



Upper Valley Agency

WASTE MANAGEMENT

Approval of Upper Valley Disposal Service Request for Additional Subcontractors and Change in Approved Recycling Facility

Background

On October 19, 2020, the Upper Valley Waste Management Agency ("UVWMA" or "Agency") entered into a franchise agreement with Upper Valley Disposal Service ("UVDS" or "Contractor") for the collection, transportation, and processing of solid waste, recyclable materials, construction and demolition debris, and organic materials ("Agreement").

Subsection (A) ("Collection and Delivery") of Section 5.8 ("Recyclable Materials") of Article 5 ("Scope of Collection Services") of the Agreement requires UVDS to "Transport and deliver all Source-Separated Recyclable Materials placed by Customers in Recyclable Material Containers to the Approved Recycling Facility." Attachment A ("Definitions") to the Agreement defines "Approved Recycling Facility" to mean "the Upper Valley Recycling, Inc. Processing facility ... or such other Processing facility preapproved by the Agency in writing and used by Contractor in accordance with this Agreement."

Subsection (B) ("Processing") of Section 5.8 permits UVDS to request the use of an alternative recycling processing facility by "request[ing] written approval from the Agency's Designated Representative at least sixty (60) calendar days prior to the use of the site."

Section 5.4 ("Subcontracting") of the Agreement prohibits UVDS from engaging any subcontractor(s) for processing of recyclable materials without the prior written consent of the Agency's Designated Representative. UVDS must provide the Agency's Designated Representative with thirty (30) days' written notification and explain any potential impacts related to quality, timeliness, or cost of providing services under the Agreement.

Section 6.8 ("Agency's Designated Representative") of the Agreement identifies Steven Lederer as the Agency's Designated Representative and authorizes him to "implement and execute the requirements of" the Agreement.

UVDS Request

On July 16, 2025, Upper Valley Disposal Service ("UVDS") requested approval for the use of two additional facilities for the processing of Construction and Demolition Debris (C&D) and any minor "Waste Materials" found in the debris box, as allowed under Section 5.8(B) of the Agreement. UVDS requests Agency's approval to use the following facilities for processing of C&D and to add the following facilities as subcontractors in Attachment C to the Agreement:

Potrero Hills Landfill (Primary)

3675 Potrero Hills Ln., Suisun City, CA 94585

Windsor Materials Recovery Facility ((Backup)

590 Caletti Ave. Windsor, CA 95492

The California Building Code (CALGreen) requires that new construction, demolition, and certain remodels and alterations achieve a 65% diversion of non-hazardous C&D. In some cases the C&D processing facility at Clover Flat Landfill (CFL) is unable to sort efficiently enough to achieve those standards. UVDS requests use of Potrero Hills and the Windsor MRF for processing those loads that require a C&D recycling percentage beyond the capabilities of CFL. Loads not transferred to one of these alternate facilities will still be processed at CFL.

Agency's Designated Representative Evaluation

The Agency's Designated Representative considered several factors in analyzing this proposal, including the following:

1. **Cost:** The cost to shift to an alternate facility will not impact the rate payer (Section 5.8(B) of the Agreement allows UVDS to request an alternate recycling facility but does not allow UVDS to pass on any expenses from this shift to the rate payer).
2. **Truck traffic and environmental impact:** Projects requiring this higher standard for C&D recycling are not plentiful, roughly a half dozen/month. These additional trips to Potrero Hills (some 40 miles one way, depending on the location of the project site) and Windsor (similar distance) will not materially impact traffic or greenhouse gas emissions.
3. **The change does not require any change to the amount and types of recyclables that UVDS customers can recycle.**
4. **All other matters of general knowledge related to the subject matter of this approval.**

Agency's Designated Representative Determination

Given that UVDS's proposal will improve the level of C&D recycling, and provide a service requested by our customers and required by CALGreen, and that it has no apparent significant environmental impacts, the Agency's Designated Representative hereby approves the UVDS request, subject to UVDS's agreement to the following:

