most appropriate that the Authority be ready and able to support that effort at every opportunity.

**Alternatives:** The Board could alternatively direct staff to:

- 1. Make specific suggestions to modify the legislative concepts as proposed.**
- 2. Take no action.** Such action would undermine staff and ESJPA efforts made thus far, and may result in Assembly member Wood declining to author the bill. Yet such action would be preferable to abandoning this effort at a later date.
- 3. Make additional suggestions regarding authors or legislative content to increase the chances of such legislation being enacted.**

**Fiscal Impacts:** Compliance with SB 1383 will be expensive. If enacted, the proposed legislative concepts would both defer and reduce the magnitude of those expenses.

**Related Issues:** This issue is also addressed under the proposed Guiding Principles for Legislative Advocacy under **Agenda Item 7.5**. Attached to this staff report is another legislative proposal being floated by the City of Los Angeles to make funding available to site, permit and construct organics processing facilities, as well as provide some financial support to recycling centers. This is a separate but parallel effort to address some of the basic compliance challenges that SB 1383 poses.

# California Climate Strategy

## Waste Sector Goals



### Strategy

- **2008-2013** Under California's groundbreaking 2008 Climate Change Strategy, the state Air Resources Board takes action to regulate landfill emissions and collaborate with CalRecycle to set new recycling targets.
- **2014-2016** Scoping Plan revisions and legislative actions solidify organic waste reduction targets established in the Short-lived Climate Pollutant Strategy (SLCP) and set initial requirements.
- **2016-2022** The state increases organic waste recycling requirements from large commercial generators (2016) to all generators (2022).

### Investments

**2014-15** California invests \$14.5 million in Cap and Trade proceeds for organic waste recycling infrastructure project grants.

**2016-17** California invests \$24 million in Cap and Trade proceeds for organic waste recycling infrastructure project grants.

**2017-18** California invests \$25 million in Cap and Trade proceeds for organic waste recycling infrastructure project grants, and \$9.4 million for Cap and Trade proceeds in food waste prevention and food rescue programs.

### Planning

#### **2008 2020 Climate Change Strategy Recommends Increased Organic Waste Recycling**

The AB 32 *Climate Change Scoping Plan* establishes the state's climate change strategy and calls for actions to reduce methane emissions at landfills and increase composting.

#### **2014 Climate Strategy Expanded and Initial Organic Waste Targets and Requirements Set**

*Climate Change Scoping Plan Update* recommends elimination of organic waste disposal. AB 1826 (Chesbro) requires local jurisdictions to provide organic waste recycling services to their businesses by 2020.

#### **2015 Organic Waste Capacity Planning Requirements**

AB 876 (McCarty) requires local jurisdictions to plan for the additional capacity to recycle all of their organic waste.

#### **2016 2030 Climate Change Goals and 75% Organic Waste Reduction Required**

SB 32 (Pavley) establishes 2030 climate change goals. SB 1383 (Lara) codifies organic waste disposal reduction target of 75% by 2025 as a part of the SLCP strategy phasing in organic waste recycling requirements by 2022.

### Results

#### **2025 75% Organic Waste Reduction Target**

The 75% organic waste reduction target requires the state to reduce landfill disposal to no more than 5.7 million tons of organic waste. The 20% food recovery target will help reduce hunger in California.

### Action

#### **2016-2017 Large Businesses Required to Recycle Organic Waste**

Jurisdictions are required to provide organic waste recycling services to large businesses.

#### **2019 Medium Businesses Required to Recycle Organic Waste**

Jurisdictions are required to provide organic waste recycling services to medium businesses.

#### **2020 Small Businesses Required to Recycle Organic Waste, 50% Organic Waste Reduction Target**

Jurisdictions are required to provide organic waste recycling services to small businesses. The 50% organic waste reduction target requires the state to reduce landfill disposal to no more than 11.5 million tons of organic waste.

#### **2022 Residential Organic Waste Recycling and Commercial Food Recovery Requirements Take Effect**

Jurisdictions are required to provide service to all residential generators and the balance of their businesses. Jurisdictions and food establishments are required to implement food waste prevention programs to donate unsold food.

#### **2030 Greenhouse Gas Emissions reduced to 40% below 1990 levels**

Phasing in of organic waste disposal reduction programs will reduce approximate 47-57 MMTCO<sub>2</sub>e by 2030 and contribute more than 4 MMTCO<sub>2</sub>e annually to the state's climate change targets.



Food Recovery



Jobs



Healthy Soil



Water Conservation



Clean Air

7.3.1

## ESJPA Legislative proposal

**Short-Lived Climate Pollutants** - Legislation would provide regulatory relief from CalRecycle's new SB 1383 organic waste regulations, including exemptions for small jurisdictions and alternative compliance pathways for rural jurisdictions. CalRecycle's regulations seek to achieve SB 1383's mandate to divert 75% of organic waste from landfill disposal by 2025.

### **Amend PRC 42652.**

The Legislature finds and declares all of the following:

- (a) The organic disposal reduction targets are essential to achieving the statewide recycling goal identified in Section 41780.01.
- (b) Achieving organic waste disposal reduction targets requires significant investment, including state resources, to develop organics recycling capacity.
- (c) More robust state and local funding mechanisms are needed to support the expansion of organics recycling capacity.

### **Amend PRC 42652.5.**

(a) The department, in consultation with the State Air Resources Board, shall adopt regulations to achieve the organic waste reduction goals for 2020 and 2025 established in Section 39730.6 of the Health and Safety Code. The regulations shall comply with all of the following:

- (1) May require local jurisdictions to impose requirements on generators or other relevant entities within their jurisdiction and may authorize local jurisdictions to impose penalties on generators for noncompliance.
  - (2) Shall include requirements intended to meet the goal that not less than 20 percent of edible food that is currently disposed of is recovered for human consumption by 2025.
  - (3) Shall not establish a numeric organic waste disposal limit for individual landfills.
  - (4) May include different levels of requirements for local jurisdictions and phased timelines based upon their progress in meeting the organic waste reduction goals for 2020 and 2025 established in Section 39730.6 of the Health and Safety Code. The department shall base its determination of progress on relevant factors, including, but not limited to, reviews conducted pursuant to Section 41825, the amount of organic waste disposed compared to the 2014 level, per capita disposal rates, the review required by Section 42653, and other relevant information provided by a jurisdiction.
  - (5) May include penalties to be imposed by the department for noncompliance. If penalties are included, they shall not exceed the amount authorized pursuant to Section 41850.
  - (6) Shall take effect on or after January 1, 2022, except the imposition of penalties pursuant to paragraph (1) shall not take effect until two years after the effective date of the regulations.
- (b) A local jurisdiction may charge and collect fees to recover the local jurisdiction's costs incurred in complying with the regulations adopted pursuant to this section.

(c)(1) Upon request by a jurisdiction, the Department shall issue a waiver from requirements to separate and recover food waste and food-soiled paper for all or part of a jurisdiction where there are or could be public safety issues associated with food waste collection as a result of nearby bear populations. Residential and small commercial generators within an area with a waiver pursuant to this subdivision may deposit food waste and food-soiled paper in a disposal container.

(2) A jurisdiction requesting a waiver shall provide to the Department information about nearby bear populations and the number of generators that will be included in the waiver.

(3) Nothing in this subdivision exempts a jurisdiction from obligations to provide collection services for other types of organic wastes.

### **Add Public Resources Code Section 42652.6**

**(a) Change language to read: "Recognizing the economic and logistical challenges of organic waste recycling in rural counties with low population densities and counties with low populations, this section establishes a temporary alternative compliance pathway for rural and low population counties and rural jurisdictions rural and low population counties to provide organic waste management programs. This section is intended to incentivize rural communities and low population counties to implement robust organic waste programs that minimize organic waste being landfilled while providing additional flexibility to achieve those objectives. Jurisdictions that comply with the requirements of this article shall be relieved of compliance with all other requirements imposed by this Chapter and associated implementing regulations. The opportunity for a jurisdiction to utilize this alternative compliance pathway shall expire as follows:**

**(1) January 1, 2028 for counties with populations of at least 70,000 but less than 600,000.**

**(2) January 1, 2035 for rural counties with populations less than 70,000 and rural jurisdictions, as defined in Section 42649.8.**

**(3) Jurisdictions can extend the compliance date by 3 years upon submittal of notification to CalRecycle with an explanation of efforts undertaken and explanations of barriers that require additional time for compliance."**

**(b) If a jurisdiction elects to implement an alternative organic waste management program it shall do all of the following:**

**(1) Implement the CALGreen Building Standards and the Model Water Efficient Landscape Ordinance.**

**(2) Form an Edible Food Recovery Task Force which may include representatives from the social services department, environmental health department, food banks, businesses, non-governmental organizations, churches, and other organizations. An Edible Food Recovery Task Force shall develop a plan to meet a goal that not less than 20 percent of edible food that is currently disposed of in the jurisdiction is recovered for human consumption by 2025.**

**(3) Two of the following:**

**a. Form a feed recovery for animals collaboration to increase the diversion of organic materials for animal feed. Such a collaboration may include, but is not limited to, representatives from various interest groups such as the Department of Agriculture, UC Extension Farm Advisor, Cattlemen's Association, agricultural associations, Future Farmers of America, and 4H. A collaboration shall report its actions and progress to the jurisdiction.**

**b. Form a backyard and community composting collaboration to increase the use of small-scale composting in order to reduce organic waste, including food waste. A collaboration may include, but is not limited to, representatives from solid waste management organizations, the Department of Agriculture, UC**

Extension Farm Advisor, Master Gardeners, Future Farmers of America, and schools. A collaboration shall report its actions and progress to the jurisdiction.

- c. Form a regional collaboration with other jurisdictions to explore shared opportunities for new regional organic waste facilities and markets. The collaboration shall be responsible to report its actions and progress to the participating jurisdictions.
  - (4) Develop and provide green waste collection opportunities commensurate with the jurisdiction's needs and capabilities.
  - (5) Conduct public education and outreach for the adopted programs which may include: Methods for the prevention of organic waste generation, recycling organic waste on-site, sending organic waste to community composting, and any other available organic waste programs; Information regarding the methane reduction benefits of reducing the disposal of organic waste; Information related to the public health and safety and environmental impacts associated with the disposal of organic waste; and, Information regarding programs for the donation of edible food.
- (c) A jurisdiction that chooses to implement an alternative organic waste management program shall notify the Department of that decision by January 1, 2022. The notification shall include the following information:
- (1) The name of the jurisdiction.
  - (2) Date the jurisdiction will implement the alternative organic waste management program.
  - (3) Contact information for the jurisdiction, including the name, address and telephone number of the representative of the jurisdiction with primary responsibility for ensuring compliance with this article.
  - (4) The location within the jurisdiction where all records required by this chapter are maintained.
  - (5) A statement by the representative of the jurisdiction with primary responsibility for ensuring compliance with this article, under penalty of perjury, that all information contained in the notification is true and correct to the best of their knowledge and belief.

### **Add Public Resources Code Section 42652.7**

In determining whether or not to issue a compliance order, impose any penalties, or in determining the amount of any penalties imposed under this Chapter, the Department shall:

- (a) Consider whether the jurisdiction has made a good faith effort to implement its organic waste reduction program. For purposes of this section, "good faith effort" means all reasonable and feasible efforts by a jurisdiction to implement this Chapter, and shall consider:
- (1) Natural disasters.
- (2) Budgetary constraints.
- (3) Work stoppages.

- (4) Failure of federal, state, and other local agencies located within the jurisdiction to implement organic waste reduction and recycling programs.
  - (5) The availability of markets for collected organic waste recyclables.
  - (6) The extent to which the jurisdiction has taken steps that are under its control to remove barriers to siting and expanding organic waste recycling facilities.
  - (7) The extent to which the jurisdiction has implemented additional organic waste reduction, recycling, and composting activities.
  - (8) The extent to which the jurisdiction has implemented additional organic waste reduction, recycling, and composting activities.
  - (9) Median household income of the jurisdiction.
- (b) Consider whether the following factors affected the jurisdiction's ability to implement its organic waste reduction program or otherwise comply with the requirements of this Chapter.
- (1) Whether an exceptional growth rate may have affected compliance
  - (2) Whether the jurisdiction has a large tourist or seasonal population
  - (3) Whether an emergency, disaster, or loss of electricity affected the jurisdiction
  - (4) Other information presented by the jurisdiction that may provide reasonable justification.

To: Solid Waste Facility Owners and Operators:

CalRecycle has requested Veronica Pardo/CRRRC North and Larry Sweetser to compile feedback from public and private solid waste facility and operations on anticipated permitting and operational issues related to the upcoming implementation of the SB 1383 regulations that will be used to provide guidance or training to LEAs and operators as it pertains to implementation of SB 1383 solid waste facility regulations.

Although the regulations are not final, there is only expected to be very minor changes. Your responses should be based on the October 2019 version of the regulations, with the language beginning on page 121. CalRecycle is not seeking comments for changes to the regulations but what guidance you would like to receive in order to assist in implementing the regulations of only SB 1383 at solid waste facilities and operations. CalRecycle did not create these questions.

Please direct comments to Veronica or me. We will compile them and forward the compilation to CalRecycle.

Please provide responses to Larry by **February 19<sup>th</sup>** at:

Larry Sweetser (510) 703-0898 Cell  
Rural Counties' ESJPA (510) 405-2020 Fax  
[sweetser@aol.com](mailto:sweetser@aol.com)

The compiled list is due to CalRecycle by February 24<sup>th</sup>. If you prefer, you can submit your concerns directly to Beatrice Poroli at:

Phone Number: (916) 341-6411  
Fax Number: (916) 319-7548  
Email Address: [Beatrice.Poroli@CalRecycle.ca.gov](mailto:Beatrice.Poroli@CalRecycle.ca.gov)

Some potential questions to consider responding to include:

- Identify any potential solid waste permit or notification changes for your facility(ies) directly related to SB 1383 that might be required from receiving, storing, installing equipment, processing organics, or transporting off-site collected organics including food waste separately or mixed? Comments on local permits and approvals are not needed since those are not direct CalRecycle issues. Potential changes might include but not limited to permitted hours, organics processing activity or equipment installation, or traffic flow. If you do not think you will need a permit change, please indicate that information.

---

---

7.3.3

- Will your facility qualify as a “High diversion organic waste processing facility” that meets or exceeds an annual average mixed waste organic content recovery rate or 50 percent? If not, please indicate the estimated distance to a “High diversion organic waste processing facility”.

---

---

- For landfill operators, do you have any questions on how to prepare the required landfill Organic Disposal Reduction Status Impact Report (Section 21695)?

---

---

- Waste sorts. Do you anticipate any solid waste permit or operational issues with:
  - Receiving segregated organics from self-haul?
  - Impacts from container contamination minimization waste evaluations at your facility (§18984.5(c))?
  - Sampling criteria?
  - CalRecycle reporting requirements
  - Concerns with third party waste characterization companies operating on your site?
  - Health and safety concerns of conducting waste sorts?
  - Management of hazardous and other prohibited wastes found during waste evaluations?

---

---

---

---

Are there any other issues you foresee that will impact your solid waste permit or notification tier facility and that you would like to see in a guidance document or training?

---

---

---

Your contact information is not required but it is requested so that you might be contacted to clarify the information.

