

Appendix A

Cease and Desist Orders

- September 14, 2015 Cease and Desist Order #15-01 Violation
 - August 27, 2015 Cease and Desist Order #15-01

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September 14, 2015 Cease and Desist Order #15-01 Violation

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sonoma county
 DEPARTMENT OF HEALTH SERVICES
 PUBLIC HEALTH DIVISION

Rita Scardaci, PHN, MPH – Director
 Ellen Bauer, PhD, MPP – Division Director

September 14, 2015

Mr. Jim Ratto
 Mr. James Salyers
 North Bay Corporation aka Redwood Empire Disposal and Timber Cove Recycling
 P.O. Box 1916
 Santa Rosa, CA 95402

Subject: North Bay Corporation aka Redwood Empire Disposal and Timber Cove Recycling Cease and Desist Order (LEA Order #15-01)

Dear Mr. Ratto and Mr. Salyers:

The Sonoma County Local Enforcement Agency (LEA), is issuing the attached Order Violation, as North Bay Corporation is not in compliance with the Cease and Desist Order that was issued on August 28, 2015. North Bay's Response to that Order was received on September 11, 2015. As discussed below, the LEA has concerns that North Bay's compliance plan appears to have some significant shortcomings.

North Bay Corporation is required to submit tonnage reports to the LEA for review. Below are details outlining what data needs to be submitted to the LEA, how it is to be calculated and verified, and how often these numbers are to be provided. See the following guidelines for submitting weekly tonnage reports to the LEA:

- Tonnage reports shall be submitted to the LEA beginning August 28th and will continue until further notice.
- Tonnage reports shall be submitted to the LEA weekly (Monday through Sunday) on the following Wednesday.
- All tonnage reports submitted to the LEA shall be computer generated with back up logs which include the weighmaster certification or original ticket showing the reading from authorized scales.
- Tonnage reports shall include both incoming and outgoing tonnages for all activities at the three recycling sites (3400 Standish Avenue, Santa Rosa, CA; 3417 Standish Avenue, Santa Rosa, CA; 7576 Redwood Blvd, Petaluma, CA).

To verify compliance with the Order, the LEA will be conducting weekly on-site inspections and reinspections as needed for compliance. Inspection services will include travel and reporting time and be billed at the approved hourly rate, which is currently \$139/hour.

In review of the Response, the LEA has the following comments:

- Based on the calculations and tonnages the LEA has received, it does not appear that North Bay Corporation will be able to meet the legal limit of 10% residual waste for the following reasons:
 - The Novato Disposal site is currently permitted under a registration permit for the transferring of up to 99 tons of recyclable materials. It is unclear whether the re-directed contaminated loads being sent to Novato Disposal, in Petaluma, are going to be processed

- on-site or transferred into a larger vehicle for outhaul to a third party processor. If the materials are to be processed on-site a new registration permit is required.
- North Bay's proposed timeline for application of a registration permit at 3400 Standish Avenue, in November 2015, does not take into consideration the LEA evaluation process, including CEQA compliance, zoning and use permits, which will determine if the permit can be granted.
 - No processing of materials with a residual amount greater than 10% is allowed under the Order. Therefore, the proposed timelines do not adequately address the current situation and account for processing of materials in the interim.
 - A registration permit is for up to 100 tons per day which will leave a large amount of remaining source separated materials to be processed at another third party permitted site.
- The LEA is pleased that North Bay is seeking a solid waste facility permit, as stated in #5, and believes that this is the best long term solution for North Bay to continue processing recyclables in Sonoma County, but it may take one or more years to acquire a permit. For North Bay to continue operating during this permitting process and remain under 10% residual there will need to be significant modifications to operations.
 - As to the imposition of civil penalties, the LEA respectfully disagrees with North Bay's conclusion that no penalties should be imposed at this time, and with the reasons listed on page 5 of the Response. First, the current situation does constitute a risk to health and safety with high residual materials creating a nuisance that can harbor infestations and potentially impact the environment. Second, North Bay does have control over materials brought into its facilities. Finally, the violations were not voluntarily reported in the ordinary course of operations. They were discovered by the LEA upon investigation and inspection following a complaint from a third party. In 2008, North Bay was aware of the requirement for a Recycling Center to comply with the three-part test, which requires a facility to have less than 10% residual material, less than 1% putrescible waste and all material coming into the facility must be source separated. In 2010, North Bay modified operations to meet these requirements which have since failed and continue to not meet the 3-part test.

Please contact me at (707) 565-6521 if you have any questions or would like to schedule a meeting.

Sincerely,

Christine Sosko, Director
Local Enforcement Agency Program Manager

Attachment: Cease and Desist Order # 15-01 Violation

c: Rick Norris, Counsel for North Bay
Doug Straus, Counsel for North Bay
Mark DeBie, CalRecycle
Rita Scardaci, Director of Health Services
Lori Norton, Assistant Director of Health Services
Jeff Berk, Sonoma County Counsel
Leslye Choate, Local Enforcement Agency



sonoma county
DEPARTMENT OF HEALTH SERVICES
PUBLIC HEALTH DIVISION

Rita Scardaci, PHN, MPH – Director
Ellen Bauer, PhD, MPP – Division Director

CEASE AND DESIST ORDER # 15-01 VIOLATION

September 14, 2015

Mr. Jim Ratto
Mr. James Salyers
North Bay Corporation
aka Redwood Empire Disposal and Timber Cove Recycling
P.O. Box 1916
Santa Rosa, CA 95402

Subject: North Bay Corporation aka Redwood Empire Disposal and Timber Cove Recycling Cease and Desist Order (LEA Order #15-01)

Dear Mr. Ratto and Mr. Salyers:

On August 28, 2015, the Local Enforcement Agency (LEA) issued North Bay Corporation a Cease and Desist Order for violation of Public Resources Code Sections 44002, operating a solid waste facility without a valid permit and California Code of Regulations (CCR), Title 14, Section 17402.5, which requires a recycling center meet the following criteria: (1) all incoming materials must be separated for reuse; (2) putrescible waste in the incoming materials must be less than 1%; and the residual amount of solid waste in the separated for reuse materials be less than 10%. The Order required North Bay Corporation to cease and desist all activities that require a solid waste facility permit until a solid waste facility permit that authorizes these activities is issued by the LEA or all operations at the facilities are modified to meet the criteria of a recycling center under CCR, Title 14, Section 17402.5.

North Bay Corporation has failed to comply with Order #15-01 and has continued to accept and process recycling with a residual amount greater than 10%. As a result, the LEA is issuing this Violation and imposing civil penalties. See Attachment 1. If compliance is not achieved, the LEA will seek an injunction from the court requiring North Bay Corporation to cease operations at the 3400 Standish Avenue and 3417 Standish Avenue facilities, located in Santa Rosa, CA.

Please contact me at (707) 565-6521 if you have any questions or would like to schedule a meeting.

Sincerely,

Christine Sosko, Director
Local Enforcement Agency Program Manager

c: Rick Norris, Counsel for North Bay
Doug Straus, Counsel for North Bay
Mark DeBie, CalRecycle
Rita Scardaci, Director of Health Services
Jeff Berk, Sonoma County Counsel
Leslye Choate, Local Enforcement Agency

Attachment: Civil Penalties

Attachment 1

NORTH BAY CORPORATION, LEA ORDER # 15-01
CIVIL PENALTIES

Fines will be incurred for each day either the 3400 or 3417 Standish Avenue facility are found to be operating out of compliance with LEA Order # 15-01. Fines will be assessed at the daily rate outlined in the time schedule:

<u>Date Fine Begins</u>	<u>Daily Fine</u>
August 28, 2015	\$ 250.00
September 12, 2015	\$ 500.00
October 1, 2015	\$1,500.00
November 1, 2015	\$3,000.00
December 1, 2015	\$5,000.00

Note: The above civil penalties do not include recovery of any other allowable costs, including staff time, inspections and attorney's fees.

August 27, 2015 Cease and Desist Order #15-01



sonoma county
DEPARTMENT OF HEALTH SERVICES
PUBLIC HEALTH DIVISION

Rita Scardaci, PHN, MPH – Director
Ellen Bauer, PhD, MPP – Division Director

AUGUST 27, 2015 – HAND DELIVERY REFUSED
AUGUST 28, 2015 – HAND DELIVERED

Mr. Jim Ratto
Mr. James Salyers
North Bay Corporation aka Redwood Empire Disposal and Timber Cove Recycling
P.O. Box 1916
Santa Rosa, CA 95402

Subject: North Bay Corporation aka Redwood Empire Disposal and Timber Cove Recycling Cease and Desist Order (LEA Order # 15-01)

Dear Mr. Ratto and Mr. Salyers:

The Local Enforcement Agency (LEA) is issuing you a Cease and Desist Order for violation of Public Resources Code Sections 44002, operating a solid waste facility without a valid permit and California Code of Regulations (CCR), Title 14, Section 17402.5, which requires a recycling center meet the following criteria: (1) all incoming materials must be separated for reuse; (2) putrescible waste in the incoming materials must be less than 1%; and the residual amount of solid waste in the separated for reuse materials be less than 10%.

You are required to cease and desist all activities that require a solid waste facility permit until you modify all operations to meet the criteria of a recycling center under CCR, Title 14, Section 17402.5 or until a solid waste facility permit that authorizes these activities is issued by the LEA.

Please contact me at (707) 565-6521 if you have any questions or would like to schedule a meeting.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christine Sosko".

Christine Sosko, Director
Local Enforcement Agency Program Manager

c: Rita Scardaci, Director of Health Services
Jeff Berk, Sonoma County Counsel
Sue Markie, CalRecycle
Nevin Yates, CalRecycle

Attachment: LEA Order # 15-01

North Bay Corporation Cease and Desist
August 27, 2015

**CEASE AND DESIST ORDER
FOR NORTH BAY CORPORATION
LEA ORDER # 15-01**

Public Resources Code (PRC), Section 45005
Title 14, California Code of Regulations (14 CCR), Section 18304, et. seq.

