

**COPY**

**MEETING OF THE  
CALIFORNIA WASTE MANAGEMENT BOARD**

**DATE AND TIME:** FRIDAY, JULY 8, 1988, 9:00 A.M.

**PLACE:** HEARING ROOM  
RIVER CITY BANK BUILDING  
1020 NINTH STREET, SUITE 300  
SACRAMENTO, CALIFORNIA 95814

**REPORTER:** BETH C. DRAIN, CSR  
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## APPEARANCES OF THE BOARD:

JOHN P. MOSCONE, CHAIRMAN  
SAM ARAKALIAN  
PHILLIP A. BEAUTROW  
GINGER BREMBERG  
E. L. VARNER  
LES BROWN  
JOHN E. GALLAGHER  
JAMES W. CALLOWAY

## STAFF MEMBERS:

GEORGE T. EOWAN, CHIEF EXECUTIVE OFFICER  
ROBERT F. CONHEIM, GENERAL COUNSEL  
HERBERT IWAHIRO  
ALAN A. OLDALL  
JOELLEN JACKSON



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## I N D E X

|                                | PAGE   |
|--------------------------------|--|
| ITEM 13-A:                     |  |
| MR. IWAHRO                     | 5  |
| MR. BEHRMANN                   | 5  |
| MEMBER BROWN                   | 6  |
| MEMBER GALLAGHER               | 10   |
| MEMBER BREMBERG                | 14   |
| ITEM 11:                       |  |
| MS. JACKSON                    | 23   |
| MEMBER BREMBERG                | 24, 37, 41, 52, 57, 58                         |
| MR. EOWAN                      | 25, 32, 38, 44, 50, 52, 58, 65, 71, 75, 81, 87 |
| MEMBER BEAUTROW                | 30, 34, 50, 56, 73, 76                         |
| CHAIRMAN MOSCONE               | 30, 40, 54, 81                                 |
| MEMBER BROWN                   | 38, 47, 54, 55                                 |
| MEMBER ARAKALIAN               | 42, 45, 47, 65, 79                             |
| MEMBER GALLAGHER               | 53, 55, 66, 76, 82                             |
| ATTORNEY CONHEIM               | 57   |
| MEMBER VARNER                  | 69, 74, 75, 87                                 |
| ITEM 14:                       |  |
| MR. EOWAN                      | 88, 91   |
| MEMBER BREMBERG                | 89, 91   |
| CHAIRMAN MOSCONE               | 90   |
| OTHER ITEMS:                   |  |
| MR. IWAHRO                     | 92, 95   |
| MEMBER BREMBERG                | 92, 99   |
| MR. OLDALL                     | 94, 95   |
| MR. EOWAN                      | 96   |
| MR. PECK                       | 97   |
| REVIEW OF FUTURE AGENDA ITEMS: |  |
| MEMBER BREMBERG                | 99   |
| MR. EOWAN                      | 100, 102                                       |
| CHAIRMAN MOSCONE               | 101, 103                                       |
| MR. IWAHRO                     | 101  |
| MR. OLDALL                     | 102  |



1 JULY 8, 1988

2  
3 CALIFORNIA WASTE MANAGEMENT BOARD

4  
5 CHAIRMAN MOSCONE: WE WILL PROCEED WITH THE  
6 RECESSED MEETING OF YESTERDAY, ITEM 12 TO BE THE FIRST.

7 MR. EOWAN: WE CAN DO IT ANY WAY YOU LIKE. WE DO  
8 HAVE THE GENTLEMAN FROM THE AIR BOARD HERE, AND IT'S YOUR  
9 PLEASURE. WE CAN START WITH HIM, WHICH WOULD BE ITEM  
10 13-A.

11 CHAIRMAN MOSCONE: VERY WELL. WE'LL GO TO 13-A,  
12 REPORT BY THE AIR RESOURCES BOARD ON THE LANDFILL GAS  
13 TESTING PROGRAM REPORT TO THE LEGISLATURE.

14 MR. IWAHRO: MR. CHAIRMAN, I THINK AT VARIOUS  
15 TIMES DURING OUR BOARD MEETINGS WE'VE HEARD ABOUT OR  
16 DISCUSSED THE CALDERON BILL, AND ONE OF THE REQUIREMENTS  
17 OF THAT BILL WAS FOR THE ARB TO DO SOME LANDFILL GAS  
18 TESTING AND HAVE THE OPERATORS DEVELOP A REPORT, AND TO  
19 REPORT ON THEIR REPORT ON THAT, WHICH IS REQUIRED --  
20 ACTUALLY IT WAS REQUIRED JULY 1, 1988, I THINK THE FIRST  
21 REPORT.

22 WE HAVE A GENTLEMAN FROM ARB TO GIVE US QUICK  
23 INITIAL INFORMATION ABOUT THE PROGRAM, AND THEN,  
24 HOPEFULLY, WHAT THE STATUS OF IT IS RIGHT NOW. SO I'D  
25 LIKE TO INTRODUCE JIM BEHRMANN. HE'S WITH THE AIR

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1 RESOURCES BOARD STAFF. HE'S MANAGER OF THE PROGRAM OVER  
2 THERE. HE HAS SOME SLIDES AND SOME OVERHEADS.

3 MR. BEHRMANN: THANK YOU, HERB. CHAIRMAN MOSCONE,  
4 MEMBERS OF THE WASTE MANAGEMENT BOARD, MY NAME IS JIM  
5 BEHRMAN. I AM ON THE AIR RESOURCES BOARD STAFF.  
6 SPECIFICALLY, I AM MANAGER OF THE TOXICS PROGRAM SUPPORT  
7 SECTION WITHIN THE STATIONARY SOURCE DIVISION AT THE AIR  
8 RESOURCES BOARD. I WANT TO THANK YOU FOR INVITING ME TO  
9 BE PRESENT TODAY GIVE YOU OUR CURRENT REPORT TO THE  
10 CALIFORNIA LEGISLATURE, THE REPORT THAT DESCRIBES THE  
11 STATUS OF THE LANDFILL GAS TESTING PROGRAM ESTABLISHED  
12 PURSUANT TO AN ASSEMBLY BILL 3374, WHICH WAS SIGNED, I  
13 BELIEVE, IN 1986.

14 THE -- JUST AS AN INTRODUCTION, THE AIR  
15 RESOURCES BOARD IS REQUIRED TO PREPARE AND SUBMIT TWO  
16 REPORTS TO THE LEGISLATURE THAT SUMMARIZES THE  
17 INFORMATION GATHERED DURING THE LANDFILL TESTING.

18 THIS REPORT, THE FIRST OF THE TWO, DESCRIBES  
19 THE IMPLEMENTATION, DESCRIBES THE IMPLEMENTATION DURING  
20 THE FIRST YEAR OF THE LANDFILL TESTING PROGRAM. WITH  
21 THAT, IF I COULD HAVE THE FIRST OVERHEAD.

22 WHAT I'D LIKE TO DO TODAY IS, FIRST OF ALL,  
23 BRIEFLY SUMMARIZE THE TESTING REQUIREMENTS, THEN DESCRIBE  
24 THE STEPS IN THE TESTING PROCESS, AND THE STATUS OF THE  
25 TESTING GOING ON STATEWIDE. I'D LIKE TO PRESENT SOME OF



1 OUR OBSERVATIONS, WHICH ARE STILL SOMEWHAT PRELIMINARY,  
2 IN THAT WE HAVE NOT RECEIVED THAT MUCH DATA YET, AND  
3 FINALLY MENTION SOME OF THE UNDERGOING ACTIVITIES THAT  
4 WILL LEAD TO THE NEXT REPORT IN JULY OF NEXT YEAR.

5 THE PURPOSE OF THE LANDFILL TESTING PROGRAM IS  
6 TO DETERMINE THE EXTENT OF -- AND THIS IS TAKEN FROM THE  
7 LEGISLATION -- IS TO DETERMINE THE EXTENT OF THE  
8 HAZARDOUS WASTE IN LANDFILLS AND TO SCREEN LANDFILLS TO  
9 FIND WHICH SITES MAY POSSESS POTENTIAL HEALTH RISK OR  
10 THREAT TO THE ENVIRONMENT. IN ORDER TO FULFILL THAT  
11 PURPOSE, THERE ARE THREE ESSENTIAL TESTING REQUIREMENTS  
12 PROVIDED IN THE LEGISLATION.

13 FIRST OF ALL, EACH LANDFILL OPERATOR MUST  
14 CHARACTERIZE THE GAS STREAM IN THE LANDFILL. IN OTHER  
15 WORDS, THE FACILITY OPERATOR MUST DETERMINE THE  
16 COMPOSITION OF GASES INSIDE THE LANDFILL.

17 THE SECOND TESTING REQUIREMENT IS THAT THE  
18 FACILITY OPERATOR MUST TEST FOR OFF-SITE SUBSURFACE  
19 MIGRATION OF GASES FROM THE LANDFILL. AND, THEN,  
20 FINALLY, THE FINAL TESTING REQUIREMENT IS TO MEASURE  
21 AMBIENT AIR CONCENTRATIONS OF CERTAIN SPECIFIC AIR  
22 CONTAMINANTS IN THE VICINITY OF THE LANDFILL.

23 BOARD MEMBER BROWN: COULD YOU EXCUSE ME FOR  
24 INTERRUPTING, JIM? YOU MADE A COMMENT ABOUT HAZARDOUS  
25 WASTES, AND IS YOUR AGENCY'S CONCERN WITH HAZARDOUS WASTE



1 JUST THE GAS EMISSIONS FROM THAT WASTE, OR IS THERE SOME  
2 DEEPER INVOLVEMENT WITH RESPECT TO THE WASTE?

3 MR. BEHRMANN: AS I UNDERSTAND IT, OUR INTEREST AS  
4 PROVIDED FOR IN THE LEGISLATION, FROM OUR BOARD'S  
5 STANDPOINT, WOULD BE THE EMISSIONS OF THE HAZARDOUS WASTE  
6 GASES. AS YOU KNOW OR AS YOU PROBABLY ARE FAMILIAR WITH,  
7 THERE IS A PARALLEL TESTING REQUIREMENT FOR GROUND WATER  
8 UNDER THE SAME LEGISLATION. AND SO THERE IS PARALLEL  
9 EFFORT GOING ON BY THE WATER RESOURCES CONTROL BOARD AND,  
10 THEN, THERE IS KIND OF AN OVERALL COORDINATING FUNCTION  
11 AMONG THE THREE BOARDS; THE AIR BOARD, THE WATER BOARD,  
12 AND THEN YOUR BOARD.

13 BOARD MEMBER BROWN: THANK YOU.

14 MR. BEHRMANN: THE NEXT OVERHEAD IS A -- YOU DON'T  
15 HAVE TO WORRY ABOUT READING THE FINE PRINT. I SIMPLY  
16 WANTED TO PRESENT, ESSENTIALLY, A FLOW DIAGRAM OF THE  
17 PROCESS THAT WE'RE FOLLOWING IN TERMS OF DOING THE  
18 LANDFILL TESTING.

19 THE FIRST STEP AT THE VERY TOP IS THE  
20 PROVISION THAT THE LAW REQUIRES THE AIR RESOURCES BOARD  
21 TO PUBLISH TESTING GUIDELINES; IN OTHER WORDS, HOW THE  
22 TESTING SHOULD TAKE PLACE. AND THE AIR RESOURCES BOARD  
23 WORKED WITH A, WHAT WE CALLED, LANDFILL TESTING  
24 GUIDELINES COMMITTEE ON WHICH YOUR STAFF PARTICIPATED  
25 ALONG WITH THE LOCAL AIR POLLUTION CONTROL DISTRICTS IN



1 THE STATE. AND THE AIR RESOURCES BOARD APPROVED TESTING  
2 GUIDELINES IN DECEMBER 1986 FOR TESTING AT ACTIVE SOLID  
3 WASTE DISPOSAL SITES AND IN JANUARY OF 1987 FOR TESTING  
4 AT HAZARDOUS WASTE DISPOSAL SITES.

5 JUST QUICKLY TO KIND OF STEP THROUGH JUST THE  
6 FLOW DIAGRAMS, YOU SEE THE MAIN POINTS. THE SECOND BOX  
7 THERE INDICATES THAT OPERATORS MUST SUBMIT TO A LOCAL AIR  
8 POLLUTION CONTROL OFFICER A TESTING PLAN ABOUT HOW THE  
9 TESTING WILL BE DONE TO COMPLY WITH THE TESTING  
10 GUIDELINES.

11 THE AIR POLLUTION CONTROL OFFICER MUST REVIEW  
12 THAT PLAN, MAKE SURE THAT IT'S ADEQUATE FOR THE  
13 PARTICULAR SITE AND THEN APPROVE THE PLAN BEFORE TESTING  
14 BEGINS. I'M SURE YOU ARE FAMILIAR, MUCH MORE FAMILIAR  
15 THAN I AM PROBABLY, THAT THERE WILL BE VARIATION BETWEEN  
16 SITES, THAT ONE LANDFILL IN A RURAL AREA OR IN ONE PART  
17 OF THE STATE WILL BE MUCH DIFFERENT THAN A LANDFILL IN  
18 ANOTHER PART, AND THE GUIDELINES PROVIDE FOR THAT. THE  
19 GUIDELINES PROVIDE SOME FLEXIBILITY, AND THAT FLEXIBILITY  
20 IS GRANTED TO THE AIR POLLUTION CONTROL OFFICER TO TAKE  
21 INTO ACCOUNT THOSE LOCAL VARIATIONS.

22 YOU MAYBE CANNOT READ IT, BUT THERE  
23 ESSENTIALLY IS A BIFURCATED, A CATEGORY ONE AND CATEGORY  
24 TWO, SPLIT FOR THE TESTING. THAT, AGAIN, SIMPLY REFLECTS  
25 SOME OF THE FLEXIBILITY THAT WAS PROVIDED IN THE



1 GUIDELINES. OUR BOARD, AND BASED UPON THE COMMITTEE'S  
2 RECOMMENDATIONS, FELT THAT BECAUSE OF THE LARGE NUMBER OF  
3 SITES TO BE TESTED -- AND I'LL MENTION THOSE IN A  
4 MINUTE -- BECAUSE OF THE LIMITS OF LABORATORY ANALYTICAL  
5 CAPABILITIES THAT'S AVAILABLE, AND THE FACT THAT SOME  
6 SMALLER MORE RURAL SITES MIGHT POSE LESS OF A HEALTH  
7 RISK, A SECOND CATEGORY WITH MORE LIMITED TESTING  
8 REQUIREMENTS WAS PROVIDED.

9 AND, ESSENTIALLY, WE DEFINED THIS SECOND  
10 CATEGORY AS BEING SITES HAVING A TOTAL FILLED SURFACE  
11 AREA OF LESS THAN 25 ACRES, LESS THAN 500,000 TONS OF  
12 TOTAL WASTE IN PLACE, AND NO OCCUPIED BUILDINGS WITHIN A  
13 THOUSAND FEET OF THE SITE PERIMETER.

14 SO THE TESTING IS CARRIED OUT, AND THEN THE  
15 FACILITY OPERATORS OR OWNERS MUST SUBMIT THE TESTING DATA  
16 TO THE AIR POLLUTION CONTROL OFFICER. THAT'S DOWN BELOW  
17 THE MIDDLE BOXES. THE AIR POLLUTION CONTROL OFFICER IS  
18 REQUIRED BY THE LAW TO EVALUATE THAT DATA AND REQUIRED TO  
19 CONSULT WITH THE WASTE MANAGEMENT BOARD AND WITH THE  
20 DEPARTMENT OF HEALTH SERVICES TO REVIEW THAT DATA, AND  
21 THEN TO DETERMINE WHETHER OR NOT THERE'S A NEED FOR  
22 REMEDIAL ACTION OR FURTHER TESTING.

23 AND THEN, FINALLY, THE DATA IS SUMMARIZED AND  
24 SUBMITTED TO THE AIR RESOURCES BOARD. THAT'S THE FINAL  
25 STEP WITH THE AIR RESOURCES BOARD SUMMARIZING THAT DATA



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1 AND REPORTING TO THE LEGISLATURE. ESSENTIALLY, WHAT WE  
2 HAVE AT THIS POINT IS THE END OF THE FIRST CYCLE, IF YOU  
3 WILL.

4 ALTHOUGH, AS I'LL POINT OUT AT IN A MINUTE, WE  
5 DO NOT HAVE THAT MUCH DATA REPORTED TO US YET.  
6 FACILITIES ESSENTIALLY HAVE BEEN ABLE -- SOME FACILITIES  
7 BEEN ABLE TO COMPLETE THIS ENTIRE CYCLE; OTHER ONES ARE  
8 PRESENTLY ENGAGED AT SOME POINT IN THE PROCESS.

9 WITH THESE STEPS IN MIND, WHAT I'D LIKE TO DO  
10 IS JUST BRIEFLY DIGRESS TO A COUPLE OF SLIDES, IF I MAY,  
11 JUST BRIEFLY.

12 BOARD MEMBER GALLAGHER: COULD I INTERRUPT YOU JUST  
13 FOR A MOMENT, SIR? YOU MAY HAVE SAID IT, BUT I DID NOT  
14 PICK IT UP IF YOU DID. MY OLD CAN-MAKER EARS DON'T PICK  
15 UP EVERYTHING QUITE THE WAY THEY USED TO.

16 IS THIS AN ONGOING-KIND OF PROGRAM UNDER THE  
17 CALDERON BILL THAT YOU'RE REQUIRED TO DO THIS ON A  
18 CERTAIN FREQUENCY, OR IS IT SOMETHING YOU DO ONCE AND  
19 GIVE THE REPORT TO THE LEGISLATURE AND IGNORE FROM THEN  
20 ON?

21 MR. BEHRMANN: THAT'S A GOOD QUESTION. THE  
22 LEGISLATION, AS I UNDERSTAND IT, REQUIRES THAT FACILITIES  
23 OR LANDFILLS BE TESTED ONCE, AND THAT THE DATA BE  
24 REPORTED. HOWEVER, OUR GUIDELINES AND I THINK THE INTENT  
25 OF THE LEGISLATION IS THAT IF FOR SOME REASON A PROBLEM



1 IS FOUND BECAUSE OF THE TESTING, EITHER THE AIR TESTING  
2 OR THE WATER TESTING, THAT SOME REMEDIAL ACTION OR SOME  
3 ACTION BE TAKEN.

4 NOW, WE IN PREPARING THE GUIDELINES, IN PART  
5 BECAUSE OF THE INPUT PROVIDED FROM THE LANDFILL  
6 COMMITTEE, IN PART TO BALANCE THE RESOURCES AVAILABLE AND  
7 THE COST OF TESTING. AS I WAS GOING TO POINT OUT IN A  
8 MINUTE, WE REVIEW THE TESTING, THE AIR TESTING  
9 REQUIREMENTS ESPECIALLY, WITH A SCREENING DEVICE; AND THE  
10 TESTING IS SOMEWHAT LIMITED AS ESSENTIALLY A SNAPSHOT OF  
11 THE IN-GROUND TESTING, THE OFF-SITE MIGRATION, AND THE  
12 AMBIENT AIR TESTING DATA.

13 AS AN EXAMPLE, THE AMBIENT AIR TESTING AT MOST  
14 SITES IS JUST THREE DAYS OF MONITORING, AND I'M SURE YOU  
15 ARE AWARE THAT YOU MIGHT FIND SOMETHING OR YOU MIGHT NOT  
16 FIND SOMETHING IN THAT VERY LIMITED AMOUNT OF TIME. SO  
17 WHAT WE INTEND TO DO OR WHAT OUR DIRECTION IN THE  
18 GUIDELINES TO THE DISTRICT SAYS IS THAT YOU LOOK AT THE  
19 DATA THAT'S BEEN PROVIDED. IF, FOR SOME REASON, YOU FEEL  
20 THAT THERE MAYBE IS A PROBLEM, ONE OPTION WOULD BE TO  
21 REQUIRE FURTHER TESTING. AND IN SOME CASES, IF THERE'S  
22 AN APPARENT PROBLEM, THEN PERHAPS SOME REMEDIAL ACTION OF  
23 SOME KIND IS NECESSARY.

24 SO IN ANSWER TO YOUR QUESTION, I GUESS, IN  
25 BRIEF, IT WOULD BE THAT WE REQUIRE SIMPLY THE ONE-TIME



1 TESTING, BUT IT COULD LEAD TO PERHAPS FURTHER TESTING.

2 BOARD MEMBER GALLAGHER: THANK YOU.

3 MR. BEHRMANN: PERHAPS, I JUST HAVE TO GO FORWARD.  
4 WITH THOSE STEPS IN MIND, I WOULD LIKE TO JUST GIVE YOU A  
5 QUICK LOOK -- THIS WAS HELPFUL TO OUR BOARD, AT LEAST, IN  
6 TERMS OF SEEING HOW SOME OF THE TESTING IS DONE. I THINK  
7 THEY WERE PROBABLY LESS FAMILIAR THAN YOU ARE WITH  
8 LANDFILLS; HOWEVER, THESE ARE SLIDES, BY THE WAY, FROM  
9 THE SACRAMENTO COUNTY AIR POLLUTION CONTROL DISTRICT.  
10 THANK THEM FOR THE SLIDES. YOU ARE PROBABLY MUCH MORE  
11 FAMILIAR WITH THIS SLIDE ALSO. THIS IS SIMPLY A VIEW OF  
12 THE SACRAMENTO CITY LANDFILL.

13 THE SECOND SLIDE, HERE, IS OF A SAMPLING WELL.  
14 NOW, FOR THE IN-GROUND TESTING, FOR THE TESTING OF GASES  
15 INSIDE THE LANDFILL, AND FOR THE OFF-SITE MIGRATION,  
16 SAMPLING WELLS ARE REQUIRED. WE PROVIDE SOME FLEXIBILITY  
17 IN THE TYPES OF WELLS TO BE USED. THIS IS SIMPLY ONE  
18 KIND.

19 IF YOU LOOK CAREFULLY, YOU CAN SEE A PROBE  
20 COMING UP FROM THE MIDDLE OF THAT WELL. HERE IS SIMPLY A  
21 SLIDE OF A SAMPLING DEVICE. THE SAMPLE -- SEE THE PROBE  
22 AT THE VERY BOTTOM OF THE SLIDE? THE SAMPLE IS DRAWN  
23 THROUGH THE WHITE PLASTIC TUBING. THERE'S A SAMPLING  
24 PUMP. THAT'S THE GREEN DEVICE SITTING ON TOP. THE  
25 SAMPLE IS DRAWN INTO A PLASTIC BAG WHICH IS CONTAINED



1 INSIDE THAT PROTECTIVE BOX.

2 AND THEN, FINALLY, FOR THE AMBIENT AIR  
3 TESTING, THIS IS THE AMBIENT AIR STATION, THE SAMPLING  
4 LOCATION IS AT THE TOP OF THE MAP LOCATED IN THE  
5 FOREGROUND THERE. SAMPLE IS AGAIN DRAWN THROUGH WHITE  
6 PLASTIC TUBING INTO A PLASTIC BAG, WHICH IS CONTAINED IN  
7 THE BARREL THERE IN THE FOREGROUND. AND, ALSO, THERE YOU  
8 CAN SEE ON THE RIGHT-HAND SIDE IS EQUIPMENT TO DETERMINE  
9 SOME OF THE METEOROLOGY AT THAT SPECIFIC LOCATION. JUST  
10 GIVES YOU A BRIEF GLIMPSE OF HOW SOME OF THE TESTING IS  
11 DONE.

12 IN TERMS OF THE STATUS OF THE TESTING -- I'M  
13 GIVING ONE OF MY STAFF PEOPLE A GOOD WORKOUT, HE'S NOT  
14 FAMILIAR WITH THIS PRESENTATION, AND HE'S FILLING IN FOR  
15 ANOTHER ONE OF OUR STAFF PEOPLE.

16 AS I MENTIONED A MOMENT AGO, ONLY LIMITED DATA  
17 HAS BEEN REPORTED TO THE AIR RESOURCES BOARD SO FAR. BUT  
18 JUST TO GIVE YOU AN IDEA OF THE STATUS OF THE TESTING AS  
19 WE UNDERSTAND IT, I SHOULD HAVE SAID WE HAVE RECEIVED  
20 DATA FROM SPECIFICALLY SEVEN SITES IN CALIFORNIA, FOUR,  
21 OF WHICH, WE TESTED OURSELVES TO GAIN SOME EXPERIENCE  
22 WITH OUR GUIDELINES TO MAKE SURE THAT THEY WERE  
23 REALISTIC.

24 BOARD MEMBER BREMBERG: MR. CHAIRMAN.

25 CHAIRMAN MOSCONE: MS. BREMBERG.



1 BOARD MEMBER BREMBERG: WHICH SEVEN HAVE YOU  
2 RECEIVED AND EVALUATED?

3 MR. BEHRMANN: THE SEVEN SITES WERE LOUISIANA  
4 PACIFIC AT UKIAH, THE CITY OF CLOVIS, THE CITY OF  
5 WILLETS, AND THEN THE FOUR THAT THE AIR RESOURCES BOARD  
6 STAFF TESTED ALONG WITH THE LOCAL DISTRICTS, THOSE BEING  
7 YOLO COUNTY, THE CITY OF SACRAMENTO, EL DORADO COUNTY,  
8 AND YUBA COUNTY.

9 BOARD MEMBER BREMBERG: MAY I ASK WHY WHEN THE CITY  
10 OF GLENDALE AND SHOAL CANYON SUBMITTED THEIR REPORTS ON  
11 TIME AND WERE ONE OF THE FEW THAT DID SUBMIT THEM ON  
12 TIME, THAT YOU DO NOT COUNT THEM AS BEING INTO THE  
13 STATISTICAL DATA?

14 MR. BEHRMANN: THAT'S A GOOD QUESTION.

15 BOARD MEMBER BREMBERG: I THOUGHT SO.

16 MR. BEHRMANN: I HOPE -- I DIDN'T MEAN TO IMPUNE  
17 ANY LANDFILLS THAT HAVE COMPLETED THE TESTING. I'M  
18 SIMPLY REPORTING THE DATA THAT HAS COME ALL THE WAY  
19 THROUGH THE PROCESS TO THE AIR RESOURCES BOARD AND,  
20 THEREFORE, IS ABLE TO BE INCLUDED IN OUR --

21 BOARD MEMBER BREMBERG: MY QUESTION WAS WHEN THE  
22 INFORMATION WAS SUBMITTED ON THE TIME FRAME AND A FULL  
23 CALENDAR YEAR IS INVOLVED, WHAT IN THE HECK HAVE YOU BEEN  
24 DOING?

25 MR. BEHRMANN: I WAS GOING TO TOUCH ON THAT IN JUST



1 A MOMENT, BUT I CAN MENTION NOW THAT ONE OF THE FINAL  
2 STEPS THAT THE LAW REQUIRES IS THAT THE DATA BE EVALUATED  
3 BY THE LOCAL AIR POLLUTION CONTROL DISTRICT ALONG WITH  
4 THE WASTE MANAGEMENT BOARD AND THE DEPARTMENT OF HEALTH  
5 SERVICES.

6 THE LOCAL AIR POLLUTION CONTROL DISTRICTS ARE  
7 TAKING THAT EVALUATION VERY SERIOUSLY; BUT FROM WHAT I  
8 UNDERSTAND FROM OUR LANDFILL TESTING COMMITTEE, IT'S THE  
9 TYPE OF EVALUATION THAT THEY'RE FINDING EXTREMELY  
10 DIFFICULT BECAUSE THEY HAVE NOT BEEN THAT FAMILIAR WITH  
11 THE TESTING IN THE PAST. AND THEY ALSO DO NOT WISH TO  
12 ACT TOO HASTILY IN REQUIRING REMEDIAL ACTIONS AT SITES  
13 THAT MAY NOT REQUIRE IT.

