

**Attachments to the September 21, 2006, Minutes
for the Los Angeles County
Integrated Waste Management Task Force**

September 14, 2006

TO: Members of the Facility and Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

FROM: Wu Tan
Staff

AMENDMENT TO THE CITY OF LOS ANGELES' NONDISPOSAL FACILITY ELEMENT

The City of Los Angeles is requesting the Task Force to review and comment on the proposed amendment to its Nondisposal Facility Element (NDFE) in accordance with the requirements of Section 41734(a)(1) of the California Public Resources Code and Section 18761(b), Title 14 of the California Code of Regulations.

The City's NDFE was approved by the California Integrated Waste Management Board (Waste Board) in 1997. The city is proposing to amend its NDFE to include Direct Disposal C&D Recycling, Inc. and Reduce Price Disposal. Both facilities transfer, process and sort construction and demolition debris.

A summary description of these facilities are shown in the attached table entitled "City of Los Angeles Nondisposal Facility Element (NDFE) – July 2006 Amendment, Summary Table."

Staff has reviewed the City's NDFE Amendment request and offers the following:

1. Conformance with the Countywide Integrated Waste Management Plan

Under the Waste Board's tiered permitting structure, a construction and demolition facility requires a permit and must be included in the local jurisdiction's NDFE for the permit to be granted. The City is requesting to amend its NDFE to incorporate Direct Disposal C&D Recycling Inc. and Reduce Price Disposal pursuant to Section 50001(a)(2) of the Public Resources Code.

Incorporating Reduce Price Disposal and Direct Disposal C&D Recycling, Inc. into City's NDFE will not impair or impede solid waste management activities in the Los Angeles County. However, the Task Force, as a regional body, needs to collect information on waste diversion activities in the County. Therefore, the operators of the facilities should submit necessary data to aid the Task Force in evaluating the solid waste management needs of the Los Angeles County.

2. Compliance with Environmental Regulations

In accordance with Section 41735 of the Public Resource Code, adopting or amending the NDFE is not subject to environmental review. Therefore, no environmental document was prepared for the proposed NDFE amendment.

3. Compliance with State Laws and Regulations

Section 41732 of the Public Resource Code requires jurisdictions to prepare an NDFE that includes a description of any new solid waste facility and expansion of existing solid waste facilities that will be needed to implement the jurisdiction's Source Reduction and Recycling Element to meet the diversion requirements of Section 41780 of the Public Resource Code. Specific requirements for the contents of an NDFE are contained in Section 18752 et seq., Title 14 of the California Code of Regulations.

The proposed NDFE Amendment complies with the facility description requirements contained in Section 18752 et seq., Title 14 of the California Code of Regulations.

Recommendations

Based on the foregoing, staff recommends the Task Force:

1. Concur with the subject amendment to the City of Los Angeles' NDFE; and,
2. Request each facility owner/operator to submit monthly reports on a quarterly basis (within 30 days of the end of the quarter) to the County of Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California 91802-1460. The report shall contain the type and quantity of waste (weight) received at the facility for processing, recycling, and disposal at offsite facilities (Attachment A).

The facility owner/operator may submit the quarterly reports in an alternative reporting format approved by the City of Los Angeles' Local Enforcement Agency.

**CITY OF LOS ANGELES NONDISPOSAL FACILITY ELEMENT (NDFE) -- JULY 2006 AMENDMENT
SUMMARY TABLE**

#	Name of Facility	Address/Location	Location (Inside or Outside of Jurisdiction)	Facility Type		Facility Capacity			Amount of Waste Jurisdiction Will Transport to the Facility	Diversion Rate Percent		Other Jurisdictions Utilizing Facility	Remarks
				* (C, TSH, TSL, C&DR, GWR, MRF, or WWR)	** (E, PE, or PN)	Existing Capacity TPD	Proposed Changes	Proposed Total Capacity TPD		Facility	Quantity		
1.	Direct Disposal C&D Recycling, Inc.	3720 Noakes Street, Los Angeles, CA 90023	Inside	C&DR	PE	25	Expand Capacity by 149 TPD (Note 1)	174	NA/NR	70	NA/NR	Los Angeles County Unincorporated, Torrance, Santa Monica, Glendale, Costa Mesa, Irvine, Newport Beach, and Redondo Beach	The site is located in an area zoned as M3 (Heavy Manufacturing)
2.	Reduce Price Disposal	12276 Branford Street, Sun Valley, (Los Angeles) CA 91352	Inside	C&DR	E	15	Note 2	15	NA/NR	80	NA/NR	Receives C&D debris only from the City of Los Angeles	The site is located in an area zoned as M2 (Light Manufacturing)

Note 1. Under the Waste Board's tiered permitting structure, this facility is required to obtain a permit (under Registration Tier).
Note 2. This facility will be placed under the Waste Board's Enforcement Agency Notification Tier.

WT:wt
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Legend:

*C - Composting, TSH - Transfer Station, high recovery rate (>5%), TSL - Transfer Station, low recovery rate (<5%), C&DR - Construction and Demolition Recycling, LVR - Limited Volume Recycling, FWP - Food Waste Processing, GWR - Green Waste Recycling, MRF - Materials Recovery Facility, and WWR - Wood Waste Recycling
**E - Existing, PE - Proposed Expansion, PN - Proposed New Site, NA/NR - Not Applicable/Not Required
***TPD - Tons per day, average of 312 days per year

COMPLIANCE SHEET EXHIBIT A – SUMMARY

**LOS ANGELES COUNTY
INTEGRATED WASTE MANAGEMENT TASK FORCE
FACILITY AND PLAN REVIEW SUBCOMMITTEE**

ITEM: Nondisposal Facility Element (NDFE) – July 2006 Amendment

Jurisdiction: Los Angeles
NDFE Prepared by: City of Los Angeles
Date Submitted: July 27, 2006

Accepted	No Comment	___
	Accepted with Comment	___
	Not Accepted with Comment	___

DIRECT DISPOSAL C&D RECYCLING INC			
	YES	NO	COMMENTS
<u>NONDISPOSAL FACILITIES WITHIN A JURISDICTION</u> (Recovering at least 5 percent of the total waste received)			
\$ Type of facility described?	<u>X</u>	___	See Exhibit B-Discussion
\$ Facility capacity shown?	<u>X</u>	___	
\$ Diversion or expected diversion rate listed?	<u>X</u>	___	
\$ Participating jurisdictions shown?	<u>X</u>	___	
<u>Optional Information:</u>			
\$ Address of facility?	<u>X</u>	___	
\$ Description of general area?	<u>X</u>	___	
<u>NONDISPOSAL FACILITIES OUTSIDE A JURISDICTION</u> (Recovering at least 5 percent of the total waste received)			
\$ Type of facility?	___	___	Not Applicable
\$ Estimated amount of the waste the jurisdiction will transport to the facility?	___	___	
\$ Anticipated diversion rate or expected diversion rate from the total amount of the waste that the facility receives?	___	___	
\$ Location of the facility?	___	___	
<u>TRANSFER STATION</u> (Recovering less than 5 percent of total waste received)			
<u>Within Jurisdiction</u>			
\$ Name of facility shown?	___	___	Not Applicable
\$ Location of facility given?	___	___	
\$ Participating jurisdictions shown?	___	___	
\$ Facility capacity?	___	___	
<u>Outside Jurisdiction</u>			
\$ Name of facility shown?	___	___	
\$ Location of facility given?	___	___	

COMPLIANCE SHEET EXHIBIT A – SUMMARY

**LOS ANGELES COUNTY
INTEGRATED WASTE MANAGEMENT TASK FORCE
FACILITY AND PLAN REVIEW SUBCOMMITTEE**

ITEM: Nondisposal Facility Element (NDFE) – July 2006 Amendment

Jurisdiction: Los Angeles
NDFE Prepared by: City of Los Angeles
Date Submitted: July 27, 2006

Accepted No Comment	___
Accepted with Comment	___
Not Accepted with Comment	___

REDUCE PRICE DISPOSAL			
	YES	NO	COMMENTS
<u>NONDISPOSAL FACILITIES WITHIN A JURISDICTION</u> (Recovering at least 5 percent of the total waste received)			
\$ Type of facility described?	<u>X</u>	___	See Exhibit B-Discussion
\$ Facility capacity shown?	<u>X</u>	___	
\$ Diversion or expected diversion rate listed?	<u>X</u>	___	
\$ Participating jurisdictions shown?	<u>X</u>	___	
<u>Optional Information:</u>			
\$ Address of facility?	<u>X</u>	___	
\$ Description of general area?	<u>X</u>	___	
<u>NONDISPOSAL FACILITIES OUTSIDE A JURISDICTION</u> (Recovering at least 5 percent of the total waste received)			
\$ Type of facility?	___	___	Not Applicable
\$ Estimated amount of the waste the jurisdiction will transport to the facility?	___	___	
\$ Anticipated diversion rate or expected diversion rate from the total amount of the waste that the facility receives?	___	___	
\$ Location of the facility?	___	___	
<u>TRANSFER STATION</u> (Recovering less than 5 percent of total waste received)			
<u>Within Jurisdiction</u>			
\$ Name of facility shown?	___	___	Not Applicable
\$ Location of facility given?	___	___	
\$ Participating jurisdictions shown?	___	___	
\$ Facility capacity?	___	___	
<u>Outside Jurisdiction</u>			
\$ Name of facility shown?	___	___	
\$ Location of facility given?	___	___	

**COMPLIANCE SHEET
EXHIBIT B – DISCUSSION**

FOR NDFE WITHIN A JURISDICTION DIRECT DISPOSAL C&D RECYCLING INC – CITY OF LOS ANGELES	
REQUIRED INFORMATION	
Type of Facility	A materials recovery facility for transfer and processing of construction and demolition debris.
Facility Capacity and Estimated Waste Sent to the Facility	The facility has a maximum permitted capacity of 25 tons per day. The facility currently receives up to 80 tons per day. The facility is proposing to expand to 174 tons per day.
Diversion Rate or Expected Diversion Rate from the Total Amount of Waste Received	The current diversion rate is 70% The proposed diversion rate is 80%
Participating Jurisdictions	City of Los Angeles, Los Angeles County Unincorporated, Torrance, Santa Monica, Glendale, Costa Mesa, Irvine, Newport Beach, and Redondo Beach.
OPTIONAL INFORMATION	
Address of Facility	3720 Noakes Street, Los Angeles CA 90023
Description of General Area	Zone M3 (Heavy Manufacturing)
Other Comments	Under adopted regulations, the facility is required to be permitted under the Waste Board's Registration Tier.

WT:

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**COMPLIANCE SHEET
EXHIBIT B – DISCUSSION**

FOR NDFE WITHIN A JURISDICTION REDUCE PRICE DISPOSAL – CITY OF LOS ANGELES	
REQUIRED INFORMATION	
Type of Facility	A material recovery facility for transfer and processing of construction and demolition debris.
Facility Capacity and Estimated Waste Sent to the Facility	The facility has a maximum capacity of 15 tons per day and receives approximately 4 tons per day.
Diversion Rate or Expected Diversion Rate from the Total Amount of Waste Received	The current diversion rate is 80%
Participating Jurisdictions	City of Los Angeles
OPTIONAL INFORMATION	
Address of Facility	12276 Branford Street, Sun Valley (Los Angeles) CA 91352
Description of General Area	Zone M2 (Light Manufacturing)
Other Comments	Under adopted regulations, the facility will be placed under the Waste Board's Enforcement Agency Notification Tier.

WT:

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MONTHLY
DISPOSAL QUANTITY REPORTING
FOR USE BY SOLID WASTE STATION AND NON-DISPOSAL FACILITY OPERATORS
ORIGIN SURVEY

(For use only by receiving facilities located in Los Angeles County)

Reporting Month and Year: _____

Station Name: _____ Station SWIS No.: _____

Station Address: _____

Station Contact Person: _____ Signature: _____

Phone No.: _____ - _____ - _____

Frequency of Survey (Check one only): Daily Other (attach explanation)

Methods used to determine jurisdiction of origin:

- origin obtained from hauling company records
- origin obtained from other facility operators
- origin obtained from haulers at gatehouse
- other _____

NAME OF JURISDICTION OF WASTE ORIGIN AND TONNAGE

C=City U=County Unincorporated Area (Indicate one)

Enter C or U	Name of Jurisdiction	Quantity of Waste Received (tons)	Quantity Separated Material (tons)		Quantity Shipped Off-site to Solid Waste Disposal Facilities (tons)							Name of Facility Where Waste Was Disposed	SWIS Number
			Recycled/ Reused	Composted	Alternative Intermediate Cover		Alternative Daily Cover		Beneficial Reuse	Transformed	Landfilled		
					Green Waste	Other	Green Waste	Other					
TOTAL													

- Notes:**
- This form should be used by all Solid Waste Station and Non-disposal Facility owners/operators operating in Los Angeles County.
 - No later than two and a half months after the end of each calendar quarter, the Solid Waste Station and Non-disposal Facility owner/operators shall complete this form and forward it to the Los Angeles County Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, CA 91802-1460. **1-800-320-1771**
 - "Solid Waste Station" and "Non-disposal Facility" denote all transfer or processing stations, material recovery facilities, composting facilities and construction & demolition/inert waste processing facilities as permitted by the applicable Local Enforcement Agency and/or the California Integrated Waste Management Board, and do not include disposal (landfill and transformation) facilities.
 - A copy of this form must be retained by the Solid Waste Station and Non-disposal Facility owner/operator for a period of three years. This form must be made available for review upon request during business hours.

Frias, Christine

From: Mike Mohajer [mikemohajer@yahoo.com]
Sent: Wednesday, September 13, 2006 9:12 PM
To: Frias, Christine
Cc: Ruiz, Carlos; De La O, George
Subject: September 12, 2006 CIWMB Meeting, Agenda Item 22

Hi Christine,

Pls distribute the attachments to all Task Force Members & Alternates. Copies may also be needed for the 9/22 Task Force meeting. Thanks, Mike

MIKE MOHAJER
mikemohajer@yahoo.com

From: Mike Mohajer [mikemohajer@yahoo.com]
Sent: Monday, September 11, 2006 2:12 AM
To: Margo Reid Brown; Jeffrey Danzinger; Rosalie Mule; Gary Petersen; Pat Wiggins
Cc: Mark Leary; Howard Levenson; Fernando Berton
Subject: September 12, 2006 CIWMB Meeting - Agenda Item 22 Allocation Proposals FY 2006/07

Madam Chair and Members of the Board,

As a private citizen, I have reviewed your staff proposal for the subject item entitled "Consideration of Allocation Proposals To Be Funded From The Integrated Waste Management Account For Fiscal Year 2006/07." The proposal recommends funding for a number of programs that were included in your Board's August 15, 2006 Agenda Item No. 22, Emerging Technologies. I had provided comments on the said item on August 12, 2006, a copy attached. The item was subsequently pulled from the August 15, 2006 Agenda prior to the Board hearing.

I respectfully request that consideration of staff recommendations in re to the Allocation Proposals D-2, 4, 5 and 6 be postponed pending the resolution of the Board August 15, 2006 Agenda Item 22 and the following comments.

1. Allocation Proposal D-2: Climate Change (\$500,000) -- This item request funding for activities to increase recovery of recyclables, implementing waste diversion programs and improving landfill gas recovery activities. While the goal is to reduce greenhouse gas (GHG) emissions, the proposal as discussed in Attachment 1 of the subject Agenda, fails to consider the need to evaluate the impact of existing and expansion of waste diversion activities/recovery on efforts to reduce GHG emissions.

2. Allocation Proposal D-4: Solid Waste To Biofuels Forum (\$50,000) -- There have been numerous studies conducted nationwide on feasibility of producing biofuels from solid waste and results are available to staff. As such, the proposal should be deleted.

3. Allocation Proposal D-5: Production of Liquid Natural Gas (LNG) And Its Use In Municipal Vehicles (\$75,000) -- The intent of the proposal is to evaluate the technical feasibility of generating LNG from landfill gas for use as a transportation fuel. The proposal is unnecessary since there have been a number of studies conducted on the subject. In addition, the County Sanitation Districts of Los Angeles County has been using LNG generated from landfill gas at Puente Hills Landfill as a transportation fuel for a number of years.

4. Allocation Proposal D-6: Anaerobic Digestion (AD) Pilot Project (\$200,000) -- As indicated in my August 12, 2006 email, AD facilities have been in operation for many years in Asia and Europe. In addition, UC Davis is currently involved with a demonstration facility. The proposed allocation can be best used toward development of a pilot conversion technology facility.

Thank you for your consideration. Should you have any questions, please contact me at 909-592-1147.

Attach.

MIKE MOHAJER
mikemohajer@yahoo.com
P.O.Box 3334
San Dimas, CA 91773-7334

From: Mike Mohajer [mikemohajer@yahoo.com]
Sent: Saturday, August 12, 2006 2:12 PM
To: Margo Reid Brown; Jeffrey Danzinger; Rosalie Mule; Gary Petersen; Pat Wiggins
Cc: Mark Leary; Howard Levenson; Fernando Berton
Subject: August 15, 2006 CIWMB Meeting - Agenda Item 22 Emerging Technologies

Madam Chair and Members,

As a private citizen, I want to commend The CIWMB for the interest in conversion technologies even though the issue has been diluted by the staff report which labeled the subject matter as "emerging technologies." I have reviewed the staff report in re to the above captioned item and offer the following:

1. As indicated by staff, the CIWMB has been involved with the issue of conversion technologies since December 2000. Unfortunately, after six years of studies and the expenditures of several million dollars by the CIWMB, the findings and recommendations of the State Bioenergy Interagency Working Group, and the Governor's Executive Order S-06-06 issued on April 25, 2006, it is very discouraging to see the staff report which totally lacks any constructive proposal. The report recommends further studies, the safest proposal in a political arena.

As suggested by the CIWMB Member Cheryl Peace and others at the workshop held on July 27, 2006 at UCLA, I respectfully request that the CIWMB should move forward with formal adoption of the regulations for operation of conversion technology facilities in California. The development of the said regulations was begun by the CIWMB several years ago, and I do not see of any reason why it cannot be finalized by this fall. The said regulations must address only those issues under the purview of the CIWMB while avoiding duplication/encroachment into those areas under the jurisdiction of other governmental agencies.

2. Anaerobic digestion (AD) process is a composting technology that has been so recognized by the Legislature and the CIWMB for many years. Further, the CIWMB has formally made the determination that the process is eligible to receive full AB 939 diversion credit. The AD facilities have been in operation for many years in countries through out the Asia and Europe. Further, UC Davis is currently involved with a demonstration facility which is being publicly funded. Based on the foregoing, I believe that the \$200, 000 recommended by the staff to further study the AD process should be directed toward the development of a conversion technology demonstration facility.

Thank you for your consideration. Should you have any questions, please contact me at 909-592-1147

MIKE MOHAJER
mikemohajer@yahoo.com
P.O.Box 3334
San Dimas, CA 91773-7334



BioEnergy Producers Association
Clean Technology for Renewable Energy

James L. Stewart
Chairman of the Board

David Roberti, Senator (Ret.)
President

Kay Martin
Vice President

John Jensen
*Secretary &
Chief Financial Officer*

September 7, 2006

The Honorable Margo Reid Brown, Chair, and Members
California Integrated Waste Management Board
1001 "I" Street
Sacramento, CA 95814

**Subject: COMMENTS ON CONSIDERATION OF ALLOCATION
PROPOSALS TO BE FUNDED FROM THE IWM
ACCOUNT FOR FISCAL YEAR 2006/07 (ITEM 22,
SEPTEMBER 12, 2006 CIWMB AGENDA)**

Dear Chair Brown and Members:

In a letter dated August 11, 2006, the BioEnergy Producers Association (BPA) provided comments to the Board on a matter scheduled for your August 15, 2006 agenda entitled: "Request for Direction on Next Steps Relevant to Emerging Technologies" (Item 22). This item, which was pulled from the agenda prior to hearing, made a number of staff recommendations for the funding of 2006/07 programs.

Some of the same staff recommendations on which the BPA expressed concerns last month are now being presented as specific budget allocation proposals in the subject September 12, 2006 agenda item (Item 22). We respectfully request that further discussion and consideration of the policy implications of the following proposals be undertaken prior to action by your Board:

2006-D-2: Climate Change (\$500,000)

The BPA commends the CIWMB for its active participation in the Climate Action Team, and its efforts to identify ways in which advanced waste management strategies can contribute to the reduction of GHG emissions. The 2006-D-2 Allocation Request recognizes abatement of landfill methane emissions as a primary area of concern. However, we would urge reconsideration/revision of the scope of this study in the following areas:

1. The scope described in Attachment 1 to Item 22 addresses the GHG impacts of pursuing alternative diversion and processing options for "organics." Traditionally, the CIWMB has limited its "organics" definition to green and wood wastes, which make up only a comparatively minor portion of the total MSW stream going to disposal. If the purpose of the Board's effort is to reduce GHG precursors by diverting methane-producing materials from land disposal, then the scope must be expanded to include alternative technologies that can process *all forms of biomass*.
2. Two of the Board's three stated GHG reduction strategies are "increasing recovery of recyclables" and "implementing waste diversion programs to move towards zero waste." As suggested by the Board's earlier AB 2770 LCA studies, however, further data are needed on the specific cradle-to-grave emissions effects of various recovery and recycling activities, including the GHG impact of secondary materials exports and fugitive emissions impacting California from third world product industries.

2006-D-4 & -6: Biofuels Forum (\$50,000) & Anaerobic Digestion Pilot Project (\$200,000)

In our letter of August 11, 2006, the BPA noted that anaerobic digestion technologies have already been commercially validated, and currently enjoy both an established regulatory pathway and diversion credit eligibility. We again urge your Board to instead take a more active leadership role in promoting the development of commercial-scale conversion technology facilities in California, consistent with recommendations for the CIWMB in the Bioenergy Action Plan. Rather than sponsoring a conference to discuss "the feasibility of producing biofuels from solid waste," the Board should concentrate its resources on the creation of an enabling regulatory structure for bioindustry siting, in coordination with the Bioenergy Interagency Working Group, and in parallel with efforts in other states.

Respectfully submitted,



David Roberti, President
BioEnergy Producers Association

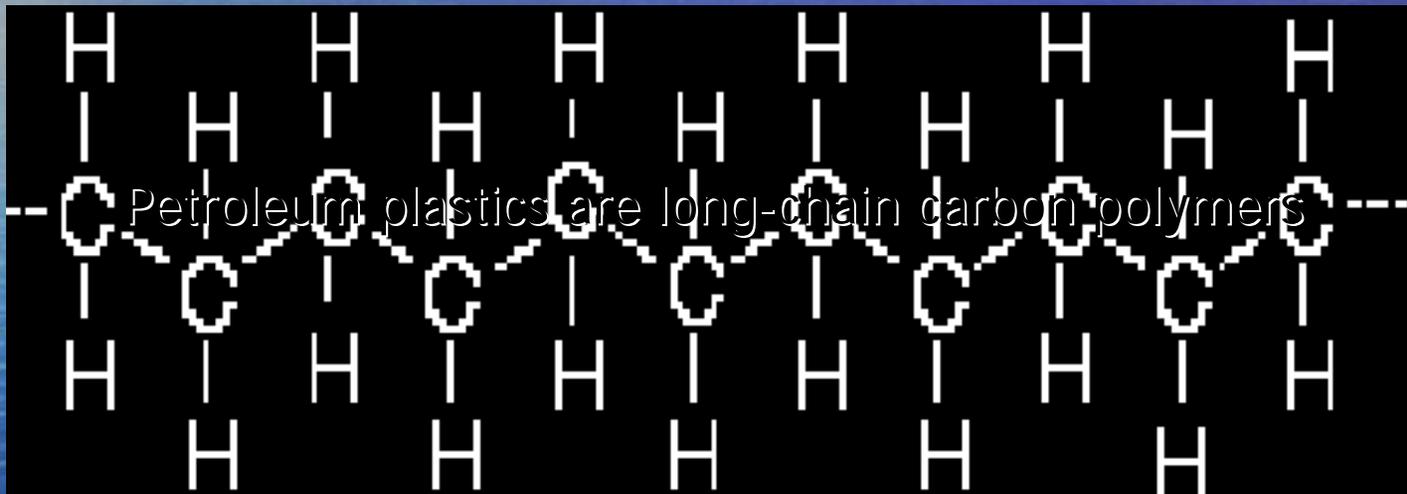
cc: Mike Chrisman
A.G. Kawamura
Jackalyne Pfannenstiel
Jim Boyd
Joe Desmond

Achieving source reduction through local action

**LA County Solid Waste Mgmt Committee
Stephanie Barger, Co-Chair – CAPP
Founder & E.D., Earth Resource
Foundation**



Petroleum plastics are long-chain carbon polymers



Polyethylene



Plastic Resins



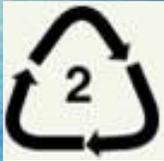
Recyclable? Closed Loop?