Contact Name: \_\_\_\_\_  
Affiliation: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

## Legislation to fund organics recovery & recycling

SECTION 1. (a) The Legislature finds and declares all of the following:

- 1) It is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020. However, state recycling rate trajectory was dropping from 50 percent in 2007 to 44 percent in 2017.
- 2) Exacerbating this challenge, beginning in 2018 the China National Sword policy further restricted the export and sale of recycled commodities, setting much stricter standards on contamination and banning the sale of bales of mixed commodities like mixed-paper and mixed-plastics commodities, resulting in a 2018 Statewide recycling rate of 40 percent, a rate CA has been far above since the year 2000.
- 3) The state is facing a recycling crisis, with high rates of contamination of recycled materials when they are collected. To regain any value from millions of tons of collected materials recycling facilities must expand and upgrade their operations, resulting in higher processing costs to be able to recover a lower volume of clean material that ultimately has a lower resale value, despite meeting a higher standard. At the same time recycling facilities spend more to receive lower revenue for recyclable commodities, more material is being landfilled instead of recycled. This is directly related to the closure of nearly 1,000 recycling centers in the State since 2013, with more closures expected.
- 4) Organic waste is the state's largest source of methane and black carbon emissions, which are two of the most damaging climate pollutants and also harm respiratory and cardiovascular health.
- 5) Recycling organic waste is a priority for the state and thus, the state established aggressive targets to reduce organic waste disposal in landfills and methane emissions produced from organic waste. However, California lacks sufficient infrastructure to meet such targets. The Department of Resources Recycling and Recovery (CalRecycle) estimates that the total cost to implement statewide organic waste regulations established under the auspices of Senate Bill 1383 (2016 statutes) is approximately \$40 billion dollars (\$40,000,000,000).
- 6) These recent developments clearly demonstrate an immense gap between private sector investment and our significant need for in-State infrastructure to educate, collect, transfer, process, clean and sell both recyclable commodities and materials that are now considered organic waste. Tens of billions of dollars are needed to ensure California can place our state on a oath to meet aggressive but critically needed climate, environmental, quality of life and health & safety goals.
- 7) Many new technologies have already been proven that can address these major challenges, and in fact the California Legislative Analyst's office consistently reports, most recently in 2016, that funding for recycling as well as organic waste management is the most cost-effective method to reducing greenhouse gas emissions – as low as four dollars (\$4) per ton of GHG emissions reduced – while having co-benefits for reducing other air pollutants and short lived climate pollutants, creating green jobs and other improvements.
- 8) Developing local infrastructure and domestic markets for recycled materials benefits the environment and the state's economy and is critical due to the loss of foreign markets. Successfully achieving California's ambitious recycling and climate change goals requires partnerships and commitments from the state, local government, waste and recycling industry and recycling and organic waste project developers. This bill provides critically needed seed funding to offset economic forces that create strong headwinds against such partnership.

(b) It is the intent of the Legislature to:

7.3.4

- 1) Improve California's statewide recycling infrastructure to achieve the state's greenhouse gas emission and solid and organic waste reduction goals established by Senate Bill 1383 (Chapter 395, Statutes of 2016), Assembly Bill 1826 (Chapter 727, Statutes of 2014), and Assembly Bill 341 (Chapter 476, Statutes of 2011).
- 2) Improve existing and create new solid and organic waste recycling infrastructure to enable the state to better and more effectively manage, reuse, and recycle its waste stream in-state and to create additional jobs in the solid waste, recycling, and manufacturing sectors.
- 3) Assist local governments implement their solid and organic waste programs to achieve the state's greenhouse gas emission and solid and organic waste reduction goals.

## SECTION 2.

Health and Safety Code Section 39719(b)(4)(A) Beginning in the 2020–21 fiscal year, notwithstanding Section 13340 of the Government Code, one hundred million dollars (\$100,000,000) is hereby continuously appropriated from the fund, without regard to fiscal years, to the Department of Resources Recycling and Recovery for in-state organic waste recycling projects that reduce greenhouse gas emissions and achieve the organic waste disposal goals established in Health and Safety Code Section 39730.6.

(B) 50% of the funds appropriated pursuant to this paragraph shall be used to provide financial assistance for in-state organic waste processing and recycling activities, which may include, but is not limited to, the construction of new or the modification or expansion of existing facilities and to support the in-state processing, reuse, and recycling of organic waste, including, through the production or application of compost, the production of soil amendments, in-vessel digestion, food waste prevention, and edible food recovery.

(C) 50% of the funds appropriated pursuant to this paragraph shall be allocated by the Department to local agencies as grants for activities directly related to organic waste management and implementation of Chapter 13.1 (commencing with Section 42652) of Part 3 of the Public Resources Code.

(5)(A) Beginning in the 2020–21 fiscal year, notwithstanding Section 13340 of the Government Code, one hundred million dollars (\$100,000,000) is hereby continuously appropriated from the fund, without regard to fiscal years, to the Department of Resources Recycling and Recovery for in-state recycling projects that reduce greenhouse gas emissions and help achieve the state's policy goal that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020, and annually thereafter, pursuant to Section 41780.01 of the Public Resources Code.

(B) Projects eligible for financial assistance include, but are not limited to, recycling market development projects, development of advanced recycling infrastructure to improve the recovery and quality of recyclable products, construction of new or modification or expansion of existing facilities that process recycled feedstock that is intended to be reused in the production of another product or that use recycled feedstock to produce another product, and the procurement and installation of equipment or development and implementation of new processes to improve the quality of material collected in curbside or neighborhood recycling programs.

(C) Of the funds appropriated pursuant to this paragraph, \$10 million shall be made available as grants to cities and counties for beverage container recycling and litter cleanup activities.

(6) For the purposes of this section:

(A) "Financial assistance" includes, but is not limited to, grants, incentive payments, low-interest loans, loan loss reserves, interest rate reductions, loan guarantees or other credit enhancements.

(B) "Local agency" means a city, county, city and county, district, or other local governmental agency that provides solid waste handling services.

ESJPA  
SB 1383 Summary and Impacts on Rural Jurisdictions  
December 12, 2019

SB 1383 (Lara, Chapter 395, Statutes of 2016) is the most significant waste reduction mandate to be adopted in California in the last 30 years.

- SB 1383 requires the state to reduce organic waste [food waste, green waste, paper products, etc.] disposal by 50% by 2020 and 75% by 2025.
- The law also requires the state to increase edible food recovery by 20 percent by 2025.
- The law includes collection and monitoring, public education and outreach, procurement, capacity planning, reporting, and enforcement and penalty requirements.

CalRecycle is expecting to have the expansive regulations adopted in early 2020 with most implementation beginning January 1, 2022.

- The implementation of SB 1383 regulations has been a constant topic at every ESJPA meeting since passage of the legislation.
- There is insufficient infrastructure in California for processing the estimated amount of collected organics and insufficient time to site and permit facilities by the proposed mandated deadlines.
- Counties, even those with the implementation delay, need to start planning now. CalRecycle will begin their monitoring and enforcement January 1, 2022.
- Although CalRecycle has estimated that the new requirements will only increase statewide average residential rates by \$17 per year and commercial rates by \$662 per year, rural jurisdiction implementation costs are expected to be significantly higher.

It is important to recognize that this law extends beyond the Solid Waste Management Department and Programs. Boards of Supervisors will need to decide what Department will take responsibility to implement the various requirements contained in these regulations. For examples:

- Should the Building Official be directly responsible to meet the requirements of Article 8 of this Chapter, including the reporting requirements, implementing the CALGreen Building Standards and the Model Water Efficient Landscape Ordinance (MWELO)?
- The CalGreen Construction and Demolition Debris and Model Water Efficient Landscape Ordinance is administered by the Building Department.
- Should the procurement requirements be administered through County Administrative Office, Purchasing?
- Who will lead the Edible Food Program – Social Services, Environmental Health? Should the county form an Edible Food Recovery Task Force which may include representatives from the Social Services Department, Environmental Health Department, Food Banks, Tier 1 and Tier 2 businesses, non-governmental organizations, churches, and other organizations to meet the requirements of Article 10 of this Chapter, including the reporting requirements.
- Who will be responsible for enforcement for each of the programs?
- Who will be responsible for the Implementation Record that is to gather all reporting requirements and kept in one central location?

7.3.5

### Specific Requirements:

By January 1, 2022, jurisdictions will need to adopt numerous ordinances or other enforceable mechanisms including mandating haulers to provide organic waste collection, require self-haul customers to haul organic waste to facilities that separate organics, compliance with CalGreen Building Standards, compliance with Model Water Efficient Landscape Ordinances.

Beginning January 1, 2022, jurisdictions are required to provide organic waste collection services.

- Additional requirements are imposed on collection of services for three container, two container and single container services.
- Single container services will be required to be transported to a high diversion organic waste processing facility prior to disposal in a landfill. Few rural transfer stations or landfills have ability to conduct this required diversion of 50 percent of the organic wastes at this time.
- Monitoring collection routes of organics for contamination by conducting annual random route reviews or conducting waste composition studies twice a year on representative samples of the entire jurisdiction's recycling and organic waste containers and quarterly on the gray solid waste containers. Notification of violations will be required with mandatory follow up on compliance. Documentation of these contamination minimization efforts to CalRecycle will be required.
- Conduct inspections of commercial facilities for compliance with mandates.
- Jurisdictions may grant for De Minimis or physical space waivers.

CalRecycle has proposed several waivers applicable to rural jurisdictions including:

- The rural exemption from the mandatory commercial organics collection for populations less than 70,000 will be extended to January 1, 2025. Those same counties will also have an exemption from the organics collection requirements (Article 3) of SB 1383 until December 31, 2026, but other SB 1383 requirements will still be required to be implemented, such as reporting, edible food recovery requirements, public education and outreach, capacity planning for processing infrastructure and edible food recovery programs, procurement, reporting, enforcement, and solid waste facility monitoring.
  - The first capacity planning report for infrastructure is delayed two years, until August 1, 2024.
  - Procurement requirements are delayed until January 1, 2027.
- Jurisdictions with census tracts with a population density of less than 75 people per square mile may apply for up to a five-year waiver, which is renewable.
- High elevation waiver for collection of food wastes at or above 4,500 feet. We have repeatedly requested additional waiver ability for areas with bear issues at lower elevations but have yet to be successful.
- There are also emergency circumstances, abatement of homeless encampments and illegal disposal sites, and quarantined material exemptions.

### Education and Outreach

- 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. A jurisdiction may comply with the requirements through use of a designee.

- Jurisdictions shall translate education materials required by this chapter into any non-English language spoken by a substantial number of the public provided organic waste collection services by the jurisdiction. The determination of when these materials are necessary when dealing local agencies shall be left to the discretion of the local agency.
- 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, updated annually.
- 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, about food recovery organization and services operating within the jurisdiction, and information about actions that commercial edible food generators can take to prevent the creation of food waste.

#### CalGreen Building Standards and Model Water Efficiency Ordinance

- Jurisdictions shall adopt an enforceable mechanism that requires compliance with the CalGreen Building Standards Code pertaining to space requirements for recycling containers in new construction and construction and demolition recycling of residential and non-residential construction.
- Jurisdictions shall adopt an enforceable requirement that requires compliance with the Model Water Efficient Landscape Ordinance.

#### Edible Food Recovery Programs

- Jurisdictions shall implement an edible food recovery program that shall educate commercial edible food generators (over certain sizes including supermarkets, grocery stores, food distributors, restaurants, hotels, health facilities, and schools), 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.
- A jurisdiction may fund the actions taken to comply with this section through franchise fees, local assessments, or other funding mechanisms.

#### Organic Waste Capacity Planning

- Jurisdictions 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.
- Counties, in coordination with jurisdictions 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.

- Counties shall conduct the planning requirements and report to CalRecycle on the following schedule:
  - August 1, 2022 for the period covering January 1, 2022 through December 31, 2024. (Jurisdictions exempt from the organic waste collection requirements are not required to conduct the organic waste recycling capacity planning and are not required to include capacity plans the first reporting period. (NOTE: These jurisdictions are still required to conduct edible food recovery capacity planning.)
  - August 1, 2024 for the period covering January 1, 2025 through December 31, 2034.
  - August 1, 2029 for the period covering January 1, 2030 through December 31, 2039.
  - August 1, 2034 for the period covering January 1, 2035 through December 31, 2044.

#### Procurement

- By January 1, 2022, and every five years thereafter, the Department shall calculate 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.
- Jurisdictions 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 CalRecycle. (Rural counties, and jurisdictions located within rural counties, that are exempt from the organic waste collection requirement are not required to comply with the procurement requirement from January 1, 2022 through December 31, 2026.)
- The recovered organic waste products that a jurisdiction may procure to comply are compost, renewable gas used for fuel for transportation, electricity, heating application, electricity from biomass conversion, and mulch, provided specific conditions are met for the duration of the applicable procurement compliance year, which includes testing for physical contamination, pathogens, and metals.
- One ton of organic waste in the recovered waste product procurement target constitute:
  - 21 diesel gallon equivalents, or "DGE", of renewable gas in the form of transportation fuel
  - 242 kilowatt-hours of electricity derived from renewable gas
  - 22 therms for heating derived from renewable gas
  - 650 kilowatt-hours of electricity derived from biomass conversion
  - 0.58 tons or 1.45 cubic yards of compost
  - One ton of mulch

#### Processing Facilities

- Compost facilities will be required to conduct quarterly waste evaluations and report on the percentage of organic waste contained in materials sent to landfill disposal.
- In-vessel digestion facilities will be required to determine the quarterly percentage of organic waste contained in materials sent to landfill disposal.
- Transfer stations will be required to conduct quarterly waste evaluations and report on the percentage of organic waste found in the solid waste sent for disposal.

- Landfills will be required to prepare and submit a report to CalRecycle on the potential impacts of organic disposal reductions.
- Beginning July 1, 2022, the operator of an attended operation or facility that receives a gray container collection stream, and more than 500 tons of solid waste from at least one jurisdiction annually, shall conduct waste evaluations of the gray container collection stream quarterly.
- A transfer/processing facility or operation shall only send offsite that organic waste recovered after processing from the source separated organic waste stream and from the mixed waste organic collection stream that meets the following requirements:
  - On and after January 1, 2022 with no more than 20 percent of incompatible material by weight; and
  - On and after January 1, 2024 with no more than 10 percent of incompatible material by weight.

#### Record Keeping and Reporting

- Extensive recordkeeping on all aspects of SB 1383 regulations will be required of jurisdictions will need to be maintained and available for state inspections.
- By April 1, 2022, each jurisdiction shall report to the Department 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.
- Beginning August 1, 2022, and annually thereafter jurisdictions 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.

#### Inspections and Enforcement

- By January 1, 2022, a jurisdiction shall have an inspection and enforcement program that includes:
  - Beginning January 1, 2022, and annually thereafter complete a compliance review of all solid waste collection 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 for three and two container collection systems and document if the business is transporting the contents to a high diversion organic waste processing facility, and self-haul requirements for unsegregated single container collection system.
  - The jurisdiction shall either 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.
  - 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.
  - Investigate complaints.
  - Provide educational material describing the applicable requirements in response to violations.

- Beginning January 1, 2024, a jurisdiction shall enforce this chapter in response to violations, which includes imposition of fines for noncompliance.
- At least every 5 years from the date of issuance verify through inspections that commercial businesses are meeting de minimis and physical space waivers for compliance.
- For jurisdictions not in compliance, the CalRecycle may impose significant financial penalties for minor, moderate, and major violations up to \$10,000 per violation per day.