14 SO WHILE I'M NOT FAMILIAR WITH THE SPECIFIC  
15 SITE THAT YOU MENTIONED, I WOULD IMAGINE THAT IT'S BEING  
16 LOOKED AT BY THE LOCAL AIR POLLUTION CONTROL DISTRICT AND  
17 BEING LOOKED AT IN CONJUNCTION WITH OTHER SITES. AS ONE  
18 OF THE ONGOING ACTIVITIES THAT WE ARE CARRYING OUT, WE  
19 HAVE BEEN ASKED FOR ASSISTANCE BY THE LOCAL AIR POLLUTION  
20 CONTROL DISTRICTS AS TO WHAT KIND OF EVALUATION CRITERIA  
21 THEY SHOULD USE. AND WE HELD MEETINGS LATE LAST YEAR AND  
22 WE HELD MEETINGS EARLIER THIS YEAR TO TRY TO COME UP WITH  
23 SOME KIND OF EVALUATION CRITERIA. OUT OF THAT --

24 BOARD MEMBER BREMBERG: WELL, SOME OF THE TESTING  
25 WAS PROVEN INACCURATE. DO YOU SUPPOSE THEY'RE TRYING TO



1 ADJUST THE CRITERIA TO FIT THEIR INACCURATE TEST DATA?

2 MR. BEHRMANN: ARE YOU SAYING THAT YOUR  
3 UNDERSTANDING IS --

4 BOARD MEMBER BREMBERG: ALL I KNOW IS THAT THEY  
5 GAVE US ON OUR LANDFILL, AT ONE POINT, A TEST RESULT THAT  
6 WE HAD THE PREVIOUS 365 DAYS WITH EXACTLY THE SAME  
7 EQUIPMENT AND DIFFERENT DATA, AND THE SUBSEQUENT 365  
8 DAYS. AND IT SEEMED EXTRAORDINARILY STRANGE TO US THAT A  
9 TOTAL OF TWO CALENDAR YEARS HAD CONSTANT DATA AT THE  
10 EXACT SAME POINT WITH THE EXACT SAME EQUIPMENT OF A  
11 CERTAIN .2 OR .1, AND SUDDENLY IN THREE DAYS THEY HAD A  
12 .8, AND IT INDICATED THAT WE NEEDED TO DO SOMETHING AND  
13 REFUSED TO ACCEPT OUR DATA.

14 THE ONLY REASON I'M BRINGING THIS UP IS I'M  
15 INCLINED TO TAKE SOME OF THE INFORMATION YOU ARE GIVING  
16 US WITH A GRAIN OF SALT OR LESS THAN THAT BECAUSE OF WHAT  
17 I PERSONALLY AM AWARE OF IN RELATIONSHIP TO ONE LANDFILL,  
18 OURS.

19 MR. BEHRMANN: THEN I DON'T THINK THERE'S TOO MUCH  
20 I CAN SAY IN RESPONSE TO THAT BECAUSE I'M NOT FAMILIAR  
21 WITH THE SPECIFIC SITE THAT YOU ARE REFERRING TO. YOU DO  
22 POINT OUT, THOUGH, ONE OF THE PROBLEMS IS IN EVALUATING  
23 THE DATA IS THAT WE ARE MAKING EXTREMELY SMALL  
24 CONCENTRATIONS OF SOME OF THESE AIR CONTAMINANTS, SOME OF  
25 THESE GASES. AND IT'S A LITTLE BIT UNCLEAR -- WERE YOU



1 SAYING THAT THE LOCAL AIR POLLUTION CONTROL DISTRICT, IN  
2 LOOKING AT ALL THE DATA AS A WHOLE, FOCUSED ON ONE  
3 PARTICULAR PART WHICH YOU FEEL MAY NOT HAVE BEEN ACCURATE  
4 AND WAS REQUIRING SOME REMEDIAL ACTION BASED UPON --

5 BOARD MEMBER BREMBERG: NO. BECAUSE THERE IS NO  
6 REMEDIAL ACTION THAT WE WILL ACCEPT. WE'RE CHALLENGING  
7 THEIR STATEMENT ON THE -- THEIR MEASUREMENT OF CERTAIN  
8 GASES BECAUSE WE HAVE YEARS OF DAILY, IF NOT FIVE TIMES A  
9 DAY, READINGS THAT PROVE THAT THAT JUST SIMPLY ISN'T  
10 POSSIBLE TO HAVE HAPPENED. WHY SHOULD ONE LITTLE SPURT  
11 SHOW UP ON ONE HOUR'S PERIOD IN ONE OF THREE DAYS? IT  
12 JUST DOESN'T SEEM QUITE FEASIBLE OR ACCEPTABLE.

13 MR. BEHRMANN: IF YOU ARE REFERRING TO THE AMBIENT  
14 AIR TESTING PROBABLY AROUND THE VICINITY, I'LL HAVE TO  
15 LOOK INTO THAT. I MEAN WHICH SITE, SPECIFICALLY, IN THE  
16 SOUTH COAST?

17 BOARD MEMBER BREMBERG: SOUTH COAST AIR QUALITY  
18 DISTRICT, SHOAL CANYON, IN THE CITY OF GLENDALE.

19 MR. BEHRMANN: THANK YOU. I THINK IT'S A GOOD  
20 QUESTION IN THAT IT RELATES TO THE EVALUATION; AND WHILE  
21 I'M NOT FAMILIAR WITH THAT PARTICULAR SITE BECAUSE THERE  
22 ARE OBVIOUSLY A LARGE NUMBER OF SITES IN THE STATE, IT  
23 IS -- THE LAW DOES PROVIDE THAT THE LOCAL AIR POLLUTION  
24 CONTROL DISTRICT CAN TAKE ACTION AND CAN REQUIRE REMEDIAL  
25 ACTION. IN FACT, WE ARE FAMILIAR WITH SEVERAL CASES IN



1 THE SAN DIEGO AREA, FOR EXAMPLE, WHERE THERE ARE LARGE  
2 NUMBERS OF VOTER COMPLAINTS. SOME MEASUREMENTS DONE  
3 BEFORE THE LANDFILL SEEM TO INDICATE A PROBLEM. AND THE  
4 DISTRICT DOWN THERE, FOR EXAMPLE, HAS REQUIRED  
5 INSTALLATION OF LANDFILL GAS COLLECTION SYSTEMS. NOW,  
6 THOSE SYSTEMS, I BELIEVE, ARE ALREADY REQUIRED IN SOME  
7 DISTRICTS.

8 BOARD MEMBER BREMBERG: WE ALREADY HAVE HORIZONTAL  
9 AND VERTICAL, HAVE HAD. THE WHOLE THING IS ALL IN PLACE,  
10 HAS BEEN IN PLACE, AND CONTINUES TO BE AS THE WORKING  
11 FACE IS EXPANDED, IT'S MINED ALL THE WAY ALONG. I MEAN,  
12 WE'VE BEEN AHEAD OF THE CURVE ALL THE WAY DOWN THE LINE,  
13 WHICH IS WHAT ASTONISHED US SO, THAT ONE LITTLE PLACE.  
14 WHEN A GENTLEMAN FROM THE SOUTH COAST AIR DISTRICT WAS  
15 HERE A YEAR AGO, I POINTED OUT THAT THIS INFORMATION WAS  
16 INACCURATE; AND HE SAID, "WELL, SOMETIMES THEY MADE  
17 MISTAKES, BUT NOBODY EVER CORRECTED IT."

18 MR. BEHRMANN: JUST IN TERMS OF GIVING YOU BRIEFLY  
19 AN OVERVIEW OF THE STATUS OF THE TESTING, WE BELIEVE THAT  
20 APPROXIMATELY 450 ACTIVE SITES REQUIRE TESTING STATEWIDE,  
21 AND WE BELIEVE THAT UP TO AT LEAST AS OF APRIL OF THIS  
22 YEAR THAT APPROXIMATELY 45 TESTS HAD BEEN COMPLETED.  
23 YOURS BEING ONE, I'M SURE.

24 IN TERMS OF HAZARDOUS WASTE -- IN TERMS OF --  
25 IN TERMS OF THE -- THERE ARE NINE OFF-SITE MULTI-USER



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1 HAZARDOUS WASTE DISPOSAL SITES REQUIRING TESTING IN THE  
2 STATE. WE BELIEVE OF THESE TESTING PLANS HAVE BEEN  
3 APPROVED AND TESTING IS UNDERWAY AT SIX OF THOSE, AND  
4 TESTING IS COMPLETED, TOO -- EXCUSE ME, I NOTICE THAT  
5 ADDS UP TO EIGHT, WHICH MEANS THERE IS ONE MISSING I'LL  
6 HAVE TO CHECK ON.

7 AND THEN, FINALLY, IN TERMS OF INACTIVE SITES,  
8 THERE'S A REQUIREMENT IN THE LAW THAT INACTIVE SITES BE  
9 EVALUATED USING A SCREENING QUESTIONNAIRE. AND WE  
10 BELIEVE THAT APPROXIMATELY 600 SITES ARE BEING EVALUATED  
11 STATEWIDE FOR POSSIBLE TESTING.

12 NOW, I MENTIONED THAT THE FINAL STEP IN THE  
13 TESTING PROGRAM IS THAT SUMMARY DATA BE REPORTED TO THE  
14 AIR RESOURCES BOARD; AND WHILE MUCH MORE TESTING HAS BEEN  
15 DONE, WE HAVE ONLY RECEIVED DATA FROM THE SEVEN SITES.  
16 BASED UPON THE VERY LIMITED DATA, WE REALLY DO NOT FEEL  
17 COMFORTABLE IN MAKING A GENERAL CONCLUSION OR DRAWING ANY  
18 GENERAL CONCLUSIONS AT THIS TIME ABOUT THE EFFECT OF SUCH  
19 WASTES IN LANDFILLS ON THE AMBIENT AIR QUALITY. HOWEVER,  
20 WE DID FEEL THAT WE COULD MAKE THREE OBSERVATIONS. AND  
21 THIS DATA, BY THE WAY, IS INCLUDED IN OUR REPORT, WHICH I  
22 BROUGHT A COUPLE EXTRA COPIES, AND I KNOW THAT A FORMAL  
23 COPY IS BEING TRANSMITTED TO YOUR BOARD SHORTLY.

24 THE FIRST OBSERVATION WAS THAT RELATIVELY HIGH  
25 CONCENTRATIONS OF METHYLENE CHLORIDE IN TWO LANDFILLS MAY



1 INDICATE EITHER IMPROPER DISPOSAL OR SIMPLY REFLECT THE  
2 FACT THAT A LOT OF CONSUMER PRODUCTS CONTAIN METHYLENE  
3 CHLORIDE AND MAY HAVE BEEN DISPOSED AS JUST A PART OF  
4 MUNICIPAL WASTE.

5 SECOND OBSERVATION WAS THAT HIGH  
6 CONCENTRATIONS OF VINYL CHLORIDE WERE OBSERVED IN ONE  
7 LANDFILL, AND THESE -- THESE FINDINGS TEND TO CORROBORATE  
8 THE FINDINGS OF PREVIOUS STUDIES. WE HAVE ENGAGED IN  
9 SOME RESEARCH AND FOUND THAT VINYL CHLORIDE MAY BE THERE  
10 DUE TO IMPROPER DISPOSAL, OR IT MAY BE THERE ALSO DUE TO  
11 SIMPLY BACTERIAL ACTION ACTING ON CERTAIN SOLVENTS.

12 AND THEN, FINALLY, THAT WE WHEN WE LOOKED AT  
13 THE AMBIENT AIR CONCENTRATIONS THAT WERE MEASURED, THEY  
14 RANGED FROM LESS THAN THE DETECTION LIMITS TO  
15 APPROXIMATELY TWICE THE URBAN BACKGROUND AS COMPARED TO  
16 STATEWIDE AIR TOXIC MONITORING NETWORK WHICH WE HAVE IN  
17 PLACE, AND THAT WE FEEL THAT THESE LEVELS -- AT LEAST  
18 RIGHT NOW, THESE LEVELS ARE WITHIN THE EXPECTED RANGE OF  
19 VARIATION FOR SUCH MONITORING.

20 OUR PRINCIPAL OBSERVATION OR THE KEY THING  
21 THAT WE FEEL THUS FAR IS THAT BASED UPON THE LIMITED  
22 DATA, THAT WE REALLY NEED TO BE LOOKING AT ADDITIONAL  
23 TESTING DATA BEFORE DRAWING ANY FURTHER CONCLUSION, AND  
24 THAT KIND OF LEADS INTO MY LAST OVERHEAD, WHICH IS SIMPLY  
25 ONGOING ACTIVITIES THAT WE ARE CARRYING OUT.



1 FIRST OF ALL, AS I MENTIONED A MOMENT AGO, WE  
2 ARE WORKING WITH THE LOCAL AIR POLLUTION CONTROL  
3 DISTRICTS AND THE WASTE MANAGEMENT BOARD AND DEPARTMENT  
4 OF HEALTH SERVICES TO DEVELOP SOME EVALUATION CRITERIA TO  
5 ASSIST THE AIR POLLUTION CONTROL DISTRICTS IN EVALUATING  
6 THE DATA. AND THE STAFF OF YOUR BOARD AND THE STAFF OF  
7 THE DEPARTMENT OF HEALTH SERVICES ARE ASSISTING US IN  
8 THAT EFFORT. AND WE BELIEVE THAT WE HOPE TO HAVE -- WE  
9 BELIEVE THAT WE CAN HAVE THESE CRITERIA, THESE SCREENING  
10 CRITERIA, DONE BY THE END OF THIS SUMMER.

11 THE SECOND ACTIVITY IS THAT THE INFORMATION  
12 THAT WE HAVE RECEIVED FROM OUR LANDFILL TESTING COMMITTEE  
13 IS THAT THERE HAS BEEN SURPRISINGLY LITTLE RESISTANCE, AT  
14 LEAST IN THE URBAN AREAS, TO COMPLYING WITH THE TESTING  
15 REQUIREMENTS. OVER THE NEXT YEAR IN PREPARATION FOR THE  
16 NEXT YEAR'S REPORT TO THE LEGISLATURE, WE'RE GOING TO  
17 BECOME A LITTLE BIT MORE ACTIVE IN TERMS OF GETTING OUT  
18 IN THE FIELD AND WORKING WITH SOME OF THE LOCAL  
19 DISTRICTS, ESPECIALLY IN SOME OF THE MORE RURAL AREAS, TO  
20 ASSURE THAT THE TESTING IS PROCEEDING.

21 THE THIRD ONGOING ACTIVITY IS THAT YOU CAN  
22 IMAGINE WITH SOME OF THE DATA BEING REPORTED TO THE AIR  
23 RESOURCES BOARD, WE'RE WORKING ON A SMALL DATA MANAGEMENT  
24 SYSTEM, SO THAT WE'RE NOT OVERWHELMED BY THE DATA THAT  
25 COMES IN. WE'RE ALSO WORKING WITH THE LOCAL DISTRICT ON



1 THAT. THE GUIDELINES PROVIDE THAT SUMMARY DATA BE  
2 REPORTED TO US, NOT THE ACTUAL COMPLETE TESTING REPORTS  
3 THEMSELVES. THEY'RE HAVING A LITTLE BIT OF TROUBLE ON  
4 THAT SO FAR.

5 THE FOURTH ACTIVITY IS WORKING WITH OTHER  
6 AGENCIES. I MENTIONED A MOMENT AGO THAT THE LAW REQUIRES  
7 A PARALLEL WATER TESTING PROGRAM TO BE UNDERTAKEN. YOUR  
8 AGENCY'S CHARGED TO BE WORKING THROUGH THE LOCAL  
9 ENFORCEMENT AGENCIES WITH SOLID WASTE DISPOSAL SITES...  
10 OUR THREE AGENCIES ARE GOING TO BE MEETING EITHER NEXT  
11 WEEK OR THE FOLLOWING WEEK TO DEVELOP PROCEDURES THAT WE  
12 CAN ASSURE OR ENSURE THAT EACH OF US IS NOTIFIED WHENEVER  
13 PROBLEMS ARISE WITH A PARTICULAR LANDFILL SITE.

14 AND THEN, FINALLY, WE ARE UNDER CONTRACT TO  
15 THE DEPARTMENT OF HEALTH SERVICES AT TWO HAZARDOUS WASTE  
16 SITES IN CALIFORNIA, DEVELOPING AIR MONITORING PROCEDURES  
17 THAT THEY CAN PUT IN PLACE ON A ROUTINE BASIS AROUND  
18 HAZARDOUS WASTE SITES SO THAT THEY CAN DEVELOP AIR  
19 MONITORING SYSTEMS SOMEWHAT COMPARABLE TO THE WATER  
20 TESTING REQUIREMENTS THAT GO ON AT THIS TIME AROUND  
21 HAZARDOUS WASTE SITES.

22 SO IN CONCLUSION, WE HAVE A LANDFILL TESTING  
23 PROGRAM THAT IS IN PLACE AND WORKING WHICH WILL, WE HOPE,  
24 PROVIDE LOCAL AIR POLLUTION DISTRICTS WITH ENOUGH DATA TO  
25 SCREEN THOSE SITES FOR POSSIBLE HEALTH THREATS OR HEALTH

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1 RISKS OR THREATS TO THE ENVIRONMENT AS THE LAW STATES.  
2 AND THEN, FINALLY, BASED UPON THE LIMITED DATA WE HAVE  
3 THUS FAR, WE REALLY CANNOT DRAW ANY GENERAL CONCLUSIONS  
4 AT THIS TIME; BUT WE HOPE THAT OVER THE NEXT YEAR, THE  
5 DATA COMING OUT OF THE PROGRAM WILL PROVIDE US WITH  
6 ENOUGH INFORMATION THAT WE CAN PROVIDE SOME ASSESSMENT  
7 FOR THE JULY 1989 REPORT TO THE LEGISLATURE.

8 THAT CONCLUDES MY PRESENTATION. AGAIN, I  
9 APPRECIATE THE INVITATION AND HAPPY TO ANSWER ANY  
10 QUESTIONS, ANY ADDITIONAL QUESTIONS, THAT YOU MAY HAVE.

11 CHAIRMAN MOSCONE: THANK YOU, MR. BEHRMANN. ARE  
12 THERE ANY QUESTIONS? THANK YOU. WE APPRECIATE YOUR  
13 COMING.

14 MR. BEHRMANN: ALSO, I WANT TO THANK YOU ON BEHALF  
15 OF MYSELF FOR THE ASSISTANCE FROM YOUR STAFF. YOUR STAFF  
16 HAS BEEN EXTREMELY HELPFUL AND VERY KNOWLEDGEABLE IN THIS  
17 EFFORT.

18 CHAIRMAN MOSCONE: THANK YOU. SHOULD WE PROCEED TO  
19 ITEM 11, OR IS THERE SOMETHING ELSE THAT YOU WOULD PREFER  
20 TO DO?

21 MR. EOWAN: NO, THAT WOULD BE FINE. WE'RE READY.

22 CHAIRMAN MOSCONE: UPDATE AND CONSIDERATION OF  
23 LEGISLATION.

24 MS. JACKSON: MR. CHAIRMAN, MEMBERS OF THE BOARD,  
25 GOOD MORNING. I'VE GIVEN ALL OF YOU AN UPDATED LITTLE



1 PACKAGE THAT HAS AN UPDATED BILL AS WELL AS NEW SUPPORT  
2 POSITIONS AND ANY CHANGES IF THE BILL HAS BEEN AMENDED.

3 THE FIRST BILL AB 2790 HAS NOT BEEN CHANGED  
4 SINCE OUR LAST BILL OF MAY 18TH, BUT THE BILL PASSED THE  
5 SENATE LOCAL GOVERNMENT COMMITTEE ON JUNE THE 29TH. IT'S  
6 SET IN APPROPRIATIONS ON AUGUST THE 1ST, AND YOU HAVE AN  
7 UPDATED SUPPORT POSITION AS OF THE MAY 18TH VERSION.

8 BOARD MEMBER BREMBERG: MR. CHAIRMAN, THIS IS -- I  
9 WAS JUST CURIOUS. TRI-COUNTY REGIONAL OCCUPATIONAL  
10 PROGRAM, THEY LIST AS A NEW SUPPORT POSITION. I JUST  
11 NEVER HEARD OF THEM.

12 MR. EOWAN: YOUR GUESS IS AS GOOD AS MINE.

13 BOARD MEMBER BREMBERG: OKAY. I JUST WONDERED WHY  
14 THEY --

15 MS. JACKSON: WE GOT THIS LETTER FROM THE AUTHOR'S  
16 OFFICE FOR THE COMMITTEE, AND THEY GIVE US AN UPDATED  
17 LIST WHEN WE CALL FOR IT, MR. BREMBERG.

18 BOARD MEMBER BREMBERG: JUST KIND OF CURIOUS.

19 MR. EOWAN: I COULD MAKE A GUESS, BUT IT WOULD ONLY  
20 BE A GUESS.

21 MS. JACKSON: THE NEXT BILL IS 2818. THIS BILL  
22 PASSED THE SENATE GO COMMITTEE THE 28TH OF JUNE AND NOW  
23 IS IN SENATE APPROPRIATIONS ON AUGUST THE 1ST.

24 ABOUT TEN OF THE BILLS IN THE PACKET HAVE BEEN  
25 AMENDED, AND MANY OF THEM ARE SET ON AUGUST THE 1ST, SO



1 WE SHOULD GET LOTS OF ANSWERS TO THE LEGISLATION WE'RE  
2 TRACKING AND ANALYZING AFTER IT GOES THROUGH  
3 APPROPRIATIONS ON THAT DAY. THIS IS THE REMEDIAL ACTION  
4 BY LAFOLLETTE. THE NEXT --

5 MR. EOWAN: EXCUSE ME. ON THIS BILL -- ON 2818,  
6 WE'RE GOING TO BE LOOKING AT THIS ONE AGAIN BECAUSE I GOT  
7 A CALL FROM AGENCY ON THIS LAST NIGHT AND HAVEN'T HAD A  
8 CHANCE TO MENTION IT TO JOELLEN YET.

9 THEY WANT US TO TAKE ANOTHER LOOK AT IN TERMS  
10 OF THE WORKLOAD REQUIREMENTS. AS I UNDERSTAND IT FROM  
11 MR. DOYLE, HE WAS SAYING THAT IT MAY NOT BE NECESSARY TO  
12 DO MUCH MORE THAN PREPARE REPORTS TO SATISFY THE PURPOSES  
13 OF THIS BILL AS IT'S NOW AMENDED. I MEAN, THIS THING IS  
14 VERY MUCH IN CONFLICT, AND IT'S HARD TO KEEP TRACK OF  
15 THESE THINGS AND MEET DEADLINES OF THE BOARD.

16 BUT IN TERMS OF KEEPING THE -- MEETING THE  
17 REQUIREMENTS OF AB 2448, THEY BELIEVE -- AGENCY BELIEVES  
18 THAT IT MAY ONLY BE NECESSARY TO PREPARE A REPORT TO THE  
19 LEGISLATURE ON CONFLICTS BETWEEN AGENCIES ON IMPLEMENTING  
20 2448. THAT'S ONE OF THE REASONS WE HAVE THIS SOLID WASTE  
21 CLEAN-UP ADVISORY COMMITTEE IS TO MAKE SURE THAT THERE'S  
22 A COORDINATED IMPLEMENTATION OF AB 2448.

23 ONE OF THE REQUIREMENTS IS TO REPORT TO THE  
24 LEGISLATURE ON CONFLICTS, AND THEY BELIEVE THAT -- AND  
25 HOW WE RESOLVE THEM, AND THEY BELIEVE THAT THIS WOULD BE



1 A RELATIVELY MINOR ACTIVITY, A TWO- OR THREE-PAGE REPORT.

2 SO I'M JUST REPORTING THAT TO YOU, AND WE MAY  
3 TAKE ANOTHER LOOK AT IT WITH THAT INPUT, AND YOU MAY FIND  
4 IN THE NEXT BOARD PACKET A DIFFERENT POSITION. IN FACT,  
5 WE AGREE BECAUSE THE 60,001 PY WOULD AUTOMATICALLY MAKE  
6 US OPPOSE THE BILL. AND IF THERE'S ONLY THAT SMALL  
7 REQUIREMENT, THEN, MAYBE WE WOULDN'T NEED TO OPPOSE IT ON  
8 THAT BASIS, AT LEAST.

9 I JUST WANTED TO UPDATE YOU.

10 MS. JACKSON: THANK YOU. THE NEXT BILL BY  
11 LAFOLLETTE IS AB 2831. THIS BILL ALSO PASSED LOCAL  
12 GOVERNMENT COMMITTEE AND IS SET IN APPROPRIATIONS AUGUST  
13 THE 1ST. AS OF JUNE THE 16TH, WE HAVE AN OPPOSED  
14 POSITION FROM THE CALIFORNIA REFUSE REMOVAL COUNCIL, THE  
15 COUNTY OF ORANGE.

16 THE NEXT BILL HAD PROBABLY THE MOST ACTIVITY  
17 ON IT WHICH IS AB 3012, THE KATZ BILL. THIS BILL PASSED  
18 SENATE LOCAL GOVERNMENT, WAS AMENDED ON JUNE 27TH, WHICH  
19 YOU HAVE A COPY OF THAT BILL IN YOUR PACKET. AND WHAT  
20 THAT AMENDMENT DID IS IT CHANGED THE REQUIRED 1,000-FOOT  
21 DISTANCE FROM SPECIFIED FACILITIES FOR LANDFILL SITING OR  
22 EXPANSION TO AN UNSPECIFIED DISTANCE DETERMINED BY THE  
23 LOCAL GOVERNING BODY TO BE SUFFICIENT. IT ALSO  
24 ADDITIONALLY --

25 BOARD MEMBER ARAKALIAN: WHAT PAGE ARE YOU ON?

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1 MS. JACKSON: I'M ON THE UPDATE, AND THIS IS AN  
2 UPDATE SAMPLE THAT I GAVE YOU YESTERDAY MORNING -- EXCUSE  
3 ME -- IT'S NOT IN THE BOARD PACKET. IT'S CLIPPED  
4 TOGETHER.

5 MR. EOWAN: PAGE 238 IN YOUR BOARD PACKET IS THE  
6 THE ANALYSIS THAT WE PREPARED; AND SINCE THEN WE PROVIDED  
7 YOU WITH AN UPDATE WHICH WE GAVE YOU YESTERDAY. SO IT'S  
8 KIND OF LOOKING AT TWO DIFFERENT PLACES THERE.

9 MS. JACKSONS: -- ADDITIONALLY NO CITY OR COUNTY  
10 MAY ISSUE A LAND USE PERMIT FOR SPECIFIED FACILITIES THAT  
11 WOULD BE LOCATED WITHIN 2,000 FEET OF AN EXISTING  
12 LANDFILL OR AN EXPANSION AREA IDENTIFIED IN THE COSWMP.

13 THE AMENDMENT ALSO EXEMPTED RECONSTRUCTION OR  
14 IMPROVEMENT OF EXISTING LANDFILLS FROM THE PROHIBITIVE  
15 USE OF GRAVEL PITS, PROVIDING THE RECONSTRUCTION IS NOT A  
16 LATERAL EXPANSION. THE AMENDMENT ALSO DEFINED THE  
17 MEANING OF "WASTE MANAGEMENT UNIT" AS "THE AREA OF A  
18 SOLID WASTE LANDFILL FACILITY IN OR ON WHICH SOLID WASTES  
19 ARE PLACED FOR DISPOSAL."