Plastic Resins



PET or PETE – water, soda, sports drink & beer bottles, catsup bottles. *Recycled into cleaning product bottles, luggage, carpets, polar fleece, car seats.*



HDPE – milk, juice & shampoo bottles. *Recycled into lumber, flower pots, pails, traffic cones, trash cans.*



V or PVC – Reynolds wrap, floor tiles, shower curtains, hoses, medical tubing, pipes, window frames. ***Not recycled.***



Plastic Resins



LDPE – Saran Wrap, Glad Wrap, bread bags, squeeze bottles, diaper liners. ***Not recycled.***



PP – yogurt & margarine containers, medicine bottles, straws. ***Not recycled.***



PS – “Styrofoam” – coffee cups, egg cartons, meat trays, CD jackets. ***Not recycled.***



Other – all others resins or mixtures. ***Not recycled.***





“Throwaway Living”

Disposables Burst on the scene in the 50’s.

- 1955 Life Magazine:
 - Save time
 - Go for convenience
 - Use-once-and-toss
 - Why feel guilty?
- First throwaways mainly paper

Photo Credit: Peter Stackpole, Aug 1, 1955 (Getty Images)

source.org



“Throwaway Society”

Solid Waste = 4.4 lbs/person/day
Recycled = -1.3 lbs/person/day
Net Waste = 3.1 lbs/person/day

= 1,132 lbs/person/yr

USEPA 2001

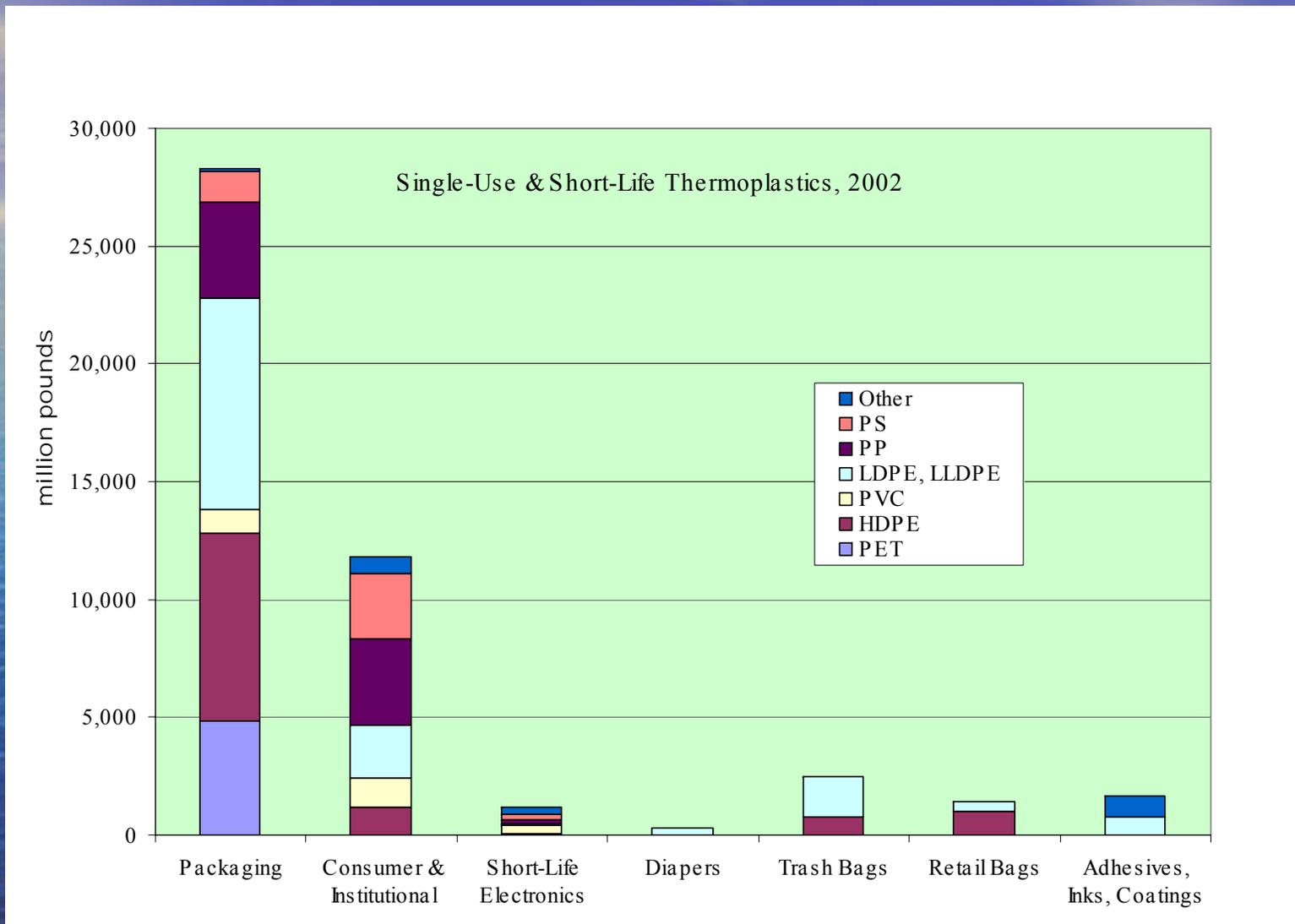
Photo Credit: Peter Stackpole, Aug 1, 1955 (Getty Images)

source.org

8



55% of Plastics Are Fast Track Trash



(American Plastics Council; Earth Circle)

earthresource.org



OIL STATS

World demand is 80 million barrels/day.

U.S. consumes $\frac{1}{4}$ of world supplies.

$\frac{1}{2}$ of oil refined in U.S. is for gasoline, rest goes to asphalt, pesticides and plastics.

Global oil production is peaked, currently at 95-99% capacity.

Rich nations uses energy equivalent of 39 barrels/person/yr; China & India use 5.5.

(Culture Change)



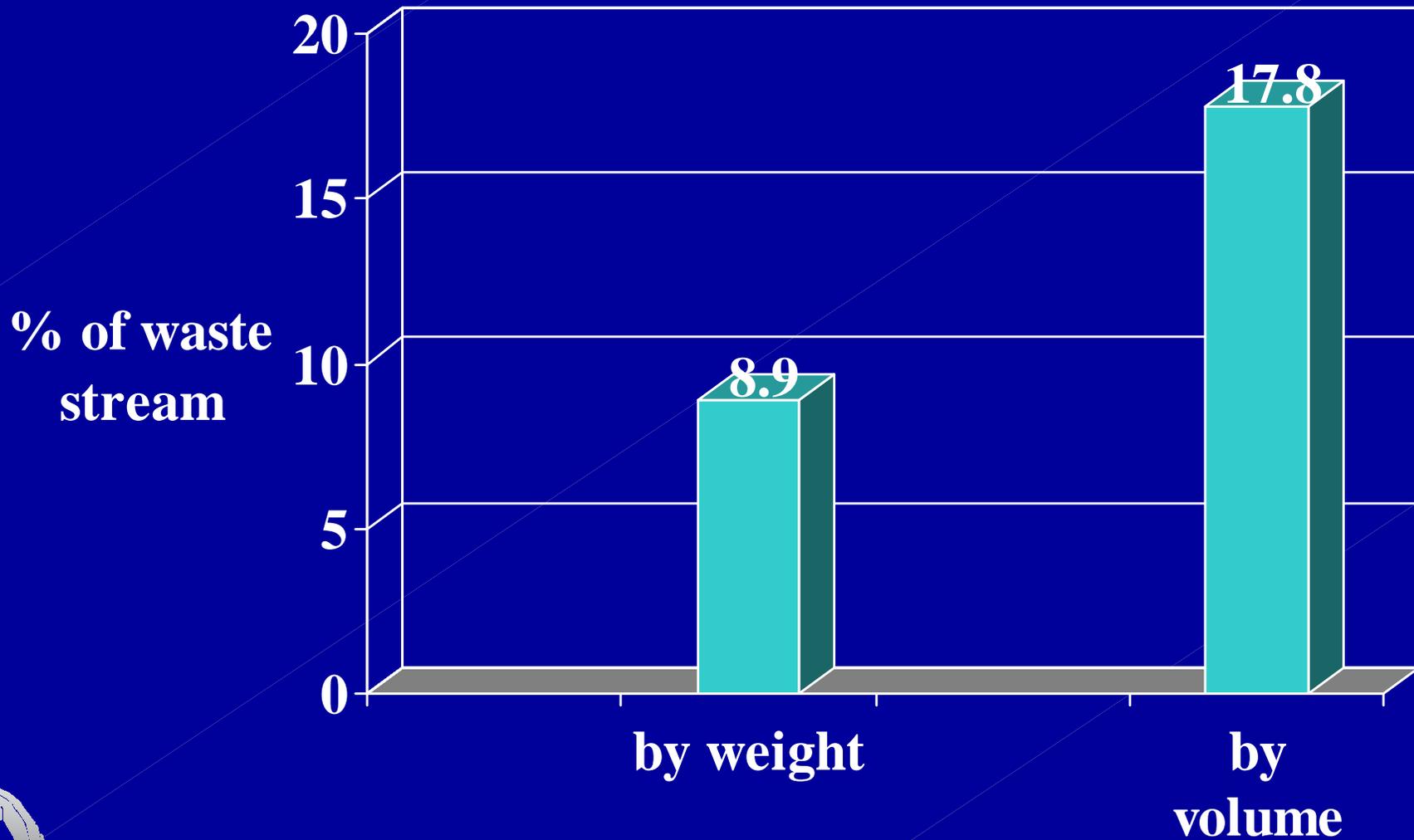
Since they don't biodegrade, how do we get rid of plastics?

- Land-filled - 55%
- Recycled – 30%
- Incinerated – 15%



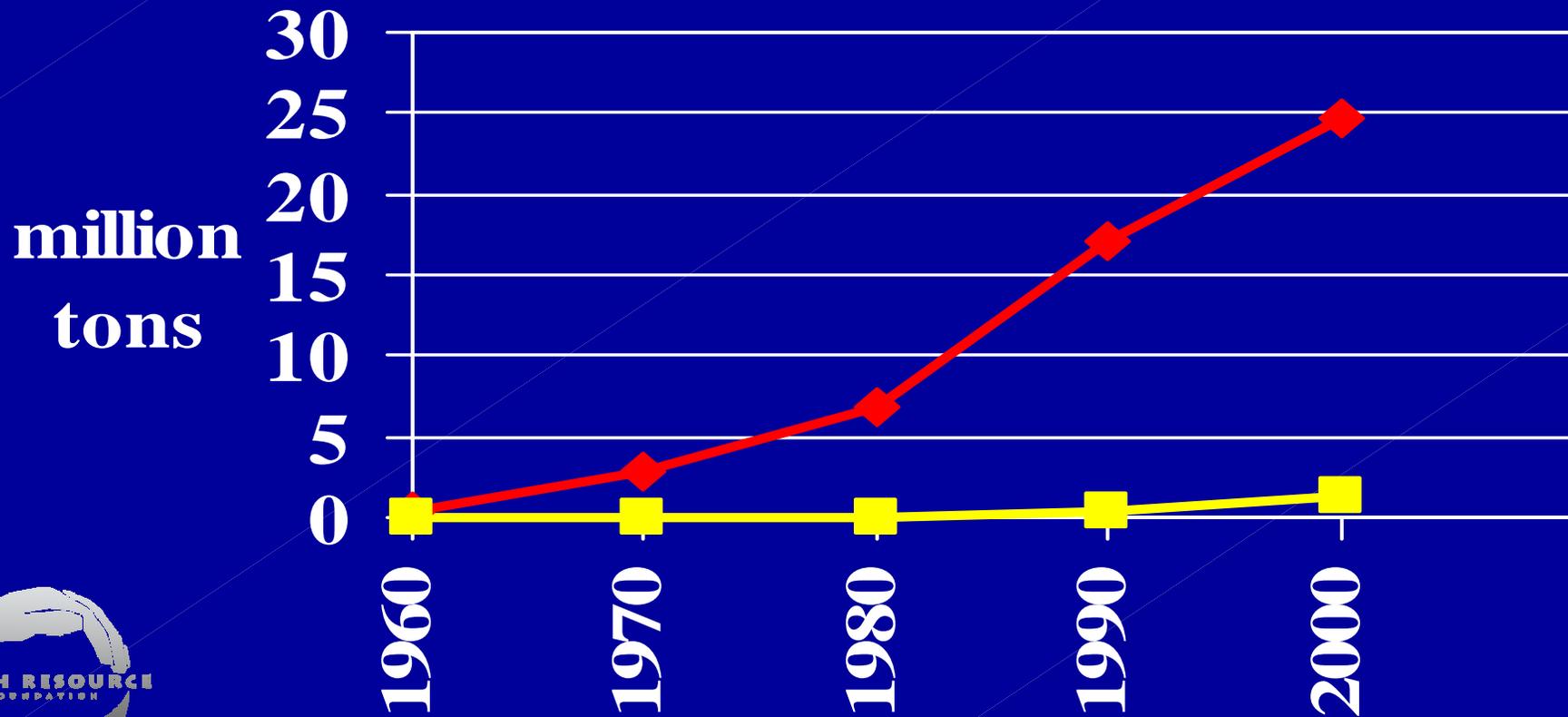
**Municipal Solid Waste
US EPA 2001**

Plastic Packaging - 1999

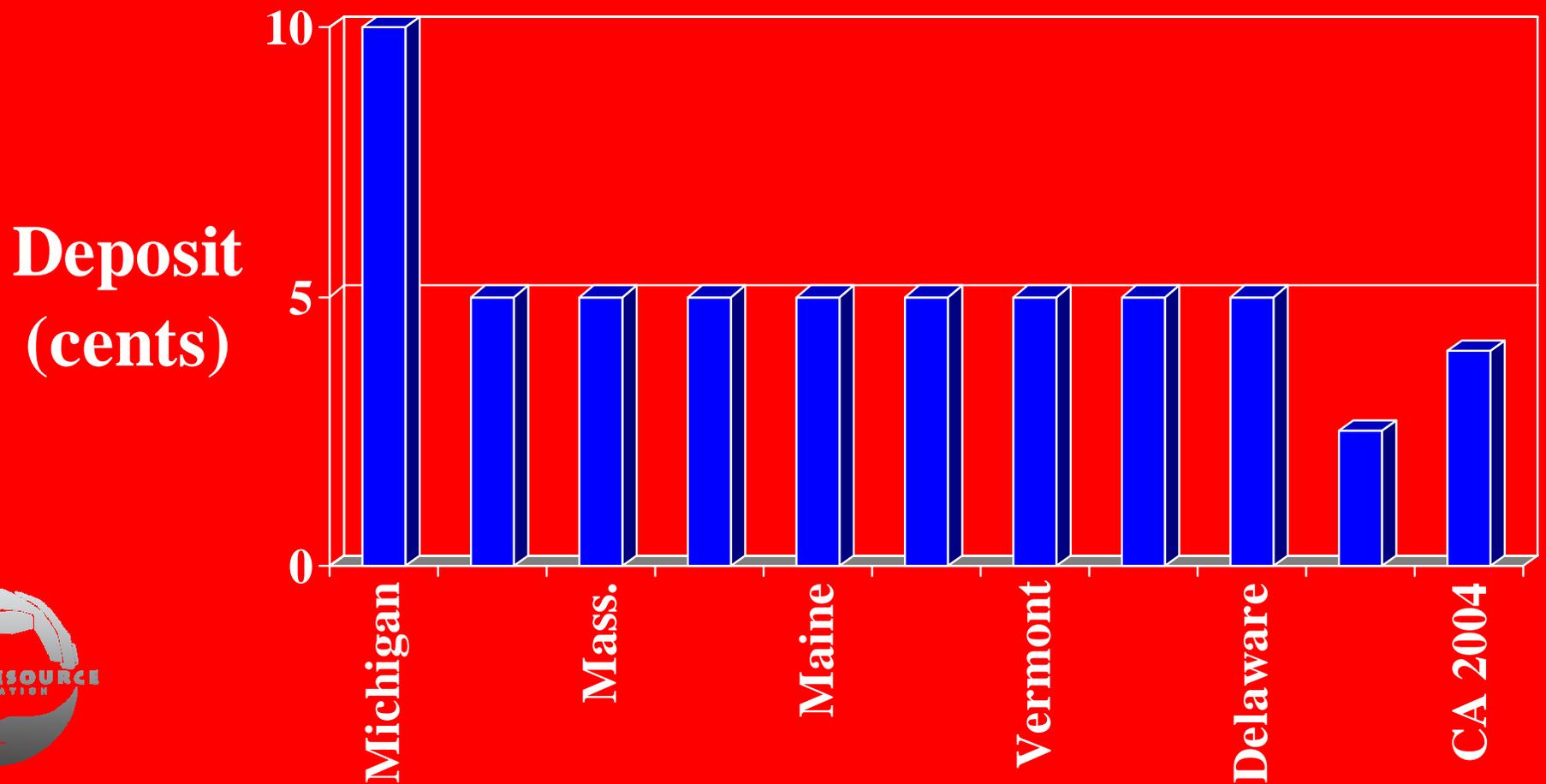


Plastics generation and recovery 1960 - 2001 (USEPA)

—◆— gen. —■— recov.

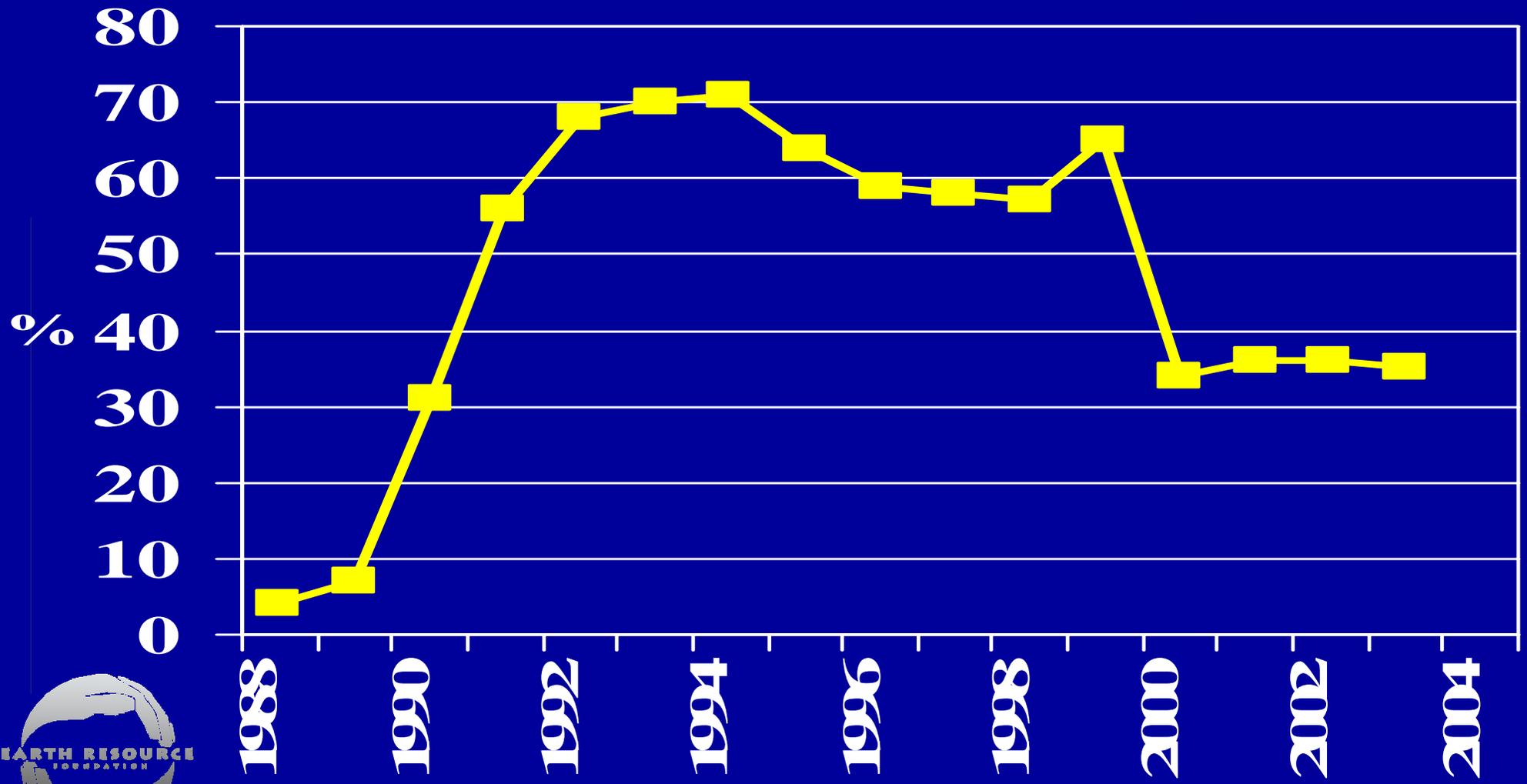


California has the lowest deposit of any Bottle Bill state



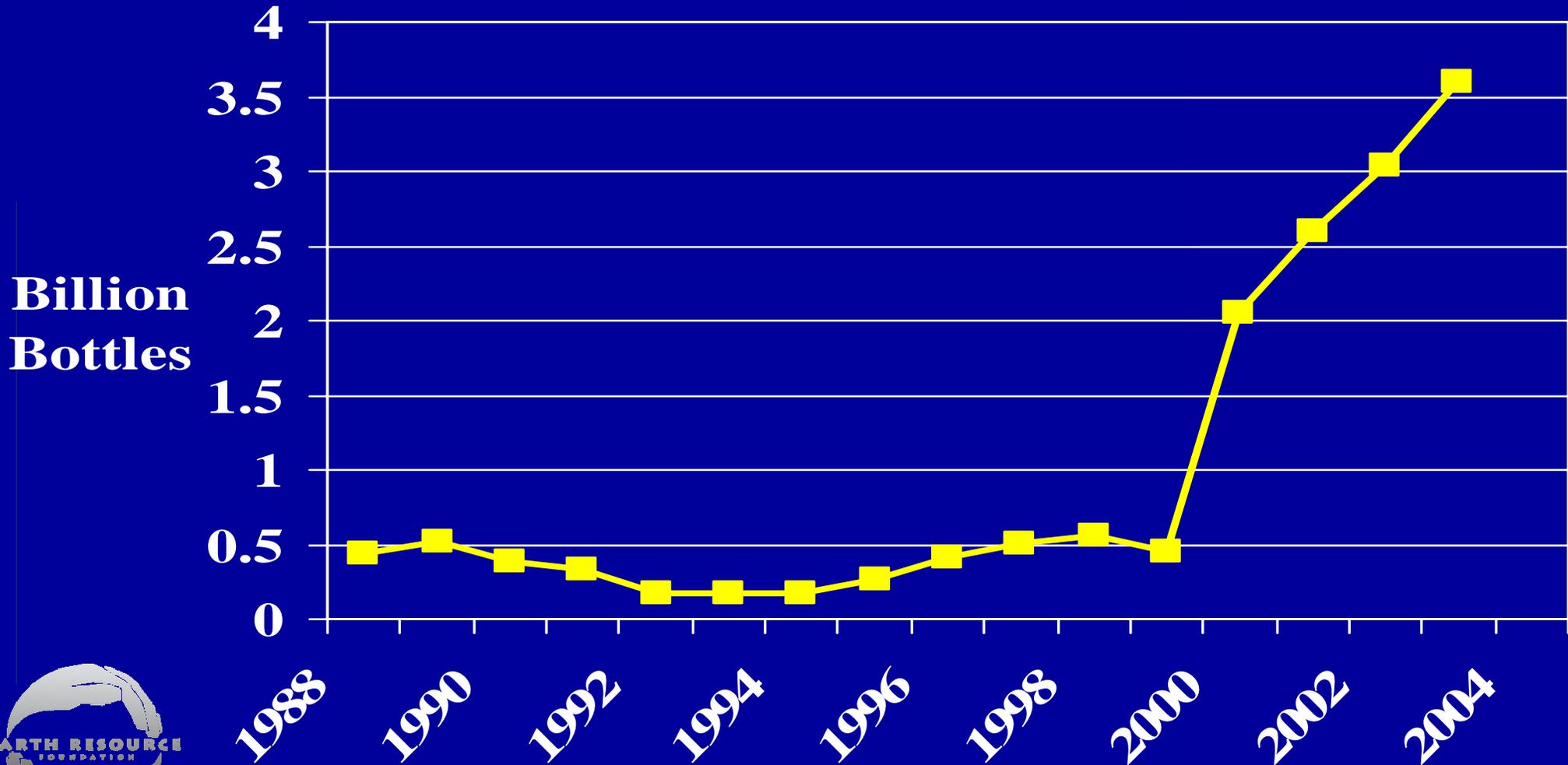
#1 PETE Bottle Bill Recycling

(CA DOC)



#1 PETE Bottle Bill bottles *not* recycled

(CA DOC)



93 Billion Plastic H₂O Bottles Land-filled in US in 2002

- =reach moon & back 38 x's**
- =circle equator 371 x's**
- =2,222 times the length of
the Nile**
- =line Interstate 80 (NY to
SF) 3,196 x's**
- =span length of CA 11, 556
x's**



WHAT'S IN YOUR WATER BOTTLE?



