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Sent: Thursday, November 11, 2021 10:16 AM
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Subject: John Smith Road Landfill- Potential Transfer Station

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Mike,

Please accept this communication as our formal request to begin the CalRecycle permit process to add transfer capability (approximately 100 tons per day) to the existing John Smith Road Landfill operation. Once permitted, this transfer capability would allow us to transfer a portion (up to approximately 35%) of our ultimate 15-year landfill capacity commitment of In-County Waste to an alternative permitted solid waste disposal facility at our sole cost. The transfer activity would take place in the near vicinity of the landfill working face. A portion of in-County Waste, once deposited at the working face, would be loaded into transfer trailers and hauled to the alternative permitted solid waste facility. **Transfer activity would start when the adjusted 15 year disposal capacity commitment (i.e., annual In-county waste x 15 years minus annual In-County Waste transferred x 15yrs) is reached. IMPORTANT NOTE: If we receive landfill expansion entitlement prior to reaching this adjusted 15-year disposal capacity commitment at the existing John Smith Road Landfill this transfer capability will never be utilized.**

Per our landfill agreement with San Benito County, the Third Amendment Section 3.1 Reservation of Disposal Capacity paragraph two reads “... **if Final Expansion Approval has not been received within twenty-four (24) months following the Second Amendment Effective Date, Contractor may request to dispose of In-County Waste at an alternative permitted solid waste disposal facility, at Contractor’s sole cost, and the County shall consider such request in good faith.**”

The Second Amendment effective date is October 17, 2019 and we are now more than two years from this date without expansion approval. And, given that the In-County 15-year capacity could be reached prior to expansion entitlement, we want to begin the permitting process to add transfer capability to the existing John Smith Road Landfill operation so we are in position to transfer waste to an alternative permitted solid waste disposal facility when and if needed. Transferring and disposing a portion of the In-County waste at an alternative disposal site is an alternative approach to just providing disposal capacity at John Smith Road Landfill. This alternative approach is still a 15-year landfill capacity commitment of In-County Waste but with the disposal capacity provided at more than one disposal site. In addition, this alternative meets the Title 14 requirements that a local jurisdiction maintain disposal capacity through various potential methods.

This alternative approach has us securing CalRecycle authorization in the form of a Registration Transfer Station permit as follows:

- Medium Volume Transfer Station
- Daily Limit of Tons to be Transferred: less than 100 tons per day (To facilitate discussion and communication, I have rounded up to 100 tons per day for the remainder this email.

The actual regulatory language defines a Medium Volume Transfer Station as handling more than 15, but less than 100, tons per day.)

All in-County tons to be disposed during this 15 year period would continue to be delivered to John Smith Road Landfill.

- Transfer Station would be located at the working face of John Smith Road Landfill.
- This permit application with CalRecycle requires no CEQA because it's a registration permit and not a full transfer station permit.
- The application review period with CalRecycle is 30 days plus 5 days to issue the permit.
- Need San Benito County Board of Supervisor approval to submit this application to CalRecycle
- Submittal of this application does not formally obligate San Benito Board to ultimately agree to Transfer Station alternative approach.

The transfer activity would be located at John Smith Road Landfill and would allow us to load solid waste that has already been unloaded at the working face into transfer trailers for shipment to an alternative permitted landfill. We would target transferring In-County Waste delivered in commercial Recology and RJR trucks.

Example calculation of an Adjusted 15-yr Disposal Capacity Commitment at John Smith Road Landfill:

- Current 15-year commitment of In-county capacity: 68,945 tons (three year average of in-county buried tons as reported in 2021) X 15 years = 1,034,175 tons.
- We (contractor) would commit to dispose annually 26,000 tons (100 tons X 260 days) of in-county tons at an alternative permitted landfill x 15 years = 390,000 tons
- Adjusted 15-yr disposal capacity commitment at John Smith: Current In-County 15-yr committment (1,034,175 tons) minus Tons Transferred (390,000 tons): 644,175 tons. This allows an additional 390,000 tons of airspace that are available for continuation of the current various waste streams.

Our plan under this alternative approach would be to continue taking the current complement of flow until the remaining disposal capacity at John Smith Road Landfill equals 644,175 tons at which point out-of-county waste flow would be cut off and we would begin the transfer activity. In the event we receive full entitlement for the landfill expansion that we both are currently seeking prior to this time, we will never initiate this transfer station activity.

We look forward to discussing this plan.

Thanks,
Paul