20 NOW, SINCE THEN, IT'S OUR UNDERSTANDING IN  
21 TALKING TO THE AUTHOR'S OFFICE THAT THE JUNE 29TH  
22 AMENDMENT, WITH THEIR LOCAL GOVERNMENT DISCRETION, THEY  
23 GIVE LOCAL GOVERNMENT MORE DISCRETION ON THE 2,000-FOOT  
24 ENCROACHMENT BUFFER.

25 WE DO NOT HAVE THAT BILL ON PRINT AS OF YET.



1 WHEN WE DO, WE WILL PROVIDE IT IN THE NEXT PACKET AND AN  
2 UPDATE IT AS WELL.

3 OUR LAST BOARD MEETING WE TOOK AN OPPOSED  
4 POSITION TO THIS BILL; AND SINCE THE AUTHOR'S OFFICE HAS  
5 MOVED SO FAR TO WORK WITH THE WASTE BOARD, I FEEL THAT AT  
6 THIS TIME A NEUTRAL POSITION WOULD BE APPROPRIATE UNTIL  
7 THE BILL -- AS THE BILL CONTINUES TO BE AMENDED.

8 BOARD MEMBER VARNER: WHO ALL IS OPPOSED TO THAT AT  
9 THIS TIME, JOELLEN?

10 MR. EOWAN: WE DON'T KNOW ON THE NEW AMENDMENTS  
11 WHAT THAT'S DONE TO THE OPPOSITION.

12 MS. JACKSON: I DO KNOW THE COUNTY OF L.A., JACK  
13 MICHAEL, PART OF THE LANGUAGE ON THE 29TH AMENDMENTS ARE  
14 HIS SO THAT THEY WOULD REMOVE THEIR OPPOSITION FROM THE  
15 BILL.

16 THE NEXT BILL IS AB 3189 BY TANNER. THIS BILL  
17 PASSED THE SENATE TOXIC AND PUBLIC SAFETY COMMITTEE AND  
18 IS ALSO IN SENATE APPROPRIATIONS FOR AUGUST THE 1ST.

19 YOU HAVE A COPY OF THE JUNE 22ND AMENDMENT  
20 WHICH ADDED HOUSEHOLD HAZARDOUS WASTE TO THE USES PLANNED  
21 TO THE PROPOSED COLLECTION CENTERS. THEY ALSO CHANGED  
22 THE LEGISLATIVE INTENT TO STATUTORY REQUIREMENT THAT DOHS  
23 AND THE BOARD JOINTLY DEVELOP CRITERIA FOR AB 2448  
24 GRANTS.

25 BOARD MEMBER BREMBERG: SAY THAT AGAIN, PLEASE.



1 MS. JACKSON: THEY CHANGED THE LEGISLATIVE INTENT  
2 TO THE STATUTORY REQUIREMENT. IT WAS INITIALLY INTENT IN  
3 THE LANGUAGE, AND NOW IT IS STATUTORILY REQUIRE THE  
4 DEPARTMENT OF HEALTH SERVICES AND THE BOARD TO JOINTLY  
5 DEVELOP CRITERIA FOR AB 2448 GRANTS ON HOUSEHOLD  
6 HAZARDOUS WASTE. THE AMENDMENTS ALSO REQUIRE THAT  
7 BUSINESS FEES ARE OPTIONAL TO THE CITY AND COUNTY CHOICE.

8 MOREOVER, THE JUNE 22D AMENDMENT MAKES THE AB  
9 2448 GRANT MONIES THE MAIN FUNDING SOURCE FOR THE  
10 PROPOSED PROGRAMS INSTEAD OF A SUPPLEMENT TO THE LOCAL  
11 FEES AS IN PREVIOUS VERSIONS OF THE BILL. ALSO, HEALTH  
12 SERVICES AT MINIMUM COSTS WOULD BE PAID IN THE 2448  
13 FUNDS. WE HAVE A STRAIGHT OPPOSED POSITION ON THIS BILL.

14 THE NEXT BILL IS AB 3297 BY KILLEA. THIS BILL  
15 PASSED SENATE TOXICS AND PUBLIC SAFETY COMMITTEE ON JUNE  
16 THE 27TH. THEY'VE TAKEN THE MONEY OUT OF THIS BILL, SO  
17 IT WOULD BE GOING DIRECTLY TO THE SENATE FLOOR. THE BILL  
18 ALSO IS SPONSORED, I WANT YOU TO KNOW, BY ORANGE COUNTY.

19 THIS IS A USED OIL BILL WITH KILLEA SINCE THEY  
20 HAVE REMOVED THE MONEY FOR THE TOLL-FREE LINE AND TOOK  
21 THAT PROVISION OUT OF THE BILL SO IT WOULD NOT BE PART OF  
22 THE LABELING. WE HAD TAKEN AN OPPOSED POSITION BECAUSE  
23 OF THE FUNDING, NOW I FEEL WE CAN TAKE A SUPPORT POSITION  
24 ON THIS BILL.

25 NEXT BILL, AB 3298 KILLEA --



1 BOARD MEMBER BEAUTROW: EXCUSE ME?

2 MS. JACKON: MR. BEAUTROW.

3 BOARD MEMBER BEAUTROW: SHOULDN'T WE TAKE THIS  
4 SHEET HERE, WHICH IS THE SUMMARY SHEET, AND USE IT,  
5 OPPOSE UNLESS AMENDED. AND NOW YOU'RE SAYING WE ARE --

6 MS. JACKSON: SUPPORT THE BILL.

7 BOARD MEMBER BEAUTROW: WELL, WE OUGHT TO BE  
8 MARKING THESE, OR WE'LL LOSE TRACK OF WHAT TO DO HERE  
9 BECAUSE THIS IS NOT UP-TO-DATE, EVIDENTLY.

10 MS. JACKSON: IT'S NOT UP-TO-DATE BECAUSE SINCE  
11 THAT AGENDA WAS PRINTED, THE BILL WAS AMENDED TO TAKE OUT  
12 THE MONEY IN IT; SO THEREFORE, WE CAN CHANGE OUR POSITION  
13 ON IT.

14 BOARD MEMBER BEAUTROW: I'M JUST SAYING IF WE DON'T  
15 WRITE THIS DOWN AND KEEP TRACK OF IT, THERE'S NO WAY TO  
16 TELL WHEN YOU GET ALL DONE WITH US WHAT WE DID.

17 MS. JACKON: I'LL BE GLAD TO GO BACK OVER THE BILLS  
18 WITH YOU AND TELL YOU IF THAT WOULD BE HELPFUL.

19 CHAIRMAN MOSCONE: WHY DON'T WE DO THAT AT THE END;  
20 SO IF WE DID IT ONE AT TIME WHEN WE'VE COMPLETED THESE  
21 AND TAKE OUR POSITIONS AT THAT TIME.

22 MR. EOWAN: THAT'S A GOOD IDEA.

23 CHAIRMAN MOSCONE: I THINK WE'VE DONE IT BEFORE. I  
24 THINK WE'VE GONE THROUGH THIS, AS WE'RE DOING HERE, AND  
25 SOME HAVE NOTED THE CHANGES IN POSITION; BUT I, FOR ONE,



1 HAVE ALWAYS WANTED A RECAP OF ALL OF THEM.

2 MR. EOWAN: WE'LL CERTAINLY DO THAT, TOO. PLAN ON  
3 DOING THAT.

4 MS. JACKSON: AB 3298 IS A KILLEA RECYCLING BILL  
5 WHICH PASSED ON THE FLOOR OF THE ASSEMBLY BY A VOTE OF 45  
6 TO 30 ON JUNE 28TH. THE BILL WAS ALSO AMENDED ON THAT  
7 DAY. THE AMENDMENT COMPLETED THE APPROPRIATION OF  
8 \$125,000 FROM THE GENERAL FUND TO THE DEPARTMENT OF  
9 CONSERVATION TO ADMINISTER THE BILL.

10 MR. EOWAN: IS THAT THE ONLY APPROPRIATION IN THAT?

11 MS. JACKSON: YES.

12 MR. EOWAN: NO APPROPRIATION AT ALL?

13 BOARD MEMBER VARNER: ARE YOU SURE, IF THAT BILL  
14 HAD NOT GOTTEN --

15 MS. JACKSON: THAT BILL HAS PASSED THE ASSEMBLY  
16 FLOOR AND HAS GONE TO SENATE RULES FOR ASSIGNMENT TO  
17 COMMITTEE.

18 THE NEXT BILL IS AB 3344 BY TANNER, PASSED  
19 SENATE LOCAL GOVERNMENT JUNE 28TH, IS ALSO SET IN  
20 APPROPRIATIONS ON AUGUST THE 1ST. THIS BILL WAS AMENDED,  
21 AS WELL, ON JUNE 28TH. AND THIS AMENDMENT REQUIRES THE  
22 ENERGY COMMISSION TO REVIEW AND COMMENT WITHIN 30 DAYS OF  
23 RECEIPT OF THE PLAN REVISION FROM THE LOCAL AGENCIES. IF  
24 THE ENERGY COMMISSION DOES NOT GIVE THE LOCAL AGENCY ITS  
25 COMMENT IN 30 DAYS, THE BOARD MAY APPROVE THE RESOLUTIONS



1 WITHOUT THEIR COMMENT.

2 THE NEXT BILL IS AB 3462 BY CORTESE. THIS  
3 BILL IS ON THE SENATE INACTIVE FILE. AUTHOR MAY HAVE  
4 PLANS TO MOVE IT IN AUGUST WHEN THEY RETURN; BUT AT THIS  
5 POINT, IT IS SITTING ON THE SENATE INACTIVE FILE.

6 MR. EOWAN: ON THIS BILL, THERE IS -- IN THE  
7 ORIGINAL AB 3462, THE WAY IT WAS DRAFTED IT SAID THAT IF  
8 A COSWMP REVISION IS NECESSARY, THEN THE PROVISIONS OF  
9 THE BILL WOULD BE NECESSARY TO IMPLEMENT IN THE REVISED  
10 COSWMP. IF THE REVISION OF THE COSWMP WAS NOT  
11 REQUIRED -- AND OCCASIONALLY, IF YOU RECALL, COUNTY WILL  
12 COME UP HERE AND IN THEIR PLAN REVIEW REPORT SAY THAT  
13 THEY DON'T NEED TO REVISE COSWMP, THEN WE CONCUR AND THAT  
14 HAPPENS OCCASIONALLY.

15 THE PROVISIONS OF 3462 WOULD THEN NOT BE  
16 ENFORCED IN THAT COUNTY FOR THE NEXT THREE YEARS UNTIL A  
17 REVISION WAS REQUIRED. AND THAT'S CAUSED SOME CONCERN IN  
18 THE LEGISLATURE, IN TERMS OF WHETHER OR NOT WE'RE  
19 IMPLEMENTING 3462 CORRECTLY. AND I BELIEVE WE ARE  
20 IMPLEMENTING IT CORRECTLY, OR AT LEAST THAT IT'S A  
21 DEFENSIBLE POSITION, AND THAT'S THE WAY WE'VE BEEN DOING  
22 IT.

23 REMEMBER THIS BILL 3462 JUST CAME INTO EFFECT  
24 THIS YEAR, JANUARY 1. AND WE'VE TAKEN A LOOK AT IT IN  
25 TERMS OF HOW MUCH OF THE WASTE STREAM ARE WE AFFECTING BY



1 LOOKING AT A PROJECTION OF HOW MANY COUNTIES WOULD OR  
2 HAVE NOT REQUIRED A COSWMP REVISION. ARE YOU TRACKING  
3 WITH ME SO FAR? WE THINK THAT IT'S PROBABLY ABOUT 2  
4 PERCENT OF THE TOTAL WASTE STREAM IN CALIFORNIA. THAT'S  
5 AN INSIGNIFICANT AMOUNT, BASICALLY.

6 SO IF WE WERE TO CONTINUE TO IMPLEMENT 3462  
7 THE WAY WE HAVE BEEN, ABOUT 2 PERCENT OF THE WASTE STREAM  
8 WITHIN THOSE COUNTIES -- AND THEY TYPICALLY ARE RURAL  
9 COUNTIES -- WOULD NOT HAVE THAT 20 PERCENT GOAL OR THE  
10 EIGHT-YEAR REQUIREMENT.

11 THERE'S ANOTHER SCHOOL OF THOUGHT, AND THAT IS  
12 IT'S REALLY NOT READING THE BILL AS TO THE LETTER OF THE  
13 LAW. AND WE'VE ASKED COUNSEL FOR HIS OPINION AND I  
14 BELIEVE HE CONCURS. I'LL LET HIM SPEAK IF HE'D LIKE.

15 ANOTHER SCHOOL OF THOUGHT THAT SAID IT  
16 PROBABLY WAS THE INTENT OF THE LEGISLATURE THAT WHEN THE  
17 THREE-YEAR PERIOD WAS UP FOR THE COSWMP, THAT A REVISION  
18 BE DONE IF THERE WASN'T A 20 PERCENT GOAL OR AN  
19 EIGHT-YEAR CAPACITY, AND THAT WOULD BE ONE OF THE  
20 REQUIREMENTS TO DETERMINE WHETHER A REVISION IS  
21 NECESSARY. THAT'S NOT THE WAY WE LOOK AT IT NOW,  
22 NECESSARILY.

23 SO THIS BILL -- IS EVERYBODY WITH ME? THIS  
24 BILL -- IT'S BECOMING AN ISSUE AND I WANTED TO LET YOU  
25 KNOW.



1                   THIS BILL 3462 COULD BE THE VEHICLE TO CHANGE  
2 THAT AND MAKE IT MORE CLEAR AS TO HOW WE SHOULD BE  
3 IMPLEMENTING IT. NOW, WE COULD MAKE A POLICY DECISION AT  
4 SOME POINT TODAY OR ANY OTHER BOARD MEETING AND SAY,  
5 "WELL, IT WAS THE INTENT OF THE LEGISLATURE TO REQUIRE  
6 ALL COUNTIES AT THE TIME OF THEIR PLAN REVIEW BOARD TO  
7 HAVE LEGISLATION TO REQUIRE ALL REVIEW REPORTS TO HAVE A  
8 20 PERCENT GOAL AND AN EIGHT-YEAR CAPACITY," AND IF THEY  
9 DIDN'T HAVE IT, THEY WOULD HAVE TO DO A REVISION.

10                   THAT WOULD BE AN OPTION FOR US, AND IT WOULD  
11 BE SENDING A MESSAGE TO THE LEGISLATURE THAT WE ARE  
12 HEARING WHAT THEIR CONCERN IS; AND EVEN THOUGH IT WOULD  
13 ONLY AFFECT A SMALL AMOUNT OF THE WASTE STREAM, WE WANT  
14 TO IMPLEMENT THIS EQUALLY ACROSS THE BOARD TO ALL  
15 COUNTIES.

16                   WE HAVEN'T DONE THAT UP TO NOW, AND I'M  
17 SUPPOSING THAT IS SOMETHING FOR YOU TO THINK ABOUT. IF  
18 YOU WOULD LIKE ME TO COME BACK TO YOU, SAY, AT THE NEXT  
19 BOARD MEETING OR SOMETHING AND GIVE YOU A MORE CLEAR AND  
20 CONCISE REVIEW OF THAT, I'D BE HAPPY TO DO THAT, AND YOU  
21 CAN MAKE A CLEAR POLICY DECISION ON IT. IT'S UP TO YOU.  
22 OR WE CAN JUST KEEP GOING THE WAY WE HAVE BEEN GOING  
23 WHICH, ACCORDING TO OUR COUNSEL, IS A DEFENSIBLE WAY TO  
24 GO.

25                   BOARD MEMBER BEAUTROW: IF THIS IS SUCH AN



1 INNOCUOUS BILL COMPARED TO SOME OF THE OTHERS, WHY IS IT  
2 HUNG UP?

3 MR. EOWAN: THIS BILL IS A SPOT BILL. I'M JUST  
4 RAISING THIS ISSUE IN TERMS OF THIS BILL BECAUSE  
5 ASSEMBLYMAN CORTESE IS ONE OF THE LEGISLATORS THAT IS  
6 CONCERNED WITH THE ISSUE I JUST TRIED TO EXPLAIN TO YOU.  
7 AND DEPENDING ON WHAT WE DO AND HOW IMPORTANT THEY THINK  
8 THE ISSUE IS, THEY COULD REVIVE THIS BILL AND MAKE IT THE  
9 VEHICLE TO DO WHAT I SAID IN TERMS OF IMPLEMENTING THE  
10 20-PERCENT GOAL.

11 MS. JACKSON: MR. BEAUTROW, WE'VE TAKEN A NEUTRAL  
12 POSITION ON THIS BILL ON ALL LOCAL LEGISLATIVE SESSIONS  
13 BECAUSE WE RECOGNIZE THIS AS A SPOT BILL, AND WE'VE BEEN  
14 WAITING FOR THEM TO PUT LANGUAGE IN THIS BILL ALL ALONG.  
15 SO THE FACT THAT IT'S ONLY AN ACTIVE FILE, IT'S NOT A  
16 SURPRISE, BECAUSE THEY DON'T HAVE ANY LANGUAGE AT THIS  
17 POINT TODAY TO PUT INTO IT THAT THEY MAY RESOLVE THE  
18 20-PERCENT GOAL DEFINITION.

19 MR. EOWAN: I'M NOT ASKING YOU TO TAKE ANY POSITION  
20 ON THIS BILL. IT'S JUST THAT THE ISSUE I DESCRIBED  
21 SOMEWHAT RELATES TO IT.

22 BOARD MEMBER BEAUTROW: WHY SHOULD WE WAIT FOR  
23 SOMEBODY ELSE TO DO SOMETHING IF WE HAVE STRONG POSITION  
24 ONE WAY, OR -- IN OTHER WORDS, WE ARE ALL THE TIME SAYING  
25 HERE'S THE SUGGESTED LANGUAGE. IF THEY AREN'T -- WE



1       COULD USE IT AS A VEHICLE OURSELVES TO SUPPORT THE WHOLE  
2       PROCESS. WHY DON'T WE MAKE A MOVE? OTHERWISE, WE ARE  
3       JUST SITTING LANGUISHING WAITING FOR SOMEBODY ELSE TO DO  
4       SOMETHING WHICH THEY MAY NEVER DO. IN OTHER WORDS, I  
5       DON'T SEE WHY WE DON'T BE MORE PROACTIVE, AND WE'RE  
6       WAITING FOR SOMEBODY TO DO SOMETHING, BUT WE DON'T KNOW  
7       WHEN OR HOW OR WHAT.

8               MR. EOWAN: I'M POSING THIS AS AN ISSUE FOR YOU TO  
9       DO SOMETHING IF YOU LIKE. WHAT I'M OFFERING TO YOU IS  
10      CLEAR AND -- I DON'T KNOW, CONCISE ANALYSIS OF IT. IF  
11      YOU WANT TO ACT ON WHAT I JUST SAID, GO AHEAD.

12              BOARD MEMBER BEAUTROW: WE NEED SOME MORE HELP.  
13      LIKE YOU SAID, INITIALLY IT'S SUCH A CONVOLUTED -- I  
14      THINK I'D LIKE SOMETHING ON ONE PIECE OF PAPER.

15              MR. EOWAN: THAT'S WHAT -- IN FACT, THAT'S WHAT I'M  
16      OFFERING YOU.

17              BOARD MEMBER BEAUTROW: THEN YOU SHOULD COME BACK.

18              MR. EOWAN: GOOD IDEA.

19              MS. JACKSON: OUR NEXT BILL IS AB 3745, EASTIN.  
20      THIS BILL PASSED THE ASSEMBLY FLOOR BY 58 TO 17 ON THE  
21      28TH. IT IS SET IN SENATE TO GO FOR AUGUST THE 2D. THE  
22      JUNE 28TH AMENDMENT DELETED THE \$900,000 APPROPRIATION TO  
23      THE BOARD FROM THE AB 2448 SOLID WASTE DISPOSAL SITE  
24      CLEANUP AND MAINTENANCE ACCOUNT IN THE GENERAL FUND.  
25      THERE'S NO OTHER CHANGE IN THIS BILL'S REQUIREMENTS, BUT



1 THE MONEY WAS TAKEN OUT. AS I UNDERSTAND FROM THE  
2 AUTHOR'S OFFICE, THAT THEY WILL PLACE THE MONEY BACK IN  
3 THE BILL ON THE SENATE SIDE; BUT IN ORDER TO GET IT OFF  
4 THE ASSEMBLY FLOOR, SHE NEEDED TO GET THE VOTE, SHE  
5 NEEDED TO TAKE THE MONEY OUT.

6 BOARD MEMBER BREMBERG: MR. CHAIRMAN.

7 CHAIRMAN MOSCONE: MS. BREMBERG.

8 BOARD MEMBER BREMBERG: JOELLEN, IF SHE HAD TO TAKE  
9 IT OUT TO GET THE VOTES, WILL SHE HAVE THE VOTES IF IT IS  
10 PUT BACK IN ON THE SENATE AND IT GOES TO CONFERENCE  
11 COMMITTEE?

12 MS. JACKSON: POSSIBLY. DEPENDS ON WHO'S ON THAT  
13 CONFERENCE COMMITTEE AND HOW MUCH WORK THEY DO ON THE  
14 BILL BETWEEN NOW AND THEN.

15 BOARD MEMBER BREMBERG: ALL RIGHT. WHAT DO WE IF  
16 THE \$900,000 DOESN'T SHOW UP?

17 MS. JACKSON: THEN WE WOULD OPPOSE THE BILL.

18 BOARD MEMBER BREMBERG: WILL THAT AND THE --

19 MS. JACKSON: AND THE AUTHOR'S OFFICE KNOWS THAT.  
20 IF THAT'S THE CASE, THEY WOULD DROP THE BILL.

21 BOARD MEMBER BREMBERG: OKAY. THANK YOU.

22 MR. EOWAN: AFTER CONFERENCE, THOUGH, IT HAS TO GO  
23 BACK TO BOTH HOUSES AND THEN IT WOULD BE IN JEOPARDY,  
24 AGAIN, PRESUMABLY, UNLESS PEOPLE CAN WORK IT OUT.

25 MS. JACKSON: AB 3746, EASTIN. THIS IS A



1       PROCUREMENT BILL THAT PASSED THE ASSEMBLY FLOOR ON A VOTE  
2       OF 50 TO 20 ON JUNE THE 28TH.

3               THE NEXT BILL --

4               CHAIRMAN MOSCONE: WHY DO WE HAVE A -- AN OPPOSED  
5       POSITION? I FORGET.

6               MS. JACKSON: THE REASON FOR THE OPPOSED POSITION,  
7       MR. MOSCONE, IS SIMPLY BECAUSE IT WOULD HAVE A FISCAL  
8       IMPACT ON THE GENERAL FUND.

9               MR. EOWAN: AS A POLICY ISSUE. OTHER THAN THAT, WE  
10      HAVE NO PROBLEM. JUST TO REFRESH YOUR MEMORY, WE WERE  
11      GIVEN SOME DIRECTION ON -- FROM AGENCY ON BILLS THAT  
12      AFFECT THE GENERAL FUND BECAUSE OF THE BUDGET PROBLEMS  
13      THAT WE HAVE. AND ANYTHING THAT HAS AN APPROPRIATION IN  
14      IT, WE WENT OVER THOSE BILLS A MONTH -- OR JOELLEN DID  
15      ABOUT A MONTH AND A HALF AGO WITH THEM. IT WASN'T THAT  
16      LONG, MORE LIKE THREE WEEKS AGO -- AND THEY GAVE US A  
17      DIRECTION ON HOW TO APPROACH THOSE BILLS THAT HAVE  
18      GENERAL FUND IMPACT, AND THAT'S WHY YOU SEE A LOT OF  
19      OPPOSES AND THAT'S WHY YOU SAW THEM LAST TIME.

20              BOARD MEMBER BROWN: I FIND IT DIFFICULT TO BE  
21      AGAINST RECYCLED THINGS, AND ISN'T THERE AN OFFSET? IF  
22      YOU'RE NOT BUYING REAL PAPER, YOU'RE BUYING RECYCLED  
23      PAPER. DON'T YOU COME OUT WITH ZERO?

24              I HEAR WHAT YOU ARE SAYING WITH RESPECT --

25              MR. EOWAN: I THINK THERE IS AN OFFSET. HOW MUCH



1 OF AN OFFSET THERE IS, IS SOMETHING THAT WE WOULD HAVE A  
2 HARD TIME ESTIMATING. AS A POLICY MATTER, IT'S HARD TO  
3 OPPOSE IT, THOUGH.

4 BOARD MEMBER BROWN: THAT'S RIGHT.

5 MR. EOWAN: IT'S YOUR CHOICE, I MEAN THIS IS  
6 STAFF'S RECOMMENDATION BASED ON GUIDANCE FROM AGENCY.  
7 BUT IT'S UP TO YOU TO MAKE ANY DECISION YOU WANT TO MAKE  
8 ON IT. AND AS A POLICY-MAKING BODY, I THINK YOUR VOICE  
9 IS IMPORTANT TO BE HEARD, PARTICULARLY IN A CONTROVERSIAL  
10 NATURE OF SOMETHING LIKE RECYCLING, AND WHAT OUR BOARD'S  
11 POSITION IS ON RECYCLING.

12 MS. JACKSON: MR. BROWN, WE HAVE A DEPARTMENT OF  
13 FINANCE ESTIMATE ON THIS BILL WHICH WOULD BE AN EIGHT AND  
14 A HALF MILLION DOLLARS LOSS TO THE GENERAL FUND IF THIS  
15 BILL WERE ENACTED, AND THAT'S A FIGURE THAT WE'VE  
16 RECEIVED FROM THEM. WE COULD, I THINK, ON SOME OF THESE  
17 BILLS THAT THE WASTE BOARD FEELS VERY STRONGLY ABOUT THAT  
18 WE REALLY LIKE THE PROGRAM. WE COULD, FOR THE SAKE OF  
19 THE BOARD'S POSITION, DEFER SOME OF THESE BILLS TO AGENCY  
20 AS FAR AS POSITION IS CONCERNED.

21 MR. EOWAN: WHAT SHE MEANS IS THAT WE WERE KICKING  
22 THIS IDEA AROUND THE OTHER DAY WHEN GOING THROUGH THESE  
23 BILLS AND THIS ISSUE CAME UP. WELL, THIS IS A GOOD  
24 POLICY ISSUE, SOMETHING WE NEED TO MAKE A STATEMENT ABOUT  
25 BECAUSE WE FEEL STRONGLY ABOUT IT. PERHAPS WE COULD SAY



1 RATHER THAN HAVE A TYPICAL OPPOSED POSITION OR SUPPORT  
2 AND ALL THE OTHER ONES THAT WE USE, WE COULD ADD ANOTHER  
3 ONE, DEFER TO ADMINISTRATION OR DEFER TO WHATEVER AGENCY,  
4 AND MAKE IT CLEAR IN OUR ANALYSIS THAT WE THINK THE  
5 PROGRAM IS GOOD AND IT'S AN OPTION, KIND OF A COMPROMISE  
6 POSITION.

7 BOARD MEMBER BROWN: I'D MUCH RATHER SEE OUR BOARD  
8 COME OUT STRONGLY IN FAVOR OF RECYCLING AND LEAVE THE  
9 BURDEN OF THUMBS-DOWNING IT BECAUSE OF THE FINANCES TO  
10 SOMEONE ELSE. JUST MAKES MORE SENSE THAT WE END UP IN  
11 THE WISHY-WASHY POSITION AGAIN, AND NOBODY KNOWS WHETHER  
12 WE'RE FOR RECYCLING OR AGAINST IT. I JUST THINK THAT WE  
13 NEED TO BE STRONGER IN THIS REGARD. AND IF SOMEBODY ELSE  
14 WANTS TO DESTROY THE BILL BECAUSE OF FINANCING, SO BE IT.  
15 CERTAINLY WE'RE ON RECORD.

