

August 12, 2016

Ms. Nancy Ewert, PE
Maintenance & Operations
Kern County Public Works Department
2700 M Street, Suite 450
Bakersfield, CA 93301

**Subject: Emergency Waiver of Standards
Bakersfield Metropolitan (BENA) Sanitary Landfill
SWIS 15-AA-0273; FA0006037**

Dear Ms. Ewert:

The Kern County Public Health Services Department, Environmental Health Division, acting as the Local Enforcement Agency (LEA) for the California Department of Resources, Recycling and Recovery (CalRecycle) has reviewed your August 04, 2016 request for an emergency waiver to provide additional solid waste and disaster-related services at the BENA Sanitary Landfill (SWIS 15-AA-0314) for residents affected by the Erskine Fire. These services will include accepting and disposing of Wildfire Debris and Ash from the properties impacted by the fires.

Your request included the following emergency waivers:

1. A waiver to operate the landfill outside the current and permitted hours of operation from 5:00 AM to 7:00 PM;
2. A waiver to exceed the permitted maximum tonnage of 4,500 tons per day and the permitted traffic volume of 3,400 vehicles per day; and
3. A waiver of daily cover requirements at the separate disposal working face for Erskine Wildfire Debris and Ash.

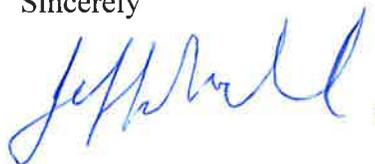
Based on this review and pursuant to Title 14, California Code of Regulations (CCR), Article 3, Emergency Waiver of Standards, Section 17210.8, we hereby grant a waiver of the requests above with the following conditions:

1. All other State Minimum Standards and permit condition which are not subject to the waiver shall remain in effect;
2. The effective period of your waiver, once granted by our Division, shall not exceed one-hundred and twenty (120) days without prior approval by our Division;
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 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;
 5. The landfill shall met all standards specified in the August 04, 2016 Emergency Waiver Request; and
 6. The landfill shall cover all Erskine Wildfire Debris and Ash at the end of each project operational week. All incoming loads of debris shall be burrito wrapped and sealed to prevent vectors, fires, odors, litter and scavenging. If the burrito wrapping method or weekly covering of waste contributes to a public health and safety or environmental problem then the landfill must conduct daily covering of all Erskine Wildfire Debris and Ash.

If you have any questions or comments, please contact my office at (661) 862-8775 or by e-mail at marshallj@co.kern.ca.us

Sincerely



Jeffrey Marshall
Environmental Health Specialist IV
Supervisor, Solid Waste

Enclosed:
Request for an Emergency Waiver

cc (with attachment):
Christine Karl, CalRecycle
Dan Carlson, CVRWQCB