



## TEHAMA COUNTY SOLID WASTE MANAGEMENT AGENCY FULL BOARD (JPA II)

Board Chambers

727 Oak St  
Red Bluff, CA 96080

March 15, 2019 11:00 AM

### AGENDA

This meeting conforms to the Brown Act Open Meeting Requirements in that action and deliberations of the Tehama County Joint Powers Agency created to conduct the people's business are taken openly and that the people remain fully informed about the conduct of its business.

Public Forum - Any member may address and ask questions of the JPA relating to any matter within the JPA's jurisdiction, provided the matter is not on the Agency's agenda or pending before the JPA. All items posted on the agenda, including under correspondence, may be acted upon by the Board of Directors. However, matters under committee reports and department manager's reports may be briefly addressed by the Board or staff but no action or discussion shall be undertaken on any item not appearing on the posted agenda unless the action is an off-agenda emergency or as otherwise provided in Government Code §54954.2.

No action may be taken on any item not appearing on the agenda unless the action is otherwise, authorized by the Government Code Section 54954.2(B). Typically, this applies to items meeting criteria as an off-agenda emergency. The Chair reserves the right to limit each speaker to three (3) minutes. Disclosure of a speaker's identity is purely voluntary during the public comment period.

**Chair: Amanda Jenkins**

**Vice Chair: Forrest Flynn**

#### 1. CALL TO ORDER

#### 2. PLEDGE OF ALLEGIANCE

#### 3. PUBLIC COMMENT

#### 4. REGULAR - LANDFILL ONLY

##### 1. Notice of Violation - Weighmaster Inspection

- a) Review and approve the revised minimum weight charges; and
- b) Approve staff's request to not renew the Agency's Weighmaster License.



Full Board - Tehama County Solid Waste Management Agency  
 March 15, 2019  
 Prepared By: Rachel Ross

### Notice of Violation - Weighmaster Inspection

#### Requested Action:

- a) Review and approve the revised minimum weight charges; and
- b) Approve staff's request to not renew the Agency's Weighmaster License.

#### Financial Impact:

There is no fiscal impact at this time. Renewal of the Agency's Weighmaster License will be at the expense of the Agency and is \$95.00 annually. Failure to correct violations can result in financial penalties for Waste Connections.

#### Background Information:

The California Department of Food and Agriculture (CDFA) performed a weighmaster inspection and audit at the Landfill on February 12, 2019, issuing the Agency the following violations:

- Failure to provide complete electronic signature on certificate
- Failure to provide customer's name on certificate
- Failure to provide vehicle license number on the certificate
- Failure to meet the minimum net weight

The CDFA issued additional violations to Waste Connections on March 6<sup>th</sup> for:

- Operating the scales at the Landfill without a license
- Failure to meet the minimum net weight

As February 12<sup>th</sup> was a holiday for the Agency, I was not present for the inspection. However, I discussed the violations with both the state inspector and Tehama County Agricultural Commissioner/Sealer of Weights and Measures Rick Gurrola at length.

Currently, Waste Connections operates the scale under the Agency's Weighmaster License, despite the Agency being exempted from weighmaster regulations. However, the Agency has historically voluntarily maintained the license to ensure certain

standards of operations are met by Waste Connections employees during scale operations as maintenance of the license results in random inspections.

During conversations with both local and state officials, it has been indicated to staff that Waste Connections should not be operating the scale under the Agency's license as it is making weight accuracy certifications in the Agency's name. Further, most of the transactions at the Landfill do not require weighmaster certificates as customers can see their inbound and outbound weights. As such, the transaction is agreed upon by both parties at the time of payment. The only transactions at the landfill requiring a weighmaster certificate pertain to the franchise hauling companies, who charge extra fees for overweight bins and special item fees. A simple resolution to alleviate all violations except the minimum net weight violations would be to issue receipts instead of certificates at the point of sale, and issuing certificates only for overweight bins and special items. Fees for special items will need to be reported to the scale house deputy weighmaster by deputy weighmasters working at the landfill or in the self-haul area. Waste Connections needs to obtain its own license to issue certificates and list all deputy weighmasters; the application for Waste Connections' license was submitted on March 8<sup>th</sup>. It is staff's recommendation that the Agency not renew its license in 2019.

The minimum net weight violations can only be remediated by raising the minimum weight charge to be equivalent to 400 pounds (20 times the scale division, which is 20 pounds for the scales at the landfill). The respective increases are listed below:

Waste Category	Tipping Fee (per ton)	Current Minimum Weight (pounds)	Current Minimum Charge	Required Minimum Charge
Garbage, Mixed C&D, Dirty Asphalt/Concrete	\$63.89	320	\$10.22	\$12.78
Yard Waste	\$59.17	300	\$8.88	\$11.83
Carpet	\$42.82	320	\$6.85	\$8.56
Treated Wood	\$146.21	40	\$2.92	\$29.24

Rick Gurrola will be present to answer any questions the Board may have.

