

# City of Seal Beach



CITY HALL 201 EIGHTH STREET  
SEAL BEACH, CALIFORNIA 90740  
(562) 431-2527 • www.ci.seal-beach.ca.us

September 12, 2007

The Honorable Nancy Wieben Stock  
Presiding Judge of the Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

Subject: Response to 2006-2007 Orange County Grand Jury Report-  
Assembly Bill 939 Waste Diversion: Are We Finally Making Progress?

Dear Judge Stock:

Thank you for the opportunity to respond to the 2006-2007 Orange County Grand Jury Report-Assembly Bill 939 Waste Diversion: Are We Finally Making Progress. In accordance with California Penal Code Section 933 and 933.5, the City of Seal Beach submits the following responses:

#### Findings – F-6

The presence of non-franchise haulers and so-called "Ghost Haulers" bins, in cities which bypass 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.

*The City agrees with the finding.*

*The City of Seal Beach has an exclusive franchise agreement with Consolidated Disposal. City staff, in conjunction with Consolidated Disposal, promptly responds to all observed illegal waste hauling operations. In most instances, the matter is resolved within days of the City or the franchise hauler becoming aware of the violation.*

#### Recommendations – R6

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.

*The recommendation requires further analysis.*

*Consolidated Disposal, the City's exclusive franchised hauler, has requested that the City consider enactment of an ordinance that would permit Consolidated Disposal to impound unauthorized bins after proper notice to the owner. The City is reviewing this request and will consider enacting such a program by December 2007.*

Thank you for the opportunity to respond to the Grand Jury's Report. The City of Seal Beach is committed to implementing as many source reduction and recycling programs as needed to continue to meet the mandates of AB 939.

Sincerely,

David N. Carmany  
City Manager