



September 28, 2015

Bob Pestoni (sent via email)
Clover Flat Resource Recovery Park
P.O. Box 229
St. Helena, CA 94574

SUBJECT: Request to Accept Out of County Waste Related to the Valley Fire, Greater than 5% of the Maximum Annual CFL Waste Volume (See Section 8.2 of UVA/CFL Franchise Agreement #95-06)

Dear Bob:

I am in receipt of your request, dated September 24, 2015 requesting that Clover Flat Landfill (CFL) accept out-of-county waste in excess of the 5% limit established in section 8.2 of our Franchise Agreement. This request is made in support of the Public Health Emergency declared in Lake County following the Valley Fire, which destroyed over 1000 homes and many more outbuildings. Timely removal of the debris from the fire is critical to minimizing health impacts to the affected communities, as well as to restore normalcy and promote the early stages of a long and difficult recovery. While not in itself a reason for approving this request, it is also true that the Agency will benefit financially from the \$4.75 /ton surcharge paid to the Agency on each additional ton of landfilled and C&D waste received at CFL. It is my understanding based on your request that CFL agrees that it will still remain within its permitted limits of 600 tons and 275 vehicle trips per day. Please correct this understanding if it is not accurate.

The primary purpose of the 5% limitation is to ensure that adequate landfill capacity remains available to UVA customers for the expected life of the Franchise Agreement. The landfill is currently sized and permitted to have adequate capacity to remain open until 2047. Our current Franchise Agreement expires in 2025.

In light of the foregoing and the following facts --

1. The temporary removal of the 5% limitation will assist our neighboring County in recovering from their declared emergency; and,
2. The daily permitted tons and trips established by the landfill permit will not be exceeded, and thus the closure date of the landfill as currently established will not be impacted.

I, as the Agency Manager, hereby grant your request on the following conditions:

1. CFL shall work with, and follow all directives from, the Local Enforcement Agency (LEA) to ensure that only qualified, (e.g. non-hazardous materials) are accepted for disposal.
2. Amounts of out-of-county waste received under this waiver will be clearly reported to the Agency on a monthly basis, and appropriate Agency fees paid on imported waste.

This is a temporary approval, which shall remain in effect until the conduct of the next UVA Board meeting. The Board will then be given the opportunity to ratify or overturn this decision.

If you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Lederer', with a long horizontal flourish extending to the right.

Steven Lederer
Agency Manager

cc: Kathy Daniels, Public Works
Jeff Richard, Agency Counsel
Greg Pirie, Local Enforcement Agency
UVA Board Members