

Contra Costa Environmental Health

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Date: May 13, 2019

To: Contra Costa County Board of Supervisors
Internal Operations Committee (IOC)

From: Marilyn C. Underwood, Ph.D., REHS,
Director of Environmental Health

Subject: Reduction of Performance Bond Amount Required by Solid Waste Collection & Transportation
Ordinance Contra Costa County Ordinance 418-2

A. Introduction

On December 5, 2017, the Board adopted Ordinance No. 2017-16 establishing a permit program for specified non-franchise solid waste haulers. Section 418-2.018 of the Ordinance requires a permittee to file with the County a performance bond of the type and in the amount set by Board resolution.

Following adoption of the Ordinance, Environmental Health (EH) staff returned to the Board on January 23, 2018 with Resolution No. 2018/41 recommending the performance bond amount be set at \$20,000 as well as other requirements for a performance bond to be filed under Section 418-2.018. The Board adopted Resolution No. 2018/41 amending the recommendation to establish a performance bond in the amount of \$50,000 and directing EH staff to report to the Internal Operations Committee (IOC) in six months with information on the number of permits applied for and issued.

On October 8, 2018, the IOC received a status report from EH staff on the implementation of the waste hauler ordinance and approved a recommendation to reduce the required performance bond amount from \$50,000 to \$20,000 to encourage greater compliance with the ordinance due in part to the lack of permits issued at the time. The Board of Supervisors approved the IOC's recommendation adopting Resolution 2018/545 on November 13, 2018 thereby superseding and replacing Resolution No. 2018/41, reducing the amount of the performance bond required to be filed and maintained by a non-franchise solid waste collection and transport permittee from \$50,000 to \$20,000. Additionally, EH staff were directed by the Board to report back in six months on the effects of the bond amount reduction.

The following Section B is a summary of the effects of the performance bond amount reduction.

B. Summary of the Effects of the Performance Bond Amount Reduction

EH issued the first non-franchise solid waste collection and transport permit on March 19, 2019 to JUNKCAT, LLC. While JUNKCAT, LLC is permitted to collect all types of solid waste throughout the county to the extent

that another person does not have an exclusive privilege or right to collect that solid waste under a valid franchise agreement, the operator mainly services West Contra Costa County.

More recently, EH staff have had productive conversations with local representatives from O2E Brands (parent company of 1-800-GOT-JUNK) and anticipate receiving an application for a non-franchise solid waste collection and transport permit from the Central Contra Costa County branch office in the near future. O2E Brands representatives stated that the reduction in the performance bond amount was not a factor in their consideration for a permit.

C. Ongoing Efforts

- EH staff continues to attempt to engage with companies such as Junk Beez and Vets Move Junk (local companies that have begun advertising to Contra Costa County residents) in an effort to inform these companies about the requirements of the non-franchise solid waste collection and transport permit program.
- EH staff also continue to participate in both the Contra Costa County Illegal Dumping Think Tank and the Alameda County Illegal Dumping Working Group as both groups have identified unpermitted hauling as potential contributors to illegal dumping. There are currently efforts underway at both regional and statewide levels to increase awareness of the potential effect unpermitted non-franchise haulers have on illegal dumping. EH staff have been using these platforms to promote our permit program with the hope that partnerships with other agency stakeholders will help encourage haulers who qualify to obtain permits.
- EH staff continue to engage with incorporated communities (including the City of Richmond and the City of San Pablo) in hopes of encouraging these communities to adopt municipal codes pointing to Contra Costa County Ordinance 418-2 and establishing EH as the non-franchise solid waste hauler permitting entity within the community.
- EH will be adding a searchable database of permitted non-franchise solid waste haulers to our website to give the public a straightforward way to search for permitted haulers. EH staff will once again reach out to the Joint Powers Authorities and special districts throughout the county requesting they incorporate language specifically targeted at the consumer in their publications with the intent of informing residents within these service areas about the permit requirement and our searchable database for non-franchise solid waste haulers.
- EH staff will also be exploring the use of social media to continue to inform consumers and haulers alike about the permit requirement.