TO RESPONDENTS:
Operator

North Bay Corporation
Attn: James Ratto, Owner/Operator
P.O. Box 1916
Santa Rosa, CA 95402-1916
Hand Delivered: August 27, 2015

Property Owners:

Redwood Empire Realty LLC
Attn: James Ratto
P.O. Box 1916
Santa Rosa, CA 95402-1916

James Ratto
P.O. Box 1916
Santa Rosa, CA 95402-1916

FACILITY:

Redwood Empire Disposal
3400 Standish Avenue
Santa Rosa, CA 95407
Assessor's Parcel Number 134-102-046

Timber Cove Recycling
3417 Standish Avenue
Santa Rosa, CA 95407
Assessor's Parcel Number 134-102-057

ISSUING AGENCY:

County of Sonoma
Department of Health Services
Environmental Health and Safety
Local Enforcement Agency
625 5th St.
Santa Rosa, CA 95404

DATE OF ISSUANCE:

August 27, 2015

North Bay Corporation Cease and Desist
August 27, 2015

Statutory and Regulatory Authority:

The Sonoma County Department of Health Services, is designated as the Local Enforcement Agency (LEA) and certified by the California Department of Resources, Recycling and Recovery (Cal Recycle), pursuant to Division 30 of the Public Resources Code (PRC), section 43200 et seq and Title 14 of the California Code of Regulations (14 CCR), sections 18051 and 18084 to enforce state solid waste laws under PRC, Division 30 and regulations under Title 14, Division 7 and Title 27, Division 2 in Sonoma County.

LEA has authority under the Public Resources Code and the California Code of Regulations, Title 14 to issue this Order.

The LEA has the authority, pursuant to PRC section 45005, to order a person who is operating or proposes to operate a solid waste facility in an unauthorized manner, in violation of Division 30 of the PRC, who is operating without a solid waste facility permit or in violation of a solid waste statute or regulation to immediately cease and desist.

Facts:

On August 4, 2015, in response to a solid waste complaint from a member of the public which was referred from Department of Toxic Substance Control and CalRecycle, LEA staff conducted a site investigation at 3400 and 3417 Standish Avenue, Santa Rosa, CA 95407. Mr. James Salyers, North Bay Corporation Vice President, was contacted by phone regarding the complaint alleging the operation of an illegal Solid Waste Facility. Mr. Salyers made arrangements for LEA staff to conduct a facility investigation with Rick Holliday and Mike O Brian.

During the August 4, 2015 investigation/inspection, LEA staff observed several large piles of mixed solid waste from both commercial and residential recycling activities, stored at both the 3400 and 3417 Standish Avenue facilities. Residual material was located inside the building and under a canopy while other waste piles were located outside without overhead protection.

During the August 4, 2015 investigation/inspection, North Bay staff stated that the incoming recyclable material collected from the residential curbside customers in the blue bins is at least 50% mixed solid waste and much of the recyclable materials were contaminated with liquid and putrescible wastes.

On August 5, 2015, the LEA sent an email notice to North Bay Corporation requesting the completion of CIWMB Form 607, Voluntary Residual Percentage Reporting Form, to verify compliance as a Recycling Center as determined in CCR Title 14.

On August 7, 2015, North Bay Corporation submitted the Voluntary Residual Percentage Reporting Forms, to the LEA, certifying that the residual amount for the 3400 Standish Avenue site for July 2015 was 21% and the 3417 Standish Avenue site for July 2015 was 27%.

**North Bay Corporation Cease and Desist
August 27, 2015**

On August 26, 2015, the LEA provided a copy of the August 4, 2015 investigation/inspection to North Bay Corporation, which cited the 3400 and 3417 Standish Avenue sites are not meeting the requirements of a Recycling Center and operating as an illegal solid waste facility with residual amounts in excess of 10%. (Exhibit III)

On August 26, 2015, the LEA conducted a reinspection at the 3400 and 3417 Standish Avenue sites in Santa Rosa, CA. During the reinspection, LEA staff observed several large piles of mixed solid waste from both commercial and residential recycling activities, green waste piles, and construction and demolition debris, stored at 3400 and 3417 Standish Avenue facilities.

On August 27, 2015, the LEA provided a copy of the August 26, 2015 reinspection to North Bay Corporation, which determined that the sites located at 3400 and 3417 Standish Avenue are not compliant with the requirements of a Recycling Center and operating as an illegal solid waste facility. (Exhibit IV)

Violations of Statute and Regulations:

CCR Title 14, Section 17402.5 (d) (2) states that Recycling Centers shall meet the following requirement: (1) A recycling center shall only receive material that has been separated for reuse prior to receipt. (2) The residual amount of solid waste in the separated for reuse material shall be less than 10% of the amount of separated for reuse material received by weight. (3) The amount of putrescible wastes in the separated for reuse material shall be less than 1% of the amount of separated for reuse material received by weight, and the putrescible wastes in the separated for reuse material shall not cause a nuisance, as determined by the EA.

The facility being operated by the North Bay Corporation is defined as a Solid Waste Facility under PRC section 40194, which states that a Solid Waste Facility includes a Solid Waste Transfer or Processing Station, a Compost Facility, a Gasification Facility, a Transformation Facility, and a Disposal Site. The facility is deemed to be operating a Transfer Processing Operation or Facility. As such, this facility requires a Solid Waste Facility Permit in accordance with PRC section 44001 in order to operate. CCR Title 27 section 21570 outlines the process for obtaining a solid waste facility permit.

The LEA has determined, based upon the facts above that the North Bay Corporation:

1. Has a residual greater than 10% and has failed to meet the requirements of a Recycling Center under CCR 14 section 17402.5 and is therefore subject to the Transfer/Processing requirements under CCR Title 14 Article 6.0.
2. Is in violation of PRC section 44002 for operating a Solid Waste Facility without a permit.

Specific Actions:

The North Bay Corporation shall take the specific actions ordered in the following compliance table by the dates set forth below:

North Bay Corporation Cease and Desist
August 27, 2015

Violation:	Actions to be taken by owner:	Compliance Deadlines:
PRC 44002	1. Cease and desist operating as a Solid Waste Facility/operation by modifying all operations to meet the criteria for a Recycling Center as set forth in CCR Title 14 Section 17402.5, which requires: all incoming materials to be separated for reuse; the putrescible waste in the incoming materials to be less than 1%; and the residual amount of solid waste in the separated for reuse material to be less than 10%.	1. Immediate and ongoing compliance is ordered.
PRC 44002	2. Cease and desist operating as a Solid Waste Facility until a Solid Waste Facility Permit has been issued for this site or the LEA has found that the operations meet the criteria of a Recycling Center as set forth in CCR Title 14 Section 17402.5, which requires: all incoming materials to be separated for reuse; the putrescible waste in the incoming materials to be less than 1%; and the residual amount of solid waste in the separated for reuse material to be less than 10%.	2. Immediate and ongoing compliance is ordered.
PRC 44002	3 (A). All solid waste materials must be removed to an approved facility, and no additional solid waste shall be received at the site until 1 and/or 2 above have been fully satisfied. 3 (B). Submit tonnage receipts for the material above verifying transport to a permitted facility.	3 (A). Within 10 days from receipt of this Order. 3 (B). Within 15 days from this receipt of this Order.
PRC 44002	4. Schedule an inspection with LEA to verify site compliance.	4. Within 15 days from receipt of this Order.

North Bay Corporation Cease and Desist
August 27, 2015

Terms and Conditions:

Each and every item in the compliance table above shall be fully complied with in the time frame specified above.

The Order does not relieve North Bay Corporation from complying with all other local, state, and federal requirements, nor does it preclude the LEA or CalRecycle from taking any and all actions allowed by law.

Nothing in this Order shall constitute or be construed as a satisfaction or release from liability or any conditions or claims arising as a result of past, current, or future operations. Notwithstanding compliance with the terms of this Order, North Bay Corporation may be required to take further actions as necessary to protect public health and safety, or the environment.

The LEA shall not be liable for injuries or damages to persons or property resulting from acts or omissions by North Bay Corporation or related parties in carrying out activities pursuant to this Order, nor shall the LEA be held as a party to any contract entered into by North Bay Corporation or their agent(s) in carrying out activities pursuant to this Order.

This Order may only be amended in writing by and appropriate representative of the LEA.

Meeting Offered:

On August 25, 2015, the LEA and County Counsel met with North Bay Corporation and their Counsel to provide North Bay with an opportunity to discuss the violations referenced in this Order and to allow North Bay to discuss its concerns and possible actions to try to bring its operations into compliance with the law.

Please contact Christine Sosko, Local Enforcement Agency/Environmental Health Director at (707) 565-6546 if you wish to meet to further discuss this Order.

Notice of Penalties and Remedies:

The North Bay Corporation is notified, pursuant to PRC sections 45010.1, 45011, 45014, and 45023, that a failure to comply with the Specific Actions of this Order may result in one of more of the following penalties:

- Administrative civil penalties may be sought of up to \$5,000 per day per violation, pursuant to Division 30 PRC section 45011;
- Civil penalties may be sought of up to \$10,000 per day violation per violation in judicial civil penalties, pursuant to PRC sections 45023 and 45024.

The LEA may petition the Sonoma County Superior Court to enjoin the violations and impose other appropriate injunctive relief pursuant to PRC section 45014. Continued violation after obtaining injunctive relief may be punishable as Contempt of Court.

North Bay Corporation Cease and Desist
August 27, 2015

Please Take Notice:

Failure to remedy the violation(s) by the required date(s) may result in CalRecycle expending available funds to perform any cleanup, abatement, or remedial work required under the circumstances set forth in PRC section 45000 which, in the judgment of CalRecycle, is required by the magnitude of endeavor or the need for prompt action to protect public health and safety or the environment. If CalRecycle expends funds to perform any cleanup, abatement, or remedial work, CalRecycle may seek cost reimbursement from responsible parties, pursuant to PRC section 48020 et seq.

Failure to allow or provide CalRecycle or its contractor with access to enter onto the property and perform all necessary cleanup, abatement, or remedial work may result in CalRecycle pursuing a warrant from the court to permit reasonable access to the property to perform the activity(ies), pursuant to PRC section 44100.

Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations. Notwithstanding compliance with the terms of this Notice and Order, the owner and operator may be required to take further actions as necessary to protect the public health, safety, or the environment.

CalRecycle shall not be liable for injuries or damages to persons or property resulting from acts or omissions by the owner or operator or related parties in carrying out activities pursuant to this Order, nor shall CalRecycle be held as a party to any contract entered into by the owner or operator or their agent(s) in carrying out activities pursuant to this Order.

Right to appeal:

Please take note that pursuant to PRC section 44307, you have the right to appeal this Order to a Hearing Panel/Hearing Officer. If you wish to appeal this Order please do the following:

1. Request a hearing from the Sonoma County Solid Waste Independent Hearing Panel/Hearing Officer by submitting a completed Notice of Defense (Attachment 1) along with the written statement of issues providing the reason(s) why you should not be subject to the enforcement action, to the LEA, postmarked within 15 days of receipt of this Notice. (PRC section 44310)
2. Be available to participate in an appeal hearing before the Hearing Panel/Hearing Officer.

Pursuant to PRC section 45030, you have a right to appeal the Hearing Panel/Hearing Officer's decision to CalRecycle within 10 days from the date of issuance of a written decision by the Hearing Panel or if no decision is issued, within 45 days from the request for a hearing was received by the LEA.

North Bay Corporation Cease and Desist
August 27, 2015

An appeal of the Cease and Desist Order does not stay the effect of any provision of this Order. However, Pursuant to PRC section 45017, you may petition to CalRecycle, in writing, to stay the effect of this Order, or portion, pending the completion of administrative appeals before the Hearing Panel or CalRecycle.

Date: AUGUST 27, 2015

By: 
Christine Sosko, Director
Local Enforcement Agency

Attachments: Exhibit I Declaration- Notice of Defense; Jennifer Lyle
Exhibit II Declaration – Notice of Defense; Marty Isom
Exhibit III Complaint Investigation Report, Dated August 26, 2015
Exhibit IV Complaint Investigation Report, Dated August 27, 2015

C: Susan Markie, CalRecycle
Nevin Yates, CalRecycle
Rita Scardaci, Sonoma County DHS
Jeff Berk, Sonoma County Counsel

North Bay Corporation Cease and Desist
August 27, 2015

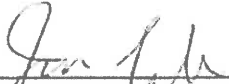
Exhibit 1

Declaration

I, Jennifer Lyle, declare under penalty of perjury that the following is true and correct:

The information and allegations contained above are based on my personal knowledge or information and belief is declared by my personal knowledge to be correct. This knowledge was obtained by site inspection on August 4, 2015 and August 26, 2015, review of site records and review of the LEA site files.

Dated: 8/27/15



Jennifer Lyle

Senior Environmental Health Specialist
LEA/Solid Waste Program

North Bay Corporation Cease and Desist
August 27, 2015

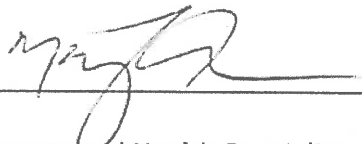
Exhibit 2

Declaration

I, Marty Isom, declare under penalty of perjury that the following is true and correct:

The information and allegations contained above are based on my personal knowledge or information and belief is declared by my personal knowledge to be correct. This knowledge was obtained by site inspection on August 4, 2015 and August 26, 2015, review of site records and review of the LEA site files.

Dated: 8/27/15



Marty Isom
Senior Environmental Health Specialist
LEA/Solid Waste Program



sonoma county
DEPARTMENT OF HEALTH SERVICES
PUBLIC HEALTH DIVISION

Exhibit 3

Rita Scardaci, PHN, MPH – Director
Ellen Bauer, PhD, MPP – Division Director

COMPLAINT INVESTIGATION REPORT

August 26, 2015

James Ratto
Jim Salyers
North Bay Corporation
P.O. Box 1916
Santa Rosa, CA 95402

Re: Recycling Centers at 3400 and 3417 Standish Ave., Santa Rosa APN: 134-102-046 and 134-102-057

The Sonoma County Department of Health Services, is designated as the Local Enforcement Agency (LEA) and certified by the California Department of Resources, Recycling and Recovery (Cal Recycle), pursuant to Division 30 of the Public Resources Code (PRC), section 43200 et seq and Title 14 of the California Code of Regulations (14 CCR), sections 18051 and 18084 to enforce state solid waste laws under PRC, Division 30 and regulations under Title 14, Division 7 and Title 27, Division 2 in Sonoma County.

On August 4, 2015, at 10 am, the LEA received a complaint from Cal Recycle. CalRecycle stated that a solid waste complaint had been submitted to Department of Toxics and Substances Control Database on 7/31/15 at 2:05 pm and then forwarded to Cal Recycle. The complaint alleged an illegal solid waste facility operating at 3535 Standish Avenue, Santa Rosa, CA. The LEA reviewed the online GIS Assessor Parcel information to identify the property owner. There was no recorded property owner at 3535 Standish Ave, in Santa Rosa, California. The LEA contacted the complainant by phone to verify business name and address for the alleged site. The complainant informed the LEA that there were two sites of concern. One was identified as North Bay Corporation/Timber Cove Recycling, located at 3417 Standish Avenue in Santa Rosa, California and the other site, across the street, was identified as North Bay Corporation/Redwood Empire Disposal, located at 3400 Standish Avenue, in Santa Rosa, California.

North Bay Corporation/ Timber Cove Recycling, located at 3417 Standish Avenue, Santa Rosa, CA

On 8/4/15 at 1 pm, the LEA contacted North Bay Corporation to gain inspection access to the properties, which was granted and an onsite complaint investigation was conducted by the LEA at 1:40pm. This site accepts Sonoma County and Marin County residential "blue bin" mixed recyclable material.

During the site investigation, the following items were observed by the LEA:

- A large pile, approximately 50' x 30' x 12', of mixed recyclable material and residual waste was visible from the street spilling out of the building inside the front gate onto the pavement.
- Outside the building, large covered and uncovered piles of bulky broken furniture, rags, film plastic material and small shredded paper material were observed. North Bay representatives informed the LEA that the material was residual waste or mixed solid waste from the sort line and that 50% of the incoming recyclable material from the blue bins is residual waste.
- Residual waste and mixed recyclable material were pushed together into one large pile making it difficult to differentiate materials.
- Several piles of residual waste were observed on site including a bay located at the back of the property under a roofed three sided building.
- Eight roll off bins of waste tires, waste tires stored on the ground, a roll off bin of pressure treated wood, a large pile of mixed metal/wood and hundreds of stacked bales of recyclable material were stored on the property.
- Birds and rats were observed in the mixed recyclable material under the canopy and inside the sort line building.

- Asphalt surfaces and road base throughout the property were in poor condition with broken and crumbling surfaces in many areas.

The residential "blue bin" sort line was operating sporadically during the time of the site investigation due to equipment issues. North Bay representatives stated that due to sort line malfunctions they have been out-hauling mixed recyclable materials, on an as needed basis..

North Bay Corporation/Redwood Empire Disposal, located at 3400 Standish Avenue, Santa Rosa, CA

This site is used for Sonoma and Marin County commercial recycling that includes businesses and multi-unit residential housing.

During the site investigation, the following items were observed by the LEA:

- Stacked recyclable material bales of paper, cardboard, and metals.
- A large amount of residual was scattered along the ground and debris was built up along the fence line.
- A large elongated pile of residual waste (approximately 75' x 15' x 12') and a pile of bulky waste (approximately 20' x 30' x 10'), consisting of broken furniture and household items were noted along the fence line road. The LEA estimated the ratio of residual waste to mixed recyclable materials located on site to be 1:1.
- The commercial sort line was not in operation due to an equipment malfunction.
- A public Buy Back recycling area was observed near the refuse truck fuel pumps.

The LEA met with North Bay Corporation after the site complaint investigation to discuss next steps. The investigation concluded at 4 pm. Photos taken.

On 8/5/2015, a waste tire violation inspection report was issued for the volume of waste tires observed at the 3417 Standish Ave site with a 30 day compliance deadline to correct the waste tire violations.

On 8/5/15, North Bay was requested to provide additional information and complete the "Voluntary Residual Percentage Reporting Form" to verify compliance with CCR, Title 14 and the Three-Part Test requirements for a Recycling Center.

On 8/7/15, the completed "Voluntary Residual Percentage Reporting Form" for 3400 and 3417 Standish Avenue was sent to the LEA via email.

Please contact me at (707)565-6534 or at Jennifer.lyle@sonoma-county.org if you would like to discuss the matter further.

Sincerely,



Jennifer Lyle
Senior Environmental Health Specialist
Sonoma County Local Enforcement Agency



Marty Isom
Senior Environmental Health Specialist
Sonoma County Local Enforcement Agency

C: Lou Ratto, North Bay Corporation
Steve McCaffrey, North Bay Corporation
Rick Holliday, North Bay Corporation
Mike O Brian, North Bay Corporation
Leslye Choate, Sonoma County Environmental Health
Christine Sosko, Sonoma County Environmental Health
Jim Maertz, Permit Resource Management Code Enforcement
Bob Borges, Sonoma County Fire Department
Adrian Diaz, Department of Transportation and Public Works



sonoma county
DEPARTMENT OF HEALTH SERVICES
PUBLIC HEALTH DIVISION

Exhibit 4

Rita Scardaci, PHN, MPH – Director
Ellen Bauer, PhD, MPP – Division Director

COMPLAINT INVESTIGATION REPORT

August 27, 2015

James Ratto
Jim Salyers
North Bay Corporation
P.O. Box 1916
Santa Rosa, CA 95402

Re: Recycling Centers at 3400 and 3417 Standish Ave., Santa Rosa APN: 134-102-046 and 134-102-057

The Sonoma County Department of Health Services, is designated as the Local Enforcement Agency (LEA) and certified by the California Department of Resources, Recycling and Recovery (Cal Recycle), pursuant to Division 30 of the Public Resources Code (PRC), section 43200 et seq and Title 14 of the California Code of Regulations (14 CCR), sections 18051 and 18084 to enforce state solid waste laws under PRC, Division 30 and regulations under Title 14, Division 7 and Title 27, Division 2 in Sonoma County.