COUNTY: TEHAMA

**WEIGHMASTER INSPECTION REPORT**

Junk Dealer/Recycler  
 Follow-up  
 Complaint  
 Survey  
 AUDIT

ORIGINAL TO COUNTY/STATE  
 COPY TO OWNER/AGENT

STATE OF CALIFORNIA  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 DIVISION OF MEASUREMENT STANDARDS  
 www.cdffa.ca.gov/dms  
 (916) 229-3000

DATE 2/12/19

42-009 (Rev. 11/14)

Weighmaster License Name (DBA where applicable) <u>TEHAMA COUNTY/CITY OF RED BLUFF LANDFILL MGMT AGENCY</u>	License Number <u>008781</u>	License Expires(ed) <u>AUG. 2019</u>
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Mailing Address <u>19995 PLYMIRE RD.</u>	City <u>RED BLUFF</u>	State <u>CA</u>	Zip Code <u>96080</u>
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Location Address <u>19995 PLYMIRE RD.</u>	City <u>RED BLUFF</u>	County <u>TEHAMA</u>	Weigh for Public Check if Yes <input type="checkbox"/>
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Type of Business <u>TRANSFER STATION/ LANDFILL</u>	Telephone <u>(530) 528-1102</u>
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Weighting or Measuring Device(s): Type, Make, Size and Capacity <u>2-120K x 201b.</u>
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Certificates (Sample Size) Inspected <u>7</u> of <u>7</u> <u>66</u>	Inclusive Dates of Certificates <u>12/28/18</u> Through <u>12/28/18</u>
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Inclusive Number of Certificates <u>7464</u> To <u>7530</u>	Scale Sealed <u>12/20/18</u> <u>TEHAMA</u>
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VIOLATIONS			VIOLATIONS		
Date	Cert. No.	Code	Date	Cert. No.	Code
1	12/28	67464	7	12/28	ALL
2		A-17	8		B-5
3			9		
4	12/28	21529	10		
5		B-11	11		
6			12		

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN VIOLATION OF SECTION(S)

I VISITED COUNTY LANDFILL FOR AN AUDIT.  
I MET WITH JUSTINE FRANKS, WASTE CONNECTION  
USES WASTEWORKS - VERSION 1.529  
I ISSUED THE FOLLOWING VIOLATIONS.  
A-17) FAILURE TO MEET THE MINIMUM  
NET WEIGHT.  
20 lbs/DIVISION X 20 lbs. = 400 lbs.  
B-5) FAILURE TO PROVIDE COMPLETE  
ELECTRONIC SIGNATURE ON CERTIFICATE  
B-8) FAILURE TO PROVIDE CUSTOMER'S  
NAME ON CERTIFICATE.  
B-11) FAILURE TO PROVIDE VEHICLE LICENSE/#  
ON THE CERTIFICATE.  
AL

VIOLATIONS	CCR	B&P Code
<b>MISDEMEANORS: CODE A</b>		
1. Zero Condition	4402	12026(b)
2. License Available	4401	12026(b)
3. Principal Licensed		12703
4. Location Licensed		12704
5. Deputies Licensed		12703/04
6. Transfer Wts./Signed Worksheets		12712
7. Carried Tares		12026(b)/12722
8. Driver On		12724
9. Disconnecting Vehicles		12728
10. Altered/Omitted Wts./Meas.		12718(h)
11. Record as Required/Void Copies		12716
12. Correction Certificate		12716.5
13. Predetermined Tares		12026(b)/12722
14. Load Limit (over 80,000 lb)		12725
15. Tare, Gross, Net Only	4410	12026(b)
16. Cert. Not Issued as Required		12711
17. Min. Net Load	4002.2(b) or (c)	12107
	Scales (2.20)	
18.		
19.		

MISDEMEANORS: CODE B - VIOLATION OF 12713(b)		
1. Correct Legend		Ref. 12714(a)
2. Principal License Name		Ref. 12714(b)
3. Dates		Ref. 12715(a)
4. Location Address		Ref. 12715(b)
5. Signature		Ref. 12715(c)
6. Commodity		Ref. 12715(d)
7. Number of Units-D.C.-L.C.		Ref. 12715(e)
8. Owner/Agent/Consignee/Hay Address		Ref. 12715(f)
9. Net Weight Required		Ref. 12715(g)3
10. Container Tare & Codes		Ref. 12715(h)
11. Vehicle/Container Identification		Ref. 12715(i)
12. Unit of Measure		Ref. 12715(j)
13.		
14.		

VEHICLE OR CONTAINER VERIFICATION		
Vehicle/Container ID	Recorded Weight	Reweigh Weight

INFRACTIONS: CODE C		
1. Cert. Format Requirements		12729(b)
2. Replacement Deputy Names		12710.5
3. Legible Information/Consecutive Nos.		12714.5
4.		

LEFT COPY OF AND REVIEWED:	
<input type="checkbox"/> B&P CODE CHAPTER 7	<input type="checkbox"/> REGULATIONS
<input type="checkbox"/> SAMPLE CERTIFICATE	<input type="checkbox"/> P.T. HANDOUT
<input type="checkbox"/> INSTRUCTIONS	<input type="checkbox"/> C.T. HANDOUT
<input type="checkbox"/> WARNING SIGN	<input type="checkbox"/> J.D./RECYCLER HANDOUT

JUNK DEALER/RECYCLER COMPLIANCE WITH 12703.1			
	Yes	No	
1. Business License	<input type="checkbox"/>	<input type="checkbox"/>	5. Theft Alert Notifications
2. Stormwater Permit	<input type="checkbox"/>	<input type="checkbox"/>	6. Application Accurate
3. Photo/Video Equipment	<input type="checkbox"/>	<input type="checkbox"/>	7. 14-Day Notice Issued
4. Thumbprint Equipment	<input type="checkbox"/>	<input type="checkbox"/>	8. License Issue Date

I acknowledge the above:  
NO COUNTY REPRESENTATION  
UNABLE TO COLLECT SIGNATURE

<b>NOTICE OF VIOLATION</b> <input checked="" type="checkbox"/>	<b>FOLLOW-UP NEEDED</b> <input checked="" type="checkbox"/>
<u>DEAN GOTTLIEB</u>	<u>916-508-9506</u>
Weights and Measures Official	Telephone

Company Representative RROSS@CO.TEHAMA.CA.US - RACHEL ROSS Title

Attachment: 2.12.19 weighmaster inspection (14293 : Notice of Violation - Weighmaster Inspection)