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September 24, 2007

Orange County Grand Jury
Nancy Wieben Stock, Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

SUBJECT: SUPPLEMENT TO ALISO VIEJO'S RESPONSE TO THE 2006-2007
ORANGE COUNTY GRAND JURY REPORT ENTITLED "ASSEMBLY BILL 939
WASTE DEIVERSION: ARE WE FINALLY MAKING PROGRESS"

Pursuant to your request that all Orange County Cities are required to respond to Finding F-6 and Recommendation R-6 related to the issue of non-franchise haulers and unauthorized waste bins in cities, we would like to supplement the September 19, 2007 letter. Please see additional information on the subject matter.

Finding F-6:

The presence of non-franchise haulers and so-called "Ghost Haulers" bins, in cities which by pass the recycling system, needs to be corrected in order to establish the waste haulers' confidence that their municipalities are looking out for their best interests.

City Response F-6

The City agrees with the findings that the presence of illegal waste haulers needs to be corrected so that franchise haulers will have confidence that the cities they contract with are looking out for their best interests. The City of Aliso Viejo has 3 permitted haulers for construction and demolition diversion and do not exclude any haulers that wish to apply for a hauling permit as long as the waste is diverted. We work with our permitted haulers and contractors within the City so that the California State mandate of 50% or above diversion goal is met. We would like additional assistance from the County to ensure haulers are reporting the correct source of waste taken to County landfills.

Recommendation R-6:

Municipalities need to solve their unauthorized waste bin problems by enacting city ordinances forbidding these practices, imposing fines, including stepped-up fines for additional violations, and impounding unauthorized bins.

City Response R-6

The recommendation requires further analysis. Currently and in the past the City and its waste hauler, CR&R Waste and Recycling Services, have pursued illegal haulers through phone calls and written correspondence explaining that Aliso Viejo has an exclusive franchise solid waste contract and asks the non-permitted "Illegal Hauler" to remove their waste container immediately and follow-up inspections by our public works inspectors to make sure it was removed. We do not currently believe we need any additional ordinances to address unauthorized waste bins.

Sincerely,

John Whitman
City Engineer

cc: Electronic Copy (PDF Version) to www.ocgrandjury.org
Hard Copy to Orange County Grand Jury,
700 Civic Center Drive West, Santa Ana, CA 92701

CITY OF ALISO VIEJO

INCORPORATED JULY 1, 2001

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