Plastic milk jugs land-filled in U.S. annually

- = build 800,000 playground structures
- = 8 million 6 ft picnic tables
- = 15 million 6 ft park benches
- = 40 million 24 inch flower pots



Orange County Register 12/03

earthresource.org



Life of a Plastic Shopping Bag

- virgin resins (#2 or #4)
- health laws & business economics
 - limit recycled content
- at most 10-20% are recycled
 - ✓ infrastructure lacking
 - ✓ none curbside/ supermarket
 - is minimal
 - ✓ no "closed loop"
 - ✓ land-filled or littered



Not All Coded Rigid Package Plastics CAN BE RECYCLED



- Bottles = 7.8 billion lbs available - *Can Recycle*
- Caps, closures = 1.3 billion lbs - *Can't Recycle*

- Tubs, buckets, cups = 6.6 billion lbs - *Can't Recycle*



Myths about plastics recycling...

- ✎ Chasing arrows means a container is recyclable
- ✎ Curbside collection has taken care of recycling
- ✎ Plastics that go into recycle bins get recycled
- ✎ Plastics packaging is made from oil refineries waste
- ✎ There is a closed loop on plastics recycling

Reality...

Plastics recycling does *not* occur in a closed loop!



Types of plastics additives

- Antimicrobials
- Antioxidants
- Antistatic agents
- Blowing agents
- Catalysts/curing agents
- Colorants
- Fillers
- Flame retardants
- Free-radical initiators
- Heat **stabilizers**
- Impact Modifiers
- Lubricants/mold releasers
- **Plasticizers**
- Reinforcers
- Ultraviolet **stabilizers**



Recycling costs/ton (CA DOC 2001)

<u><i>Source</i></u>	<u>Recycler Costs</u>	<u>Recycle Value</u>
Plastic- <i>oil</i> PETE #1	\$584	\$131
Glass - <i>sand</i>	\$86	\$30*
Aluminum - <i>bauxite</i>	\$354	\$1010



Plastics Cost Calif. Taxpayers \$\$ Billions

- ✓ ...to finance curbside recycling, public collection & disposal, cleanup of beaches/streets of plastic debris, and landfill space and incineration.
- ✓ ...to comply with new EPA TMDL requirements for impaired waterways.
- ✓ ...to research toxic effects of plastics on human health, wildlife and ecosystems.
- ✓ ...in hidden healthcare dollars stemming from pollution of air, water, soil and food.



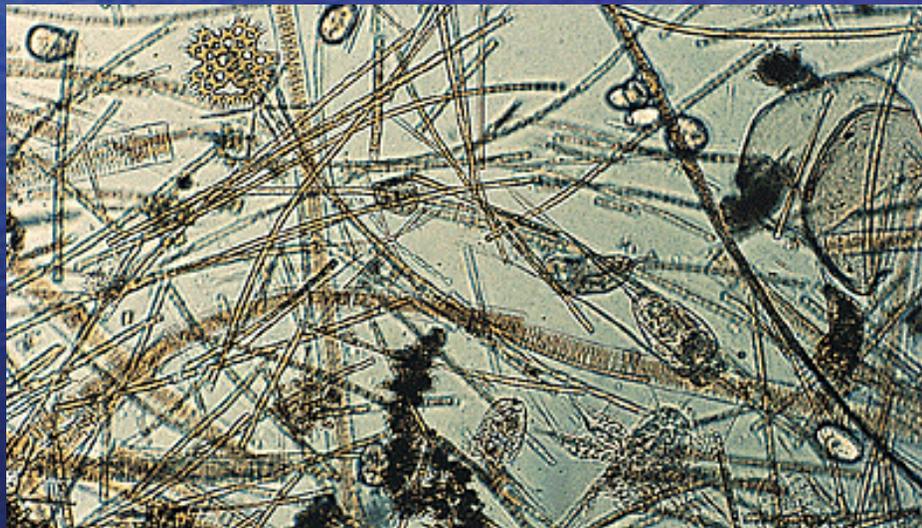


86% of ocean
debris is
plastic

6 X's as
much



as



North Pacific central gyre

earthresource.org
Moore et al., 2001





Escaping “nurdles”



- Plastic resin pellets
- Foamed plastics
- Hard plastics
- Cigarette butts

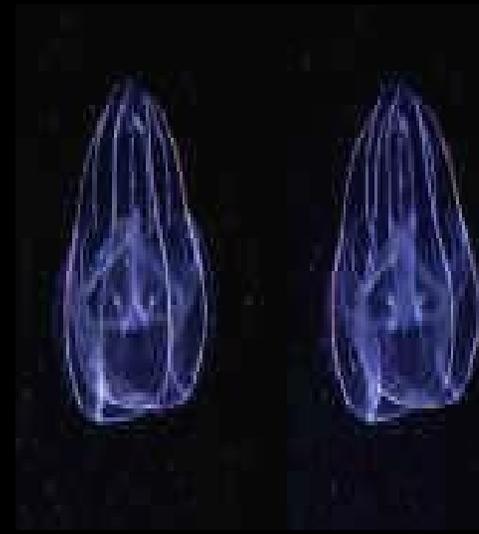
Orange County Beach Debris



What the albatross ate....



Microplastics Contamination



Since 1960's, 3x's as much plastic found in plankton.

(Thompson et al., 2004)

Health Effects



DEHA Controversy

- ✓ Estrogenic & carcinogenic in some lab animals.
- ✓ FDA says levels are safe.
- ✓ EPA removed DEHA from list of "toxic chemicals" - now lists as "possible human carcinogen."
- ✓ EU limits amount of migrated DEHA, yet some US cheeses greatly exceed EU limit.



(Consumer Reports, 1998)
earthresource.org



"Hand-me down poisons"

Effect of DEHP on rat testes

(J.Ostby, 2000/EPA)

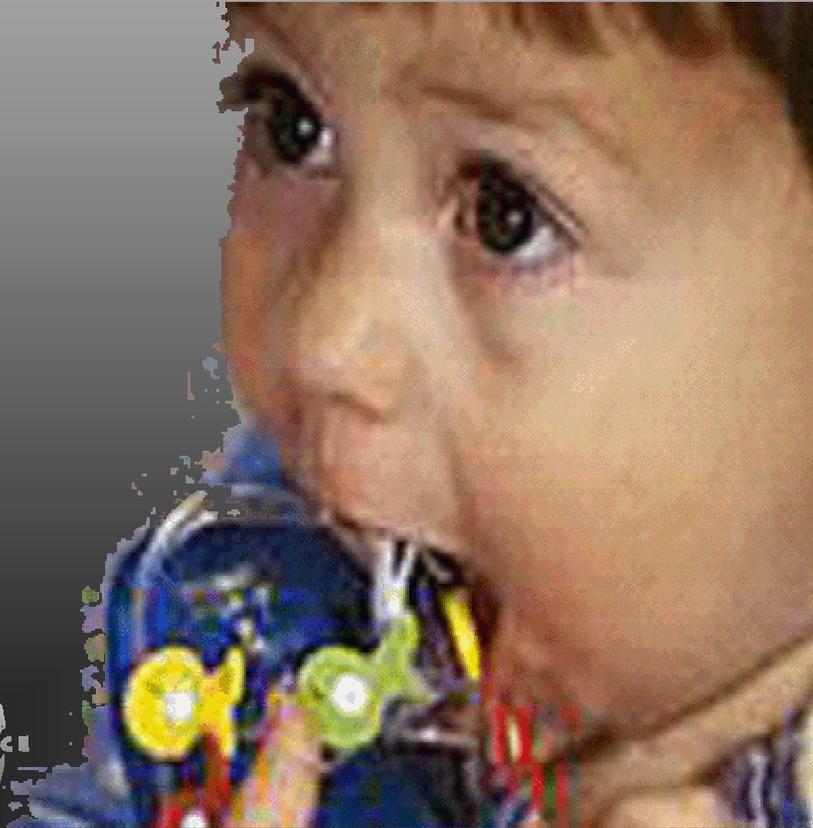


Control

earthresource.org DEHP

DEHP

Greenpeace campaigns against phthalates in toys and IV bags



Bisphenol-A: ...in polycarbonate plastics



ro



Teflon® AF Processing Safety and Precautions

WARNING!



“VAPORS CAN BE LIBERATED THAT MAY BE HAZARDOUS TO YOUR HEALTH IF INHALED”



Hazardous materials created during plastics production



Chemicals used or produced in making plastics are highly toxic.

- Carcinogens
- Damage nervous system, blood, kidneys, etc.
- Vaporize & pollute air
- Flammable
- Explosive

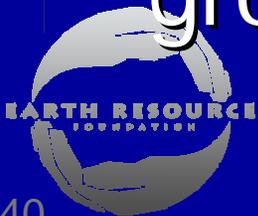
Advertising by the *American Plastics Council*



- Plastics: An Important Part Of Your Healthy Diet
- You could think of them as the sixth basic food group.

Advertising by the *American Plastics Council*

"You could think of them as the sixth basic food group."



earthre



© 1995 American Plastics Council

You could think of them as the sixth basic food group. Oh, you certainly wouldn't eat them, but plastic packaging does help pro-

help keep air out. While others let air in to help the food we eat stay fresher longer. Plastics also let you see what you're buying,

Plastics. An Important Part Of Your Healthy Diet.

tect our food in many ways. •To help lock in freshness, plastic wrap clings tightly to surfaces. To help lock out moisture, resealable containers provide a strong seal. And plastic wrap helps extend the shelf life of perishable produce, poultry, fish and meats. •To prevent spoilage and contamination, some varieties of plastics

taking the mystery out of shopping. All of which makes them versatile, durable, lightweight and shatter-resistant. •To learn more, call the American Plastics Council at 1.800.777.9500 for a free booklet. Plastics. One part of your diet you may never break.



PLASTICS MAKE IT POSSIBLE.™
Visit us at <http://www.plasticsresource.com>

Our Legacy?



Solutions



3 key solution concepts

Precautionary Principle



Sustainability



Producer Responsibility

v



Campaign Against the Plastic Plague - CAPP

Mission Statement

As a result of the harmful impact of plastic on global ecosystems, economies and public health, immediate action must be taken to eliminate single use throwaway plastic.

Change must be established in the consumer lifestyle through education, citizen action and business accountability.



Campaign Against the Plastic Plague - CAPP

Technical Assistance - one stop shop

Over 200 slide powerpoint “textbook”

Weekly CAPP update e-newsletter

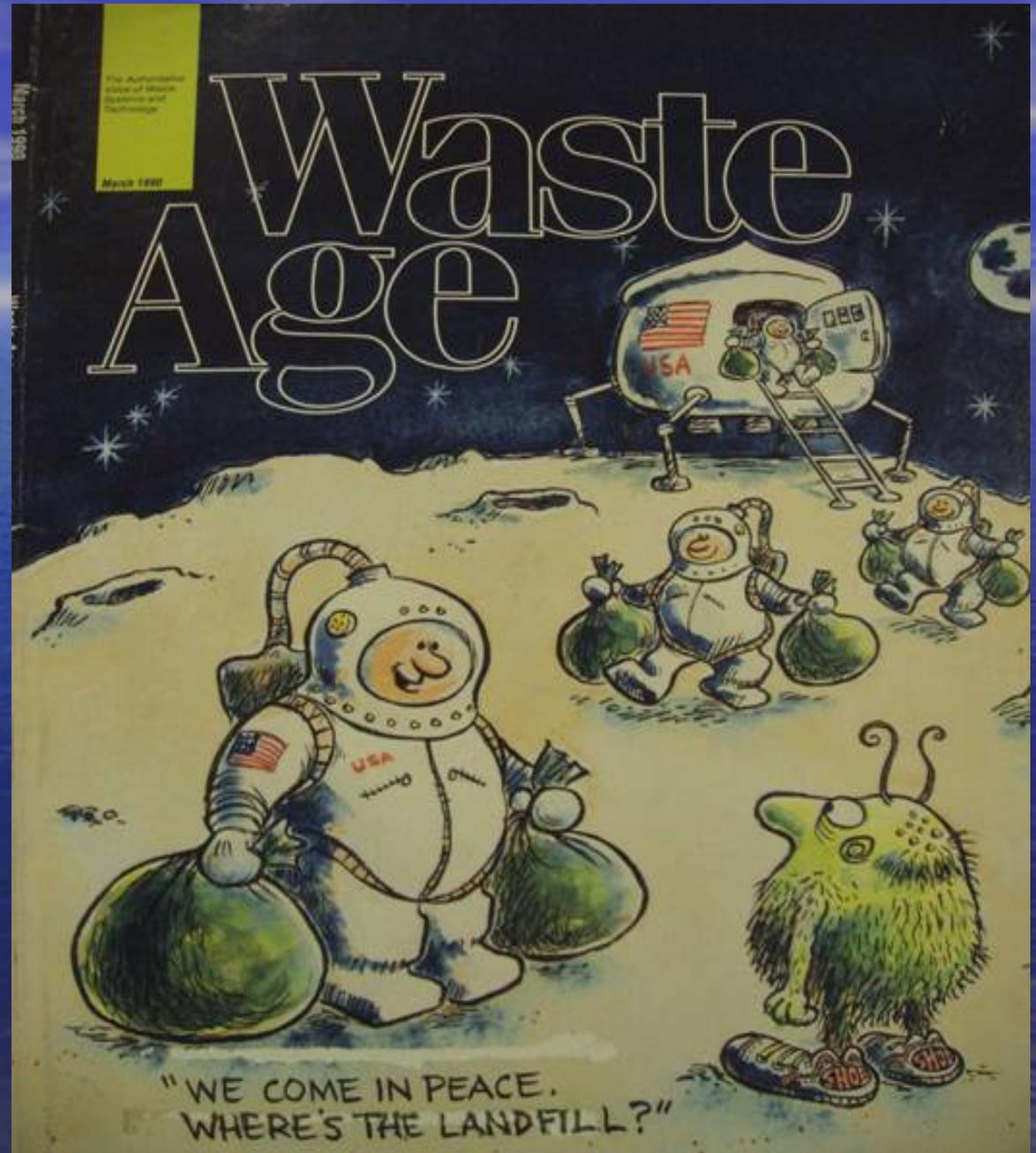
Marketing Materials

Comprehensive Website

Mobilizing local support



Where will it end?



Reality Checks

Focus Groups

What is plastic made from?

Styrofoam Survey

knowledge of cost, damage, laws = \$\$\$

Lidos Womens Club

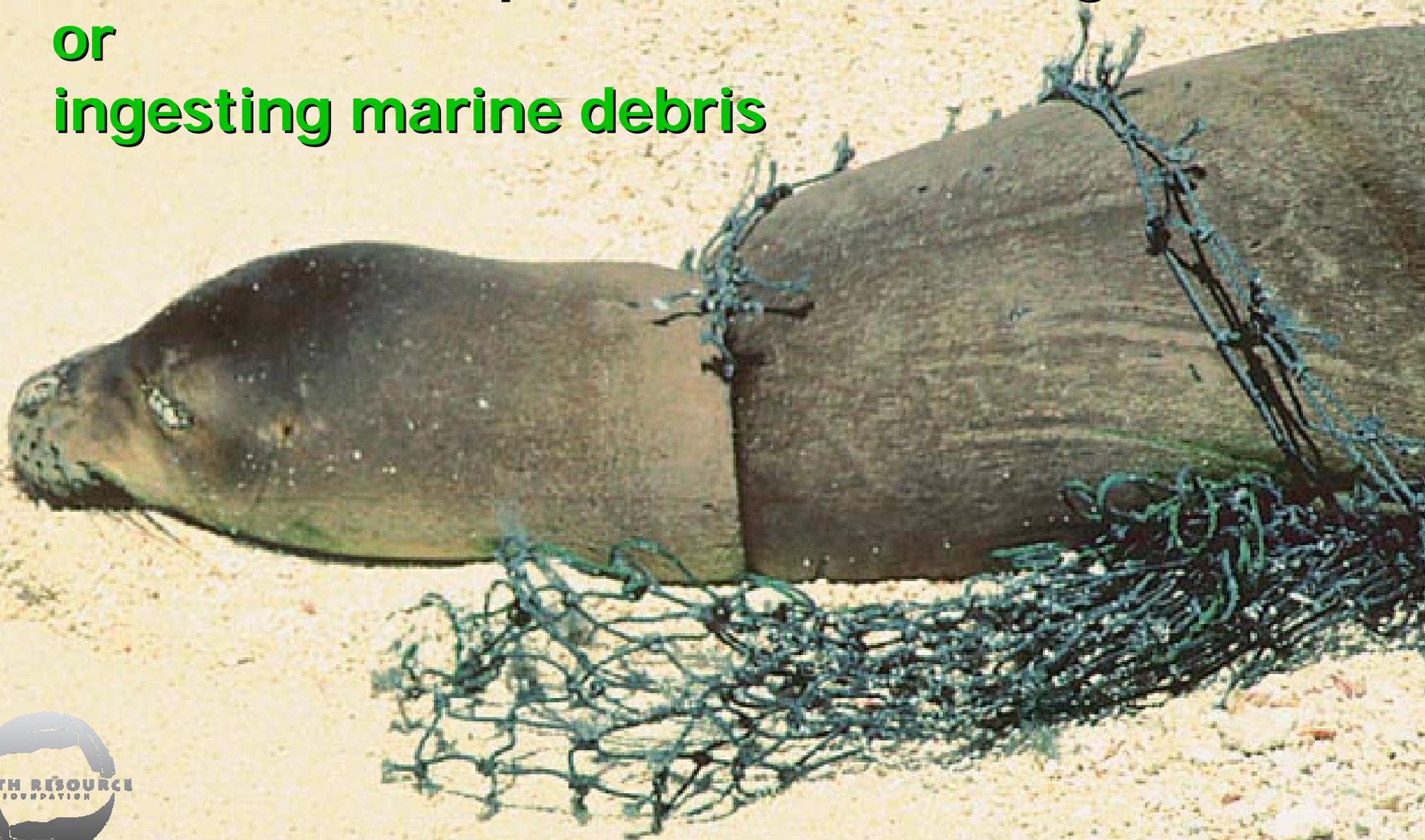
convenience isn't everything

They said – she said – he said
who's pushing the plastic



Marine Mammal Commission

267 different species found entangled in
or
ingesting marine debris



Community Involvement

Catching the wave of cigarette litter
health – environment - community

Let the process process
educate, educate, wait, educate, educate

Some products are not good products
stating the obvious

Making it exciting to the media
lots of visuals and catchy lines

A little competition never hurts



A global problem !



Manila Bay,
Philippines
©UNEP



Its Happening!!!

Around the World

Bags fees and taxes

Bans on stryofoam and bags

Precautionary Principle

Producers Responsibility

Polystyrene Bans

San Clemente, Malibu, Ventura, Huntington
Beach, Aliso Viejo....

Smokefree beaches

So Cal DONE – next parks, lakes, etc

Bags fees coming to a city near you!!!



WHAT YOU ENVIRONMENTALISTS
HAVE GOT TO UNDERSTAND
IS THE DESTRUCTION OF THE
PLANET MAY BE THE PRICE
WE HAVE TO PAY FOR A
HEALTHY ECONOMY!



© Associated Features



Next Steps

Marketing Materials

Kick the bag habit

Carry it with Canvas

Funding

big issues, big business, big changes

Having Conversations

book clubs, art projects, coffee clutch

Outreach to retailers

employees, managers, customers



Plastics have become part of the marine food chain



Inuit of Greenland

What can *you* do now?

- ✓ *Filter H₂O at home*
- ✓ *BYO bag, cup or bottle*
- ✓ *Support biodegradable alternatives*
- ✓ *Return packing peanuts*
- ✓ *Write your congressperson*
- ✓ *Recycle*
- ✓ *PRE-cycle*



**We'll eventually eat everything
we throw into the sea.....**



CAPP

Coalition Against the Plastic Plague

Earth Resource Foundation

Coast Mesa, CA

(914) 645-5163

WWW.EARTHRESOURCE.ORG



Latest September 11, 2006



LINDA S. ADAMS
SECRETARY FOR
ENVIRONMENTAL PROTECTION

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD



ARNOLD SCHWARZENEGGER
GOVERNOR

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September 8, 2006

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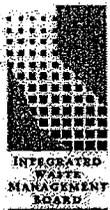
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To: ALL INTERESTED PARTIES

**FROM: CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
PERMITTING AND ENFORCEMENT DIVISION**

**SUBJECT: NOTICE OF CHANGES TO PROPOSED PERMIT
IMPLEMENTATION REGULATIONS (AB 1497)**

A 60-day public comment period for these proposed regulations ran from April 7 through June 6, 2006. The California Integrated Waste Management Board (Board) held a public hearing on the proposed regulations on June 5, 2006. The proposed regulations are intended to address various permit-related issues, and clarify existing regulations that were mandated by the Legislature, directed by the Board, or identified at workshops with stakeholders (California Code of Regulations, Title 27, Division 2, Chapter 4, Articles 1, 2, 3, and 3.1, and to add to Article 3, subsections 21660.1 through 21660.4; and to amend Title 14, Division 7, Chapter 3, Articles 5.9 and 5.95 and Chapter 5, Articles 2.1, 2.2, and 3.0). This includes AB 1497 (Montanez, Chapter 823, Statutes 2003) requirements that the Board define "significant change in the design or operation of the solid waste facility that is not authorized by the existing permit" and establish public noticing requirements regarding permit revisions. It also includes Board direction to consider applying the public noticing and hearing regulatory requirements for new construction, demolition and inert (CDI) permit applications to other solid waste facilities in order to provide consistent noticing and hearing requirements for different types of solid waste facilities.

After considering comments received during the 60-day comment period and comments made at the public hearing, Board staff modified the proposed regulations. The Permitting and Enforcement Committee considered, and received public comments on, the proposed modifications at its meeting held on September 5, 2006. Having considered staff's recommendations, the comments received from the public, and the discussion of the matter by the Committee, the chair of the Permitting and Enforcement Committee directed Board staff to make further modifications to the proposed regulations and to initiate an additional 15-day comment period.

A copy of the full text of the regulations as originally proposed, with the newly proposed changes clearly indicated, is available on the Board's Web site at <http://www.ciwmb.ca.gov/Rulemaking/PermitImplem/>. Paper copies may also be obtained by contacting Bobbie Garcia at the address, e-mail, or telephone number listed below. Text shown in double underline (additions) and ~~double-strikeout~~ (deletions) depict proposed changes made after the 60-day comment period. Under the



Administrative Procedures Act, Board staff is required to respond only to comments related to the newly proposed changes to the regulations. However, Board staff will consider and respond to any and all comments relative to the minor change list in Section 21620(a)(1) and the significant change list in Section 21620(a)(4).