## Planning for Implementation of SB 1383

- Determine the Scope of SB 1383 requirements for your jurisdiction.
  - Determine if the Performance-Based Source Separated Organic Waste Collection Service is applicable to your jurisdiction.
  - Determine and map applicable organic collection waivers/exemptions from CalRecycle that may apply to the jurisdiction:
    - Counties with a population of less than 70,000 may apply for a rural exemption from complying from the organic waste collection requirements of Article 3 through December 31, 2026.
      - The Board of Supervisors must adopt a resolution that includes a finding as to the purpose of and need for the exemption prior to January 1, 2022.
      - Procurement requirements are delayed until January 1, 2027.
      - The first capacity planning report for infrastructure is delayed two years, until August 1, 2024.
    - Counties with a population of 70,000 or more may apply for low population waivers for up to five years for some or all its generators from some or all of the organic waste collection requirements of Article 3.
      - Low populations are census tracts with less than 75 persons per square mile or cities with less than 7,500 persons that had less than 5,000 tons of waste in 2014.
      - A jurisdiction may apply to renew this waiver at anytime up to 180 days prior to the expiration of the existing waiver.
    - Determine areas within the County that are at or above the 4,500-foot elevation for *food waste* collection waivers.
    - Determine the remaining population subject to organic waste collection requirements.
    - Apply for the waivers/exemptions right away, as it will impact the extent of your requirements.
  - Determine the number of Tier 1 and Tier 2 businesses subject to the edible food recovery requirements.
    - Tier 1 – Supermarket (gross annual sales of at least \$2 million), grocery store (facility size 10,000 square feet), food service provider, food distributor, and wholesale food vendor.
    - Tier 2 – Restaurant with 250 or more seats, or a total facility size of 5,000 square feet, hotel with an on-site food facility and 200 or more rooms, health facility with an on-site food facility and 100 or more beds, large venues, large events, a state agency with a cafeteria with 250 or more seats or a total cafeteria facility size at least 5,000 square feet, a local education agency with an on-site food facility.
    - The number of qualifying businesses may impact how you would like to proceed with your program.
  - SB 1383 extends beyond the Solid Waste Management Department and Programs. Boards of Supervisors will need to determine what Department will take responsibility to implement the various requirements contained in these regulations.
    - The CalGreen Construction and Demolition Debris and Model Water Efficient Landscape Ordinance is generally administered by the Building Department. Should the Building Official be directly responsible to meet the requirements of Article 8 of this Chapter implementing the CALGreen Building Standards and the Model Water Efficient Landscape Ordinance (MWELO), including the reporting requirements?
    - SB 1383 requires jurisdictions annually procure a quantity of recovered organic waste products that meets or exceeds its annual procurement target determined by CalRecycle. Qualified products include compost, renewable gas used for fuel for transportation, electricity, heating application, electricity from biomass conversion, and mulch. The procurement requirements impact various departments. Should the procurement requirements be

administered through the County Administrative Office, Purchasing, or individual departments?

- SB 1383 includes an edible food recovery program. Should this program be administered through Social Services, Environmental Health, an Edible Food Recovery Task Force/working group that could include representatives from the Social Services Department, Environmental Health Department, Food Banks, Tier 1 and Tier 2 businesses, non-governmental organizations, churches, and other organizations to meet the requirements of Article 10 of this Chapter, including the reporting requirements.
- SB 1383 requires new responsibilities on LEAs.
- Who will be responsible for enforcement for each of the programs?
- Who will be responsible for the Implementation Record that is to gather all reporting requirements and kept in one central location?

➤ **Adopt ordinances or enforceable mechanisms for implementation of SB 1383 by January 1, 2022.**

- Determine cost and timeline associated with adopting enforceable mechanisms for SB 1383 implementation.
- Determine how to provide the required services and negotiate any necessary changes too existing collection contracts or franchise agreements.
- Components to be addressed are:
  - Organic waste collection service.
  - Education and outreach, monitoring and inspections, enforcement, recordkeeping and reporting.
  - Edible food recovery
  - Organic waste capacity planning.
  - Procurement.
  - CalGreen Building standards for recycling containers in new commercial and multi-family construction and construction and demolition recycling of residential and non-residential construction debris.
  - Model Water Efficient Landscape Ordinance for new construction to meet Water Efficient Landscape requirement for compost and mulch application.

➤ **Provide organic waste collection to residents and remaining small businesses by January 1, 2022 (January 1, 2027, for an approved rural exemption).**

- Determine amount of additional organic waste to be collected.
  - Identify the amount of waste disposed in your jurisdiction in 2014 and calculate the amount of organic waste in the waste stream.
  - Calculate the 50% diversion target for 2020.
  - Calculate the 75% diversion target for 2025.
- Determine types and amounts of organic waste being discarded
  - Food waste
  - Leaves and grass
  - Pruning and trimmings
  - Branches and stumps
  - Lumber
  - Agricultural green waste
  - Organic textiles
  - Organic carpets
  - Paper products
  - Printing and writing paper
  - Manure

- Biosolids
  - Digestate
  - Sludges
  - Determine potential programs for organic diversion.
    - Reducing food waste
    - Backyard composting
    - Community composting/gardening
    - Animal feed opportunities
    - Land application opportunities
    - Compost operations
    - Anaerobic digestion facilities
  - Identify existing organic processing facilities locations and available organic processing facility capacities.
    - What types of organics will be accepted?
    - Determine transportation costs and costs associated with the facilities.
    - Determine needed facility capacities and costs associated with new or expanded facilities.
  - Identify existing collection haulers and collection systems.
  - Working with the haulers, determine changes required and the associated cost to the collection system.
    - Route/collection system changes
    - Cart color changes
    - Labeling
    - For 2 or 3 container service, monitoring for container contamination
      - Annual random route reviews, or
      - Waste composition studies two times per year
- Establish an edible food recovery program by January 1, 2022 that recovers 20% edible food from the waste stream by 2025.
- Determine scope of the program
    - Determine which Department is responsible to implement edible food recovery program.
      - Staffing
      - Recordkeeping
      - Enforcement
      - Reporting
    - Decide if the jurisdiction will include a task force/working groups made up of interested parties for edible food recovery for people and edible food recovery for animals
      - Responsibilities and expectations of the body
      - Number and composition of members
      - Number of meetings
  - Determine Tier 1 and Tier 2 commercial generators edible waste.
    - Determine amount of food currently donated and to whom.
    - Determine amount of food currently discarded.
  - Identify existing food recovery organization and services.
    - Develop and annually maintain list of food recovery organizations within the jurisdiction on the website.
    - Identify existing partnerships.
    - Determine their existing capacity and needs to expand capacity.
  - Determine costs associated with program implementation.
    - Provide education and outreach to commercial edible food generators regarding edible food donation requirement, and available edible food recovery organizations.
    - Identify ways to increase donations.
    - Identify ways to increase potentially new partnerships.
    - Monitor commercial food generators compliance.
    - Conduct appropriate enforcement.

- Explore funding mechanisms to increase food recovery.
- Conduct outreach and education to all affected parties, including generators, haulers, facilities, edible food recovery organizations, and city/county departments prior to February 1, 2022.
  - Determine how and the cost to provide education and outreach.
  - Annually provide 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.
  - Develop and maintain a list of food recovery organizations and services operating within the jurisdiction and maintain the list on the jurisdiction's website, updated annually.
  - Annually provide commercial businesses that generate edible food with information about the jurisdiction's edible food recovery collection program, about commercial edible food generators requirements, about food recovery organization and services operating within the jurisdiction, and information about actions that commercial edible food generators can take to prevent the creation of food waste.
  - Translation of education materials into any non-English language spoken by a substantial number of the public provided organic waste collection services is left to the discretion of the local agency.
- Capacity Planning: Evaluating and planning for your jurisdiction's implementation of SB 1383 beginning August 1, 2022 (August 1, 2024, for counties with an approved rural exemption).
  - Determine costs associated with capacity planning requirements.
  - Counties shall report the capacity planning for organic waste processing facilities and edible food recovery capacity to CalRecycle by August 1, 2022, for the period covering January 1, 2024, through December 31, 2024 (except for those counties with a rural exemption).
  - Beginning August 1, 2024 and every five years thereafter all counties shall report to CalRecycle the capacity planning for ten-year periods beginning the following January 1.
  - Counties are responsible to coordinate with the cities to estimate existing, new and/or expanded capacity.
  - Counties and cities must demonstrate that they have access to recycling capacity through existing written documented arrangements.
  - If capacity is insufficient, then each jurisdiction that lacks capacity must submit an implementation schedule to CalRecycle that includes specified timelines and milestones, including necessary funding.
- Procure recycled organic waste products like compost, mulch, and renewable natural gas (RNG) beginning by January 1, 2022 (January 1, 2027 for counties with an approved rural exemption).
  - Identify potential costs associated with procurement requirements to the various departments.
    - CalRecycle will provide a minimum procurement target that is linked to the jurisdiction's population.
    - CalRecycle will provide a calculator with the conversion factors for the various products procured.
  - The jurisdiction can decide what mix of products it will purchase or use.
  - A jurisdiction may count procurement from direct service providers (for example, its haulers).

- Monitor and inspect for compliance with SB 1383 beginning January 1, 2022, with enforcement beginning January 1, 2024.
  - Identify staff to conduct monitoring and inspections for various aspects of compliance.
    - Collection service
    - Edible food recovery program
  - Identify costs associated with enforcement against organic waste generators that are not in compliance.
  
- Maintain accurate and timely records of SB 1383 compliance.
  - Consider purchase of software program.
  - Determine cost to maintain records of all relevant documents supporting compliance with each requirement.
    - Copies of ordinances, contracts, agreements, policies, procedures, and programs.
    - Documentation and correspondence for
      - Organics collection
      - Container contamination minimization
      - Waivers and exemptions
      - Education and outreach
      - Hauler program
      - Edible food recovery program
      - Procurement
      - Enforcement
    - Documentation of which collection method(s) will be used and the geographical area for each collection method; if applicable, a list of all the high diversion organic waste processing 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; and if applicable, written notification from each facility that can recover compostable plastics to be placed in the green container or organic waste to be collected in plastic bags.
    - Process for determining the level of container contamination and documentation of the route reviews conducted; if applicable documentation of waste composition studies, including information on targeted route reviews conducted as a result of the studies, the dates of the studies, the location of the solid waste facility where the study was performed, routes, source sector, number of samples, weights and ratio of prohibited container contaminants and total sample size; copies of all written notices, violations, education and enforcement orders issued to generators; and documentation of the number of containers disposed of due to observation of prohibited container contaminants.
    - 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.
  
- Reporting requirements commencing 2022, and annually thereafter to the Department.
  - Determine costs associated with reporting requirements.
    - Beginning April 1, 2022, report on 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.

- Commencing August 1, 2022 and annually thereafter 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:
  - Relative to the collection service: 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.
  - 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 results of waste composition studies performed to meet the container contamination minimization requirement and resulting targeted route reviews.
  - 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.
  - 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.
  - Regarding the hauler oversight requirements: the number of haulers approved to collect organic waste, the RDRS number of each facility that is receiving organic waste from haulers, and the number of haulers that have had their approval revoked or denied, and the number of self-haulers approved to operate within the jurisdiction.
  - Regarding the CALGreen Building Standards: the number of Construction and Demolition removal activities conducted; and the Model Water Efficient Landscape Ordinance: the number of projects subject to the ordinance.
  - Regarding the edible food recovery: the number of commercial edible food generators, the number of food recovery services and organizations that contract with or have written agreements with commercial edible food generators, and the total amount of edible food recovered by edible food recovery organizations and services.
  - 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.
  - Regarding the procurement requirements: the amount 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 amount 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.
  - Regarding compliance, monitoring, and enforcement: 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 enforcement actions that were resolved categorized by type of regulated entity.

➤ Facility monitoring requirements.

- Transfer stations/processing facilities - grey container collection stream waste evaluations
  - Identify manned transfer stations or processing facilities and determine the annual volume going to landfill.
  - Determine the cost of quarterly grey container collection stream waste evaluations for those transfer stations or facilities that receive more than 500 tons of solid waste from at least one jurisdiction annually. (CalRecycle estimated that each sample would require an additional four hours of staff time.)
    - Beginning July 1, 2022, take one random, composite sample taken from various times during the operating day, representative of an operating day, of at least 200 pounds from the incoming gray container collection stream received by the facility.
    - Record the weight of the sample.
    - Remove any remnant organic material and determine the weight of that remnant organic material.
    - Determine the ratio of remnant organic material in the sample.
  - With written notification to the LEA, the gray container waste evaluations may be conducted offsite at an alternative, permitted or authorized solid waste facility or operation provided that the material is not processed prior to its transfer offsite for the waste evaluation.
  - Records of the waste evaluations and training of personnel in evaluating the amount of remnant organic material shall be maintained for 5 years and be available for review.
- Transfer stations/processing facilities
  - Identify organic waste processing facilities (MRFs, compost facilities, AD facilities)
  - Determine the cost of the monitoring requirements of organic waste recovered from mixed waste organic waste collection streams and source separated organic waste collections streams. (CalRecycle based its estimate on sampling 40 days per year and estimated that each sampling event would require two hours of employee time for a total of 80 hours per facility and a facility cost of \$4,560/year.)
    - Quarterly, measurements shall be performed over 10 consecutive operating days.
    - 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 prior to sending to its destination.
    - Record the weight of each sample from each organic waste type.
    - Remove any incompatible material and determine the remaining weight of organic waste for each sample.
    - Determine the ratio of the remaining weight of organic waste to the total sample 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 separated after processing for its destination.
    - Determine the total weight of organic waste separated from the collection stream by adding the sum of all the weights calculated above.
  - Determine the cost of the monitoring requirements of organic waste removed from mixed waste organic waste collection streams and source separated organic waste collections streams for disposal. (CalRecycle based its estimate on sampling 40 days per year and estimated that each sampling event would require two hours of employee time for a total of 80 hours per facility and a facility cost of \$4,560/year.)
    - Quarterly, measurements shall be performed over 10 consecutive operating days.
    - On each sampling day, take one sample of at least 200 pounds 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 prior to sending to its destination.
    - Record the total weight of the sample.
    - Remove any incompatible material and determine the remaining weight of organic waste in the sample.
    - Determine the ratio of the organic waste present in the materials removed for disposal to the total sample.
    - Determine the total weight of organic waste removed from the collection stream that is sent to disposal by multiplying the ratio determined above by the total weight of the materials removed from the collection stream for disposal.
  - The measurements shall be conducted 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. An alternative measurement protocol may be approved by the EA with concurrence by the Department.
- Compost facilities
  - Determine the quarterly percentage of organic waste contained in materials sent to landfill disposal.
  - The sampling protocol shall be conducted over 10 consecutive operating days.
  - Each operating day, the sampling protocol is:
    - Take one random, representative sample of at least 200 pounds of materials that is sent to disposal on that operating day, taken either from various times of the day or from various locations.
    - Record the total weight of the sample.
    - Remove any material that is not organic waste and determine the remaining weight of organic waste in the sample.
    - Determine the ratio of the organic waste in the materials by dividing the total from the remaining weight of organic waste by the total weight of the sample.
    - Determine the total weight of organic waste that is sent to disposal by multiplying the ratio determined above by the total weight of the materials sent to landfill disposal.
    - Record the sum of outgoing weights of organic waste present in the material from the 10 sampling days that is sent to landfill disposal each day.
    - Determine the ratio of organic waste sent to disposal by dividing the total from above by the total outgoing weights of material that is sent to disposal each sampling day.
    - Determine the percentage of organic waste present in the material sent to disposal.
  - The measurement shall be conducted 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. An alternative measurement protocol may be approved by the EA with concurrence by the Department.
- In-vessel digestion facilities
  - Determine the quarterly percentage of organic waste contained in materials sent to landfill disposal.
  - The sampling protocol shall be conducted over 10 consecutive operating days.
  - Each operating day, the sampling protocol is:
    - Take one random, representative sample of at least 200 pounds of materials that is sent to disposal on that operating day, taken either from various times of the day or from various locations.
    - Record the total weight of the sample.
    - Remove any material that is not organic waste and determine the remaining weight of organic waste in the sample.
    - Determine the ratio of the organic waste in the materials by dividing the total from the remaining weight of organic waste by the total weight of the sample.
    - Determine the total weight of organic waste that is sent to disposal by multiplying the ratio determined above by the total weight of the materials sent to landfill disposal.

