

Breach of Contract Provisions by Waste Logistics Nevada, Inc.

The City of Boulder City and Waste Logistics Nevada, Inc. on 12-14-04 did enter into an Amendment Agreement (No. 98-A534B) for Solid Waste Collection, Disposal and Recycling. Under the Amended Agreement Waste Logistics agreed to purchase the assets of Boulder City Disposal, LLC and to step into the shoes of Boulder City Disposal, LLC and to assume all of the duties and obligations under Agreement No. 98-A534.

At this time Waste Logistics Nevada is in breach of the following contract requirements:

Section 10

- E. The Recycling Center shall be open for purchases every Saturday, excepting exempt holidays, from 7 a.m. to 4 p.m. **(Does Not Provide)**

Section 13

- G. Contractor shall be responsible for all maintenance and repair of all City equipment used by Contractor in conjunction with Landfill and recycling operations, and Contractor shall be responsible for providing back-up equipment at its expense in the case of a breakdown or mechanical failure to that equipment. **(Conveyor, Can Crusher, Kiosk, tub grinder not operational)**

Section 41

Contractor shall provide a Composting facility at the Landfill in accordance with 40 Code of Federal Regulations, Sections 258 and 503, to provide the following services:

- A. Acceptance and processing of duckweed from the City's sewage treatment plant, wood chips, leaves, grass, ground fish entrails and other materials suitable for Composting. **(Does Not Provide)**
- B. Contaminated non-putrescible food wastes and vegetative wastes will be accepted either for stockpiling or grinding. **(Does Not Provide)**
- E. The final processed or cured product resulting from Composting will be made available for use as mulch to residents of the City at no charge. **(Does Not Provide)**

Section 42

- D. To maintain the following equipment owned by the City and made available for the use of the Contractor:
- | | |
|--------------------------|----------------------|
| Metal Building 40' x 60' | Kiosk |
| Conveyor, Can Crusher | Processing Equipment |
- (Conveyor, Can Crusher, Kiosk, tub grinder not operational)**
- E. To purchase Recyclables from residents at the Landfill at prices that are comparable or similar to those existing in the Las Vegas metropolitan area, process Recyclables for transport, and provide or arrange for the transportation to markets and resale of Recyclables. **(Does Not Provide)**
- F. To provide qualified personnel sufficient to maintain, operate and supervise the Recycling Center every Saturday from 7 a.m. to 5 p.m., excepting exempted holidays. **(Does Not Provide)**
- G. To provide and maintain scales appropriate for weighing Recyclables with the capacity of weighing Recyclables up to 500 pounds. **(Does Not Provide)**
- H. To maintain records, available for inspection by the City, showing the number, amount and type of Recyclables purchased by it, including but not limited to, glass, newspapers, paper products, copper, insulated wire, brass, radiators, lead, batteries, stainless steel, aluminum and iron-steel products. **(Does Not Provide)**
- I. To submit a monthly report prepared from the aforesaid records and determined by the City. **(Does Not Provide)**
- J. To establish Recycling Accounts approved by the City for the receipt of Recyclables to be transported to, processed and purchased by Contractor. **(Does Not Provide)**
- K. To submit a monthly report to each Recycling Account showing the account balances or credits accumulated for said account, and a copy of said report shall also be furnished to the City. **(Does Not)**
- M. To separately account for Contractors' recycling operations and Landfill operations. **(Does Not Provide)**
- R. To provide monthly reports to the City as determined by the City, showing the type and number of transactions performed by it under this section forty-two. **(Does Not Provide)**

Section 43

No Depositing of Recyclables in Landfill **(Does Not Prevent)**

Boulder City Landfill Violation Matrix -- Quarterly SNHD Reports

June 2005 to May 2008

Date	DC	IC	Ru/Ro	V	Litt	RecKpg	Sign	Monitor	C/PC
7/12/05	XXX	XXX	XXX		XXX	XXX	XXX	XXX	
10/11/05									
11/3/05	XXX	XXX							
12/8/05									
1/4/06		XXX	XXX						XXX
6/13/06							XXX		
9/28/06		XXX	XXX		XXX	XXX			
12/6/06	XXX	XXX	XXX	XXX	XXX	XXX			
4/30/07	XXX	XXX	XXX		XXX	XXX			
6/18/07		XXX	XXX		XXX		XXX		
9/28/07		XXX	XXX		XXX	XXX			
12/14/07		XXX	XXX		XXX	XXX			
2/26/08	XXX	XXX	XXX		XXX	XXX			
5/6/08		XXX	XXX						

DC = Daily Cover

IC = Intermediate Cover

Ru/Ro = Run on/ Run off control

V = Vector control

Litt = Litter control

RecKpg = Recordkeeping

Sign = Signage

Monitor = Gas monitoring

C/PC = Closure/Post-Closure Plan

Source: Southern Nevada Health District Quarterly Reports