The 15-day comment period extends from September 11 through September 26, 2006. **The Board must receive written comments on the proposed changes no later than 5:00 P.M. on September 26, 2006.** Please submit your written comments to:

Bobbie Garcia
California Integrated Waste Management Board
P.O. Box 4025, MS-10A
Sacramento, CA 95812-4025
Phone: (916) 341-6291
FAX: (916) 319-7535
E-MAIL: SWFacPermit@ciwmb.ca.gov

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

Title 27. Environmental Protection

Division 2. Solid Waste

Chapter 4. Documentation and Reporting for Regulatory Tiers, Permits, WDRs, and Plans

Subchapter 3. Development of Waste Discharge Requirements (WDRs) and Solid Waste Facility Permits

Article 1. General

§ 21563. CIWMB – Scope. (T14:§18200, §18200.1)

(a) This Subchapter sets forth the method of application for a full solid waste facilities permit and procedures for review and action on the application package. This Subchapter also addresses related matters of exemptions from the solid waste facilities permit requirements, application for changes in design or operation, reinstatement of solid waste facilities permits after disciplinary actions, periodic reviews and revisions of solid waste facilities permits, and amending application information. Matters related to EA actions to amend, suspend or revoke solid waste facilities permits are included in Article 2, Chapter 5.

(b) The provisions of this Subchapter shall apply to solid waste facilities or disposal sites and any other operations requiring a full solid waste facilities permit SWFP pursuant to As Noted in this Division. Specific provisions of this Subchapter outlining the different responsibilities of the applicant, EA and the CIWMB may be found below as follows:

(1) Exemption from a solid waste facilities permit SWFP Article 1.

(2) Applicant Requirements Article 2.

(3) EA Requirements Article 3.

(4) CIWMB Requirements Article 3.1.

(c) Except as otherwise noted, for purposes of this chapter only, "facility" means solid waste facility, ~~and/or~~ disposal site or any other operation requiring a full solid waste facilities permit SWFP pursuant to As Noted in this division.

(d) For purposes of these articles (Articles 1-3.1), the following definitions apply:

(1) "Complete" means all requirements placed upon the operation of the solid waste facility by statute, regulation, and other agencies with jurisdiction have been addressed in the application package.

(2) "Correct" means all information provided by the applicant regarding the solid waste facility must be accurate, exact, and must fully describe the parameters of the solid waste facility. ~~This does not include verifying for correctness information contained in the land use and/or conditional use permit which the applicant submits pursuant to §21570(f)(9).~~

(3) "Application Filing" means the enforcement agency has determined the application package is complete and correct and the statutory time limit contained in Public Resources Code PRC Section §44008 commences.

(4) "Informational Meeting" means a meeting where the public is invited to hear and comment on the preliminary determination of the action to be taken by the EA on an accepted application package. The meeting is strictly informational and no official decision is made at the meeting regarding the formal

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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1 determination on the solid waste facilities permit application. EA conducted Informational Meetings fulfill the
2 requirements set forth in Public Resources Code §44004 related to holding a "public hearing", unless the EA
3 substitutes another meeting/hearing that meets the provisions in §21660.4. The definition used herein, does
4 not apply to public hearings/hearing panels set forth in Public Resources Code §44300, Chapter 4, Articles 1
5 and 2, having to do with ~~Denial~~ of solid waste facilities permits and related recourses.

6 (5) "Nonmaterial change" means a change that would require a change to the solid waste facilities permit
7 but would not result in any physical change that would alter the approved design or operation of the facility.
8 The definition is only for purposes of determining when a permit modification is needed as determined by
9 the EA pursuant to §21665(d)(1).

10 (6) "Significant Change in the design or operation of the solid waste facility that is not authorized by the
11 existing permit" means a change in design or operation of a solid waste facility where the EA has determined
12 pursuant to §21665 that the change is of such consequence that the solid waste facilities permit needs to
13 include further restrictions, prohibitions, mitigations, terms, conditions or other measures to adequately
14 protect public health, public safety, ensure compliance with State minimum standards or to protect the
15 environment. The definition is only for purposes of determining when a permit needs to be revised and
16 should not be utilized for making determinations relative to the California Environmental Quality Act (CEQA),
17 Title 14, CCR §15000 et seq.

18 NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code. Reference: Sections 43020, 43021, and
19 43000-45802, Public Resources Code.

20 **Article 2. CIWMB – Applicant Requirements.**

21
22 **§ 21570. CIWMB – Filing Requirements. (T14:§18201)**

23 (a) Any operator of a disposal site who is required to have a full solid waste facilities permit SWFP and waste
24 discharge requirements pursuant to Public Resources Code, Division 31 and §20080(f) shall submit an
25 application package for a solid waste facilities permit in duplicate to the EA pursuant to ¶(f). The applicant
26 shall also simultaneously submit one copy of the application form and the Joint Technical Document (JTD) to
27 the Regional Water Quality Control Board (RWQCB) and one copy of the application form to the director of
28 the local agency that oversees local land use planning for the jurisdiction in which the site is located. The
29 applicant shall ensure demonstration of financial assurances to the CIWMB pursuant to Chapter 6 of this
30 Subdivision.

31 (b) All other applicants who are required to have a full solid waste facilities permit SWFP shall submit an
32 application package for a solid waste facilities permit SWFP in duplicate to the EA pursuant to ¶(f) and one
33 copy of the application form to the director of the local agency that oversees local land use planning for the
34 jurisdiction in which the site is located. The applicant shall also simultaneously submit one copy of the
35 application form to the RWQCB.

36 (c) Any application package submitted to the EA shall be accompanied by the fee specified by the EA
37 pursuant to Public Resources Code ~~PRC~~ §44006(c).

38 (d) The application package shall require that information be supplied in adequate detail to permit thorough
39 evaluation of the environmental effects of the facility and to permit estimation of the likelihood that the
40 facility will be able to conform to the standards over the useful economic life of the facility. The application
41 package shall require, among other things, that the applicant and the owner give the address at which
42 process may be served upon them.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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- 1 (e) All information in the application package shall be certified by the applicant and the owner of the site as
2 being true and accurate to the best knowledge and belief of each. The applicant, owner of the facility, or
3 both, shall supply additional information as deemed necessary by the EA.
- 4 (f) A complete and correct application package shall include, but not necessarily be limited to, the following
5 items:
- 6 (1) Application For Solid Waste Facilities Permit/Waste Discharge Requirements Form (CIWMB E-1-77,
7 Version 8-04, Appendix 1); and
- 8 (2) Complete and correct Report of Facility Information. In the case of disposal sites, this will be a Report of
9 Disposal Site Information (RDSI) in the format of a JTD or a Disposal Site Facility Plan or Disposal Facility
10 Report in the format of a JTD; and
- 11 (3) California Environmental Quality Act (CEQA) compliance information as follows:
- 12 (A) Evidence that there has been compliance with the CEQA, Division 13 (commencing with §21000) of the
13 Public Resources Code, regarding the facility; or
- 14 (B) Information on the status of the application's compliance with the CEQA regarding the facility, including
15 the proposed project description. Once there has been compliance with the CEQA regarding the facility,
16 evidence of compliance shall be submitted to the EA; and
- 17 (4) Any CEQA Mitigation Monitoring Implementation Schedule; and
- 18 (5) Conformance finding information, including one of the following:
- 19 (A) Until a countywide or regional agency integrated waste management plan has been approved by the
20 CIWMB, the application shall include statements that: the facility is identified and described in or conforms
21 with the County Solid Waste Management Plan, or otherwise complies with Public Resources Code §50000;
22 and that the facility is consistent with the city or county General Plan and compatible with surrounding land
23 use, in accordance with Public Resources Code §50000.5; or
- 24 (B) After a countywide or regional agency integrated waste management plan has been approved by the
25 CIWMB, the application shall include a statement that: the facility is identified in either the countywide siting
26 element, the nondisposal facility element, or in the Source Reduction and Recycling Element for the
27 jurisdiction in which it is located; or, that the facility is not required to be identified in any of these elements
28 pursuant to Public Resources Code §50001; and
- 29 (6) For disposal sites, completeness determination of Preliminary or Final Closure/Postclosure Maintenance
30 Plan as specified in §§21780, 21865, and 21890 (Subchapter 4 of this Chapter); and
- 31 *[Note: The operator has the option of submitting the preliminary closure plan with the JTD, in which case*
32 *the EA, RWQCB, and CIWMB would review it at the same time. If deemed complete by the reviewing*
33 *agencies, the solid waste facilities permit application package could then be accepted for filing if all other*
34 *information in the JTD is accepted by the EA. Or the operator can submit a stand alone preliminary closure*
35 *plan to be deemed complete by reviewing agencies before the application package is submitted to the EA.*
36 *For CIWMB purposes, all final closure/postclosure plans are stand alone documents but can be processed*
37 *jointly with a proposed solid waste facilities permit revision as long as the final plan is determined complete*
38 *prior to approval of the proposed solid waste facilities permit. The JTD Index prepared for the EA should*
39 *show where each closure requirement is addressed in the closure/post-closure plan.]*

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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- 1 (7) For disposal sites, current documentation of acceptable funding levels for Financial Assurance Mechanism
2 (in accordance with Chapter 6, Division 2); and
- 3 (8) For disposal sites, current documentation of compliance with operating liability requirements in
4 accordance with Chapter 6;
- 5 ~~(9) Land use and/or entitlements for the facility (e.g., Conditional Use Permits or zoning ordinance);~~
- 6 ~~(10)~~ (9) For disposal sites permitted for more than 20 tons-per-day, a ground or aerial survey to be
7 completed at least once every five years or more frequently as determined by the EA enforcement agency.
8 For disposal sites permitted for 20 tons-per-day or less, a ground aerial survey must be completed at least
9 once every ten years. Survey results must be submitted as a CADD or vector graphics data file including at
10 least two strata, i.e., 1) a stratum showing the base and finished ground surfaces, and 2) a stratum showing
11 the existing and finished ground surfaces. For disposal sites where a change in permitted volume is
12 proposed, a third stratum showing the base and proposed finished ground surface must be included. For
13 each stratum the following information shall be included: site name, stratum name, surface1 name, surface2
14 name, volume calculation method (grid, composite, section), expansion (cut) factor, compaction (fill) factor,
15 cut volume, fill volume and net volume. All volumes shall be reported in cubic yards. If the base ground
16 surface is uncertain, the operator is allowed to provide the best available information as a substitute for the
17 actual as-built contours. If selecting this substitute method, the operator must provide an explanation of the
18 basis for using the substitute base ground surface. For the purposes of this section the following definitions
19 apply:
- 20 (A) "base ground surface" - the best available excavation plan surface that existed prior to the placement of
21 any waste;
- 22 (B) "CADD" - computer aided design and drafting;
- 23 (C) "compaction (fill) factor" - the factor used to correct for expected compaction of fill material; this factor
24 should normally be unity (one); if the factor is not unity (one), an explanation must be provided for the basis
25 of the volumetric correction;
- 26 (D) "cut volume" - for any stratum, the volume removed by a cut of a lower surface to achieve the upper
27 surface;
- 28 (E) "existing ground surface" - the topography that exists at the time of the subject survey;
- 29 (F) "expansion (cut) factor" - the factor used to correct for expected expansion of a cut surface; this factor
30 should normally be unity (one); if the factor is not unity (one), an explanation must be provided for the basis
31 of the volumetric correction;
- 32 (G) "fill volume" - for any stratum, the volume bound between the upper and lower surfaces;
- 33 (H) "finished ground surface" - the final fill plan surface as shown in the approved closure plan for the
34 disposal site;
- 35 (I) "net volume" - the fill volume less the cut volume;
- 36 (J) "site name" - the name of the disposal site for which the survey information is being submitted;

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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- 1 (K) "stratum (plural: strata)" - a particular volume of a solid waste landfill bound by specified upper and
2 lower surfaces;
- 3 (L) "stratum name" - a descriptive name for the stratum for which volumetric information is being submitted,
4 e.g., total volume including proposed expansion;
- 5 (M) "surface names" - names for the pair of surfaces that define a named stratum, e.g., base ground surface
6 and proposed finished ground surface;
- 7 (N) "survey" - a comprehensive examination of the disposal site under the direction of registered civil
8 engineer or licensed land surveyor for purposes of determining the topography of the base, existing and
9 finished ground surfaces, and the volumes bound by those surfaces;
- 10 (O) "vector graphics" - computer generated images comprised of lines and shapes of given origin, direction,
11 thickness, color and other attributes;
- 12 (P) "volume calculation method" - grid, composite, section or other method approved by the enforcement
13 agency.
- 14 ~~(11)~~ (10) For disposal sites, one of the following:
- 15 (A)
- 16 (i) In-place density (pounds lbs of waste per cubic yard of waste). The in-place density is the estimated or
17 measured density of in-place waste material achieved by mechanical or other means in the development of
18 the current lift of the current operating waste cell, and
- 19 (ii) Waste-to-cover ratio, estimated, (volume:volume). The waste-to-cover ratio estimate is a unit-less
20 expression of the proportion of the volumes of waste and cover that comprise a volume of compacted fill
21 material, e.g. 4:1. The cover portion of the waste-to-cover ratio estimate should include only soil or
22 approved daily or intermediate alternative cover that is not considered a waste material, i.e., payment of
23 fees to the CIWMB is not required. The waste portion of the waste-to-cover ratio estimate should include
24 only waste material for which payment of fees to the CIWMB is reported, or
- 25 (B) Airspace utilization factor (tons of waste per cubic yard of landfill airspace). The airspace utilization factor
26 (AUF) is the effective density of waste material in the landfill. The AUF is recorded as the total weight of
27 waste material passing over the landfill scales that is placed in a known volume of landfill airspace in a given
28 period of time. The waste portion of the AUF should include only waste material for which payment of fees
29 to the CIWMB is reported.
- 30 ~~(12)~~ (11) List of all public hearings and meetings held and/or notices distributed that are applicable to the
31 proposed solid waste facilities permit action.

32 NOTE: Authority cited: Sections 40002, 40502 and 43020, Public Resources Code. Reference: Sections 43103, 44001-
33 44017, 44100-44101, 44300-44301, 44500-44503 and 44813-44816, Public Resources Code.

34 **§ 21580. CIWMB – Submittal of an Incomplete Application Package (T14:§18203)**

35 The applicant may request, in writing, that the EA accept an incomplete application package. As a condition
36 of acceptance, the applicant shall waive the statutory time limit contained in Public Resources Code PRG
37 §44008. The application package shall conform to ~~section~~ §21570 within 180 days from the date the EA
38 agrees to accept the package as incomplete or the application package shall be rejected. Upon submittal of

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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1 an incomplete package, the applicant shall list the deficiencies in the package, reasons for the incomplete
2 submittal, and a proposed schedule as to when the deficiencies will be submitted. For an application for a
3 new or revised solid waste facilities permit, within 30 days after deeming the application complete, the EA
4 shall notice and conduct an informational meeting as required by §§21660.2 and 21660.3.

5 NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code. Reference: Sections 43103, 44001-44006 and
6 44007-44010, Public Resources Code.

7 **§ 21620. CIWMB – Change in Design or Operation. (new)**

8 (a) ~~Any applicant~~ This section applies to any operator proposing to make a significant change in the design
9 (as defined in subsection 21663(a)(1)) or operation (as defined in subsection ~~division~~ 21663(a)(2)) of the
10 facility, where such change is subject to the authority of the EA acting pursuant to the Integrated Waste
11 Management Act or regulations promulgated under such Act and one of the following categories apply: (1)
12 Minor Change - the change qualifies as a minor change pursuant to §21620(a)(1), in which case the
13 operator shall comply with §21620(a)(1)(~~FE~~); (2) RFI Amendment - the EA has determined that an
14 amendment to the RFI is required for the change, in which case the operator shall comply with
15 §21620(a)(2); (3) Modified Permit - the EA has determined that the solid waste facilities permit requires
16 modification pursuant to §21665(d), in which case the operator shall comply with §21620(a)(3); or (4)
17 Revised Permit - the EA has determined that the solid waste facilities permit requires revision pursuant to
18 §21665(e) or §21620(a)(4), in which case the operator shall comply with §21620(a)(4).

19
20 This section does not apply to changes to the facility, where such a change is not subject to the authority of
21 the EA acting pursuant to the Integrated Waste Management Act or regulations promulgated under such Act.

22
23 **(1) Minor Changes**

24 An operator may implement a minor change without EA review and approval if all of the following criteria set
25 forth in subdivisions (A) through (D) are met and the operator notifies the EA of the minor change as
26 required under subdivision (F):

27 (A) the change is subject to the authority of the EA acting pursuant to the Integrated Waste Management
28 Act or regulations promulgated under such Act;

29 (B) the change is consistent with State minimum standards pursuant to Chapter 3 of this subdivision or
30 applicable minimum standards in Title 14 (commencing with §17200), and including financial assurances and
31 operating liability criteria pursuant to Chapter 6 of this subdivision if applicable;

32 (C) the change is consistent with the terms and conditions in the current solid waste facilities permit; and

33 (D) the change does not conflict with the design and operation of the facility as provided in the current RFI.
34 ~~is listed below:~~

35 (E) Minor changes include, but are not limited to, the following:

36 ~~Alternative 1 Minor Change List contains proposed changes that were identified and fully~~
37 ~~supported by a workgroup consisting of stakeholders who actively participated in the informal~~
38 ~~regulatory process, including industry and EA representatives. Commenters should consider~~
39 ~~both the merit of the list concept as well as the content of the list. Should the changes listed~~
40 ~~below be kept on the list as is, edited, or deleted? Should new changes be added?~~

41 (i) Correction of typographical errors in any documents/documentation submitted by the owner or operator.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 (ii) Changes in the training plan that do not affect the type or decrease the amount of training given to
2 employees.

3 (iii) Changes in any name and phone number, mailing address, or other contact information that does not
4 include a change of the owner or operator.

5 (iv) Changes in emergency equipment (e.g., used for spill or release response) with the same functionally
6 equivalent equipment at the same or higher level of quality.

7 (v) Replace equipment that consists of functionally equivalent components and specifications as the
8 equipment being replaced, which does not cause any change to location or design from the formerly used
9 equipment.

10 (vi) Changes in procedures for cleaning or decontamination of facility equipment or structures.

11 (vii) Changes in tanks used for storage of materials utilized as part of the operation of the facility such as
12 fuel, motor oil, and water without a change in location and consistent with existing design and operation.

13 (viii) Changes in the rental company or location of where the back-up equipment may be sought.

14 ~~**Alternative 2 Optional Minor Change List contains additional changes that could be added to the**~~
15 ~~**Minor Change List shown in Alternative 1, above. These additional changes were identified and**~~
16 ~~**supported by 60 percent of a workgroup consisting of stakeholders who actively participated in**~~
17 ~~**the informal regulatory process, including industry and EA representatives. Commenters**~~
18 ~~**should consider if any of the changes listed below should be moved as is or edited to the Minor**~~
19 ~~**Change List, or dropped from further consideration.**~~

20 (ix) Replacement of an existing environmental or operational monitoring point that has been damaged or
21 rendered inoperable, without change to location or design of the monitoring point.

22 ~~(#x) Updated changes to other regulatory agency documents that are included by reference in a RFI only~~
23 ~~and will not result in a change to the design and/or operation that are within the LEA's authority.~~

24 ~~(#xi) Updated changes to other regulatory agency documents that are included by reference in a RFI only~~
25 ~~and will not result in a change to the design and/or operation.~~

26 ~~(#xii) Changes in containers used for temporary storage of materials separated for recycling that does not~~
27 ~~interfere with the design and operation of the facility.~~

28 ~~(v) Change in name only of owner/operator.~~

29 ~~(#xiii) Change in narrative information (e.g., background information) outside the permitted boundary.~~

30 ~~(#xiv) Change to facility signage wording consistent with State minimum standards.~~

31 ~~(#xv) Changes to improve personnel protective equipment and other safety procedures; needs to be~~
32 ~~consistent with OSHA.~~

33 ~~(#xvi) Changes to traffic patterns on site that do not affect off-site traffic, and/or adjacent improved~~
34 ~~properties.~~

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 (xvii) Adjacent land use map.

2 (xviii) Change in location of facility records.

3 ~~(xii) Change in designated enforcement agency.~~

4 (xix#) Changes in name, address, or phone number of contact in post-closure plan.

5 ~~(xxiv) Changes to equipment maintenance operations associated with the operation of the facility that will~~
6 ~~not change design or operation.~~

7 ~~(xxiv#) Purchase Acquisition of property adjacent to the facility if not used for solid waste activities~~
8 ~~operations.~~

9 (xxii#) Updated changes to documents that are included by reference in a permit or RFI.

10 ~~(xxiii#)~~ Regulation re-numbering as referenced in RFI.

11 ~~(E)~~ the operator shall notice the EA at the time of the change or within 30 days a reasonable time after the
12 change has been made, and the following provisions shall apply:

13 (i) the notice shall be in writing and delivered to the EA by regular mail, email, or fax;

14 (ii) the operator shall identify the minor change in the notice and indicate the effective date of the change;

15 (iii) the notice is for informational purposes only and is not subject to EA compliance measures; however, if
16 the EA determines at a later date that the change does not meet the criteria for minor change, the EA shall
17 provide a finding to the operator in writing as to why the change did not qualify as a minor change and the
18 EA shall ~~may~~ require the operator to comply with all applicable requirements; and

19 (iv) During the regular 5-year permit review, the EA shall review the minor change notices and determine
20 which should be incorporated into the RFI.

21 **(2) Amendment to Report of Facility Information**

22 ~~(b)~~ For those changes in design or operation that do not qualify under subdivision (a)(1) and that require an
23 amendment to the RFI, the operator shall file an amendment to the RFI with the EA at least 180 days prior
24 to the proposed change unless otherwise determined by the EA. Notwithstanding, the EA may determine,
25 based on consultation with the applicant and review of the RFI amendment, that the change meets the
26 criteria in §21665(c), in which case the applicant may file an application less than 180 days prior to making
27 the proposed change. ~~b)~~ Proposed RFIs or amendments to the RFI shall be accompanied by an application
28 form. All amendments shall be submitted as specified in §21570. The applicant shall only submit those items
29 listed in §21570(f) that have changed or are proposed to change, unless otherwise specified by the EA. Such
30 amendments or lack thereof may become the basis for changes in the solid waste facilities permit as
31 determined by the EA as described in §21665. The operator shall have the right to appeal the EA's decision
32 before the hearing panel.

33 **(3) Modified Permit**

34 If the change in design or operation does not qualify under subdivision (a)(1) or (a)(2) meet the
35 requirements of §21665(e), but does meet the requirements of §21665(d) for a modified solid waste facilities

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double-strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 permit, the operator shall submit an application package for a modified solid waste facilities permit pursuant
2 to §21570 which the EA shall process pursuant to §21650.

3
4 **(4) Revised Permit**

5 All other changes in design or operation require a revised solid waste facilities permit pursuant to §21665(e).
6 The operator shall submit an application package for a solid waste facilities permit revision pursuant to
7 §21570 and which shall be processed by the EA pursuant to §21650.

8 ~~Alternative 3 Significant Change List contains proposed changes that were identified and~~
9 ~~supported by 60 percent of a workgroup consisting of stakeholders who actively participated in~~
10 ~~the informal regulatory process, including industry and EA representatives. Commenters~~
11 ~~should consider both the merit of the list concept as well as the content of the list. Should the~~
12 ~~changes listed below be kept on the list as is, edited, or deleted? Should new changes be~~
13 ~~added?~~

14 Notwithstanding anything to the contrary in §21665(e), the following changes in design or operation are
15 considered significant and require an application for a revised permit:

16
17 (A) Increase in maximum amount of permitted tonnage of all waste received.

18
19 (B) Increase in the facility's permitted acreage.