On August 4, 2015, the LEA conducted a complaint investigation at North Bay Corporation/Timber Cove Recycling, located at 3417 Standish Avenue in Santa Rosa, California and North Bay Corporation/Redwood Empire Disposal, located at 3400 Standish Avenue, in Santa Rosa, California. On August 26, 2015, the LEA conducted a reinspection of the North Bay Corporation sites to evaluate the current site conditions. Below is a list of LEA observations from the August 26, 2015 reinspection:

North Bay Corporation/ Timber Cove Recycling, located at 3417 Standish Avenue, Santa Rosa, CA

On 8/26/15 at 1:10 pm, The LEA contacted North Bay Corporation to gain inspection access for the properties, which was granted and an onsite complaint investigation reinspection was conducted by the LEA at 1:25pm. This site accepts Sonoma County and Marin County residential "blue bin" mixed recyclable material.

During the reinspection, the following items were observed by the LEA:

- A large pile, approximately 50' x 30' x 12', of mixed recyclable material and residual waste was visible from the street spilling out of the building inside the front gate onto the pavement.
- Outside the building, large covered and uncovered piles of bulky broken furniture, rags, film plastic material and small shredded paper material were observed. Residual waste and mixed recyclable material were pushed together into one large pile making it difficult to differentiate materials.
- Several piles of residual waste were observed on site including a bay under the open three sided building. A North Bay representative informed the LEA that some of the residual material contains broken glass and the mixed residual material is sent to a separate recycler to separate and remove the glass material so it can be recycled.
- Roll off bins of waste tires, waste tires stored on the ground, green waste material, separated construction demolition debris, a large pile of mixed metal/wood, broken appliances and hundreds of stacked bales of recyclable material were stored on the property.
- Birds were observed in the mixed recyclable material outside the sort line building.
- Asphalt surfaces and road base throughout the property were in poor condition with broken and crumbling surfaces in many areas.
- The residential "blue bin" sort line was operating during the time of the site investigation.

North Bay Corporation/Redwood Empire Disposal, located at 3400 Standish Avenue, Santa Rosa, CA
This site is used for Sonoma and Marin County commercial recycling that includes businesses and multi-unit residential housing.

During the reinspection, the following items were observed by the LEA:

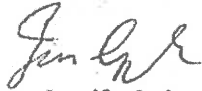
- Stacked recyclable material bales of paper, cardboard, and metals.
- A large amount of residual was scattered along the ground and debris was built up along the fence line.
- A large elongated pile of residual waste (approximately 100' x 15' x 12') and a pile of bulky waste (approximately 40' x 30' x 20'), consisting of broken furniture and household items were noted along the fence line road. The LEA estimated the ratio of residual waste to mixed recyclable materials located on site to be 1:1.
- The commercial sort line was in operation during the time of this site investigation.

The LEA met with North Bay Corporation after the site complaint investigation to discuss next steps. The investigation concluded at 2:15 pm. Photos taken.

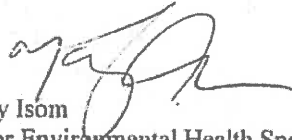
On 8/26/15, a Complaint Investigation Report for the 8/4/15 site investigation was hand delivered to North Bay representatives.

Please contact me at (707)565-6534 or at Jennifer.lyle@sonoma-county.org if you would like to discuss the matter further.

Sincerely,



Jennifer Lyle
Senior Environmental Health Specialist
Sonoma County Local Enforcement Agency



Marty Isom
Senior Environmental Health Specialist
Sonoma County Local Enforcement Agency

c: Lou Ratto, North Bay Corporation
Steve McCaffrey, North Bay Corporation
Rick Holliday, North Bay Corporation
Mike O Brian, North Bay Corporation
Leslye Choate, Sonoma County Environmental Health
Christine Sosko, Sonoma County Environmental Health

Appendix B

Company Goals & Objectives, Actions and Recent Accomplishments

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2/25/16

Major Goals and Objectives:

1. Bring Company into compliance on all contractual and regulatory requirements.
2. Complete by June the Policy and Procedures Manual and have it signed by all Company Employees.
3. Introduce structure to the Company which includes an Organizational chart and their duties.
4. Bring back Dossier Fleet Management software to better track our equipment in all aspects.
5. Re-introduce our Auditing department that has been inactive for several years to coincide with operations.
6. Improve Customer Service and minimize dropped calls and long hold times.
7. Upgrade the Company Material Recovery Facility (MRF) to standards that will allow for improved diversion and increase recovery.
8. Put forth a dedicated plan for truck replacement that allows this process to be completed by a designated date.
9. Increase our Outreach Exposure beyond the minimum requirements.

Implementation to meet Goals and Objectives:

1. The Company hired a General Manager to oversee all aspects of the various lines of business with the Goal of pointing the ship in the right direction and bringing the Company into compliance on all contractual and regulatory requirements.
2. The Company has hired a Maintenance Manager that is very familiar with Dossier and the proper maintenance schedules required to keep the fleet active. Frank Pachote came to us from Republic Services Inc.
3. The Company has hired an Audit/Collections Manager that also Manages our dispatch team. The correlation between all three parts is essential in making sure that there is continuity. Sadra Magee came to us from Republic Services where she served for over 12 years.
4. The Company has replaced the Customer Service Manager and is currently teaming up with Direct Line Call Center in Berkeley to eliminate any hold times over 3 minutes. After 3 minutes on hold the call will be picked up by the call center and relayed back to designated Customer Service Reps who will handle the Customer's needs. We feel that this will help eliminate long delays and dropped calls. Jennifer Lasiter is the new Customer Service Manager and comes to us after 10 years in the Health industry.
5. The Company has hired an Outreach Coordinator to improve our ability to present and educate. We wanted to increase our exposure and not do the minimum requirements but to present in a more robust fashion and touch more people. Tina Balderamma is our new Outreach Manager and she comes to us with over 6 years experience with Outreach, teaching and presentations.
6. The Company has hired an additional person to support our HR Department to better serve our employees and provide a safe zone for any employment issues.
7. The Company has met with Van Dyke Industries to help provide their expertise on MRF improvements. This is a work in progress and we are waiting for Van Dyke's suggestions on how to improve our facility and at what cost.
8. The Company has purchase seven new trucks to replace trucks in Santa Rosa. A detailed truck replacement plan has been submitted to the City but we have had no return comments. The company will continue to replace trucks and hopes to be able to provide the electric truck to the City or in the least alternative fuel vehicles. I'm personally handling the replacement.

Any new positions we plan to establish:

1. The Company plan is to hire more quality individuals to assist in all aspects of the operations. Specifically, there is a need for a Safety Officer that will do the majority of compliance training and OSHA training. This person will be recruited with the sole intent to promote safety by better instruction. The Company is currently looking for such and individual.
2. The Company is committed to hire additional Supervisors to oversee routes and serve as "in the field" leaders. These individuals become the conduit between the drivers and the customers as well as serving the needs of the jurisdictions.

Accomplishments so far:

1. Establishing structure by bringing in Managers to Manage the Departments. These Managers are responsible for their Department and are held accountable.
2. Increased communication through the chain of command.
3. Increased awareness of what is expected and what will no longer be tolerated.
4. Purchasing new uniforms so the employee can be prideful and we meet our contractual obligations.
5. Purchasing new trucks to meet obligations and retire those that are to be retired because of CARB
6. rules.
7. Open door policy to all employees, no grievance is too small to be heard by "the boss".
8. Improving Customer Service, slow process but working towards an ultimate goal.

Appendix C

Diversion Reports

- **Company's 2013 and 2014 Reports**
- **R3's Analysis of Company's 2013 and 2014 Diversion Rate**
 - As Reported
 - Without Non-Exclusive C&D Tonnage
- **R3's Independent 2014 Diversion Rate Calculation (Based on Information Gathered from available Company Records)**

Company's 2013 Diversion Report

City of Santa Rosa Franchise Diversion Report 2013 Annual Report/ Santa Rosa Recycling & Collection

	Grand Total	Processed	Recycled	Discarded	Recycling Facility(ies) (Name and Location)
1 Total Exclusive Franchise Material Collected (in tons)	<u>135741.74</u>				
2 Recycling Material Processed					
Total Recycling Material		<u>33010.24</u>			
Aluminum			6.89		
Tin Cans (incl Ferrous Metals)			1054.46		
Other Metals (incl Non-Ferrous and White Goods)			1513.46		
Cardboard			9819.67		
Glass			3779.15		
Paper			10888.47		
CHDPE			122.72		
NHDPE			114.88		
Plastic -PET			129.32		
Plastic Mix			473.39		
Single Stream (Partially Processed)			641.57		
Tires			50.66		
Others (Batteries, Oil, Paint, and E-Waste)			94.15		
Residuals				4321.45	
Food Waste Recycling		<u>1110.67</u>			
C&D Exclusive Franchise Debris Boxes (Weighted average based on monthly facility rate)		<u>1323.64</u>			
Diverted			1005.97		Processed at Sonoma Transfer Station
Discards				317.67	
C&D Exclusive Franchise Debris Boxes (Weighted average based on monthly facility rate)		<u>465.16</u>			
Diverted			339.57		Processed at Sonoma Transfer Station
Discards				125.59	
C&D Exclusive Franchise Debris Boxes (Weighted average based on monthly facility rate)		<u>423.63</u>			
Diverted			279.6		Processed at Healdsburg Transfer Station
Residual				144.03	
Source-Separated Franchise Debris Boxes		<u>688.55</u>			
Metal			12.66		Alcoa Inc 412-553-4545
Wood Waste			503.12		Sonoma Compost 707-664-9113
Pumice			4.34		Redwood Landfill 415-892-2851
Mirrored Glass			168.43		Redwood Landfill 415-892-2851
Curbside, Multi Family, and Commercial Material		<u>98719.85</u>			
Residential Greenwaste			29533.09		Sonoma Compost 707-664-9113
Commercial Garbage (includes permanent debris boxes)				27674.70	Sonoma County Central Disposal Site 707-565-7948
Multi-Family Garbage				6918.68	
Residential Garbage				34593.38	Sonoma County Central Disposal Site 707-565-7948
Total Recycled Material			<u>61646.24</u>		
3 Total Discarded Material				<u>74095.50</u>	
Exclusive Franchise Diversion Rate					<u>45.41%</u>

