

COVID-19 UPDATE



Date: April 10, 2020

To: Nancy Humphrey, Environmental Programs Supervisor, City of Emeryville

RE: Response to April 3, 2020 Letter RE: Communications to Customers

Dear Ms. Humphrey,

On March 22, 2020, Emeryville was provided the following force majeure notice, in part:

"The COVID-19 situation is very fluid, and Waste Management expects, unfortunately, that other unforeseeable disruptions to our services has and will occur in the coming days. As a result, we are providing this Notice of Force Majeure to advise you that the COVID-19 pandemic is a force majeure event under every Waste Management contract in California and Nevada. While we have not experienced any significant disruptions in collection and disposal services, we anticipate that such disruptions will likely occur as a result of the Orders and the COVID-19 pandemic, including:

- *Inter-city, intrastate, interstate, or cross-border travel restrictions;*
- *Quarantines at, or shutdowns of, Waste Management facilities;*
- *Additional Stay at Home, Shelter-in-Place or other restrictive orders that restrict travel and business operations;*
- *Closure of Call Centers; shutdown of Waste Management and/or third-party recycling, transfer and disposal facilities that restrict our ability to operate as normal;*
- *Suspension of requirements regarding pre-approval and advanced notifications to our franchises and municipalities regarding customer communications;*
- *Suspension of non-essential waste collection (e.g., bulky, yard waste, etc.);*
- *Worker shortages due to quarantines, sickness and COVID-19 exposure;*
- *Fuel and other critical equipment, materials and supply shortages caused by, vendor shutdowns including tires, parts and third-party services; and,*
- *Shutdown of commercial customers' businesses and requests for cessation of services."*

The intent of the force majeure notice regarding pre-approval and advanced notification to our franchises (Emeryville) was to inform the City that exigent circumstance may occur that would



USA Waste of California, Inc.
Modesto Garbage Co., Inc.,
Waste Management of California, Inc.,
Waste Management of Nevada, Inc.
Waste Management Collection and Recycling, Inc.

require WMAC to act or react quickly to the pandemic, which would make advanced notifications and preapprovals impossible or impractical (e.g. closure of Davis Street, movement of Call Center to work-from-home to advance social distancing and mitigate risk of Covid-19 infection, compliance with state or local orders, etc.). To the extent WMAC can provide advance notice and confer/collaborate with Emeryville staff, WMAC will continue to do so.

Sincerely,

USA Waste of California, Inc., Modesto Garbage Co., Inc., Waste Management of California, Inc.,
Waste Management of Nevada, Inc., Waste Management Collection and Recycling, Inc.

A handwritten signature in black ink, reading 'Barry Skolnick'. The signature is written in a cursive, flowing style.

Barry Skolnick
President of the above referenced legal entities

cc: NCN Covid-19 Task Force, Todd Nienhouse, WMAC District Manager, Virginia Harrington,
Public Sector Services Manager