16 MR. EOWAN: WOULD YOU LIKE TO GIVE SUPPORT ON THE  
17 BILL?

18 CHAIRMAN MOSCONE: IT'S EVIDENT THE STATEMENTS YOU  
19 MADE EARLIER, GEORGE, ABOUT GETTING THE WORD FROM  
20 SOMEWHERE UP ABOVE, WHEN YOU SEE THE OPPOSED: DEPARTMENT  
21 OF TRANSPORTATION, DEPARTMENT OF GENERAL SERVICES, AND  
22 DEPARTMENT OF FINANCE. I SUPPOSE PROBABLY THEY GOT THE  
23 SAME WORD, ALTHOUGH THEY DON'T WANT TO BE BOTHERED WITH  
24 ALL THE ADDITIONAL WORK THAT MIGHT BE INVOLVED. I DON'T  
25 KNOW WHICH.



1 MR. EOWAN: THEY GOT THE SAME WORD.

2 BOARD MEMBER ARAKALIAN: ONLY PEOPLE AGAINST IT ARE  
3 THE LAZY BUREAUCRATS.

4 BOARD MEMBER BREMBERG: WHEN YOU LOOK AT THAT  
5 SUPPORT POSITION, I WOULD VENTURE A GUESS THAT MAYBE  
6 THERE ARE TWO BILLS EVERY BIENNIAL OR MILLENNIAL WHERE  
7 THIS GROUP OF PEOPLE SUPPORT A BILL. YOU'VE GOT  
8 INDUSTRY, YOU'VE GOT GOVERNMENT, YOU'VE GOT THE  
9 ENVIRONMENTAL, OFFICIAL ENVIRONMENTAL ORGANIZATIONS,  
10 CALIFORNIANS AGAINST WASTE, THE REFUSE REMOVAL COUNCIL,  
11 THE WHOLE -- WE'RE ALL ON THE SIDE OF THE ANGELS. AND I  
12 DON'T BELIEVE I'VE EVER SEEN THAT.

13 AND I AGREE TOTALLY WITH MR. BROWN BECAUSE WE  
14 HAVE -- CERTAINLY, THIS BOARD HAS BEEN QUOTED IN THE  
15 PAST, AND WE'LL CONTINUE TO BE THROUGH THE RECYCLING  
16 CONCEPT. AND PEOPLE DON'T UNDERSTAND THE FINE TUNING OF  
17 POLITICAL PRESSURE ON FINANCING. THEY LOOK AT THE ISSUE  
18 AND THE SUBJECT MATTER OF THE BILL; AND IF WE COME OUT  
19 AGAINST IT, IT SAYS WE'VE ABDICATED OUR RESPONSIBILITY.

20 MR. EOWAN: SUPPORT.

21 MS. JACKSON: DO I UNDERSTAND THAT TO BE A SUPPORT  
22 POSITION THEN FOR 3746?

23 BOARD MEMBER BROWN: AYE HERE.

24 MS. JACKSON: THANK YOU. THE NEXT BILL IS AB 3847  
25 BY TANNER, PASSED SENATE TOXIC AND PUBLIC SAFETY



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1 COMMITTEE ON JUNE 27TH. ALSO SET IN APPROPRIATIONS ON  
2 AUGUST THE 1ST. IT'S GOING TO BE A BIG DAY IN SENATE  
3 APPROPRIATIONS.

4 BOARD MEMBER ARAKALIAN: I JUST REACHED THE PAGE  
5 AND YOU'VE FINISHED. YOU'VE GOT TO REMEMBER SOME OF US  
6 ARE OLD AND WE MOVE SLOWLY.

7 MS. JACKSON: I'LL GO THROUGH 3847 ONE MORE TIME.  
8 THIS IS A TANNER BILL THAT WOULD GIVE THE HOUSEHOLD  
9 HAZARDOUS WASTE PROGRAM TO THE DEPARTMENT OF HEALTH  
10 SERVICES FROM THE WASTE MANAGEMENT BOARD. THIS BILL  
11 PASSED SENATE TOXIC AND PUBLIC SAFETY COMMITTEE ON JUNE  
12 THE 27TH AND IS NOW SET IN SENATE APPROPRIATIONS  
13 COMMITTEE FOR AUGUST THE 1ST. WE HAVE A STRAIGHT OPPOSED  
14 POSITION TO THIS BILL.

15 THE NEXT BILL, AB 4234, IS THE CLUTE TIRE  
16 BILL. THIS BILL FAILED PASSAGE ON THE ASSEMBLY FLOOR;  
17 HOWEVER, NEW LANGUAGE IS BEING DRAFTED WHICH WOULD CHANGE  
18 THIS BILL CONSIDERABLY. THERE WOULD BE A DOLLAR CHARGED  
19 ON TIRES, USED TIRES, FOR DISPOSAL. IF I WERE TO GO TO  
20 PURCHASE A TIRE AND I WANTED THE RETAILER TO TAKE MY OLD  
21 TIRE, I WOULD HAVE TO PAY HIM A DOLLAR PER TIRE IN ORDER  
22 TO DO SO. THEREFORE, THIS WOULD NOT BE A NEW TAX,  
23 SURCHARGE USER FEE, OR ANYTHING AT ALL. IT WOULD BE A  
24 DISPOSAL FEE. AND DRAFTED IN THAT LANGUAGE, IT WOULD BE  
25 TAKING ON A NEW NUMBER, AB 544, ON THE SENATE SIDE.



1 AND I DON'T HAVE ALL THE DETAILS. IT LOOKS AS  
2 IF THE FUNDING FOR THIS BILL, WE WOULD HAVE TO WRITE  
3 REGULATIONS AND CERTIFY AND PERMIT DIFFERENT FACILITIES,  
4 THAT WE WOULD GET A LOAN FROM THE LICENSE PLATE -- THE  
5 ENVIRONMENT LICENSE PLATE FUND OF A MILLION DOLLARS TO BE  
6 PAID BACK, I THINK, A YEAR AND A HALF LATER. THAT'S HOW  
7 WE WOULD FUND THIS PROGRAM INITIALLY. AND THEN AS THE  
8 FEES WERE COLLECTED FROM THE USED TIRES, THEN WE WOULD BE  
9 DEVELOPING THIS FEE, SIMILAR TO 2448. SO THE BILL IS NOT  
10 THROUGH THE SYSTEM YET, BUT IT IS ON THE SENATE, AND I'LL  
11 LET YOU KNOW WHAT HAPPENS IN AUGUST WHEN WE COME BACK.

12 BOARD MEMBER BROWN: DO YOU HAVE THE NUMBERS OF ITS  
13 FAILURE?

14 MS. JACKSON: WELL, INITIALLY IT FAILED BY 37 TO  
15 34. IT REQUIRED TWO-THIRDS VOTE. THEY AMENDED IT AND IT  
16 STILL FAILED, BUT I DON'T HAVE THE FIGURES. I COULD RUN  
17 UP A VOTE FOR YOU, IF YOU WOULD LIKE, MR. BROWN.

18 BOARD MEMBER BROWN: THAT'S GOOD.

19 MS. JACKSON: THE NEXT BILL IS AB 4498, SHER. THIS  
20 BILL PASSED THE SENATE TOXIC AND PUBLIC SAFETY COMMITTEE  
21 ON JUNE 27TH. IT WAS AMENDED ON JUNE 22D. THIS IS THE  
22 USED OIL BILL THAT WE HAD TAKEN OPPOSED UNLESS AMENDED.  
23 AND BY OUR COMMENTS JUST A FEW MINUTES AGO ON THE  
24 FILANTE'S PROCUREMENT BILL, IT SEEMS AS IF THE BOARD  
25 WOULD LIKE TO TAKE A SUPPORT POSITION. WE LIKE THIS



1 BILL. WE THINK IT'S AN IMPORTANT PROGRAM.

2 BOARD MEMBER BROWN: WHAT WERE YOUR RECOMMENDED  
3 AMENDMENTS THAT YOU WOULD HAVE SOUGHT OR ARE SEEKING?

4 MR. EOWAN: FUNDING WAS THE PRIMARY --

5 MS. JACKSON: FUNDING WAS THE PRIMARY REASON  
6 BECAUSE WE NEEDED A NEW STAFF SERVICE ANALYST, AS WELL AS  
7 MONEY FOR THE TOLL-FREE LINE, WHICH CAME TO A HUNDRED  
8 THOUSAND DOLLARS. AND BECAUSE WE'VE BEEN ASKED FROM  
9 AGENCY TO OPPOSE NEW GENERAL FUNDING, THAT WAS THE ONLY  
10 REASON THAT WE WOULD HAVE TO OPPOSE THIS BILL. SO OPPOSE  
11 WITH AMENDMENTS. THE AMENDMENTS WOULD BE IF WE HAD THE  
12 FUNDING, WE WOULD LIKE TO SUPPORT THE BILL IF IT HAD BEEN  
13 OTHER THAN GENERAL FUNDING.

14 BOARD MEMBER BROWN: IT'S ALWAYS A FINE  
15 DISTINCTION, BUT CAN WE SUPPORT -- AT LEAST WE GET THE  
16 WORD SUPPORT INVOLVED WITH RECYCLED OIL.

17 MR. EOWAN: THAT WOULD BE FINE WITH US FOR -- OR  
18 SUPPORT IF AMENDED WOULD BE FINE.

19 BOARD MEMBER BREMBERG: INSTEAD OF UNLESS.

20 MR. EOWAN: I THINK THAT WOULD BE FINE. THE ONLY  
21 ISSUES THAT -- YOU SEE THE COST FACTORS THERE, AND I HATE  
22 TO INHERIT THESE PROGRAMS AND THEN NOT HAVE ANY MONEY TO  
23 IMPLEMENT THEM. AS YOU HEARD YESTERDAY WHEN WE GAVE YOU  
24 THAT USED OIL RECYCLING REPORT, WE DO HAVE ONE PERSON ON  
25 THE STAFF NOW THAT IS DEDICATING MOST OF HIS TIME TO USED



1 OIL.

2 THIS PROGRAM, WERE IT TO BE IMPLEMENTED AS  
3 IT'S NOW WRITTEN, WOULD ADD SOME NEW RESPONSIBILITIES TO  
4 WHAT HE'S ALREADY DOING, IN ADDITION TO THE TOLL-FREE  
5 LINE. SO WE COULD ABSORB SOME OF IT. I JUST WANT TO  
6 MAKE SURE WHEN WE GET THESE THINGS, THAT WE HAVE ENOUGH  
7 RESOURCES AND WE DON'T RUN INTO THE PROBLEM THAT WE HAVE  
8 WITH OTHER PROGRAMS WHERE WE SAY WE CAN DO IT, WE SAY WE  
9 CAN ABSORB IT, AND THEN WE HAVE TO, YOU KNOW, TAKE THE  
10 WRATH OF LEGISLATURE FOR NOT DOING ENOUGH BECAUSE MAYBE  
11 OUR ABSORPTION LEVEL IS NOT ADEQUATE TO WHAT THEY  
12 EXPECTED. AND WE JUST HAVE TO BE CAREFUL THAT WE GIVE  
13 THEM A MESSAGE UP FRONT AND IF IT'S REALLY AN IMPORTANT  
14 ENOUGH MEASURE, THAT THEY GIVE US THE RESOURCES TO DO IT  
15 PROPERLY.

16 BOARD MEMBER ARAKALIAN: THIS WOULD BE THE SAME AS  
17 THAT COUNTY SITUATION ON WHICH SHE GOT UPSET WITH US  
18 BECAUSE WE DIDN'T DO ANYTHING OR NOT ENOUGH. WE DIDN'T  
19 HAVE THE MONEY FOR IT. AND HER ANSWER TO US WAS, "WHY  
20 DIDN'T YOU ASK FOR THE MONEY?" YOU KNOW -- WELL, YOU ARE  
21 RIGHT.

22 MR. EOWAN: THAT'S WHAT I'M TRYING TO SAY.

23 BOARD MEMBER ARAKALIAN: ASK FOR THE MONEY AND AT  
24 LEAST YOU'RE ON RECORD FOR ASKING FOR IT. IF THEY  
25 HAVEN'T GOT IT, AT LEAST YOU WILL HAVE AN EXCUSE FOR NOT



1 HAVING DONE IT.

2 MR. EOWAN: LIKE THE TOLL-FREE LINE ISSUE, YOU  
3 KNOW, I MEAN, \$40,000 IN THE SCHEME OF THINGS IN THE  
4 GENERAL FUND IN THE STATE OF CALIFORNIA IS NOT A LOT OF  
5 MONEY, BUT TO US -- THE BUDGET COMMITTEE CAN ATTEST TO  
6 THIS BY JUST LOOKING AT WHAT WE HAVE TO SPEND FOR ALL THE  
7 CONTRACTS THAT WE WANT.

8 AND YOU WILL SEE LATER THIS MORNING WHEN WE  
9 GIVE YOU A COUNT ON WHAT OUR CURRENT TOLL-FREE LINE  
10 INTAKE IS ON CALLS, AND IT'S AMAZING -- I DON'T KNOW, WE  
11 GET A THOUSAND CALLS OR SO, AND THAT'S -- YOU KNOW,  
12 THAT'S NOT STAFF TIME. THAT'S THE AMOUNT OF MONEY THAT  
13 WE SPEND ON HAVING AN 800 NUMBER. AND THEN IF YOU ARE  
14 GOING TO ADVERTISE THE AVAILABILITY OF THAT, AS THIS BILL  
15 WOULD REQUIRE, YOU CAN EXPECT TO HAVE EVEN MORE CALLS,  
16 AND THEN IT GOES ON AND ON AND ON. WE'RE KIND OF BARE  
17 BONES ON THAT.

18 BOARD MEMBER ARAKALIAN: YOU SAY YOU GET ABOUT A  
19 THOUSAND CALLS ON THAT?

20 MR. EOWAN: YEAH, A MONTH -- A MONTH.

21 BOARD MEMBER ARAKALIAN: 40 G'S FOR THE LINE AND A  
22 THOUSAND CALLS, COSTS FOUR BUCKS A POP.

23 MR. EOWAN: WELL, AN 800 LINE IS NOT CHEAP.

24 BOARD MEMBER ARAKALIAN: AS I SAID, IT'S ALMOST  
25 FOUR BUCKS A CALL.



1 MR. EOWAN: THEN YOU ARE TALKING ABOUT A PERSON TO  
2 ANSWER THE PHONE, AND DATA MANAGEMENT SYSTEM TO HAVE THE  
3 ANSWER WHEN YOU ANSWER THE PHONE. IT'S HUGE. AND WE'RE  
4 REALLY NOT PUTTING MUCH INTO THAT PROGRAM AS FAR AS  
5 ADVERTISING IT, LETTING PEOPLE KNOW. WE'RE DOING A  
6 LITTLE BIT OF THAT; BUT IF YOU START HAVING A SIGN UP  
7 EVERYWHERE THAT SAYS IT'S AVAILABLE, AND YOU HAVE 10 OR  
8 20,000 SIGNS AROUND THE STATE, AND YOU ARE DOING OTHER  
9 THINGS AND TELEVISION ADS, AND ALL THE KINDS OF STUFF  
10 THAT PEOPLE WOULD WANT US TO HAVE, AND SUDDENLY YOU HAVE  
11 5,000 CALLS A MONTH, IT BECOMES UNMANAGEABLE. SIMPLY --  
12 SO THAT'S OUR CONCERN.

13 BOARD MEMBER BROWN: AGAIN, I THINK THE SUPPORT  
14 PART IS APPROPRIATE BECAUSE OF THE BASIC THRUST OF THE  
15 LEGISLATION; AND THE "IF AMENDED" LAYS A RED FLAG ON THE  
16 END OF IT, BUT ASK SOMEBODY TO SAY -- WHAT.

17 BOARD MEMBER BREMBERG: GIVE US THE MONEY TO DO IT.

18 MR. EOWAN: SO SUPPORT IT, IF AMENDED.

19 BOARD MEMBER GALLAGHER: I WOULD OPPOSE.

20 MS. JACKSON: SUPPORT IF AMENDED.

21 NEXT BILL IS AB 4607 BY BROWN.

22 BOARD MEMBER ARAKALIAN: EXCUSE ME. MAY I ASK A  
23 QUESTION? WHEN YOU SAY OPPOSED UNLESS AMENDED, IS THAT  
24 MUCH DIFFERENT THAN SAYING YOU ARE FOR IT IF AMENDED?  
25 YOU SUPPORT IT IF AMENDED MEANS ABOUT THE SAME THING,



1 DOESN'T IT?

2 BOARD MEMBER BROWN: YEAH, I JUST ---

3 BOARD MEMBER ARAKALIAN: THE WORD "SUPPORT" SOUNDS  
4 BETTER. SO IF YOU ARE SAYING WE WILL SUPPORT IT IF  
5 AMENDED, THAT SOUNDS A HELL OF A LOT BETTER THAN OPPOSED  
6 IF NOT AMENDED WOULD. BECAUSE PEOPLE DON'T ALWAYS READ  
7 BEYOND THE SUPPORT AND OPPOSED. AND RIGHT AWAY SOMEONE  
8 WHO DOESN'T READ IT PROPERLY SAYS "OH, THE WASTE  
9 MANAGEMENT BOARD IS OPPOSING A PROGRAM THAT'S GOOD FOR  
10 RECYCLING." RATHER THAN SAYING, "AH, WE SUPPORTED IT."  
11 I THINK THE WORDING MEANS THE SAME, BUT SOUNDS DIFFERENT.

12 BOARD MEMBER VARNER: LESS THREATENING.

13 BOARD MEMBER ARAKALIAN: I'M NOT THAT GLIB.

14 BOARD MEMBER VARNER: YOU ARE VERBOSE.

15 BOARD MEMBER ARAKALIAN: I'M JUST A COUNTRY FELLOW.

16 BOARD MEMBER BREMBERG: WHICH COUNTRY?

17 BOARD MEMBER ARAKALIAN: ARMENIA.

18 MS. JACKSON: NEXT, BILL 4607 BY WILLY BROWN. THIS  
19 IS THE OTHER TIRE BILL THAT WAS DOUBLE JOINED WITH THE  
20 CLUTE BILL. THIS BILL PASSED THE SENATE GOVERNMENTAL  
21 ORGANIZATION COMMITTEE ON JUNE THE 28TH. THE BILL WAS  
22 AMENDED IN COMMITTEE ON THAT DATE, BUT WE DO NOT HAVE A  
23 COPY OF WHAT THE AMENDMENTS ARE. I UNDERSTAND THEY'RE  
24 VERY SLIGHT AND THEY'RE MORE CLARIFYING THAN ANYTHING  
25 ELSE.



1 BOARD MEMBER BROWN: DO YOU KNOW WHAT THOSE  
2 AMENDMENTS ARE, EVEN THOUGH NOT IN PRINT, OR YOU JUST  
3 DON'T KNOW YET?

4 MS. JACKSON: I DON'T KNOW YET. I THINK WHAT THEY  
5 DID, AS I UNDERSTAND, JUST IN GENERAL CONVERSATION, IS AS  
6 THIS BILL IS WRITTEN, 500 WASTE TIRES IN A CALENDAR YEAR,  
7 THEY DEFINED A CALENDAR YEAR AS TO HOW MANY -- WHETHER IT  
8 WAS 58 DAYS. THEY WENT THROUGH WITH THAT 500 OR WAS IT  
9 500 AT ANY GIVEN TIME DURING THE YEAR? THAT'S WHAT THE  
10 CLARIFICATION WAS, IF I UNDERSTAND IT.

11 BOARD MEMBER ARAKALIAN: YOU WANT TO ASK QUESTIONS  
12 ABOUT IT? I'VE GOT THE GUY THAT WROTE IT UP IN THE  
13 BUILDING TO CLARIFY IT FOR YOU.

14 MS. JACKSON: I DON'T KNOW IF KENT WAS THERE FOR  
15 THE HEARING. NO.

16 THE NEXT BILL, SENATE BILL 188, ALQUIST. THIS  
17 IS THE TAX CREDIT ON SECONDARY MATERIALS. THE BILL WAS  
18 SET IN WAYS AND MEAN ON JUNE 22D, BUT THE AUTHOR CANCELED  
19 THAT HEARING SO NOTHING HAS CHANGED ON THIS BILL.

20 MR. EOWAN: JUST BRINGING IT TO YOUR ATTENTION,  
21 AGAIN, THOUGH. I DON'T KNOW IF THIS IS ANOTHER SIDE OF  
22 THE ANGEL'S BILL OR NOT. IT'S GOT THE --

23 BOARD MEMBER BREMBERG: MY CITY SUPPORTS IT.

24 MR. EOWAN: YOUR CITY AND MANY CITIES AND MANY  
25 DIFFERENT INDUSTRIES. AND THE REASON THAT WE WERE



1 SUPPORTIVE, I THINK, AT ONE TIME -- THE REASON WE'RE NOT  
2 NOW -- IT'S THE SAME ISSUE. IT'S AN EIGHT OR SO MILLION  
3 DOLLAR EFFECT ON THE GENERAL FUND. BUT POLICYWISE, IT  
4 WOULD -- THE INTENT, AT LEAST, OF THE BILL IS TO  
5 ENCOURAGE RECYCLING, ETC. SO IF WE'RE GOING TO BE  
6 CONSISTENT, THEN YOU WANT TO CONSIDER IT FROM THAT  
7 STANDPOINT.

8 BOARD MEMBER BEAUTROW: CAN WE SOMEHOW OR OTHER  
9 MAKE SURE THAT IF WE SEND SOMETHING -- DO WE SEND  
10 SOMETHING OUT, A WRITTEN STATEMENT, OR DO WE JUST CALL  
11 THEM ON THE PHONE AND SAY, "WE OPPOSE IT." HOW DO WE  
12 MANIFEST OUR PROCESS AT --

13 MR. EOWAN: PROCESS FOR THIS?

14 BOARD MEMBER BEAUTROW: YEAH.

15 MR. EOWAN: IS THAT WE TAKE POSITIONS ON THESE  
16 BILLS IN BOARD MEETINGS, AND THEN WE SIT DOWN WITH AGENCY  
17 AND GO THROUGH THEM, AND WE TRY TO COORDINATE ANY  
18 CORRESPONDENCE, COMMUNICATION WITH AUTHORS AFTER WE HAVE  
19 MET WITH AGENCY.

20 BOARD MEMBER BEAUTROW: I GUESS THAT THE POINT THAT  
21 I'M TRYING TO GET ACROSS IN MY HUMBLE WAY IS THAT WE NEED  
22 TO GET THE MESSAGE OVER TO THEM THAT THE REASON THAT  
23 WE'RE OPPOSING THIS -- AND FORGET ABOUT THE  
24 ADMINISTRATION ASPECT -- THE REASON IS THE REQUEST FOR  
25 THE FUNDING, AND WE DON'T WANT THE COMMUNITY OUT THERE TO



1 MISUNDERSTAND THAT WE'RE OPPOSED TO THIS FOR SOME OTHER  
2 REASONS. AND WE NEED TO GET THAT MESSAGE ACROSS. THAT'S  
3 WHAT I'M TRYING TO SAY AND I DON'T KNOW HOW WE DO THAT,  
4 BUT --

5 MS. JACKSON: MR. BEAUTROW, WE DO THAT. I HAVE  
6 BEEN TO THE CAPITOL ON ALL OF THESE BILLS THAT WE HAD AT  
7 ONE TIME SUPPORTED AND TALKED TO STAFF AND HAVE HAD  
8 MEETINGS SO THAT THEY UNDERSTAND THAT THE POSITION WE'RE  
9 GOING TO TAKE SINCE OUR LAST BOARD MEETING, BECAUSE OF  
10 GENERAL FUNDING, WERE NOT HOW THE BOARD FELT ABOUT THE  
11 PROGRAMS BUT BECAUSE OF OUR DIRECTION. THIS IS WHAT THE  
12 POSITIONS ARE WE HAD TAKEN. I'VE HAD MEETINGS SINCE LAST  
13 MONTH WITH THE STAFF PEOPLE AS WELL AS PHONE CALLS.

14 MR. EOWAN: JOELLEN TRIED TO DO THAT, MR. BEAUTROW,  
15 BUT I DON'T KNOW THAT -- IT'S LIKE SAYING THAT WE REALLY  
16 DON'T WANT TO OPPOSE IT BECAUSE WE REALLY LIKE THE IDEA,  
17 BUT WE OPPOSE IT. I MEAN, WHAT GOOD DID THAT REALLY DO?

18 BOARD MEMBER BEAUTROW: WALLOWING AROUND WITHOUT  
19 SETTLING A MESS IS -- COULD WE SAY SUPPORT IF AMENDED AND  
20 THE AMENDMENT, OF COURSE, WOULD BE TO SPEAK UP --

21 MR. EOWAN: SURE, SAY WHATEVER YOU LIKE.

22 MR. OLDALL: THIS IS A TAX.

23 MR. EOWAN: SUPPORT IF AMENDED WHAT? WHAT  
24 AMENDMENT DO YOU ASK FOR? I MEAN, THIS IS A STRAIGHT TAX  
25 CREDIT BILL. IT HAS NOTHING TO DO WITH FUNDING. AND



1 THIS IS A VERY CLEAR BILL THAT IF -- IT'S EITHER YOU LIKE  
2 THE IDEA OF GIVING SUBSIDIZING PROGRAMS THROUGH TAX  
3 CREDITS OR YOU DON'T. AND IF YOU SAY, YES, THEN YOU'VE  
4 GOT TO BE WILLING TO ACCEPT 8 TO 10 MILLION OR WHATEVER.

5 BOARD MEMBER BEAUTROW: I HATE TO BE OUT OF STEP  
6 WITH EVERYBODY ELSE.

7 MR. EOWAN: THAT'S FINE. I'M JUST SAYING THE  
8 REASON WE PUT OPPOSE HERE IS FOR THE SAME REASON THAT WE  
9 DID ON THE OTHER BILLS THAT HAD AN EFFECT ON THE GENERAL  
10 FUND.

11 BOARD MEMBER BREMBERG: BUT THE ADMINISTRATION  
12 DOESN'T WANT ANY NEW TAXES. THEY'VE JUST PLANTED THEIR  
13 FEET IN CONCRETE, THAT THERE WILL BE NO NEW TAXES. AND  
14 THIS IS JUST A REVERSE SIDE OF A NEW TAX THAT IS  
15 DIMINISHING OF EXISTING TAXES. BUT RECYCLING AND THE  
16 WHOLE CONCEPT IS GOING TO BE SUBSIDIZED WHETHER IT'S AT  
17 THIS MUNICIPAL LEVEL, THE COUNTY LEVEL, OR THE STATE  
18 LEVEL. THERE'S NO PROFIT MAKING IN THIS WHOLE OPERATION  
19 FROM THE TIME YOU BUY THE POP CAN UNTIL SOMETHING DOWN  
20 THE LINE. SO I DON'T KNOW, I --

21 MR. EOWAN: WELL, THAT'S RIGHT. THAT MAKES IT A  
22 VERY IMPORTANT POLICY ISSUE FOR US TO CONSIDER. WE HAVE  
23 CONSIDERED IT THROUGH NUMEROUS MEETINGS HERE. AND WHAT  
24 I'M SAYING IS THAT, AS A POLICY MATTER, THIS BOARD CAME  
25 TO THE CONCLUSION THAT IT WAS A GOOD IDEA TO SUPPORT THIS



1 MEASURE. THEN WHEN CIRCUMSTANCES CHANGED WITH THE  
2 FUNDING AND THE BUDGET, ETC., THAT'S WHEN WE SWITCHED OUR  
3 POSITION, BUT WE DIDN'T SWITCH IT ON THE GENERAL POLICY  
4 ISSUE, ONLY ON THE EFFECT THAT IT WOULD HAVE ON THE  
5 GENERAL FUND.