Company's 2014 Diversion Report

City of Santa Rosa Franchise Diversion Report 2014 Annual Report/ Santa Rosa Recycling & Collection

	Grand Total	Processed	Recycled	Discarded	Recycling Facility(ies) (Name and Location)
1 Total Exclusive Franchise Material Collected (in tons)	135337.16				
2 Recycling Material Processed		29074.04			
Total Recycling Material					
Aluminum		12.32			
Tin Cans (Incl Ferrous Metals)		1145.13			
Other Metals (Incl Non-Ferrous and White Goods)		1321.24			
Cardboard		8502.42			
Glass		3350.87			
Paper		9671.03			
CHDPE		109.30			
NHDPE		124.73			
Plastic -PET		133.41			
Plastic Mix		300.12			
Single Stream (Partially Processed)		541.69			
Tires		153.23			
Others (Batteries, Oil, Paint, and E-Waste)		106.98			
Residuals				3601.57	
Food Waste Recycling		1399.5			
C&D Exclusive Franchise Debris Boxes (Weighted average based on monthly facility rate)		1519.42			
Diverted		1109.33			Processed at Sonoma Transfer Station
Discards				410.09	
C&D Exclusive Franchise Debris Boxes (Weighted average based on monthly facility rate)		384.99			
Diverted		254.09			Processed at Healdsburg Transfer Station
Residual				130.90	
Source-Separated Franchise Debris Boxes		741.60			
Metal		5.71			Alcoa Inc 412-553-4545
Wood Waste		512.03			Sonoma Compost 707-664-9113
Green Waste		105.37			Redwood Landfill 415-892-2851
Mirrored Glass		118.49			Redwood Landfill 415-892-2851
Curbside, Multi Family, and Commercial Material		102217.61			
Residential Greenwaste		32031.89			Sonoma Compost 707-664-9113
Commercial Garbage (Includes permanent debris boxes)		28074.29			Sonoma County Central Disposal Site 707-565-7948
Multi-Family Garbage		7018.57			
Residential Garbage		35092.86			Sonoma County Central Disposal Site 707-565-7948
Total Recycled Material		61008.88			
3 Total Discarded Material				74328.28	
Exclusive Franchise Diversion Rate	45.08%				

Company's 2013 Reported Diversion Rate (As Reported)

	Grand Total	Processed	Recycled	Discarded	Variance	Facility
Total Exclusive Franchise Material Collected	135,741.74				-	
Recyclable Material Processed		33,010.24			-	3417 Standish Ave. Santa Rosa
<u>Total Recycling Material</u>						
Aluminum			6.89			
Tin Cans (incl. Ferrous Metals)			1,054.46			
Other Metals (Incl. Non-Ferrous and White Goods)			1,513.46			
Cardboard			9,819.67			
Glass			3,779.15			
Paper			10,888.47			
CHDPE			122.72			
NHDPE			114.88			
Plastic - PET			129.32			
Plastic - Mix			473.39			
Single Stream (Partially Processed)			641.57			
Tires			50.66			
Other (Batteries, Oil, Paint, E-Waste)			94.15			
Residuals			4,321.45	13.09%		
<u>Food Waste Recycling</u>		1,110.67	1,110.67		-	Where composted?
<u>C&D Exclusive Franchise Debris Box</u>		1,323.64			-	Processing at Sonoma Transfer Station
Diverted			1,005.97		76.0%	
Discards				317.67		
<u>C&D Exclusive Franchise Debris Box</u>		465.16			-	Processing at Sonoma Transfer Station
Diverted			339.57		73.0%	
Discards				125.59		
<u>C&D Exclusive Franchise Debris Box</u>		423.63			-	Processing at Healdsburg Transfer Station
Diverted			279.60			
Discards				114.03		
<u>Source-Separated Franchise Debris Box</u>		688.55			-	
Metal			12.66			
Wood Waste			503.12			
Green Waste			4.34			
Mirrored Glass			168.43			
<u>Curbside, Multi Family, and Commercial Material</u>		98,719.85			-	
Residential Greenwaste			29,533.09			Sonoma Compost
Commercial Garbage (including permanent debris boxes)				27,674.70		Sonoma County Central Disposal Site
Multi-Family Garbage				6,918.68		
Residential Garbage				34,593.38		Sonoma County Central Disposal Site
Total Recycled Material			61,646.24		-	
Total Discarded Material				74,065.50	30.00	
2013 - EXCLUSIVE FRANCHISE DIVERSION RATE (Company Calc.)			45.41%			

Company's 2013 Reported Diversion Rate (Without Non-Exclusive C&D Debris)

	Grand Total	Processed	Recycled	Discarded	Variance	Facility
Total Exclusive Franchise Material Collected	135,741.74				-	
Recyclable Material Processed		33,010.24			-	3417 Standish Ave. Santa Rosa
<u>Total Recycling Material</u>						
Aluminum			6.89			
Tin Cans (inch Ferrous Metals)			1,054.46			
Other Metals (Incl. Non-Ferrous and White Goods)			1,513.46			
Cardboard			9,819.67			
Glass			3,779.15			
Paper			10,888.47			
CHDPE			122.72			
NHDPE			114.88			
Plastic - PET			129.32			
Plastic - Mix			473.39			
Single Stream (Partially Processed)			641.57			
Tires			50.66			
Other (Batteries, Oil, Paint, E-Waste)			94.15			
Residuals				4,321.45	13.09%	
<u>Food Waste Recycling</u>		1,110.67	1,110.67		-	Where composted?
<u>C&D Exclusive Franchise Debris Box</u>						Processing at Sonoma Transfer Station
Diverted						
Discards						
<u>C&D Exclusive Franchise Debris Box</u>						Processing at Sonoma Transfer Station
Diverted						
Discards						
<u>C&D Exclusive Franchise Debris Box</u>						Processing at Healdsburg Transfer Station
Diverted						
Discards						
<u>Source-Separated Franchise Debris Box</u>		688.55			-	
Metal			12.66			
Wood Waste			503.12			
Green Waste			4.34			
Mirrored Glass			168.43			
<u>Curbside, Multi Family, and Commercial Material</u>		98,719.85			-	
Residential Greenwaste			29,533.09			Sonoma Compost
Commercial Garbage (including permanent debris boxes)				27,674.70		Sonoma County Central Disposal Site
Multi-Family Garbage				6,918.68		
Residential Garbage				34,593.38		Sonoma County Central Disposal Site
Total Recycled Material			60,021.10		1,625.14	(due to excluded C&D)
Total Discarded Material				73,508.21	587.29	(due to excluded C&D)
2013 - EXCLUSIVE FRANCHISE DIVERSION RATE (Company Calc. without C&D Material)					44.22%	45% = Minimum Diversion Requirement

Company's 2014 Reported Diversion Rate (As Reported)

	Grand Total	Processed	Recycled	Discarded	Variance	Facility
Total Exclusive Franchise Material Collected	135,337.16				-	
Recyclable Material Processed		29,074.04			-	3417 Standish Ave. Santa Rosa
<u>Total Recycling Material</u>						
Aluminum			12.32			
Tin Cans (incl. Ferrous Metals)			1,145.13			
Other Metals (Incl. Non-Ferrous and White Goods)			1,321.24			
Cardboard			8,502.42			
Glass			3,350.87			
Paper			9,671.03			
CHDPE			109.30			
NHDPE			124.73			
Plastic - PET			133.41			
Plastic - Mix			300.12			
Single Stream (Partially Processed)			541.69			
Tires			153.23			
Other (Batteries, Oil, Paint, E-Waste)			106.98			
Residuals				3,601.57	12.39%	
<u>Food Waste Recycling</u>		1,399.50	1,399.50		-	
<u>C&D Exclusive Franchise Debris Box</u>		1,519.42			-	
Diverted			1,109.33		73.01%	Processing at Sonoma Transfer Station
Discards				410.09		
<u>C&D Exclusive Franchise Debris Box</u>		384.99			-	
Diverted			254.09		66.00%	Processing at Healdsburg Transfer Station
Discards				130.90		
<u>Source-Separated Franchise Debris Box</u>		741.60			-	
Metal			5.71			
Wood Waste			512.03			
Green Waste			105.37			
Mirrored Glass			118.49			
<u>Curbside, Multi Family, and Commercial Material</u>		102,217.61			-	
Residential Greenwaste			32,031.89			Sonoma Compost
Commercial Garbage (including permanent debris boxes)				28,074.29		Sonoma County Central Disposal Site
Multi-Family Garbage				7,018.57		
Residential Garbage				35,092.86		Sonoma County Central Disposal Site
Total Recycled Material			61,008.88		-	
Total Discarded Material				74,328.28	-	
2014 - EXCLUSIVE FRANCHISE DIVERSION RATE (Company Calc.)						45.08%

Company's 2014 Reported Diversion Rate (Without Non-Exclusive C&D Debris)