- Record the sum of outgoing weights of organic waste present in the material from the 10 sampling days that is sent to landfill disposal each day.
  - Determine the ratio of organic waste sent to disposal by dividing the total from above by the total outgoing weights of material that is sent to disposal each sampling day.
  - Determine the percentage of organic waste present in the material sent to disposal.
  - The measurement shall be conducted 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. An alternative measurement protocol may be approved by the EA with concurrence by the Department.
- Landfills
    - Determine the cost to prepare a Status Impact Report (SIR) that provides an analysis of the potential impact to the landfill resulting from the implementation of the organic disposal reduction requirements.
    - The SIR shall be submitted to CalRecycle within a year of the effective date of this regulation.
    - The SIR shall be prepared by a CA registered civil engineer or certified engineering geologist; and contain specific and detailed information:
      - Site development
      - Waste types/volumes
      - Daily and intermediate cover and beneficial use
      - Volumetric capacity based on reduction requirements
      - Waste handling methods
      - Gas control and monitoring systems
      - Gas generation
      - Operation and closure design
      - Final grading plan
      - Site life estimate
      - Ancillary facilities
      - Cost estimate for closure and postclosure
      - Financial assurance mechanisms for closure, postclosure, and non-water corrective action requirements

**ACTION ALERT!!**  
**SB 54 (Allen) & AB 1080 (Gonzalez)**  
**California Circular Economy and Plastic Pollution Reduction Act**  
**SUPPORT**

**BACKGROUND:** California's solid waste and recycling industries are facing a series of critical issues. First among these challenges are changes in China's trade import policies. These changes are collectively referred to as "National Sword" and have significantly disrupted California's recycling industry by restricting foreign imports of recyclable materials and increasing the requirements that aim to reduce contamination levels in recycling streams.

International markets have served as a key component of California's recycling infrastructure system. Since the change in China's policy, materials including plastics and paper are piling up at local waste facilities across the state with no place to go. This has caused increased costs to local governments, slowdowns in waste processing of other materials, and public health risks. While the state and local communities in California have tried to reduce the burden of single-use packaging since the 1980s, taxpayers and local governments still spend over \$420 million annually in ongoing efforts to clean up and prevent litter in streets, storm drains, parks, and waterways. Not only is this cleanup expensive, but it cannot keep pace with the production of single-use disposable items, which continues to grow exponentially.

Local governments have long been responsible for ensuring that California achieves its recycling and waste management goals. These bills, introduced in 2019, would aid cities in reaching these goals by reducing waste at its source before it can reach local landfills and recycling centers; or worse our beaches and other beautiful natural environments. More information on how these bills impact cities can be found [here](#).

**WHAT WOULD THESE BILLS DO?**

**SB 54 (Allen) and AB 1080 (Gonzalez)** are identical bills that direct the California Department of Resources Recycling and Recovery (CalRecycle) to establish a comprehensive framework to address plastic pollution and waste by:

- Adopting regulations by January 1, 2024 that require producers, which includes the people who manufacture single-use packaging or priority single use products, to achieve a 75 percent reduction of waste generated from single-use packaging and priority single-use plastic products in the California market by 2030.
  - "Single-use packaging" means the packaging of a product when the packaging is routinely recycled, disposed of, or discarded after its contents have been used or unpackaged, and is typically not refilled.
  - "Priority single-use plastic products" are defined as single-use food service ware, including plates, bowls, cups, utensils, stirrers, and straws.
- Requiring producers to source reduce single-use packaging and priority single-use products to the maximum extent feasible.
- Requiring producers to make single-use packaging and priority single-use products recyclable or compostable by 2030.
- Developing criteria, via an implementation plan with stakeholder input, to determine which packaging materials qualify to be labeled as recyclable or compostable. This implementation plan will also include the development of incentives and policies to encourage in-state manufacturing using recycled material generated in California as a way to shift towards a more circular economy



# 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](http://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.

18 February 2020

The Honorable Ben Allen  
California State Senate  
State Capitol Building, Room 4076  
Sacramento, CA 95814

**RE: SB 54 (Allen) California Circular Economy and Plastic Pollution Reduction Act.**  
**Notice of SUPPORT (As Amended 9/10/19)**

Dear Senator Allen:

The Del Norte Solid Waste Management Authority Board, representing the City of Crescent City and the County of Del Norte on solid waste and recycling matters, is pleased to **Support** SB 54 (Allen), the California Circular Economy and Plastic Pollution Reduction Act. This bill directs the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations before January 1, 2024 that require producers, which includes the people who manufacture single-use packaging or priority single-use products, to achieve a 75 percent reduction of waste generated from single-use packaging and priority single-use plastic products in the California market by 2030.

SB 54 also requires CalRecycle, by January 1, 2023 and before the adoption of regulations, to finalize an implementation plan that will be comprised of extensive outreach with stakeholders, including local governments. This will give local governments a voice in the creation of the forthcoming regulations to address potential implementation challenges.

Additionally, the implementation plan includes developing incentives and policies to maximize and encourage in-state manufacturing using recycled material generated in California. Developing these incentives will address the lack of recycling markets in California, as recyclable materials once shipped overseas are now piling up with nowhere to go.

Communities like ours have dedicated significant time and resources to develop and implement their recycling programs and want to ensure city recycling programs continue to be successful. SB 54 will help local governments recycle more materials, throw less waste into landfills, and advance towards meeting statewide solid waste and recycling goals. The Del Norte Solid Waste Management Authority is supportive of meeting these goals and applauds your leadership on this issue.

For these reasons, the Del Norte Solid Waste Management Authority **Supports** SB 54.

Sincerely,

Blake Inscore, Chair  
Del Norte Solid Waste Management Authority

cc: Ken DaRosa, Acting Director, CalRecycle  
California State Senator Mike McGuire  
California State Assemblyman Jim Wood  
Jay Sarina, County Administrative Officer  
Jill Duffy, Humboldt Solid Waste Management Authority  
Staci Heaton, Program Manager, Environmental Services Joint Powers Authority  
Mark Murray, Californians Against Waste  
Doug Kobold, California Product Stewardship Council  
League of California Cities (via email: [cityletters@cacities.org](mailto:cityletters@cacities.org))

AMENDED IN ASSEMBLY SEPTEMBER 10, 2019

AMENDED IN ASSEMBLY SEPTEMBER 6, 2019

AMENDED IN ASSEMBLY AUGUST 14, 2019

AMENDED IN ASSEMBLY JULY 10, 2019

AMENDED IN ASSEMBLY JUNE 24, 2019

AMENDED IN SENATE MAY 22, 2019

AMENDED IN SENATE MAY 7, 2019

AMENDED IN SENATE MARCH 25, 2019

AMENDED IN SENATE MARCH 7, 2019

AMENDED IN SENATE FEBRUARY 25, 2019

**SENATE BILL**

**No. 54**

---

**Introduced by Senators Allen, Skinner, Stern, and Wiener**

(Principal coauthors: Assembly Members Friedman, Gonzalez,  
Muratsuchi, and Ting)

**(Coauthors: Senators Lena Gonzalez, Hueso, and Wieckowski)**

(Coauthors: Assembly Members Bloom, Boerner Horvath, Carrillo,  
Kalra, Kamlager-Dove, McCarty, Luz Rivas, and Wicks)

December 11, 2018

---

*An act to amend Section 23671 of the Business and Professions Code, and to add Chapter 3 (commencing with Section 42040) to Part 3 of Division 30 of, and to add and repeal Chapter 6 (commencing with Section 48710) of Part 7 of Division 30 of, the Public Resources Code, relating to solid waste.*

## LEGISLATIVE COUNSEL'S DIGEST

SB 54, as amended, Allen. Solid waste: packaging and products.

(1) The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste, including, among other solid waste, single-use plastic straws.

The Sustainable Packaging for the State of California Act of 2018 prohibits a food service facility located in a state-owned facility, operating on or acting as a concessionaire on state property, or under contract to provide food service to a state agency from dispensing prepared food using a type of food service packaging unless the type of food service packaging is on a list that the department publishes and maintains on its internet website that contains types of approved food service packaging that are reusable, recyclable, or compostable.

Existing law makes a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by 2020.

This bill would enact the California Circular Economy and Pollution Reduction Act, which would impose a comprehensive regulatory scheme on producers, retailers, and wholesalers of single-use packaging, as defined, and priority single-use products, as defined, to be administered by the department. As part of that regulatory scheme, the bill would require the department, before January 1, 2024, to adopt regulations that require producers, as defined, (1) to source reduce, to the maximum extent feasible, single-use packaging and priority single-use products, and (2) to ensure that all single-use packaging and priority single-use products *that are* manufactured on or after January 1, 2030, and that are offered for sale, sold, distributed, or imported in or into California are recyclable or compostable. The bill would require the regulations to achieve and maintain, by January 1, 2030, a statewide 75% reduction of the waste generated from single-use packaging and priority single-use products offered for sale, sold, distributed, or imported in or into the state through source reduction, recycling, or composting. The bill would authorize the department to determine which actions producers may undertake to achieve those requirements. The bill would require the department, by January 1, 2023, and before adopting the regulations, to finalize an implementation plan, as specified. The bill would require the department to establish a Circular Economy and Waste Pollution Reduction Panel for the purpose of identifying barriers and solutions

to creating a circular economy consistent with the act. The regulatory scheme would include, among other requirements, registration, reporting, and recordkeeping requirements. The bill would require reports and data provided to the department pursuant to the act to be accurate and attested to under penalty of perjury, thereby imposing a state-mandated local program by expanding the crime of perjury. The bill would prohibit a retailer or wholesaler, as defined, from offering for sale or selling single-use packaging, products packaged in single-use packaging, or priority single-use products if the producer of the single-use packaging or priority single-use product is listed as noncompliant on the department's internet website on a list that the bill would require the department to post, as specified.

The bill would require the department to develop criteria to determine whether the packaging or priority single-use products are reusable, recyclable, or compostable. The bill would authorize local governments, solid waste facilities, recycling facilities, and composting facilities to provide information requested by the department for purposes of developing that criteria.

The bill would require single-use packaging and priority single-use products offered for sale, sold, distributed, or imported in or into California by a producer to meet specified recycling rates that are based on date of manufacture and that increase over a prescribed timeframe, and would authorize the department to impose a higher or lower recycling rate, as specified. The bill would require the department to establish, update, and post on its internet website a list of packaging and product categories, and recycling rates for those packaging and product categories, as specified.

The bill would authorize producers, if the department adopts specified regulations authorizing the establishment of a stewardship program, to collectively form a stewardship organization that adopts a stewardship plan, as an alternative to individually complying with the above-referenced comprehensive regulatory scheme. The bill would require the department to establish, and a producer to pay, the California circular economy regulatory fee. The bill would require the department to set the amount of the fee at no more than is necessary for the regulatory costs of the above-referenced comprehensive regulatory scheme and stewardship program, and would require a stewardship organization to pay the regulatory fee on behalf of its member producers, as specified.

The bill would require the department to report to the Legislature every 3 years its progress in implementing the act's provisions.

The bill would provide for exceptions to, and enforcement of, the act, including authorizing the department to impose an administrative civil penalty in an amount not to exceed \$50,000 per day per violation on an entity that is not in compliance with the act's requirements.

(2) The California Integrated Waste Management Act of 1989 requires each city and county, and each regional agency formed pursuant to the act, to develop a source reduction and recycling element of an integrated waste management plan to divert 50% of all solid waste, through source reduction, recycling, and composting activities.

This bill would prohibit a city, county, city and county, or other local public agency from requiring a grocery store, as defined, to use a certain type of food packaging for any food sold in the grocery store unless the majority of residential households within the jurisdiction of the local agency have access to a curbside program, as defined, that accepts the material from which that food packaging is made. The bill would also prohibit those local agencies from requiring a grocery store to use a food packaging container that does not meet specified criteria. The bill would repeal these provisions as of January 1, 2030.

*(3) The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, regulates the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. The act requires an out-of-state vendor shipping beer into the state to hold a certificate of compliance granted by the department, as prescribed. The act authorizes the department to suspend or revoke the certificate of compliance, as specified, if an out-of-state-vendor after obtaining the certificate fails to submit a certain monthly report or fails to comply with a particular provision of the California Beverage Container Recycling and Litter Reduction Act.*

*This bill would authorize the department to suspend or revoke the certificate of compliance of an out-of-state vendor that fails to comply with the provisions of the California Circular Economy and Pollution Reduction Act.*

~~(3)~~

(4) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating

the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(4)

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 23671 of the Business and Professions  
2 Code is amended to read:

3 23671. (a) No beer importer shall purchase any beer not  
4 manufactured within the state or cause any beer to be transported  
5 into the state for sale in the state, unless the out-of-state vendor  
6 making shipment of the beer into the state holds a certificate of  
7 compliance issued by the department. A certificate of compliance  
8 shall be granted when the out-of-state vendor makes a written  
9 agreement with the department to furnish to the board, on or before  
10 the 10th day of each month, a report on a form prescribed by the  
11 board, showing the quantity of beer shipped by the out-of-state  
12 vendor to each licensed beer importer in this state during the  
13 preceding month. The out-of-state vendor shall further agree that  
14 it and its agents and all agencies within this state controlled by it  
15 will comply with all laws of this state and all rules of the  
16 department with respect to the sale of alcoholic beverages,  
17 including, but not limited to, Chapter 12 (commencing with Section  
18 25000) of Division 9, and Section 25509, to the same extent as  
19 licensees.

20 If

21 (b) If any out-of-state vendor, after obtaining the certificate,  
22 fails to submit the ~~report or report~~, fails to comply with Section  
23 14575 of the Public Resources Code, or fails to comply with the  
24 provisions of Chapter 3 (commencing with Section 42040) of Part  
25 3 of Division 30 of the Public Resources Code, the department  
26 may suspend or revoke the certificate of compliance in the manner

1 provided for the suspension or revocation of licenses, and after a  
2 hearing which shall be held in the City of Sacramento or in any  
3 other county seat in this state which the department determines to  
4 be convenient to the holder of the certificate. No fee shall be  
5 charged for the certificate of compliance which shall remain in  
6 effect until revoked by the department.

7 ~~SECTION 1.~~

8 *SEC. 2.* Chapter 3 (commencing with Section 42040) is added  
9 to Part 3 of Division 30 of the Public Resources Code, to read:

10  
11 CHAPTER 3. CALIFORNIA CIRCULAR ECONOMY AND POLLUTION  
12 REDUCTION ACT

13  
14 Article 1. General Provisions

15  
16 42040. This chapter shall be known, and may be cited, as the  
17 California Circular Economy and Pollution Reduction Act.

18 42041. (a) The Legislature finds and declares all of the  
19 following:

20 (1) Annual global production of plastic has reached 335 million  
21 tons and continues to rise. The United States alone discards 30  
22 million tons each year. Global plastic production is projected to  
23 more than triple by 2050, accounting for 20 percent of all fossil  
24 fuel consumption.

25 (2) Without action, projections estimate that by 2050 the mass  
26 of plastic pollution in the ocean will exceed the mass of fish. A  
27 study by the University of Exeter and Plymouth Marine Laboratory  
28 in the United Kingdom found plastics in the gut of every single  
29 sea turtle examined and in 90 percent of seabirds. Additionally,  
30 plastic negatively affects marine ecosystems and wildlife, as  
31 demonstrated by countless seabirds, turtles, and marine mammals,  
32 including, but not limited to, whales and dolphins, dying from  
33 plastic ingestion or entanglement.

34 (3) Based on data from the United States Environmental  
35 Protection Agency, Institute of Scrap Recycling Industries trade  
36 statistics, and industry news source Resource Recycling, the  
37 national recycling rate for plastic is projected to sink from 9.1  
38 percent in 2015 to 4.4 percent in 2018, and could drop to 2.9  
39 percent in 2019. Even in California, less than 15 percent of  
40 single-use plastic is recycled.

