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**BEFORE THE
CALIFORNIA WASTE MANAGEMENT BOARD
FOR THE STATE OF CALIFORNIA**

**IN THE MATTER OF THE:)
REGULAR MONTHLY BOARD MEETING)
SEPTEMBER 1988)
-----)**

DATE AND TIME: THURSDAY, SEPTEMBER 15, 1988, 10:00 A.M.

**PLACE: BOARD HEARING ROOM
1020 NINTH STREET
SACRAMENTO, CALIFORNIA**

**REPORTER: BETH C. DRAIN, CSR
CERTIFICATE NO. 7152**

(Handwritten initials)

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TELEPHONE (714) 953-4447

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10/10/10

APPEARANCES

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

STAFF PRESENT

MR. GEORGE T. EOWAN, CHIEF EXECUTIVE OFFICER
MR. HERBERT IWAHIRO, CHIEF DEPUTY EXECUTIVE OFFICER
MR. ALAN OLDALL, DEPUTY EXECUTIVE OFFICER
MS. JOELLEN JACKSON, DIRECTOR OF LEGISLATION
AND PUBLIC AFFAIRS
MR. ROBERT F. CONHEIM, GENERAL COUNSEL

MR. CY ARMSTRONG
MR. GEORGE LARSON
MS. CHERYL MCNABB
MS. BERNIE VLACH
MR. DON DIER
MR. NEAL JOHNSON
MS. JEANNIE BLAKLESLEE
MR. ROGER FORMANEK
MS. CAROLE BROW

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1 SEPTEMBER 15, 1988

2
3 CALIFORNIA WASTE MANAGEMENT BOARD

4
5 CHAIRMAN GALLAGHER: CALL THE MEETING OF THE
6 CALIFORNIA WASTE MANAGEMENT BOARD TO ORDER. YOU'RE GOING
7 TO HAVE TO PUT UP WITH A NEW CHAIRMAN TODAY FOR A WHILE,
8 AND I HOPE YOU WILL BE KIND AND NOT THROW TOO MANY
9 TOMATOES. I'M KIND OF A LAID-BACK GUY. YOU PROBABLY
10 WON'T FIND A GREAT PARLIMENTARIAN SITTING UP HERE, BUT
11 WE'LL TRY TO GET THROUGH THE MEETING.

12 I WANT TO REMIND EVERYBODY THAT'S OUT THERE IN
13 THE AUDIENCE IF YOU WISH TO SPEAK ON AN ISSUE OR HAVE AN
14 ISSUE DISCUSSED, PLEASE MAKE OUT A LITTLE FORM LIKE THIS
15 THAT'S BACK ON THE TABLE IN THE REAR OF THE ROOM AND TURN
16 IT OVER TO ONE OF THE SECRETARIES, AND WE'LL CERTAINLY
17 SEE THAT YOU ARE GIVEN AN OPPORTUNITY TO EXPRESS
18 YOURSELF.

19 IS THERE ANY CHANGE IN THE AGENDA, GEORGE,
20 FROM WHAT'S BEFORE US?

21 MR. EOWAN: GOOD MORNING, MR. CHAIRMAN AND MEMBERS.
22 ON BEHALF OF THE STAFF. WE'RE PLEASED TO WELCOME YOU AND
23 CONGRATULATE YOU AND LOOK FORWARD TO WORKING WITH YOU IN
24 THE YEARS TO COME.

25 CHAIRMAN GALLAGHER: THANK YOU.



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1 BOARD MEMBER ARAKALIAN: OH, GOLLY.

2 MR. EOWAN: WE DO HAVE SOME CHANGES TO THE AGENDA.
3 ITEM NO. 2 AND 9 WE TOOK OFF BECAUSE WE'RE GOING TO
4 RESCHEDULE THOSE FOR A FUTURE PRESENTATION AT ANOTHER
5 BOARD MEETING.

6 ITEM NO. 5, WE WOULD LIKE TO -- WE WOULD
7 REQUEST THAT THIS BE HEARD IN THE MORNING, THIS MORNING,
8 DUE TO SOME ADDITIONAL MEETINGS THAT THE LEA HAS TO
9 ATTEND LATER ON OUT OF TOWN THIS AFTERNOON.

10 THE FINAL CHANGE THAT WE WOULD REQUEST WOULD
11 BE ITEM NO. 15 TO ACCOMMODATE COUNCILMEMBER MCCARTY FROM
12 SAN DIEGO, WHO WE EXPECT TO ARRIVE HERE THIS MORNING
13 ABOUT 10:30. SO IF WE COULD -- WHEN SHE ARRIVES, IF WE
14 COULD FIT HER IN AS SOON AS POSSIBLE, THAT WOULD BE
15 APPRECIATED ON HER PART AND THAT WOULD BE THE ONLY
16 CHANGES THAT WE HAVE.

17 CHAIRMAN GALLAGHER: THANK YOU. WE CAN ACCOMMODATE
18 THOSE CHANGES. BEFORE WE GO TOO MUCH FURTHER IN THE
19 MEETING TODAY, IT'S A GREAT PLEASURE FOR ME TO WELCOME
20 BACK A MAN WHO IS SORELY MISSED OVER THE LAST TWO OR
21 THREE MONTHS, MY GOOD FRIEND AND COLLEAGUE AND VICE
22 CHAIRMAN OF THE BOARD, JOHN MOSCONE. WE REALLY MISSED
23 HIM.

24 (APPLAUSE.)

25 CHAIRMAN GALLAGHER: I CERTAINLY CAN EXPECT HIM TO



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1 KEEP ME ON THE STRAIGHT AND NARROW, WHICH HE'S ALWAYS
2 DONE.

3 BOARD MEMBER MOSCONE: THANK YOU VERY MUCH, AND I
4 THINK YOU HAVE HELPED OVER THE YEARS -- SINCE BACK TO
5 1973 YOU HAVE HELPED TO KEEP US ON THE STRAIGHT AND
6 NARROW TOO, AND EVEN BEFORE COMING ON TO THIS BOARD
7 YOU'VE BEEN HELPFUL. I DON'T WANT TO TAKE TOO MUCH TIME,
8 BUT I DO WANT TO THANK ALL OF YOU STAFF PEOPLE AND ALL
9 FOR THOSE WONDERFUL MESSAGES THAT YOU SENT ME. THAT CARD
10 WITH THE REMARKS FROM ALL OF YOU AND THIS WELCOME BACK
11 THIS MORNING, I CAN'T TELL YOU HOW MUCH IT MEANS TO ME.
12 THANK YOU VERY MUCH.

13 (APPLAUSE.)

14 CHAIRMAN GALLAGHER: ALL RIGHT. THE FIRST ITEM ON
15 THE AGENDA.

16 MR. EOWAN: OKAY, MR. CHAIRMAN, THIS IS
17 CONSIDERATION OF SHASTA COUNTY SOLID WASTE MANAGEMENT
18 PLAN REVIEW REPORT, AND MR. CY ARMSTRONG AND MR. JOHN
19 SMITH ARE AVAILABLE TO MAKE THE PRESENTATION.

20 CHAIRMAN GALLAGHER: BEFORE YOU GET STARTED, MR.
21 ARMSTRONG, THIS JOB IS FULL OF GOODIES THIS MORNING. IT
22 HAS COME TO MY ATTENTION THIS MARKS YOUR 25TH ANNIVERSARY
23 AS AN EMPLOYEE OF THE STATE OF CALIFORNIA. WE WANT TO
24 CONGRATULATE YOU, WE WANT TO TELL YOU HOW NICE IT IS THAT
25 YOU'VE BEEN AROUND THAT LONG, AND WE'VE GOT A COUPLE OF



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1 LITTLE THINGS HERE THAT ARE IMPORTANT TO YOU. IF YOU
2 WOULD LIKE TO COME UP HERE, WE'LL HAND THEM TO YOU.

3 THIS IS A DOCUMENT WHICH SHOWS HIS 25TH
4 ANNIVERSARY AS THE EMPLOYEE OF THE STATE.
5 CONGRATULATIONS, CY; AND HERE'S YOUR TIE CLASP THAT YOU
6 CAN WEAR INSTEAD OF THAT ONE, SAYING 25 YEARS OF SERVICE.
7 CONGRATULATIONS.

8 MR. ARMSTRONG: THANK YOU VERY MUCH.

9 (APPLAUSE.)

10 MR. ARMSTRONG: THIS IS KIND OF A TOUGH ACT TO
11 FOLLOW. IT'S BEEN A RATHER EXCITING AND EMOTIONAL
12 MORNING HERE, AND I APPRECIATE THIS VERY MUCH. I WANT TO
13 SAY MY EIGHT YEARS HERE WITH THE BOARD HAVE BEEN JUST
14 WONDERFUL. I THINK YOU HAVE A WONDERFUL STAFF. IT'S
15 BEEN A PLEASURE WORKING WITH THE BOARD, AND I THOROUGHLY
16 ENJOYED IT. I'M GOING TO ENJOY THIS INSTEAD OF THIS
17 CHEAP GLASS ONE I HAVE ON. THANK YOU VERY MUCH.

18 (APPLAUSE.)

19 CHAIRMAN GALLAGHER: I CERTAINLY AGREE THAT WE HAVE
20 A GREAT STAFF. THEY DO WONDERFUL WORK, AND YOU'VE BEEN A
21 GREAT PART OF IT.

22 NOW, YOU CAN GET ON AND SHOW US SOME OF THAT
23 GREAT STAFF WORK.

24 MR. ARMSTRONG: I HOPE I DON'T STUMBLE TOO MUCH
25 NOW.

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1 GOOD MORNING, MR. CHAIRMAN. IT'S A PLEASURE
2 SAYING HELLO TO YOU FOR THE FIRST TIME AS CHAIRMAN THIS
3 MORNING AND BOARD MEMBERS. WE HAVE BEFORE US THE
4 CONSIDERATION OF THE SHASTA COUNTY SOLID WASTE MANAGEMENT
5 PLAN REVIEW REPORT.

6 THE PLAN REVIEW REPORT WAS ORIGINALLY -- THE
7 PLAN WAS ORIGINALLY APPROVED BY THE WASTE MANAGEMENT
8 BOARD IN NOVEMBER OF 1976 WITH A COMPLETE REVISION DONE
9 ABOUT THREE YEARS AGO. IN JUNE OF THIS YEAR, THE COUNTY
10 SUBMITTED A PLAN REPORT REVIEWING THEIR SOLID MANAGEMENT
11 PLAN AND INDICATING THAT A PLAN REVISION WAS NOT
12 NECESSARY AT THIS TIME.

13 SHASTA COUNTY IS LOCATED ABOUT A HUNDRED FIFTY
14 MILES NORTH OF SACRAMENTO. THE POPULATION OF THE COUNTY
15 IS APPROXIMATELY A HUNDRED THIRTY-SEVEN THOUSAND. THERE
16 ARE TWO INCORPORATED CITIES IN THE COUNTY, ANDERSON AND
17 THE CITY OF REDDING, WITH THE CITY OF REDDING SERVING AS
18 THE COUNTY SEAT.

19 THE ECONOMY OF THE COUNTY IS BASED ON MOSTLY
20 ON TIMBER AND RECREATION. THE COUNTY BOARD OF
21 SUPERVISORS, OF COURSE, IS ULTIMATELY RESPONSIBLE FOR
22 ADMINISTRATION. THE COUNTY PUBLIC WORKS DEPARTMENT IS
23 RESPONSIBLE FOR THE MAINTENANCE OF THE PLAN, ALSO
24 OPERATION OF THE COUNTY LANDFILL, AND OVERSEEING THE
25 COLLECTION SYSTEM.

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1 THE COUNTY HEALTH DEPARTMENT SERVES AS THE
2 LOCAL ENFORCEMENT AGENCY AND ENFORCES MINIMUM STANDARDS
3 AND COUNTY ORDINANCES.

4 THE SYSTEM IS FINANCED BY A COMBINATION OF
5 USERS FEES AND FRANCHISE FEES AND VERY LITTLE GENERAL
6 FUND MONIES ARE INVOLVED. THE ENFORCEMENT PROGRAM IS
7 FUNDED BY PERMIT FEES CHARGED BY THE HEALTH DEPARTMENT.
8 WASTE COLLECTION PROGRAMS ARE FINANCED FULLY BY USERS
9 FEES.

10 APPROXIMATELY A HUNDRED TWENTY THOUSAND TONS
11 OF WASTE ARE GENERATED ANNUALLY IN THE COUNTY. THERE ARE
12 FIVE FRANCHISE COLLECTORS PROVIDING SERVICES, WITH THE
13 CITY OF REDDING BEING THE LARGEST ENTITY IN THE COUNTY
14 PROVIDING THEIR OWN COLLECTION PROGRAM.

15 THERE ARE 11 TRANSFER STATIONS SERVING THE
16 COUNTY. IT IS QUITE A LARGE AND SCATTERED COUNTY. ALL
17 TRANSFER STATIONS CHARGE A USERS FEE AND ARE MANNED, AND
18 WASTE FOR ALL THE FACILITIES ARE ULTIMATELY TRANSFERRED
19 TO THE COUNTY'S WEST CENTRAL LANDFILL FOR FINAL DISPOSAL.

20 INCIDENTALLY, I LOOKED AT THIS LANDFILL ON MY
21 VISIT UP THERE, AND I WAS VERY, VERY IMPRESSED. I THINK
22 THE COUNTY SHOULD BE PROUD OF IT. I THOUGHT I WAS IN A
23 PARK RATHER THAN A LANDFILL. IT'S A VERY WELL RUN
24 LANDFILL.

25 FURTHER INFORMATION REGARDING THE TRANSFER

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1 SYSTEM OF THE COUNTY IS LOCATED ON PAGE 4 OF YOUR BOARD
2 PACKET AND LISTS THE OWNERS AND OPERATORS AND THE NAMES
3 OF TRANSFER FACILITIES.

4 AS I MENTIONED, THERE IS ONE COUNTY, ONE CITY,
5 AND TWO PRIVATELY OPERATED LANDFILLS. SEWAGE SLUDGE AND
6 SEPTIC TANK PUMPINGS ARE TAKEN TO A DISPOSAL FACILITY
7 RECENTLY BUILT NEAR FALLS RIVER MILLS. THE COUNTY IS
8 VERY PROUD OF THIS NEW SEPTIC DISPOSAL FACILITY AND
9 RIGHTFULLY SO. IT WAS A \$300,000 CLEAN WATER GRANT
10 CONSTRUCTION FACILITY AND IS ONE OF THE FEW DOUBLE-LINED
11 SYSTEMS IN THE STATE. WE'LL BE HEARING MORE ABOUT THIS
12 FROM MR. GENE KNAEBEL OF THE COUNTY PUBLIC WORKS
13 DEPARTMENT IN A MINUTE.