6 BOARD MEMBER BREMBERG: WELL, I DON'T THINK IT  
7 WOULD HURT TO HAVE CHRIS OR JOELLEN OR SOMEBODY WRITE A  
8 PRESS RELEASE INDICATING WHAT OUR POLICY IS AND  
9 RECOGNIZING THAT THE BUDGET SHORTFALL AND SO FORTH HAS  
10 MADE SOME OF THESE BILLS PERHAPS ECONOMICALLY UNFEASIBLE.

11 BOARD MEMBER GALLAGHER: I DON'T FIND WHAT YOU JUST  
12 SAID TO BE INCONSISTENT WITH WHAT GOES ON IN LIFE,  
13 PERIOD. YOU AND I, I SUPPOSE, LIVE ON A BUDGET. AND  
14 IT'S NICE TO HAVE TWO PAIR OF SHOES; BUT IF YOU CAN ONLY  
15 AFFORD ONE, YOU EVENTUALLY MAKE A DECISION TO END UP WITH  
16 ONE, GETTING IT DOWN TO A FAIRLY LOW COMMON DENOMINATOR.  
17 I THINK IT'S GREAT. AND I SUPPORT THE IDEA THAT UNDER  
18 CERTAIN CIRCUMSTANCES, IF WE CAN AFFORD THE LUXURY OF  
19 SUPPORTING THIS BILL, IT'S FINE. BUT WHEN WE COME TO THE  
20 NUT CUTTING AND THERE'S ONLY SO MUCH MONEY AVAILABLE,  
21 THEN I THINK I HAVE TO TAKE MY DIRECTION FROM HIGHER IN  
22 THE STATE GOVERNMENT, WHICH I LOOK AT AS BEING THE  
23 ADMINISTRATION.

24 AND IF THEY SAY THERE ISN'T GENERAL FUND MONEY  
25 AVAILABLE FOR THIS KIND OF THING, THAT IRRESPECTIVE OF



1 HOW NICE IT WOULD BE IF WE COULD DO IT, I HAVE TO GO  
2 ALONG AND SAY I OPPOSE THE THING NOW. UNDER A DIFFERENT  
3 CIRCUMSTANCE, I MIGHT SUPPORT IT. SO THE RECORD WILL  
4 HAVE TO SHOW ME ON ALL OF THESE ISSUES -- THERE'S SOME OF  
5 THEM KIND OF PIE IN THE SKY TO ME, BUT I HAVE TO OPPOSE  
6 THEM BECAUSE WE'RE AT THAT STAGE IN LIFE WHERE WE HAVE TO  
7 MAKE SOME HARD CHOICES.

8 BOARD MEMBER BROWN: MR. CHAIRMAN, I UNDERSTAND  
9 WHAT IS BEING SAID HERE; HOWEVER, MY APPROACH WOULD BE --  
10 BY TAKING A VERY NARROW VIEW WITH RESPECT TO OUR VIEWS  
11 HERE IS THAT THE FUNDING'S AVAILABLE AS LONG AS YOU DON'T  
12 TAKE IT FROM SOMEBODY ELSE. IT'S THAT SIMPLE. I WANT TO  
13 BE FOR US. AND I WANT EVERYBODY OUT THERE TO KNOW WHAT  
14 WE ARE, AND WHO WE ARE, AND WHERE WE STAND. AND SO I  
15 DON'T HAVE DIFFICULTY WITH THOSE.

16 CHAIRMAN MOSCONE: IT WOULD SEEM TO ME THAT STANDS  
17 TO REASON, THAT IF THIS WERE PASSED, IT MAY HURT THE FUND  
18 FOR THE TIME BEING. BUT IF THIS BILL COULD DO WHAT IT'S  
19 PROPOSED TO DO, WOULD WE NOT HAVE ADDITIONAL REVENUE IN  
20 THE YEARS DOWN THE LINE FROM THE RESULTS OF THIS?  
21 PICKING UP NEW -- PICKING UP NEW PRODUCTS THAT ARE  
22 MANUFACTURED AND ALL OF THIS KIND OF STUFF. WELL,  
23 ADDITIONAL REVENUE MEANS -- ADDITIONAL SALES MEANS  
24 ADDITIONAL REVENUE TO THE STATE. SO THEY MAY THINK IF  
25 THEY LOSE IT NOW, BUT A FEW YEARS DOWN THE LINE, IT SEEMS



1 TO ME, THAT THEY'RE GOING TO PICK IT UP.

2 BOARD MEMBER GALLAGHER: MR. CHAIRMAN, MY REACTION  
3 TO THAT IS, NO, IT'S A REPLACEMENT. YOU ARE JUST  
4 SUBSTITUTING. YOU ARE BUYING RECYCLED GOODS RATHER THAN  
5 BUYING NEW GOODS. AND THEY HAVE NEVER BEEN ABLE TO MAKE  
6 A CASE, TO MY SATISFACTION, THAT YOU EVER REALLY DID  
7 INCREASE YOUR REVENUE BASE BY TRYING TO SUBSTITUTE ONE  
8 FOR THE OTHER. AND THAT'S ESSENTIALLY WHAT YOU ARE  
9 DOING. YOU ONLY HAVE A TOTAL AMOUNT NEEDED, AND SO THE  
10 RECYCLE STUFF DOESN'T CREATE ANY LARGER REVENUE BASE.  
11 AND, AT LEAST IN MY MIND, THEY'VE NEVER BEEN ABLE TO GIVE  
12 ME A SATISFACTORY ANSWER TO THAT REGARD.

13 BOARD MEMBER BROWN: I THINK THE REAL ISSUE,  
14 THOUGH, HAS TO DO WITH RECYCLING AND IT'S LESSENING THE  
15 LOAD ON LANDFILLS, SO IT'S AN AVOIDING COST. IF YOU WANT  
16 TO PLAY HOCUS-POCUS WITH NUMBERS, YOU'RE AVOIDING SOME  
17 COSTS; NAMELY LANDFILLING, BY ENCOURAGING RECYCLING, AND  
18 THAT'S THE BASIS OF THE WHOLE THING. AND I AGREE WITH  
19 YOU, THERE'S NO DOLLAR FOR DOLLAR. IN SOME WAY YOU END  
20 UP EXTENDING THE LIFE OF LANDFILLS WHICH ENDS UP BEING  
21 MONEY IN SOMEBODY'S POCKET OR AT LEAST A BENEFIT TO THE  
22 STATE. WHERE ARE WE?

23 BOARD MEMBER BEAUTROW: YOU ARE SEEKING SOME  
24 DIRECTION, I CAN TELL.

25 BOARD MEMBER BROWN: I WANT TO SAY SUPPORT IF



1 AMENDED, BUT THEN HE'S GOING TO SAY WHAT ARE YOUR  
2 AMENDMENTS, AND I DON'T KNOW WHAT THEY ARE.

3 BOARD MEMBER BEAUTROW: WELL, ANOTHER THING THAT WE  
4 CAN DO IS JUST BE NEUTRAL ON THE THING BECAUSE WE DON'T  
5 KNOW -- WE EXPRESSED OUR POLICY ISSUES, BUT WE WERE IN A  
6 DILEMMA BECAUSE THE ADMINISTRATION IS ASKING US TO -- SO  
7 THAT COULD BE A SAFE WAY OF DEALING WITH IT, BUT IT  
8 CERTAINLY DOESN'T SEND ANY MESSAGES. SO WHAT DO YOU  
9 THINK ABOUT THAT?

10 MR. EOWAN: I THINK IT NEUTRALIZES US.

11 BOARD MEMBER BREMBERG: AND FOR AN ENCORE.

12 MS. JACKSON: WHAT ABOUT OUR NEW POSITION? DEFER  
13 TO AGENCY OR DEFER TO ADMINISTRATION? THEN I THINK WHAT  
14 WE'RE SAYING IS LET THEM TAKE AN UNOPPOSED POSITION  
15 BECAUSE WE REALLY SINCERELY BELIEVE THAT WE SUPPORT THE  
16 BILL.

17 BOARD MEMBER BREMBERG: BACK TO PRESS RELEASES.

18 BOARD MEMBER GALLAGHER: YOU ANSWERED MY QUESTION.

19 MS. JACKSON: THANK YOU, MR. GALLAGHER.

20 BOARD MEMBER GALLAGHER: DEFER TO THE  
21 ADMINISTRATION, IS THAT THE SUBJECT? OR DEFER TO AGENCY?  
22 THAT'S A NEW CATEGORY THAT WE JUST INVENTED. I'LL MOVE  
23 THAT WE DO THAT.

24 BOARD MEMBER ARAKALIAN: I'LL SECOND. BECAUSE I  
25 DON'T UNDERSTAND IT TOO GOOD.



1 MS. JACKSON: IS THE BOARD IN AGREEMENT ON THAT  
2 POSITION?

3 CHAIRMAN MOSCONE: ANY OPPOSED? ALL RIGHT. SO BE  
4 IT.

5 MS. JACKSON: WE HAVE A COUPLE MORE BILLS. SENATE  
6 BILL 2094, TORRES BILL.

7 BOARD MEMBER BREMBERG: IN GENERAL PRINCIPLES, I  
8 WOULD OPPOSE IT.

9 BOARD MEMBER ARAKALIAN: WHAT NUMBER?

10 MS. JACKSON: 2094.

11 ATTORNEY CONHEIM: IT'S ON PAGE 386 OF YOUR BOARD  
12 PACKET AND IN THE UPDATE LOOSE SHEETS THAT YOU WERE GIVEN  
13 YESTERDAY.

14 MS. JACKSON: THE BILL PASSED THE ASSEMBLY  
15 ENVIRONMENTAL SAFETY COMMITTEE ON JUNE THE 29TH. IT WAS  
16 AMENDED ON JUNE THE 28TH, BUT THE AMENDMENTS DON'T CHANGE  
17 OUR POSITION. AND WHAT WE WERE CONCERNED ABOUT WAS THE  
18 LANDFILL FEE SECTION OF THIS BILL, AND THAT IS WHY WE  
19 OPPOSED THE POSITION THAT THE AMENDMENTS DID NOT CHANGE  
20 THAT AT ALL. STILL TEN CENTS PER TON WE CONTRIBUTE TO  
21 THE HAZARDOUS WASTE CONTROL. THE NEXT BILL --

22 BOARD MEMBER BREMBERG: EXCUSE ME, JOELLEN. WHAT  
23 DO YOU SEE THROUGH OR HEAR ABOUT THE POSSIBILITY THAT  
24 THIS WILL PASS?

25 MS. JACKSON: IT FAILED PASSAGE ON THE FLOOR,



1 RECONSIDERATION WAS GRANTED, THEY CALLED A MEETING AND  
2 SENT IT BACK THROUGH THE COMMITTEE. THIS BILL IS HAVING  
3 A VERY, VERY DIFFICULT TIME.

4 BOARD MEMBER BREMBERG: AS IT SHOULD.

5 BOARD MEMBER VARNER: OUR POSITION IS OPPOSED?

6 MS. JACKSON: YES, MR. VARNER.

7 SENATE BILL 2113, MONTOYA. THE RECYCLING  
8 BILL, PAGE 439. THIS BILL PASSED SENATE NATURAL  
9 RESOURCES COMMITTEE ON JUNE 28TH. IT WAS -- COMMITTEE  
10 AMENDMENTS WERE TAKEN ON THAT DAY. THE BILL IS NOT IN  
11 PRINT AS OF YET, AND WE ARE UNCLEAR AS TO WHAT THE  
12 AMENDMENTS ARE. THIS BILL IS ALSO HAVING A DIFFICULT  
13 TIME.

14 THIS BILL WENT THROUGH LOCAL GOVERNMENT; AND  
15 WHEN IT WENT TO THE SENATE FLOOR FOR SECOND READING TO BE  
16 REFERRED TO SENATE APPROPRIATIONS, SENATOR PRESLEY  
17 INSISTED THAT IT GO BACK THROUGH ANOTHER STANDING  
18 COMMITTEE WHICH WAS NATURAL RESOURCES. SO IT HAS BEEN  
19 THROUGH TWO STANDING COMMITTEES NOW. NOW IT'S ON ITS WAY  
20 TO SENATE APPROPRIATIONS.

21 BOARD MEMBER BREMBERG: I WAS WONDERING IF IT HAD  
22 PASSED BOTH OF THE STANDING COMMITTEES?

23 MR. EOWAN: ON THIS BILL AND 3298, AS I TOLD YOU A  
24 COUPLE MONTHS AGO, AGAIN, WE WERE GIVEN DIRECTION FROM  
25 AGENCY TO COORDINATE OUR RESPONSES TO THESE RECYCLING



1 BILLS WITH THE DEPARTMENT OF CONSERVATION. AND WE HAVE  
2 BEEN WORKING WITH THE DEPARTMENT OF CONSERVATION IN  
3 CONSORT WITH THE AGENCIES, BOTH THE RESOURCES AND  
4 ENVIRONMENTAL AFFAIRS AGENCY, TO COME UP WITH A  
5 COORDINATED APPROACH TO THESE THINGS.

6 IN ADDITION TO THAT, SINCE THESE BILLS  
7 CONTINUE TO MOVE THROUGH THE PROCESS, WE MADE A DECISION  
8 LAST WEEK TO INTERNALLY TAKE A LOOK AT BOTH OF THESE  
9 BILLS FROM AN IMPLEMENTATION POINT OF VIEW. I MEAN, I  
10 DON'T WANT TO GET CAUGHT SHORT IN AUGUST OR LATE AUGUST,  
11 I GUESS, TO HAVE ONE OF THESE BILLS GO THROUGH THE  
12 PROCESS AND SUDDENLY END UP ON THE GOVERNOR'S DESK, AND  
13 US NOT HAVING TAKEN A SERIOUS LOOK AT WHAT IT WOULD TAKE  
14 TO IMPLEMENT EITHER ONE OR BOTH OF THESE PROGRAMS.

15 SO INTERNALLY, WE ARE NOW BEGINNING TO LOOK  
16 VERY HARD AT WHAT WE'RE REALLY TALKING ABOUT IN THESE  
17 BILLS IN TERMS OF WASTE MANAGEMENT BOARD BOARD'S ROLE.  
18 SO I'LL TRY, IF POSSIBLE, TO GET THAT TO YOU AT THE NEXT  
19 BOARD MEETING AS A PART OF OR A SUPPLEMENT TO OUR NORMAL  
20 DISCUSSION OF THE BILL AND WHAT ITS MERITS ARE, ETC.

21 BOARD MEMBER BREMBERG: MR. CHAIRMAN, THE ONE THING  
22 IN THIS THAT BOTHERS ME IS THAT IT DIFFUSES AND SPREADS  
23 OUT ALL KINDS OF RESPONSIBILITIES, AND WHO'S IN ON IT,  
24 AND WHO HAS IMPACT ON IT? AND BY SAYING THAT EACH CITY  
25 SHALL ADOPT A RECYCLING PLAN BY JANUARY 1ST, 1990, TO BE



1 INTEGRATED INTO THE COSWMP, BUT THIS IS THE KICK OF --  
2 THE PLAN MAY BE DEVELOPED WITH OTHER CITIES OR A REGIONAL  
3 PLANNING AGENCY. AND I'M REFERRING PARTICULARLY TO SKAG,  
4 MY FRAME OF REFERENCE.

5 THEY HAVE, IN THEIR INFINITE WISDOM, DEVELOPED  
6 A REGIONAL FAIR-SHARE PLAN WHICH IS TOTALLY UNACCEPTABLE  
7 TO EVERY CITY INVOLVED OR ANYBODY THAT HAS ANY KIND OF A  
8 LANDFILL OR WASTE MANAGEMENT RESPONSIBILITY. AND YET  
9 THEY KEEP RUNNING AROUND AND ADVERTISING THIS THING AND  
10 SHOWING IT OFF, AND THIS GIVES IT LEGITIMACY. WHICH --  
11 INSTEAD OF JUST A PLANNING AGENCY WHICH, A, DOESN'T HAVE  
12 TO FUND ANYTHING; B, DOESN'T HAVE TO ACCEPT THE  
13 RESPONSIBILITY LIABILITYWISE OR ANYTHING ELSE, BUT THEY  
14 ARE MADE LEGITIMATE BY THIS TYPE OF A BILL SO THAT WE'RE  
15 REQUIRED BY LAW TO INTEGRATE THEIR CONCEPTS INTO THE  
16 REALITY OF WASTE MANAGEMENT.

17 AND I DON'T KNOW THAT THE CITIES THROUGHOUT  
18 THE STATE ARE -- AND I DON'T KNOW HOW MANY REGIONAL  
19 PLANNING THINGS THERE ARE BESIDES ABAG AND SKAG, I'M SURE  
20 THERE ARE OTHERS -- BUT TO INSERT THEM BETWEEN THE CITIES  
21 INVOLVED AND THE COUNTIES WHO HAVE TO WRITE AND ENFORCE  
22 THOSE COSWMPs, I'M NOT SURE THAT I THINK THIS IS A VERY  
23 GOOD IDEA AT ALL. AND WHETHER IT'S NO POSITION OR  
24 OPPOSED, BUT I DON'T SEE, ANYWAY, HOW THIS COULD BE  
25 AMENDED WHERE WE COULD EVER SUPPORT IT, SPEAKING FROM A



1 CITY POINT OF VIEW.

2 MR. EOWAN: WELL, THE NO POSITION, I WOULD  
3 ENCOURAGE YOU TO KEEP THAT FOR NOW, REGARDLESS OF THAT  
4 POINT BECAUSE OF THE COORDINATION EFFORT THAT WE'RE DOING  
5 WITH CONSERVATION. BUT I APPRECIATE THE INPUT ON THAT.  
6 WE REALLY HAVEN'T LOOKED AT IT FROM THAT POINT OF VIEW.

7 CHAIRMAN MOSCONE: I'M SURE THAT YOU'VE NOTED THAT  
8 THIS BILL WAS SPONSORED BY THE CALIFORNIA REFUSE REMOVAL  
9 COUNCIL AND THE MAIN THRUST THAT THEY WANTED FROM THIS  
10 BILL WAS TO PUT AUTHORITY FOR SOLID WASTE BACK WITH THIS  
11 BOARD.

12 BOARD MEMBER BREMBERG: WELL, I AGREE TOTALLY WITH  
13 THAT, JOHN, BUT REMOVE THE LANGUAGE ON THE REGIONAL  
14 PLANNING AGENCIES. THAT'S THE PART THAT I'M OBJECTING  
15 TO. THE CONCEPT IS SUPER, AND I AGREE TOTALLY, BUT BY  
16 DISTORTING IT WITH, -- OR IN MY OPINION, DISTORTION --  
17 INSERTING THE REGIONAL PLANNING AGENCIES, YOU ARE GOING  
18 TO BE IN DIRECT CONFLICT WITH PROVEN WASTE MANAGEMENT  
19 POLICIES THAT HAVE LONG BEEN ESTABLISHED BETWEEN THE  
20 CITIES WITHIN A COUNTY AND THE COUNTIES.

21 IT'S WORKED VERY WELL IN THE PRESENT  
22 STRUCTURE, AND I REPEAT, YOU ARE BRINGING IN A GROUP THAT  
23 HAS NO RESPONSIBILITY TO THE ELECTORATE, HAVE NO FINANCE  
24 RESPONSIBILITIES, AND CERTAINLY HAS ABSOLUTELY NO ACTUAL  
25 WORKING IN THE FIELD; WHEREAS, THE COUNTY GOVERNMENTS AND



1 THE MUNICIPAL GOVERNMENTS ARE REQUIRED TO ACCEPT THAT  
2 RESPONSIBILITY. AND I -- WELL, THAT'S WHY I WOULD LIKE  
3 TO REQUEST --

4 BOARD MEMBER VARNER: IS THAT YOUR ONLY OBJECTION?

5 BOARD MEMBER BREMBERG: THAT'S THE ONLY OBJECTION I  
6 HAVE. I WOULD SUGGEST THAT WE ASK THE AUTHOR TO -- AND  
7 THE SUPPORTERS, THE SPONSOR TO ANALYZE THAT AND POSSIBLY  
8 REMOVE THAT FROM THE CONTEXT OF THE BILL. THAT ONE  
9 SENTENCE, HALF OF A SENTENCE, ONE PHRASE, "TO BE  
10 DEVELOPED WITH OTHER CITIES OR A REGIONAL PLANNING  
11 AGENCY," INCLUDE THEM OUT. I'M QUOTING MY FRIEND HERE.

12 MR. EOWAN: I'M SORRY. I DON'T SEE THAT LANGUAGE.  
13 I SEE A LOT OF REGIONAL PLANNING REFERENCES.

14 BOARD MEMBER BREMBERG: WELL, IT WAS IN THE BILL  
15 SUMMARY FROM THE ENVIRONMENTAL AFFAIRS AGENCY AND LET ME  
16 FIND THE BILL.

17 BOARD MEMBER VARNER: PAGE 439, GEORGE.

18 BOARD MEMBER BROWN: LINE 5.

19 BOARD MEMBER BREMBERG: LET ME GO THROUGH THE BILL  
20 QUICKLY.

21 MR. EOWAN: I WAS READING THE BILL ITSELF, MR.  
22 VARNER. I WAS JUST LOOKING SPECIFICALLY FOR WHERE IN  
23 BILL IT SAID THAT. NOW, ON PAGE 9 OF THE BILL, LINE 31  
24 THROUGH 36, IT SAYS "MAY ENTER INTO AN MOA, MEMORANDUM OF  
25 AGREEMENT, WITH LOCAL AGENCIES, ETC. AND REGIONAL



1 PLANNING AGENCIES." "MAY ENTER." I DON'T THINK THAT'S  
2 WHAT YOU ARE TALKING ABOUT.

3 BOARD MEMBER BREMBERG: BUT YOU KNOW AND I KNOW IF  
4 ANYBODY IS GIVEN THE OPTION, SKAG AND ABAG ARE GOING TO  
5 INTRUDE. WHETHER -- AND IT JUST MUDDIES UP THE  
6 IMPLEMENTATION OF A DARN GOOD BILL. JUST TAKE THAT OUT.  
7 IT'S VERY CLEAR AND IT'S EASILY DEFINED AND EASILY  
8 IMPLEMENTED.

9 BOARD MEMBER BEAUTROW: CAN'T FIND IT SPECIFICALLY  
10 IN THE BILL.

11 BOARD MEMBER BREMBERG: IT'S ON PAGE 9. HE SAYS  
12 IT'S ON PAGE 9, LINE --

13 MR. EOWAN: THAT'S THE CLOSEST THING I SEE.

14 BOARD MEMBER BEAUTROW: LOOK IT OVER CAREFULLY.

15 BOARD MEMBER BREMBERG: LOOK IT OVER AND MAYBE THE  
16 AGENCY --

17 MR. EOWAN: THAT'S FINE. I THOUGHT YOU HAD IT  
18 THERE.

19 BOARD MEMBER BREMBERG: I WAS GOING BY THIS.

20 MS. JACKSON: THE LAST BILL, SENATE BILL 2304 BY  
21 SENATOR DILLS, PASSED THE ASSEMBLY NATURAL RESOURCES  
22 COMMITTEE ON JUNE 27TH. THERE WERE AUTHOR'S AMENDMENTS  
23 TAKEN AT THAT HEARING. THEY'RE NOT IN PRINT YET.

24 MR. EOWAN: AS MRS. -- AS MS. JACKSON SAID, THE  
25 BILL IS NOT IN PRINT, SO WE DON'T KNOW SPECIFICALLY WHAT



1 THE AMENDMENTS SAY, BUT IT'S MY UNDERSTANDING THAT  
2 WHAT -- IT HAS A SIGNIFICANCE TO THE BOARD IN THAT THE  
3 STATUTES FOR DESIGNATING SALARIES FOR CHAIRPERSONS AND/OR  
4 DIRECTORS OF DEPARTMENTS AND BOARDS ARE DETERMINED BY --  
5 I GUESS THEY'RE RECOMMENDED BY THE DEPARTMENT OF  
6 PERSONNEL ADMINISTRATION, AND IT GOES THROUGH THE  
7 GOVERNOR'S OFFICE, ETC.

8 CURRENTLY, WE ARE -- OUR CHAIRMAN POSITION  
9 SALARY IS AT THE LEVEL OF A NUMBER OF OTHER AGENCIES,  
10 INCLUDING, I BELIEVE, THE AIR BOARD, AND THE ENERGY  
11 COMMISSION, AND A NUMBER OF LARGER DEPARTMENTS. THE  
12 AMENDMENTS TO THIS BILL WOULD REDUCE THE SALARY OF THE  
13 CHAIRMAN TO THE LEVEL THAT THE WATER RESOURCE CONTROL  
14 BOARD CHAIRMAN CURRENTLY RECEIVES. AND IT'S ABOUT ONE  
15 NOTCH DOWN. IT'S NOT A SIGNIFICANT NUMBER, BUT IT'S  
16 PROBABLY 5 OR 6 PERCENT LOWER.

17 NOW, THE -- AT THE SAME TIME THERE IS ANOTHER  
18 BILL IN THE LEGISLATURE WHICH WE DON'T HAVE IN FRONT OF  
19 YOU, I DON'T THINK, AUTHORED BY SENATOR MADDY, THAT WOULD  
20 INCREASE THE WATER RESOURCES CONTROL BOARD CHAIRMAN  
21 SALARY TO WHERE OURS IS.

22 NOW, WE'VE TRIED TO FIND OUT WHAT THE CRITERIA  
23 THAT IS USED BY THE DEPARTMENT OF PERSONNEL  
24 ADMINISTRATION IS TO DETERMINE WHAT THESE VARIOUS LEVELS  
25 ARE, AND WE HAVEN'T BEEN ABLE TO FIND ANYTHING VERY



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1 SPECIFICALLY OTHER THAN TO SAY HOW LARGE THE DEPARTMENT  
2 IS, OR THE AGENCY, WHAT THE RESPONSIBILITIES ARE, ETC.  
3 GENERAL GUIDELINES.

4 BOARD MEMBER ARAKALIAN: WHAT WOULD HAPPEN IF, FOR  
5 EXAMPLE, THEY TOOK THE POSITION HERE OR WENT THROUGH THIS  
6 MAKING IT SIMILAR TO THE OTHER BOARD'S WHICH WOULD BE  
7 LIKE US TO THE LESSER LEVEL. THEN IF THE MADDY BILL WENT  
8 AND THE OTHER ONE WAS TO COME UP, WOULD OURS COME UP WITH  
9 IT?

10 MR. EOWAN: NO. NOT NOW. NOW, YOU COULD AMEND  
11 EITHER ONE OF THOSE BILLS SOMEHOW TO --

12 BOARD MEMBER ARAKALIAN: ONE OR THE OTHER.

13 MR. EOWAN: -- TO DOUBLE JOIN THEM OR WHATEVER, BUT  
14 CURRENTLY THAT'S THE STATUS. WITH THE MADDY BILL, I'M  
15 CLEAR ABOUT BECAUSE THAT IS IN PRINT AND MAY BE ALL THE  
16 WAY THROUGH BY NOW. I'M NOT SURE; I DON'T THINK IT IS.

17 BOARD MEMBER ARAKALIAN: WELL, TO GET 100 PERCENT  
18 OF A SMALLER ONE -- A LITTLE BIT SMALLER IS BETTER THAN  
19 50 PERCENT OF ONE THAT'S A LITTLE BIT BIGGER.

20 MR. EOWAN: OH, YES. I THINK THE MADDY BILL IS  
21 REALLY A GOOD BILL. I THINK IT'S HIGH TIME THAT THE  
22 WATER BOARD BE RAISED UP. IT SHOULD HAVE BEEN RAISED UP  
23 YEARS AND YEARS AGO. WHY IT WASN'T, I HAVE NO IDEA.