	Grand Total	Processed	Recycled	Discarded	Variance	Facility
Total Exclusive Franchise Material Collected	135,337.16					
Recyclable Material Processed		29,074.04			-	3471 Standish Ave. Santa Rosa
<u>Total Recycling Material</u>						
Aluminum			12.32			
Tin Cans (incl. Ferrous Metals)			1,145.13			
Other Metals (incl. Non-Ferrous and White Goods)			1,321.24			
Cardboard			8,502.42			
Glass			3,350.87			
Paper			9,671.03			
CHDPE			109.30			
NHDPE			124.73			
Plastic - PET			133.41			
Plastic - Mix			300.12			
Single Stream (Partially Processed)			541.69			
Tires			153.23			
Other (Batteries, Oil, Paint, E-Waste)			106.98			
Residuals				3,601.57	12.4%	
<u>Food Waste Recycling</u>		1,399.50	1,399.50		-	
<u>C&D Exclusive Franchise Debris Box</u>						
Diverted						Processing at Sonoma Transfer Station
Discards						
<u>C&D Exclusive Franchise Debris Box</u>						
Diverted						Processing at Healdsburg Transfer Station
Discards						
<u>Source-Separated Franchise Debris Box</u>		741.60			-	
Metal			5.71			
Wood Waste			512.03			
Green Waste			105.37			
Mirrored Glass			118.49			
<u>Curbside, Multi Family, and Commercial Material</u>		102,217.61			-	
Residential Greenwaste			32,031.89			Sonoma Compost
Commercial Garbage (including permanent debris boxes)				28,074.29		Sonoma County Central Disposal Site
Multi-Family Garbage				7,018.57		
Residential Garbage				35,092.86		Sonoma County Central Disposal Site
Total Recycled Material			59,645.46			
Total Discarded Material				73,787.29		
2014 - EXCLUSIVE FRANCHISE DIVERSION RATE (Company Calc. without C&D Material)					44.70%	45% = Minimum Diversion Requirement

R3's Independent 2014 Diversion Rate Calculation (Based on information gathered from Company records)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	WP#	Totals		
Weight																
SRC	3,926,440	3263780	3455960	3797360	3747020	3502980	3694880	3375600	3570400	3708860	3446640	4431840	20	43,921,760		
SRC-C	1,623,520	1700480	1740120	1818900	1804350	1743440	1788680	1731000	1825960	1912840	1709680	2336540	20	21,735,510		
Total	5,549,960	4,964,260	5,196,080	5,616,260	5,551,370	5,246,420	5,483,560	5,106,600	5,396,360	5,621,700	5,156,320	6,768,380		65,657,270		
Tons	2,774.98	2,482.13	2,598.04	2,808.13	2,775.69	2,623.21	2,741.78	2,553.30	2,698.18	2,810.85	2,578.16	3,384.19		32,829		
Waste - Residual																
SRC	1,534,940	1320050	1715380	1713870	1484380	1616650	1199420	1206480	1333070	1402080	1640140	2958590		19,125,050		
SRC-C	420,220	581780	695460	636555	661110	635590	519040	469140	489560	616080	774840	1427220	20	7,926,595		
Total	1,955,160	1,901,830	2,410,840	2,350,425	2,145,490	2,252,240	1,718,460	1,675,620	1,822,630	2,018,160	2,414,980	4,385,810	20	27,051,645		
Tons	977.58	950.92	1,205.42	1,175.21	1,072.75	1,126.12	859.23	837.81	911.32	1,009.08	1,207.49	2,192.91		13,526	41%	
Diverted																
SRC	2,391,500	1,943,730	1,740,580	2,083,490	2,262,640	1,886,330	2,495,460	2,169,120	2,237,330	2,306,780	1,806,500	1,473,250		24,796,710		
SRC-C	1,203,300	1,118,700	1,044,660	1,182,345	1,143,240	1,107,850	1,269,640	1,261,860	1,336,400	1,296,760	934,840	909,320		13,808,915		
Total	3,594,800	3,062,430	2,785,240	3,265,835	3,405,880	2,994,180	3,765,100	3,430,980	3,573,730	3,603,540	2,741,340	2,382,570		38,605,625		
Tons	1,797.40	1,531.22	1,392.62	1,632.92	1,702.94	1,497.09	1,882.55	1,715.49	1,786.87	1,801.77	1,370.67	1,191.29		19,303	59%	
Check	-	-	-	-	-	-	-	-	-	-	-	-		-		
													Commercial Garbage (includes permanent debris boxes)	10	28,074	
													Multi-Family Garbage	10	7,019	
													Residential Garbage	10	35,093	
													Total Garbage	Calc	70,186	
													Residual		13,526	
													Total Disposed		83,712	
													Recyclables Diverted		19,303	14.1%
													Food Waste Recycling	10	1,400	1.0%
													Residential Green Waste	10	32,032	23.5%
													Total Diverted	Calc	52,734	38.6%
													Total Generated		136,445.75	

R3's Independent 2014 Diversion Rate Calculation (Based on information gathered from Company records)

Company's 2014 Diversion Report

City of Santa Rosa Franchise Diversion Report
2014 Annual Report/ Santa Rosa Recycling & Collection

	Grand Total	Processed	Recycled	Discarded	Recycling Facility(ies) (Name and Location)
1 Total Exclusive Franchise Material Collected (in tons)	135337.16				
2 Recycling Material Processed					
<u>Total Recycling Material</u>	<u>29074.04</u>				Processed at 3417 Standish Ave. Santa Rosa, CA <i>See: Vendor, Average Price Per Ton, and Income Information under separate cover</i>
Aluminum			12.32		
Tin Cans (Incl Ferrous Metals)			1145.13		
Other Metals (Incl Non-Ferrous and White Goods)			1321.24		
Cardboard			8502.42		
Glass			3350.87		
Paper			9671.03		
CHDPE			109.30		
NHDPE			124.73		
Plastic -PET			133.41		
Plastic Mix			300.12		
Single Stream (Partially Processed)			541.69		
Tires			153.23		
Others (Batteries, Oil, Paint, and E-Waste)			106.98		
Residuals				3601.57	
<u>Food Waste Recycling</u>	<u>1399.5</u>		1399.5		
<u>C&D Exclusive Franchise Debris Boxes (Weighted average based on monthly facility rate)</u>	<u>1519.42</u>				Processed at Sonoma Transfer Station
Diverted			1109.33		
Discards				410.09	
<u>C&D Exclusive Franchise Debris Boxes (Weighted average based on monthly facility rate)</u>	<u>384.99</u>				Processed at Healdsburg Transfer Station
Diverted			254.09		
Residual				130.90	
<u>Source-Separated Franchise Debris Boxes</u>	<u>741.60</u>				
Metal			5.71		Alcoa Inc 412-553-4545
Wood Waste			512.03		Sanoma Compost 707-664-9113
Green Waste			105.37		Redwood Landfill 415-892-2851
Mirrored Glass			118.49		Redwood Landfill 415-892-2851
<u>Curbside, Multi Family, and Commercial Material</u>	<u>102217.61</u>				
Residential Greenwaste		32031.89			Sanoma Compost 707-664-9113
Commercial Garbage (includes permanent debris boxes)		28074.29			Sanoma County Central Disposal Site 707-565-7948
Multi-Family Garbage		7018.57			
Residential Garbage		35092.86			Sanoma County Central Disposal Site 707-565-7948
Total Recycled Material		61008.88			
3 Total Discarded Material				74328.28	
Exclusive Franchise Diversion Rate					45.08%

R3's Independent 2014 Diversion Rate Calculation
(Based on information gathered from Company records)

A=1ST HALF B=2ND HALF TOTAL MONTH	NOVATO DISPOSAL NDS CS0144	PAC CST MENDO PCD-M CS52073 .001	SANTA ROSA SRC CS1088	SANTA ROSA COM SRC-C CP0945	G-VILLE TRANSFR RGG-D CP0649G	WINDSOR WINDSOR WIN CS1302	WINDSOR COM WIN-C CP0944	ROHNERT PARK RPD CS0965	ROHNERT PARK COM RPD-C CP0946	NOVATO COLL PGM NDS-C CP0779	COMMODITY TOTALS
WEIGHT	1,581,260	24,540	3,926,440	1,623,520	73,240	742,680	177,830	915,240	246,860	382,700	18,778,690
MIXED PAPER	924,380	7,640	1,145,040	470,800	16,900	440,500	39,860	443,820	86,200	239,900	6,577,500
OFC PAPER	25,220	200	31,240	12,840	460	12,020	1,080	12,100	2,360	6,520	179,420
CARDBOARD	134,420	3,900	484,660	665,520	6,740	43,320	50,280	28,040	79,340	32,541	3,156,841
TIN	17,880	2,980	91,540	9,320	1,720	5,240	1,500	8,760	1,660	4,320	262,320
SSO	24,500	200	30,360	12,480	440	11,680	1,060	11,760	2,280	6,380	174,360
PL RIGIDS	29,860	240	28,180	3,340	2,340	12,980	1,200	3,880	1,120	7,233	160,533
GLASS-00A	153,520	0	283,480	12,640	0	38,520	12,900	127,120	4,720	35,049	1,428,409
GLASS-00B	130,880	3,360	239,560	12,440	21,980	32,400	12,900	112,820	5,240	33,550	1,289,130
GLASS CHG	\$ (6,010)	\$ (75)	\$ (11,045)	\$ (530)	\$ (495)	\$ (1,500)	\$ (545)	\$ (5,075)	\$ (210)	\$ (1,462)	\$ (57,502)
ALUM-A	1,540	0	1,020	40	0	200	0	620	60	390	10,030
ALUM-B	1,420	40	920	40	140	180	0	600	60	386	9,606
PLASTIC-A	12,960	0	12,280	1,340	0	5,680	480	1,640	420	2,972	67,492
PLASTIC-B	7,680	120	7,200	920	1,220	3,320	340	1,020	320	1,973	42,573
NHDPE-A	2,860	0	10,520	860	0	2,100	280	3,260	120	657	38,917
NHDPE-B	2,100	200	7,640	720	580	1,520	240	2,480	120	541	30,341
CHDPE-A	4,340	0	10,500	0	0	2,380	40	1,220	40	996	32,956
CHDPE-B	3,060	140	7,360	0	640	1,660	20	900	40	791	24,651
WASTE	104,640	5,520	1,534,940	420,220	20,080	128,980	55,650	155,200	62,760	8,501	5,293,611
											5,293,611

NOTE:

① - ② = 2,391,500 = DIVERSION
 Σ ③'s = 17,860

Appendix D

MRF Site Visit Pictures

R3

MRF Site Visit Pictures



1) Poor MRF Housekeeping; Chain Guard Removed and Posing a hazard – (likely OSHA violations)