14 ASBESTOS IN THE COUNTY THAT IS GENERATED IS
15 DISPOSED OF AT THE ANDERSON DISPOSAL SITE. THE CITY OF
16 REDDING'S LANDFILL IS NEARING CAPACITY WITHIN A FEW
17 YEARS, AFTER WHICH WASTE WILL BE ULTIMATELY TAKEN TO THE
18 COUNTY'S RATHER NEW WEST CENTRAL LANDFILL. THE CITY
19 ACTUALLY PROPOSES TO TAKE OVER OPERATION OF THE COUNTY
20 LANDFILL UNDER A RECENT NEGOTIATIONS BETWEEN THE COUNTY
21 AND THE CITY.

22 ON THE BOTTOM OF PAGE 5 OF YOUR BOARD PACKET,
23 THERE'S AGAIN SOME FURTHER INFORMATION ABOUT THE
24 LANDFILLS IN THE COUNTY AND WHO OPERATES THEM AND THE
25 SITE LIFE REMAINING.

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1 THE COUNTY IS VERY FORTUNATE IN HAVING AT
2 THEIR WEST CENTRAL LANDFILL OVER 40 YEARS CAPACITY
3 REMAINING; AND IF YOU CALCULATE ALL THE LANDFILLS IN THE
4 COUNTY, IT STILL COMES UP TO SOMETHING OVER 20 YEARS OF
5 CAPACITY, SO THEY'RE VERY FORTUNATE IN THAT RESPECT.

6 LITTER DISPOSAL IS DIVIDED UP AMONG SEVERAL
7 AGENCIES. AS MOST COUNTIES HAVE COME TO DO, THEY ARE
8 USING PEOPLE CONVICTED OF MISDEMEANORS, RATHER THAN
9 SERVING JAIL TIME, DO PUBLIC SERVICE WORK AND ARE PICKING
10 UP LITTER ALONG THE COUNTY ROADS.

11 AS FAR AS RESOURCE RECOVERY IN THE COUNTY,
12 MOST OF THE EFFORTS ARE CONCENTRATED AT THE REDDING CITY
13 LANDFILL BY A LONG ESTABLISHED ORGANIZATION CALLED PEOPLE
14 OF PROGRESS. THEY'VE OPERATED A SITE THERE FOR NEARLY
15 SEVEN YEARS, RECYCLING OVER ONE MILLION POUNDS LAST YEAR
16 OF MATERIALS TAKEN FROM THE WASTE. SOME OF THESE
17 RECYCLABLES INCLUDE PAPER, CARDBOARD, ALUMINUM, IRON,
18 BRASS, MATTRESSES, AND WHITE GOODS. THIS, AGAIN, WELL
19 ORGANIZED PEOPLE OF PROGRESS ENTITY IS PLANNING TO
20 INITIATE A COMPOSTING PROJECT ON THE LANDFILL AND ALSO IS
21 STUDYING NOW THE FEASIBILITY OF STARTING A CURBSIDE
22 COLLECTION SYSTEM.

23 RECYCLING BINS ALSO ARE LOCATED AT THE COUNTY
24 TRANSFER STATIONS AND AT THE COUNTY'S LANDFILL. THERE
25 ARE ALSO THRIFT STORES LOCATED IN THE CITY OF REDDING AND

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1 ANDERSON THAT RECYCLE USED CLOTHING, APPLIANCES, AND
2 WHITE GOODS, AND THERE ARE OTHER AUTO DISMANTLERS DOING
3 RECYCLING IN VARIOUS PARTS OF THE COUNTY.

4 IT IS ESTIMATED AT THE PRESENT TIME THAT
5 SOMETHING OVER 5 PERCENT OF THE WASTE GENERATED IN THE
6 COUNTY ARE BEING DIVERTED; HOWEVER, THE COUNTY HAS MORE
7 AMBITIOUS PLANS FOR MEETING THE 20 PERCENT GOAL WHICH HAS
8 BEEN REQUIRED BY THE STATE LEGISLATURE. THERE WILL BE A
9 LITTLE MORE MENTION OF THIS WHEN MR. KNAEBEL PRESENTS HIS
10 PRESENTATION.

11 AS FAR AS FUTURE FACILITIES IN THE COUNTY, THE
12 SIMPSON PAPER COMPANY WILL ESTABLISH A REPLACEMENT SITE
13 FOR ITS INDUSTRIAL SITE THERE. THEY HAVE ONE NEARING
14 CAPACITY, AND THE COMPANY ALREADY HAS A SITE WHICH IS
15 MENTIONED IN THE PLAN AND WILL EXPAND INTO THE NEW SITE.
16 AS I MENTIONED, THE CITY OF REDDING, THEIR SITE IS
17 NEARING CAPACITY. THEY'RE GOING TO ESTABLISH A RECYCLING
18 AND TRANSFER STATION, AND THEN THE MATERIALS WILL THEN BE
19 TAKEN TO THE COUNTY'S CENTRAL LANDFILL.

20 THE ENFORCEMENT PROGRAM DONE BY THE HEALTH
21 DEPARTMENT SEEMS TO BE ADEQUATE. THE HEALTH DEPARTMENT
22 ROUTINELY INSPECTS THE LANDFILLS IN THE COUNTY, ALSO
23 SOLID WASTE VEHICLES IN RESPONSE TO CITIZEN'S COMPLAINTS.

24 CURRENT ISSUES IN THE COUNTY AS FAR AS THEIR
25 SOLID WASTE SYSTEM INCLUDE COMPLETION OF THE MANDATED

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1 CALDERON AND SUBCHAPTER 15 REQUIREMENTS, THE
2 ESTABLISHMENT OF THE FOUR MENTIONED TRANSFER AND
3 RECYCLING CENTERS BY THE CITY OF REDDING, AND THE
4 ESTABLISHMENT OF A REPLACEMENT SITE FOR THE SIMPSON PAPER
5 COMPANY'S OPERATION.

6 THIS SYSTEM HAS BEEN IMPROVED IN THE LAST
7 THREE YEARS SINCE THE LAST REVISION BY THE WATER QUALITY
8 TEST SYSTEM INITIATED AT THE COUNTY'S LANDFILL AND ALSO
9 BY THE SEPTAGE SYSTEM FACILITY NEAR FALL RIVER MILLS.

10 IN SUMMARY, STAFF HAS REVIEWED THE PLAN REVIEW
11 REPORT, WE HAVE VISITED THE COUNTY, WE HAVE TALKED TO THE
12 COUNTY OFFICIALS, AND THE CITY OFFICIALS, GONE TO THE
13 TRANSFER STATION AND SOME OF THE LANDFILLS, AND STAFF
14 AGREES THAT THE COUNTY SOLID WASTE MANAGEMENT DATABASE,
15 THEIR FUNDING SOURCES, AND THEIR ADMINISTRATIVE
16 RESPONSIBILITIES HAVE REMAINED SUBSTANTIALLY UNCHANGED.
17 IN ADDITION, THE DISPOSAL CAPACITY, AS I MENTIONED, FAR
18 EXCEEDS THE EIGHT-YEAR MINIMUM REQUIREMENTS BY THE STATE
19 LEGISLATURE.

20 AND IN SUMMATION, THE STAFF AGREES WITH THE
21 COUNTY THAT LITTLE HAS CHANGED IN THE COUNTY SYSTEM SINCE
22 THE LAST REVISION AND THERE SHOULD BE NO NEED TO REVISE
23 THE PLAN AT THIS TIME.

24 BOARD MEMBER BEAUTROW: QUESTION. ON THE CAPACITY
25 ISSUE OF THE CITY OF REDDING MOVING TO THE COUNTY

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1 LANDFILL, APPROXIMATELY HOW MANY TONS A DAY DOES THE CITY
2 LANDFILL HANDLE AND ALSO THE COUNTY ONE?

3 MR. ARMSTRONG: I HAVE TO REFER BACK TO MY PACKET
4 HERE AND --

5 BOARD MEMBER BEAUTROW: DOES THE 40 YEARS INCLUDE
6 THE ADDITIONAL LOAD THAT THE CITY IS GOING TO PUT ON
7 THEM?

8 MR. ARMSTRONG: THE 40 YEARS WOULD BE THE LOAD
9 WITHOUT THE CITY. AS I MENTIONED, IF THE CITY COMES
10 OVER, WHICH THEY'RE GOING TO, AND THE ANDERSON LANDFILL
11 AND THE OTHER LANDFILLS, THE COUNTY STILL ESTIMATES THEY
12 WOULD HAVE IN EXCESS OF 20 YEARS.

13 BOARD MEMBER BEAUTROW: SO IT MUST BE A PRETTY
14 SIGNIFICANT LOAD COMING IN. THAT'S WHAT I WANTED TO ASK.
15 HOW MANY TONS A DAY?

16 MR. ARMSTRONG: THE CITY OF REDDING COMPRISES ABOUT
17 HALF THE POPULATION OF THE WHOLE COUNTY; AND IN THE
18 PREVIOUS INITIATION OR THE SETTING UP OF THE COUNTY
19 LANDFILL, IT WAS PREDICTED OR PLANNED THAT THE CITY WOULD
20 COME TO THE COUNTY LANDFILL. THAT HAS BEEN A PLAN OF THE
21 COUNTY FOR SOME TIME AND WAS PUT INTO THE LAST COUNTY
22 PLAN, SO THIS IS NOTHING NEW.

23 BOARD MEMBER BEAUTROW: THE POINT IS IS THAT
24 COMFORT LEVEL THAT'S WAY UP HERE ALL OF A SUDDEN MAY BE
25 SHRUNK IN HALF. CAN YOU TELL ME THE QUANTITIES EITHER



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1 PER YEAR OR PER DAY?

2 MR. ARMSTRONG: I'M GOING TO DEFER TO GENE KNAEBEL.

3 BOARD MEMBER BEAUTROW: WHEN HE COMES UP HE CAN
4 ANSWER.

5 CHAIRMAN GALLAGHER: ANY OTHER QUESTIONS?

6 BOARD MEMBER BREMBERG: MR. CHAIRMAN, I HAVE JUST
7 ONE AND IT'S A WHIMSICAL QUESTION, I GUESS. ON PAGE 4,
8 NO. 11, THE FACILITY AT WHITMORE, THE OWNER IS THE COUNTY
9 AND THE OPERATOR IS THE WHITMORE FIRE DEPARTMENT.

10 MR. ARMSTRONG: I QUESTIONED THAT MYSELF, SO I
11 CALLED ON THE COUNTY. FOR SOME -- THIS IS A LITTLE BIT
12 UNUSUAL. THEY DO HAVE -- THE FIRE DEPARTMENT DOES
13 HANDLE -- AND FOR WHAT REASON I DON'T KNOW. I CALLED THE
14 COUNTY PUBLIC WORKS DEPARTMENT ON THAT, AND MR. KNAEBEL
15 CAN PROBABLY TELL US A LITTLE BIT MORE ABOUT THAT -- BUT
16 THEY ACTUALLY USE THE LOCAL FIRE DEPARTMENT FOR SERVICING
17 THAT LITTLE TRANSFER STATION.

18 BOARD MEMBER BREMBERG: I HOPE THEY GET DOUBLE PAY.

19 CHAIRMAN GALLAGHER: ANY OTHER QUESTIONS?

20 BOARD MEMBER CALLOWAY: VERY SHORT ONE, MR.
21 CHAIRMAN. CY, WHEN DO THEY PLAN ON STARTING THE CURBSIDE
22 RECYCLING PROGRAM?

23 MR. ARMSTRONG: THE -- THIS HAS JUST HAPPENED JUST
24 OVER THE SUMMER THAT THE CITY HAS MADE THE DECISION. THE
25 CITY WAS EVALUATING THE CHOICE OF GOING TO THE COUNTY

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1 LANDFILL OR THEY HAVE BOUGHT LAND SOME YEARS AGO TO START
2 THEIR OWN LANDFILL. YOU CAN APPRECIATE THE TREMENDOUS
3 PROBLEM OF BEGINNING A LANDFILL IN THIS DAY AND AGE.
4 AFTER MUCH NEGOTIATION, THEY HAVE DECIDED TO GO TO THE
5 COUNTY LANDFILL AND TAKE OVER THE OPERATION OF THE COUNTY
6 LANDFILL FROM THE COUNTY. AND AS THIS PROGRESSES, THAT'S
7 WHEN THEY WILL SET UP THE TRANSFER STATION TO TAKE THE
8 WASTE FROM THEIR LANDFILL, WHICH IS SUPPOSED TO CLOSE
9 WITHIN THREE YEARS.

10 BOARD MEMBER CALLOWAY: SO WE PROBABLY WON'T HAVE A
11 CURBSIDE RECYCLING PROGRAM IN REDDING FOR THREE YEARS?

12 MR. ARMSTRONG: I THINK IT SHOULD BE CLOSER THAN
13 THAT. MR. KNAEBEL CAN, AGAIN, ELABORATE ON THAT. THESE
14 NEGOTIATIONS HAVE JUST BEEN CULMINATED OVER THIS PAST
15 SUMMER, WITH THE CITY MAKING THIS DECISION TO BUY OUT THE
16 COUNTY'S OPERATION AND OPERATE FOR THE COUNTY.

17 BOARD MEMBER CALLOWAY: THANK YOU.

18 CHAIRMAN GALLAGHER: ANY OTHER QUESTIONS? IS MR.
19 KNAEBEL IN THE AUDIENCE AND READY TO SPEAK ON THE ISSUE?
20 WILL YOU PLEASE IDENTIFY YOURSELF FOR OUR RECORDER SO
21 THAT SHE'LL HAVE AN ACCURATE RECORD?

22 MR. KNAEBEL: MY NAME IS GENE KNAEBEL, AND I'M THE
23 DEPUTY DIRECTOR OF PUBLIC WORKS FOR SHASTA COUNTY. IT IS
24 MY PLEASURE TO BE HERE TODAY AND ADDRESS YOU ON THIS
25 ISSUE, MR. CHAIRMAN AND MEMBERS OF THE BOARD, AND WE URGE

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1 YOUR APPROVAL OF THE PLAN REVIEW REPORT.

