



City of Westminster

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September 27, 2007

Mr. Mike Penn, Foreperson
Orange County Grand Jury
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 Mr. Penn:

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". The City of Westminster appreciates the effort of the Grand Jury towards identifying obstacles that have hindered other communities from achieving their waste reduction goals mandated under Assembly Bill 939.

In Westminster, the Midway City Sanitary District, a special district, is responsible for the provision and management of solid waste services. However, Westminster is providing the following responses to Finding F6 and Recommendation R6.

Finding F6

The presence of non-franchised haulers and so-called "Ghost Haulers" binds, in cities which bypass the recycling system, needs to be corrected in order to establish the waste hauler's confidence that their municipalities are looking out for their best interest.

Response

The City of Westminster agrees with the Finding F6. In order to minimize illegal waste hauling within the City of Westminster, City staff, in conjunction with the City's authorized waste hauler, Midway City Sanitary District, promptly respond to

all observed illegal waste hauling operations. When observed, the illegal waste hauling company is notified via phone that the only authorized waste hauler is Rainbow Disposal, who has an exclusive franchised contract through the Midway City Sanitary District, and provides 24 hours in which to remove their waste container. By using only Rainbow Disposal, all materials can be processed for recycling at their Material Recovery Facility prior to transfer to local landfills.

Finding 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.

Response

The City of Westminster reports that R6 has not been implemented, but will be implemented in the future. As noted earlier, the City operates under an exclusive franchise through the Midway City Sanitary District for waste hauling, which makes it illegal for others to offer this service without having such a franchise. Staff will be working on updating the Municipal Code, which is expected to prohibit the unauthorized haulers, carry additional fines, and provide for the impoundment of unauthorized bins.

Should you require additional information, please contact Jeff Howell, Public Works Manager, at 714/895-2876.

Sincerely,



MARGIE L. RICE
Mayor

Cc: City Council Members
City Manager
Public Works Director