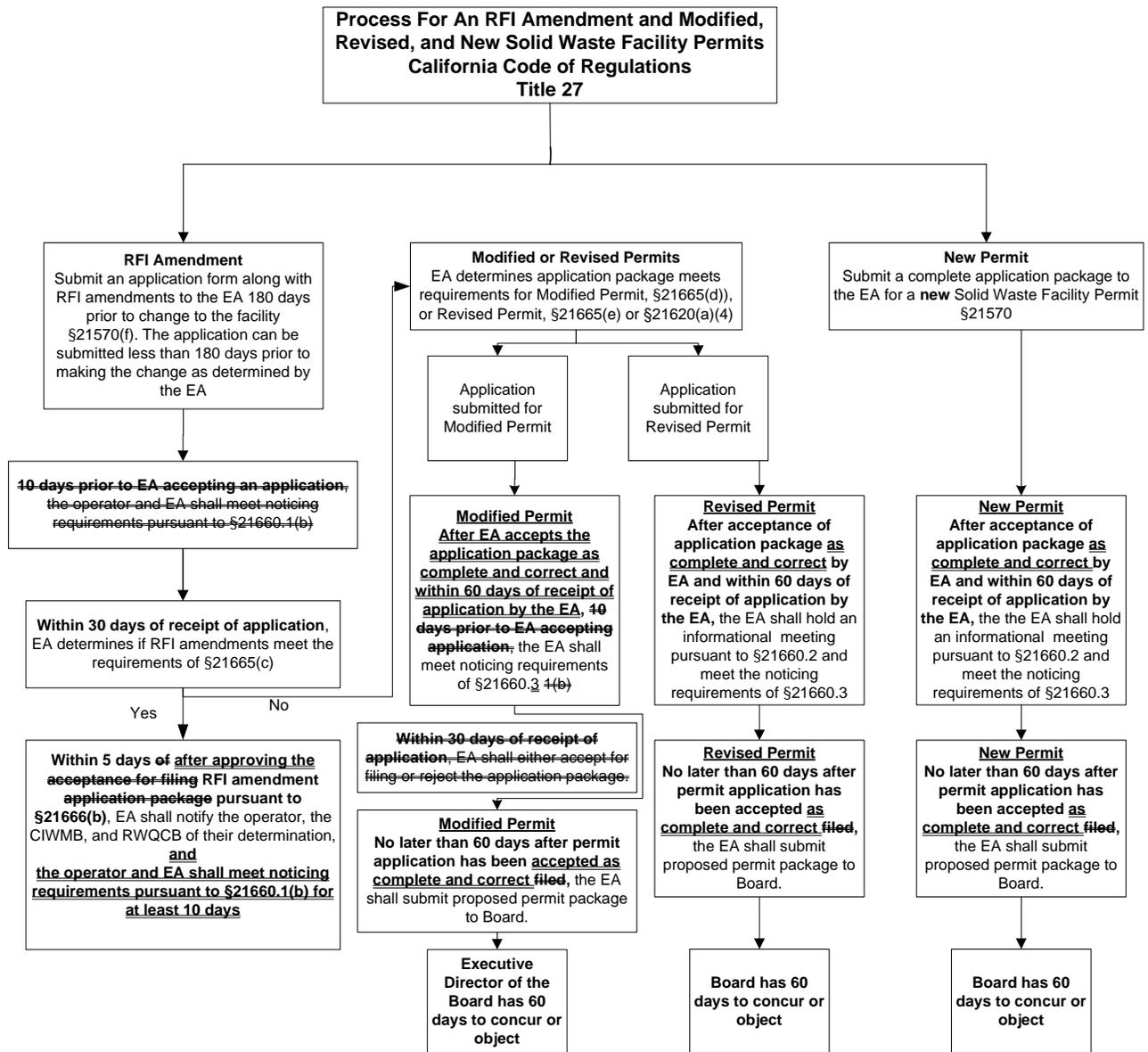
20
21 (C) Increase in the permitted hours of operation.

22
23 (D) For landfill, increase in permitted disposal footprint and/or permitted (final grade) the maximum overall
24 height.

25 Note: changes relative to only those items described in the RFI and not addressed in the current solid waste
26 facilities permit as written by the LEA could be requested, after consultation, through an application pursuant
27 to §21666. To help better understand the process for RFI amendment, and modified, revised and new solid
28 waste facilities permits, but not to supplant the regulations, a flow diagram is provided below:

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikethrough~~ (deletions) depict proposed changes made after the 60-day comment period.



NOTE: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections 43103, 44004 and 44012, Public Resources Code.

Article 3. CIWMB – Enforcement Agency (EA) Requirements

§ 21650. CIWMB – EA Processing Requirements. (T14:§18203)

(a) Upon its receipt, the EA shall stamp the application package with the date of receipt. The EA shall examine the application package to determine whether it meets the requirements of §21570. If the EA finds the package meets the requirements of §21570, the application package shall be accepted and stamped with the date of acceptance. Notwithstanding any other provision of this division, the application package shall be deemed filed on the date of acceptance.

(b) The EA shall either accept or reject the application package within thirty days of its receipt.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

- 1 (c) Within five days of filing, the EA shall notify the CIWMB, and the RWQCB if applicable, of its
 2 determination. The EA shall submit as its notification to the CIWMB a copy of the accepted application form.
 3 The EA shall also forward a copy of the application form to the RWQCB if applicable.
- 4 (d) If the EA determines that the application package does not meet the requirements of §21570, it shall
 5 reject and not file the application, and it shall, within five days of determination, so notify the applicant, the
 6 CIWMB, and the RWQCB if applicable, enumerating the grounds for rejection. The EA shall include in its
 7 notification to the CIWMB a copy of the rejected application form. The application package, together with
 8 the notice of rejection, shall be kept in the EA's file.
- 9 (e) After acceptance of an application for a new or revised full solid waste facilities permit as complete and
 10 correct and within 60 days of receipt of the application by the EA, the EA shall notice and conduct an
 11 informational meeting as required by §§21660.2 and 21660.3. For modified solid waste facilities permits, the
 12 EA shall provide notice as required by §21660.3 after finding the permit application complete and correct
 13 and within 60 days of receipt of the application by the EA pursuant to §21660.1.
- 14 (ef) Upon request of the applicant, the EA may accept an incomplete application package. As a condition of
 15 acceptance, the operator and the EA enforcement agency shall waive the statutory time limit contained in
 16 ~~the~~ Public Resources Code ~~Section §44009.~~ *[Note: Section 21580 is the section for processing the applicant's*
 17 *waiver of timeframes and timing for noticing and holding an informational meeting after the EA deems a*
 18 *previously submitted incomplete package to be complete.]* The EA shall notify the applicant within 30 days if
 19 the applicant's request for review under this subsection has been accepted. If the application package does
 20 not conform with the requirements of §21570 within 180 days from the date of the EA agreeing to accept
 21 the package as incomplete the EA shall reject the application package, pursuant to ¶(d). If the EA finds the
 22 application package meets the requirements of §21570, the application package shall be accepted pursuant
 23 to ¶(c).
- 24 (fg) No later than ~~55-60~~ days after the application package has been accepted as complete and correct filed
 25 and after conducting an informational meeting if required by §§21660.2 and 21660.3, the EA shall mail to
 26 the CIWMB the following:
- 27 (1) A copy of the proposed solid waste facilities permit;
- 28 (2) The accepted application package;
- 29 (3) A certification from the EA that the solid waste facilities permit application package is complete and
 30 correct, including a statement that the RFI meets the requirements of §21600, 14 CCR ~~§18221 or §17863~~
 31 17346.5, 18221.6, 18223.5, or 18227.
- 32 (4) Documentation, if applicable, of the applicant's compliance with any RWQCB enforcement order or the
 33 status of the applicant's WDRs, as described in Public Resources Code ~~PRC~~ §44009.
- 34 (5) Any written public comments received on a pending application and a summary of comments received
 35 at the informational meeting and, where applicable, any steps taken by the EA relative to those comments.
 36 Subsequent to the transmittal of the proposed solid waste facilities permit, the EA shall, within five (5) days
 37 of receipt, provide a copy of any additional written public comments to the CIWMB.
- 38 (6) A solid waste facilities permit review report which has been prepared pursuant to §21675, within the last
 39 five years.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 (7) EA finding that the proposed solid waste facilities permit is consistent with and is supported by existing
2 CEQA analysis, or information regarding the progress toward CEQA compliance.

3 (gh) At the time the EA submits the proposed solid waste facilities permit to the CIWMB, the EA shall submit
4 a copy of the proposed solid waste facilities permit to the applicant, the RWQCB if applicable, and any
5 person so requesting in writing. The copy of the proposed solid waste facilities permit provided to the
6 applicant shall also be accompanied by a form for request for hearing, which the applicant may use to obtain
7 a hearing before a hearing panel to challenge any condition in the solid waste facilities permit. In cases
8 where a hearing panel may be requested, the EA shall notify the CIWMB within seven days of being noticed
9 by the operator.

10 (hi) The proposed solid waste facilities permit shall contain the EA's conditions ~~the EA proposes to include in~~
11 ~~the permit~~. The proposed solid waste facilities permit shall not contain conditions pertaining solely to air or
12 water quality, nor shall the conditions conflict with conditions from WDRs issued by the RWQCB.

13 *[Note: The process to obtain a full solid waste facilities permit ~~SWFP~~ might not include the RWQCB if the*
14 *facility is other than a landfill or disposal site. Therefore, EA submittals of forms and documents to the*
15 *RWQCB will be made if applicable to the type of facility.*

16 *When writing conditions pursuant to 21650(i) the EA should take into consideration PRC §44012, which*
17 *requires the EA to ensure that primary consideration is given to protecting public health and safety and*
18 *preventing environmental damage, and the long-term protection of the environment. The EA should be*
19 *aware of and take into consideration other permits and approvals when writing terms and conditions]*

20 NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code. Reference: Sections 40055, 43103 and 44001-
21 44014, Public Resources Code.

22
23 **§ 21660. CIWMB – ~~Public Notice and Comment; Recordkeeping Requirements. (T14-S18204)~~**
24 **Public Notice and Informational Meeting Requirements.**

25 This Section discusses the requirements for giving public notice and conducting informational meetings as
26 defined in §21563(d)(4) when an application for an RFI amendment, modified solid waste facilities permit,
27 revised solid waste facilities permit, or new solid waste facilities permit is submitted to an EA for
28 consideration. Because the processing time for RFI amendments is less than it is for permits, the noticing
29 requirements for RFI amendments are addressed separately from ~~and~~ modified, revised, and new solid
30 waste facilities permits ~~are the same, they~~ which are addressed together. For new and revised ~~and new~~ full
31 solid waste facilities permits there are additional requirements for ~~noticing and~~ conducting an informational
32 meeting, ~~so new and revised solid waste facilities permits are described separately.~~ Under ¶(b) below is an
33 index locator of the specific subsections for specific solid waste facilities permit applications.

34 (a) The following provisions shall be applied to applications for new solid waste facilities permits, revised and
35 modified solid waste facilities permits, and RFI amendments.

36 (a1) The EA shall maintain a current list of all pending applications at its offices. The list shall be publicly
37 available during normal business hours.

38 (b2) Within 5 days after the EA approves the RFI amendment and within 5 days from the EA receiving the
39 application for new, revised, and modified permits, the EA shall mail written notice of an application to every
40 person who has submitted a written request for such notice.

41 (e3) Written public comments on an application shall be retained by the EA.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 (b) Specific provisions relating to the content of notices, distribution and publishing of notices, and
 2 informational meetings may be found in subsequent sections as follows:

3	<u>Content of Notice for RFI Amendment and Solid Waste Facilities Permit Modification Applications</u>	<u>\$21660.1(a)</u>
4	<u>Publication of Notice for RFI Amendment and Solid Waste Facilities Permit Modification Applications</u>	<u>\$21660.1(b)</u>
5	<u>Informational Meeting for New and Revised <u>Full</u> Solid Waste Facilities Permit Applications</u>	<u>\$21660.2</u>
6	<u>Contents of Notice of New, and Revised, and Modified Permit Applications and</u>	
7	<u>EA Conducted Informational Meeting</u>	<u>\$21660.3(a)</u>
8	<u>Notice Distribution for New, and Revised, and Modified Permit Applications and</u>	
9	<u>EA Conducted Informational Meeting</u>	<u>\$21660.3(b)</u>
10		
11	<u>Substitute Meetings in Place of for EA-Conducted Informational Meetings</u>	<u>\$21660.4</u>
12		
13	<u>Content of Notice of New and Revised <u>Full</u> Permit Applications Using Substituted Meeting or Hearing</u>	<u>\$21660.4(a)</u>
14		
15	<u>Notice Distribution of New and Revised <u>Full</u> Permit Application Using Substituted Meeting or Hearing</u>	<u>\$21660.4(b)</u>
16		

17 NOTE: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections 43020, 43021
 18 and 43000-45802, Public Resources Code.

19
 20 **~~§ 21660.1 Notice for RFI Amendment and Solid Waste Facilities Permit Modification~~**
 21 **Applications.**

22 **(a) Content of Notice for RFI Amendment ~~and Permit Modification~~ Applications**

23 At a minimum, the public notice prepared pursuant to §21660.1(b) for RFI amendment ~~and solid waste~~
 24 ~~facilities permit modification~~ applications approved by the EA shall include the following information:

- 25
- 26 (1) Name and location of facility applying for the RFI amendment ~~or solid waste facilities permit~~
 27 ~~modification.~~
- 28
- 29 (2) Solid waste facilities permit/facility number.
- 30
- 31 (3) Date RFI amendment ~~or solid waste facilities permit modification~~ application was received by the EA.
- 32
- 33 (4) Description of the change proposed as an RFI amendment ~~or solid waste facilities permit modification.~~
- 34
- 35 (5) Date ~~by which~~ the EA approved ~~is required to act upon~~ the RFI amendment and the EA finding pursuant
 36 ~~to §21665(c) or the solid waste facilities permit modification.~~
- 37

38 ~~(6) EA finding or preliminary finding pursuant to §21665(c)(1).~~

39
 40 ~~(7) (6) Information on the availability of appeals to challenge the EA's approval of the RFI amendment~~
 41 pursuant to Public Resources Code §44307.

42 ~~(8) (7) Statement indicating where additional information about the approved application is available ~~(date,~~~~
 43 ~~time, and location) for public review.~~

44
 45 ~~(9) (8) EA and operator contact information.~~

46
 47 **(b) Publication of Notice for RFI Amendment ~~and Permit Modification~~ Applications**

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 In addition to the EA requirements in §21660(a), the operator shall prepare and post within 5 days after the
 2 EA approves ~~at the time~~ the application for at least 10 days ~~is submitted to the EA~~ a temporary notice at the
 3 facility entrance that meets the requirements of §21660.1(a); in addition the EA shall ensure that notices are
 4 distributed for RFI amendment ~~and solid waste facilities permit modification~~ applications as specified below
 5 that contain information pursuant to §21660.1(a). The publication (in hard copy or electronically) shall occur
 6 at one or more of the following locations within 5 days after the EA approves the application for at least 10
 7 days ~~prior to EA taking action pursuant to §21666(a) or §21650(a):~~

8
 9 (1) Posting of notice prepared and posted by the EA on EA's or the Local Jurisdiction's public notice board, if
 10 one exists, or

11
 12 (2) Posting of notice prepared by the EA and posted by the operator on facility's web site, if one exists, or

13
 14 (3) Posting of notice prepared and posted by the EA on EA's web site, if one exists, or

15
 16 (4) Posting of notice prepared by the EA and posted by the Board on the Board's web site, provided that the
 17 EA provides the Board receives with a copy of the notice ~~3-15 days in advance to~~ after the EA approves
 18 ~~accepting~~ the application in order to allow the Board time for processing and posting of the notice.

19
 20 NOTE: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections 43103, 44004
 21 and 44012, Public Resources Code.

22
 23 **§ 21660.2 Informational Meeting for New and Revised Full Solid Waste Facilities Permit**
 24 **Applications.**

25 (a) EA shall conduct an informational meeting for all new and revised full solid waste facilities permit
 26 applications as determined by §21665. The EA shall hold an informational meeting on an application for a
 27 new full-~~standardized or registration~~ solid waste facilities permit or an application for a full solid waste
 28 facilities permit revision required under this Article. The EA may require the operator(s) of the facility or
 29 facilities that are the subject of the informational meeting to pay all costs incurred by the EA in connection
 30 with the meeting. The informational meeting may be combined with another public meeting in which the EA
 31 participates that meets the criteria as specified in §§21660.2(b) and 21660.2(c).

32
 33 (b) The informational meeting shall be held after acceptance of the application package as complete and
 34 correct by the EA and within 60 days of receipt of the application by the EA. The EA shall submit to the
 35 ~~Board~~ a copy of the informational meeting notice at time of issuance. The ~~Board~~ shall post the notice on
 36 its web site as a way to further inform the public.

37 (c) The informational meeting shall meet the following criteria:

38 (1) The meeting shall be held in a suitable location not more than one (1) mile ~~five (5) miles~~ from the facility
 39 that is the subject of the meeting; provided that, if no suitable and available location exists within one (1)
 40 ~~mile~~ five (5) miles of the facility, as determined by the EA, the EA may designate an alternative suitable
 41 location that is as close to the facility as reasonably practical.

42 (2) The meeting shall be held on a day and at a time that the EA determines will enable attendance by
 43 residents living in the vicinity of the facility that is the subject of the meeting.

44 (3) EAs may undertake additional measures to increase public notice and to encourage attendance by any
 45 persons who may be interested in the facility that is the subject of the meeting, including but not limited to
 46 additional posting at the facility entrance, noticing beyond 300 feet if the nearest residence or business is
 47 not within 300 feet of the site, posting in a local newspaper of general circulation, and multilingual notice
 48 and translation, and multiple meeting dates, times and locations.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 (d) The EA may substitute a previous public meeting or hearing for the requirements in this Section pursuant
2 to §21660.4 if the applicant does not object.

3 NOTE: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections 43103, 44004
4 and 44012, Public Resources Code.

5
6 **§ 21660.3 Notice of New, ~~and Revised and Modified Permit Applications and EA Conducted~~**
7 **Informational meeting.**

8
9 **(a) Contents of Notice of New, ~~and Revised and Modified Permit Applications and EA Conducted~~**
10 **Informational Meeting**

11 The public notice prepared pursuant to §21660.3(b) for new, ~~or revised or modified~~ solid waste facilities
12 permit applications shall include the following information:

- 13
- 14 (1) Name and location of the facility or proposed facility.
- 15
- 16 (2) Solid waste facilities permit/facility number (for existing permits).
- 17
- 18 (3) Purpose of the public informational meeting for new and revised full permits.
- 19
- 20 (4) Date the EA accepted the solid waste facilities permit modification/revision/new permit application.
- 21
- 22 (5) Description of the solid waste facilities permit modification/revision(s)/new permit.
- 23
- 24 (6) EA's preliminary determination pursuant to §21665 for modified and revised permits.
- 25
- 26 ~~(7) EA finding pursuant to §21665(c)(1).~~
- 27
- 28 ~~(7)~~ (7) Statement indicating where additional information about the application is available (Date, time, and
29 location) for public review.
- 30
- 31 ~~(8)~~ (8) Date, time, location of the public informational meeting for new and revised full permits.
- 32
- 33 ~~(9)~~ (9) Options for submitting comments.
- 34
- 35 ~~(10)~~ (10) Information on the availability of appeals to challenge the EA's issuance or denial of a modified,
36 revised, or new permit pursuant to Public Resources Code §44307.
- 37
- 38 ~~(11)~~ (11) EA and operator contact information.
- 39

40 **(b) Notice Distribution for New, ~~and Revised and Modified Permit Applications and EA~~**
41 **Conducted Informational Meeting**

42
43 In addition to the requirements in §21660(a) the EA shall prepare a meeting notice that contains information
44 pursuant to §21660.3(a) and distribute the notice as follows:

- 45
- 46 (1) Posting of notice prepared and posted by the EA on the EA's or the Local Jurisdiction's public notice
47 board, if one exists, and
- 48
- 49 (2)(a) For new and revised full permits, ~~the~~ EA shall post the notice in compliance with Government Code
50 §65091, subdivisions (a)-(c), inclusive and with Public Resources Code §44004, subdivisions (h)(1)(A-C).
- 51

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 (b) For new registration, standardized and modified permits, the EA shall post the notice in compliance with
 2 Government Code §65091, subdivisions (a)-(c), inclusive and with Public Resources Code §44004,
 3 subdivisions (h)(1)(A-C), except the EA shall post the notice within 5 days after finding the permit application
 4 complete and correct pursuant to §18104.2 for registration and §18105.2 for standardized; for modified
 5 permits, the EA shall post the notice after finding the permit application complete and correct and within 60
 6 days of receipt of the application by the EA pursuant to §21650. ~~and~~

7
 8 (3) For new and revised full permits, ~~the~~ EA shall mail or deliver the notice 10 days prior to the date of the
 9 informational meeting to the governing body of the jurisdiction within which the facility is located and to the
 10 State Assembly Member and the State Senator in whose districts the facility is located. ~~and~~

11 (4) The EA may undertake additional measures to increase public notice and, for new and revised full
 12 permits, to encourage attendance by any persons who may be interested in the facility that is the subject of
 13 the informational meeting. These additional measures include but are ~~including but~~ not limited to
 14 additional posting at the facility entrance, noticing beyond 300 feet if the nearest residence or business is
 15 not within 300 feet of the site, posting in a local newspaper of general circulation, and multilingual notice
 16 and translation, and multiple meeting dates, times and locations.

17 NOTE: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections 43103, 44004
 18 and 44012, Public Resources Code.

19
 20 **§ 21660.4 Substitute Meetings in Place of ~~for~~ EA-Conducted Informational Meetings.**

21 The EA may substitute the meeting required under §21660.2 with a previously held public meeting on the
 22 same project, as described in the solid waste facilities permit application package and associated CEQA
 23 documents, if the public meeting took place within one year prior to the date the EA accepted the application
 24 as complete and correct, and the applicant does not object. In order for this substitution to be valid, the EA
 25 must have been involved in the previously held meeting to the degree of being present, recognized by the
 26 presider of the meeting, and available to answer questions regarding solid waste facilities permitting
 27 specifications from the public, other entities, or officials in attendance at the meeting.

28
 29 **(a) Content of Notice of New and Revised Full Permit Applications Using Substituted Meeting or**
 30 **Hearing**

31 When a previously held public meeting is to be used to substitute for the meeting requirements in §21660.2
 32 the EA shall prepare and distribute a notice pursuant to §21660.4(b) regarding the application for a new or
 33 revised full solid waste facilities permit as follows:

34
 35 (1) Name and location of the facility or proposed facility.

36
 37 (2) Solid waste facilities permit/facility number (for existing permits).

38
 39 (3) Date and purpose of previously held public informational meeting.

40
 41 (4) Date the EA accepted the solid waste facilities permit revision/new full permit application.

42
 43 (5) Description of the solid waste facilities permit revision(s)/new full permit.

44
 45 (6) EA's preliminary determination pursuant to §21665.

46
 47 ~~(7) EA finding pursuant to §21665(c)(1).~~

48
 49 ~~(7) Statement indicating where additional information about the application is available (date, time, and~~
 50 ~~location) for public review.~~

~~(9)~~ (8) Options for submitting comments, if applicable.

~~(10)~~ (9) Information on the availability of appeals to challenge the EA's issuance or denial of a modified, revised, or new permit pursuant to Public Resources Code §44307.

~~(11)~~ (10) EA and operator contact information.

(b) Notice Distribution for New and Revised Full Permit Application for Substituted Meeting or Hearing

In addition to the requirements in §21660(a) the EA shall prepare a notice that contains information pursuant to §21660.4(a) and distribute the notice as follows:

(1) Posting of notice prepared and posted by the EA on the EA's or the Local Jurisdiction's public notice board, if one exists, and

(2) 10 days prior to the EA making a final determination, the EA shall post the notice in compliance with Government Code §65091, subdivisions (a)-(c), inclusive and with Public Resources Code §44004, subdivisions (h)(1)(A-C), and

(3) 10 days prior to the EA making a final determination, the EA shall mail or deliver the notice to the governing body of the jurisdiction within which the facility is located and to the State Assembly Member and the State Senator in whose districts the facility is located, and

(4) The EA may undertake additional measures to increase public notice to any persons who may be interested in the application, including but not limited to additional posting at the facility entrance, noticing beyond 300 feet if the nearest residence or business is not within 300 feet of the site, posting in a local newspaper of general circulations, and multilingual notice.

NOTE: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections 43103, 44004 and 44012, Public Resources Code.

§ 21663. CIWMB – Issuance of Solid Waste Facilities Permit. (T14:§18208)

(a) Upon compliance with the CEQA and this article, and upon the concurrence of the CIWMB for new and revised solid waste facilities permits, and the Executive Director of the CIWMB for modified solid waste facilities permits, the EA shall issue the solid waste facilities permit as provided in Public Resources Code ~~section~~ §44014. The solid waste facilities permit shall specify the person authorized to operate the facility and the boundaries of the facility. The solid waste facilities permit shall contain such conditions as are necessary to specify a design and operation for which the applicant has demonstrated in the proceedings before the EA the ability to control the adverse environmental effects of the facility.