2 WE FEEL THAT WE'VE BEEN GOING IN ACCORDANCE
3 WITH THE PLAN, AND WE ARE MEETING THE GOALS AND ARE VERY
4 PROUD OF OUR EFFORTS IN SHASTA COUNTY. AS CY MENTIONED,
5 WE DO HAVE A NEW LANDFILL. WE HAVE A THOUSAND ACRES
6 THERE. WE BUILT IT ABOUT SIX YEARS AGO. IT'S BUILT TO
7 MODERN STANDARDS AND TECHNOLOGY. AND ACTUALLY OUR
8 FEELING IS THAT WE HAVE 80 YEARS' CAPACITY WITH OUR OWN
9 WASTE STREAM THERE. AND WITH THE CITY OF REDDING WITH
10 US, WE'RE WELL OVER 20 YEARS, CLOSER TO 30 OR 40 YEARS OF
11 CAPACITY.

12 WE DO HAVE A GOOD SITE. IT'S NEW AND IT'S
13 MODERN AND IT'S GOT LOTS OF CAPACITY. IN FACT, WE ARE
14 JUST HIRING RIGHT NOW AN ENGINEER WHO IS GOING TO DESIGN
15 THE EXPANSION OF THE LANDFILL FOR PHASE II. PHASE I WAS
16 IN THE SPUR CANYON. THAT WILL BE FULL IN A COUPLE YEARS,
17 SO WE'RE GOING TO BE MOVING TO THE MAIN CANYON, SO WE'RE
18 HIRING AN ENGINEER TO ACCOMPLISH THAT.

19 WE LOOK UPON THE -- WE REACHED AN AGREEMENT
20 THAT WAS JUST EXECUTED WITH THE CITY OF REDDING WITHIN
21 THE LAST MONTH, WHICH TOOK QUITE SOME TIME TO WORK OUT;
22 BUT THAT'S BEEN DONE AND THE CITY WILL BE COMING IN TO
23 OUR LANDFILL IN JANUARY OF 1990. AND SO WE'LL HAVE ONE
24 CONSOLIDATED OPERATION.

25 WE LIKE THE CITY AS OUR OPERATOR. THEY'RE

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1 GOING TO BE MOVING THEIR EQUIPMENT OUT THERE AND DOING
2 THE OPERATION BECAUSE THEY DO A GOOD JOB. AND, OF
3 COURSE, THEIR OBJECTIVES ARE THE SAME AS OURS; WHICH ARE
4 TO DO THE JOB PROPERLY AND DO THE BEST WE CAN FOR THE
5 RATE PAYERS.

6 PRESENTLY, IT'S BEING RUN BY A CONTRACTOR WHO
7 HAS DIFFERENT OBJECTIVES. HIS OBJECTIVE IS TO MAKE
8 MONEY, AND SO WE THINK WE'LL GET A BETTER OPERATION THIS
9 WAY.

10 AS FAR AS THE RECYCLING IS CONCERNED, THE CITY
11 IS -- BECAUSE OUR LANDFILL IS QUITE SOME DISTANCE OUT OF
12 THE TOWN, THE CITY IS PLANNING A NEW LARGE MODERN
13 TRANSFER STATION FOR ALL OF THEIR ITEMS TO BE DISPOSED OF
14 AS PART OF THIS WILL BE A STATE-OF-THE-ART RECYCLING
15 CENTER, AND THEY FEEL -- CITY FEELS THAT THEY CAN
16 ACCOMPLISH A 32 PERCENT RECYCLING OF THE CITY MATERIALS
17 WITH COMPOSTING AND ALL THAT SORT OF THING, AND THEN
18 THEIR WASTE STREAM IS, AS I SAID BEFORE, AT LEAST -- OVER
19 TWICE AS LARGE AS OURS, AND SO WITH THAT WE CAN ACHIEVE
20 THE 20 PERCENT PLUS FOR THE WHOLE COUNTY.

21 AND I THINK THAT AS FAR AS OUR PLANT IS
22 CONCERNED, WE WOULD LIKE TO GO THAT WAY AND LOOK AT OUR
23 PROGRESS AND THEN DECIDE WHETHER WE NEED TO GO FURTHER,
24 BUT THAT IS WHERE WE ARE RIGHT NOW. WE HAVE A CONSULTANT
25 THAT'S WORKING ON THE DEVELOPMENT OF THAT TRANSFER SITE.

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1 COUPLE OTHER ITEMS CY MENTIONED WE'RE PROUD
2 OF. WE ARE PROUD OF THE FALL RIVER MILLS SEPTAGE PONDS
3 FOR THAT AREA. WE USED A CLEAN WATER GRANT PROGRAM. IT
4 DOES HAVE A DOUBLE LINER. IT HAS MONITORING SYSTEMS AND
5 IT'S STATE-OF-THE-ART. OUR OTHER SEPTAGE DISPOSAL AREA
6 IS IN THE REDDING AREA WHICH SERVES MOST OF THE COUNTY,
7 AND THAT'S BEEN IN OPERATION ABOUT TEN YEARS AND IS ALSO
8 A FAIRLY NEW FACILITY.

9 AS FAR AS ASBESTOS IS CONCERNED, YOU MAY BE
10 INTERESTED IN THAT. A PRIVATELY OWNED LANDFILL NEAR
11 ANDERSON DOES HANDLE A LOT OF INDUSTRIAL WASTE MATERIAL,
12 AND WE ARE ACCEPTING ASBESTOS FROM MANY OF THE OTHER
13 COUNTIES IN NORTHERN CALIFORNIA AT THAT POINT. AND IT
14 SEEMS TO BE GOING ALONG QUITE WELL.

15 WITH THAT -- THE QUESTION WAS WHITMORE. AND
16 QUITE A FEW YEARS AGO WHEN THE COUNTY AWARDED CONTRACTS
17 FOR COLLECTION IN THE COUNTY, ONE OF THE REQUIREMENTS WAS
18 THAT THE COLLECTORS TAKE CARE OF THE TRANSFER STATIONS
19 FOR PEOPLE TO COME AND DUMP THEIR TRASH. AND WHITMORE IS
20 A VERY SMALL COMMUNITY, AND IT WAS VERY UNECONOMICAL FOR
21 ANY OF THE COLLECTORS TO DO THAT; SO THE COLLECTORS
22 WANTED TO CLOSE THE STATION. AND PEOPLE IN THE COMMUNITY
23 SAID, "LET US DO IT AND WE'LL HAVE THE VOLUNTEER FIRE
24 DEPARTMENT TAKE CARE OF IT." SO THEY DO TAKE CARE OF IT
25 FOR US, AND THEY ARRANGE TO HAVE A PERSON ON SITE TO

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1 COLLECT, AND THEY GET THE PROCEEDS FROM THE THING TO
2 SUPPORT THEIR FIRE DEPARTMENT EFFORTS. AND IT SEEMS TO
3 BE WORKING QUITE WELL.

4 BOARD MEMBER BREMBERG: THIS IS VERY UNUSUAL,
5 HOWEVER.

6 MR. KNAEBEL: IT IS UNUSUAL, THAT'S RIGHT. THE
7 ALTERNATIVE WAS TO CLOSE IT, BUT THE COMMUNITY WANTED TO
8 KEEP IT OPEN.

9 CHAIRMAN GALLAGHER: MR. VARNER HAS A QUESTION.

10 BOARD MEMBER VARNER: MR. KNAEBEL, SEEMS LIKE YOU
11 HAVE A VERY GOOD OPERATION IN THIS COUNTY. THERE'S A
12 COUPLE OF QUESTIONS.

13 I SEE YOU FEEL YOU HAVE YOUR LITTER PROBLEM
14 UNDER CONTROL PRETTY WELL; IS THAT CORRECT?

15 MR. KNAEBEL: YES. THERE'S ALWAYS LITTER PROBLEMS.
16 WE HAVE TO RECOGNIZE THAT. AND WE HAVE A PROGRAM WHEREAS
17 WE USE INMATES FROM THE JAIL, MINIMUM SECURITY JAIL, AND
18 ALSO WELFARE, GENERAL ASSISTANCE RECIPIENTS THAT WE USE
19 IN HELPING WITH THE CLEANUP ON THE COUNTY ROADS. MOSTLY
20 IT'S WITH THE JAIL PEOPLE. THEY HAVE A MINIMUM SECURITY
21 ANNEX WE CALL IT, AND THEY HAVE A PROGRAM WHERE PEOPLE
22 COME IN ON THE WEEKENDS TO SERVE THEIR TIME, AND THEY
23 HAVE A CREW THAT GOES OUT AND PICKS UP, AND THEN OUR
24 MAINTENANCE CREWS PICK THE BAGS UP ON MONDAY MORNING; SO
25 WE FEEL WE'RE DOING AN ADEQUATE JOB.

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1 BOARD MEMBER VARNER: THIS IS KIND OF A SPARSELY
2 POPULATED COUNTY, ISN'T IT, LOT OF --

3 MR. KNAEBEL: THERE IS A LOT OF COUNTRYSIDE, YES.

4 BOARD MEMBER VARNER: WHAT I'M LEADING UP TO IS
5 THAT IN SOME OF THESE AREAS THEY HAVE PROBLEMS WITH
6 ILLEGAL DUMPING. DO YOU HAVE ANY PROBLEMS WITH THAT IN
7 YOUR COUNTY?

8 MR. KNAEBEL: I THINK WE HAVE PROBLEMS JUST LIKE
9 EVERYBODY HAS WITH ILLEGAL DUMPING.

10 BOARD MEMBER VARNER: I WAS KIND OF ANXIOUS TO FIND
11 OUT HOW YOU CONTROL THESE PROBLEMS BECAUSE I HAVE
12 QUESTIONS FROM OTHER AREAS, YOU KNOW, THAT THIS IS A VERY
13 SERIOUS PROBLEM.

14 I MIGHT ASK SOMETHING. I SEE THAT HALF OF THE
15 POPULATION IS AROUND THE CITY OF REDDING. IS THE CITY OF
16 REDDING COLLECTION A MUNICIPAL OR IS IT PRIVATE?

17 MR. KNAEBEL: THE CITY OF REDDING COLLECTION IS
18 MUNICIPAL. THE CITY OF ANDERSON IS PRIVATE.

19 BOARD MEMBER VARNER: EITHER ONE OF THESE OR BOTH,
20 IS THE COLLECTION SERVICE MANDATORY?

21 MR. KNAEBEL: IT'S MANDATORY IN REDDING. IT'S PART
22 OF YOUR UTILITY BILL. IF YOU HOOK UP TO THEIR WATER AND
23 SEWER SYSTEM, YOU PAY THE GARBAGE.

24 BOARD MEMBER VARNER: SO THIS IS ONE WAY FOR A
25 DISINCENTIVE FOR ILLEGAL DUMPING AS OPPOSED TO SOMETHING

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1 WHERE PEOPLE CAN HAVE IT OR NOT HAVE IT. THAT SEEMS TO
2 HELP?

3 MR. KNAEBEL: IN THE CITY I WOULD SAY ILLEGAL
4 DUMPING IS NOT REALLY A PROBLEM.

5 BOARD MEMBER VARNER: BECAUSE OF THIS CONTROL FOR
6 MANDATORY SYSTEM.

7 MR. KNAEBEL: IT'S ALSO VERY INEXPENSIVE, \$5 A
8 MONTH OR SOMETHING LIKE THAT FOR COLLECTION ONCE A WEEK.

9 BOARD MEMBER VARNER: WELL, THE MAIN THING IS IF
10 THEY HAVE TO PAY FOR IT ANYWAY, THEY'RE NOT GOING TO DO
11 IT. SOME OF THESE THINGS AS THEY COME ALONG I KIND OF
12 LIKE TO KNOW WHAT'S WORKING IN DIFFERENT AREAS.

13 MR. KNAEBEL: ALSO, THE CITY DUMP IS VERY CLOSE.
14 IT'S A SMALL -- THE POPULATION OF REDDING IS MAYBE 50,
15 60,000 IN THAT AREA, AND THE CITY DUMP IS VERY CLOSE TO
16 TOWN.

17 I'D SAY THAT PROBABLY THE MOST EFFECTIVE WAY
18 WE HAVE OF DEALING WITH ILLEGAL DUMPING IS THE FACT WE
19 HAVE 11 TRANSFER STATIONS, AND THAT WAS ONE OF THE
20 REASONS WE RETAINED THEM EVEN THOUGH IT WAS EXPENSIVE TO
21 DO SO. AND MOST OF THEM ARE LOSING PROPOSITIONS, BUT
22 WHEN WE ENTERED INTO THE CONTRACT WITH THE COLLECTORS WHO
23 WERE FRANCHISED WITH THE COUNTY, THEY WERE REQUIRED TO
24 MAINTAIN THOSE TRANSFER STATIONS AND KEEP THEM OPEN.
25 THEY'RE NOT ALWAYS OPEN EVERY DAY -- YOU KNOW, EVERY HOUR

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1 OF EVERY DAY OF THE WEEK, BUT THEY DO HAVE POSTED HOURS,
2 AND WE FEEL THAT PROVIDES A MEANS FOR PEOPLE WHO DON'T
3 SUBSCRIBE TO THE COLLECTION SERVICE WHO DO HAVE LARGE
4 BULKY ITEMS IN THE GARBAGE CAN TO TAKE CARE OF IT THAT
5 WAY. THAT HELPS.

6 BOARD MEMBER VARNER: THEY HAVE SOMETHING CLOSE BY
7 WHERE THEY CAN USE IT AS A TRANSFER STATION RATHER THAN A
8 LONG DISTANCE TO A DUMP TO PAY.

9 MR. KNAEBEL: THESE ARE ALL IN THE RURAL AREAS.
10 SOME OF THEM ARE VERY, VERY REMOTE.

11 BOARD MEMBER VARNER: THANK YOU.

12 BOARD MEMBER BEAUTROW: WOULD YOU PLEASE ANSWER MY
13 PREVIOUS QUESTIONS ABOUT THE TONNAGE THAT'S RECEIVED?
14 ALSO, ONE OTHER THING I NOTICED IN THIS PAGE 5 OF OUR
15 PACKET HERE IT SAYS THE WEST CENTRAL OWNER COUNTY ACREAGE
16 A HUNDRED SIXTY-FIVE, LIFE IS 40 YEARS, BUT YOU JUST
17 MENTIONED A THOUSAND ACRES. WHAT'S THE DISCREPANCY HERE?