1 (4) Before 2017, the United States was sending 4,000 shipping  
2 containers a day full of American waste to China every year,  
3 including two-thirds of California's recyclable materials. However,  
4 China has implemented the Green Fence, National Sword, and  
5 Blue Sky policies, severely restricting the amount of contaminated  
6 and poorly sorted plastics it would accept. This shift in China's  
7 policy has resulted in the loss of markets for low-value plastic  
8 packaging that was previously considered recyclable. That material  
9 is now being landfilled or burned.

10 (5) Additionally, the foreign market for recycled paper has  
11 collapsed in California. Foreign exports of mixed paper fell from  
12 over 400,000 tons in the first quarter of 2017 to just 136,000 tons  
13 in the first quarter of 2018. The price of mixed paper fell from  
14 ninety-five dollars (\$95) per ton to just ten dollars (\$10) a ton in  
15 the same timeframe.

16 (6) The loss of markets for recyclable material has added huge  
17 costs to local governments for the disposal and diversion of  
18 material. For many cities, counties, and waste haulers in California,  
19 recycling has turned from a profitable business into an activity  
20 that actually costs local governments money. These costs are being  
21 absorbed by city general funds or by rate increases on residents  
22 for waste collection.

23 (7) The environmental and public health impacts of plastic  
24 pollution are devastating and the environmental externalities and  
25 public costs of cleaning up and mitigating plastic pollution are  
26 already staggering and continue to grow.

27 (8) Local governments in California annually spend in excess  
28 of four hundred twenty million dollars (\$420,000,000) in ongoing  
29 efforts to clean up and prevent plastic and other litter from entering  
30 our rivers and streams and polluting our beaches and oceans.

31 (9) Evidence now shows that even our own food and drinking  
32 water sources are contaminated with plastic. Microplastics have  
33 been found in tap water, bottled water, table salt, and fish and  
34 shellfish from local California fish markets. A growing body of  
35 research is finding plastic and associated toxins throughout the  
36 food web, including in our blood, feces, and tissues. Exposure to  
37 these toxins has been linked to cancers, birth defects, impaired  
38 immunity, endocrine disruption, and other ailments.

39 (10) It is the policy goal of the state that not less than 75 percent  
40 of solid waste generated be source reduced, recycled, or composted

1 by the year 2020. However, as of 2017, the state was only on track  
2 to reach 44 percent, falling far short of this important goal.  
3 Additionally, the state has done little to require businesses to reduce  
4 the amount of packaging and single-use product waste they  
5 generate in California.

6 (11) As the fifth largest economy in the world, California has  
7 a responsibility to lead on solutions to the growing plastic pollution  
8 crisis, and to lead in the reduction of unnecessary waste generally.

9 (12) Further, businesses selling products into California have a  
10 responsibility to ensure that their packaging and products are  
11 minimizing waste, including ensuring materials used are reusable,  
12 recyclable, or compostable. This responsibility includes paying  
13 for the cost of the negative externality of recovery for materials  
14 they sell in California.

15 (b) (1) Consistent with the policy goal established in Section  
16 41780.01, it is the intent of the Legislature that, by 2030, producers  
17 of single-use products that are not priority single-use products  
18 achieve and maintain a statewide 75-percent reduction of the waste  
19 generated from single-use products offered for sale, sold,  
20 distributed, or imported in or into the state that are not priority  
21 single-use products through source reduction, recycling, or  
22 composting.

23 (2) In accordance with paragraph (1), it is the intent of the  
24 Legislature that producers of single-use products that are not  
25 priority single-use products do all of the following for single-use  
26 products that are not priority single-use products:

27 (A) Source reduce those products, and transition those products  
28 to reusable products, to the maximum extent feasible.

29 (B) Ensure those products are recyclable or compostable, as  
30 determined by the department pursuant to Section 42052.

31 (C) For single-use plastic products that are not priority single-use  
32 products and that are offered for sale, sold, distributed, or imported  
33 in or into California, reduce waste generation by 75 percent through  
34 combined source reduction and recycling.

35 (c) It is the intent of the Legislature that any deposit-based  
36 mechanism identified pursuant to clause (ii) of subparagraph (B)  
37 of paragraph (2) of subdivision (b) of Section 42050 or  
38 implemented as a corrective action pursuant to paragraph (2) of  
39 subdivision (a) of Section 42061 ensures that consumers can

1 conveniently receive a refund for returning single-use packaging  
2 or priority single-use products.

3 42042. (a) For purposes of this chapter, all of the following  
4 shall apply:

5 (1) "California circular economy regulatory fee" means the fee  
6 imposed by the department pursuant to Section 42080.

7 (2) "Packaging" means the material used for the containment,  
8 protection, handling, delivery, or presentation of goods by the  
9 producer for the user or consumer, ranging from raw materials to  
10 processed goods. Packaging includes, but is not limited to, all of  
11 the following:

12 (A) Sales packaging or primary packaging intended to constitute  
13 a sales unit to the consumer at point of purchase and most closely  
14 contains the product, food, or beverage.

15 (B) Grouped packaging or secondary packaging intended to  
16 brand or display the product.

17 (C) Transport packaging or tertiary packaging intended to protect  
18 the product during transport.

19 (3) "Packaging category" means a packaging material category  
20 on the list published by the department pursuant to subdivision (c)  
21 of Section 42054.

22 (4) "Priority single-use products" means single-use food service  
23 ware, including plates, bowls, cups, utensils, stirrers, and straws.

24 (5) "Product category" means a priority single-use product  
25 material category on the list published by the department pursuant  
26 to subdivision (c) of Section 42054.

27 (6) (A) "Producer" means the person who manufactures the  
28 single-use packaging or priority single-use product under that  
29 person's own name or brand and who sells or offers for sale the  
30 single-use packaging or priority single-use product in the state.

31 (B) If there is no person who is the producer of the single-use  
32 packaging or priority single-use products for purposes of  
33 subparagraph (A), the producer is the person who imports the  
34 single-use packaging or priority single-use product as the owner  
35 or licensee of a trademark or brand under which the single-use  
36 packaging or priority single-use product is sold or distributed in  
37 the state.

38 (C) If there is no person who is the producer for purposes of  
39 subparagraphs (A) and (B), the producer is the person or company

1 that offers for sale, sells, or distributes the single-use packaging  
2 or priority single-use product in the state.

3 *(D) Notwithstanding subparagraphs (A) to (C), inclusive, for*  
4 *beer and malt beverages manufactured outside of the state*  
5 *“producer” means the person named on the certificate of*  
6 *compliance issued pursuant to Section 23671 of the Business and*  
7 *Professions Code.*

8 (7) “Retailer or wholesaler” means the person who sells the  
9 single-use packaging, product packaged in single-use packaging,  
10 or priority single-use product in the state or offers to consumers  
11 the single-use packaging, product packaged in single-use  
12 packaging, or priority single-use product in the state through any  
13 means, including, but not limited to, any of the following:

14 (A) Remote offering, including sales outlets or catalogs.

15 (B) Electronically through the internet.

16 (C) Telephone.

17 (D) Mail.

18 (8) (A) “Single-use packaging” means the packaging of a  
19 product when the packaging is routinely recycled, disposed of, or  
20 discarded after its contents have been used or unpackaged, and  
21 typically not refilled by the producer.

22 (B) Single-use packaging does not include any of the following:

23 (i) Reusable packaging, as determined by the department  
24 pursuant to Section 42052.

25 (ii) Packaging containing toxic or hazardous products regulated  
26 by the Federal Insecticide, Fungicide, and Rodenticide Act (7  
27 U.S.C. Sec. 136 et seq.).

28 (iii) Plastic packaging containers that are manufactured for use  
29 in the shipment of hazardous materials and are prohibited from  
30 being manufactured with used material by federal packaging  
31 material specifications set forth in Sections 178.509 and 178.522  
32 of Title 49 of the Code of Federal Regulations.

33 *(iv) Until January 1, 2026, beverage containers subject to the*  
34 *California Beverage Container Recycling and Litter Reduction*  
35 *Act (Division 12.1 (commencing with Section 14500)).*

36 (9) “Source reduction” includes, but is not limited to,  
37 transitioning single-use packaging or a priority single-use product  
38 to refillable or reusable packaging or a reusable product. Source  
39 reduction does not include replacing a recyclable or compostable  
40 material with a nonrecyclable or noncompostable material or a

1 material that is less likely to be recycled or composted, and does  
2 not include a shift from a nonplastic material that currently is  
3 recyclable or compostable to plastic material.

4 (10) “Unexpended funds” means money in a stewardship  
5 organization’s accounts that the stewardship organization is not  
6 already obligated to pay pursuant to a contract, claim, or similar  
7 mechanism. “Unexpended funds” excludes regulatory fees.

8 (b) For purposes of this chapter, all of the following shall not  
9 be considered single-use packaging or priority single-use products:

10 (1) ~~Medical products.~~ *products, as well as products defined as*  
11 *medical devices and prescription drugs as specified in the federal*  
12 *Food, Drug, and Cosmetic Act (21 U.S.C. Secs. 321(h) and (g),*  
13 *and Sec. 353(b)(1)).*

14 ~~(2) Products defined as medical devices pursuant to Section~~  
15 ~~321(h) of Title 21 of the United States Code.~~

16 ~~(3) Products defined as prescription drugs pursuant to Section~~  
17 ~~321(g) or 353(b)(1) of Title 21 of the United States Code.~~

18 ~~(4)~~

19 (2) Drugs that are used for animal medicines, including, but not  
20 limited to, parasiticide products for animals.

21 ~~(5)~~

22 ~~(3) Infant formula that would fall under the exclusion described~~  
23 ~~in Section 350(a)(2) formula, as defined in Section 321(z) of Title~~  
24 ~~21 of the United States Code.~~

25 ~~(6)~~

26 (4) Medical food as defined pursuant to Section 360ee(b)(3) of  
27 Title 21 of the United States Code.

28 ~~(7)~~

29 (5) Fortified oral nutritional supplements used for persons who  
30 require supplemental or sole source nutrition to meet nutritional  
31 needs ~~or who have~~ *due to* special dietary needs directly related to  
32 cancer, chronic kidney disease, diabetes, or other medical  
33 conditions as determined by the department.

34 ~~(8)~~

35 (6) Packaging used for a product listed in paragraphs (1) to ~~(7)~~;  
36 ~~(5)~~, inclusive.

1 Article 2. Single-use Packaging and Priority Single-use Products

2

3 42050. (a) Before January 1, 2024, the department shall, in  
4 consultation with relevant state agencies with jurisdiction relevant  
5 to this chapter and local jurisdictions and regional agencies charged  
6 with meeting waste diversion goals, adopt regulations that do all  
7 of the following:

8 (1) (A) Require producers of single-use packaging to source  
9 reduce single-use packaging to the maximum extent feasible.

10 (B) Require producers of single-use packaging to ensure that  
11 all single-use packaging manufactured on or after January 1, 2030,  
12 and that is offered for sale, sold, distributed, or imported in or into  
13 California is recyclable or compostable as determined by the  
14 department pursuant to Section 42052.

15 (2) (A) Require producers of priority single-use products to  
16 source reduce priority single-use products to the maximum extent  
17 feasible.

18 (B) Require producers of priority single-use products to ensure  
19 that priority single-use products manufactured on or after January  
20 1, 2030, and that are offered for sale, sold, distributed, or imported  
21 in or into California are recyclable or compostable as determined  
22 by the department pursuant to Section 42052.

23 (3) Achieve and maintain, by January 1, 2030, through the  
24 regulations adopted by the department and implemented by  
25 producers pursuant to this chapter, a statewide 75-percent reduction  
26 of the waste generated from single-use packaging and priority  
27 single-use products offered for sale, sold, distributed, or imported  
28 in or into the state through source reduction, recycling, or  
29 composting.

30 (4) Require producers to comply with the requirements of this  
31 chapter and its implementing regulations.

32 (b) (1) By January 1, 2023, and before adopting the regulations,  
33 in order to increase the opportunity for public participation and to  
34 receive comments, the department shall finalize an implementation  
35 plan for meeting the requirements of this chapter.

36 (2) As part of the implementation plan, the department shall do  
37 all of the following:

38 (A) Conduct extensive outreach to stakeholders and to state and  
39 local agencies with jurisdiction relevant to this chapter, including,  
40 but not limited to, the state's waste diversion, climate, water

1 quality, public health, and air quality goals, and the state’s toxic  
2 substances regulation. This outreach shall include, but is not limited  
3 to, convening a series of public workshops throughout the state to  
4 give interested parties an opportunity to comment and a series of  
5 stakeholder meetings designed to facilitate dialogue between  
6 stakeholders representing different interest groups such as local  
7 governments, the solid waste and recycling industries, product and  
8 packaging manufacturers, retailers and wholesalers, trade  
9 associations, and environmental organizations. These meetings  
10 shall be held throughout the state to increase the opportunity for  
11 participation and shall inform the development of regulations  
12 pursuant to this section.

13 (B) Evaluate all of the following:

14 (i) Incentives and policies to maximize and encourage in-state  
15 manufacturing using recycled material generated in California and  
16 the development of reusable packaging and products.

17 (ii) Economic mechanisms to reduce the distribution of  
18 single-use packaging and priority single-use products or to  
19 transition single-use packaging and priority single-use products  
20 to reusable alternatives and increase the recyclability or  
21 compostability of single-use packaging and priority single-use  
22 products. These economic mechanisms may include, but are not  
23 limited to, allowing producers to establish and operate a collection  
24 and deposit program, assess a generation-based fee, an advanced  
25 recycling fee, pay as you throw fees, or extended producer  
26 responsibility for single-use packaging and priority single-use  
27 products.

28 (iii) Avoiding the litter, export, or improper disposal of  
29 single-use packaging, priority single-use products, and other  
30 materials likely to harm the environment or public health in  
31 California or elsewhere in the world.

32 (iv) Labeling requirements regarding the recyclability,  
33 compostability, or reusability of packaging and priority single-use  
34 products. Labeling requirements may include criteria for packaging  
35 to be labeled “recyclable,” “compostable,” “reusable,” or  
36 “refillable” based on factors including, but not limited to, whether  
37 the packaging or product can be readily recycled, composted, or  
38 reused and whether the packaging or product is likely to  
39 contaminate other recyclable or compostable material or complicate  
40 processing. In developing labeling requirements, the department

1 shall consider national and international labeling standards and  
2 systems.

3 (v) Possible options for producers to implement the requirements  
4 of this chapter and reduce packaging and product waste, including,  
5 but not limited to, through implementation of effective and  
6 convenient take-back opportunities, deposit systems, reusable and  
7 refillable delivery systems, designing for recyclability or  
8 compostability, advanced disposal fees, incentive programs, or  
9 similar mechanisms. The department may allow producers to  
10 implement extended producer responsibility programs, where  
11 appropriate, consistent with the requirements of Article 4  
12 (commencing with Section 42070).

13 (vi) Actions identified through the California Ocean Litter  
14 Prevention Strategy and the Statewide Microplastics Strategy.

15 (vii) Establishing criteria for the source reduction requirements  
16 specified in subdivision (a) and to inform the checklist specified  
17 in paragraph (3) of subdivision (h). Consideration shall include  
18 reducing weight, volume, or quantity of single-use packaging and  
19 priority single-use product material in a way that does not decrease  
20 the ability of the material to be recycled or reused.

21 (viii) Establishing minimum postconsumer recycled content  
22 requirements for a packaging or product category, where  
23 appropriate, in order to create or enhance markets for recycled  
24 material.

25 (ix) How to address technological innovations and new  
26 packaging materials or categories.

27 (C) Consider and provide recommendations on whether to  
28 transition or sunset existing recycling programs.

29 (D) Identify all of the following:

30 (i) Opportunities to improve and expand waste collection and  
31 processing capabilities and infrastructure, including the use of  
32 innovative new recycling and reuse technologies and secondary  
33 material recovery facilities.

34 (ii) Opportunities to harmonize local waste, recycling, and  
35 composting programs among local jurisdictions and barriers to  
36 cooperation and standardization of programs.