(1) As used herein, "design" means the layout of the facility (including numbers and types of fixed structures), total volumetric capacity of a disposal site [or total throughput rate of a transfer/processing station, transformation facility, or composting facility] vehicular traffic flow, and patterns surrounding and within the facility, proposed contouring, and other factors that may be considered a part of the facility's physical configuration.

(2) As used herein, "operation" means the procedures, personnel, and equipment utilized to receive, handle and dispose of solid wastes and to control the effects of the facility on the environment.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 NOTE: Authority cited: Sections 40502 and 43200, Public Resources Code. Reference: Sections 43103, 44012 and 44014
2 Public Resources Code.

3
4 **§ 21665. CIWMB – Processing Proposed Changes at Solid Waste Facility Report of Facility
5 Information (RFI) Amendments. (new)**

6 (a) The applicant shall submit an ~~RFI amendment~~ application package pursuant to §§21570 and 21600, or
7 14 CCR §§18221.5, 18221.6, 18223, 18223.5 or §17863 to the EA. The submittal shall contain only those
8 items listed in §21570(f) that have changed, are proposed for change or as otherwise specified by the EA.

9 (b) The EA shall review the applicant's proposed change amendments to the RFI and determine if such a
10 change qualifies as an amendment(s) to the RFI or is ~~lack thereof~~ are the basis for changes in the solid
11 waste facilities permit in which case the EA shall determine if the proposed change will require a solid waste
12 facilities permit modification or a solid waste facilities permit revision pursuant to the following provisions
13 provided in subsequent ¶¶ as follows:

14 (1) RFI Amendment(s) ¶(c)

15 (2) Modified Solid Waste Facilities Permit ¶(d)

16 (3) Revised Solid Waste Facilities Permit ¶(e)

17 (c) **RFI Amendment(s)** - The EA may approve and file the proposed change as an amendment(s) to the
18 RFI without revising or modifying the solid waste facilities permit if all of the following criteria are met:

19 (1) the EA finds that the proposed change is consistent with all applicable certified and/or adopted CEQA
20 documents or has been determined by the EA that the change would not create any adverse environmental
21 impacts and is exempt from the requirements of CEQA; and in that no subsequent EIR or Negative
22 Declaration or supplemental EIR is warranted pursuant to Title 14, Chapter 3, Article 11, §§15162 or 15163,
23 or if the EA finds that the change being requested is exempt from the requirements of CEQA pursuant to
24 Title 14, Chapter 3, Article 5, §§15060 and 15061;

25 (2) the EA has deemed the proposed change acceptable and consistent with, but not limited to, State
26 minimum standards pursuant to Chapter 3 of this subdivision or applicable minimum standards in Title 14
27 (commencing with §17200), and including financial assurances and operating liability criteria pursuant to
28 Chapter 6 of this subdivision if applicable; and

29 (3) the EA finds the changes do not conflict with the terms and conditions in the current solid waste facilities
30 permit SWFP.

31 ~~(d) The EA shall determine if the RFI amendments meet the requirements of ¶(c) within 30 days of receipt.~~

32 ~~(e) Within 5 days of acceptance for filing of the RFI amendment application package, the EA shall notify the~~
33 ~~operator, the CIWMB and the RWQCB of their determination. The EA shall include in their notification to the~~
34 ~~CIWMB, a copy of the amended RFI, and a copy of the application form along with the EA determination~~
35 ~~specified in ¶(d).~~

36 ~~[Note: Submittal of an Application Form in ¶(c) is for tracking purposes.]~~

37 ~~(f) In cases where amendments do not follow the criteria set in this section, the EA may either require the~~
38 ~~operator to submit an application for a revised SWFP pursuant to §21570, or deny the proposed~~

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 ~~amendment, in which case the applicant shall have thirty (30) days within which to appeal the decision to~~
2 ~~the hearing panel.~~

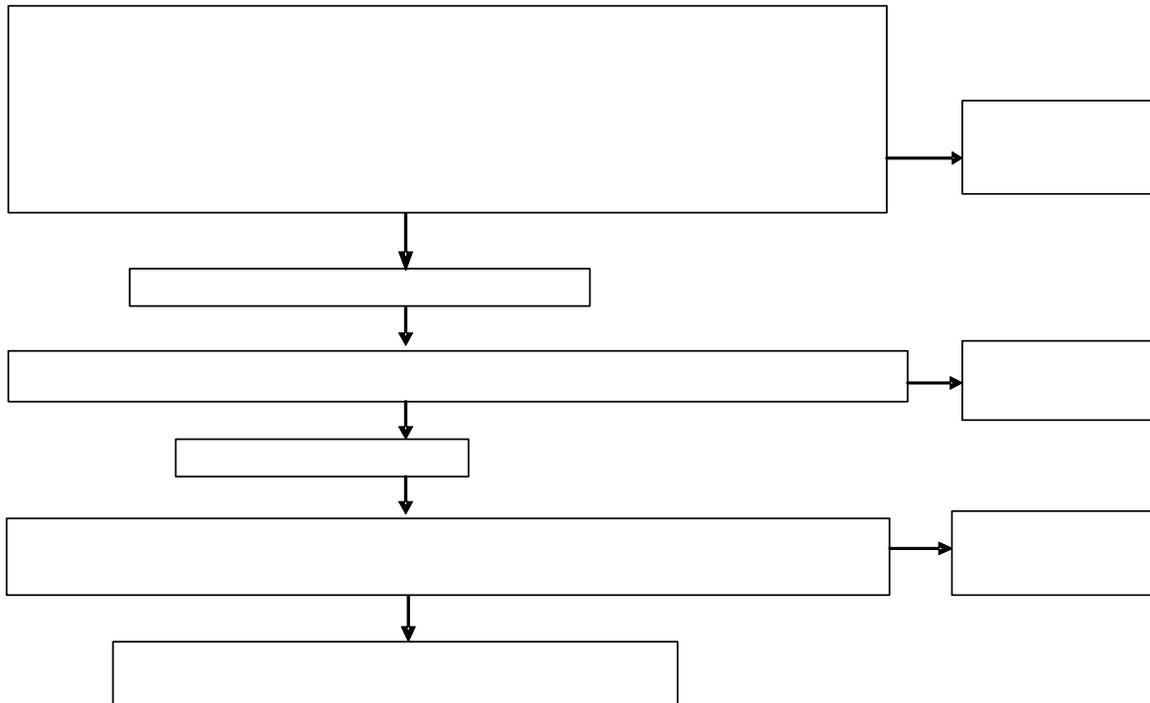
3 (d) Modified Solid Waste Facilities Permit - The EA may determine that the proposed change qualifies
4 as a modified solid waste facilities permit if the proposed change does not meet all of the criteria specified
5 under ¶(c) and meets any of the following criteria:

6 (1) the EA determines that the proposed change is a nonmaterial change as specified in §21563(d)(5), or

7 (2) the EA determines that the proposed change is such that the solid waste facilities permit does not need
8 to include further restrictions, prohibitions, mitigations, conditions or other measures to adequately protect
9 public health, public safety, ensure compliance with State minimum standards or to protect the environment.

10 (e) Revised Solid Waste Facilities Permit - The EA shall determine that the proposed change is a
11 significant change as defined in §21563(d)(6) and requires a revised solid waste facilities permit if the
12 proposed change does not meet the criteria for an RFI Amendment as specified under ¶(c) or a modified
13 solid waste facilities permit as specified under ¶(d).

14 *Note: To help the affected public more readily understand the process used by the EA to determine whether*
15 *a proposed change qualifies as an RFI amendment, modified solid waste facilities permit, or revised solid*
16 *waste facilities permit, a decision tree is provided below; this diagram does not supplant any of these*
17 *regulations:*



18

19 NOTE: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43103, 44004 and
20 44012 Public Resources Code.

(1) The EA finds that the proposed change is consistent with all applicable ce

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 **§ 21666. CIWMB – Processing Report of Facility Information (RFI) Amendment(s).**

2 (a) The EA shall determine if the RFI amendment(s) meet the requirements of §21665(c) within 30 days of
3 receipt and either accept or reject some or all of the amendment(s).

4 (b) Within 5 days of acceptance for filing of the RFI amendment application package, the EA shall notify the
5 operator, the CIWMB and the RWOCB, if applicable, of its determination. The EA shall include in their
6 notification to the CIWMB, a copy of the accepted RFI amendment(s), and a copy of the application form
7 along with the EA determination specified in ¶(a).

8 *[Note: Submittal of an Application Form in §21666 is for tracking purposes.]*

9 (c) In cases where some or all of the amendment(s) do not follow the criteria set in §21665(c), the EA may
10 either require the operator to submit an application for a modified or revised solid waste facilities permit
11 pursuant to §21570, or deny the proposed amendment(s), in which case the applicant shall have thirty (30)
12 days within which to appeal the decision to the hearing panel.

13 NOTE: Authority cited: Sections 40502 and 43200, Public Resources Code. Reference: Sections 43103, 44012 and 44014
14 Public Resources Code.

15
16 **§ 21675. CIWMB – Review of Solid Waste Facilities Permits. (T14:§18213)**

17 (a) Except as provided in §21680, all full solid waste facilities permits ~~SWFPs~~ shall be reviewed and if
18 necessary modified or revised, from the date of last issuance at least once every five years. The EA shall
19 give the operator notice of the five year review no less than 180 days before it is due.

20 (b) The EA shall review the operator's submittal in accordance with §21640 and prepare a solid waste
21 facilities permit review report.

22 (1) The solid waste facilities permit review report shall include documentation that the following have been
23 reviewed: the operator's submittal pursuant to §21640(b), the current solid waste facilities permit and
24 conditioning documents, all RFI amendments since the last solid waste facilities permit review, the CEQA,
25 and any other information in the record to identify any changes.

26 (2) The solid waste facilities permit review report shall determine any actions required by the operator.

27 (c) A copy of the solid waste facilities permit review report shall be submitted to the CIWMB within 150 days
28 from receipt of the application for solid waste facilities permit review.

29 NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code. Reference: Sections 43103 and 44015 Public
30 Resources Code.

31
32 **Article 3.1. CIWMB – CIWMB Requirements**
33

34 **§ 21685. CIWMB – Proposed Solid Waste Facilities Permit; CIWMB Processing Requirements.**
35 **(T14:§18207, §17608)**

36 (a) The CIWMB shall stamp the proposed solid waste facilities permit with the date of receipt at the time the
37 envelope is opened. The CIWMB shall consider each proposed solid waste facilities permit, any public
38 testimony, and comments. Written comments may be submitted to the CIWMB and will become part of the
39 CIWMB record. Such written comments shall be made available to the EA.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double-strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

- 1 (b) The CIWMB shall not concur in issuance of the proposed solid waste facilities permit for new and revised
 2 solid waste facilities permits, and the Executive Director of the CIWMB for modified solid waste facilities
 3 permits, if the following information, if applicable, has not been submitted to the EA and the CIWMB
 4 pursuant to Public Resources Code PRC-§44009:
- 5 (1) Complete and correct Report of Facility Information as certified by the EA,
 6 (2) EA's Solid Waste Facilities Permit Review Report pursuant to §21675,
 7 (3) EA's proposed solid waste facilities permit written pursuant to this Subchapter.
- 8 (4)(A) Information that the facility is identified and described in or conforms with the County Solid Waste
 9 Management Plan (Public Resources Code PRC-§50000); and that the facility is consistent with the city or
 10 county General Plan and compatible with surrounding land use, in accordance with Public Resources Code
 11 PRC-§50000.5; or
- 12 (B) After a countywide or regional agency integrated waste management plan has been approved by the
 13 CIWMB, the EA's finding that the facility has met the requirements of Public Resources Code PRC-§50001.
- 14 (5) Documentation sufficient for the CIWMB to deem that a Preliminary or Final Closure/Postclosure
 15 Maintenance Plan is consistent with closure and postclosure maintenance state minimum standards
 16 (including, but not limited to, Chapters 3 and 4) for those portions of the plan subject to CIWMB jurisdiction,
 17 if applicable;
- 18 (i) For closure plans submitted as part of a JTD, the determination whether the plans are consistent with
 19 state minimum standards shall be made within 60 days of the plans being considered complete pursuant to
 20 §21860(c).
- 21 (ii) This preliminary determination shall constitute the staff recommendation for the Board consideration of
 22 concurrence with a solid waste facilities permit ~~SWFP~~ unless the application package, of which the JTD was a
 23 part, is amended or modified.
- 24 (iii) This determination is solely for the Board consideration of concurrence with a solid waste facilities permit
 25 ~~SWFP~~ and does not constitute any final determination for the closure plans review process pursuant to
 26 §21860.
- 27 ~~(6) Land Use and/or Conditional Use Permits;~~
- 28 ~~(7)~~ (6) (A) Current documentation of acceptable funding levels for Financial Assurances Documentation in
 29 accordance with Chapter 6, if applicable; and
- 30 (B) Current documentation of compliance with Operating Liability Requirements, if applicable (Chapter 6).
- 31 ~~(8)~~ (8) The CIWMB shall ensure the facility is operating consistent with State Minimum Standards, pursuant
 32 to Subchapter 4 of Chapter 3 of this subdivision or applicable minimum standards in Title 14 (§17200 et
 33 seq.),
- 34 ~~(9)~~ (9) The EA finding that existing CEQA documentation is consistent with and supports the proposed solid
 35 waste facilities permit and RFI or supporting information indicating the EA has found that approval of the

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 proposed solid waste facilities permit would not lead to any adverse environmental impacts and is exempt
2 from the requirements of CEQA.

3 (c) The CIWMB, with respect to ~~for~~ new and revised solid waste facilities permits, and the Executive Director
4 of the CIWMB, with respect to ~~for~~ modified solid waste facilities permits, shall either concur or object to the
5 issuance of the proposed solid waste facilities permit within sixty days of receipt, except as authorized by
6 Public Resources Code PRC-§44009, or by operator's consent. If the CIWMB or Executive Director objects to
7 a proposed solid waste facilities permit, it shall accompany its objection with an explanation of its action,
8 which may suggest conditions or other amendments that may render the proposed solid waste facilities
9 permit unobjectionable; however, such suggestions do not constitute approval of the proposed solid waste
10 facilities permit subject to incorporation of the suggestions. The Executive Director shall report to the
11 CIWMB on his or her concurrence or denial of modified permits at its next regularly scheduled meeting or via
12 a memo, and post this information on the CIWMB's web site or agenda.

13 (d) If an applicant or enforcement agency requests that revisions, additions or amendments be considered,
14 these will be considered in accordance with the conditions specified in §21580 and ~~Subsection 1~~(e) of
15 §21650 respectively.

16
17 NOTE: Authority cited: Sections 40502 and 43020, Public Resources Code. Reference: Sections 43103, 44007-44010, and
18 44014 Public Resources Code.

1 **Title 14. Natural Resources**

2 **Division 7. California Integrated Waste Management Board**

3 **Chapter 3. Minimum Standards for Solid Waste Handling and Disposal**

4
5 **Article 5.9. Construction and Demolition and Inert Debris Transfer/Processing Regulatory**
6 **Requirements**

7
8 ~~§ 17383.10. Public Hearing.~~

9 ~~(a) Provided that a comparable public hearing has not been held within the year preceding the EA's receipt~~
10 ~~of a complete and correct application, the EA shall hold an informational public hearing on an application for~~
11 ~~a Registration Permit or a Full Permit required under this Article. The EA may require the operator(s) of the~~
12 ~~facility or facilities that are the subject of the hearing to pay all costs incurred by the EA in connection with~~
13 ~~the hearing. The hearing may be combined with another hearing in which the EA participates that meets the~~
14 ~~criteria in this section. In the case of an application for a Full Permit, the hearing shall be held before the EA~~
15 ~~submits the proposed permit to the board for concurrence. In the case of an application for a Registration~~
16 ~~Permit, the hearing shall be held before the EA issues the permit. The EA shall submit to the board a~~
17 ~~statement that the hearing required by this section was held, in the case of a Full Permit, at the time the EA~~
18 ~~submits the proposed permit to the board for concurrence, or, in the case of a Registration Permit, at the~~
19 ~~time the EA submits a copy of the permit it has issued.~~

20 ~~(b) The hearing shall meet the following criteria:~~

21 ~~(1) Notice of the hearing shall be given pursuant to Government Code Section 65091, subdivisions (a) (c),~~
22 ~~inclusive.~~

23 ~~(2) Notice of the hearing shall also be given to the governing body of the jurisdiction within which the facility~~
24 ~~is located and to the State Assembly Member and the State Senator in whose districts the facility is located.~~

25 ~~(3) The hearing shall be held in a suitable location not more than five (5) miles from the facility that is the~~
26 ~~subject of the hearing; provided that, if no suitable location exists within five (5) miles of the facility, as~~
27 ~~determined by the EA, the EA may designate an alternative suitable location that is as close to the facility as~~
28 ~~reasonably practical.~~

29 ~~(4) The hearing shall be held on a day and at a time that the EA determines will enable attendance by~~
30 ~~residents living in the vicinity of the facility that is the subject of the hearing.~~

31 ~~(c) EAs may undertake additional measures to extend public notice and to encourage attendance by any~~
32 ~~persons who may be interested in the facility that is the subject of the hearing.~~

33 ~~NOTE: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43020 and 43021~~
34 ~~Public Resources Code.~~

35
36 **Article 5.95. Construction and Demolition Waste and Inert Debris Disposal Regulatory**
37 **Requirements**

38
39 **§17388.3 Inert Debris Engineered Fill Operations.**

40 Inert debris engineered fill operations shall submit EA Notifications, as set forth in CCR, Title 14, Section
41 18100 et seq. and shall comply with all applicable RWQCB waste discharge requirements.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

- 1 (a) Each operator of an inert debris engineered fill operation shall submit a copy of its waste discharge
2 requirements or a letter of exemption from the applicable RWQCB to the EA together with its notification of
3 intent to operate.
- 4 (b) Inert debris engineered fill operations shall be inspected as necessary by the EA to verify compliance
5 with State Minimum Standards. Inspections shall be conducted quarterly, unless the EA determines a lesser
6 frequency is sufficient, but in no case shall the inspection frequency be less than annual. ~~To the greatest~~
7 ~~extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.~~
- 8 (c) Each operator of an inert debris engineered fill operation shall file an "Operation Plan" (as specified in
9 this Article, Section 17390) with the EA together with its notification of intent to operate. The information
10 contained in the Plan shall be reviewed by the EA to determine whether it is complete and correct as defined
11 in CCR, Title 14, Section 18101.
- 12 (d) All inert debris engineered fill operations shall comply with the State Minimum Standards set forth in Title
13 27 CCR, Division 2, Chapter 3.0, Subchapter 4, Article 1 (Operating Criteria), Article 3 (Handling, Equipment
14 and Maintenance), and Article 4 (Controls) (except sections 20515, 20640, 20880, and 20890).
- 15 (e) By March 1 of each year, the operator shall report to the EA and the board the total amount of inert
16 debris deposited during the previous year. However, the operator is not subject to the disposal reporting
17 record requirements of Title 14 CCR, Division 7, Chapter 9, Article 9.2 or the disposal fee specified in Public
18 Resources Code ~~PRC~~ Section 48000 and Revenue and Taxation Code Section 45151.
- 19 (f) All inert debris engineered fill operations, upon completion of cessation of fill activities for more than one
20 year and upon any transfer of any part of the land subject to the operation prior to completion of fill
21 activities, shall comply with the requirements in Title 27, Subsections 21170(a)(1, 2 and, if applicable, 3).
- 22 (g) Upon the final placement of waste at the site, the operator shall cover the site of fill with three feet of
23 compacted soil above the fill area or with other final cover as determined by the EA. The EA may determine,
24 on the basis of substantial evidence, that a lesser amount of final cover or no final cover is needed, based on
25 potential impacts to the public health, safety and the environment.
- 26 (h) If an inert debris engineered fill operation exceeds any combination of the following requirements three
27 (3) or more times within any two (2) year period which the EA determines constitutes a violation of this
28 Article, the facility no longer qualifies for an EA Notification under this section. Upon the third such violation,
29 the EA shall notify the operator in writing that the facility no longer qualifies for an EA Notification, and the
30 operator must within 30 days apply for a Full Permit as if it were a CDI Waste Disposal Facility pursuant to
31 Section 17388.5. In addition, the EA shall issue a cease and desist order pursuant to Section 18304
32 directing, among other things, that the operator immediately cease accepting material at the site until the
33 operator has demonstrated to the EA that it has corrected the violation and eliminated the cause of the
34 violation. Notwithstanding, the EA may at any time take any additional enforcement action the EA deems
35 appropriate. The requirements to which this Subdivision applies are:
- 36 (1) Disposal of any wastes not authorized by Subsection 17388(l);
- 37 (2) Failure to comply with the requirements for certification by an engineer specified in Subsection
38 17388(l);
- 39 (3) Failure to comply with requirements for operator certification of materials disposed in the fill as required
40 by Subsection 17388(l).

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 (i) Inert debris engineered fill operations are not required to meet the notification requirements of this Article
 2 if the operation is occurring at a disposal facility that has a full solid waste facilities permit and the permit
 3 authorizes the activity either through a specific condition in the permit or as described and approved in the
 4 Report of Disposal Site Information.

5 NOTE: Authority cited: Sections 40502, 43020, 43021, and 48007.5, Public Resources Code. Reference:
 6 Sections 43020 43021, 48007.5, Public Resources Code.

7 **§ 17388.4. Inert Debris Type A Disposal Facilities.**

8 Inert debris Type A disposal facilities shall obtain Registration Permits and shall comply with the Registration
 9 Permit requirements as set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0 (commencing at
 10 Section 18100), with the following requirements set out in CCR, Title 27, Division 2, Chapter 4, Subchapter
 11 3, Article 2 (commencing at Section 21570) in the same manner as if they were municipal solid waste
 12 landfills, CCR, Title 14, Division 7, Chapter 9, and with all RWQCB waste discharge requirements.

13 (a) Each operator of an inert debris Type A disposal facility shall submit a copy of its waste discharge
 14 requirements or a letter of exemption from the applicable RWQCB to the EA together with its application for
 15 a Registration Permit.

16 (b) Inert debris Type A disposal facilities shall be inspected monthly by the EA in accordance with Public
 17 Resources Code PRC Section 43218. ~~To the greatest extent possible, all inspections shall be unannounced~~
 18 ~~and shall be conducted at irregular intervals.~~

19 (c) Each operator shall file with the EA, together with its application for a solid waste facilities permit, a
 20 Disposal Facility Plan (as more fully described in CCR, Title 14, Division 7, Chapter 5, Article 3.2, Section
 21 18223.6).

22 (d) Each operator must comply with the closure and postclosure maintenance requirements of Title 27, CCR,
 23 Division 2, Subchapter 5, Article 2 (commencing with Section 21099).

24 (e) Each operator must comply with the financial assurance requirements for closure and postclosure
 25 maintenance, operating liability and corrective action set forth in Title 27 CCR, Division 2, Chapter 6
 26 (commencing at Section 22200).

27 (f) The EA shall comply with the Enforcement Agency Requirements of Title 27 CCR, Division 2, Chapter 4,
 28 Subchapter 3, Article 3, commencing with Section 21650.

29 (g) Inert debris Type A disposal facilities shall maintain disposal reporting records and comply with the
 30 requirements set forth in Title 14 CCR, Division 7, Chapter 9, Article 9.2 (Disposal Reporting System),
 31 commencing at Section 18800.

32 (h) Inert debris Type A disposal facilities shall comply with the State Minimum Standards set forth in Title 27
 33 CCR, Division 2, Chapter 3.0, Subchapter 4, Articles 1 (Operating Criteria), Article 3 (Handling, Equipment
 34 and Maintenance), and Article 4 (Controls) (except Sections 20880 and 20890).

35 (i) Each operator shall determine the weight of all material received at the facility for disposal and shall
 36 maintain records of the weight of materials as required herein. Until February 24, 2005, weight of material
 37 shall be determined by a conversion factor authorized by the EA for each waste type received. After that
 38 date, weight shall be determined by the use of scales, which may be located at the operation or off-site.
 39 Notwithstanding, operations in a rural city or rural county, as defined in Public Resources Code PRC
 40 Sections 40183 and 40184, and operations that will cease activities within three years from February 24,

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 2004, as reflected in their Operation Plan may determine the weight of materials received by use of
2 conversion factors authorized by the EA for each waste type or combination thereof received. Evidence of
3 the accuracy of the conversion factors shall be provided to the EA annually.