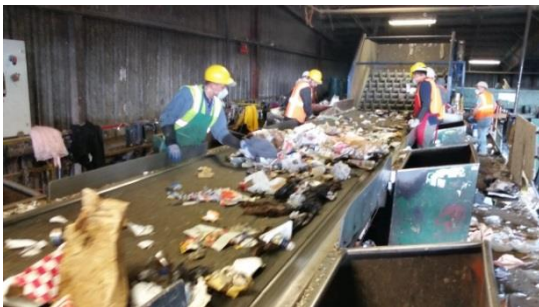
5) Broken Infeed Conveyor at 34000 Standish MRF



2) Poor MRF Housekeeping



6) Repairing broken Infeed Conveyor – All sorting stopped



3) Poor metering of materials onto the pre-sort line resulting in peaks (slugs) and valleys of material



7) Workers manually moving materials off belt at 3417 Standish MRF



4) Workers pushing materials up Star Screen with 2x4 beams – (likely OSHA violation)

Appendix E

Route Audit Pictures

R3

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Route Audit Pictures



1) Food Scraps Litter after Pickup



2) Improperly Placed Cart



3) Broken & Improperly Placed Carts



4) Mismatched Carts



5) Worn Commercial Bin



6) Unkempt Commercial Enclosure

Appendix F

Rate Survey Results

R3

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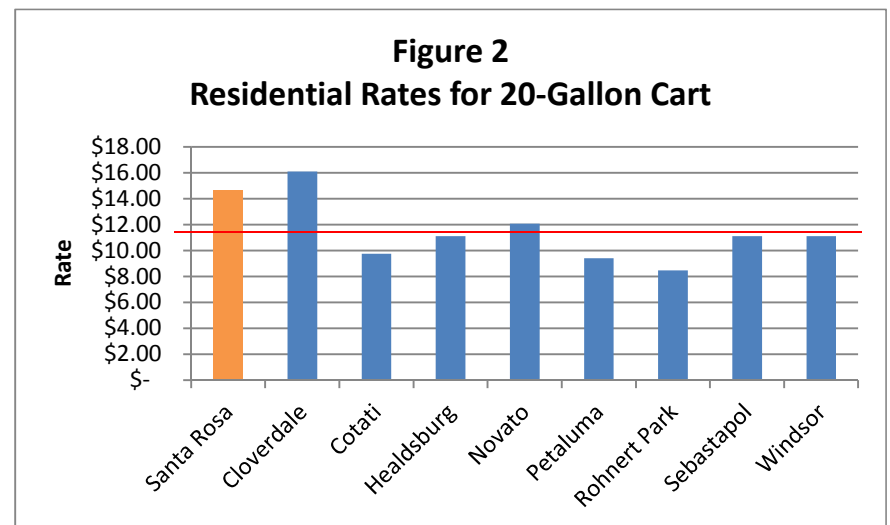
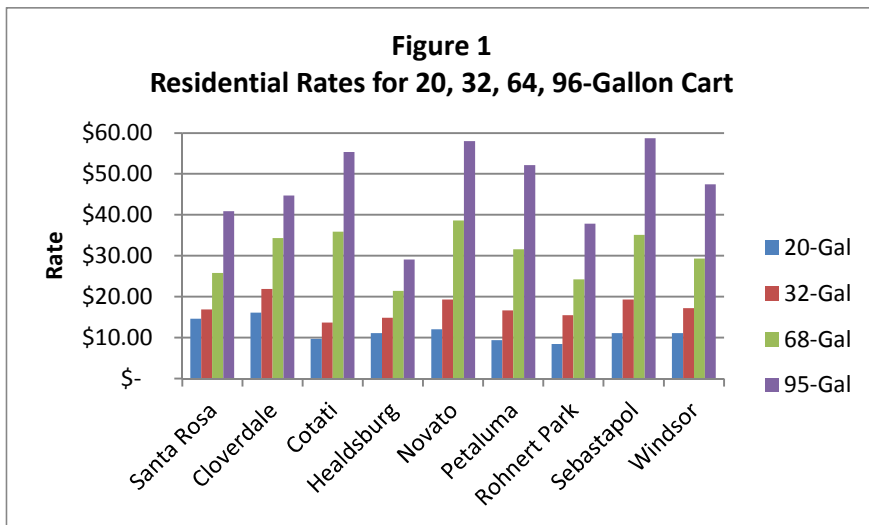
Santa Rosa Rate Comparison

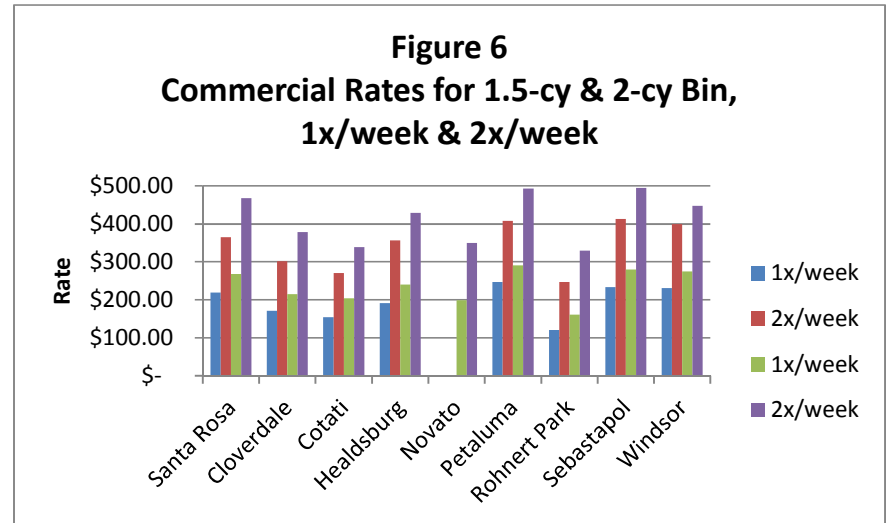
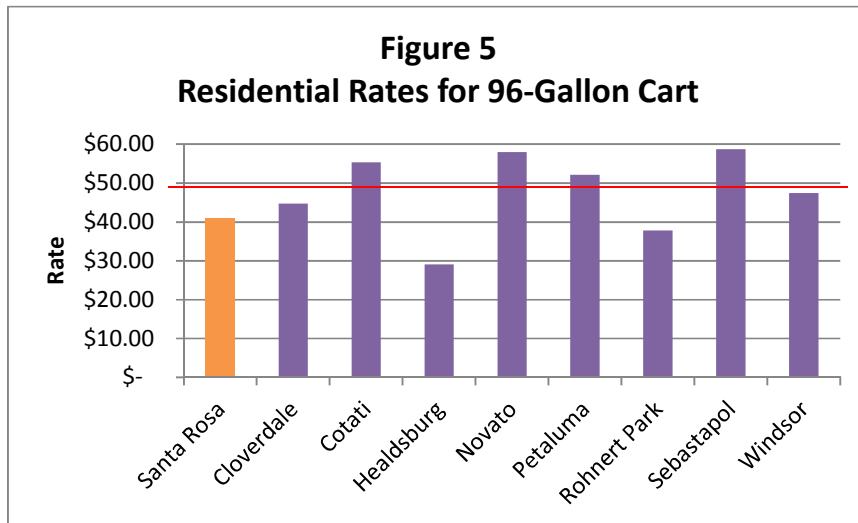
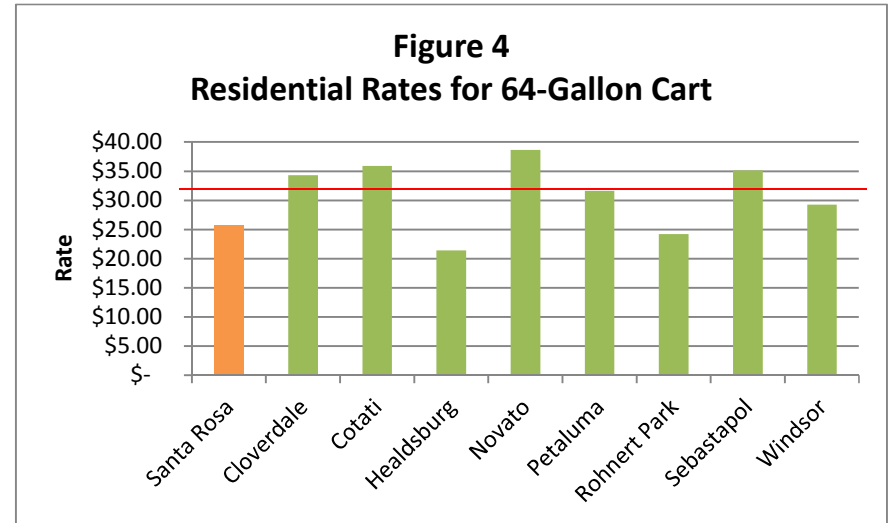
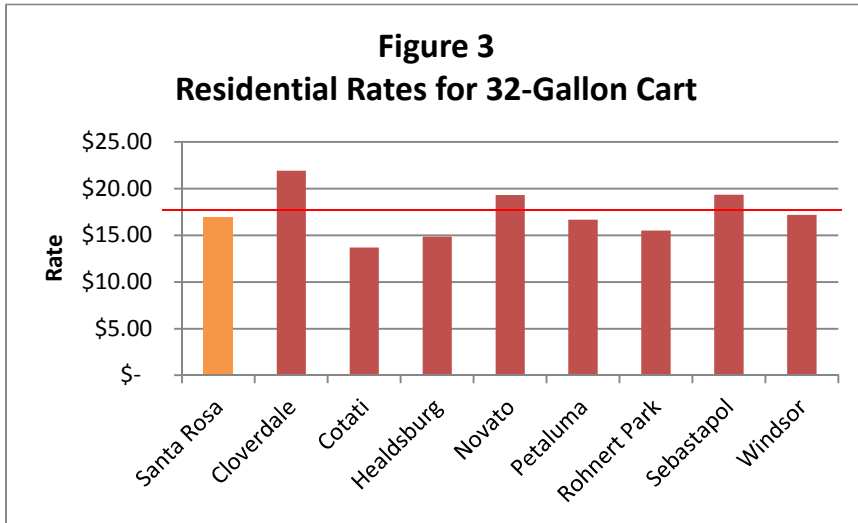
Jurisdiction	Residential Services				
	Service Level				
	Effective Date	20-Gal	32-Gal	68-Gal	95-Gal
Santa Rosa	7/1/2015	\$ 14.63	\$ 16.87	\$ 25.82	\$ 40.86
Cloverdale	10/1/2015	\$ 16.11	\$ 21.94	\$ 34.30	\$ 44.71
Cotati	10/1/2015	\$ 9.75	\$ 13.69	\$ 35.90	\$ 55.34
Healdsburg	10/1/2015	\$ 11.12	\$ 14.86	\$ 21.42	\$ 29.10
Novato	1/1/2016	\$ 12.09	\$ 19.33	\$ 38.64	\$ 57.98
Petaluma	7/1/2015	\$ 9.41	\$ 16.67	\$ 31.61	\$ 52.14
Rohnert Park	10/1/2015	\$ 8.47	\$ 15.51	\$ 24.24	\$ 37.82
Sebastapol	1/1/2015	\$ 11.11	\$ 19.36	\$ 35.14	\$ 58.73
Windsor	1/1/2015	\$ 11.11	\$ 17.20	\$ 29.29	\$ 47.45