18 MR. KNAEBEL: THOUSAND ACRES IS THE ACREAGE OF THE
19 SITE.

20 BOARD MEMBER BEAUTROW: THE 165 IS THE LANDFILL
21 AREA?

22 MR. KNAEBEL: YEAH, RIGHT. YES, RIGHT. BUT
23 THERE'S -- WITHIN THE THOUSAND ACRES, I WOULD SAY THERE'S
24 AT LEAST 25 PERCENT OF THAT IS AVAILABLE FOR SITE. WE
25 HAVE A TREMENDOUS CAPACITY FOR EXPANSION. THE VOLUMES

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1 ARE; THE CITY HAS 240 TONS PER DAY, AND THE COUNTY HAS
2 ABOUT 85 TONS PER DAY, FOR A TOTAL OF 325 TONS.

3 BOARD MEMBER BEAUTROW: AND JUST ONE LAST COMMENT.
4 THERE'S NOTHING WRONG WITH MAKING MONEY EXCEPT -- AS LONG
5 AS EVERYBODY USES THE SAME STANDARDS.

6 MR. KNAEBEL: I UNDERSTAND THAT. WHEN YOUR
7 OBJECTIVES ARE DIFFERENT, IT'S MORE DIFFICULT TO --

8 BOARD MEMBER BEAUTROW: YOU MADE IT SOUND LIKE
9 THERE'S SOMETHING EVIL GOING ON THERE.

10 MR. KNAEBEL: IT'S EASIER FOR US. LET'S PUT IT
11 THAT WAY.

12 BOARD MEMBER CALLOWAY: MR. CHAIRMAN.

13 MR. KNAEBEL, IS YOUR RECYCLING GOING TO BE FOR
14 REDDING, AND I ASSUME THAT'S THE ONLY CITY THAT IS.
15 PROBABLY LARGE ENOUGH --

16 MR. KNAEBEL: THAT'S CORRECT.

17 BOARD MEMBER CALLOWAY: -- TO HAVE A REAL GOOD --
18 IS IT GOING TO BE CURBSIDE OR DROPOFF?

19 MR. KNAEBEL: IT'S GOING TO BE DROPOFF FOR THE TIME
20 BEING. IT WILL BE INTEGRATED WITH PART OF THE TRANSFER
21 STATION THE CITY WILL BE BUILDING.

22 BOARD MEMBER CALLOWAY: WHAT'S THE POPULATION OF
23 REDDING NOW?

24 MR. KNAEBEL: I THINK THE CITY ITSELF IS CLOSE TO
25 50,000, SOMETHING LIKE THAT. WITHIN WHAT WE CALL THE

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1 URBANIZED AREA IT'S GREATER THAN THAT, PROBABLY ABOUT
2 70,000.

3 BOARD MEMBER CALLOWAY: WITH 50,000 POPULATION,
4 THEY COULD HAVE A GOOD CURBSIDE RECYCLING PROGRAM. I
5 MEAN, THAT'S BIG ENOUGH, YOU KNOW, TO DO A GOOD PROGRAM,
6 I MEAN, TO WARRANT A GOOD PROGRAM PROBABLY.

7 MR. KNAEBEL: THE CITY IS GOING TO STUDY THAT AS
8 PART OF THE PLAN.

9 BOARD MEMBER CALLOWAY: SEE IF YOU CAN ENCOURAGE
10 THEM TO DO THAT BECAUSE IT'S A LOT MORE EFFECTIVE IF YOU
11 HAVE A CURBSIDE. IT'S JUST LIKE YOU WERE SAYING AWHILE
12 AGO. THE MANDATORY GARBAGE COLLECTION IF IT'S PAID FOR,
13 THEY'RE NOT GOING TO THROW IT OUT. AND IF YOU HAVE
14 CURBSIDE, MORE PEOPLE ARE GOING TO PARTICIPATE IN IT, AND
15 IT'S GOING TO SAVE YOUR LANDFILL SPACE. AND 50 YEARS
16 FROM NOW, YOU ARE REALLY GOING TO APPRECIATE THAT IF YOU
17 DID SAVE IT, AND YOU ARE NOT GOING TO MAKE THE MISTAKES
18 THAT SOME OF THESE CITIES AND AREAS THAT WE'VE SEEN AND
19 MORE DENSELY POPULATED AREAS IN LOS ANGELES AND THE BAY
20 AREA AND SO FORTH ARE NOW RUNNING OUT OF LANDFILLS SIMPLY
21 BECAUSE THEY COULDN'T SEE THE ADVANTAGE OF RECYCLING AND
22 SAVING THAT PRECIOUS SPACE MANY YEARS AGO. IF THEY
23 STARTED MANY YEARS AGO, THEY WOULDN'T HAVE SOME OF THE
24 PROBLEMS THEY HAVE TO DEAL WITH TODAY.

25 MR. KNAEBEL: I'LL TAKE YOUR MESSAGE BACK WITH ME.

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1 BOARD MEMBER CALLOWAY: APPRECIATE IT. THANK YOU.

2 BOARD MEMBER BREMBERG: MR. CHAIRMAN.

3 CHAIRMAN GALLAGHER: MS. BREMBERG.

4 BOARD MEMBER BREMBERG: MR. KNAEBEL, I'M GOING TO
5 FOLLOW UP ON SOMETHING THAT MR. BEAUTROW SAID ABOUT
6 MAKING MONEY. OUR CITY, PRIOR TO A YEAR AGO THIS NEXT
7 MONTH, MADE \$6 MILLION A YEAR ON OUR GARBAGE AND OTHER
8 FOLKS. WHEN WE THREW THE CITY OF LOS ANGELES OUT OF OUR
9 LANDFILL, WE TOOK A 50-PERCENT CUT, SO WE ARE ONLY MAKING
10 THREE MILLION. AND WE FEEL THAT THAT IS A WONDERFUL WAY
11 TO MAKE CLOSURE-POSTCLOSURE FUND THAT IS COMING ALONG,
12 AND WE TUCK IT AWAY, AND OUR CITIZENS ARE ABSOLUTELY
13 DELIGHTED THAT THEY'RE NOT GOING TO HAVE TO PONY UP SOME
14 MONEY FROM ANOTHER CAPITAL SOURCE OR GENERAL REVENUE.
15 AND I THINK THAT MAKING MONEY ON GARBAGE IS ABSOLUTELY A
16 SPLENDID THING, AND IT CERTAINLY DOESN'T HURT FOR A
17 GOVERNMENT ENTITY TO MAKE WHEN, AS YOU SAY, PLAYING FROM
18 A LEVEL FIELD. EVERYBODY PAYS THE SAME.

19 MR. KNAEBEL: THAT'S ONE OF THE REASONS WE'RE GLAD
20 TO HAVE THE CITY COME IN WITH US BECAUSE NOW WE CAN
21 OPERATE THE LANDFILL JOINTLY AND A CERTAIN PERCENTAGE OF
22 THE TIPPING FEES GO FOR CAPITAL IMPROVEMENTS FOR CLOSURE
23 AND ALSO TO REDUCE THE RATES TO THE PEOPLE; SO WE CAN
24 ACCUMULATE MORE MONEY AT LESS OF THE LOWER RATE.

25 CHAIRMAN GALLAGHER: ARE THERE ANY OTHER QUESTIONS?



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1 THANK YOU, MR. KNAEBEL, APPRECIATE YOUR COMING UP HERE
2 AND TELLING US ABOUT YOUR FINE COUNTY PLAN.

3 MR. KNAEBEL: THANK YOU VERY MUCH.

4 CHAIRMAN GALLAGHER: NOW WHAT'S YOUR PLEASURE,
5 BOARD?

6 BOARD MEMBER BREMBERG: MR. CHAIRMAN, I WOULD MOVE
7 RESOLUTION 88-52.

8 BOARD MEMBER CALLOWAY: SECOND.

9 CHAIRMAN GALLAGHER: IT'S BEEN MOVED AND SECONDED
10 THAT WE ADOPT STAFF RECOMMENDATION ON THE RESOLUTION
11 88-52. ANY DISCUSSION ON THE MOTION? IF NOT, ALL THOSE
12 IN FAVOR SAY AYE. OPPOSED? CARRIED, SO ORDERED.

13 NOW WE HAVE AN OPPORTUNITY TO ASK: IS THIS AN
14 APPROPRIATE TIME, STAFF, TO INSERT THE SAN DIEGO THING
15 HERE?

16 MR. OLDALL: I THINK THERE WAS A A LITTLE BIT OF A
17 MISUNDERSTANDING THERE. I THINK WE SHOULD HAVE MENTIONED
18 THAT THAT WAS TOMORROW THAT JUDY MCCARTHY, COUNCILPERSON,
19 WILL BE HERE. SO THE REQUEST WAS, UNFORTUNTELY, GIVEN
20 THE WRONG DATE, MR. CHAIRMAN.

21 CHAIRMAN GALLAGHER: SINCE ITEM NO. 2 ON THE AGENDA
22 HAS BEEN TAKEN OFF, WE ARE DOWN TO AGENDA ITEM 3.

23 MR. OLDALL: YES, MR. CHAIRMAN, THIS IS THE REGULAR
24 ITEMS, THE STATUS OF THE 57 COUNTY SOLID WASTE MANAGEMENT
25 PLANS, WHEN WE PROVIDE YOU WITH THE MOST CURRENT



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1 INFORMATION THAT STAFF HAS GLEANED TOGETHER. MR. GEORGE
2 LARSON WILL BE PRESENTING THE ITEM.

3 MR. LARSON: MR. CHAIRMAN, MEMBERS, GEORGE LARSON.
4 I AM TOO PLEASED TO ADDRESS YOU, MR. GALLAGHER, FIRST
5 TIME AS CHAIRMAN, AND I'D LIKE TO CONTINUE WITH OUR
6 REPORT ON THE STATUS OF THE COSWMPs, OUR REGULARLY
7 SCHEDULED ITEM, TO UPDATE THE BOARD ON THE STATUS OF ALL
8 COSWMPs IN THE STATE.

9 DIRECTING THE BOARD'S ATTENTION TO THE KEY
10 ISSUES SLIDE, I REPORT THAT 52 COSWMPs ARE CURRENT AND
11 COMPLETE NOW IN CALIFORNIA. THEY'RE LISTED ON PAGE 19
12 FOR YOUR FURTHER REFERENCE.

13 THE EL DORADO COUNTY PLAN REVIEW REPORT, WHICH
14 IS DELINQUENT, WAS DUE APPROXIMATELY A MONTH AGO, HAS NOT
15 BEEN SUBMITTED AS OF YET. WE HAVE CONTACTED THE COUNTY,
16 BOTH IN WRITING AND THROUGH TELEPHONE CONVERSATIONS.
17 THEY INDICATE THAT THE PLAN REVIEW REPORT WILL BE
18 SUBMITTED TO THE BOARD BY OCTOBER 15TH.

19 FIVE COSWMPs ARE DELINQUENT TODAY IN
20 COMPARISON WITH THE BASE LINE, WHICH WE PROVIDE FOR
21 INFORMATION, OF 31 DELINQUENT IN 1985. OF THOSE FIVE, I
22 REPORT THAT THE SACRAMENTO COSWMP REVISION IS SCHEDULED
23 FOR CONSIDERATION AT THE OCTOBER MEETING. THE ALAMEDA
24 COUNTY PLAN, WHICH THE BOARD MAY RECALL, WAS PARTIALLY
25 APPROVED HAS -- WAS NOT SUBMITTED WITHIN THE TIME FRAME

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1 FOR RESUBMITTAL; HOWEVER, I CAN REPORT THAT THE BOARD OF
2 SUPERVISORS HAS APPROVED THE PLAN, THAT A MAJORITY OF THE
3 CITIES IN THE COUNTY HAVE APPROVED THE PLAN; HOWEVER,
4 THAT MAJORITY DOES NOT CONSTITUTE THE MAJORITY OF THE
5 POPULATION AS STIPULATED IN LAW.

6 IT IS ANTICIPATED THAT EITHER FREMONT OR
7 OAKLAND, WHOSE VOTE IS FORTHCOMING, WILL EITHER/OR PUT IT
8 OVER THE 50-PERCENT POPULATION, AND THAT WE WOULD EXPECT
9 THAT ITEM OR THAT COSWMP TO BE SUBMITTED SHORTLY
10 THEREAFTER.

11 THE 90-DAY DEADLINE FOR CITIES TO REVIEW AND
12 ACT UPON THE REVISED COSWMP WILL END ON SEPTEMBER 26TH.
13 AFTER THAT DATE, IT WOULD BECOME A MOOT ISSUE BECAUSE BY
14 DEFAULT THE CITIES WOULD HAVE APPROVED IT.

15 IF FURTHER INFORMATION IS REQUESTED ON THIS,
16 MR. WILLIAM FRALEY OF ALAMEDA COUNTY IS HERE, WHO WOULD
17 BE PLEASED TO RESPOND TO ANY INQUIRIES.

18 CONCERNING OTHER DELINQUENT COSWMPs, THE
19 CONTRA COSTA COSWMP IS DELINQUENT, AS IS THE HUMBOLDT AND
20 KERN COUNTY.

21 IN TERMS OF HUMBOLDT, I'LL REPORT THAT THE
22 DRAFT REVISION WAS SUBMITTED TO THE BOARD ON THE 19TH OF
23 AUGUST, AND STAFF HAVE MADE COMMENTS ON THE DRAFT
24 REVISION OF THE HUMBOLDT PLAN TO BE SENT BACK TO THE
25 COUNTY IN THE NEAR FUTURE. AND I ALSO SPOKE WITH THE

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1 CONSULTANT RESPONSIBLE FOR CONDUCTING THE REVISION OF THE
2 KERN COSWMP, AND THE OCTOBER 11TH DATE, WHICH WAS
3 COMMITTED TO BY KERN COUNTY, THE CONTRACTOR --
4 CONSULTANT/CONTRACTOR INDICATES THAT THAT DATE IS STILL
5 THE VALID DATE. THAT THEY HAVE MET ALL DEADLINES THAT
6 WERE SET FOR THEIR WORK WITH THE COUNTY.

7 IN TERMS OF CONTRA COSTA COUNTY, IT, TOO, AS
8 THE OTHER THREE COUNTIES, HAVE ALL BEEN REFERRED TO THE
9 ATTORNEY GENERAL'S OFFICE. AND WITH RESPECT TO THE LEGAL
10 NATURE OF THIS ITEM, I WOULD DEFER TO OUR STAFF COUNSEL,
11 MR. CONHEIM, FOR ANY SPECIFIC QUESTIONS ON THE CURRENT
12 ACTIVITIES IN THE COUNTY AS HE HAS BEEN THE FOCAL POINT
13 OF THOSE COMMUNICATIONS.