4 (j) If an inert debris Type A disposal facility accepts for disposal any waste not authorized by, or pursuant to,
5 Subsection 17388(k)(1) three (3) or more times within any two (2) year period which the EA determines
6 constitutes a violation of this Article, the facility no longer qualifies for a Registration Permit under this
7 Section. Upon the third such violation, the EA shall notify the operator in writing that the facility no longer
8 qualifies for a Registration Permit, and the operator must within 30 days apply for a Full Solid Waste
9 Facilities Permit as if it were a CDI Waste Disposal Facility pursuant to Section 17388.5. In addition, the EA
10 shall issue a cease and desist order pursuant to Section 18304 directing, among other things, that the
11 operator immediately cease accepting material at the site until the operator has demonstrated to the EA that
12 it has corrected the violation and eliminated the cause of the violation. Notwithstanding, the EA may at any
13 time take any additional enforcement action the EA deems appropriate.

14 NOTE: Authority cited: Sections 40502, 43020, 43021 and 48007.5, Public Resources Code. Reference: Sections 40053,
15 43020, 43021 and 48007.5, Public Resources Code.

16 **§ 17388.5. CDI Waste Disposal Facilities.**

17 CDI waste disposal facilities shall obtain full solid waste facilities permits and shall comply with all
18 requirements promulgated by the board as set forth in CCR, Title 27, Division 2 in the same manner as if
19 they were municipal solid waste landfill units.

20 (a) CDI waste disposal facilities shall maintain disposal reporting records and shall comply with the
21 requirements set forth in Title 14 CCR, Division 7, Chapter 9, Article 9.2 (Disposal Reporting System),
22 commencing at Section 18800.

23 (b) Each operator shall determine the weight of all material received at the facility for disposal and shall
24 maintain records of the weight of materials as required herein. Until February 24, 2005, weight of material
25 shall be determined by a conversion factor authorized by the EA for each waste type received. After that
26 date, weight shall be determined by the use of scales, which may be located at the operation or off-site.
27 Notwithstanding, operations in a rural city or rural county, as defined in Public Resources Code PRG
28 Sections 40183 and 40184, and operations that will cease activities within three years from February 24,
29 2004, as reflected in their Operations Plan may determine the weight of materials received by use of
30 conversion factors authorized by the EA for each waste type or combination thereof received. Evidence of
31 the accuracy of the conversion factors shall be provided to the EA annually.

32 ~~(c) To the greatest extent possible, all site inspections shall be unannounced and shall be conducted at~~
33 ~~irregular intervals.~~

34 NOTE: Authority cited: Sections 40502, 43020, 43021 and 48007.5, Public Resources Code. Reference: Sections 40053,
35 43020, 43021 and 48007.5, Public Resources Code.

36 ~~**§ 17388.6. Public Hearing.**~~

37 ~~-(a) Provided that a comparable public hearing has not been held within the year preceding the EA's receipt~~
38 ~~of a complete and correct application, the EA shall hold an informational public hearing on an application for~~
39 ~~a Registration Permit or a Full Permit required under this Article. The EA may require the operator(s) of the~~
40 ~~facility or facilities that are the subject of the hearing to pay all costs incurred by the EA in connection with~~
41 ~~the hearing. The hearing may be combined with another hearing in which the EA participates that meets the~~
42 ~~criteria in this section. In the case of an application for a Full Permit, the hearing shall be held before the EA~~
43 ~~submits the proposed permit to the board for concurrence. In the case of an application for a Registration~~
44 ~~Permit, the hearing shall be held before the EA issues the permit. The EA shall submit to the board a~~

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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1 ~~statement that the hearing required by this section was held, in the case of a Full Permit, at the time the EA~~
2 ~~submits the proposed permit to the board for concurrence, or, in the case of a Registration Permit, at the~~
3 ~~time the EA submits a copy of the permit it has issued.~~

4 ~~(b) The hearing shall meet the following criteria:~~

5 ~~(1) Notice of the hearing shall be given pursuant to Government Code Section 65091, subdivisions (a) - (c),~~
6 ~~inclusive.~~

7 ~~(2) Notice of the hearing shall also be given to the governing body of the jurisdiction within which the facility~~
8 ~~is located and to the State Assembly Member and the State Senator in whose districts the facility is located.~~

9 ~~(3) The hearing shall be held in a suitable location not more than five (5) miles from the facility that is the~~
10 ~~subject of the hearing; provided that, if no suitable location exists within five (5) miles of the facility, as~~
11 ~~determined by the EA, the EA may designate an alternative suitable location that is as close to the facility as~~
12 ~~reasonably practical.~~

13 ~~(4) The hearing shall be held on a day and at a time that the EA determines will enable attendance by~~
14 ~~residents living in the vicinity of the facility that is the subject of the hearing.~~

15 ~~(c) EAs may undertake additional measures to extend public notice and to encourage attendance by any~~
16 ~~persons who may be interested in the facility that is the subject of the hearing.~~

17 ~~NOTE: Authority cited: Sections 40502, 43020, 43021 and 48007.5, Public Resources Code. Reference: Sections 40053,~~
18 ~~43020, 43021 and 48007.5, Public Resources Code.~~

19
20 **Chapter 5. Enforcement of Solid Waste Standards and Administration of Solid Waste Facility**
21 **Permits; Loan Guarantees**
22

23 **Article 2.1. LEA Certification Requirements**
24

25 **§ 18077. Enforcement Program Plan (EPP).**

26 (a) The LEA shall develop, adopt, and submit for board approval an EPP pursuant to Public Resources Code
27 Section 43209(e). The EPP shall embody the designation and certification requirements and demonstrate
28 that the LEA meets all the requirements pursuant to Public Resources Code Sections 43200, 43203, 43207,
29 and 43209, 14 CCR Division 7, Chapters 3 and 5, and 27 CCR Division 2, Subdivision 1 (Section §20005 et
30 seq.). At a minimum, the EPP shall include the following written components:

- 31 (1) a certification request letter;
- 32 (2) an accepted designation information package (DIP) pursuant to 14 CCR Section 18051;
- 33 (3) a statement of EPP goals and objectives;
- 34 (4) a copy of the enabling ordinance(s) or resolution(s) for the LEA jurisdictional authority;
- 35 (5) a copy of all local solid waste collection, handling, storage, and disposal statutes or ordinances;
- 36 (6) a comprehensive list of all types of solid waste facilities and disposal sites, and solid waste handling and
37 collection vehicles within the jurisdiction;
- 38 (7) a time task analysis demonstrating the adequacy of staff resources pursuant to 14 CCR Section 18073;
- 39 (8) a demonstration of staff technical expertise;
- 40 (9) an operating budget demonstrating adequacy of budget resources pursuant to 14 CCR Section 18074;

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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- 1 (10) a detailed staff training procedure pursuant to 14 CCR Section 18075;
- 2 (11) a procedure manual for solid waste facility permitting and closure or postclosure;
- 3 (12) a procedure manual for random and unannounced inspection and investigation, compliance assurance,
- 4 enforcement, and hearing panel utilization; and
- 5 (13) a procedure manual for disposal site identification, assessment, and corrective actions.

6
 7 NOTE: Authority cited: Sections 40502, 43020, 43200 and 43214, Public Resources Code. Reference: Sections 43200-
 8 43209, Public Resources Code.
 9

Article 2.2. LEA Performance Standards, Evaluation Criteria, and Duties and Responsibilities

§ 18083. LEA Duties and Responsibilities for Inspections.

10 (a) Pursuant to Public Resources Code Division 30, Parts 4 and 5, and 14 CCR Division 7, Chapters 3 and 5,
 11 27 CCR, Division 2, Subdivision 1 (Section 20005 et seq.), and its EPP, the LEA/EA shall inspect and
 12 investigate solid waste collection, handling, and storage, solid waste facilities, operations and disposal sites
 13 and equipment to verify compliance with the state minimum standards, solid waste facilitiesy permits, and
 14 related state solid waste laws and regulations within their purview for the protection of the environment and
 15 the public health. The LEA shall perform these inspections and related duties as required below, and forward
 16 inspection reports to the operator, and/or owner, and the board within 30 days of the inspection:
 17
 18
 19

- 20 (1) Weekly, for sites operating on performance standards pursuant to 27 CCR Section 20695;
- 21 (2) monthly, for all active and inactive facilities, and for illegal sites and facilities, pending abatement by
- 22 enforcement action(s);
- 23 (3) at the frequency required by the state minimum standards for each type of operation regulated under
- 24 the EA Notification tier.
- 25 (4) quarterly, for closed sites, abandoned sites, and sites exempted pursuant to 27 CCR Section 21565. For
- 26 closed sites, inspections shall be made until no potential threat exists to public health and safety or the
- 27 environment. This determination shall be subject to board approval. For the purposes of this subsection, the
- 28 enumeration, and the workload analysis, a closed site means a site that has ceased accepting waste and,
- 29 should be closed, is undergoing closure, or has met applicable closure requirements;
- 30 (A) the board may approve an alternate inspection frequency for these sites where such an action will not
- 31 result in adverse impact on public health and safety and the environment.
- 32 (5) if an LEA has been designated as the EA for waste tire facilities or entered into an agreement with the
- 33 board through a grant program to inspect tire facilities, major waste tire facilities shall be inspected annually,
- 34 minor waste tire facilities shall be inspected at least once every two and a half years pursuant to 14 CCR
- 35 Section 18443;
- 36 (6) upon receipt of a complaint or emergency notification which cannot be resolved off-site;
- 37 (7) as necessary, pursuant to the EPP, upon receipt of a solid waste facilities permit application, revision,
- 38 review, RFI amendment, or closure/postclosure plan; and
- 39 (8) pursuant to the EPP, for solid waste handling and collection equipment.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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1 (b) As specified in their EPP pursuant to Section 18077, the LEA/EA ~~may~~ shall conduct any of the above
2 inspections, whenever possible, without prior notice to the owner or operator, on randomly selected days,
3 during normal business hours or the site's operating hours.

4
5 NOTE: Authority cited: Sections 40502, 43020, 43200 and 43214, Public Resources Code. Reference: Sections 43200,
6 43209, 43218, 44100 and 44101, Public Resources Code.

7
8 **Article 3.0. Regulatory Tier Requirements**

9
10 **§ 18104.1 Filing Requirements.**

11 Any operator proposing to operate a solid waste facility pursuant to a registration permit shall file an
12 application using form CIWMB 83 "Registration Permit Application" (rev. 12/96), which is incorporated herein
13 by reference, with the enforcement agency. The application shall be ~~which is~~ accompanied by the fee
14 specified by the enforcement agency pursuant to Public Resources Code ~~S~~section 44006(c). (See Appendix
15 A.) This application shall contain the following information:

16 (a) The name and address of the enforcement agency, and the section in Chapters 3 or 3.1 of Division 7 of
17 this Title authorizing eligibility for this tier.

18 (b) General description of the facility including, but not limited to name, location, site map, and location
19 map.

20 (c) Facility information, including, but not limited to, volume and type of waste/material handled, peak and
21 annual loading, hours of operation, traffic, facility size, site capacity, and operating area.

22 (d) Operator information, including identification of the land owner, his/her address and telephone number;
23 identification of the facility operator, his/her address and telephone number; and the address(es) at which
24 process may be served upon the operator and owner.

25 (e) Conformance finding information as follows:

26 (1) Until a countywide or regional agency integrated waste management plan has been approved by the
27 board, the application shall include statements that: the facility is identified and described in or conforms
28 with the County Solid Waste Management Plan, or otherwise complies with Public Resources Code ~~S~~section
29 50000; and that the facility is consistent with the city or county General Plan.

30 (2) After a countywide or regional agency integrated waste management plan has been approved by the
31 board, the application shall include a statement that: the facility is identified in either the countywide siting
32 element, the nondisposal facility element, or in the Source Reduction and Recycling Element for the
33 jurisdiction to be identified in any of these elements pursuant to Public Resources Code Ssection 50001 ~~of~~
34 ~~the Public Resources Code.~~

35 (f) The owner and operator shall each certify under penalty of perjury that the information which they have
36 provided is true and accurate to best of their knowledge and belief.

37 (g) Evidence that the application form was provided to the director of the local agency that oversees local
38 use planning for the jurisdiction in which the site is located.

39 (h) List of all public hearings and meetings held and notices distributed that are applicable to the proposed
40 solid waste facilities permit action.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 NOTE: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43020, 43021,
2 43000-45802 and 50000-50002, Public Resources Code.

3
4 **§ 18104.2 Enforcement Agency Processing Requirements.**

5 (a) Upon receipt of an application filed pursuant to Section 18104.1, the enforcement agency shall mark the
6 application with the date of receipt.

7 (b) The enforcement agency shall notify every person who has submitted a written request to be notified of
8 any application.

9 (c) Within 30 days of receipt, the enforcement agency shall review the application to determine whether it
10 meets the requirements of Section 18104.1.

11 (d) If the enforcement agency finds the application is complete and correct pursuant to Section 18104.1, it
12 shall be accepted for filing and stamped with the date and time of acceptance.

13 ~~e) The enforcement agency shall provide notice and conduct an informational meeting pursuant to Title 27~~
14 ~~Sections 21660.2 and 21660.3, or pursuant to Title 27 Section 21660.34 prior to issuance of the solid waste~~
15 ~~facilities permit.~~

16 (ef) When an application is accepted for filing, the enforcement agency shall issue a registration permit by
17 mailing an executed form CIWMB 81 "Registration Permit" (rev. 1/95), which is incorporated herein by
18 reference, to the applicant. Form CIWMB 81, along with a copy of the accepted application, must be mailed
19 to the applicant within five days of filing. (See Appendix A.)

20 (fg) The enforcement agency shall provide a copy of the registration permit to the board and to any person
21 who has so requested in writing.

22 (gh) If the enforcement agency finds that the application is not complete and correct pursuant to 18104.1, it
23 shall not be accepted for filing. A copy of the rejected application accompanied by an explanation shall be
24 mailed to the applicant within five days.

25 NOTE: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43020, 43021 and
26 43000-45802, Public Resources Code.

27 **§ 18104.7 Permit Review & Reissuance.**

28 (a) Every registration permit shall be reviewed at least once every five years from the date of issuance or
29 reissuance.

30 (b) ~~The board~~ Enforcement Agency shall notify the operator ~~and the enforcement agency Board~~ 60 days
31 before the registration permit is due for review.

32 (c) No fewer than 35 days before the registration permit is due for review, the operator shall submit either a
33 certification that the information contained in the controlling registration permit is current, or shall file a new
34 application pursuant to Section 18104.1.

35 (d) If an operator files a certification as specified in subsection (c) above or a new application pursuant to
36 Section 18104.1, the enforcement agency shall follow the procedures set forth in Sections 18104.2 and
37 18104.3.

38 NOTE: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43020, 43021 and
39 44015, Public Resources Code.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 **§ 18105.1. Filing Requirements.**

2 Any operator proposing to operate a solid waste facility eligible for a standardized permit shall file an
3 application in duplicate with the enforcement agency ~~which is~~ accompanied by the fee specified by the
4 enforcement agency pursuant to Public Resources Code Section 44006(c). This application shall contain the
5 following information:

6 (a) The name and address of the enforcement agency, and the section in Chapters 3 or 3.1 of Division 7 of
7 this Title authorizing eligibility for this tier.

8 (b) General description of the facility including, but not limited to name, location, site map, and location
9 map.

10 (c) Facility information, including, but not limited to, volume and types of waste/material handled, peak and
11 annual loading, hours of operation, traffic, facility size, site capacity, and operating area.

12 (d) Operator information, including identification of the land owner, his/her address and telephone number;
13 identification of the facility operator, his/her address and telephone number; and the address(es) at which
14 process may be served on the operator and owner.

15 (e) A Report of Facility Information that contains all of the information required by the applicable section(s)
16 of Article 3.2, Chapter 5, of this Division.

17 (f) One of the following:

18 (1) Evidence that there has been compliance with the California Environmental Quality Act, Division 13
19 (commencing with Section 21000) of the Public Resources Code, regarding the facility; or,

20 (2) Information on the status of the application's compliance with the California Environmental Quality Act
21 regarding the facility. Once there has been compliance with the California Environmental Quality Act
22 regarding the facility, evidence of compliance shall be submitted to the enforcement agency.

23 (g) Conformance finding information as follows:

24 (1) Until a countywide or regional agency integrated waste management plan has been approved by the
25 board, the application shall include statements that: the facility is identified and described in or conforms
26 with the County Solid Waste Management Plan, or otherwise complies with Public Resources Code Section
27 50000; and that the facility is consistent with the city or county General Plan.

28 (2) After a countywide or regional agency integrated waste management plan has been approved by the
29 board, the application shall include a statement that: the facility is identified in either the countywide siting
30 element, the nondisposal facility element, or in the Source Reduction and Recycling Element for the
31 jurisdiction in which it is located; or, that the facility is not required to be identified in any of these elements
32 pursuant to Public Resources Code Section 50001 ~~of the Public Resources Code~~.

33 (h) The owner and operator shall each certify under penalty of perjury that the information provided is true
34 and accurate to the best of their knowledge and belief.

35 (i) Evidence that the application form was provided to the director of the local agency that oversees local use
36 planning for jurisdiction in which the site is located.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

Text shown in double underline (additions) and ~~double strikeout~~ (deletions) depict proposed changes made after the 60-day comment period.

1 (j) List of all public hearings meetings held and notices distributed that are applicable to the proposed solid
2 waste facilities permit action.

3 NOTE: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43020, 43021,
4 43000-45802 and 50000-50002, Public Resources Code.

5 **§ 18105.2. Enforcement Agency Processing Requirements.**

6 (a) Upon receipt of an application filed pursuant to Section 18105.1, the enforcement agency shall mark the
7 application with the date of receipt.

8 (b) The enforcement agency shall notify every person who has submitted a written request to be notified of
9 any application.

10 (c) Within 30 days of receipt, the enforcement agency shall review the application to determine whether it
11 meets the requirements of Section 18105.1.

12 (d) If the enforcement agency finds the application is complete and correct pursuant to 18105.1(a-e) and (g-
13 h), it shall be accepted for filing.

14 (e) The application shall be stamped with the date and time of acceptance.

15 (f) If the enforcement agency finds that the application is not complete and correct pursuant to 18105.1(a-e)
16 and (g-h), it shall not be accepted for filing. A copy of the rejected application accompanied by explanation
17 shall be mailed to the applicant within five days. (g) Within fifteen days of acceptance of an application for
18 filing:

19 (1) The enforcement agency shall evaluate the information provided in the application and the proposed
20 facility to determine whether or not the facility will be able to operate in compliance with the applicable
21 minimum standards and standardized solid waste facilities permit terms and conditions.

22 2) The enforcement agency shall provide notice and conduct an informational meeting pursuant to Title 27
23 Sections 21660.2 and 21660.3, or pursuant to Title 27 Section 21660.34.

24 (23) If the enforcement agency finds that the application and facility meet the requirements set forth in
25 subdivision (g)(1) of this section then the enforcement agency shall forward the proposed standardized
26 permit, application package, and the results of any analysis to the board. The enforcement agency shall
27 further provide the applicant with a copy of the proposed standardized permit submitted to the board. In
28 addition, the enforcement agency shall provide a copy of the proposed standardized permit to any person
29 who has so requested in writing.

30 (34) If the enforcement agency finds that the application or facility do not meet the requirements set forth in
31 subdivision (g)(1) of this section, the enforcement agency shall reject the application. A copy of the rejected
32 application accompanied by an explanation shall be mailed to the applicant.

33 (h) If evidence of compliance with the California Environmental Quality Act, as required by Section
34 18105.1(f), has not been submitted within 15 days of acceptance of the application as complete, then the
35 decision required by Section 18105.2(g) shall be held in abeyance until compliance with this requirement
36 has been demonstrated. Unless waived by the applicant pursuant to Public Resources Code Section 44008,
37 if evidence of compliance with the California Environmental Quality Act has not been submitted within 120
38 days of the application's acceptance for filing, the enforcement agency shall reject the application and not
39 issue the standardized permit.

CHANGES TO PROPOSED PERMIT IMPLEMENTATION REGULATIONS FOR 15-DAY COMMENT PERIOD.

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1 (i) Once the board has concurred in the issuance of the proposed standardized permit, pursuant to Section
2 18105.5, the enforcement agency shall issue the standardized permit.

3 (j) If the board objects to the proposed standardized permit, the enforcement agency shall notify the
4 applicant in writing of the board's decision, and the reasons for that decision, within five days of receipt of
5 that decision.

6 NOTE: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43020, 43021 and
7 43000-45802, Public Resources Code.

8 **§ 18105.9. Permit Review and Reissuance.**

9 (a) Every standardized permit shall be reviewed at least once every five years from the date of issuance or
10 reissuance.

11 (b) The ~~board~~ Enforcement Agency shall notify the operator ~~and the enforcement agency Board~~ 60 days
12 before the standardized permit is due for review.

13 (c) No fewer than 35 days before the standardized permit is due for review, the operator shall submit either
14 a certification that the information contained in the controlling solid waste facilities permit is current, or shall
15 file a new application pursuant to Section 18105.1.

16 (d) If an operator files a certification as specified in subsection (c) above or a new application pursuant to
17 Section 18105.1, the enforcement agency shall follow the procedures set forth in Sections 18105.2 and
18 18105.3 and the board shall follow the procedures set forth in Section 18105.5.

19 NOTE: Authority cited: Sections 40502, 43020 and 43021, Public Resources Code. Reference: Sections 43020, 43021 and
20 44015, Public Resources Code.

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
September 14, 2006**

Bill	Author	Status	Summary	Task Force Position
AB 32	Nunez and Pavley	Chaptered 9-1-06	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	Letter to Oppose Unless Amended sent 8-29-06
			Proposed Law: This bill would enact the Global Warming Act of 2006, which creates a statewide greenhouse gas (GHG) emission limit that would reduce emissions to 1990 levels by 2020. It would require the Air Resources Board on or before January 1, 2008 to adopt regulations requiring GHG emission sources to monitor and report their emissions to the ARB.	
AB 177	Bogh	Died in Committee 1-31-06	Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.	Letter of Support in Concept sent 3-16-06
			Proposed Law: Revises the definition of biomass conversion, as well as defines the term "biomass waste". It revises the definition of transformation to mean the incineration of mixed solid waste.	
AB 259	Hancock	Chaptered 10-6-05	Existing Law: State law allows counties to place a lien on a property if the owner fails to pay their trash collection fees owed to the County, but does not allow private haulers to do the same.	
			Proposed Law: This bill expands the authorization of counties to attach liens to real property with delinquent solid waste collection bills to include solid waste collection services provided via franchise contract, permit, license or otherwise.	

