COMMUNITY DEVELOPMENT DEPARTMENT

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Mr. Wes Mindermann, P.E., Chief Engineering Support Branch
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Mr. Michael Clegg, P.E., Waste Management Engineer
CalRecycle
1001 I Street
Sacramento, CA 95812

RE: Public Health and Safety Protections, County Requirements, and Local Mitigations for Small Inert Debris Fill Located and 18955 Industry Way for Property Owner Mr. Bruce Slaton, Assessor's Parcel No. 97-090-010

Dear Regulatory Partners,

Thank you all for your time and efforts to help resolve the issues surrounding Mr. Slaton's small inert debris fill at 18955 Industrial Way (property) and for the time spent to address citizens' complaints that have been brought to your attention. The County of Tuolumne's goal is to resolve and clarify past oversight, move forward with Building Department oversight for soil completions, while making sure that public health, public safety, and the environment are protected.

Brief History

Two permits were issued regarding the property. The first permit was for grading by Public Works. Then, the permit changed to a building permit issued by the Building Division, for a manufactured home. The permits allowed for the initiation of a fill with inert debris on the property. There were several inspections with County and State representatives. The County received complaints over time, and it was discovered that a Solid Waste permit should have been obtained. Mr. Slaton was instructed by Tuolumne County Code Enforcement to contact CalRecycle to see if a permit was required. There may have been some confusion with the regulatory requirements at this point and Mr. Slaton continued with the fill as he believed that no permit was required per an email by Isabelle Maalouf, Permitting Specialist at CalRecycle. Time passed and more complaints and inspections ensued, and it was determined that Mr. Slaton should have an Enforcement Agency Notification (EA Notification) for his activities. At his point Mr. Slaton was notified of the LEA Notification requirements for the fill and processing and Mr. Slaton stopped filling with inert debris and started on winterizing the area.

As the LEA we are responsible for oversight of solid waste activities under our purview which includes inert debris handling. The LEA has reviewed documents and pictures by Code Enforcement Officers, inspected the site, and concluded that the inert debris placed in the fill has had significant visual and regulatory oversight, i.e. the regulatory oversight has been extensive in identifying and mitigating environmental health and safety.

Moving forward toward a final resolution of the activities and inert debris deposits we suggest the following mitigations to protect public health, public safety, and the environment:

Public Health and Safety Protections

1. Notice of Action

A Notice of Action is a document attached to the deed of a property. A Notice of Action runs with the property in perpetuity. This document will outline that the inert debris fill exists and the limits of development above and around the inert debris fill area. This document is triggered every time there is a sale or Title search on the property.

2. Historic Oversight and Inspections

The nature of the inert debris is mainly chunky concrete. Public Works, Code Enforcement Officers, the Building Official, and the LEA have periodically inspected the fill. The fill and concrete was inspected throughout the investigation and oversight process by County staff more frequently than if the LEA had been engaged in a regulated landfill. Code officers that did see some items within the concrete such as rebar had the property owner remove those items and the owner complied. The LEA observed some wood debris adjacent from tree removal and Mr. Slaton removed that debris which was never intended for the fill area – it was from recent tree removal activities.

3. Water Protection

The Waterboard has indicated that the inert debris fill, due to the size and nature of the debris, does not pose a leaching hazard. The LEA and the CUPA concur as the material is similar to a concrete foundation and is not ground in a manner that may leach a basic pH.

4. Final Grading and Compaction

The inert debris fill site is stabilized and has been maintained in a manner that protects public health, safety, and the environment, while ensuring long-term structural integrity of the fill. Stabilization and maintenance activities have been overseen by the Building Official and implemented in accordance with applicable building/grading standards, approved grading plans, and best management practices for erosion control, drainage, and dust suppression.

The site will be graded to the approved final contours, ensuring proper slope stability and drainage. Side slopes will not exceed safe engineering limits—generally a maximum of 3:1 (horizontal to vertical)—unless otherwise justified by a geotechnical report. The surface will be uniformly compacted to reduce settlement potential and prevent sloughing or erosion. No waste exposed, mitigations for erosion control.

5. Erosion Control and Surface Stabilization

To prevent soil loss and sediment transport, the site will be stabilized using a combination of erosion control measures until the Building Official determines that the grading is complete.

6. Drainage and Runoff Management

A permanent stormwater management system is constructed. Approved surface completions shall follow best management practices to direct surface water away from slopes and prevent ponding on the fill.

7. Dust and Air Quality Control

Access roads are covered and/or stabilized to minimize airborne particulates. This follows local air quality management district requirements. During future grading activities, until grading is complete, the property owner will use best management practices for dust control.

8. Access Control and Site Security
The site is private property, is fenced, and prevents public access.

9. Monitoring and Inspection
Until grading is complete under the building permit, the site will be periodically inspected. The owner will be instructed to correct any deficiencies observed.

Conclusion
By implementing these stabilization and maintenance measures, the inert debris fill site will remain structurally stable, environmentally compliant, and safe for surrounding communities. Monitoring and prompt corrective action until grading is complete are essential to ensuring the long-term integrity and beneficial reuse of the site.

We look forward to collaborating with you in these site determinations.

Sincerely,

Debbie Larson, REHS
Environmental Health Director/LEA