



COUNTY OF LAKE
HEALTH SERVICES DEPARTMENT
Division of Environmental Health
922 Bevins Court, Lakeport, CA 95453-9739
Telephone 707/ 263-1164 FAX: 263-1681

Jim Brown
Health Services Director

Raymond Ruminski
Environmental Health Director

November 7, 2016

Bob Pestoni
Pestoni Brothers LLC
Quackenbush Mountain Resource Recovery and Compost Facility
16520 Davis Street
Clearlake, CA

Dear Mr. Pestoni:

Subject: Emergency Waiver of Standards

Site: Quackenbush Mountain Resource Recovery and Compost Facility

SWIS No. 17-AA-0014

We have reviewed the request (attached) for an emergency waiver of State Minimum Standards (SMS) for the safe and proper disposal of waste created in the recent fires (Summer 2016) in Lake County. These fires destroyed approximately 300 structures.

The emergency waiver request proposes to temporarily suspend the daily maximum tonnage, and processed and unprocessed CDI debris storage volumes and storage time limits (California Code of Regulations, Title 14, Division 7, Article 5.9, Sections 17383.6 (a), 17383.6 (b) and 17383.6 (c)) at Quackenbush Mountain Resource Recovery and Compost Facility for disaster related CDI debris. In addition, the emergency waiver request proposes to modify the permitted area and design capacity for transfer/processing operations. (Note that the total permitted area (23.5 acres) and total permitted design capacity (84,000 cubic yards) are to remain as permitted.) Based upon this review and pursuant to Title 14, California Code of Regulations (CCR), Article 3, Emergency Waiver of Standards, Section 17210.8 et seq., we hereby grant a waiver of the SMS requested above for a period up to one hundred and twenty (120) days beginning November 7, 2016 with the following conditions:

1. All other State Minimum Standards and permit conditions which are not subject to the waiver shall remain in effect.
2. The effective period of this waiver, as granted by our Department, shall not exceed one-hundred and twenty (120) days without prior approval from our Department.

3. Your waiver may be modified, cancelled, or revoked by our Department without advance notice should we determine that any of the following occurs:
 - a) The use of such a waiver will cause or contribute to a public health hazard and safety or environmental problem.
 - b) 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.
 - c) The waiver is no longer necessary.
 - d) The solid waste facility operator is not utilizing disaster debris diversion programs to the extent feasible.
4. Comply with the reporting requirements as outlined in Title 14, CCR, Article 3, Emergency Waiver of Standards, Section 17210.5, Reporting Requirements for a Solid Waste Facility Operator.

If you have any questions or need additional information regarding the requirements, please contact myself or Christina Gearhart at (707) 263-1164.

Sincerely,



Raymond Ruminski, REHS
Director of Environmental Health Services
Lake County Environmental Health Division

Cc: Reinhard Hohlwein, CalRecycle, via email: Reinhard.Hohlwein@CalRecycle.ca.gov
Kenny Croyle, Central Valley Water Board, via email: Kenny.croyle@waterboards.ca.gov



November 7, 2016

Attn: Ray Ruminski, Environmental Health Director Lake
County Environmental Health Department
922 Bevins Court
Lakeport, CA 95453

Subject: Continuation of Emergency Waiver of Standards, Quackenbush Resource Recovery and Composting Facility, SWIS No. 17-AA-0014

Pestoni Brothers, LLC owns and operates the Quackenbush Resource Recovery and Composting Facility in Clearlake, California, is requesting approval for an Emergency Waiver of Standards pursuant to Title 14, Division 7, Chapter 3, Article 3 of the California Code of Regulations.

An emergency waiver is necessary in order to properly and safely manage material created by the wildfires in the eastern and southern County areas. On August 15, 2016 the Office of the Governor, declared a State of Emergency in Lake County due to the wildfires. Therefore we request that an emergency waiver be approved from November 7, 2016 and remain in effect for a period of 120 days.

Following is the specific information required for an emergency waiver pursuant to the above-cited Regulations:

1. A listing of the existing solid waste facilities permit terms and conditions to be waived in order to facilitate recovery and disposal of disaster debris in the event of a declared disaster or emergency.

QUACKENBUSH RESOURCE RECOVERY AND COMPOSTING FACILITY

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The specific operating permit waiver request will temporarily suspend the permitted maximum tonnage (compost feedstock and mixed construction and demolition debris), and key design parameters related to permitted area and design capacity.

Additional we request a waiver from the following state regulations found in Title 14, Division 7, Chapter 3, Article 5.9, Section 17383.6 Large Volume Construction and Demolition/Inert Debris Processing Facility:

(a) CDI debris stored for more than 15 days that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(b) CDI debris that has been processed and sorted for resale, or reuse, but remains stored on site for more than one year, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

Thank you for your consideration of this request; should you have any questions or need additional information, please feel free to contact me at 707-963-7988.

Sincerely,



Bryce Howard

General Manager

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