14 I'D LIKE TO ALSO NOTE THAT ON PAGE 19 IN TERMS
15 OF PLAN REVIEW REPORTS THAT OUR UPCOMING IN THE NEAR
16 FUTURE, WHICH ARE INDICATED ITEMS NO. 11 THROUGH 16 ON
17 PAGE 19, ALL OF THE SIX PLAN REVIEW REPORTS WHICH WERE
18 DUE IN AUGUST HAVE BEEN SUBMITTED, HAVE BEEN RECEIVED BY
19 THE BOARD. SO WE'RE EXPERIENCING OVERALL A VERY GOOD
20 COMPLIANCE ON THE PART OF THE COUNTIES FOR SUBMITTAL OF
21 NECESSARY PLAN REVIEW REPORTS. AND EL DORADO, WHICH IS
22 INDICATED AS BEING DELINQUENT, HAS SET A SPECIFIC DATE
23 UPON WHICH THEY PLAN TO SUBMIT THEIR PLAN REVIEW REPORT.

24 I WOULD WELCOME ANY SPECIFIC QUESTIONS FROM
25 THE BOARD ON THIS UPDATE AT THE BOARD'S PLEASURE.

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1 BOARD MEMBER GALLAGHER: MR. BEAUTROW.

2 BOARD MEMBER BEAUTROW: I WOULD LIKE TO HEAR FROM
3 MR. FRALEY WITH RESPECT TO THE OUTLOOK FOR APPROVAL BY
4 THE CITY OF OAKLAND AND FREMONT; AND, ALSO, HE MIGHT
5 MENTION WHAT IS IN THIS COSWMP THAT WAS APPROVED BY THE
6 BOARD OF SUPERVISORS. EVIDENTLY, IN OUR AGENDA IT SAYS
7 9-13-88, SO THAT WAS APPROVED THEN; IN OTHER WORDS, YOU
8 PUT THE AGENDA BEFORE THE BOARD ACTED. SO WE CAN SAY
9 THAT THE BOARD OF SUPERVISORS HAS APPROVED THE PLAN.

10 MR. LARSON: YES, THEY HAVE.

11 BOARD MEMBER BEAUTROW: ONE OF THE ELEMENTS IN HERE
12 WAS THE TEMPORARY USE OF ALTAMONT FOR THE WASTE FROM
13 CONTRA COSTA COUNTY. I'D LIKE TO KNOW THE STATUS OF THAT
14 CONNECTION IF IT DOESN'T VIOLATE ANY OF OUR LEGAL
15 ASPECTS, YOU KNOW, THE TEMPORARY USE. COULD YOU PLEASE
16 ADDRESS THOSE TWO ISSUES?

17 MR. FRALEY: I'D LIKE TO CONGRATULATE MR.
18 GALLAGHER. IT'S NICE TO SEE YOU BACK HERE, JOHN.

19 BOARD MEMBER GALLAGHER: WOULD YOU IDENTIFY
20 YOURSELF FOR THE REPORTER?

21 MR. FRALEY: WILLIAM FRALEY FROM THE ALAMEDA COUNTY
22 WASTE MANAGEMENT AUTHORITY.

23 THE FIRST QUESTION, OUR APPROVAL PROCESS IS A
24 TAD DIFFERENT THAN CONVENTIONAL BECAUSE YOU KNOW THE
25 AUTHORITY, BOARD OF SUPERVISORS, HAS DELEGATED TO THE



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1 AUTHORITY THE POWER TO ACT FOR THE BOARD OF SUPERVISORS.

2 SECONDLY, WHEN THE AUTHORITY ACTS, EVERY ONE
3 OF THOSE DELEGATES, WHICH ARE ALL ELECTED OFFICIALS FROM
4 THE 14 CITIES AND THE BOARD OF SUPERVISORS IN THE TWO
5 SPECIAL DISTRICTS, THEIR BOARDS HAVE ACKNOWLEDGED HOW
6 THEY'RE GOING TO VOTE. SO THIS, IF YOU WILL,
7 RECERTIFICATION WHERE IT GOES BACK AND GOES THROUGH YOUR
8 FORMAL PROCESS IS, LET ME JUST CALL IT, ADMINISTRATIVE.
9 SO AS FAR AS THE -- ALL OF THE JURISDICTIONS ACTING, THEY
10 WILL ALL SUPPORT IT. IT'S JUST A MATTER OF TIMING AND
11 GETTING IT ON THEIR AGENDA.

12 THE NUMERICAL, WE HAVE -- WE'RE SHORT ABOUT A
13 HUNDRED THOUSAND POPULATION. SO IF EITHER FREMONT OR
14 OAKLAND ACT, THAT TAKES US OVER THAT TECHNICAL. AS WAS
15 POINTED OUT EARLIER, TECHNICALLY THE 90-DAY OR THE
16 SEPTEMBER -- OR WAS IT, SEPTEMBER 20TH, WHATEVER IT WAS,
17 SEPTEMBER 26TH WOULD SOLVE THE PROBLEM AS WELL.

18 I WANT TO ASSURE YOU THAT ALL OF THE ACTION ON
19 THE PLAN AND ALL OF OUR ACTIONS, AS A MATTER OF FACT, WE
20 FEEL HAVE TO BE UNANIMOUS IN ORDER TO KEEP THE PROGRAM
21 TOGETHER AS A UNIT.

22 SECONDLY, WITH RESPECT TO THE ISSUE WITH
23 CONTRA COSTA COUNTY, OUR PLAN DOES NOT DEAL WITH THAT
24 ISSUE. OUR PLAN HAS A PROVISION IN IT THAT ANY
25 IMPORTATION MUST BE A PLAN AMENDMENT AND EACH ONE IS

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1 DEALT WITH ON ITS OWN MERITS. WE HAVE BEEN WORKING WITH
2 CONTRA COSTA COUNTY FOR, IF YOU WILL, ABOUT THE LAST FIVE
3 YEARS INDICATING OUR POLICIES TO WORK WITH OUR NEIGHBORS
4 AND WORK COOPERATIVELY WITH THEM AND SOLVE MUTUAL
5 PROBLEMS.

6 IT'S NOT INCONCEIVABLE THAT SOMEDAY DOWN THE
7 LINE WE MAY HAVE TO RELY ON THEM FOR SOME ASSISTANCE. OF
8 COURSE, OUR PROGRAM WITH SAN FRANCISCO CERTAINLY
9 DEMONSTRATES THAT.

10 THE CONSIDERATIONS CURRENTLY, THE OAKLAND
11 SCAVENGER COMPANY IS THE OWNER OF THE ALTAMONT. THEY ARE
12 PUTTING TOGETHER AN APPLICATION TO AMEND THE COUNTY PLAN
13 AND THE CONDITIONAL USE PERMIT ISSUED BY THE ALAMEDA
14 COUNTY, IN THE LONG RUN BOARD OF SUPERVISORS, TO AMEND
15 THE CURRENT CONDITIONAL USE PERMIT AND THE COUNTY PLAN TO
16 ALLOW THE IMPORT OF WASTE INTO THE ALTAMONT FOR A PERIOD
17 OF, LET ME SAY, APPROXIMATELY TWO YEARS.

18 THERE WILL BE ANOTHER APPLICATION PROCESSED
19 CONCURRENTLY, ALTHOUGH IT WILL TAKE CONSIDERABLY LONGER
20 TIME. THAT FIRST PROGRAM WE'VE ESTIMATED WILL TAKE ABOUT
21 SEVEN MONTHS TO PROCESS WHEN THE APPLICATION IS
22 CONSIDERED COMPLETE. NOW, IN ORDER TO -- LET ME GO
23 THROUGH THAT A LITTLE MORE.

24 IN ORDER TO GET IT COMPLETE, THERE HAS TO HAVE
25 SOME INTERCOMPANY AGREEMENTS BETWEEN OAKLAND SCAVENGER

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1 COMPANY AND THE COLLECTORS AND DISPOSERS IN CONTRA COSTA
2 COUNTY. THE APPLICANT IN OUR CASE IS OAKLAND SCAVENGER.
3 THEY OWN AND OPERATE THE FACILITY. UNLESS THEY AGREE TO
4 TAKE IT, THERE'S NO VALUE IN US GOING THROUGH AMENDING
5 OUR PLAN.

6 THE -- SO THAT IS IN THE MILL, AND THEY ARE
7 DEVELOPING THE INFORMATION THAT'S NECESSARY TO CARRY THAT
8 THROUGH. THAT WILL INVOLVE AN AMENDMENT TO THE CURRENT
9 CONDITIONAL USE PERMIT FOR THE ALTAMONT LANDFILL AND AN
10 AMENDMENT TO OUR COUNTY SOLID WASTE MANAGEMENT PLAN.

11 THERE'S ANOTHER PROGRAM THAT RELATES TO THE
12 LONGER-TERM PERIOD, DURING WHICH TIME CONTRA COSTA COUNTY
13 CAN GET UNDER OPERATION AT LEAST ONE LANDFILL, PERHAPS
14 MORE, BUT AT LEAST ONE. AND THAT WILL TAKE A
15 CONSIDERABLE CHANGE IN THE CONDITIONAL USE PERMIT FOR THE
16 ALTAMONT LANDFILL AND ALSO ANOTHER AMENDMENT TO THE
17 COUNTY SOLID WASTE MANAGEMENT PLAN.

18 IF THAT IS TO PROCEED, THEN THE OAKLAND
19 SCAVENGER COMPANY WILL INCLUDE, WITHIN THAT, A MAJOR
20 REVISION IN HOW THE ALTAMONT LANDFILL IS TO BE OPERATED.
21 CURRENTLY, IT'S -- THEY HAVE ABOUT 1600 ACRES WHERE THE
22 ACTUAL FILL OPERATIONS ARE PERMITTED TO TAKE PLACE, AND
23 IT'S TO BE DONE IN SIX ELEMENTS. ONE THROUGH FIVE AND
24 FIVE-A, AND IT'S SORT OF A CIRCULAR APPROACH TO DISPOSING
25 OF THE MATERIAL.

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1 THEY HAVE BEEN LOOKING AT AND ARE STILL
2 EVALUATING, BUT IT LOOKS VERY PROMISING, AN ENTIRELY
3 DIFFERENT METHOD OF OPERATING A LANDFILL, WHICH COULD
4 AMOUNT TO PROBABLY DOUBLING THE CAPACITY OF THAT LANDFILL
5 FROM THE INITIAL 75 YEARS, SOMETHING OF THAT SORT,
6 PERHAPS UP TO A HUNDRED FIFTY YEARS OR EVEN MORE.

7 NOW, THAT'S NOT JUST THIS ONE CHANGE THAT
8 THEY'RE PROPOSING, BUT IT'S ALSO THEY'RE GETTING
9 COMPACTIONS THAT ARE MUCH HIGHER THAN THEY HAD ESTIMATED
10 EARLIER, APPROACHING ABOUT 1600 POUNDS. THAT PROGRAM
11 WILL TAKE A CONSIDERABLE ENVIRONMENTAL ASSESSMENT BECAUSE
12 IT'S A MAJOR CHANGE, AND WE ESTIMATE THAT PROGRAM WILL
13 TAKE ABOUT 22 MONTHS FROM THE TIME OF BEGINNING.

14 WE ARE -- AS FAR AS ALAMEDA COUNTY IS
15 CONCERNED, WE ARE PREPARED TO MOVE AND HAVE BEEN PREPARED
16 TO MOVE AT WHATEVER RATE CONTRA COSTA COUNTY AND THEIR
17 OPERATORS DECIDE TO GO. WE HAVE BEEN IN THAT POSITION,
18 AS I SAY, FOR ABOUT THE LAST FIVE YEARS.

19 WE HAVE HAD MEETINGS. I SAY WE. I'M TALKING
20 ABOUT THE AUTHORITY BOARD OR THE MEMBERS OF THE BOARD.
21 WE WORK ON A COMMITTEE STRUCTURE. THE BOARD MEMBERS HAVE
22 MET WITH ELECTED OFFICIALS FROM CONTRA COSTA COUNTY, AND
23 WE HAVE LAID OUT THE PROGRAMS FROM OUR SIDE AND THE TYPE
24 OF MATERIAL THAT THEY WOULD HAVE TO SUBMIT AND THE
25 OBJECTIVES THAT THEY WOULD HAVE TO MEET IN ORDER TO

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1 SATISFY OUR PLAN.

2 NOW, THESE ARE THINGS LIKE EQUIVALENT
3 RECYCLING, GETTING A LANDFILL OPERATING, AT LEAST ONE
4 LANDFILL OPERATING WITHIN THEIR OWN JURISDICTION WITHIN A
5 REASONABLE PERIOD OF TIME, COMMITTING TO THE WORK
6 PROGRAMS THAT WE WILL ESTABLISH IN PROCESSING. AGAIN,
7 THIS IS OAKLAND SCAVENGER'S APPLICATION, BUT IT'S OAKLAND
8 SCAVENGER FOR THE CONTRA COSTA COUNTY WASTE STREAM.

9 THE CONTRA COSTA COUNTY PEOPLE COMMITTING TO
10 THE PROGRAMS WHICH WE'RE GOING TO IMPLEMENT. WE DON'T
11 WANT TO GET INTO A CRASH PROGRAM WORKING DILIGENTLY AND
12 NOT HAVE THE SAME SORT OF COMMITMENT FROM THE CONTRA
13 COSTA COUNTY SIDE. WHEN WE'RE TALKING ABOUT CONTRA COSTA
14 COUNTY, WE'RE TALKING ABOUT THE POLITICAL -- PUBLIC AS
15 WELL AS PRIVATE.

16 THE STRUCTURES ARE THERE FOR US TO RESPOND.
17 AS I SAY, IT'S JUST A MATTER FOR THEM TO MOVE. I DO KNOW
18 FOR SURE THAT THERE'S CONSIDERABLE CHANGES THAT HAVE
19 OCCURRED INTERNALLY IN CONTRA COSTA COUNTY, BOTH WITH THE
20 PUBLIC AND PRIVATE INTERESTS, TO BEGIN TO CONSOLIDATE
21 SOME OF THEIR EFFORTS, BOTH FROM THE ADMINISTRATIVE
22 LEVEL, PUBLIC ADMINISTRATION, AS WELL AS THE ELECTED.