37 (iii) Opportunities for encouraging the use of reusable or  
38 refillable packaging.

1 (iv) Opportunities for public education efforts to increase  
2 recycling and composting of single-use packaging and priority  
3 single-use products and reducing litter from these items.

4 (v) Potential end-use markets for collected materials and policies  
5 required to stimulate domestic markets.

6 (vi) Opportunities for incentivizing and increasing consumer  
7 recycling.

8 (vii) Discussion for identifying and conducting outreach to  
9 producers.

10 (c) (1) The department may identify single-use packaging or  
11 priority single-use products that, while determined to be single use  
12 for purposes of this chapter, present unique challenges in  
13 complying with this chapter.

14 (2) For any packaging or products identified as presenting  
15 unique challenges, the department may at any point develop a plan  
16 to phase the packaging or products into the regulations.

17 (d) The department shall ensure that any regulations adopted  
18 pursuant to this chapter account for guidelines and regulations  
19 issued by the United States Food and Drug Administration.

20 (e) If the department determines at any point a type of single-use  
21 packaging or priority single-use product cannot comply with this  
22 chapter due to health and safety reasons, or because it is unsafe to  
23 recycle, the department may exempt that packaging or product  
24 from this chapter.

25 (f) The regulations shall establish a baseline for the 75-percent  
26 waste reduction requirement in subdivision (a) for each packaging  
27 and product category based on waste characterization studies  
28 undertaken by the department, and any other information received  
29 by the department.

30 (g) (1) Producers shall do both of the following:

31 (A) Register with the department.

32 (B) Report any data to the department that the department deems  
33 necessary to determine compliance with this chapter in a form,  
34 manner, and frequency determined by the department.

35 (2) Any confidential or proprietary market sensitive data  
36 received by the department pursuant to this chapter shall be held  
37 confidentially by the department as required by Section 40062 and  
38 any implementing regulations.

39 (3) The department shall create an online registration form to  
40 facilitate submitting reports pursuant to this subdivision.

1 (4) Producers shall submit the information required by the  
2 department pursuant to paragraph (1) using the format established  
3 by the department pursuant to paragraph (3).

4 (5) The department's regulations shall establish appropriate  
5 timelines to begin reporting following the adoption of regulations.  
6 The department shall consider the amount of information being  
7 reported in developing the timelines.

8 (h) (1) The department's regulations shall include direct source  
9 reductions of single-use packaging and priority single-use products  
10 to the maximum extent feasible, in accordance with this section.

11 (2) The department may consider single-use packaging and  
12 priority single-use product reductions achieved by a producer  
13 before the effective date of the regulations if the producer can  
14 demonstrate to the satisfaction of the department that the producer  
15 reduced the single-use packaging or priority single-use product in  
16 a manner consistent with this chapter.

17 (3) (A) The department shall develop a checklist of source  
18 reduction measures, and a producer that complies with all  
19 applicable measures on the checklist shall be in compliance with  
20 the requirement to source reduce to the maximum extent feasible  
21 pursuant to subdivision (a). The department shall also offer  
22 guidance on how to use the checklist as a means of complying  
23 with subdivision (a). The checklist measures may include, but are  
24 not limited to, ensuring the single-use packaging or priority  
25 single-use product remains recyclable or compostable, right-sizing  
26 products, eliminating excess packaging, compliance with internal  
27 or third-party certified packaging design guidelines, concentrating  
28 a product to reduce packaging, and transitioning to reusable  
29 alternatives where those alternatives are readily available.

30 (B) To determine which source reduction measures to include  
31 in the checklist, the department shall consider which single-use  
32 packaging and priority single-use products are prone to become  
33 litter, have readily available alternatives, make up a significant  
34 portion of the waste stream, or have established, or have the  
35 potential for, recycling or composting infrastructure.

36 (C) The checklist shall incorporate considerations that assist  
37 the department in evaluating whether it is feasible for a producer  
38 to implement one or more of the checklist source reduction  
39 measures, including product protection and integrity, consumer

1 safety, shelf life, compatibility with distribution systems, and other  
2 relevant factors as the department deems appropriate.

3 (4) When establishing the source reduction measures, the  
4 department shall avoid incentivizing substitutions that may have  
5 a more substantial negative impact on the environment.

6 (5) In developing the regulations, the department shall count a  
7 producer's source reductions achieved to comply with Chapter 5.5  
8 (commencing with Section 42300) toward compliance with this  
9 chapter.

10 (6) If the department believes a producer has not met its  
11 obligation to source reduce to the maximum extent feasible, or if  
12 the department believes additional source reduction is feasible  
13 when the producer believes it is not, then the producer shall be  
14 given an opportunity to explain any relevant factors that would  
15 limit its ability to meet its obligation or implement additional  
16 source reduction measures.

17 (i) If the department determines that early actions to source  
18 reduce certain single-use packaging and priority single-use products  
19 can further the purposes of this chapter, the department may adopt  
20 regulations to achieve those reductions. If the department adopts  
21 regulations pursuant to this subdivision, the department shall report  
22 that action to the Legislature in the next report submitted pursuant  
23 to Section 42060.

24 (j) In developing the regulations, the department shall consider  
25 relevant information on reduction programs and approaches in  
26 other states, localities, and nations, including, but not limited to,  
27 the European Union, India, Costa Rica, and Canada, and  
28 international standards, including, but not limited to, ISO 18602.

29 (k) The department may determine which actions producers  
30 may undertake to achieve the requirements of subdivision (a) based  
31 on packaging or product category.

32 (l) In adopting regulations pursuant to this section, the  
33 department shall consider and avoid disproportionate impacts to  
34 low-income or disadvantaged communities.

35 (m) The department shall not impose a recycled content  
36 requirement or any other requirement in direct conflict with a  
37 federal law or regulation, including, but not limited to, laws or  
38 regulations covering tamper-evident packaging pursuant to Section  
39 211.132 of Title 21 of the Code of Federal ~~Regulations and~~  
40 *Regulations, laws or regulations covering child-resistant packaging*

1 pursuant to Part 1700 of Subchapter E of Chapter II of Title 16 of  
2 the Code of Federal ~~Regulations~~. *Regulations, or requirements for*  
3 *microbial contamination, structural integrity, or safety of*  
4 *packaging under the federal Food, Drug, and Cosmetic Act (21*  
5 *U.S.C. Sec. 301 et seq.), 21 U.S.C. Sec. 2101 et seq., the federal*  
6 *FDA Food Safety Modernization Act (21 U.S.C. Sec. 2201 et seq.),*  
7 *or the regulations, rules, or guidance issued pursuant to those*  
8 *laws.*

9 (n) The department shall develop criteria for exemptions from  
10 the requirements of this chapter for small producers, retailers, and  
11 wholesalers.

12 (o) The department shall establish criteria for allowing producers  
13 to comply with the requirements of this chapter through contractual  
14 arrangements with third parties that do not otherwise meet the  
15 definition of producer in subparagraph (A) of paragraph (6) of  
16 subdivision (a) of Section 42042. The criteria shall not limit the  
17 department's ability to enforce or otherwise implement this chapter.

18 42051. (a) The department may adopt emergency regulations  
19 to implement and enforce all of the following:

- 20 (1) Subdivision (g) of Section 42050.
- 21 (2) Subdivision (i) of Section 42050.
- 22 (3) Subdivisions (c) and (d) of Section 42054.
- 23 (4) Section 42055.
- 24 (5) Section 42080.

25 (b) Emergency regulations adopted pursuant to this section shall  
26 be adopted in accordance with Chapter 3.5 (commencing with  
27 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
28 Code, and for the purposes of that chapter, including Section  
29 11349.6 of the Government Code, the adoption of these regulations  
30 is an emergency and shall be considered by the Office of  
31 Administrative Law as necessary for the immediate preservation  
32 of the public peace, health, safety, and general welfare.  
33 Notwithstanding Chapter 3.5 (commencing with Section 11340)  
34 of Part 1 of Division 3 of Title 2 of the Government Code, any  
35 emergency regulations adopted by the department pursuant to this  
36 section shall be filed with, but not be repealed by, the Office of  
37 Administrative Law and shall remain in effect for a period of two  
38 years or until revised by the department, whichever occurs sooner.

39 42052. (a) In adopting regulations pursuant to Section 42050,  
40 the department shall develop criteria to determine whether the

1 packaging or priority single-use products are reusable, recyclable,  
2 or compostable.

3 (b) (1) For purposes of determining if single-use packaging or  
4 priority single-use products are recyclable, the director shall  
5 consider, at a minimum, all of the following criteria:

6 (A) Whether the single-use packaging or priority single-use  
7 product is eligible to be labeled as “recyclable” in accordance with  
8 the uniform standards contained in Article 7 (commencing with  
9 Section 17580) of Chapter 1 of Part 3 of Division 7 of the Business  
10 and Professions Code.

11 (B) Whether the single-use packaging or priority single-use  
12 product is regularly collected, separated, and cleansed for recycling  
13 by recycling service providers.

14 (C) Whether the single-use packaging or priority single-use  
15 product is regularly sorted and aggregated into defined streams  
16 for recycling processes.

17 (D) Whether the single-use packaging or priority single-use  
18 product is regularly processed and reclaimed or recycled with  
19 commercial recycling processes.

20 (E) Whether the single-use packaging or priority single-use  
21 product material regularly becomes feedstock that is used in the  
22 production of new products.

23 (F) Whether the single-use packaging or priority single-use  
24 product material is recycled in sufficient quantity, and is of  
25 sufficient quality, to maintain a market value.

26 (2) For purposes of determining if single-use packaging or  
27 priority single-use products are recyclable, the director shall  
28 consider the regulations adopted pursuant to Article 10.4  
29 (commencing with Section 25214.11) of Chapter 6.5 of Division  
30 20 of the Health and Safety Code.

31 (3) For purposes of determining if single-use packaging or  
32 priority single-use products are recyclable, de minimis amounts  
33 of nonrecyclable material of more than 3 percent of the total weight  
34 or volume of the single-use packaging or priority single-use product  
35 material is acceptable when the nonrecyclable material is required  
36 for the proper delivery, safety, sterility, stability, or use of the  
37 product or the product contained within the packaging. If the  
38 nonrecyclable material negatively affects the recyclability of the  
39 product or packaging, the material shall not be considered de  
40 minimis.

1 (c) For purposes of determining if single-use packaging or  
2 priority single-use products are compostable, the director shall  
3 consider, at a minimum, all of the following criteria:

4 (1) Whether the single-use packaging or priority single-use  
5 product will, in a safe and timely manner, break down or otherwise  
6 become part of usable compost that can be composted in a public  
7 or private compost facility designed for and capable of processing  
8 postconsumer food waste and food-soiled paper.

9 (2) Whether the single-use packaging or priority single-use  
10 product made from plastic is certified to meet the ASTM standard  
11 specification identified in either subparagraph (A) or (C) of  
12 paragraph (1) of subdivision (b) of Section 42356 and adopted in  
13 accordance with Section 42356.1, if applicable.

14 (3) Whether the single-use packaging or priority single-use  
15 product is regularly collected and accepted for processing at public  
16 and private compost facilities.

17 (4) Whether the single-use packaging or priority single-use  
18 product is eligible to be labeled as “compostable” in accordance  
19 with the uniform standards contained in Article 7 (commencing  
20 with Section 17580) of Chapter 1 of Part 3 of Division 7 of the  
21 Business and Professions Code.

22 (d) For purposes of determining if packaging or a priority  
23 single-use product is reusable, the department shall consider, at a  
24 minimum, both of the following criteria:

25 (1) Whether the packaging or priority single-use product is  
26 conventionally disposed of after a single use.

27 (2) Whether the packaging or priority single-use product is  
28 sufficiently durable, washable, and intended for multiple refills of  
29 the original product to allow for multiple uses.

30 (e) (1) In implementing this section, the department may consult  
31 with local governments and representatives of the solid waste  
32 industry, the recycling industry, the reuse industry, the compost  
33 industry, and single-use product and packaging manufacturers to  
34 determine if a type of packaging or priority single-use product is  
35 recyclable, reusable, or compostable.

36 (2) Local governments, solid waste facilities, recycling facilities,  
37 and composting facilities may provide information requested by  
38 the department pursuant to paragraph (1) to the department.

39 42053. (a) In implementing this chapter, the department shall  
40 establish a Circular Economy and Waste Pollution Reduction Panel

1 for the purpose of identifying barriers and solutions to creating a  
2 circular economy consistent with this chapter. The panel shall be  
3 composed of one or more members from each of the following  
4 disciplines, with equal representation from each discipline:

- 5 (1) Local government.
- 6 (2) Waste management.
- 7 (3) Environmental health or sustainability.
- 8 (4) Product or packaging manufacturing.
- 9 (5) Product or packaging design.
- 10 (6) Recyclers.

11 (b) The department shall appoint all members to the panel on  
12 or before January 1, 2021. The department shall appoint the  
13 members for staggered three-year terms, and may reappoint a  
14 member for additional terms, without limitation.

15 (c) The panel shall meet as often as the department deems  
16 necessary, with consideration of available resources, but not less  
17 than twice each year. The department shall provide for staff and  
18 administrative support to the panel.

19 (d) The panel meetings shall be open to the public and are  
20 subject to the Bagley-Keene Open Meeting Act (Article 9  
21 commencing with Section 11120) of Chapter 1 of Part 1 of  
22 Division 3 of Title 2 of the Government Code).

23 (e) The panel shall provide the department with initial  
24 recommendations regarding key barriers and possible solutions to  
25 advance the objectives of increasing recovery of packaging and  
26 product materials and decreasing the leakage of plastic into the  
27 environment no later than one year after the panel's initial meeting.  
28 The department shall consider these recommendations as it  
29 evaluates what specific actions may be appropriate to advance the  
30 objectives of this chapter.

31 (f) The panel may take any of the following actions through  
32 written recommendations as the panel deems appropriate:

33 (1) Advise the department on technical matters in support of  
34 the goals of this chapter to create a circular economy and reduce  
35 product and packaging pollution.

36 (2) Advise the department in the adoption of the implementation  
37 plan and regulations required by this chapter.

38 (3) Advise the department on any other pertinent matter in  
39 implementing this chapter, as determined by the panel or  
40 department.

1 (g) The panel shall submit written recommendations to the  
2 department only if a majority or more of the panel's members  
3 endorse the recommendation. One or more panel members that do  
4 not endorse the recommendation may submit a separate written  
5 recommendation to the department reflecting the minority opinion  
6 or opinions.

7 42054. (a) Single-use packaging and priority single-use  
8 products offered for sale, sold, distributed, or imported in or into  
9 California by a producer shall meet the following recycling rates:

10 (1) On and after January 1, 2026, not less than 30 percent for  
11 single-use packaging and priority single-use products manufactured  
12 on or after January 1, 2026.

13 (2) On and after January 1, 2028, not less than 40 percent for  
14 single-use packaging and priority single-use products manufactured  
15 on or after January 1, 2028.

16 (3) On and after January 1, 2030, not less than 75 percent for  
17 single-use packaging and priority single-use products manufactured  
18 on or after January 1, 2030.

19 (b) (1) Notwithstanding subdivision (a), the department may,  
20 subject to paragraph (3), impose a higher or lower recycling rate  
21 for single-use packaging or priority single-use products as needed  
22 to achieve the requirements established in Section 42050.

23 (2) Commencing in 2024, and every two years thereafter, the  
24 department shall review, in consultation with the panel created  
25 pursuant to Section 42053, relevant data to assess whether the  
26 recycling rate required in subdivision (a) should be adjusted. The  
27 department shall make its determination and rationale available  
28 for public review.

29 (3) If the department determines pursuant to a review under  
30 paragraph (2) that current unforeseen and anomalous market  
31 conditions, including, but not limited to, recycling infrastructure  
32 conditions, warrant an adjustment to the recycling rates required  
33 in subdivision (a), the department may impose a higher or lower  
34 recycling rate subject to the following conditions:

35 (A) The recycling rate shall not be adjusted by more than 10  
36 percent of what is required in subdivision (a).