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
September 14, 2006**

Bill	Author	Status	Summary	Task Force Position
AB 338	Levine	Chaptered 10-7-05	<p>Existing Law: The CA Department of Transportation (Cal Trans) is required to award contracts for pavement using recycled materials (e.g., crumb rubber) only if the price for recycled materials is cost-effective.</p> <p>Proposed Law: This bill requires the amount of asphalt paving materials containing crumb rubber, on and after January 1, 2007, not to be less than 6.62 pounds of crumb rubber material (CRM) per metric ton and increase the amount to 11.58 pounds of CRM per metric ton on and after January 1, 2013, unless Cal Trans delays the implementation of these requirements, pursuant to a specified procedure.</p>	Letters of Support sent 8-25-04 and 3-16-05
AB 399	Montanez	Vetoed 10-07-05	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the Waste Board, by March 1, 2007, to make available one or more model ordinances for multifamily recycling. The bill would also require a local agency, when issuing a building permit for a new construction or a substantial rehabilitation of a multifamily dwelling to provide information on recycling programs.</p> <p><i>Previously</i>, this bill would have required the owners of new multifamily dwellings to arrange for onsite recycling services for residents.</p>	Letters of Opposition sent 5-19-05, 8-31-05, and 10-4-05
AB 574	Wolk	Chaptered 10-7-05	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would authorize the use of recycled concrete materials, if the user has been fully informed that the concrete may contain recycled concrete materials, and prohibit recycled concrete from being offered, provided, or sold to the Department of Transportation or the Department of General Services.</p>	Support if Amended, Letter sent 7-12-05

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
September 14, 2006**

Bill	Author	Status	Summary	Task Force Position
AB 575	Wolk	Chaptered 7-18-05	<p>Existing Law: In 2003, the State enacted the Electronic Waste Recycling Act, which imposes a \$6 to \$10 fee on each Covered Electronic Waste (e.g., televisions, computer monitors, and laptops) sold at point of purchase.</p> <p>Proposed Law: The bill allows a retailer to pay the covered electronic waste-recycling fee (Fee) on behalf of the consumer by paying the Fee directly to the retailer's vendor.</p>	
AB 727	Bermudez	Died in Committee 1-31-06	<p>Existing Law: AB 939 established the following three-tiered solid waste management hierarchy (in order of priority): source reduction, recycling and composting, and environmentally safe transformation and landfilling.</p> <p>Proposed Law: This bill would require the Waste Board, in conjunction with the State Air Resources Board, to identify 6 solid waste facilities throughout the state that have an interest in testing biomass conversion technologies, and assist those facilities in obtaining a new or revised solid waste facilities permit in order to test biomass conversion technologies.</p> <p><i>Previously</i>, this bill would have expanded the waste hierarchy into the following four tiers: source reduction, recycling and composting, recovery through conversion technology (or other beneficial use technologies), and environmentally safe transformation and landfilling.</p>	Letter of Support in Concept sent 3-16-06
AB 1001	Nava	Vetoed 9-30-05	<p>Existing Law: Caltrans is required to award contracts for pavement using recycled materials (e.g., recycled aggregate base) only if the price for recycled materials is cost-effective. In determining cost-effectiveness, the following factors must be included: the lifespan and durability of the recycled pavement, and the cost to maintain the recycled pavement.</p> <p>Proposed Law: This bill would increase the maximum automobile dealer preparation charge from \$45 to \$55.</p> <p><i>Previously</i>, this bill would have required Caltrans to increase the amount of recycled aggregate base used.</p>	Letter of Support sent 5-19-05 and Clarification Letter sent 11-01-05

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
September 14, 2006**

Bill	Author	Status	Summary	Task Force Position
AB 1007	Pavley	Chaptered 9-29-05	<p>Existing Law: Existing Law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and non-vehicular sources, including solid waste collection vehicles, solid waste facilities and other solid waste infrastructure.</p> <p>Proposed Law: This bill would require, no later than January 1, 2007, that the State Air Resources Board, in consultation with specified state agencies, develop and adopt a state plan to increase the use of alternative fuels in order to further reduce those emissions.</p>	
AB 1049	Koretz	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would encourage the placement of a label on specified packages or items informing the consumer that the package-item can be recycled through a substantial majority of California curbside recycling programs.</p>	
AB 1090	Matthews	Died in Committee 1-31-06	<p>Existing Law: AB 939 established the following three-tiered solid waste management hierarchy (in order of priority): source reduction, recycling and composting, and environmentally safe transformation and landfilling.</p> <p>Proposed Law: The act defines the term "transformation" as meaning incineration, pyrolysis, distillation, or biological conversion other than composting. The bill would revise the definition of the term "solid waste facility" to delete a gasification facility and would instead include a conversion technology facility as a solid waste facility.</p>	<p>Letters of Support sent 3-30-05 and 11-01-05. Letter of Clarification sent 2-02-05.</p>

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
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Bill	Author	Status	Summary	Task Force Position
AB 1103	Karnette	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require bicycle retailers to inform their customers that the State encourages the donation of bicycles to charitable organizations rather than disposal.</p>	
AB 1125	Pavley	Chaptered 10-06-05	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The act would require, on and after July 1, 2006, a retailer would have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal, including take back at no cost to the consumer. The bill prohibits the sale of a rechargeable battery to a consumer after July 1, 2006, unless the retailer complies with the act.</p>	
AB 1193	Hancock	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This Bill would prohibit the mass mailings of CDs and DVDs for commercial purposes unless prior consent is given or a postage paid return mailing envelope is provided.</p>	Letter of Support sent 5-19-05
AB 1302	Horton	Enrolled 8-31-06	<p>Existing Law: Under existing law, a regulation, amendment, or order of repeal adopted as an emergency regulation remains in effect for no more than 120 days unless the adopting agency complies with certain requirements.</p> <p>Proposed Law: The bill would extend to 180 days the maximum period of time a regulation, amendment, or order of repeal initially adopted as an emergency regulation would remain in effect. The bill would authorize the office to approve one re-adoption of an emergency regulation for a period not to exceed 90 days.</p>	

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AB 1337 Related: AB 2160, AB 2878, AB 2880, AB 2928	Ruskin	Enrolled 9-12-06	<p>Existing Law: Existing law sets forth various requirements for energy and design efficiency in construction and renovation in state buildings.</p> <p>Proposed Law: The bill would require the Waste Board to adopt regulations for green building standards and require a state building constructed or renovated on or after January 1, 2008, to be designed and operated in accordance with these regulations.</p>	
AB 1351	Vargas	Vetoed 2-23-06	<p>Existing Law: Existing Law prohibits a state agency from issuing or enforcing any guideline or standard unless it has been adopted as a regulation and filed with the Secretary of State.</p> <p>Proposed Law: This bill would permit the San Diego County Regional Airport Authority to additionally issue notes, commercial paper notes, or any other type of obligation allowable by law. This bill would make legislative findings and declarations as to the necessity of a special statute.</p> <p><i>Previously, this bill would have required the Office of Administrative Law, within 30 days after receiving a petition, to decide whether or not to consider the petition on its merits and would make this decision not subject to judicial review.</i></p>	Letters of Clarification sent 8-25-05 and 10-27-05
AB 1389	Oropeza	Died in Committee 1-31-06	<p>Existing Law: It is a crime punishable by a fine to discard a cigarette, match, or any substance that may cause a fire.</p> <p>Proposed Law: This bill would increase the fine amounts for this offense.</p>	
AB 1666	Frommer	Chaptered 9-22-05	<p>Existing Law: Existing Law provides protections for members of the National Guard and reservists called to active duty.</p> <p>Proposed Law: This bill would provide protections for military personal called to active duty with respect to refuse bills, among other things.</p>	Letter of Support sent 5-19-05

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AB 1688	Niello	Enrolled 8-16-06	<p>Existing Law: Existing Law provides that certain persons who are not peace officers may exercise the powers of arrest and can serve warrants as specified.</p> <p>Proposed Law: The bill would provide that peace officer retirement benefits could not be awarded to illegal dumping officers, and would authorize illegal dumping officers to enforce illegal dumping laws using the power to arrest and serve warrants. This bill would only be operative if AB 1980 is enacted prior to January 1, 2007, and this bill is enacted last.</p>	Letter of Support sent 7-06-06
AB 1866	Karnette	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would prohibit a state facility from selling, possessing, or distributing an expanded polystyrene food container on and after January 1, 2008, and require bidders to certify that various businesses involved in procurement will not sell, possess, or distribute an expanded polystyrene food container at a state facility.</p>	Watch
AB 1940	Koretz	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the Coastal Commission to convene a multi-agency task force for the purpose of implementing statewide marine debris reduction efforts.</p>	
AB 1966	Garcia	Dead	<p>Existing Law: Existing law established a capital investment program that authorizes local government to pay an incentive to specified manufacturing businesses.</p> <p>Proposed Law: This bill would include in those businesses a powerplant that produces electricity from one or more specified energy sources.</p>	Letter to Oppose Unless Amended sent 7-06-06

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AB 1980	Bass	Enrolled 8-23-06	<p>Existing Law: Existing law provides that certain persons who are not peace officers may exercise the powers of arrest of a peace officer during the course and within the scope of their employment if they receive specified training.</p> <p>Proposed Law: This bill would grant the power of arrest to security officers employed by the City of Los Angeles and authorized by local ordinance to enforce laws related to preserving the peace in and about properties owned or controlled by the City of Los Angeles.</p>	Letter to the Governor recommending signature 8-29-06
AB 1992	Canciamilla	Enrolled 8-28-06	<p>Existing Law: Existing law provides that a person who dumps garbage in or upon public or private property is guilty of a misdemeanor.</p> <p>Proposed Law: This bill would replace the term garbage with the broader term "solid waste", thereby assisting in the prosecution of such crimes.</p>	Letter of Support sent 3-29-06
AB 2118	Matthews	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This spot bill includes "intent" language to develop a definition for "conversion technology" and revises the definition of "composting facility" to include anaerobic digestion facilities.</p> <p><i>Previously, this bill would have:</i></p> <ul style="list-style-type: none"> • Exclude conversion technology facilities from being considered as nondisposal facilities and classifies them as solid waste disposal facilities. • Define "transformation" solely as incineration, and not include under that definition composting, gasification, or biomass conversion. • Repeal the current definition of "gasification" and revise the definition of "solid waste facility" to delete a gasification facility • Modify the waste hierarchy to include conversion technology as a beneficial use • Define conversion technologies as a beneficial use technologies • Provide jurisdictions the option to utilize conversion technologies in meeting AB 939's 50% waste reduction mandate provided specified conditions are met 	Letter of Opposition sent 3-15-06

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AB 2127	Plescia and Tran	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require both the Waste Board and the Water Board by July 1, 2007 to study and submit a report to the Legislature regarding environmental impacts caused by the disposal of used alkaline batteries in a landfill facility.</p>	
AB 2144	Montanez	Enrolled 8-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: Revises public participation procedures related to site cleanup proposals. Requirements include: providing notice of the proposed cleanup, timely access to written material providing a minimum of 30 days to comment on the proposal, and conducting a public meeting in the vicinity of the site during the public comment period.</p>	
AB 2147	Harman	Enrolled 8-23-06	<p>Existing Law: Existing law requires all rigid plastic bottles and rigid plastic containers sold in the state to be labeled with a code that indicates the resin used to produce them.</p> <p>Proposed Law: This bill would prohibit a person from selling plastic food or beverage container that is labeled as biodegradable, compostable, or degradable unless at the time of sale the container meets current ASTM standards.</p>	

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AB 2160 Related: AB 1337, AB 2878, AB 2880, AB 2928	Lieu	Enrolled 9-12-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the Department of General Services to define a life cycle cost analysis model to be used with respect to certain state building design and construction decisions, and develop appropriate financing and project delivery mechanisms to facilitate state and private sector commercial building projects that are energy and resource efficient with the help of this model.</p>	
AB 2202	Saldana	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would prohibit the sale of an “electronic device” in CA if it is prohibited from being sold in the European Union, effective January 1, 2010. It would require the Department of Toxic Substances to adopt regulations establishing a process by which manufacturers or distributors of electronic devices may seek an exemption or time extension from the sales prohibitions.</p>	
AB 2206	Montanez	Enrolled 8-29-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill requires local governments to report on their efforts to develop multi-family recycling programs in their annual report to the Waste Board. It also requires the Waste Board to make available one or more model ordinances for multifamily dwelling recycling and it requires owners and managers of multifamily dwellings to provide information and assistance to residents regarding recycling in multifamily dwellings.</p>	

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Bill	Author	Status	Summary	Task Force Position
AB 2211	Karnette	Enrolled 9-06-06	<p>Existing Law: Existing Law requires the Waste Board to initiate a program for the cleanup of solid waste disposal sites and for cleanup of solid waste at co-disposal sites where no responsible party is available to pay for timely remediation.</p> <p>Proposed Law: The bill would authorize the Waste Board to fund for the cleanup of a publicly owned waste disposal site only if the Board determines that the public entity lacks resources or expertise to timely manage the cleanup itself.</p>	
AB 2253	Hancock	Enrolled 8-28-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would authorize a court to impound a vehicle used to illegally dump waste for a time period of up to 6 months, unless there is a community property interest, until conviction of the assailant. Impounding the vehicle is dependent on the assailant being the registered owner of the vehicle or registered owner's agent, and has one or more prior convictions for illegally dumping waste matter or harmful waste matter.</p>	Letter of Support sent 3-29-06
AB 2271	Koretz	Dead	<p>Existing Law: The Rechargeable Battery Recycling Act of 2006 requires on and after July 1, 2006, a retailer to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling or proper disposal.</p> <p>Proposed Law: This bill would expand the current Rechargeable Battery Recycling Act to include all household batteries, and impose a fee of \$.10 on each non-rechargeable household battery distributed for sale in California to support development and operation of a household battery-recycling program.</p>	Letter of Support sent 5-02-06

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AB 2296	Montanez	Enrolled 8-31-06	<p>Existing Law: Existing Law requires a person owning or operating a solid waste landfill to submit evidence of financial ability in an amount that provides for closure and postclosure maintenance to be contained in the closure and postclosure maintenance plan to the Waste Board.</p> <p>Proposed Law: This bill would require the Waste Board to study financial assurance mechanisms that would protect the state from long-term postclosure maintenance or corrective action costs if a landfill owner or operator fails to meet its legal obligations.</p> <p><i>Previously</i>, this bill would have required owners/operators of solid waste landfills to provide for the facility maintenance in perpetuity or as long as the waste no longer poses a threat to public health and safety or the environment.</p>	Letter of Support sent 5-01-06 and Support if Amended 8-29-06
AB 2449	Levine	Enrolled 8-31-06	<p>Existing Law: AB 939 requires every rigid plastic packaging container sold or offered for sale in this state, to include having a specified recycling rate.</p> <p>Proposed Law: This bill would require a store to establish an in-store recycling program that allows customers to return their plastic bags for free, becoming operative on July 1, 2007.</p>	Letter of Support sent 8-29-06
AB 2516	Tran	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would exempt the processing of recycled material containing pentaBDE or octaBDE from state prohibition if the product is in compliance with applicable state and federal law, and is recycled on or before January 1, 2011.</p>	

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AB 2734	Hancock	Dead	<p>Existing Law: AB 939 specifies a recycling rate for every rigid plastic packaging container sold or offered for sale in this state.</p> <p>Proposed Law: This bill would revise the definition of "source reduced container" to eliminate the obsolete reference to a rigid plastic packaging container for which the manufacturer seeks compliance as of January 1, 1995.</p>	
AB 2845	Bogh	Dead	<p>Existing Law: The existing California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment.</p> <p>Proposed Law: This bill would increase the amount the Department of Conservation is authorized to expend annually to \$15,000,000 for payment for beverage container recycling and litter cleanup activities, and would increase the minimum payments to cities and counties to \$10,000 and \$15,000.</p>	Letter to Support and Amend sent 5-09-06
AB 2878 Related: AB 1337, AB 2160, AB 2880, AB 2928	Ruskin	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would enact the "Green" Building Act of 2006 and would require Waste Board by January 1, 2008, to develop and adopt regulations for green building standards for the construction or renovation of state buildings.</p>	
AB 2880 Related: AB 1337, AB 2160, AB 2878, AB 2928	Lieu	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: Requires the Waste Board by January 1, 2008 in consultation with the California Energy Commission and other relevant state agencies to gather, analyze, and make available to the public information related to green building via the Internet.</p>	

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AB 2928 Related: AB 1337, AB 2160, AB 2878, AB 2880	Laird	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the California Building Standards Commission to develop voluntary green building guidelines for residential home construction.</p>	
AB 3001	Pavley	Dead	<p>Existing Law: In 2003, the State enacted the Electronic Waste Recycling Act, which imposes a \$6 to \$10 fee on each Covered Electronic Waste (e.g., televisions, computer monitors, and laptops) sold at point of purchase.</p> <p>Proposed Law: This bill would provide that on and after July 1, 2007, a personal computer would be considered a covered electronic device and subject it to a \$6 at the time of the retail sale.</p>	Letter of Support sent 5-02-06
AB 3056	Committee on Natural Resources	Enrolled 8-31-06	<p>Existing Law: The existing California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment.</p> <p>Proposed Law: This bill temporarily allows the Department of Conservation to increase the refund value paid to consumers for recycled beverage containers until July 1, 2007, and not exceed \$0.01.</p>	

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SB 107	Simitian	Enrolled 9-08-06	<p>Existing Law: AB 939 requires the Waste Board and local agencies to promote waste management practices and to maximize the use of all feasible source reduction, recycling, and composting options.</p> <p>Proposed Law: Requires that all retail sellers of electricity procure at least 20 percent of the total electricity sold from eligible renewable resources by 2010, including facilities utilizing biomass.</p>	
SB 120	Florez	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires the Waste Board and local agencies to promote waste management practices and to maximize the use of all feasible source reduction, recycling, and composting options.</p> <p>Proposed Law: This bill would require a publicly owned treatment works to submit certification to the regional board that any sewage sludge transferred for disposal or processing meets the standards for any pollutants listed in the waste discharge requirements.</p>	
SB 151	Soto	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would extend the school pedestrian-bicyclist safety program until January 1, 2008.</p> <p><i>Previously</i>, this bill would have provided that any vehicle used to illegally dump or litter waste on public or private property may be impounded.</p>	
SB 227	Lowenthal	Died in Committee 1-31-06	<p>Existing Law: Existing Law authorizes a local government to specify the franchise or other system used to provide solid waste handling services.</p> <p>Proposed Law: This intent bill would address the application of local franchise agreements and related fees for solid waste handling services that are provided to state agencies and schools.</p>	

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SB 318	Romero	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would establish a Solid Waste Advisor office within the Waste Board. The office would be responsible to provide objective information to the public living near a proposed solid waste facility or a facility proposed for expansion.</p>	
SB 369	Simitian	Enrolled 9-01-06	<p>Existing Law: Existing Law authorizes the Waste Board to award grants to local governments utilizing rubberized asphalt concrete. This law is scheduled to sunset on January 30, 2006</p> <p>Proposed Law: This bill would extend the sunset date for the RAC grant to June 30, 2010, It would require projects eligible for the grant to use at least 1,250 tons of rubberized asphalt concrete, and 20 pounds or more of crumb rubber per ton of rubberized asphalt concrete.</p> <p><i>Previously, this bill would have required Cal EPA to establish a "Green Bear Eco-Label" program.</i></p>	Letter of Support sent 3-16-06
SB 411	Alarcon	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would require the Waste Board to develop a schedule for excluding solid waste used as an alternative daily cover, comprised of woody and green material from being included in meeting the State's 50% diversion requirements.</p>	Letter of Opposition sent 7-12-05

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SB 420	Simitian	Enrolled 8-30-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would require CalTrans to use recycled materials in paving, base, subbase, and pervious backfill materials, unless the Director of Transportation determines that the use of the materials is not cost effective.</p> <p><i>Previously</i>, this bill applied existing recycled-content requirements for paving projects undertaken by the Department of Transportation (Caltrans) to local government agencies and made technical and clarifying changes to existing law relating to recycled content product purchases.</p>	Letter of Opposition sent 5-19-05, regarding 3-25-05 version
SB 563	Alarcon	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This spot bill would establish a State certified green business program.</p>	
SB 757	Kehoe	Enrolled 9-05-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would enact the Oil Conservation, Efficiency, and Alternative Fuels Act, which requires state agencies to reduce the growth of petroleum demand, increase vehicle energy efficiency, and increase the use of alternative fuels.</p>	

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SB 926	Florez	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would require that before a local initiative proposes to amend a city or county's general plan or zoning ordinance to allow the siting of a solid waste facility by ballot measure, an environmental impact report on the project must be prepared and certified pursuant to CEQA.</p> <p><i>Previously</i>, this bill would not prohibit the Kern County Board of Supervisors from adopting an ordinance to regulate or prohibit the land application of sewage sludge in the unincorporated areas of Kern County.</p>	Letter of Support sent 5-04-06 and Letter of Opposition sent 5-19-05
SB 928	Perata and Lowenthal	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would delete the reference that gives additional authority to the Waste Board for granting a time extension for diversion requirements to a city that was incorporated during a specified time period.</p> <p><i>Previously</i>, this bill would have required an unspecified percentage of solid waste to be diverted on and after January 1, 2011.</p>	Letter of Opposition sent 7-12-05
SB 942	Chesbro	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would impose a fee on each cigarette sold to fund cigarette litter cleanup efforts.</p>	

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SB 1076	Perata	Died in Committee 1-31-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This spot bill relates to solid waste management.</p>	
SB 1106	The Senate Environmental Quality Committee	Chaptered 10-06-05	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would consolidate, update, and clarify existing recycling laws, eliminate duplicative provisions, and establish or restate recycling goals and reporting requirements of state agencies in accordance with specified timeframes.</p>	
SB 1305	Figueroa	Chaptered 7-12-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would prohibit a person on or after September 1, 2008, from knowingly placing home-generated sharps (hypodermic needles, syringes, or lancets) in various types of waste collection containers. This bill would also exclude home-generated sharps waste from the definition of medical waste.</p>	Letter of Support sent 7-06-06
SB 1345	Chesbro	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require CalTrans to increase the amount of compost used in the state's highway landscape maintenance program, from 100,000 tons currently to 500,000 tons in 2007 and 750,000 in 2008.</p>	

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SB 1368	Perata	Enrolled 9-08-06	<p>Existing Law: Under existing law, the governing board of a local publicly owned electric utility is responsible for implementing and enforcing a renewables portfolio standard.</p> <p>Proposed Law: This bill would prohibit electric utilities from entering into long-term financial commitments unless any baseload generation complies with a greenhouse gases emission performance standard. Furthermore, when calculating greenhouse gas emissions by facilities generating electricity from biomass, biogas, or landfill gas energy, the commission must consider net emissions from the process of growing, processing, and generating the electricity from the fuel source.</p>	Letter to Oppose unless amended sent 8-29-06
SB 1511	Ducheny	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the State Air Resources Board, on or before September 1, 2006, to amend existing regulations to maximize the flexibility to use renewable fuels in the California transportation fuel market.</p>	
SB 1515	Kehoe	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the Waste Board to conduct a study in consultation with various agencies of the costs and benefits of expanding the operating hours of solid waste facilities as a means of reducing traffic congestion and enabling collection and transfer vehicle fleet operators to access the facilities during off-peak hours.</p>	

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SB 1573	Alarcon	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill would require the Waste Board, by January 1, 2008, to issue a report that contains an update of the Preferred Packaging Procurement Guidelines, as published by the Board in 1994.</p>	
SB 1675	Kehoe	Dead	<p>Existing Law: The California Integrated Waste Management Act of 1989 requires the Integrated Waste Management Board and local agencies to promote waste management practices and to maximize the use of all feasible source reduction, recycling, and composting options.</p> <p>Proposed Law: The bill requires that diesel fuel contain at least two percent renewable diesel fuel beginning 2008, increasing to five percent by 2010. It provides the State Air Resources Board to provide an exemption if the ARB finds that the requirement adversely affects the state's ability to meet its alternative fuel goals.</p>	
SB 1778	Alarcon	Dead	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: The bill would require the Waste Board to develop a schedule for excluding solid waste used as an alternative daily cover, comprised of woody and green material from being included in meeting the State's 50% diversion requirements.</p>	Letter of Opposition sent 5-01-06

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2005-2006 SESSION
September 14, 2006**

Bill	Author	Status	Summary	Task Force Position
SB 1835	Florez	Enrolled 8-25-06	<p>Existing Law: AB 939 requires each city, county, and regional agency to develop a source reduction and recycling program and to divert 50% of all solid waste destined to landfills.</p> <p>Proposed Law: This bill prohibits an enforcement agency from determining that a solid waste facilities permit application is complete, prohibits an application being deemed complete, and prohibits an enforcement agency from proposing, submitting to the Waste Board, or issuing a solid waste facilities permit, for a solid waste facility approved by a local initiative measure, unless certain conditions are met.</p>	Letter of Support sent 5-04-06
FEDERAL LEGISLATION				
S. 1607	Lautenberg	<p>Introduced 7-29-05</p> <p>In Senate Commerce, Science, and Transportation</p> <p>Related Bill H. 3577 and 4821</p>	<p>Existing Law: Interstate Commerce Commission Termination Act of 1995 gives the federal Surface Transportation Board the authority to exempt rail operators from complying with state and local solid waste laws and regulations.</p> <p>Proposed Law: This bill would exclude solid waste disposal from the jurisdiction of the Surface Transportation Board.</p>	Letter of Support sent 10-18-05
H. 3577	Menendez	Referred to the House Committee on Transportation and Infrastructure.	Same language as Senate Bill 1607.	Letter of Support sent 10-18-05
H. 4821	Palone	<p>Introduced 3-01-06</p> <p>Referred to Subcommittee on Railroads</p>	Same language as H. 3577 and S. 1607	