23 BOARD MEMBER BEAUTROW: I JUST WANTED TO SAY
24 SOMETHING AT THIS POINT. WE ARE DELUGED WITH NEWSPAPER
25 CLIPPINGS. WE GET THEM ABOUT EVERY WEEK. AND SEEMINGLY

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1 THERE'S A LOT OF STUFF THAT COMES FROM THE DIFFERENT
2 NEWSPAPERS, BUT IT'S THE SAME STUFF. SO THERE MUST BE --
3 AND IT ALL DEALS WITH CONTRA COSTA COUNTY AND THE
4 DILEMMA, AND I THINK THE OTHER BOARD MEMBERS RECEIVED THE
5 SAME THING I RECEIVED FROM ONE OF THE SUPERVISORS THERE,
6 TELLING THE HISTORY OF ALL OF THIS. AND IF THERE IS A
7 CRISIS IN THE STATE, THIS IS IT. THERE'S NO FOOLING
8 HERE, AND THERE DOESN'T APPEAR TO BE ANY REPRIEVE BECAUSE
9 WHAT I READ IN THE NEWSPAPER THE WATER BOARD JUST TURNED
10 DOWN THEIR APPLICATION FOR ACME TO EXPAND INTO THE
11 WETLANDS AGAIN AND THEY KEEP SAYING DECEMBER IS THE DUE
12 DATE.

13 NOW YOU ARE SAYING A SAFETY VALVE MAY BE -- AT
14 LEAST A TEMPORARY ONE IS GOING TO TAKE SEVEN MONTHS TO
15 GET IN PLACE. CONTRA COSTA -- THERE'S A GAP. CONTRA
16 COSTA DOESN'T HAVE A PLAN. AND WAS IT THE LAST MEETING
17 THIS GUY CAME IN HERE AND TOLD US ABOUT THE ACME TRANSFER
18 STATION? AND IT'S NOT ON THE AGENDA NOW, BUT I DON'T
19 THINK WE CAN APPROVE THAT WITHOUT --

20 MR. CONHEIM: MR. CHAIRMAN, MAY I INTERRUPT? I
21 THINK IT WOULD BE BETTER IF WE -- BECAUSE THIS IS PENDING
22 LITIGATION CONCERNING CONTRA COSTA COUNTY, IF WE -- IF
23 YOU WOULD SCHEDULE A CLOSED SESSION TO DISCUSS ANY OF THE
24 SUBJECT MATTERS THAT YOU ARE INTERESTED IN REGARDING
25 THIS.

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1 BOARD MEMBER BEAUTROW: THIS IS ALAMEDA COUNTY AND
2 I'M CURIOUS ABOUT THE SEVEN MONTHS.

3 MR. FRALEY: THAT'S TO MEET THE TIMING SCHEDULES.
4 THAT'S WHERE IT IS. IT'S BEEN THERE ALL ALONG. IT
5 HASN'T CHANGED THAT.

6 BOARD MEMBER BEAUTROW: THANKS, BILL. I REALLY
7 APPRECIATE --

8 MR. FRALEY: WE'RE READY.

9 BOARD MEMBER BEAUTROW: THANK YOU.

10 CHAIRMAN GALLAGHER: THANK YOU. IN RESPONDING TO
11 MR. CONHEIM'S COMMENTS, THERE WILL BE A CLOSED SESSION OF
12 THIS BOARD TO DISCUSS THE LITIGATION AND PERSONNEL
13 MATTERS AT ABOUT 3:30 THIS AFTERNOON. WE'LL TRY TO
14 ACCOMMODATE THAT PART OF THE AGENDA THAT WE CAN BY 3:30,
15 AND THEN WE WILL GO INTO CLOSED SESSION.

16 IS THERE ANY OTHER QUESTIONS ON THIS MATTER OF
17 COUNTY SOLID WASTE MANAGEMENT PLANS THAT YOU WANT TO ASK
18 MR. LARSON AT THIS TIME? IF NOT, THANK YOU VERY MUCH.
19 IT'S BEEN A COMPREHENSIVE REPORT.

20 BOARD MEMBER VARNER: MR. CHAIRMAN, I WOULD JUST
21 LIKE TO MAKE A COMMENT THAT JUST CROSSES MY MIND HERE. I
22 DON'T UNDERSTAND ALL THAT'S GOING ON IN THIS AREA, BUT,
23 YOU KNOW, IT SEEMS TO ME THERE'S QUITE A TALK ABOUT
24 REGIONAL PLANNING. AND HERE HAPPENS TO BE ONE OF
25 REGIONAL PLANNING THAT INDICATES TO ME THAT THERE'S SOME

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1 TREMENDOUS PROBLEMS INVOLVED WITH ANY TYPE OF REGIONAL
2 PLANNING. THE COORDINATION OF DOING DIFFERENT THINGS IS
3 ONE THAT'S NOT IMPOSSIBLE, BUT TREMENDOUSLY DIFFICULT.
4 THAT'S JUST A THOUGHT THAT CROSSED MY MIND ON THAT
5 SUBJECT. THANK YOU.

6 BOARD MEMBER MOSCONE: MR. CHAIRMAN.

7 CHAIRMAN GALLAGHER: YES.

8 BOARD MEMBER MOSCONE: TO CONTINUE ON SKEET'S LINE,
9 THE REGIONAL PEOPLE IN THE BAY AREA TALK ABOUT THIS, AND
10 I THINK THAT THE BAY AREA FOR SOME OF THESE COUNTIES, SAN
11 FRANCISCO, AND NOW LOOKS LIKE CONTRA COSTA AND ALAMEDA,
12 COULD BE PRETTY DAMN THANKFUL FOR THAT SITE, FOR
13 ALTAMONT. JUST THINK HAD ALTAMONT NOT BEEN AVAILABLE,
14 WHAT WOULD WE BE DOING?

15 OF COURSE, SAN FRANCISCO WANTED TO COME UP --
16 DOWN THE LINE HERE, WHICH WAS TURNED DOWN BY THE PEOPLE
17 THERE, BUT IT'S JUST UNBELIEVABLE THAT -- I JUST CAN'T
18 BELIEVE WHAT'S GOING ON IN CONTRA COSTA. THEY TELL US
19 NOW THAT THEY'RE GOING TO APPROVE -- OR WHATEVER WORD
20 THEY USED -- EIGHT SITES AND PUT IT ON THE BALLOT. WHEN
21 IS THIS GOING TO COME TO AN END? I SUPPOSE THEY'RE GOING
22 TO WIND UP AT -- OVER IN ALAMEDA, UNBELIEVABLE.

23 BOARD MEMBER VARNER: MR. CHAIRMAN, JUST ONE OF THE
24 REASONS THAT I AM TREMENDOUSLY INTERESTED IN THIS, COMING
25 FROM KERN COUNTY. THERE'S -- THE KERN COUNTY PEOPLE ARE

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1 ALWAYS TERRIBLY WORRIED ABOUT THIS REGIONAL CONCEPT. AND
2 JOHN JUST BROUGHT UP THE THING THERE THAT I SPEAK TO THE
3 ISSUE EVERY TIME. I SAY YOU CANNOT THROW OUT A REGIONAL
4 THING BECAUSE SAN FRANCISCO IS A PERFECT EXAMPLE THAT
5 THEY HAVE TO HAVE SOMEPLACE ELSE TO DISPOSE OF THEIR
6 WASTE BECAUSE THERE IS NO PLACE THAT CAN DO IT.

7 SO YOU CAN'T THROW OUT THE REGIONAL CONCEPT,
8 AND I DON'T KNOW IF MY COMMENTS WERE TIMELY NOW OR NOT,
9 BUT THIS IS ONE WE'RE GOING TO BE FACING, AND IT'S A VERY
10 DIFFICULT SUBJECT AND IT'S GOING TO BE A TREMENDOUSLY
11 EMOTIONAL ONE THROUGHOUT THE STATE WHEN THEY START
12 TALKING ABOUT REGIONAL CONCEPTS, BUT WE'RE GOING TO HAVE
13 TO HAVE THEM. AND IT'S GOING TO BE A TREMENDOUS PROBLEM
14 TO WORK OUT, AND IT'S GOING TO TAKE AN AWFUL LOT OF
15 THOUGHT AND COORDINATION FROM PEOPLE SUCH AS THIS BOARD.

16 CHAIRMAN GALLAGHER: WELL, I DON'T THINK THERE'S
17 ANY QUESTION THAT THAT'S AN ISSUE THAT'S GOING TO HAVE TO
18 BE ADDRESSED. WE'RE GOING TO TALK ABOUT SOME OF IT THIS
19 AFTERNOON IN CLOSED SESSION AND HOPE THAT WE CAN
20 ENCOURAGE SOME SOLUTIONS.

21 GOING ON WITH THE AGENDA, WE HAVE HAD A
22 REQUEST THAT ITEM 8 BE MOVED UP TO ACCOMMODATE A SPEAKER
23 WHO HAS AN EARLY FLIGHT BACK TO SOUTHERN CALIFORNIA. SO
24 RIGHT NOW WE'RE GOING TO CONSIDER ITEM 8 ON THE AGENDA,
25 WHICH IS THE ACCEPTANCE OF THE SOUTHERN CALIFORNIA



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1 ASSOCIATION OF GOVERNMENTS STUDY OF WASTE-BY-RAIL.

2 WHO ON STAFF IS HANDLING THIS?

3 MR. OLDALL: YES, MR. CHAIRMAN, THIS PARTICULAR
4 ITEM WILL BE HANDLED FROM THE STAFF BY ONE OF THE NEWEST
5 STAFF MEMBERS, MS. CHERYL MCNABB, WHO RETURNED TO THE
6 BOARD, HAVING WORKED PRIOR IN THE ENFORCEMENT DIVISION.
7 SO, CHERYL, WOULD YOU INTRODUCE THE ITEM PLEASE?

8 MS. MCNABB: MR. CHAIRMAN, MEMBERS OF THE BOARD.
9 THIS ITEM ADDRESSES CONSIDERATION BY THE BOARD OF A STUDY
10 CONDUCTED BY THE SOUTHERN CALIFORNIA ASSOCIATION OF
11 GOVERNMENTS ON BEHALF OF THE REPRESENTATIVE CITIES.

12 AS THE BOARD MAY RECALL, IN JUNE OF 1987 THE
13 BOARD WAS REQUESTED TO PARTICIPATE IN A FEASIBILITY STUDY
14 OF THE WASTE-BY-RAIL CONCEPT. THE BOARD CONTRIBUTED
15 \$25,000 TO A TOTAL \$135,000 CONTRACT. THE REPRESENTATIVE
16 CITIES OF THE SAN GABRIEL VALLEY HAVE APPROVED THIS
17 REPORT.

18 STAFF HAS APPROVED PAYMENT OF 90 PERCENT OF
19 THE \$25,000 FEE. BOARD APPROVAL OF THIS REPORT WILL
20 ALLOW THE CONTRACTOR TO COLLECT THE REMAINING 10 PERCENT.

21 DURING THE MAY 1988 BOARD MEETING, THE DRAFT
22 REPORT WAS PRESENTED TO THE BOARD. MR. GIL HICKS, THE
23 PRINCIPAL AUTHOR OF THE REPORT AND CONSULTANT TO SOUTHERN
24 CALIFORNIA ASSOCIATION OF GOVERNMENTS OR SCAG, PRESENTED
25 THAT DRAFT REPORT. THE BOARD CONCURRED AND STAFF

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1 RECOMMENDATION IS THAT THE MAJOR TASKS OF THIS CONTRACT
2 HAD BEEN ACCOMPLISHED; HOWEVER, STAFF REQUESTED THAT SCAG
3 PREPARE AN ADDENDUM TO THE REPORT, EMPHASIZING THE
4 SIGNIFICANT POLICY ISSUES THAT THE BOARD WOULD HAVE TO
5 ADDRESS SHOULD A SPECIFIC WASTE-BY-RAIL PROJECT BE
6 SUBMITTED. SCAG WAS ASKED TO ADDRESS THE GENERAL
7 POLITICAL FEASIBILITY OF A WASTE-BY-RAIL PROJECT BY
8 ADDRESSING FOUR SPECIFIC QUESTIONS. IN JULY, SCAG
9 PROVIDED STAFF WITH THAT ADDENDUM. IT IS STAFF'S OPINION
10 THAT SCAG ADDRESSED THOSE QUESTIONS SATISFACTORILY,
11 THEREBY FULFILLING THEIR CONTRACT.

12 MR. GILL HICKS IS HERE TODAY AND PREPARED TO
13 PRESENT THE ANSWERS TO THOSE QUESTIONS, WHICH ARE
14 OUTLINED ON PAGES 122 THROUGH 124 OF YOUR BOARD PACKET.
15 SO AT THE BOARD'S PLEASURE, I WOULD LIKE TO INTRODUCE MR.
16 GILL HICKS OF SCAG, ALLOW HIM TO PRESENT THE ADDENDUM,
17 AND THEN WE CAN POSE QUESTIONS AT THE CONCLUSION OF THAT
18 PRESENTATION. MR. HICKS.

19 CHAIRMAN GALLAGHER: THANK YOU VERY MUCH. WELCOME
20 AGAIN, MR. HICKS.

21 MR. HICKS: THANK YOU VERY MUCH, MR. CHAIRMAN,
22 MEMBERS OF THE BOARD. AT THE MAY MEETING THERE WERE FOUR
23 SPECIFIC QUESTIONS ASKED OF SCAG REGARDING ADDITIONAL
24 POINTS OF RESEARCH THAT YOU WERE INTERESTED IN.

25 THOSE FOUR ITEMS ARE LISTED IN YOUR AGENDA



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1 ATTACHMENT, AND THE FIRST QUESTION WAS: WHAT IS THE
2 SPECIFIC IMPACT OF IMPLEMENTATION OF WASTE-BY-RAIL ON THE
3 EXISTING SOLID WASTE INFRASTRUCTURE? AND IN MAY THE
4 QUESTION WENT ON TO SAY WHAT CONSIDERATIONS SHOULD BE
5 MADE FOR THE IMPACT OF WASTE-BY-RAIL ON THE CURTAILMENT
6 OR CESSATION OF OPERATIONS AT TRANSFER STATIONS AND LOCAL
7 LANDFILLS?