24 AT A TIME WHEN THIS BOARD -- AND THIS IS MY  
25 DISCUSSION WITH AGENCY -- AT A TIME WHEN THIS BOARD IS



1 RECEIVING MORE AND MORE ATTENTION, LARGER AND LARGER  
2 PROGRAMS, IT SEEMS NOW IS A LITTLE BIT THE WRONG TIME TO  
3 CUT IT BACK. IF IT WAS GOING TO BE CUT BACK, IT SHOULD  
4 HAVE BEEN YEARS AGO, NOT NOW, WHEN WE CONTINUE TO GET  
5 MORE INTEREST AND MORE PROGRAMS HERE, AND THE  
6 SIGNIFICANCE OF WHAT WE DO INCREASES.

7 SO WHEN WE GET THE AMENDMENTS IN PRINT AND SEE  
8 THEM SPECIFICALLY, WHICH WILL BE AT THE NEXT MEETING, YOU  
9 WILL HAVE IT, I ASSUME, THEN WE WILL PROBABLY HAVE AN  
10 ARGUMENT IN THERE AGAINST DOING THAT.

11 BOARD MEMBER BREMBERG: DIDN'T JOELLEN SAY THAT  
12 THERE WAS SOMETHING -- AN AMENDMENT TO OR A NEW BILL TO  
13 REDUCE THE DEFINITION OF THIS COURT?

14 MR. EOWAN: THAT'S WHAT I'M TALKING ABOUT. IT'S  
15 NOT -- THE MAJOR OR MINOR RUBRIC IS NOT REAL. THAT'S  
16 JUST TERMINOLOGY.

17 BOARD MEMBER BREMBERG: THAT'S JUST SALARY.

18 BOARD MEMBER GALLAGHER: I DIRECT THIS TO THE  
19 STAFF. MR. EOWAN, WE'VE NOW COMPLETED THIS LEGISLATIVE  
20 UPDATE, AND WE HAD TWO DISTINCTLY DIFFERENT THINGS IN MY  
21 JUDGMENT TODAY. WE HAD, ONE -- BOTH POLICY MATTERS.  
22 ONE, WHICH WAS THE ALQUIST BILL AND THE OTHER WHICH WOULD  
23 SUPPORT OR, IN MY JUDGMENT, SUBSIDIZE RECYCLING.

24 NOW, IT'S EASY FOR US TO GET THESE MANDATES  
25 AND SEE THESE BILLS COMING THROUGH; BUT IN ORDER TO MAKE



1 ANY KIND OF A JUDGMENT ON THEM, AS FAR AS I'M CONCERNED,  
2 SINCE YOU HAVE A FIXED BUDGET, AND YOU ARE NOT GOING TO  
3 PROBABLY -- UNLESS SOME FUNDS ARE ESTABLISHED BY THE BILL  
4 IN WHICH YOU GET A SHARE, YOU ARE NOT GOING BE ABLE TO  
5 HANDLE ALL THE WORK THAT'S BEING THROWN AT YOU IF WE  
6 APPROVE EVERYTHING.

7 NOW, IT'S NICE TO BE FOR GOD, AND I'M SURE WE  
8 ALL ARE. BUT ON THE OTHER HAND, YOU HAVE LIMITS AS TO  
9 HOW FAR YOU CAN IMPLEMENT IT. AND I WOULD THINK IN ORDER  
10 FOR ME TO MAKE A GOOD JUDGMENT, I WOULD NEED FOR YOU TO  
11 TELL US AT THE TIME WE REVIEW THESE THINGS, WHAT WOULD  
12 YOU HAVE TO REARRANGE IN YOUR BUDGET IN ORDER FOR US TO  
13 IMPLEMENT WHAT WE'RE BEING CALLED UPON TO DO? I DON'T --  
14 YOU KNOW, IT'S EASY TO BE FOR, YOU KNOW, ON THE RIGHT  
15 SIDE OF THE LORD, BUT YOU ARE GOING TO HAVE TO TELL US  
16 WHAT WE'RE GOING TO HAVE TO GIVE UP IN ORDER TO DO THAT.

17 THERE'S GOT TO BE SOME HARD CHOICES MADE  
18 SOMETIME, AND I'D LIKE TO KNOW IN ADVANCE WHEN WE'RE  
19 BEING CALLED UPON TO MAKE OUR CHOICES, WHAT THE IMPACTS  
20 ARE. I DON'T EVEN KNOW, GEORGE, IF THAT'S POSSIBLE.

21 MR. EOWAN: IT'S POSSIBLE, TO A CERTAIN EXTENT, TO  
22 DO THAT. WE TYPICALLY DON'T GET INTO THAT LEVEL OF  
23 DETAIL. IT'S FAIRLY TIME CONSUMING TO START REALLY  
24 DIGGING IN UNTIL THE BILL HAS MOVED TO A SIGNIFICANT  
25 PLACE WHERE WE THINK IT HAS A HIGH DEGREE OF PROBABILITY



1 THAT IT'S GOING TO BE A SUCCESSFUL BILL IN SOME FORM.

2 UP TO THAT POINT, WHAT WE DO IS ESTIMATE THE  
3 AMOUNT OF RESOURCES IT WOULD TAKE TO IMPLEMENT THE BILL;  
4 FIVE PEOPLE, HUNDRED THOUSAND DOLLARS WORTH OF CONTRACTS,  
5 OR SOMETHING LIKE THAT, TO GIVE YOU A GENERAL IDEA.

6 BUT ANYTHING MORE DETAILED, WE JUST WAIT FOR A  
7 WHILE UNTIL IT GETS TO A CERTAIN POINT ALONG THE WAY.  
8 AND, AS I SAID, WE'RE GOING TO DO THAT NOW FOR THE KILLEA  
9 BILL AND THE MONTOYA BILL BECAUSE IT JUST SEEMS LIKE ONE  
10 OF THOSE BILLS MAY GET TO A POINT WHERE WE'RE GOING TO  
11 HAVE TO LOOK AT IT SERIOUSLY. AND THE ALQUIST BILL, NOW,  
12 THAT BILL HAS BEEN AROUND A LONG TIME, ALMOST TWO YEARS.

13 BOARD MEMBER GALLAGHER: THAT'S A DIFFERENT THING.  
14 THAT HAS NO IMPACT ON OUR OWN BUDGET. THAT JUST HAS AN  
15 IMPACT ON THE GENERAL FUND.

16 MR. EOWAN: WE HAVE ESTIMATED THAT IT TAKES FIVE OR  
17 SIX PEOPLE -- I THINK SIX PEOPLE TO IMPLEMENT THAT BILL.  
18 AGAIN, WITHOUT REVENUE, WE WOULD HAVE A HARD TIME FINDING  
19 SIX PEOPLE. THAT'S CLOSE TO 10 PERCENT -- 8 PERCENT OF  
20 OUR STAFF. SO WE'D NEED MORE RESOURCES TO DO THAT.

21 BOARD MEMBER GALLAGHER: WELL, IT'S A REQUEST THAT  
22 I MADE OUT OF THE -- OF HOW YOU DO IT AND HOW MUCH TIME  
23 IT WOULD TAKE TO DO IT, BUT I SURE THINK WE NEED TO WATCH  
24 THAT VERY CAREFULLY, AS A BOARD, THAT WE KNOW WHAT WE'RE  
25 GIVING UP IN ORDER TO SUPPORT ALL THESE DESIRABLE THINGS.



1 MR. EOWAN: YES.

2 BOARD MEMBER GALLAGHER: AND GET OUR PRIORITIES  
3 REESTABLISHED.

4 BOARD MEMBER VARNER: MR. CHAIRMAN.

5 CHAIRMAN MOSCONE: MR. VARNER.

6 BOARD MEMBER VARNER: GEORGE, ALONG WITH THAT, I'M  
7 JUST SORT OF REINFORCING WHAT JOHN IS TALKING ABOUT. I,  
8 BEING THE NEWEST MEMBER ON THE BOARD, THIS IS THE FIRST  
9 TIME I'VE GOTTEN INTO YOUR BUDGET MAKING, BEING ON YOUR  
10 COMMITTEE AND SO FORTH.

11 IT SEEMS TO ME IN WRESTLING WITH THE BUDGET  
12 THING, THAT WE HAVE A HARD TIME FITTING EVERYTHING INTO  
13 RESOURCES THAT WE HAVE TO DO WITH NOW. I DON'T KNOW IF  
14 THAT'S A FAIR ASSESSMENT OR NOT. BUT AT LEAST IN GOING  
15 THROUGH THE THINGS, CERTAINLY FROM THE DESIRES OF THE  
16 STAFF, AND MAYBE SOMETIMES THE DESIRES ARE GREATER THAN  
17 THEY OUGHT TO BE, BUT EVEN FROM THE REALISTIC STANDPOINT,  
18 IT SEEMS LIKE THAT WE HAVE A HARD TIME FINDING ENOUGH  
19 RESOURCES, AND I'M SAYING MONEY, PEOPLE, EXPERTISE, AS  
20 ANOTHER RESOURCE.

21 DO WE HAVE ENOUGH OF THAT TO DO THE JOB THAT  
22 WE ALREADY HAVE BEEN GIVEN THE RESPONSIBILITY TO DO WITH  
23 THE DIFFERENT BILLS AND SO ON AND SO FORTH OVER THE  
24 YEARS? MAYBE WE DO. THAT'S SOMETHING THAT YOU WOULD  
25 HAVE TO ANSWER, BUT IT'S A GOOD POINT THAT'S MADE HERE



1 AND IT'S ONE THAT, SOMEHOW, I AGREE WITH THE COMMENTS  
2 THAT'S BEEN MADE. SUCH AS, LES HAS BROUGHT UP THAT WE  
3 NEED TO GET THE MESSAGE OUT OF WHAT WE STAND FOR HERE,  
4 BUT THERE'S TWO THINGS HERE.

5 WE CAN STAND FOR SOMETHING, BUT WITHOUT HAVING  
6 THE RESOURCES OR THE CAPABILITIES OR WHATEVER IT IS WE  
7 NEED TO PROPERLY EXPEDITE THESE RESPONSIBILITIES, THEN WE  
8 REALLY ARE NOT GOING TO ACCOMPLISH ANYTHING. AND SO,  
9 THEREFORE, IT SEEMS TO ME THAT THIS MAY BE PART OF THAT  
10 CRITICISM THAT HAS BEEN LEVELED AGAINST THIS BOARD OVER  
11 THE YEARS FOR BEING WHATEVER AS A RESULT OF SOME OF THESE  
12 THINGS.

13 SO I WOULD LIKE TO HEAR AN ANALYSIS FROM YOU  
14 AND YOUR SENIOR STAFF PEOPLE ALONG THESE LINES OF WHAT WE  
15 REALISTICALLY CAN DO, WHAT IT IS THAT WE NEED FIRST TO  
16 REALLY VERY ADEQUATELY DISCHARGE OUR RESPONSIBILITIES FOR  
17 THE THINGS WE ALREADY HAVE TO DO. AND THEN REALISTICALLY  
18 LOOK AT THOSE THINGS THAT NEED TO BE DONE.

19 BUT THERE, AGAIN, I THINK THAT THERE IS A WAY  
20 IN WHICH WE CAN AT LEAST ACCOMPLISH IN GETTING OUR  
21 MESSAGE OUT OF WHAT IT IS WE STAND FOR, AND WHAT WE THINK  
22 OUGHT TO BE DONE. AND THAT'S GOING TO HAVE TO BE DONE  
23 THROUGH PUBLICITY OF SOME SORT. BUT I THINK THESE THINGS  
24 NEED TO BE ADDRESSED REALISTICALLY, AND NOT JUST KEEP  
25 PILING THINGS ON, AND; THEREFORE, WE BECOME LESS AND LESS



1 EFFICIENT.

2 MR. EOWAN: I HAVE TWO COMMENTS TO THAT, IF I MAY.  
3 ONE OF THEM IS THAT IT'S A VERY TIMELY COMMENT THAT YOU  
4 BOTH ARE MAKING BECAUSE I FEEL THAT THIS IS A VERY  
5 IMPORTANT TIME FOR THE ISSUE OF WASTE MANAGEMENT, AND  
6 WHAT THAT HAS REQUIRED OF US IS A WHOLE NEW WAY OF  
7 LOOKING AT WHAT OUR RESPONSIBILITIES ARE IN TERMS OF THE  
8 LEVEL OF EFFORT THAT WE'RE PUTTING INTO IT. IT'S NOT  
9 JUST A QUANTITY ISSUE, BUT A QUALITY ISSUE, AS FAR AS I'M  
10 CONCERNED.

11 AND TAKE PERMITTING, FOR EXAMPLE, WHERE  
12 THERE'S -- IF YOU READ THE LAW, THERE'S A WHOLE RANGE OF  
13 WAYS TO IMPLEMENT THE LAW AND MEET THE REQUIREMENTS OF  
14 THE LAW ULTIMATELY RESULTING IN THE BOARD APPROVING AND  
15 CONCURRING IN A PERMIT.

16 WHAT WE DO TO GET TO THAT POINT AND BRING THAT  
17 TO YOU IS WHAT WE HAVE BEEN LOOKING AT. AND SO YOU'VE  
18 SEEN US REALLY SCRUTINIZE THE WHOLE FIVE-YEAR REVIEW  
19 PROCESS, AND AS A RESULT, WE'RE GOING TO BE GETTING A LOT  
20 OF PERMITS COMING IN THAT WE WOULDN'T HAVE ORDINARILY  
21 RECEIVED IN SUCH A TIMELY WAY. AND THEN WHAT LEVEL OF  
22 REVIEW, ON AN ENGINEERING BASIS, ARE WE GOING TO MAKE OF  
23 ALL OF THOSE.

24 THAT'S A NEW PROGRAM, REALLY, FOR THE BOARD  
25 EVEN THOUGH THE LAW HASN'T CHANGED, THE REGULATIONS



1 HAVEN'T CHANGED, OR ANYTHING ELSE. IT'S JUST INTERNALLY  
2 WE'VE ALL MADE A POLICY DECISION AND TRIED TO IMPLEMENT A  
3 PROGRAM AT A MUCH GREATER LEVEL THAN WE HAVE IN THE PAST.  
4 AND THAT'S BECAUSE OF THE TIMES THAT WE'RE IN, I THINK.

5 SO WHAT YOU ARE SAYING IS THAT IT HAS REALLY  
6 TWO IMPACTS, ONE, ON NEW PROGRAMS AS IT RELATES TO  
7 LEGISLATION, ANOTHER ONE ON HOW WE'RE IMPLEMENTING OUR  
8 PROGRAMS THAT WE ARE CURRENTLY RESPONSIBLE FOR AND WHAT  
9 LEVEL ARE WE GOING TO DO IT.

10 THE OTHER COMMENT I HAVE TO MAKE IS THE BOARD  
11 PROCESS. THE WHOLE IDEA OF RUNNING AN AGENCY WITH A  
12 BOARD IS A VERY DIFFERENT ONE THAN MOST STATE AGENCIES  
13 HAVE, WHERE THERE'S A DIRECTOR THAT ACTS UNILATERALLY,  
14 ESSENTIALLY. AND I THINK THAT, AGAIN, BECAUSE OF THE  
15 SCRUTINY THAT THE BOARD IS RECEIVING AND THE ISSUE IS  
16 RECEIVING, THAT IT'S GOING TO REQUIRE MORE AND MORE TIME  
17 AND ATTENTION THAN IS CURRENTLY REQUIRED IN STATE LAW.

18 I MEAN, STATE LAW SAYS YOU HAVE TO MEET ONCE A  
19 MONTH. NOW, AFTER THAT IT'S UP TO YOU TO DECIDE HOW MUCH  
20 EXTRA YOU WANT TO DEVOTE TO THAT. AND WHAT WE'RE ALL  
21 FINDING, I THINK, IS THAT EXTRA IS GROWING AND GROWING  
22 AND GROWING, AND WE'RE NOW HAVING FIVE DAYS A MONTH WORTH  
23 OF BOARD MEETINGS, AND WE HAVE HAD FOR A NUMBER OF MONTHS  
24 AND THAT WILL CONTINUE TO INCREASE, PLUS ALL THE TIME  
25 THAT'S GOING ON TO PREPARE FOR ALL THESE THAT YOU ARE ALL



1 INVOLVED WITH.

2 AND TO DO WHAT YOU ARE ALL SUGGESTING, I  
3 BELIEVE, HAS TO HAPPEN, NOT JUST IN A BOARD MEETING WHERE  
4 WE'RE PRESENTING YOU SOMETHING, AND YOU GETTING IT AND  
5 MAYBE YOU'VE HAD A WEEK OR SOMETHING TO REVIEW IT OR TWO  
6 WEEKS, IF WE'RE ABLE TO GET IT OUT TO YOU. I THINK THE  
7 PROCESS HAS TO CHANGE SO THAT YOU GET INVOLVED MORE IN  
8 DEVELOPING AND SEEING IT ON AN INCREMENTAL BASIS SO THAT  
9 WHEN IT COMES TIME FOR A BOARD MEETING, THAT WE'RE ALL  
10 MUCH MORE INVOLVED IN HOW ALL THAT INFORMATION WAS  
11 DEVELOPED.

12 THAT'S WHAT WE ARE DOING IN THE BUDGET  
13 COMMITTEE FOR THE FIRST TIME, AND I THINK THAT'S RAISING  
14 EVERYBODY'S LEVEL OF KNOWLEDGE ABOUT HOW WE'RE OPERATING.  
15 AND I THINK WE NEED TO DO THAT MORE. I THINK WE NEED TO  
16 DO THAT FOR LEGISLATION.

17 BOARD MEMBER BEAUTROW: MR. CHAIRMAN, A LITTLE  
18 WHILE AGO WE TOOK A POSITION THAT WAS VERY UNUSUAL ON  
19 THIS SB 188, THE ALQUIST THING, ABOUT DEFERRING IT TO THE  
20 AGENCY. I DON'T FEEL GOOD ABOUT THAT, AND I MADE THE  
21 MOTION AND IT CARRIED, BUT I THINK IT CARRIED  
22 UNENTHUSIASTICALLY, OR IT WASN'T VERY ENTHUSIASTICALLY  
23 RECEIVED.

24 MR. GALLAGHER MADE HIS POSITION CRYSTAL CLEAR,  
25 BUT I WANT TO BRING THAT UP AGAIN. WE'RE -- IT WAS --



1 IT'S ON 375, SB 188 ON PAGE 375. WE TOOK THE POSITION  
2 FOR THE FIRST TIME ON ANY BILL EVER ABOUT THE DEFERRING  
3 TO THE AGENCY. I DON'T THINK WE'VE EVER DONE THAT  
4 BEFORE.

5 MR. EOWAN: THAT'S CORRECT.

6 BOARD MEMBER BEAUTROW: I THINK THAT WAS A MISTAKE,  
7 AND I'M SORRY THAT I MADE THAT MOTION AND IT WAS PASSED.  
8 AND WE ARE AN INDEPENDENT AGENCY, AND YOU CAN SEE THE  
9 LIST OF PEOPLE THAT ARE SUPPORTING IT, AND IT'S SOMETHING  
10 THAT OTHER THAN THE TAX CREDIT ISSUE, WE DO SUPPORT IT.  
11 AND I WANT TO REMAKE THE MOTION TO SUPPORT IT AND SEE  
12 WHAT HAPPENS HERE, AND SO I'M MAKING THAT MOTION FOR  
13 SB 188, TO SUPPORT.

14 BOARD MEMBER BROWN: SECOND.

15 BOARD MEMBER VARNER: MAY I ASK A QUESTION HERE IN  
16 THE PROCESS OF THIS? I'M A LITTLE BIT UNCLEAR HERE AS TO  
17 WHAT IT IS THAT WE'RE TALKING ABOUT DOING. MAYBE THIS  
18 NEW DESIGNATION, DEFERRING TO AGENCY, MIGHT NOT BE A WISE  
19 THING. I DON'T KNOW. IN ONE RESPECT, THOUGH, IT'S A  
20 REALISTIC THING THAT WE'RE SAYING BECAUSE THIS IS YOUR  
21 REASONS THAT YOU HAVE GIVEN FOR OPPOSE UNLESS AMENDED OR  
22 SUPPORT IF AMENDED, WHICH IS TWO DIFFERENT WAYS OF SAYING  
23 THE SAME THING.

24 SO DO WE THEN -- LET ME ASK THIS, BILL? DO WE  
25 THEN WANT TO TAKE THE POSITION THAT WE'RE GOING TO TAKE



1 ALWAYS AN INDEPENDENT COURSE REGARDLESS OF WHAT AGENCY OR  
2 WHAT HAVE YOU, ADMINISTRATION, ASKS OF US? I THINK  
3 THAT'S ONE QUESTION WE NEED TO ANSWER.

4 MR. EOWAN: THAT'S A GOOD QUESTION.

5 I'D LIKE TO DIVIDE IT UP BETWEEN SUBSTANCE AND  
6 PROCESS. SOMETIMES THE PROCESS CAN TAKE CARE OF THE  
7 SUBSTANCE WHEN YOU DON'T GET YOUR FEET TANGLED UP. AND  
8 THAT SPEAKS ABOUT THE SAME POINT I WAS TALKING ABOUT A  
9 MINUTE AGO, ABOUT THE VALUE OF HAVING A BUDGET COMMITTEE  
10 BECAUSE WE CAN WORK THINGS OUT IN A MUCH MORE CAREFUL  
11 TIME-CONSUMING WAY WHEN IT COMES TO DEVELOPING OUR BUDGET  
12 CHANGE PROPOSALS.

13 I THINK WE SHOULD DO -- TAKE THE SAME KIND OF  
14 CARE WITH SIGNIFICANT BILLS, AND WORK THOSE OUT AS BEST  
15 WE CAN WITH AGENCY LONG BEFORE WE MAKE ANY FORMAL  
16 PROPOSALS PUBLICLY TO THE BOARD AS TO WHAT THE BOARD  
17 POSITION WOULD BE. BUT I'M PROPOSING OR SUGGESTING THAT  
18 WE GET A GROUP OF BOARD MEMBERS TOGETHER TO WORK WITH US;  
19 AND WHEN WE COME TO THESE KINDS OF SITUATIONS, LIKE OUR  
20 SB 188 OR WHATEVER, WE ALL SIT DOWN WITH THEM AND HAVE  
21 SOME DISCUSSIONS. AND THEN WHEN WE GET TO THE BOARD  
22 MEETING, AT LEAST WE'RE MORE KNOWLEDGEABLE; AND IF WE DO  
23 WANT TO TAKE THAT KIND OF INDEPENDENT STAND, WE ARE DOING  
24 IT WITH MORE INPUT, MORE KNOWLEDGE, MORE THOUGHT. SO --

25 BOARD MEMBER VARNER: MY CONCERN HERE IS TRYING TO



1 UNDERSTAND EXACTLY WHAT KIND OF A MESSAGE WE'RE TRYING  
2 TO -- IT SEEMS LIKE WE'RE TRYING TO GET OUT TWO OR THREE  
3 MESSAGES AT THE SAME TIME, AND I THINK WE'RE GOING TO  
4 FIND OURSELVES TAKING DIFFERENT POSITIONS TO TRY TO GET  
5 OUT THE MESSAGE.

6 BOARD MEMBER BEAUTROW: YOU ASKED ME THE QUESTION  
7 AND MY ANSWER IS THAT IT IS ON A CASE-BY-CASE BASIS, BUT  
8 WE CERTAINLY HAVE TO DEMONSTRATE THAT WE ARE AN  
9 INDEPENDENT AGENCY AND THERE ARE INSTANCES WHEN OUR  
10 VIEWS, INDIVIDUALLY AND COLLECTIVELY, ARE DIFFERENT FROM  
11 THE ADMINISTRATION, AND WE OUGHT TO FEEL FREE TO EXERCISE  
12 THOSE VIEWS.

13 BUT I DON'T THINK, ACROSS THE BOARD, THAT WE  
14 SHOULD, WITHOUT EQUIVOCATION, THAT IN ANY INSTANCES WHERE  
15 WE GET THE DIRECTION FROM THE AGENCY THAT THEY ARE  
16 OPPOSED, AND AUTOMATICALLY THAT'S WHAT WE'RE GOING TO DO.  
17 I DON'T THINK WE SHOULD TO DO THAT. IT IS ON A  
18 CASE-BY-CASE BASIS.

19 BOARD MEMBER GALLAGHER: I WANTED TO GET BACK TO  
20 THE POINT THAT GEORGE WAS MAKING A MOMENT AGO IN  
21 ANSWERING SOME OF THE QUESTIONS WE HAD. I CAN'T AGREE  
22 WITH YOU MORE, GEORGE, THAT THE PROCESS NEEDS TO BE  
23 CHANGED. EVEN THOUGH THESE PACKETS COME OUT A WEEK, TEN  
24 DAYS AHEAD OF TIME, AND I KNOW YOU GIVE A LOT OF  
25 ATTENTION TO IT. I'M A BIG BOY. I'M PERFECTLY CAPABLE



1 OF READING A BILL AND MAKING UP MY OWN MIND, BUT I THINK  
2 IT'S GOOD IF YOU HAVE HAD AN AMALGAMATION OF THOUGHT.  
3 I'M NOT ABOVE CHANGING MY MIND WHEN I HEAR A POINT OF  
4 VIEW WHICH I HADN'T THOUGHT OF OR WHICH CHANGES MY MIND  
5 FOR ME. AND I'D LIKE TO SUGGEST THAT YOU PURSUE THAT A  
6 LITTLE BIT. I'M NOT HERE TRYING TO POSE FOR HOLY  
7 PICTURES.

8 AS FAR AS I'M CONCERNED, WHEN WE GET OUR  
9 BUDGET APPROVED THROUGH THE AGENCY, WE'RE INDEPENDENT AS  
10 HELL UNTIL SOMEBODY GETS TALKING ABOUT STAFF AND MONEY  
11 AND THINGS LIKE THAT AND THEN SOMEBODY ELSE COMES INTO  
12 PLAY. I FEEL WE WOULD HAVE A MUCH STRONGER POSITION IN  
13 GOING TO THE AGENCY WITH A POSITION, IF IT IS DIFFERENT  
14 THAN THEIRS, IF WE HAD OR COULD GO TO THEM AND SAY,  
15 "LOOK, THIS IS THE COLLECTIVE THOUGHTS OF THAT BOARD AND  
16 THESE ARE THE REASONS THEY FEEL AS THEY FEEL. NOW, YOU  
17 MAY NOT AGREE AND THERE MAY BE SOME POLICY ABOVE WHERE WE  
18 ARE, BUT IN ORDER TO PROTECT THAT BOARD AND ITS POSITION,  
19 THIS IS THE POSITION WE'RE GOING TO TAKE." AND IN A VERY  
20 POSITIVE WAY. BUT WE GO UP TO THEM AND IN THIS CASE  
21 WITHOUT REALLY MUCH TO BACK UP WHAT WE'RE DOING.

22 AND I JUST THINK THAT THE COLLECTIVE THOUGHTS  
23 OF A COMMITTEE, IF YOU WILL, OR WHAT HAVE YOU, IN ADVANCE  
24 OF TAKING THE POSITION -- AND THAT WOULD BE THE  
25 RECOMMENDED POSITION TO THE BOARD -- DOESN'T MEAN YOU



1 CAN'T HAVE THE PUBLIC DISCUSSION THAT WE'RE HAVING RIGHT  
2 NOW. BUT IF YOU CAME IN HERE AND PRESENTED TO THE BOARD  
3 A POSITION THAT STAFF IS RECOMMENDING THAT'S BASED UPON  
4 AN AMALGAMATION OF THOUGHT OF THREE OR FOUR OR FIVE  
5 MEMBERS, WHATEVER YOU THINK IS RIGHT, I THINK EVEN THE  
6 BOARD WOULD FEEL A LITTLE BIT MORE CONFIDENT IN EITHER  
7 ACCEPTING THAT OR OPPOSING IT.