1. **Approval.** Clover Flat Landfill will still be used for many C&D loads. Thus, the existing Approved Recycling Facility, in addition to the Potrero Hills Landfill and the Windsor MRF, shall be the "Approved Recycling Facility" for all purposes under the Agreement. The Potrero Hills Landfill and the Windsor MRF are hereby added to Attachment C of the Agreement as approved subcontractors under the Agreement.
2. **Subsequent Changes.** Any subsequent changes to Subcontractors or subcontractors shall be requested by following the procedures in section 5.4 of the Agreement. Any subsequent changes in Approved Recycling Facilities shall be requested by following the procedures in section 5.8 of the Agreement.
3. **Changes to Rates.** As required by section 5.8(B) of the Agreement, Contractor's compensation shall not be adjusted for any change in Transportation and Processing costs associated with this approval.
4. **Sufficient Capacity.** UVDS guarantees sufficient capacity at the Approved Recycling Facility to process all source separated recyclable materials collected by UVDS under the Agreement throughout the term of the Agreement.
5. **Permits and Approvals.** UVDS shall keep all permits and approvals necessary for use of the Approved Recycling Facilities in full regulatory compliance. Within fifteen (15) days of a request

therefor, UVDS shall provide copies of facility permits and/or notices of violations (obtained from its processing facility subcontractor(s) if necessary) to the Agency's Designated Representative.

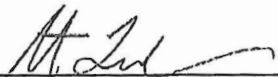
6. **Indemnification.** UVDS shall indemnify, defend with counsel acceptable to the Agency, and hold harmless to the full extent permitted by law the Agency and its officers, officials, employees, volunteers, and agents from and against any and all claims, liability, loss, injuries, damage, expense, and costs (including without limitation costs and fees of litigation, including attorneys' and expert witness fees) of every nature arising out of or in connection with this approval.

CEQA Analysis

This project is categorically exempt pursuant to sections 15301, 15307, and 15308 of the CEQA Guidelines. CEQA Guideline Section 15301 ("Existing Facilities") exempts actions involving negligible expansions in use of existing private facilities. Due to the comparatively small volume of C&D requiring processing under the Agreement, this approval will result in only a negligible expansion of the existing processing services provided at either the primary or back up recycling facilities. CEQA Guideline Sections 15307 ("Actions by Regulatory Agencies for Protection of Natural Resources") and 15308 ("Actions by Regulatory Agencies for Protection of the Environment") exempt actions taken by regulatory agencies to assure the maintenance, restoration, or enhancement of a natural resource and/or protection of the environment, where the regulatory process involves procedures for protection of the environment. As this approval provides for and maximizes the diversion of C&D from landfills, which promotes the conservation of finite natural resources and decreases pollution, green house gas emissions, and energy use associated with extracting and processing new materials, this approval is exempt from further environmental review.

"UVWMA"

Upper Valley Waste Management Agency

By: 

Title: Agency Manager _____

Date: 7/18/25

On behalf of UVDS, UVDS hereby acknowledges it has read, understood, and agrees to be bound by the terms, conditions, and other provisions of this approval:

"UVDS"

Upper Valley Disposal Service

Signed: 

Printed Name: Dan Schooner

Title: VICE PRESIDENT

Date: 7/23/25

Signed: _____ *N/A*
H. L.

Printed Name: _____

Title: _____

Date: _____

Attachments:

A. UVDS Letter of July 16, 2025

Attachment A



July 16, 2025

Upper Valley Waste Management Agency
Steven Lederer, Director

Dear Steve,

Upper Valley Disposal Service (UVDS) is requesting the Upper Valley Waste Management Agency (UVWMA) to approve the use of two additional facilities for the processing and disposal of C&D and Waste Materials pursuant to Article 5 of the franchise agreement. Specifically, we are asking approval to add the following facilities as Subcontractors in Attachment C of the agreement:

Potrero Hills Landfill
3675 Potrero Hills Ln, Suisun City, Ca 94585

Windsor Material Recovery Facility
590 Caletti Avenue, Windsor, California 95492

As you know, we currently process and dispose of C&D and Waste Materials at the Clover Flat Landfill facility at 4380 Silverado Trail Calistoga. There are current construction companies that require a higher diversion percentage than Clover Flat Landfill can provide. Both the Potrero and Windsor sites can provide those diversion percentages to the customers.

Clover will still be the primary C&D Site. UVDS plans to use the Potrero Hills Landfill as the primary processing facility for projects requiring additional processing or diversion, with the Windsor Material Recovery Facility as a backup in case of emergency for these project types.

Sincerely,

Carlos Ramirez
District Manager

P.O. Box 382, 1285 Whitehall Lane
St Helena CA 94574