8 IN OUR RESPONSE TO THIS PARTICULAR QUESTION,
9 WE'VE NOTED THAT IN THE SAN GABRIEL VALLEY, WHICH WAS THE
10 FOCUS OF OUR STUDY, THERE ARE NO EXISTING TRANSFER
11 STATIONS, AND THERE ARE FOUR LOCAL LANDFILLS. AND THE
12 KEY ISSUE IS: WHAT IS GOING TO BE THE IMPACT OF THE
13 CLOSURE OF SOME OF THOSE LOCAL LANDFILLS IF THEY BEGIN TO
14 LOSE THEIR PERMITS, FOR EXAMPLE, THE PUENTE HILLS COULD
15 CONCEIVABLY LOSE ITS PERMITS IN OCTOBER OF 1993, AND BKK
16 IN WEST COVINA HAVE AN AGREEMENT TO SHUT DOWN IN 1995.

17 THE KEY QUESTION IS: HOW WILL THAT
18 INFRASTRUCTURE BE REPLACED? WHAT KIND OF FACILITIES WILL
19 BE DEVELOPED TO HANDLE THE MISSING CAPACITY REPRESENTED
20 BY THE CLOSURE OF SOME OF THESE LOCAL LANDFILLS? SO THE
21 DRIVING FORCE REALLY BEHIND THIS WHOLE WASTE-BY-RAIL
22 EFFORT IS WHAT SHOULD BE DONE TO PROVIDE THE NECESSARY
23 CAPACITY TO DEAL WITH THE PROBLEMS THAT WE'RE FACING,
24 PARTICULARLY IN THE SAN GABRIEL VALLEY.

25 WASTE-BY-RAIL IS JUST ONE OF THE OPTIONS THAT



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1 IS POTENTIALLY AVAILABLE FOR HANDLING THAT LIMITATION IN
2 LANDFILL CAPACITY. OTHER OPTIONS, OF COURSE, ARE TO OPEN
3 NEW LANDFILLS IN LOS ANGELES COUNTY OR NEW EFFORTS TO
4 RECYCLE, COMPOSTING, ETC. SO WE FEEL THERE WOULDN'T BE
5 ANY ADVERSE IMPACT ON EXISTING INFRASTRUCTURE. THE MAIN
6 THING IS WE NEED REPLACEMENT INFRASTRUCTURE.
7 WASTE-BY-RAIL IS JUST ONE OF THE KEY ITEMS.

8 THE SECOND QUESTION POSED IN THE MAY MEETING
9 WAS: ARE THERE EXISTING LOCAL LAWS THAT MIGHT CREATE
10 OBSTACLES TO IMPLEMENTING A REGIONAL WASTE-BY-RAIL
11 SYSTEM? NOW, THERE ARE TWO ORDINANCES, ONE IN RIVERSIDE
12 COUNTY AND ONE IN SAN BERNARDINO COUNTY, WHICH RESTRICT
13 THE IMPORTATION OF SOLID WASTE TO COUNTY OWNED AND
14 OPERATED FACILITIES.

15 THAT -- THOSE ORDINANCES DO NOT APPLY TO
16 PRIVATELY OWNED FACILITIES. IN VARIOUS COURT CASES THAT
17 HAVE OCCURRED IN THE COUNTRY SINCE 1978, PARTICULARLY THE
18 SUPREME COURT HAS UPHOLD CASES IN FAIRLY NARROWLY DEFINED
19 CASES WHERE A COUNTY HAS LIMITED IMPORTATION OF SOLID
20 WASTE TO COUNTY-RUN FACILITIES. BUT THOSE ORDINANCES
21 THAT HAVE APPLIED MORE GENERALLY TO ALL WASTES, INCLUDING
22 THOSE DESTINED FOR PRIVATE LANDFILLS, HAVE NOT WITHSTOOD
23 THE COURT CASES.

24 SO WE BELIEVE THAT, BASED ON OUR RESEARCH, THE
25 COUNTY ORDINANCES IN RIVERSIDE AND SAN BERNARDINO WOULD

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1 NOT APPLY TO ANY NEW PRIVATELY OPERATED LANDFILL IN THOSE
2 COUNTIES; THEREFORE, THERE WOULD BE NOTHING TO PREVENT
3 LEGALLY, IN THAT CASE -- LEGALLY PREVENT, A WASTE-BY-RAIL
4 SYSTEM FROM BRINGING MATERIAL TO THOSE COUNTIES.

5 THE THIRD QUESTION THAT WAS POSED TO SCAG WAS:
6 WHAT ROLE, IF ANY, WOULD THE FEDERAL GOVERNMENT HAVE IN
7 REVIEWING A PROPOSED WASTE-BY-RAIL SYSTEM; AND, MORE
8 SPECIFICALLY, WHAT ROLE WOULD THE INTERSTATE COMMERCE
9 COMMISSION HAVE IN REVIEWING A PROPOSED CASE? SINCE THE
10 PASSAGE OF THE STAGGERS RAIL ACT IN 1980, RAIL CARRIERS
11 AND SHIPPERS HAVE BEEN MUCH FREER TO DEVELOP CONTRACTS
12 AND SET PRICES ON THEIR OWN.

13 IN A CASE OF A WASTE-BY-RAIL PROPOSAL, THE ICC
14 WOULD GET INVOLVED ONLY IN THE SENSE THAT THE CONTRACT,
15 THE PROPOSED CONTRACT, WOULD BE FILED WITH THE ICC. THEY
16 WOULD GET INVOLVED ONLY IF THOSE RATES WERE CHALLENGED BY
17 ANY PARTY WHO WAS UPSET WITH THE RATES; BUT, BASICALLY,
18 THE ROLE WOULD BE QUITE MINIMAL.

19 THE FORTH QUESTION WAS: IF A WASTE-BY-RAIL
20 SYSTEM WERE TO REACH AN ADVANCED STAGE OF PLANNING IN
21 CALIFORNIA, WHAT ADDITIONAL DUTIES WOULD THE BOARD AND
22 STAFF ASSUME; AND, MORE SPECIFICALLY, WHAT CHANGES WOULD
23 BE REQUIRED IN COUNTY COSWMPs AT THE ORIGIN AND
24 DESTINATION; AND, MORE SPECIFICALLY THAN THAT, WHAT ABOUT
25 COUNTIES IN THE MIDDLE? WE'VE CONCLUDED THAT ANY

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1 FACILITY LOCATED AT THE ORIGIN END OR AT THE DESTINATION
2 END WOULD REQUIRE A CHANGE IN THE COSWMP TO ACCOMMODATE
3 THOSE NEW FACILITIES, BUT A COUNTY IN THE MIDDLE WOULD
4 NOT HAVE ANY REQUIREMENTS TO UPDATE ITS COSWMP. FOR
5 EXAMPLE, HAULING MATERIAL FROM LOS ANGELES COUNTY TO
6 IMPERIAL OR RIVERSIDE COUNTY WOULD NOT MEAN THAT SAN
7 BERNARDINO COUNTY WOULD HAVE TO UPDATE ITS COSWMP TO
8 REFLECT A SYSTEM OF THIS TYPE. THAT IS THE ESSENCE OF
9 THE ADDENDUM.

10 WE ALSO INTRODUCED AN ADDENDUM TO YOU WHICH
11 CLARIFIES SOME OF THE COST FACTORS IN OUR ANALYSIS. THAT
12 TOO IS ATTACHED TO YOUR ATTACHMENT, AND WE'D BE HAPPY TO
13 ANSWER ANY QUESTIONS ON EITHER OF THOSE TWO ADDENDUMS.

14 CHAIRMAN GALLAGHER: THANK YOU, MR. HICKS. THE
15 CHAIR WOULD LIKE TO ASK YOU ONE QUESTION BECAUSE OF RUMOR
16 AROUND. WHEN YOU CONSIDERED YOUR STUDY, ONE OF THE
17 PRIMARY LOCATIONS WAS THE EAGLE MOUNTAIN LANDFILL DOWN IN
18 IMPERIAL COUNTY. AT THAT TIME, WAS ANY CONSIDERATION
19 GIVEN BY YOU AS TO WHAT MIGHT HAPPEN IF KAISER DECIDED TO
20 TAKE THEIR SLAG PILE FROM FONTANA BACK TO EAGLE MOUNTAIN
21 AND GET RID OF IT THERE?

22 MR. HICKS: DISPOSE OF IT AT EAGLE MOUNTAIN?

23 CHAIRMAN GALLAGHER: YES.

24 MR. HICKS: NO. FRANKLY, WE HAVE NOT CONSIDERED
25 THAT POSSIBILITY AT ALL. THEY DO HAVE SUBSTANTIAL PILES



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1 IN FONTANA THAT THEY WANT TO DISPOSE OF IN SOME MANNER,
2 BUT I FRANKLY HAVE NOT INVESTIGATED THAT.

3 CHAIRMAN GALLAGHER: IN YOUR STUDY YOU DID CONSIDER
4 A NUMBER OF OTHER LOCATIONS, BORON AND SOMEWHERE UP ON
5 THE HIGH DESERT, BUT IT JUST OCCURRED TO ME THAT THE MAIN
6 REASON FOR THE STUDY WAS TO TRY TO TAKE ADVANTAGE OF THE
7 EAGLE MOUNTAIN SITUATION. AND I'M WONDERING IF NOW A
8 FIFTH QUESTION IS NOT GOING TO BE IN ORDER IF KAISER, WHO
9 OWNS THAT PROPERTY, DECIDE TO TAKE THAT SLAG PILE BACK
10 THERE FOR DISPOSAL, IF THAT WOULD BE A LIMITING FACTOR?

11 BOARD MEMBER ARAKALIAN: ACTUALLY, ONE OF THE WAYS
12 TO ANSWER THAT IS, ON THAT EAGLE MOUNTAIN PROJECT, KAISER
13 IS ONE OF THE PRINCIPALS IN THE -- OR WILL BE -- WOULD BE
14 AND IS IN THE PROCESS NOW, ONE OF THE PRINCIPALS, SO I
15 WOULD DOUBT IF THEY'RE GOING TO SNOOKER THEMSELVES IN ANY
16 WAY, PLUS IF YOU SEE HOW BIG IT IS, IT WILL TAKE CARE OF
17 THAT SLAG PILE AND ALL THE RUBBISH WE CREATE FOR ANOTHER
18 HUNDRED YEARS. THEY ARE ONE OF THE PRINCIPALS. IN FACT,
19 THEY WOULD NOT DO IT THERE UNLESS -- I MEAN, THEY'RE
20 INSISTING ON THAT, TO BE ONE OF THE PRINCIPALS.

21 CHAIRMAN GALLAGHER: THANK YOU VERY MUCH.

22 BOARD MEMBER VARNER: MR. CHAIRMAN, I WAS TRYING TO
23 LISTEN CLOSELY AND MAYBE MISSED SOMETHING HERE, SO I'M
24 GOING TO ASK THE QUESTION AGAIN. YOU WERE TALKING ABOUT
25 TRANSPORTING THESE THINGS, THIS RAIL HAUL FROM ONE COUNTY

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1 TO ANOTHER, AND I BELIEVE YOU SAID THAT COUNTY ORDINANCES
2 THAT WOULD BE PASSED TO PREVENT THIS COULD ONLY PREVENT
3 IT IF IT WERE INTO A COUNTY OWNED FACILITY, BUT THEY
4 COULDN'T PREVENT IT FROM COMING IN TO A COUNTY IF IT WAS
5 COMING TO A PRIVATE FACILITY. IS THAT WHAT YOU SAID?

6 MR. HICKS: THAT'S OUR INTERPRETATION OF THE COURT
7 CASES THAT HAVE BEEN FILED, YES.

8 BOARD MEMBER VARNER: THIS PROBABLY IS LEGALLY
9 CORRECT, BUT I'M GOING TO GIVE YOU AN EXAMPLE IN KERN
10 COUNTY AGAIN. THIS WAS OVER HAZARDOUS WASTE DUMP.
11 COUPLE OF YEARS AGO WHEN PWI WAS GOING TO TAKE SOME WASTE
12 FROM FULLERTON, THAT WAS A STATE PROJECT ABOUT \$26
13 MILLION AND ONLY COME UNDER EPA REGULATIONS AND SO FORTH.
14 AND THEY INSISTED THAT IT COULDN'T BE STOPPED. BUT IT
15 WAS STOPPED. IT HAS BEEN STOPPED. THEY'VE NEVER BROUGHT
16 ANY IN, AND THEY'RE NOT EVER GOING TO BRING ANY IN
17 BECAUSE THE LOCAL POLITICAL SITUATION WAS SUCH THAT THE
18 CITIZENS IN THAT AREA ROSE UP AGAINST IT. THAT'S A
19 FORMIDABLE THING THAT YOU'D HAVE TO OVERCOME.

20 IT'S KIND OF -- I DON'T KNOW WHAT THE
21 TERMINOLOGY WOULD BE TO SAY THAT YOU COULD IMPOSE THE
22 WILL ON AN AREA THAT DID NOT WANT IT REGARDLESS OF A
23 PRIVATE INDUSTRY OR PRIVATE ENTITY WANTED TO BRING IT IN.
24 I THINK THAT THAT AREA OF POLITICAL REALITY IS NOT
25 PRACTICAL.

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1 MR. HICKS: IN THE ADDENDUM THAT WE PREPARED, WE
2 ALSO NOTED THAT IF A COUNTY WERE UNWILLING TO RECEIVE
3 THIS MATERIAL, THEY WOULDN'T HAVE TO RELY ON ANY
4 ORDINANCE. THEY JUST SIMPLY REJECT THE LAND USE PERMIT
5 THAT WOULD BE APPLIED FOR THAT FACILITY.

6 CHAIRMAN GALLAGHER: MR. BEAUTROW FIRST, THEN YOU.

7 BOARD MEMBER BEAUTROW: GIL, I WAS CONCERNED ABOUT
8 WHAT HAPPENS NEXT. I KNOW WHAT THE AGENDA ITEM HERE IS
9 TO APPROVE THE REPORT; BUT AS WE UNDERSTAND IT, IT WAS
10 HANDED OVER TO THE L.A. COUNTY SAN DISTRICTS. SO THIS
11 DOESN'T STOP WITH THE REPORT, AND WHAT ARE YOU GOING TO
12 DO WITH IT. I MET WITH STEVE MAGUIN AND HAD QUITE A
13 DISCUSSION ON WHAT ARE THEY GOING TO DO WITH IT.