8 MR. EOWAN: I ALSO THINK AGENCY WOULD APPRECIATE  
9 THAT AS WELL.

10 BOARD MEMBER GALLAGHER: THAT REALLY IS MY BIGGEST  
11 POINT. I THINK IF YOU GO TO AGENCY WITH THAT KIND OF A  
12 POSITION, YOU'RE IN A HELL OF A LOT BETTER POSITION. I  
13 KNOW BACK IN THE OLD DAYS WHEN I WAS RUNNING A BUSINESS,  
14 WE HAD THE SAME THING. WE HAD -- YOU KNOW, WE HAD HIGHER  
15 AUTHORITIES AND WE SURE AS HELL HAD BETTER HAVE THOUGHT  
16 OUT OUR BUDGET REQUESTS AND HAD ALL THE REASONS BEFORE WE  
17 WENT TO THEM.

18 AND IT'S THE SAME THING ON A REQUEST FOR A  
19 HUGE AMOUNT OF MONEY FOR A PROJECT EXPENDITURE. WE HAD  
20 BETTER HAVE HAD OUR OWN LOCAL COMMITTEE THINK IT OUT AND  
21 GIVE US ALL THE REASONS WHY WE THINK THIS IS AN IMPORTANT  
22 THING BECAUSE THEY'RE GOING TO PUT IT IN THE CONTEXT OF  
23 WELL, ON A DIVISION, IS IT MORE IMPORTANT TO GIVE LOS  
24 ANGELES THAT MONEY THAN TO GIVE IT TO SAN JOSE OR  
25 SOMEPLACE LIKE THAT.



1            THAT'S THE ONLY SUGGESTION I WOULD LIKE TO  
2 MAKE TO YOU IS THAT WE GIVE SOME CONSIDERATION TO A  
3 LITTLE BIT MORE INVOLVEMENT OF THE BOARD BEFORE WE GET  
4 INVOLVED IN THE BOARD DISCUSSION PUBLICLY.

5            BOARD MEMBER ARAKALIAN: THANK YOU, MR. CHAIRMAN.

6            I'D LIKE TO ADDRESS TWO POINTS SIMULTANEOUSLY,  
7 ONE DIFFERENT FROM THE OTHER, AND I'LL TRY AND DO IT  
8 VERY QUICKLY.

9            ONE: ADDRESSING WHAT MR. GALLAGHER WAS  
10 TALKING ABOUT AND WHAT YOU SUGGESTED, YES, I THINK IT'S  
11 REAL IMPORTANT THAT WE HAVE A LEGISLATIVE COMMITTEE. IT  
12 WOULD SAVE A LOT OF TIME HERE AND GET A BETTER  
13 UNDERSTANDING.

14            THE OTHER SUBJECT WOULD BE THAT WE RIGHT NOW  
15 HAVE A MOTION ON THE FLOOR MADE BY MR. BEAUTROW, AND I  
16 WOULD LIKE TO ASK MR. BEAUTROW IF HE WOULD, SINCE HE MADE  
17 THE FIRST MOTION THAT WE VOTED ON, IF HE WOULD RETRACT  
18 HIS MOTION AND I WOULD LIKE TO MAKE A MOTION -- THE SAME  
19 MOTION, RATHER THAN HE.

20            BOARD MEMBER BEAUTROW: YES, I WILL.

21            BOARD MEMBER ARAKALIAN: I'D LIKE TO MAKE THE  
22 MOTION THAT WE SUPPORT THIS BILL -- WHAT IS IT, SB 188 --  
23 AND ON THE BASIS THAT -- NO, ALTHOUGH WE ARE UNDER THE  
24 ENVIRONMENTAL AFFAIRS AGENCIES, THAT WE SHOULD MAKE OUR  
25 OWN DECISIONS. AND I THINK THAT DISREGARDING THE ONE



1 FISCAL IMPACT THING, THAT IT IS A GOOD BILL THAT WE  
2 SHOULD SUPPORT. AND SO I WOULD LIKE TO MAKE THE MOTION  
3 THAT WE DO SUPPORT IT --

4 BOARD MEMBER BROWN: SECOND.

5 BOARD MEMBER ARAKALIAN: -- SB 188.

6 MS. JACKSON: BEFORE THE BOARD TAKES A POSITION ON  
7 THAT BILL, I WOULD LIKE TO SUGGEST THAT SUPPORT IF  
8 AMENDED BECAUSE WE WOULD NEED -- SUPPORT IF AMENDED. WE  
9 WOULD NEED APPROXIMATELY SIX STAFF PEOPLE TO IMPLEMENT  
10 THIS BILL, AND AT THIS POINT THERE ISN'T ANY FUNDING IN  
11 THIS BILL FOR STAFF. SO SUPPORT IF AMENDED IF WE ARE  
12 GIVEN THE FUNDING FROM GENERAL FUND TO IMPLEMENT THIS  
13 BILL.

14 BOARD MEMBER ARAKALIAN: DOES EVERYONE FEEL  
15 COMFORTABLE WITH THAT BILL?

16 BOARD MEMBER VARNER: SAM, IF YOU SUPPORT THE BILL  
17 AND IT'S PASSED AND WE DON'T HAVE THE FUNDS TO ACCOMPLISH  
18 IT, THEN WHAT HAVE WE DONE? I THINK JOELLEN'S --

19 BOARD MEMBER ARAKALIAN: DO YOU ALL AGREE WITH THAT  
20 POINT? THEN I WILL SUPPORT IT WITH THE AMENDMENT THAT WE  
21 GET FUNDING FOR IT.

22 BOARD MEMBER GALLAGHER: THAT'S QUITE A DIFFERENT  
23 MOTION THAN WE HAD BEFORE. I CERTAINLY AM SUPPORTIVE OF  
24 THAT, IF WE GET THE FUNDING.

25 BOARD MEMBER ARAKALIAN: THAT'S HOW WE'LL MAKE IT.



1           CHAIRMAN MOSCONE:  WHAT IS THE DISTRIBUTION OF THIS  
2 ENVIRONMENTAL AFFAIRS AGENCY BILL ANALYSIS?  DOES THIS  
3 JUST COME TO US?  DO YOU SEND A COPY TO THE AGENCY?

4           MR. EOWAN:  THE BILL ANALYSIS HERE IN THE PACKET,  
5 THE DISTRIBUTION IS A PUBLIC DOCUMENT.  SO WE -- THERE  
6 ARE A HUNDRED PEOPLE OR SO THAT REQUEST OUR BOARD PACKET  
7 SO WHEN WE MAIL IT OUT, THEY GET IT.

8           CHAIRMAN MOSCONE:  ARE YOU REQUESTED TO SEND THIS  
9 TO THE AGENCY?

10          MR. EOWAN:  YES, THEY -- THEY ARE VERY FLEXIBLE ON  
11 THAT.  WE MEET WITH THEM ON A REGULAR BASIS AND GO OVER  
12 THESE.  THEY DO RECEIVE THESE AT SOME POINT ALONG THE  
13 WAY.  THE -- THERE IS A SIGNATURE BLOCK DOWN HERE,  
14 DEPARTMENT DIRECTOR, AND IN THE PAST EITHER THE CHAIRMAN  
15 OR MYSELF HAVE SIGNED THEM ONCE THE BOARD HAS TAKEN A  
16 POSITION THAT THEY WANT TO SEND TO AGENCY.  SO THEN IT'S  
17 A FORMAL TRANSMITTAL DOCUMENT.

18                   IF THE BILL IS EVENTUALLY PASSED AND SENT TO  
19 THE GOVERNOR, THEN THEY ASK FOR ANOTHER ANALYSIS OF THAT  
20 BILL THAT IS PRESENTED TO THE GOVERNOR HIMSELF BEFORE HE  
21 SIGNS IT OR VETOES IT OR WHATEVER.

22          CHAIRMAN MOSCONE:  MY POINT -- THE REASON I ASKED,  
23 IF WE IN THIS WAY CAN MAKE IT KNOWN WHAT OUR POSITION IS  
24 AND WHY WE ARRIVE AT THAT POSITION AND THE REASON FOR OUR  
25 RECOMMENDATIONS, I THINK WE -- FOR EXAMPLE, ON 188, WE'VE



1 GOT A REASON FOR OUR RECOMMENDATION AT THE END OF THIS,  
2 ADMINISTRATION RECOMMENDATION REGARDING IMPACT ON THE  
3 GENERAL FUND. WELL, I DON'T KNOW IF WE'RE GOING TO --  
4 WHATEVER ACTION WE TAKE NOW, I THINK, WE'RE GOING TO TALK  
5 ABOUT -- APPROVE IF AMENDED, AND I THINK PROBABLY IN THE  
6 ANALYSIS OF ALL OF THIS AND STAFFS' COMMENTS AND THE  
7 EFFECTS OF THE BILL AND ALL OF THAT, THAT WE POINT OUT  
8 OUR REASONS FOR WHATEVER ACTION WE TAKE.

9 MR. EOWAN: DO WE TRY TO DO THAT, AGAIN?

10 CHAIRMAN MOSCONE: I THINK THAT IF WE -- FOR  
11 EXAMPLE, IF AGENCY TELLS US, WELL, THE ADMINISTRATION  
12 WANTS YOU TO DO THAT, WELL, THE ADMINISTRATION MAY WANT  
13 US TO DO THIS, AND THIS IS THE WAY WE FEEL ABOUT THIS  
14 BILL AND WHY WE FEEL THAT WAY ABOUT IT, AND JUST MAKE IT  
15 ABUNDANTLY CLEAR THAT WE WOULD LIKE TO HAVE OUR SAY ABOUT  
16 IT.

17 BOARD MEMBER GALLAGHER: I THINK THAT'S THE REASON.  
18 YOU KNOW, THE ADMINISTRATION ALWAYS HAS THE ULTIMATE  
19 POWER OF VETO ON THE BILL, BUT WE WILL HAVE THEN MADE OUR  
20 POINT TO THE GENERAL PUBLIC THAT WE SUPPORT THE BILL  
21 BECAUSE OF THESE FACTORS, AND THE GOVERNOR OR THE AGENCY  
22 OR WHOMEVER CAN EITHER ACCEPT OUR POSITION AS BEING A  
23 VALID ONE OR SAY, WELL, EVEN IN VIEW OF THAT, WE'RE GOING  
24 TO HAVE TO VETO OR WE'LL HAVE TO APPROVE IT.

25 THIS BOARD, THEN, WOULD HAVE RETAINED ITS



1 INDEPENDENCE. IT WOULD HAVE GIVEN A MESSAGE TO THE  
2 PUBLIC THAT IT'S SUPPORTIVE OF THE OBJECTIVE, AND WE  
3 WOULD HAVE, I THINK, JUSTIFIED -- AT LEAST TRIED TO  
4 JUSTIFY TO THE AGENCY, THAT WE'RE NOT A BUNCH OF GUYS WHO  
5 MEET UP HERE ONCE A MONTH AND TAKE ALL THESE FANCY  
6 POSITIONS WITHOUT HAVING REALLY GIVEN IT SOME INDEPTH  
7 STUDY. MAYBE THEY WOULD DEVELOP A LITTLE MORE CONFIDENCE  
8 IN US AS A GROUP AND BE MORE WILLING TO LISTEN TO OUR  
9 POINT OF VIEW.

10 CHAIRMAN MOSCONE: SO ARE WE GOING TO -- AT THIS  
11 POINT --

12 BOARD MEMBER ARAKALIAN: WOULD YOU LIKE ME TO  
13 REPEAT THE MOTION THAT WE SUPPORT SB 188 WITH THE  
14 AMENDMENT TO GIVE US FUNDING FOR IMPLEMENTING THIS?

15 BOARD MEMBER VARNER: IT'S BEEN SECONDED.

16 BOARD MEMBER BROWN: SECOND.

17 CHAIRMAN MOSCONE: ANY OBJECTION? SO BE IT.

18 MR. EOWAN: THANK YOU.

19 MS. JACKSON: MR. CHAIRMAN, I'D LIKE TO GO OVER THE  
20 DIFFERENT CHANGES WE HAVE MADE DURING THIS MEETING.

21 MS. REPORTER: EXCUSE ME, MR. MOSCONE, COULD WE  
22 TAKE ABOUT A FIVE-MINUTE BREAK?

23 CHAIRMAN MOSCONE: YES, I'M SORRY THAT I'VE NOT  
24 ASKED YOU BEFORE.

25 (A BREAK WAS TAKEN.)



1 CHAIRMAN MOSCONE: THE FIVE-MINUTE RECESS IS OVER.

2 MR. EOWAN: I THINK YOU WANTED US TO GO AHEAD AND  
3 RECAP THE POSITIONS THAT THE BOARD TOOK ON THE BILLS.

4 CHAIRMAN MOSCONE: RIGHT.

5 BOARD MEMBER BREMBERG: I'LL WRITE ANY EXCUSE FOR  
6 HER. I HELD HER UP.

7 MR. EOWAN: I'M NOT SURE MY NOTES ARE AS GOOD AS  
8 JOELLEN'S.

9 MS. JACKSON: FIRST ITEM, AB 2818 BY LAFOLLETTE.  
10 WE HAD OPPOSED UNLESS AMENDED ON THAT BILL.

11 CHAIRMAN MOSCONE: EXCUSE ME, JOELLEN. IS JOHN  
12 GALLAGHER BUSY ON SOMETHING OR -- PROCEED JO.

13 MS. JACKSON: THANK YOU. I'LL START AT THE  
14 BEGINNING THEN.

15 AB 2790, CHANDLER: WE HAD SUPPORT BILL --  
16 SUPPORT POSITION ON THIS BILL AND THE BOARD AGREED TO  
17 LEAVE IT AS SUCH.

18 THE SECOND BILL, AB 2818 BY LAFOLLETTE: WE  
19 CURRENTLY HAVE AN OPPOSE UNLESS AMENDED, AND WE HAVE A  
20 QUESTION ON THIS BILL BECAUSE WE LIKE THE BILL OTHER THAN  
21 THE FUNDING SOURCE FROM THE GENERAL FUND. SO I DON'T  
22 THINK THE BOARD DID DECIDE WHAT WE WOULD DO WITH THIS  
23 PARTICULAR BILL, SO MAYBE WE CAN COME TO AN AGREEMENT --  
24 THE BOARD COULD.

25 MR. EOWAN: I THINK WE WANTED TO REVIEW THIS BILL,

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1 THEN, IN LIGHT OF THE INFORMATION I GOT LAST NIGHT. I  
2 JUST RECOMMEND NO POSITION RIGHT NOW UNTIL WE HAVE A  
3 CHANCE TO DO THAT.

4 CHAIRMAN MOSCONE: NO POSITION.

5 MR. EOWAN: WE'LL COME BACK TO YOU IN AUGUST.

6 MS. JACKSON: THE THIRD BILL, AB 2831 LAFOLLETTE:  
7 SUPPORT IF AMENDED. WE'VE AGREED TO LEAVE THAT AS IT IS.

8 BOARD MEMBER ARAKALIAN: SUPPORT IF AMENDED. WAS  
9 THAT IF AMENDED? THAT STAYED THE SAME?

10 MS. JACKSON: YES. FOURTH BILL, AB 3012 BY KATZ:  
11 THE BOARD AGREED TO GO FROM AN OPPOSED TO A NEUTRAL  
12 POSITION ON THIS BILL.

13 THE NEXT BILL, AB 3189 BY TANNER: OPPOSED.  
14 WE'RE LEAVING IT -- WE'RE STAYING WITH THE OPPOSED  
15 POSITION.

16 ITEM NO. 6, AB 3297, KILLEA: THE POSITION WAS  
17 OPPOSE UNLESS AMENDED. THE BOARD AGREED TO SUPPORT THIS  
18 BILL.

19 BOARD MEMBER BROWN: WITHOUT ANY AMENDMENT?

20 MS. JACKSON: THERE ISN'T ANY GENERAL FUND  
21 STIPULATIONS IN THIS BILL, MR. BROWN.

22 BOARD MEMBER VARNER: JOELLEN, LET ME ASK YOU:  
23 DOES THIS STIPULATION STILL HAVE THE CONSERVATION AS THE  
24 LEAD AGENCY?

25 MS. JACKSON: THIS IS THE USED OIL RECYCLING BILL.



1 BOARD MEMBER VARNER: I'M SORRY.

2 MS. JACKSON: AB 3298, WHICH IS THE KILLEA

3 RECYCLING BILL: NO POSITION, AND WE WILL BE STAYING WITH  
4 THAT POSITION. 3298, NO POSITION.

5 NO. 8, AB 3344, TANNER: THAT REMAINS THE  
6 SAME.

7 NO. 9, AB 3462, CORTESE: NEUTRAL, TO REMAIN  
8 THE SAME.

9 ITEM NO. 10, AB 3745, EASTIN: SUPPORT.

10 ITEM NO. 11, AB 3746, EASTIN: WE WANT TO MOVE  
11 FROM AN OPPOSED POSITION TO A SUPPORT POSITION.

12 NO. 12, AB 3847, TANNER: OPPOSE.

13 NO. 13, AB 4234, CLUTE: SUPPORT IF AMENDED.

14 NO. 14, AB 4498, SHER: WE HAD OPPOSED UNLESS  
15 AMENDED. THAT'S SUPPORT IF AMENDED IS THE NEW POSITION.

16 BOARD MEMBER ARAKALIAN: WHAT'S THAT?

17 MS. JACKSON: SUPPORT IF AMENDED.

18 NO. 15, AB 4607, BROWN: SUPPORT IF AMENDED.

19 NO. 16, SB 188, ALQUIST: THIS IS -- WE'RE  
20 MOVING FROM OPPOSED TO SUPPORT IF AMENDED.

21 NO. 17, SB 2094, TORRES: OPPOSE.

22 NO. 18, SB 2113, MONTOYA: NO POSITION.

23 AND LAST NO. 19, SB 2304, DILLS: SUPPORT.

24 CHAIRMAN MOSCONE: THANK YOU.

25 MR. EOWAN: DID YOU WANT TO TAKE A MOTION ON THOSE



1 AS WE JUST STATED THEM?

2 BOARD MEMBER BROWN: I'LL MOVE THE POSITIONS AS  
3 READ BY STAFF.

4 BOARD MEMBER VARNER: LET ME ASK ONE QUESTION ON  
5 THIS SB 2113. WASN'T -- I THOUGHT I UNDERSTOOD THAT IT  
6 WOULD BE -- YOU WOULD CHANGE IT IF THERE WAS ONE -- THE  
7 ONE SENTENCE WAS AMENDED AS MRS. BREMBERG --

8 MR. EOWAN: WE WILL MAKE NOTE OF THAT  
9 RECOMMENDATION, BUT I WAS RECOMMENDING ALSO THAT WE JUST  
10 MAINTAIN THAT NO POSITION AS WE GO THROUGH THIS PROCESS  
11 WITH DEPARTMENT OF CONSERVATION ON THAT BILL AND THE  
12 KILLEA BILL.

13 BOARD MEMBER VARNER: ALL RIGHT. BUT YOU WILL TAKE  
14 NOTE OF THAT CHANGE?

15 MR. EOWAN: WE DID TAKE NOTE OF THAT CHANGE, AND  
16 YOU WILL SEE IT IN OUR ANALYSIS NEXT TIME.

17 BOARD MEMBER BREMBERG: THAT 66766.33, THAT'S THE  
18 DOOR OPENER.

19 MS. JACKSON: PAGE 9, LINES 31 THROUGH 36.

20 BOARD MEMBER BREMBERG: LINES 31 THROUGH 36.

21 MS. JACKSON: THAT'S CORRECT.

22 BOARD MEMBER BREMBERG: I WILL SECOND IT.

23 CHAIRMAN MOSCONE: ANY DISCUSSION? ALL IN FAVOR?  
24 OPPOSED? NONE. SO ORDERED.

25 MS. JACKSON: THANK YOU, MR. CHAIRMAN, BOARD



1 MEMBERS.

2 CHAIRMAN MOSCONE: ITEM NUMBER 13 OR 12.

3 MR. EOWAN: WE'VE DONE 12 AND 13, MR. CHAIRMAN.

4 WE'RE PREPARED TO GO TO ITEM 14 IF YOU LIKE.

5 CHAIRMAN MOSCONE: UPDATE ON SIGNIFICANT STAFF  
6 ACTIVITIES.

7 MR. EOWAN: I THINK ALL OF YOU HAVE RECEIVED A COPY  
8 OF A LETTER FROM THE ASSOCIATION OF BAY AREA GOVERNMENTS.  
9 I KNOW SOME OF YOU HAVE. I DON'T KNOW THAT ALL OF YOU  
10 HAVE. YOU SHOULD HAVE IF YOU HAVEN'T RECEIVED IT.

11 BOARD MEMBER BROWN: THAT WAS YESTERDAY.

12 MR. EOWAN: WE WILL BE RESPONDING TO THE LETTER.  
13 IT PROPOSES A NUMBER OF THINGS THAT THE BOARD DO.  
14 PRIMARILY, THEY WANT US TO ESTABLISH A SOLID WASTE PLAN  
15 TECHNICAL COMMITTEE THAT WOULD BE COMPOSED OF  
16 REPRESENTATIVES OF COUNTY STAFFS. AND THE PURPOSE OF IT  
17 WOULD BE TO DEVELOP MORE SPECIFIC GUIDELINES FOR THE  
18 STRUCTURE AND CONTENT OF COSWMPs AND TO REEXAMINE THE  
19 PROCESS AND TIME FRAME FOR PREPARATION OF COSWMPs.

20 IT'S A FAIRLY COMPLEX UNDERTAKING TO DO THIS.  
21 WE DO CURRENTLY HAVE IN THE REGULATIONS GUIDELINES FOR  
22 COSWMPs, AND WE HAVE CONVENED A COMMITTEE ON THE ISSUE OF  
23 PROCESS AND TIME FRAME FOR LOCAL PREPARATION. STAFF WILL  
24 PREPARE A LETTER FOR YOUR REVIEW IN RESPONSE TO THIS IN A  
25 TIMELY WAY. AND I THINK, ESSENTIALLY, THE SUBSTANCE OF

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1 THAT RESPONSE WILL BE TO EXPLORE THE IDEAS THAT THEY HAVE  
2 AND SEE IF THERE'S WAYS THAT WE CAN ACCOMMODATE THEIR  
3 NEEDS.

4 THE LETTER TENDS TO FOCUS ON MORE THAN JUST  
5 THE COUNTY SOLID WASTE MANAGEMENT PLAN AND THE PROCESS  
6 FOR DEVELOPING THEM. IT GOES INTO THE IMPORTANCE OF  
7 LOOKING AT LEGISLATION AND HOW THIS ASSOCIATION COULD  
8 HELP US IN PREPARATION OF THAT BY UTILIZING PLANNING  
9 STAFF FROM VARIOUS COUNTIES. AND THAT RAISES A LOT OF  
10 ISSUES, AND WE JUST WANT TO BE CAREFUL THAT WE'RE WORKING  
11 WITH THE RIGHT GROUPS.

12 WE ALREADY WORK WITH CSAC AND LEAGUE OF  
13 CITIES. WE ALREADY HAVE A LOCAL ENFORCEMENT ADVISORY  
14 COUNCIL. WE HAVE A NUMBER OF WAYS OF ASSESSING THAT  
15 INFORMATION. THAT'S NOT TO SAY THAT WE DON'T NEED  
16 SOMETHING ELSE OR OTHER PROCESSES, BUT IT'S OUR IMMEDIATE  
17 REACTION TO PROBABLY TO HAVE THEM DISCUSS WITH US IN MORE  
18 DETAIL WHAT THEY HAVE IN MIND, AND WE WILL PREPARE A  
19 LETTER TO THAT EFFECT AND GET BACK TO YOU. SO I WANTED  
20 TO LET YOU KNOW HOW WE INTEND TO APPROACH THAT; AND IF  
21 YOU HAVE ANY COMMENTS OR DIRECTIONS, WE WOULD BE HAPPY TO  
22 RECEIVE THEM.

23 BOARD MEMBER BREMBERG: I WOULD JUST SUGGEST IT BE  
24 PUT ON THE AGENDA FOR NEXT MONTH, AND I WOULD ALSO ASK  
25 YOU TO BEAR IN MIND THAT CONTRA COSTA COUNTY IS PART OF



1 THIS ORGANIZATION. AND I WOULD SUSPECT THAT THERE'S A  
2 LITTLE MOTIVATION FROM SOME OF THE ELECTED OFFICIALS THAT  
3 ARE A PART OF ABAG, AND KEEP ALL THE RAMIFICATIONS IN  
4 THERE -- I DON'T BELIEVE THAT THIS IS A VIRTUOUS AND PURE  
5 RIGHTEOUS LETTER.

6 MR. EOWAN: WE CAN PUT THAT ON THE AGENDA FOR  
7 AUGUST. THAT WOULD BE FINE. WE WILL WRITE A LETTER TO  
8 THAT EFFECT, IF THAT'S --

9 CHAIRMAN MOSCONE: KNOWING A LITTLE OF THE PAST, I  
10 WAS JUST WONDERING IF IT'S GOING TO COST US.

11 BOARD MEMBER BREMBERG: SURE.

12 BOARD MEMBER VARNER: WHAT DO YOU MEAN, JOHN?

13 CHAIRMAN MOSCONE: YOU DO THIS AND DO THAT AND THEN  
14 YOU KNOW THESE -- THESE PEOPLE ARE MORE FAMILIAR WITH  
15 THESE REGIONAL AGENCIES THAN I AM, AND SOME SOMETIME ARE  
16 IN TROUBLE FINANCIALLY, AND SO THEY'RE LOOKING FOR WAYS  
17 TO CREATE MORE WORK AND KEEP THEIR STAFF GOING. AND I  
18 KNOW THAT -- WELL, IN THE CASE OF ABAG, I KNOW, THAT I  
19 HAVEN'T KEPT A BREAST OF IT LATELY, BUT I KNOW THAT ONE  
20 OR TWO OF THE CITIES THAT WERE PART OF ABAG HAVE DROPPED  
21 OUT. WHETHER THEY HAVE RETURNED OR NOT, I'M NOT SURE.  
22 BUT I THINK THAT THEY HAVE DONE SOME GOOD WORK -- IN  
23 FACT, I THINK THAT WE CONTRACTED WITH THEM, THIS BOARD  
24 CONTRACTED WITH THEM A COUPLE OF TIMES TO DO SOME  
25 STUDIES.



1 BOARD MEMBER BREMBERG: MR. MOSCONE, THAT'S EXACTLY  
2 WHAT I WAS TALKING ABOUT IN SB 2113. YOU EVEN GIVE AN  
3 INDICATION THAT THEY'RE ELIGIBLE UNDER STATUTORY LAW, AND  
4 THEY MOVE RIGHT IN AND ASSIGN PEOPLE TO GET GRANTS AND  
5 BEEF UP THEIR STAFF AND THE WHOLE THING. AND I'VE SEEN  
6 IT HAPPEN OVER AND OVER AGAIN WITH SKAG. I DON'T KNOW  
7 MUCH ABOUT ABAG EXCEPT ITS MEMBERSHIP.

8 MR. EOWAN: OKAY. THE WEEK OF JULY 17TH, THERE IS  
9 A NATIONAL SOLID WASTE FORUM THAT I WANTED TO LET YOU  
10 KNOW ABOUT, AND I WILL BE ATTENDING THAT AS WELL AS HERB  
11 IWAHIRO AND GEORGE LARSON, WHO ARE ARE ON THE AGENDA.  
12 THIS IS A FORUM THAT THE BOARD COSPONSORED ABOUT A YEAR  
13 AND A HALF AGO IN LOS ANGELES, AND THIS YEAR IT'S BEING  
14 HELD IN FLORIDA IN JULY. AND IT'S AN IMPORTANT ONE, IT  
15 BRINGS TOGETHER SOLID WASTE OFFICIALS FROM ALL OVER THE  
16 COUNTRY.

