

STIPULATED AGREEMENT

1. Taormina Industries, LLC and Orange County Health Care Agency Environmental Health, acting as the Solid Waste Local Enforcement Agency (LEA) pursuant to Public Resources Code Section 43200 et seq., have entered into this Stipulated Agreement on November 3, 2006. Taormina Industries, LLC is the owner and operator of the CVT Regional Material Recovery and Transfer Station (hereinafter referred to as "Facility") located in the City of Anaheim.
2. Upon entering into this agreement, Taormina Industries, LLC and the LEA recognize and agree that this Stipulated Agreement is solely for the temporary increase of the tonnage limit set forth in the Facility's Solid Waste Facility Permit (SWFP) No. 30-AB-0335 issued on March 1, 1999 and reviewed on December 18, 2003. Specifically, Taormina Industries, LLC has requested a temporary 20% increase in the permitted tonnage from 6,000 to 7,200 tons per day.
3. The temporary tonnage increase authorized by this Stipulated Agreement is to enable the Facility to collect and process the unusually large volume of waste accumulated due to circumstances beyond the control of Taormina Industries, LLC as a result of unforeseen manpower shortages between October 23, and November 2, 2006. While Taormina Industries, LLC had implemented a backup plan, it was unable to keep up with the demand. This large volume of accumulated waste has the potential to pose a threat to public health and safety.
4. Per the approved Report of Facility Information (dated October 2003), the Facility's overall design capacity is 8,000 tons per day, which includes transfer station, MRF, auxiliary processing facilities/equipment, brown, green and inert wastes volume reduced material awaiting transport, etc. Therefore, there are no specific changes proposed by Taormina Industries, LLC to the Facility's design or operation during the effective period of this Stipulated Agreement.
5. This Stipulated Agreement granting the Facility's request for temporary tonnage increase will go into effect on November 3, 2006, and last for six (6) calendar days, terminating by end of business on November 8, 2006. Depending upon the progress in collecting and processing the accumulated waste, Taormina Industries, LLC may submit a written request for a time extension for a specific period. The written request shall include, among other information, reason(s) for the time extension, a new specific termination date, and a written report in accordance with California Code of Regulations (CCR), Title 14, Section 17211.6(c). If a time extension is granted by the LEA, it shall be solely for the purpose of allowing the Facility to receive solid waste as specified herein.
6. Taormina Industries, LLC shall continue to keep accurate tonnage records of waste collected, accepted and processed at the Facility during the effective period of this Stipulated Agreement.

7. Taormina Industries, LLC shall submit to the LEA a written report upon the termination date of this Stipulated Agreement. The report contents shall comply with the requirements of CCR, Title 14, Section 17211.6(a).
8. All terms and conditions contained in the Facility's SWFP that are not subject to this Stipulated Agreement, shall remain in effect. Further, Taormina Industries, LLC shall comply with all State Minimum Standards as outlined in CCR, Title 14.
9. Nothing in this Stipulated Agreement limits the LEA's ability under applicable laws to enforce State solid waste laws and regulations. Further, this Stipulated Agreement shall not be construed as relieving Taormina Industries, LLC from their obligation to obtain other regulatory agencies' approvals or permits for this emergency project or to comply with other regulatory agencies' requirements.
10. This Stipulated Agreement may be modified, cancelled, or revoked by the LEA without advanced notice, if any of the conditions listed in CCR, Title 14, Section 17211.2(g) exist at the Facility.



David Ault, Executive Director Franchise Administration
Taormina Industries, LLC

Date: 11/3/06



Elisabeth J. Gonzalez, Ph.D., Program Manager
Solid Waste Local Enforcement Agency
Environmental Health

Date: 11/3/06