37 (B) The adjusted recycling rate shall be in effect for no more  
38 than two years.

39 (c) (1) Before adopting the implementation plan or regulations,  
40 the department shall establish and post on its internet website a

1 list of packaging and product categories of single-use packaging  
2 and priority single-use products.

3 (2) The department may consider material types and form  
4 referenced in waste characterization studies for determining the  
5 packaging and product categories.

6 (d) (1) The department shall calculate and publish on its internet  
7 website the recycling rates for each packaging and product category  
8 no later than January 1, 2025. These recycling rates shall be deemed  
9 to meet the description in subdivision (g) of Section 11340.9 of  
10 the Government Code and may be filed by the department pursuant  
11 to Section 11343.8 of the Government Code.

12 (2) In determining a recycling rate, the department may consider  
13 data gathered pursuant to any of the following:

14 (A) Chapter 746 of the Statutes of 2015.

15 (B) Chapter 6 (commencing with Section 42370).

16 (C) Chapter 395 of the Statutes of 2016.

17 (D) Chapter 5.5 (commencing with Section 42300).

18 (E) Division 12.1 (commencing with Section 14500).

19 (F) Data voluntarily provided by local jurisdictions.

20 (G) Data and information received from producers.

21 (H) Any other relevant data and information received by the  
22 department.

23 (3) The department shall determine and post on its internet  
24 website whether each packaging and product category recycling  
25 rate complies with the recycling rates required pursuant to this  
26 section.

27 (4) For purposes of determining the recycling rate, the  
28 department shall include single-use packaging and priority  
29 single-use products that are recycled or composted.

30 (5) A producer may demonstrate compliance with subdivision  
31 (a) or (b) by submitting to the department evidence that the  
32 particular type of single-use packaging or priority single-use  
33 product meets the applicable recycling rate threshold established  
34 in subdivision (a) or (b) by reference to a recycling rate on the  
35 department's list or through another mechanism approved by the  
36 department.

37 (6) The department shall update the list at least every two years  
38 and shall regularly, but no less than once every two years, evaluate  
39 the list of recycling rates to determine whether the recycling rates  
40 are still accurate. After evaluation, the department may amend the

1 list to remove, add, or change recycling rates. The department shall  
2 post any updates to the list on its internet website.

3 (7) A producer that seeks to have a recycling rate included or  
4 changed on the list, or a packaging or product category added to  
5 the list, may be required by the department to submit data for  
6 purposes of the department's determination of the recycling rate  
7 to include on the list.

8 (8) Development of, publication of, and updates made to the  
9 list pursuant to this subdivision are exempt from Chapter 3.5  
10 (commencing with Section 11340) of Part 1 of Division 3 of Title  
11 2 of the Government Code.

12 42054.1. The department shall post on its internet website a  
13 list of compliant producers that are in compliance with this chapter  
14 and a list of noncompliant producers that are not in compliance  
15 with this chapter. The department shall update the list at least once  
16 every six months.

17 42055. (a) A retailer and wholesaler shall register with the  
18 department and do both of the following:

19 (1) Report to the department the producers that provide the  
20 retailer or wholesaler with single-use packaging, products packaged  
21 in single-use packaging, or priority single-use products.

22 (2) Not offer for sale or sell single-use packaging, a product  
23 packaged in single-use packaging, or a priority single-use product  
24 if the producer of the single-use packaging or priority single-use  
25 product is listed as noncompliant on the department's internet  
26 website pursuant to Section 42054.1.

27 (b) The department may require electronic registration and  
28 reporting by retailers and wholesalers.

29 42056. (a) In complying with this chapter, producers, retailers,  
30 and wholesalers shall do all of the following:

31 (1) Upon request, provide the department with reasonable and  
32 timely access to its facilities and operations, as necessary to  
33 determine compliance with this chapter.

34 (2) Upon request, provide the department with relevant records  
35 necessary to determine compliance with this chapter.

36 (b) Provide required reports and data that are accurate and  
37 attested to under penalty of perjury as required by the department.

1 Article 3. Implementation and Enforcement

2  
3 42060. The department shall report to the Legislature in  
4 compliance with Section 9795 of the Government Code every  
5 three years its progress in implementing this chapter. The  
6 implementation plan required by Section 42050 shall constitute a  
7 report for the purposes of this section.

8 42061. (a) (1) The department may issue a notice of violation  
9 to and impose an administrative civil penalty not to exceed fifty  
10 thousand dollars (\$50,000) per day per violation on any entity not  
11 in compliance with this chapter or any of the regulations the  
12 department adopts to implement this chapter.

13 (2) Before determining whether or not to assess a penalty, the  
14 department may require a producer to develop and submit a  
15 corrective action plan to the department detailing how the producer  
16 will come into compliance with this chapter. Corrective action  
17 plans may include, but are not limited to, actions such as shifting  
18 production away from packaging and product categories that do  
19 not meet the recycling rates required pursuant to Section 42054,  
20 reaching a minimum content standard set by the department, or  
21 establishing a take-back system or deposit fee system for single-use  
22 packaging or priority single-use products that would increase the  
23 recycling rate of the material. The department shall not assess a  
24 penalty and the producer shall remain listed as compliant pursuant  
25 to Section 42054.1 if the producer complies with the corrective  
26 action plan. A producer may request approval from the department  
27 to comply with a corrective action plan or elements of a corrective  
28 action plan through a joint venture or joint actions with other  
29 producers.

30 (3) The department, in determining the penalty amount and  
31 whether or not to assess a penalty, shall consider all of the  
32 following:

33 (A) The nature, circumstances, extent, and gravity of the  
34 violation or a condition giving rise to the violation and the various  
35 remedies and penalties that are appropriate in the given  
36 circumstances, with primary emphasis on protecting the public  
37 health and safety and the environment.

38 (B) Whether the violation or conditions giving rise to the  
39 violation have been corrected in a timely fashion or whether

1 reasonable progress is being made to correct the violation or  
2 conditions giving rise to the violation.

3 (C) Whether the violation or conditions giving rise to the  
4 violation demonstrate a chronic pattern of noncompliance with  
5 this chapter or the regulations adopted pursuant to this chapter.

6 (D) Whether the violation or conditions giving rise to the  
7 violation were intentional.

8 (E) Whether the violation or conditions giving rise to the  
9 violation were voluntarily and promptly reported to the department  
10 before the commencement of an investigation or audit by the  
11 department.

12 (F) Whether the violation or conditions giving rise to the  
13 violation were due to circumstances beyond the reasonable control  
14 of the producer or were otherwise unavoidable under the  
15 circumstances, including, but not limited to, unforeseen changes  
16 in market conditions.

17 (G) The size and economic condition of the producer.

18 (4) (A) The department may extend a previously established  
19 timeframe for a producer to comply with a corrective action plan  
20 for up to 24 months if the department sets forth steps for the  
21 producer to achieve compliance with the corrective action plan  
22 and if the producer has demonstrated that it has made a substantial  
23 effort to comply and that there are extenuating circumstances that  
24 have prevented it from complying.

25 (B) For purposes of this paragraph, “substantial effort” means  
26 that a producer has taken all practicable actions to comply with a  
27 corrective action plan. Substantial effort does not include  
28 circumstances in which the decisionmaking body of a producer  
29 has not taken the necessary steps to comply with a corrective action  
30 plan, including, but not limited to, a failure to provide staff  
31 resources or a failure to provide sufficient funding to ensure  
32 compliance with a correction action plan.

33 (b) A producer may offer for sale, sell, distribute, or import  
34 single-use packaging or priority single-use products in a packaging  
35 or product category that does not meet the recycling rates  
36 established pursuant to subdivision (a) or (b) of Section 42054 if  
37 the producer demonstrates to the department that the producer has  
38 implemented actions to achieve the recycling rates established  
39 pursuant to subdivision (a) or (b) of Section 42054 for an amount

1 equal to the producer's market share of that packaging or product  
2 category in California.

3 (c) (1) The department may audit producers, retailers, and  
4 wholesalers including, but not limited to, reports submitted by a  
5 producer and demonstrations made by a producer pursuant to  
6 Section 42054.

7 (2) The department shall review an audit for compliance with  
8 this chapter and consistency with information reported pursuant  
9 to this chapter.

10 (3) The department shall notify a producer, retailer, or  
11 wholesaler of any conduct or practice that does not comply with  
12 this chapter or of any inconsistencies identified in the department's  
13 audit.

14 (4) A producer, retailer, or wholesaler may obtain copies of the  
15 department's audit of the producer upon request.

16 (5) The department shall not disclose any confidential or  
17 proprietary information that is included in the department's audit  
18 to the extent that information is protected from disclosure by  
19 existing law.

20 (d) Subdivision (a) does not apply to the requirements of  
21 paragraph (1) of subdivision (a) of Section 42054. The department  
22 may notify the producer of the failure to comply with the  
23 requirements of paragraph (1) of subdivision (a) of Section 42054.

24

25 Article 4. Single-use Packaging and Priority Single-use Product  
26 Stewardship

27

28 42070. (a) The department may adopt regulations allowing  
29 producers to meet the requirements of this chapter collectively by  
30 forming a stewardship organization that adopts a stewardship plan  
31 in accordance with this article. If the department adopts those  
32 regulations, the regulations shall include all of the provisions of  
33 this article.

34 (b) A producer that is a member of a stewardship organization,  
35 which is formed in accordance with this article and is in compliance  
36 with this chapter, shall not individually be subject to the  
37 requirements of this chapter for the single-use packaging and  
38 priority single-use products covered by the stewardship plan, except  
39 as specified in a stewardship plan adopted by a stewardship  
40 organization in accordance with this article.

1 (c) In accordance with Section 42080, a stewardship  
2 organization formed in accordance with this article shall be  
3 responsible for paying the California circular economy regulatory  
4 fee on behalf of its members and may require a member to  
5 reimburse the stewardship organization for the amount of the  
6 regulatory fee paid on behalf of the member.

7 42071. (a) Producers may form a stewardship organization  
8 exempt from taxation under Section 501(c)(3) of the federal  
9 Internal Revenue Code of 1986.

10 (b) A stewardship organization formed pursuant to subdivision  
11 (a) shall develop and submit to the department a stewardship plan  
12 for the source reduction, collection, and recycling of the single-use  
13 packaging or priority single-use products that the producers covered  
14 under the plan sell, offer for sale, distribute, or import in or into  
15 the state in an economically efficient and practical manner. The  
16 stewardship plan shall be consistent with the regulations adopted  
17 in accordance with Section 42050.

18 (c) Within 90 days after approval or conditional approval by  
19 the department of the plan, the stewardship organization shall  
20 implement the approved plan.

21 (d) The approved plan shall be a public record, except that  
22 financial, production, or sales data reported to the department by  
23 the stewardship organization is not a public record for purposes  
24 of the California Public Records Act (Chapter 3.5 (commencing  
25 with Section 6250) of Division 7 of Title 1 of the Government  
26 Code) and shall not be open to public inspection. The department  
27 may release financial, production, or sales data in summary form  
28 so the information cannot be attributable to a specific producer,  
29 retailer, wholesaler, or to any other entity.

30 42072. (a) The stewardship organization shall keep minutes,  
31 books, and records that clearly reflect the activities and transactions  
32 of the stewardship organization.

33 (b) The accounting books of the stewardship organization shall  
34 be audited at the stewardship organization's expense by an  
35 independent certified public accountant retained by the stewardship  
36 organization at least once each calendar year.

37 (c) The stewardship organization shall arrange for the audit to  
38 be delivered to the department with the annual report required  
39 pursuant to Section 42073. The department shall review the audit  
40 for compliance with this article and consistency with the plan

1 created pursuant to this article. The department shall notify the  
2 stewardship organization of any compliance issues or  
3 inconsistencies.

4 (d) The department may conduct its own audit if it determines  
5 that an audit is necessary to enforce the requirements of this article  
6 and that the audit conducted pursuant to subdivision (b) is not  
7 adequate for this purpose. The stewardship organization may obtain  
8 copies of the audit upon request.

9 (e) The department shall not disclose any confidential or  
10 proprietary information in an audit.

11 42073. The stewardship organization shall annually submit to  
12 the department and make publicly available on its internet website  
13 an annual report that describes how the organization has complied  
14 with the requirements of this chapter and its implementing  
15 regulations.

16 42074. (a) The department shall review the annual report for  
17 compliance with this article and shall approve, disapprove, or  
18 conditionally approve the report within 120 days of receipt of the  
19 annual report.

20 (b) If the department disapproves the annual report, the  
21 department shall explain, in writing, how the annual report does  
22 not comply with this article, and the stewardship organization shall  
23 resubmit the report with any additional information, modifications,  
24 or corrections to the department within 30 days. If the department  
25 finds that the annual report resubmitted by the stewardship  
26 organization does not comply with the requirements of this article,  
27 the stewardship organization shall not be deemed in compliance  
28 with this article until the stewardship organization submits an  
29 annual report that the department finds compliant with the  
30 requirements of this article.

31 (c) The approved annual report shall be a public record, except  
32 that financial, production, or sales data reported to the department  
33 by the stewardship organization is not a public record for purposes  
34 of the California Public Records Act (Chapter 3.5 (commencing  
35 with Section 6250) of Division 7 of Title 1 of the Government  
36 Code) and shall not be open to public inspection. The department  
37 may release financial, production, or sales data in summary form  
38 so the information cannot be attributable to a specific producer,  
39 retailer, wholesaler, or to any other entity.

1 42075. (a) A stewardship organization, as part of its  
2 stewardship plan, shall set up a trust fund or an escrow account,  
3 into which it shall deposit all unexpended funds, for use in  
4 accordance with this section in the event that the stewardship plan  
5 terminates or is revoked.

6 (b) If a stewardship plan terminates or is revoked, the trustee  
7 or escrow agent of a trust fund or escrow account set up pursuant  
8 to subdivision (a) shall do both of the following, starting within  
9 30 days:

10 (1) Accept payments directly from producers into the trust fund  
11 or escrow account that would have been made to the stewardship  
12 organization prior to the plan's termination or revocation.

13 (2) Make payments from the trust fund or escrow account as  
14 the department shall direct, in writing, to implement the most  
15 recently approved stewardship plan.

16 (c) If a new stewardship plan has not been approved by the  
17 department within one year after termination or revocation, the  
18 department may make modifications to the previously approved  
19 plan, as it deems necessary, and continue to direct payments from  
20 the trust fund or escrow account in accordance with paragraph (2)  
21 of subdivision (b) to implement the modified stewardship plan.

22 (d) A trustee or escrow agent in possession of stewardship funds  
23 shall, as directed by the department, transfer those funds to a  
24 successor stewardship organization with an approved stewardship  
25 plan.

26 42076. (a) Except as provided in subdivision (c), an action  
27 specified in subdivision (b) that is taken by a stewardship  
28 organization or its members is not a violation of the Cartwright  
29 Act (Chapter 2 (commencing with Section 16700) of Part 2 of  
30 Division 7 of the Business and Professions Code), the Unfair  
31 Practices Act (Chapter 4 (commencing with Section 17000) of  
32 Part 2 of Division 7 of the Business and Professions Code), or the  
33 Unfair Competition Law (Chapter 5 (commencing with Section  
34 17200) of Part 2 of Division 7 of the Business and Professions  
35 Code).

36 (b) Subdivision (a) shall apply to all of the following actions  
37 taken by a stewardship organization or its members:

38 (1) The creation, implementation, or management of a  
39 stewardship plan approved by the department pursuant to this  
40 article and the types or quantities of single-use packaging or

1 priority single-use products managed pursuant to a stewardship  
2 plan.

3 (2) The cost and structure of an approved stewardship plan.