17 BOARD MEMBER ARAKALIAN: HOW ABOUT THIS THING IN  
18 HERE TODAY, SAW THIS THING IN BOSTON.

19 MR. EOWAN: I JUST SAW THAT MYSELF.

20 BOARD MEMBER ARAKALIAN: IT'S IN SEPTEMBER. WHEN  
21 DOES BASKETBALL SEASON START?

22 MR. EOWAN: I DON'T THINK BASKETBALL SEASON EVER  
23 ENDS.

24 BOARD MEMBER ARAKALIAN: SEE THE CELTICS IN BOSTON?

25 MR. EOWAN: I WILL REPORT TO YOU ON THIS SOLID



1 WASTE FORUM IN THE AUGUST MEETING AND WHAT WE'VE DONE  
2 THERE. AND I THINK MR. IWAHIRO HAS A COUPLE OF COMMENTS.

3 MR. IWAHIRO: YES, MR. CHAIRMAN AND BOARD MEMBERS.  
4 ON JULY 18TH, WE'RE HOPEFUL THAT THE LONG AWAITED, AS FAR  
5 AS STAFF IS CONCERNED, TESTING OF THE COMMERCE  
6 WASTE-TO-ENERGY PLANT WILL BEGIN. IT'S ABOUT A -- IT'S  
7 THE ONE THAT WE FUNDED WITH PVA FUND FOR A MILLION  
8 DOLLARS. IT WILL BE A TWO-WEEK TEST, AND THE FIRST WEEK  
9 WE WILL BE TESTING MUNICIPAL WASTE, REGULAR WASTE, AND  
10 THEN THE NEXT WEEK WE'LL BE TESTING THE WASTE THAT THEY  
11 HAVE AT COMMERCE NORMALLY WHICH IS PRIMARILY COLLECTED  
12 FROM THAT AREA THERE.

13 BOARD MEMBER BREMBERG: COMMERCIAL?

14 MR. IWAHIRO: COMMERCIAL, THAT'S CORRECT. AND WE  
15 WILL BE TESTING WITH REGARD TO THE AIR EMISSIONS AND THE  
16 ASH COMING OUT OF IT. WE WILL BE TESTING AT VARIOUS  
17 TEMPERATURES AND VARIOUS SPEED RATES. WE'LL TRY TO GET  
18 AN ARRAY OF THE TYPE OF MATERIAL GOING IN THERE. WE WILL  
19 BE FINDING THE COMPOSITION OF THE WASTE AS IT GOES IN.  
20 SO WE'RE HOPEFUL OF PRETTY GOOD INFORMATION FROM THIS.

21 BOARD MEMBER BREMBERG: HERB, PRESENTLY THE TEST  
22 THAT THE AIR BOARD HAS BEEN CONDUCTING DOWN THERE FINDS  
23 THEM ABOUT BETWEEN 80 AND 84 PERCENT BELOW ALLOWABLE  
24 EMISSIONS ON THE COMMERCIAL WASTE. THE MIX OF THE  
25 MUNICIPAL AND HOUSEHOLD AND COMMERCIAL HASN'T REALLY BEEN



1 TESTED, BUT WE GET REGULAR REPORTS ON THAT, AND IT REALLY  
2 IS GOING ALONG SWIMMINGLY.

3 MR. IWAHIRO: YES. AND I GUESS THAT'S THE REASON  
4 WHY WE'RE DOING THE HOUSEHOLD ONE. I THINK THE  
5 COMMERCIAL WASTE IS PRETTY CLEAN, YOU MIGHT SAY, SO --  
6 ALTHOUGH IT HAS QUITE A BIT OF PLASTICS IN IT. ANYHOW,  
7 BEGINNING ON JULY 18TH, AS LONG AS EVERYTHING GOES  
8 SMOOTHLY.

9 THE -- AS REPORTED YESTERDAY DURING OUR 2448  
10 REPORT, WE WILL HAVE A MEETING OF THE ADVISORY COMMITTEE  
11 TO SOLID WASTE CLEANUP AND MAINTENANCE REVISORY COMMITTEE  
12 NEXT WEDNESDAY. AND THEY WILL BE GOING OVER SOME OF THE  
13 GRANT CRITERIA AND ALSO THE GUIDELINES ON HOW WE WOULD  
14 COORDINATE WITH THE WATER BOARD. THE LANDFILL DISPOSAL  
15 COST TASK FORCE HAS BEEN MEETING PRIMARILY WITH MR.  
16 BEAUTROW AND MR. VARNER AND OTHER APPOINTED PEOPLE FROM  
17 THE INDUSTRY AS WELL AS THE PUBLIC.

18 SO FAR THE ACTIONS THAT THEY HAVE TAKEN IS  
19 THEY HAVE INSTRUCTED STAFF TO DEVELOP A SURVEY OF TIPPING  
20 FEES IN CALIFORNIA, AND WE HAVE DONE THAT. WE JUST  
21 MAILED THAT OUT TO THE COMMITTEE TO REVIEW. HOPEFULLY,  
22 WE CAN GET SOME FEEDBACK BACK BY NEXT WEDNESDAY WHEN WE  
23 ANTICIPATE ON SEEING THAT SURVEY OUT.

24 THE TASK FORCE HAS ALSO AGREED BASICALLY ON AN  
25 APPROACH THAT WAS USING A MODEL TO EVALUATE TRUE COSTS



1 FOR LANDFILLS. STAFF IS CURRENTLY SEARCHING OUT THE  
2 VARIOUS MODELS, AND WE WILL TRY TO GIVE THE TASK FORCE A  
3 DEMONSTRATION-TYPE OF MODEL THAT WE MIGHT WANT TO USE.

4 SINCE OUR LAST BOARD MEETING WITH THE  
5 ENFORCEMENT FOLKS, BOTH NORTH AND SOUTH HAVE CONDUCTED 19  
6 INVESTIGATIONS. THEY RECEIVED SEVEN AGREEMENTS FOR  
7 COMPLIANCE AT SITES WHICH NEEDED TO BE WORKED WITH TO GET  
8 COMPLIANCE.

9 BOARD MEMBER BREMBERG: HERB, HOW IS MARIPOSA  
10 COUNTY DOING?

11 MR. IWAHIRO: MARIPOSA COUNTY, SPECIFICALLY?

12 BOARD MEMBER BREMBERG: YEAH. THEY HAD SUCH A  
13 TERRIBLE TIME AND EVERYTHING.

14 MR. IWAHIRO: THIS WAS A PLANNING ISSUE. I'LL LET  
15 MAYBE ALLEN ANSWER THAT.

16 BOARD MEMBER BREMBERG: THOSE POOR RASCALS -- YOU  
17 KNOW, I FELT SO SORRY FOR THEM. I JUST KIND OF -- OLD  
18 MOTHER EARTH HERE IS TAKING AND WORRYING ABOUT THEM. HOW  
19 THEY ARE DOING?

20 MR. OLDALL: PUT IT THIS WAY: WE HAVEN'T HEARD ANY  
21 NEGATIVE COMMENTS FROM THEM, AND SO WE ASSUME THEY'RE  
22 WORKING MOST OF THEIR PROBLEMS OUT WITH THE FEDS. BUT I  
23 THINK THEY STILL HAVE A PROBLEM WITH GETTING SOME  
24 DOCUMENTATION IN TO US, BUT APART FROM THAT, THAT'S ABOUT  
25 ALL I KNOW ON THE ISSUE.



1 BOARD MEMBER BREMBERG: GOOD. I'M GLAD THEY'RE  
2 COMING ALONG.

3 MR. IWAHRO: A FEW OTHER ITEMS. ONE IS THAT THE  
4 L.A. ADVISORY COUNCIL WILL BE MEETING ON THE 14TH AND  
5 15TH, THAT'S FRIDAY -- THURSDAY AND FRIDAY OF NEXT. THAT  
6 WILL BE IN ORANGE COUNTY FOR THOSE IN THAT AREA.

7 LASTLY, I'D LIKE TO SAY THAT DAVE STRICKLER,  
8 WHO I THINK YOU MAY RECALL WORKED AT THE BOARD HERE, IS  
9 NOW BACK WITH US, AND HE'LL BE PRIMARILY WORKING ON THE  
10 HOUSEHOLD HAZARDOUS WASTE AREA. WE'RE REAL HAPPY TO HAVE  
11 HIM BACK. HE'S BEEN A VERY EXEMPLARY EMPLOYEE.

12 MR. OLDALL: I THINK IT'S SOMEWHAT EPIDEMIC. IT'S  
13 LIKE WE'RE GETTING OLD EMPLOYEES BACK. AS HERB POINTED  
14 OUT, WE GOT DAVE STRICKLER. HE'S IN RESOURCE  
15 CONSERVATION, BACK DOING THE HOUSEHOLD HAZARDOUS WASTE.

16 WE HAVE ANOTHER YOUNG LADY WHO WORKED WITH US  
17 A FEW YEARS BACK CALLED CHERYL HISATOMI IN OUR  
18 ENFORCEMENT DIVISION, LEFT AND GOT MARRIED, AND NOW COMES  
19 BACK FROM THE EAST COAST AND IS NOW WORKING IN RESOURCE  
20 CONSERVATION DIVISION, AND WILL BE THE RESIDENT EXPERT ON  
21 TIRE RECYCLING. I DON'T KNOW IF CHERYL IS IN HERE.

22 MR. OLDALL: GEORGE HAD POINTED OUT EARLIER THAT WE  
23 ARE GETTING STILL REGULARLY ABOUT A THOUSAND -- I THINK  
24 THE EXACT NUMBER IS ABOUT A THOUSAND FORTY-FIVE AT THE  
25 LAST COUNT CALLS ON THE HOTLINE. THAT WORKS OUT TO ABOUT

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1 48 CALLS A DAY, SIX CALLS AN HOUR, WE'RE AVERAGING, AND  
2 AS HOLDING TRUE TO FORM ABOUT TWO-THIRDS OF THOSE ARE ON  
3 OIL, USED OIL RECYCLING ISSUES.

4 I'D LIKE TO POINT OUT THAT ONE OF OUR NEWEST  
5 STAFF MEMBERS THAT WE INTRODUCED A COUPLE OF BOARD  
6 MEETINGS AGO IS STEVE. IF STEVE IS AROUND, I'D LIKE TO  
7 POINT HIM OUT AGAIN. HE HAS BEEN APPOINTED BY THE  
8 DIRECTOR GENERAL OF THE WORLD HEALTH ORGANIZATION TO A  
9 INTERNATIONAL PANEL OF SOME OTHER 20 EXPERTS WHO WILL BE  
10 REPORTING TO THE UNITED NATIONS ON ENVIRONMENTAL  
11 MANAGEMENT FOR VECTOR CONTROL.

12 BOARD MEMBER BREMBERG: OUR EXPERT IN RATS.

13 MR. OLDALL: EXACTLY. PRIMARILY, I GUESS THEY ARE  
14 LOOKING AT ENVIRONMENTAL MANAGEMENT METHODS FOR CONTROL  
15 OF VECTORS THAT TRANSMIT MALARIA, YELLOW FEVER,  
16 DYSENTERY, THAT SORT OF THING.

17 CHAIRMAN MOSCONE: HAVE THEY BEEN OVER TO THE  
18 CAPITOL?

19 MR. OLDALL: AND, FINALLY, THE CITY OF SIERRA HAS  
20 BEEN INDUCTED INTO THE CLEAN COMMUNITY ORGANIZATION, AND  
21 I THINK MICHELLE LAWRENCE, OUR RESOURCE CONSERVATION  
22 DIVISION WAS DOWN THERE AT THE END OF LAST MONTH WITH THE  
23 CITY COUNCIL, AND WE'RE GLAD TO WELCOME THEM ABOARD INTO  
24 OUR CLEAN COMMUNITIES GROUP.

25 MR. EOWAN: AND I ASKED CHRIS PECK, ALSO, TO GIVE A



1 BRIEF UPDATE ON OUR PUBLIC INFORMATION PROGRAMS. SO  
2 CHRIS CAN YOU DO THAT?

3 MR. PECK: YES. REAL BRIEFLY, MR. CHAIRMAN AND  
4 MEMBERS OF THE BOARD, THE CALIFORNIA CLEAN-IN CAMPAIGN,  
5 AND I THINK YOU ALL GOT COPIES OF THE SPECIAL EDITION OF  
6 THE NEWSLETTER, WHICH IS THE INAUGURATION OF THE NEW  
7 NEWSLETTER WHICH IS COMING BACK OUT -- ALL RECYCLED PAPER  
8 THIS TIME -- HAS GENERATED ALREADY A LOT OF PHONE CALLS  
9 FROM PEOPLE. WE'VE GOTTEN PHONE CALLS FROM LEGISLATORS'  
10 OFFICES, FROM CITIES, FROM COUNTIES, FROM COUNTY  
11 SUPERVISORS' OFFICES ASKING WHAT THEY CAN DO.

12 AND THEIR CALLS RANGE FOR MATERIALS LIKE  
13 BUTTON AND BUMPER STICKERS AND T-SHIRTS AND THINGS LIKE  
14 THAT. THAT LEADS ME INTO THE ACTIVITY OF CORPORATE  
15 SPONSORSHIP. JOELLEN JACKSON IS GOING TO JOIN MRS.  
16 BREMBERG IN GLENDALE ON MONDAY, I BELIEVE, AND THEY'RE  
17 GOING TO TALK TO FOLKS FROM WASTE MANAGEMENT INCORPORATED  
18 AT THE CENTRAL DISTRICT WHO'S INTERESTED IN PUTTING THE  
19 LOGO ON THEIR TRUCKS AS THEY DRIVE AROUND THE CENTRAL  
20 CALIFORNIA REGION. GLENDALE FEDERAL SAVINGS IS, I THINK,  
21 SOMEBODY ELSE --

22 BOARD MEMBER BREMBERG: FIDELITY SAVINGS.

23 MR. PECK: I THINK THAT WITH THE ONE-ON-ONE  
24 APPROACH AND WITH ASSISTANCE FROM THE BOARD MEMBERS WILL  
25 HAVE A LOT MORE IMPACT IN TERMS OF DEVELOPING THAT



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1 CORPORATE SPONSORSHIP INTEREST.

2 NEXT WEEK WE'LL BE SENDING OUT POSTCARDS TO  
3 EDITORIAL EDITORS, TALK-SHOW HOSTS, AND PUBLIC SERVICE  
4 DIRECTORS, TELEVISION STATIONS, PUBLIC SERVICE DIRECTORS,  
5 REITERATING THAT THE SUMMARIES ARE ANTI-LITTER; AND IF WE  
6 CAN ENCOURAGE THEM TO EDITORIALS, TO SCHEDULE TALK SHOWS,  
7 AND TO AIR OUR TV SPOT "LITTER WARS" AGAIN SO WE CAN GET  
8 CONTINUED MILEAGE OUT OF THAT, WE WANT TO KEEP THE  
9 ANTI-LITTER MESSAGE GOING AT THE SAME TIME AS WE'RE  
10 INTRODUCING THE RECYCLING MESSAGE.

11 WE EXPECT TO SHOOT OUR TV SPOT FOR RECYCLING  
12 EITHER NEXT WEEK OR THE WEEK AFTER, FINISH THAT WITH A  
13 SERIES OF FACT SHEETS ON RECYCLING, AND HAVE THE PACKET  
14 TO INCLUDE THE RECYCLING MESSAGE AND GET THAT OUT NEXT  
15 MONTH SO THAT BY THE FALL, WE'LL HAVE THAT ON THE AIR AS  
16 WELL. AND WE'LL SEND OUT ADDITIONAL MATERIALS TO EDITORS  
17 AND TALK SHOW HOSTS AND STUFF.

18 THE ONLY OTHER THING I WANTED TO TELL YOU  
19 ABOUT IS I THINK YOU SAW THE RESULT OF THE PRESS OUTREACH  
20 THAT WE DID YESTERDAY FOR BOTH THE ROSEVILLE AND BERRY  
21 STREET MALL LANDFILL AND TRANSFER STATION AND YUBA CENTER  
22 DISPOSAL AREA. IN ADDITION TO THOSE, THERE ALSO SHOULD  
23 BE AN ARTICLE IN THE 3 P.M. EDITION OF THE ROSEVILLE  
24 PRESS TELEGRAM ABOUT THE BERRY STREET MALL ACTION, AND I  
25 ALSO SPOKE YESTERDAY TO THE MARYSVILLE ADVOCATE ABOUT THE



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1 YUBA CENTER DISPOSAL AREA, THE VISALIA TIMES ABOUT THE  
2 VISALIA DISPOSAL SITE, AND TO THE SANTA FE MERCURY NEWS  
3 AND THE PALO ALTO TIMES TRIBUNE ABOUT THE ACTIVITIES AT  
4 STIERLIN ROAD.

5 AND I DID STRESS IN THE CASE OF BOTH VISALIA  
6 AND STIERLIN ROAD THAT WE WERE NOT RESCINDING OUR NOTICE  
7 NOR THAT WE EXPECTED THEM TO COMPLY WITH THE AGREEMENTS  
8 THAT THEY HAD SIGNED WITH US.

9 BOARD MEMBER BREMBERG: JUST ONE THING ON THIS  
10 ARTICLE ON THE ROSEVILLE THING. I DO BELIEVE THAT WE  
11 WERE MISLED SLIGHTLY YESTERDAY WHEN THE POOR PITIFUL  
12 RESIDENTS WERE GOING TO HAVE TO GO OUT AND CLIMB  
13 MOUNTAINS TO DISPOSE OF THEIR TRASH IN THE SECOND  
14 PARAGRAPH WRITTEN BY -- THE REPORT WAS "THE ACTIONS WON'T  
15 AFFECT ROSEHILL RESIDENTS WHOSE GARBAGE IS PICKED UP BY  
16 THE CITY."

17 MR. PECK: OBVIOUSLY, YOU SAW THROUGH THE RHETORIC.

18 BOARD MEMBER BREMBERG: I DID AND SO DID MY  
19 COLLEAGUES.

20 MR. EOWAN: THAT CONCLUDES THAT ITEM, MR. CHAIRMAN.

21 CHAIRMAN MOSCONE: REVIEW OF FUTURE BOARD AGENDA  
22 ITEMS.

23 BOARD MEMBER BREMBERG: MR. CHAIRMAN, I WOULD LIKE  
24 TO SUGGEST THAT THE STAFF BE -- MAYBE THIS ISN'T DONE --  
25 BUT I WOULD LIKE TO SEE IF WE COULDN'T EVALUATE THE



1 PLACER COUNTY LEA IN NEED FOR TRAINING, AND WHATEVER THE  
2 PROCEDURE IS, AND HAVE A REPORT BACK NEXT MONTH WITH  
3 INFORMATION ONLY, OR IF THERE IS ACTION THAT NEEDS TO BE  
4 TAKEN, WE COULD TAKE IT, BUT TO ASK OUR PEOPLE TO  
5 EVALUATE THAT PARTICULAR OFFICE.

6 MR. EOWAN: I APPRECIATE THAT INPUT. WE'D BE HAPPY  
7 TO DO THAT. I'M NOT SURE THAT WE CAN DO IT THAT QUICKLY.

8 BOARD MEMBER BREMBERG: ALL RIGHT. OCTOBER.

9 MR. EOWAN: YEAH, IT MAY TAKE A COUPLE MONTHS TO DO  
10 AN EVALUATION. ACTUALLY THAT TIES IN WITH WHAT WE  
11 INTENDED TO DO WITH OUR NEW LEA ASSESSMENT PROGRAM, WHICH  
12 JUST GOT FUNDED, AND WILL BEGIN COMMENCING THIS FISCAL  
13 YEAR, JULY 1, 1988.

14 WE CAN MAKE THAT -- WE INTEND TO EVALUATE ALL  
15 LEA'S, AND WE CAN START THERE IN THE PROGRAM. WE WILL BE  
16 HAPPY TO DO THAT, AND OCTOBER IS A GOOD TIME. WE CAN DO  
17 IT THEN. I THINK WE'VE NEGLECTED TO PUT LEGISLATION ON  
18 THIS AGENDA, MR. CHAIRMAN, WE WILL NOT FORGET TO ADD THAT  
19 ON THERE.

20 BOARD MEMBER BREMBERG: IT'S A GIVEN, ISN'T IT?

21 MR. EOWAN: IT'S A GIVEN. WE'D BE HAPPY -- IF YOU  
22 HAVE ANY OTHER ADDITIONS, WE'D BE HAPPY TO HEAR THEM. WE  
23 WILL TRY AND MAIL THIS OUT -- WE MUST MAIL THIS OUT TEN  
24 DAYS IN ADVANCE OF THE MEETING. WE USUALLY TRY AND DO IT  
25 WITH EVEN MORE NOTICE THAN THAT.



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1 CHAIRMAN MOSCONE: ON STAFF ACTIVITIES, I WAS  
2 CURIOUS ABOUT THESE LETTERS THAT WERE SENT TO THE  
3 FOLLOWING SITES INFORMING THEM THEY ARE IN COMPLIANCE:  
4 OX MOUNTAIN AND PESCADERO. THEY'RE IN CONFORMANCE WITH  
5 WHAT?

6 MR. IWAHIRO: THIS IS PRESLEY INSPECTIONS AND WHAT  
7 WE DO IS WHENEVER WE FINISHED A SERIES OF INSPECTIONS AND  
8 WE FEEL THAT THEY'RE SUBSTANTIALLY IN COMPLIANCE, THERE  
9 MAY BE ONE OR TWO, BUT WE FEEL IT'S NOT SOMETHING THAT WE  
10 SHOULD BE FOLLOWING UP ON, THAT THE LEA SHOULD BE THE ONE  
11 FOLLOWING UP ON. AND WE SENT A LETTER SAYING YOU ARE  
12 CLEAR FOR THIS GO-AROUND BECAUSE WE DO LOOK AT THOSE  
13 THROUGH OUR PRESLEY INSPECTIONS ONCE EVERY FOUR YEARS.  
14 THAT'S WHAT THAT LETTER IS ALL ABOUT. LETS THEM OFF THE  
15 HOOK, I GUESS.

16 CHAIRMAN MOSCONE: I WAS JUST WONDERING WHETHER  
17 THEY WERE SOMETHING THAT HAD TO DO WITH BEING IN  
18 COMPLIANCE WITH THE COUNTY PLAN OR WHATEVER. I SUPPOSE I  
19 DIDN'T CONNECT IT WITH THE SUBJECT UP ABOVE.

20 MR. EOWAN: THAT BRINGS A QUESTION TO MY MIND. A  
21 LOT OF TIMES, IN FACT, MOST OF THE TIME WHAT WE RECEIVE  
22 HERE IS THE PROBLEM SITES, AND WE REPORT TO YOU BECAUSE  
23 YOU HAVE TO TAKE AN ACTION OF SOME SORT ON IT.

24 WE RARELY BRING TO YOU THE NUMBERS OF  
25 FACILITIES THAT WE INSPECT THAT HAVE NO PROBLEMS THAT ARE



1 IN COMPLIANCE AFTER A YEAR'S WORTH OF EVALUATION AT THAT  
2 SITE. IF YOU'D LIKE, WE CAN -- WHEN WE DO REACH THE  
3 POINT OF COMPLETION OF THESE INVESTIGATIONS, IF YOU LIKE,  
4 WE CAN ALSO BRING THOSE TO YOUR ATTENTION AND LET YOU  
5 KNOW WHAT THE GOOD THINGS THAT ARE GOING ON OUT THERE  
6 WITH FACILITIES AS WELL. IT'S UP TO YOU.

7 CHAIRMAN MOSCONE: I THINK THAT WE USED TO GET A  
8 LIST RECORDING THE DATES, AND I THINK IT WAS PROBABLY FOR  
9 THE FULL YEAR, THAT SITE INSPECTIONS WERE TO BE MADE  
10 QUARTERLY. I DON'T RECALL WHICH. THAT MIGHT BE. I  
11 DON'T RECALL THE LAST TIME I RECEIVED ONE OF THOSE, BUT  
12 IT WOULD BE INTERESTING TO HAVE REPORTS ON THOSE  
13 INSPECTIONS OR --

14 MR. EOWAN: OKAY. HAPPY TO DO THAT.

15 CHAIRMAN MOSCONE: THANK YOU. IS THERE ANYTHING ON  
16 THIS PROPOSED AGENDA THAT'S EARTH SHAKING?

17 MR. OLDALL: I THINK THAT THERE ARE TWO ITEMS ON  
18 THERE, MR. CHAIRMAN, THAT PROBABLY DON'T NEED TO BE ON  
19 THERE. THE TWO REPORTS THAT WE ACCEPTED YESTERDAY,  
20 PROBABLY THE USED OIL REPORTS ARE PROBABLY ON THERE  
21 BECAUSE THIS WAS PUT TOGETHER PRIOR TO THE BOARD MEETING.  
22 SO -- YEAH, I THINK, ITEM 2322 THERE.

23 CHAIRMAN MOSCONE: SANTA CLARA IS PERMITTING THEIR  
24 PLAN TO BRING IN THE RECYCLERY.

25 MR. EOWAN: THAT'S PART OF THE PERMITTING PROCESS.



1 CHAIRMAN MOSCONE: ARE ITEMS NUMBER 12 AND 13 -- IS  
2 THIS THE POSITION YOU EXPECT TO HAVE THEM IN OR WILL WE  
3 HAVE ALL OF THESE ON WEDNESDAY?

4 MR. OLDALL: WE WILL TAKE A CAREFUL LOOK AT THIS  
5 LIST AND RESTRUCTURE IT IN TERMS OF THE ORDER. RIGHT NOW  
6 IT'S PRETTY MUCH THERE AS A COMPOSITE OF STAFFS'  
7 RECOMMENDATION AS TO WHAT ITEMS SHOULD BE UP. GENERALLY,  
8 WE REVIEW IT AND REORGANIZE IT BEFORE IT GOES OUT, MR.  
9 CHAIRMAN.

10 MR. EOWAN: WE PLAN TO DO REGULATIONS ON WEDNESDAY.

11 CHAIRMAN MOSCONE: MEMBERS HAVE ANY QUESTIONS ON  
12 ANY PART OF THIS PROPOSED AGENDA OR THE SUBJECT? HAVE  
13 ANYTHING FURTHER FOR THE GOOD OF THE ORDER?

14 MR. EOWAN: NO, MR. CHAIRMAN.

15 BOARD MEMBER BREMBERG: MOVE, WE ADJOURN.

16 CHAIRMAN MOSCONE: CLOSING PRAYERS BY EOWAN.

17 IF NOTHING FURTHER, THIS BOARD MEETING IS  
18 ADJOURNED.

19 MR. EOWAN: THANK YOU.

20  
21 (END OF PROCEEDINGS.)  
22  
23  
24  
25



REPORTER'S CERTIFICATE

I, BETH C. DRAIN, HEREBY CERTIFY THAT ON THE 8TH DAY OF JULY 1988, I DID REPORT IN SHORTHAND THE TESTIMONY AND PROCEEDINGS OF THE FOREGOING HEARING; THAT AT THE CONCLUSION OF THE ABOVE-ENTITLED MATTER, I DID TRANSCRIBE MY SHORTHAND NOTES INTO TYPEWRITING; AND THAT THE FOREGOING TRANSCRIPT IS A TRUE AND CORRECT COPY OF MY SHORTHAND NOTES THEREOF.

Beth C. Drain

CERTIFIED SHORTHAND REPORTER

CERTIFICATE NO. 7152



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