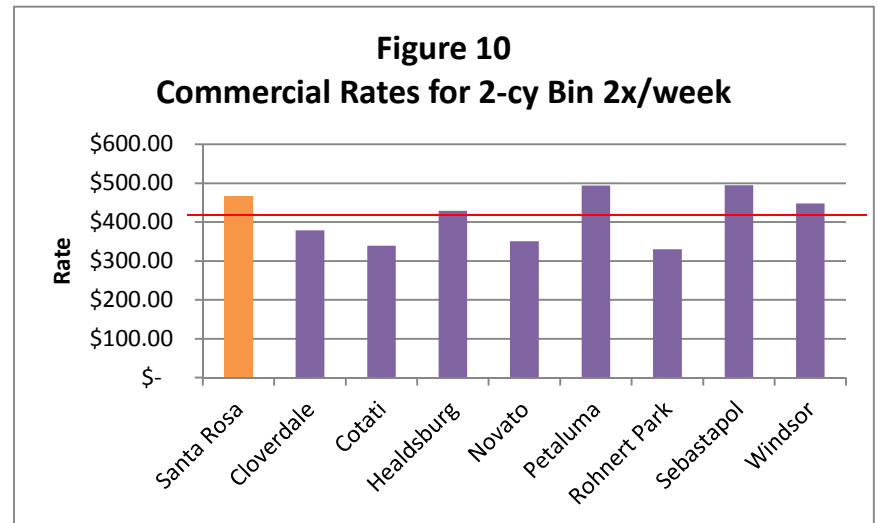
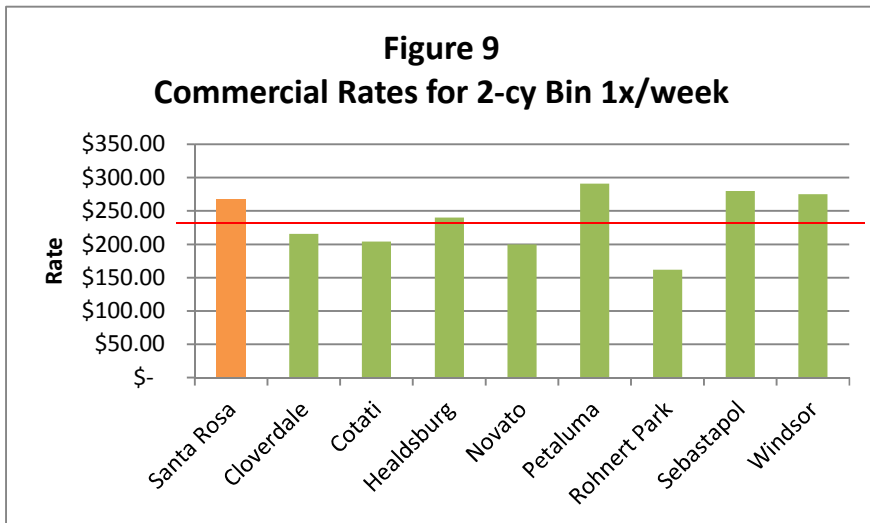
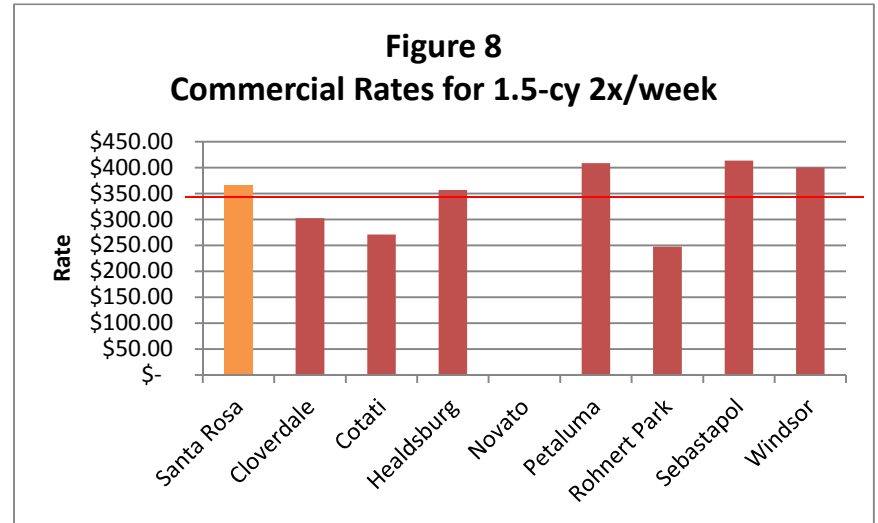
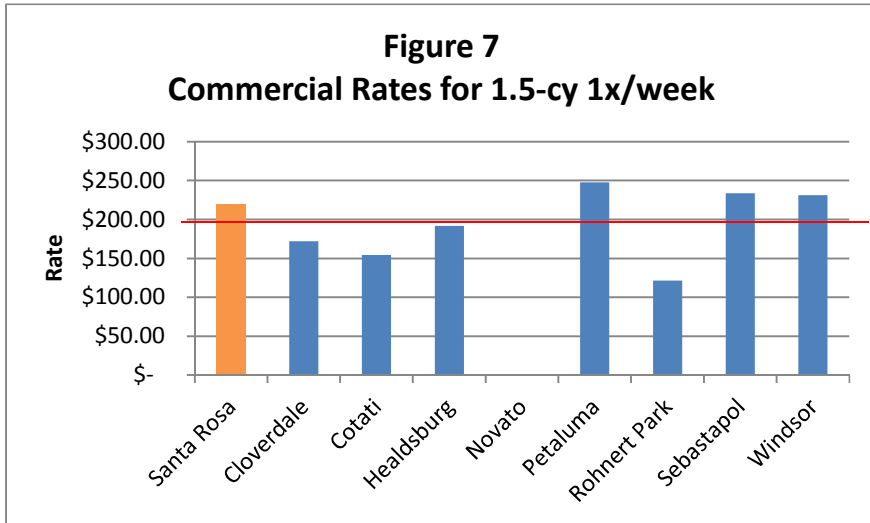
Commercial Services			
Service Level			
1.5 yard		2 yard	
1x/week	2x/week	1x/week	2x/week
\$ 219.36	\$ 364.86	\$ 268.19	\$ 467.94
\$ 171.83	\$ 302.16	\$ 215.71	\$ 378.82
\$ 154.42	\$ 270.68	\$ 204.27	\$ 339.16
\$ 191.74	\$ 356.97	\$ 240.33	\$ 429.13
NA	NA	\$ 199.68	\$ 350.47
\$ 247.60	\$ 408.33	\$ 290.87	\$ 493.62
\$ 121.29	\$ 247.51	\$ 161.77	\$ 330.01
\$ 233.93	\$ 413.48	\$ 279.87	\$ 494.90
\$ 231.21	\$ 399.83	\$ 274.97	\$ 447.85

Average w/o Santa Rosa	\$ 11.15	\$ 17.32	\$ 31.32	\$ 47.91
Santa Rosa Rate	\$ 14.63	\$ 16.87	\$ 25.82	\$ 40.86
Average vs. Santa Rosa	\$ (3.48)	\$ 0.45	\$ 5.50	\$ 7.05
	-24%	3%	21%	17%

\$ 193.15	\$ 342.71	\$ 233.43	\$ 408.00
\$ 219.36	\$ 364.86	\$ 268.19	\$ 467.94
\$ (26.21)	\$ (22.15)	\$ (34.76)	\$ (59.95)
-12%	-6%	-13%	-13%







Appendix G

Waste Characterization Results

R3

Sorted Material Types

Approved Recyclables

- **Paper** – includes corrugated paper, computer paper, mixed paper, ledger paper, magazines, other recyclable paper
- **Plastic** – includes HDPE, PET, other recyclable plastics
- **Plastic Bags** – includes plastic bags and film plastic
- **Aseptic Containers** – includes milk cartons, juice boxes, etc.
- **Polystyrene** – i.e., Styrofoam
- **Glass** – includes CRV glass containers, and other recyclable glass
- **Metal** – includes aluminum, tin, ferrous and non-ferrous metals, white goods, and other metals
- **Textiles** – includes clothing and fabrics

Recyclable Contamination

- **Organics** – includes food waste, green waste, and yard trimmings
- **C&D** – includes inert solids, miscellaneous C&D materials
- **Tires** – includes tires and rubber products
- **Special and Other Wastes** – includes bulky waste, e-waste, oils, batteries, paint, and HHW

Residual Materials

- **Residue** – all materials not included in categories above