4 (3) The establishment, administration, collection, or  
5 disbursement of any charges associated with funding the  
6 implementation of this article.

7 (c) Subdivision (a) shall not apply to an agreement that does  
8 any of the following:

9 (1) Fixes a price of or for single-use packaging or priority  
10 single-use products, except for an agreement related to costs or  
11 charges associated with participation in a stewardship plan  
12 approved or conditionally approved by the department and  
13 otherwise in accordance with this article.

14 (2) Fixes the output of production of single-use packaging or  
15 priority single-use products.

16 (3) Restricts the geographic area in which, or customers to  
17 whom, single-use packaging or priority single-use products will  
18 be sold.

19

20 Article 5. California Circular Economy Regulatory Fee

21

22 42080. (a) (1) The department shall establish, and a producer  
23 shall pay, a California circular economy regulatory fee. The amount  
24 of the fee shall be established and adjusted by the department based  
25 on the factors specified in paragraph (3). The department shall set  
26 this fee to collect no more than is necessary for the regulatory costs  
27 of this chapter for the following fiscal year, including a prudent  
28 reserve, as specified in subparagraph (B) of paragraph (3).

29 (2) A producer shall remit the fee assessed pursuant to this  
30 subdivision to the department on a quarterly schedule for deposit  
31 into the California Circular Economy Fund, which is hereby created  
32 in the State Treasury. The revenue from the fee shall be tracked  
33 separately by the department and shall not be used for activities  
34 other than those described in this subdivision.

35 (3) Before establishing or adjusting the fee, the department shall  
36 review at a public hearing all of the following factors:

37 (A) A projection of the amount necessary to fund the reasonable  
38 regulatory costs incurred by the department incident to audits,  
39 inspections, administrative activities, adjudications, or other  
40 regulatory activities associated with single-use packaging and

1 priority single-use products pursuant to this chapter, taking into  
2 account any revenue received from entities agreeing to corrective  
3 action plans.

4 (B) The sufficiency of revenues in the California Circular  
5 Economy Fund for the department to administer, enforce, and  
6 promote its regulatory activities regarding single-use packaging  
7 and priority single-use products, including the regulatory aspects  
8 of the programs established pursuant to this chapter, plus a prudent  
9 reserve.

10 (C) Whether additional revenues are necessary to preserve the  
11 department's ability to conduct regulatory activities in the  
12 following fiscal year.

13 (D) If the actual regulatory costs incurred by the department  
14 are lower than the projected costs, whether, at the end of the fiscal  
15 year, a sufficient net fund balance remains in the California Circular  
16 Economy Fund to reduce the fee.

17 (4) An adjustment to the fee shall become effective on January  
18 1 of the year following its adoption.

19 (5) The department may adopt regulations to establish and adjust  
20 the fee. Regulations to adjust the fee shall be deemed to meet the  
21 description in subdivision (g) of Section 11340.9 of the  
22 Government Code and may be filed by the department pursuant  
23 to Section 11343.8 of the Government Code.

24 (b) (1) The amount of the fee imposed on a producer shall be  
25 proportionate to the cost of regulating that producer based on  
26 whether the producer is complying with this chapter individually  
27 or collectively as a member of a stewardship organization. If a  
28 producer is a member of a stewardship organization, the  
29 stewardship organization shall be responsible for paying the fee  
30 on behalf of the producer. A stewardship organization may require  
31 a member to reimburse the stewardship organization for the amount  
32 of the regulatory fee paid on behalf of the member.

33 (2) The amount of the fee imposed on a producer shall be  
34 proportionate to the cost of regulating that producer based on  
35 whether the producer is a producer of single-use packaging or  
36 priority single-use products.

37 (3) If a fee paid by a producer pursuant to the California  
38 Beverage Container Recycling and Litter Reduction Act (Division  
39 12.1 (commencing with Section 14500)) or any other programs  
40 relevant to this chapter results in reduced costs of regulating that

1 producer under this chapter, the department shall ~~take into~~  
2 ~~consideration~~ *account for* that reduced cost of regulation when  
3 determining the amount of the California circular economy  
4 regulatory fee to impose on that producer.

5 (c) If the state loans money from a fund to the California  
6 Circular Economy Fund for managing single-use packaging or  
7 priority single-use products in the state, moneys in the California  
8 Circular Economy Fund may be used toward repaying a loan that  
9 was made before January 1, 2020, or any other loan of public funds  
10 made for the purposes set forth in this section.

11 ~~SEC. 2.~~

12 *SEC. 3.* Chapter 6 (commencing with Section 48710) is added  
13 to Part 7 of Division 30 of the Public Resources Code, to read:

14  
15 CHAPTER 6. LOCAL AGENCY REGULATION OF FOOD PACKAGING  
16 MATERIAL

17  
18 48710. (a) For purposes of this chapter, the following  
19 definitions apply:

20 (1) "Curbside program" means a recycling or composting  
21 program that picks up waste material from individual or multiple  
22 family residences, or both, with the intent to recycle or compost  
23 the waste material, operated by, or pursuant to a contract with, a  
24 local agency, or is acknowledged, in writing, by a local agency.

25 (2) "Grocery store" means a store primarily engaged in the retail  
26 sale of canned food, dry goods, fresh fruits and vegetables, and  
27 fresh meats, fish, and poultry, and any area that is not separately  
28 owned within the store where food is prepared and served,  
29 including a bakery, deli, and meat and seafood counter.

30 (3) "Local agency" means a city, county, city and county, or  
31 other local public agency.

32 (b) A local agency shall not require a grocery store to use a  
33 certain type of food packaging for any food sold in the grocery  
34 store unless the majority of residential households within the  
35 jurisdiction of the local agency have access to a curbside program  
36 that accepts the material from which that food packaging is made.

37 (c) A local agency shall not require a grocery store to use a food  
38 packaging container that does not meet an ASTM standard  
39 specification, as defined pursuant to subdivision (b) of Section

1 42356, or the compostability criteria developed pursuant to Section  
2 42052.

3 (d) (1) Except as provided in paragraph (2), a local agency shall  
4 not enforce or implement an ordinance, resolution, regulation, or  
5 rule, or make any amendment to an ordinance, resolution,  
6 regulation, or rule, that violates or is in conflict with subdivision  
7 (b) or (c).

8 (2) A local agency that, as of September 15, 2019, has an  
9 ordinance, resolution, regulation, or rule that violates or is in  
10 conflict with subdivision (b) or (c) may continue to implement and  
11 enforce that ordinance, resolution, regulation, or rule.

12 (e) This chapter does not prohibit a local agency from requiring  
13 a grocery store to use a certain type of food packaging that is  
14 refillable or reusable.

15 (f) This chapter shall remain in effect only until January 1, 2030,  
16 and as of that date is repealed.

17 ~~SEC. 3.~~

18 *SEC. 4.* The Legislature finds and declares that Section 1 of  
19 this act, which adds Chapter 3 (commencing with Section 42040)  
20 to Part 3 of Division 30 of the Public Resources Code, imposes a  
21 limitation on the public's right of access to the meetings of public  
22 bodies or the writings of public officials and agencies within the  
23 meaning of Section 3 of Article I of the California Constitution.  
24 Pursuant to that constitutional provision, the Legislature makes  
25 the following findings to demonstrate the interest protected by this  
26 limitation and the need for protecting that interest:

27 In order to protect the proprietary information of producers,  
28 retailers, and wholesalers of single-use packaging and priority  
29 single-use products, it is necessary that financial, production, and  
30 sales data reported by producers, retailers, and wholesalers of  
31 single-use packaging and priority single-use products be kept  
32 confidential.

33 ~~SEC. 4.~~

34 *SEC. 5.* No reimbursement is required by this act pursuant to  
35 Section 6 of Article XIII B of the California Constitution because  
36 the only costs that may be incurred by a local agency or school  
37 district will be incurred because this act creates a new crime or  
38 infraction, eliminates a crime or infraction, or changes the penalty  
39 for a crime or infraction, within the meaning of Section 17556 of  
40 the Government Code, or changes the definition of a crime within

- 1 the meaning of Section 6 of Article XIII B of the California
- 2 Constitution.

O



# 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:** 12 February 2020  
**To:** Commissioners of the Del Norte Solid Waste Management Authority  
**From:** Tedd Ward, M.S. - Director *Tedd*  
**File Number:** 120502 - Legislation  
**Topic:** Guiding Principles for Legislative Advocacy

**Recommendation:** That the Board consider, possibly revise, and adopt the attached Guiding Principles. Staff understand how vital it is to have agency advocacy directed and approved by the Commissioners. Any advocacy communications sent by Authority staff must be approved, and preferably signed by the Chair, if it is impractical for the Authority Board to approve such prior to sending. The Vice Chair may sign or approve such advocacy communications if the Chair is not available. Such advocacy communications will be included in agenda attachments for the following Authority Board meeting.

**Background:** During the past few years, the Authority Board has directed staff to be more engaged in advocacy regarding legislation that could impact this agency, its members or its programs. To become more engaged in these discussions, the Director has attended and made presentation at the Environmental Services Joint Powers Authority of the Regional Council of Rural Counties. The Director also serves as Treasurer and Board member of the California Product Stewardship Council, and has been a long-time member of the California Resource Recovery Association, Californians Against Waste, and the Container Recycling Institute. Positions adopted by these and other groups are considered as potential advocacy positions for this agency, pending Board approval on a case-by-case basis.

**Analysis:** As proposed legislation works its way through committee hearings, there can be multiple opportunities to comment on issues to support or to highlight areas of concern or opposition. Those comments are generally directed to the members of those committees in addition to our legislative representatives. The process of drafting and presenting letters detailing our agency's specific concerns can only be accomplished at Authority meetings, which are generally once a month. Legislation can change drastically - and on occasion over a period of just a few days - making the potential to comment effectively especially challenging.

# Del Norte Solid Waste Management Authority

## Guiding Principles for Legislative Advocacy

Last revised: 13 February 2020

Last approved: \_\_\_\_\_

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.

As a joint powers authority of the City of Crescent City and the County of Del Norte, the Del Norte Solid Waste Management Authority will only advocate on legislation and regulations related to its areas of responsibility or governance - including policies, facilities and contracts for management of solid wastes, recyclable and compostable materials, special wastes, as well as household hazardous wastes.

These Guiding Principles are adopted with the intention that staff of the Del Norte Solid Waste Management Authority may communicate and advocate how these Principles could be supported or undermined by proposed law and/or regulation. In this way, staff may communicate the policy intentions of the Authority in circumstances for which having the Board review and approve advocacy communications related to such legislation or proposed regulations is impractical.

Any advocacy communications sent by Authority staff must be approved, and preferably signed by the Chair, if it is not practical for the Authority Board to approve such prior to sending. The Vice Chair may sign or approve such advocacy communications if the Chair is not available. Such advocacy communications will be included in agenda attachments for the following Authority Board meeting.

### **SOLID WASTE MANAGEMENT AND RECYCLING**

1. **Bans.** The Authority supports advanced statewide planning and infrastructure for convenient identification and recovery of all materials and products prior to any actions banning products or materials from California landfill disposal or requiring separate handling or processing. The Authority supports active contributions from manufacturers and retailers to establish programs to cover the costs for disposal, recycling, special handling, and/or any public education required for their end-of-life products, before any such disposal bans are implemented.
2. **Disposal Limits and Diversion Mandates.** The Authority supports appropriate tools for municipalities to achieve statewide waste diversion goals, including extended producer responsibility, an easing of the permitting restrictions for organic waste processes and other solid waste activities, model program guidelines, and increased funding. The Authority opposes regulatory requirements that do not consider existing infrastructure and capacity in addition

to the economic feasibility of new facilities, and that do not provide the flexibility for phasing-in various regions and areas of the state, especially in rural counties.

3. **Electronic and Universal Waste.** The Authority supports the proper disposal of electronic and universal waste through programs that place the cost of compliance on manufacturers and consumers rather than placing additional management requirements on municipal waste management programs.
4. **Extended Producer Responsibility.** The Authority supports producer responsibility for financing and arranging the collection and recycling of their products at end-of-life, preferably through product take-back by the manufacturers/retailers. The Authority expects that for every producer responsibility program authorizing daily collection of advance disposal or recycling fees at the point of purchase, a minimal service level should provide at least one collection point in each County with daily service supported by those fees.
5. **Financing State Solid Waste Disposal Programs.** The Authority supports a wide range of options to reform the financing mechanisms for the management of solid waste programs, including: increasing the current CalRecycle tipping fee as a temporary measure; applying new solid waste management fees on aspects of the waste stream that currently have no levies; reforming the programs that CalRecycle manages to limit costs; or, a combination of these options. The Authority opposes an increase in the Tipping Fee or other funding mechanisms for projects and programs that are not part of a direct effort to manage and reduce the overall amount of solid waste.
6. **Jurisdictional Compliance.** The Authority supports using program-based criteria to determine jurisdictional compliance with statutory waste diversion requirements that incorporate rural considerations. The Authority opposes pure numerical assessments of program implementation that do not include consideration for rural conditions that can impact the effectiveness of such programs.
7. **Permitting.** The Authority supports “tiered” solid waste facility permitting and operating requirements with reduced administrative and operational requirements that are commensurate with the limited environmental and public health risks associated with small-volume facility operations in low-density population areas.
8. **Control of Greenhouse Gas Emissions and Carbon Sequestration.** The Authority supports efforts to control greenhouse gas (GHG) emissions and sequester carbon, including food waste recovery to feed people and animals, composting yard debris to reduce the generation of methane, and the application of compost and mulch to increase the carbon sequestration on agricultural lands. The Authority supports establishment of an alternate compliance pathway for rural communities to control and/or sequester greenhouse gas emissions, and

creation of a State financial assistance program to enable local agencies to comply with GHG regulations.

9. **Support for California Redemption Value Buy-Back centers.** The Authority supports actions that increase the financial viability and sustainability of beverage container California Redemption Value Buy-Back services, so all customers who are required to pay CRV container deposits have a reasonably convenient program where customers can redeem their containers for refund of their deposits at one or more locations in each County.

## **OTHER ISSUES**

**Invasive Species.** The Authority supports State and federal funding to increase public awareness of invasive species as well as to facilitate their removal, and to reduce harmful economic and environmental impacts that result from the spread of these species.

**Regulatory Compliance.** The Authority encourages flexibility for economically disadvantaged and rural areas in state regulatory programs including exemptions and tiered compliance schedules based on appropriate, regulation-specific parameters. The Authority also supports the development of pilot programs in and for rural areas to explore and demonstrate approaches to address aspects of resource recovery or solid waste management.

## Tedd Ward

---

**From:** Pogue, Clint D <clint\_pogue@fws.gov>  
**Sent:** Thursday, January 30, 2020 8:27 AM  
**To:** Tedd Ward  
**Cc:** Sandra Jerabek; Christine Damiani  
**Subject:** Possible dumpster to support Scotch Broom Bash 2020

Hello Tedd,

Thank you for your continued support of the Scotch Broom Bash over the years. We would not be able to do this event without your assistance. We plan on continuing this event in 2020 and I wanted to reach out to see if the Del Norte Solid Waste Management Authority would be interested in allocating a dumpster to support the Bash again this year. I remember that the Authority Board needs to approve dumpster allocation, so I wanted to reach out and hopefully make contact before your next meeting. We are looking at March 28 for the Bash (with April 11 as a rain date). The amount of broom removed and the general location (Pacific Shores) will be the same as previous years.

If you have any questions or would like to discuss, feel free to call me at my direct line: (707) 825-5122

Thanks again!

Clint

Clint Pogue, Botanist  
U.S. Fish and Wildlife Service  
Ecological Services - AFWO  
1655 Heindon Road  
Arcata, CA 95521

Pronouns: he, him, his

phone: 707.822.7201  
fax: 707.822.8411  
email: [clint\\_pogue@fws.gov](mailto:clint_pogue@fws.gov)