



Public Health Environmental Health Services

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May 15, 2020

Darren Meeka, P.E.
Deputy Director
Department of Public Works
Solid Waste Management Division
222 W. Hospitality Lane, Second Floor
San Bernardino, CA 92415-0017

SUBJECT: AMENDED EMERGENCY WAIVER OF STANDARDS FOR VICTORVILLE SANITARY LANDFILL (SWIS# 36-AA-0045)

Dear Mr. Meeka,

On May 7, 2020 the San Bernardino County Division of Environmental Health Services, serving as the Local Enforcement Agency (LEA) received a request for an Emergency Waiver of Standards (Waiver) for Victorville Sanitary Landfill (VVSL, SWIS# 36-AA-0045).

The request is in response to the California Governor Gavin Newsom declaring a State of Emergency (SOE) for COVID-19 on March 4, 2020 and on March 19, 2020 an Executive Order (EO) N-33-20 (stay-at-home order). As stated in the Solid Waste Facility Permit (SWFP), VVSL is permitted to have no more than 600 vehicles per day (vpd) into the facility, the operator is requesting to temporarily increase to 900 vpd to accommodate for the increased frequency of vehicles. Furthermore VVSL recorded 579 vehicles entered the facility on Monday, May 4, 2020. The operator stated in their request that the maximum permitted tonnage of 3,000 tons per day will remain the same.

The LEA has reviewed the contents of the waiver request and has determined that the Emergency Waiver of Standards is appropriate pursuant to Title 14 of the California Code of Regulations (CCR), Division 7, Chapter, Article 3.

1. The operator has a valid Solid Waste Facility Permit with a SWIS# 36-AA-0045;
2. This Waiver does not pose a threat to public health and safety or the environment; and
3. The disaster-related waste, which is any increase in waste acceptance due to COVID-19, already utilizes diversion programs as outlined in VVSL's Joint Technical Document.

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Based on the contents provided, the LEA is hereby granting VVSL the Waiver to waive the maximum permitted 600 vpd as stated in the SWFP. The Waiver shall be active immediately on this date **Friday, May 8, 2020**. VVSL may have up to 900 vpd for a period of up to one hundred and twenty (120) days from the activation date of the Waiver (**September 5, 2020**).

The following conditions are placed pursuant to 14 CCR Division 7, Chapter, Article 3:

1. All other state minimum standards and permit conditions not identified in the above mentioned paragraphs shall remain in-effect;
2. The effective period of this Waiver shall not exceed one hundred and twenty (120) days or **September 5, 2020** without prior approval by the LEA.
3. The operator of VVSL shall follow reporting requirements in accordance with 14 CCR § 17210.5:
 - a. A written report submitted to the LEA within 90 days of activation of this waiver (**August 6, 2020**) and every 90 days thereafter for the effective period of the Waiver;
 - b. The written report shall include the following applicable information:
 - (1) The daily amount of disaster debris received, diverted, and disposed at the facility (including vehicle count);
 - (2) The jurisdiction of origin for the disaster debris received at the facility;
 - (3) The increase in tonnage or volume of waste received per day during the effective period of the activated Waiver; and
 - (4) The facilities used to process the disaster debris.
4. This Waiver may be modified, canceled, or revoked by the LEA without advance notice should the LEA determine that any of the following occurs:
 - (1) The use of such a waiver will cause or contribute to a public health and safety or environmental problem;
 - (2) The terms of the Waiver are not being used expressly to handle the state of emergency or local emergency and are not in the best interest of the public health and safety;
 - (3) The Waiver is no longer necessary; or
 - (4) The solid waste facility operator is not utilizing disaster debris diversion programs to the extent feasible.

For any questions or additional information, including contents required in the written report, please contact me through email at Rodney.Tolosa@dph.sbcounty.gov or phone at 1-800-442-2283.

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Sincerely,

Rodney Tolosa, REHS
Environmental Health Specialist III
Local Enforcement Agency

CC:

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