14 AND, AS I UNDERSTAND IT, THEY TOOK IT TO THE
15 BOARD OF DIRECTORS OF THE SAN DISTRICT; AND HOWEVER THEY
16 WANT TO LOOK AT THE BIGGER PICTURE, THEY DON'T
17 NECESSARILY WANT TO SOLVE JUST THE PROBLEMS OF THE SAN
18 GABRIEL VALLEY. IF THIS IS A SCHEME, THEY WANT TO LOOK
19 AT IT ON A LARGER CONTEXT. THEY WERE VERY CONCERNED, AS
20 I UNDERSTAND IT, ABOUT HAVING ONE LOADING STATION OF
21 5,000 TONS A DAY TO PUT THIS ON, AND THAT WOULD KIND OF
22 CHANGE THE COMPLEXITY OF IT.

23 ANOTHER THING THAT SURFACED WAS THE AIR
24 QUALITY MANAGEMENT DISTRICT HAS A STRATEGIC PLAN ON
25 REDUCING POLLUTION, AND ONE OF THE COMPONENTS OF THIS

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1 THEY HAVE A BUNCH OF TIERS. AND ONE OF THEM THAT I READ
2 IN THIS BOOK THAT STEVE HAD WAS TO EXPORT ALL WASTE OUT
3 OF THE BASIN, AND THAT WOULD IMPACT SOME OF THESE -- IN
4 OTHER WORDS, SOME OF THAT AIR QUALITY DISTRICT IS INSIDE
5 OF THE BOUNDARIES OF THE SCAG STUDY AREA, AND THE KAISER
6 MINE IS NOT THE ONLY SITE. THERE WAS A NUMBER OF OTHER
7 ONES THAT COULD BE IMPACTED BY THAT.

8 AND SO I WAS KIND OF CURIOUS ABOUT THE AIR
9 QUALITY MANAGEMENT DISTRICT. WHAT DO THEY MEAN BY A
10 STRATEGY OF EXPORTING ALL WASTE OUT OF THE BASIN? WHAT
11 DO THE OTHER PEOPLE, THE RECIPIENTS, SAY ABOUT THIS? AND
12 THEY SAID, "ALL WE WANT TO DO IS CURE THE PROBLEMS IN THE
13 L.A. BASIN AND LET THE OTHER PEOPLE WORRY ABOUT THEIR
14 PROBLEMS." DO YOU HAVE ANYTHING TO ADD ABOUT WHERE THIS
15 GOES FROM HERE?

16 MR. HICKS: WELL, I HAVE TALKED WITH THE COUNTY
17 SANITATION DISTRICTS ALSO. I UNDERSTAND AT THE END OF
18 THIS MONTH THEY'RE GOING TO BE STAFFED, AND THE
19 SANITATION DISTRICTS WILL BE PRESENTING SOME CONCEPTS FOR
20 A PROCUREMENT PROCESS.

21 SAN GABRIEL VALLEY ASSOCIATION OF CITIES ASKED
22 THE SANITATION DISTRICTS TO INVESTIGATE "WHERE DO YOU GO
23 FROM HERE," AND "HOW WILL WE ACTUALLY SOLICIT BIDS FOR A
24 SYSTEM OF THIS TYPE?" AS I UNDERSTAND IT, THEY WERE
25 PREPARING SOME CONCEPTS ON HOW TO GO ABOUT THAT. THEY

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1 HAVE, AT THIS POINT, DEVELOPED AN OUTLINE FOR THE REQUEST
2 FOR PROPOSAL AND CERTAINLY NOT A DETAILED REQUEST FOR
3 PROPOSALS; BUT, ULTIMATELY, THAT IS THEIR INTENT, AT
4 LEAST THAT'S THE REQUEST FROM THE SAN GABRIEL VALLEY
5 ASSOCIATION OF CITIES TO THE SANITATION DISTRICTS' BOARD.

6 WITH REGARD TO THEIR INTEREST IN EXPANDING THE
7 SCOPE TO LOOK AT THE COUNTY AS A WHOLE, I THINK THAT'S
8 CERTAINLY APPROPRIATE. THEIR JURISDICTION COVERS MORE
9 THAN JUST THE SAN GABRIEL VALLEY CLEARLY, AND A BIGGER
10 PICTURE MIGHT BE VERY WORTHWHILE.

11 WITH REGARD TO THE AIR QUALITY PLAN, SCAG AND
12 THE AIR QUALITY MANAGEMENT DISTRICT HAS ISSUED RECENTLY A
13 DRAFT PLAN, WHICH INCLUDES MANY ITEMS FOR CLEANING UP THE
14 AIR. AND, AS YOU KNOW, ONE OF THE ITEMS DEALS WITH THE
15 CONCEPT OF HAULING MATERIAL BY RAIL OUTSIDE THE BASIN.

16 BOARD MEMBER BEAUTROW: ELECTRIC RAIL, BY THE WAY.

17 MR. HICKS: THEY QUALIFIED THAT AND SAID ELECTRIFY
18 IT. THERE'S A WHOLE OTHER ELEMENT IN THE AIR QUALITY
19 PLAN THAT DEALS WITH THE ELECTRIFICATION OF THE RAILROAD
20 LINES, THE MAIN LINES. THIS HAS BEEN A GOAL OF THE AIR
21 QUALITY DISTRICT FOR MANY YEARS, BUT INSTITUTIONALLY IT'S
22 BEEN VERY DIFFICULT TO ACCOMPLISH BECAUSE OF THE
23 INCREDIBLE CAPITAL COST IN ACTUALLY ELECTRIFYING THE RAIL
24 LINES.

25 IN OUR STUDY IN THE WASTE-BY-RAIL STUDY, WE

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1 CONCLUDED THAT WITHIN THE L.A. BASIN THERE WOULD BE SOME
2 AIR QUALITY BENEFITS SIMPLY BY MOVING THE MATERIAL TO A
3 REMOTE SITE OUTSIDE OF THE BASIN. THAT IS BENEFITS TO
4 THE BASIN ITSELF BECAUSE OF THE FACT THAT THE TRAIN
5 EMISSIONS THAT ONE WOULD HAVE FOR HAULING, SAY, FROM SAN
6 GABRIEL VALLEY TO EAGLE MOUNTAIN, ARE LESS THAN AN
7 EQUIVALENT FACILITY, SAY, A LOCAL LANDFILL OF 5,000 TONS
8 PER DAY, THAT IT WOULD EMIT THROUGH THE GASES AND THE
9 BURNING OF THOSE GASES IN THE LOCAL AREA, WOULD ALSO BE
10 LESS THAN A WASTE-TO-ENERGY PLANT OF THE SAME SIZE.

11 SO EVEN IF YOU DID NOT CONSIDER
12 ELECTRIFICATION OF THE RAILROADS, THERE WOULD BE A NET
13 SAVINGS TO THE SOUTH COAST AIR QUALITY MANAGEMENT AREA IN
14 TERMS OF THE OVERALL EMISSIONS. THE AIR QUALITY DISTRICT
15 WENT A LITTLE FURTHER AND SAID LET'S ELECTRIFY EVERYTHING
16 AND DON'T CONSIDER IT UNLESS YOU ELECTRIFY. THAT JUST
17 GIVES YOU MORE BENEFITS IN TERMS OF AIR QUALITY.

18 BOARD MEMBER BEAUTROW: THANK YOU.

19 CHAIRMAN GALLAGHER: THANK YOU, MR. HICKS. ANY
20 OTHER QUESTIONS?

21 BOARD MEMBER ARAKALIAN: CONCERNING THE EAGLE
22 MOUNTAIN PROJECT, I ALSO WAS -- I WENT THERE, YOU KNOW,
23 WITH A GROUP OF PEOPLE LOOKING AT THE SITE. I WAS TOLD
24 BY THE COUNTY PEOPLE, RIVERSIDE COUNTY PEOPLE THERE
25 PRESENT, AND THEY WERE, I CAN'T REMEMBER, EITHER VYING

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1 FOR OR CONSIDERING BECOMING ONE OF THE PRINCIPALS ALSO IN
2 THAT PROJECT; SO THAT WOULD PROBABLY EASE A LOT OF THINGS
3 GOING TO RIVERSIDE COUNTY IF THAT COUNTY WAS ONE OF THE
4 PRINCIPALS. I DON'T KNOW IF IT'S COME TO PASS OR IT'S
5 GOING TO COME TO PASS, BUT IT WAS IN THE VERY HEAVY TALK
6 STAGE WHEN I WAS THERE. YOU KNOW MORE ABOUT THAT?

7 MR. HICKS: I'VE PRESENTED THIS STUDY TO THE
8 RIVERSIDE COUNTY BOARD OF SUPERVISORS, AND THEY ARE
9 ACTIVELY CONSIDERING IT. OF COURSE, NONE OF THEM HAVE
10 SAID, "YES, I WANT IT TOMORROW," BUT THEY'RE GOING TO BE
11 LOOKING AT IT VERY SERIOUSLY AND TRYING TO UNDERSTAND THE
12 POSITIVES AND NEGATIVES OF THIS PROPOSAL. ONE OF THE
13 ADVANTAGES, FRANKLY, THAT EAGLE MOUNTAIN HAS OVER SOME OF
14 THE OTHERS IS THAT THE LOCAL COMMUNITY, MANY OF THE
15 MEMBERS OF THE LOCAL COMMUNITY, ARE FORMER KAISER
16 EMPLOYEES.

17 BOARD MEMBER ARAKALIAN: ALMOST ALL.

18 MR. HICKS: THEY ARE RETIREES THAT HAVE LOST THEIR
19 BENEFITS THROUGH THE BANKRUPTCY OF KEISER STEEL. WITH
20 REORGANIZATION OF THE COMPANY, THEY HOPE TO REGAIN SOME
21 REVENUES AND HAVE SOME BENEFITS RESTORED.

22 CHAIRMAN GALLAGHER: MR. MOSCONE.

23 BOARD MEMBER MOSCONE: IF THE FINAL RESTING PLACE
24 FOR THIS LANDFILL, ARE THERE ANY PROVISIONS FOR
25 CONSIDERATION OF WASTE-TO-ENERGY PLANT AT WHATEVER POINT

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1 THE WASTE GOES TO -- IF IT IS A LANDFILL, WILL THERE BE
2 PROVISIONS MADE FOR SOME RECYCLING BEFORE THE WASTE IS
3 COVERED?

4 MR. HICKS: THE PROCUREMENT PROCESS THAT WILL BE
5 DEVELOPED BY THE SANITATION DISTRICTS WILL INEVITABLY
6 PROVIDE SOME FLEXIBILITY. I DON'T THINK THERE IS
7 ANYTHING IN THAT REQUEST FOR PROPOSALS THAT WOULD SAY HAS
8 TO BE A LANDFILL OR HAS TO BE A WASTE-TO-ENERGY PLANT. I
9 THINK THEY WANT TO BUILD IN SOME INNOVATION AND
10 COMPETITION AND FLEXIBILITY IN THIS PROCESS. SO THERE'S
11 NOTHING UP FRONT THAT SAYS IT COULDN'T BE A
12 WASTE-TO-ENERGY PLANT.

13 OUR ONLY CONCERN IS THAT IF YOU COMBINE A MORE
14 EXPENSIVE DISPOSAL OPTION WITH A MORE EXPENSIVE
15 TRANSPORTATION OPTION, WE MAY BE GETTING PRETTY HIGH IN
16 THE OVERALL COSTS; BUT, CLEARLY, ANYBODY COULD PROPOSE A
17 WASTE-TO-ENERGY PLANT AT THE END OF THE LINE IF THEY SO
18 CHOSE TO DO SO.

19 NOW, RECYCLING IS A VERY IMPORTANT COMPONENT
20 OF IT, AND I THINK THAT COMBINING RECYCLING UP FRONT WILL
21 BE IMPORTANT, BOTH POLITICALLY, ENVIRONMENTALLY, AND
22 ECONOMICALLY AS WELL. AND, IN FACT, MY DISCUSSIONS WITH
23 RIVERSIDE COUNTY, THEY WOULD INSIST ON A RECYCLING
24 PROGRAM IN COMBINATION WITH THE WASTE-BY-RAIL PROGRAM.

25 CHAIRMAN GALLAGHER. MS. BREMBERG.



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1 BOARD MEMBER BREMBERG: MR. CHAIRMAN. MR. HICKS,
2 THERE'S SEVERAL THINGS THAT YOU TOUCHED ON THAT I WOULD
3 LIKE A LITTLE AMPLIFICATION. UNDER SB 151, WHICH IS THE
4 MANDATE GIVEN TO THE AIR QUALITY DISTRICT TO IMPOSE THESE
5 VARIOUS REGULATIONS, SOLID WASTE TRUCKS WERE EXEMPTED,
6 DIESEL TRUCKS WERE EXEMPTED EXCEPT AT A STAGE 2 AIR
7 QUALITY ALERT.

8 THE POLITICAL REALITY OF THE PRESENT AND
9 PROPOSED PRIVATE LANDFILLS WOULD BY CONTRACT AND BY
10 POLITICAL EXPEDIENCY, FOR LACK OF A BETTER WORD, WOULD BY
11 THE VERY NEED AND THE POLITICAL EXPEDIENCY REDUCE THE
12 GUARANTEED WASTE STREAM THAT WOULD PERHAPS BE ON A RAIL
13 HAUL THING AND ELIMINATE THE CERTAINTY OF A GUARANTEED
14 SUPPLY, WHICH, I BELIEVE, YOU MENTIONED IN YOUR STUDY AT
15 5,000 TONS -- IF I'M NOT MISTAKEN -- 5,000 TON-PER-DAY
16 WOULD HANDLE 11 PERCENT; BUT IF YOU CAN'T GUARANTEE 5,000
17 TONS A DAY, I CAN ASSURE YOU THAT THE 27 CITIES IN THE
18 SAN GABRIEL VALLEY WOULD NOT BE ABLE TO GUARANTEE 5,000
19 TONS A DAY.

20 MR. HICKS: SAN GABRIEL CURRENTLY GENERATES AROUND
21 8,000 TONS OR A LITTLE MORE THAN THAT.

22 BOARD MEMBER BREMBERG: A LOT OF THAT IS PRIVATE
23 AND THE OWNERS OF THE LANDFILLS, THE PRESENT EXISTING
24 ONES AND THE PROPOSED ONES, CERTAINLY WOULD NOT, WITHOUT
25 SOME TYPE OF LEGAL DECISION, GUARANTEE THAT THEY WOULD

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1 SHIP ON RAIL AND LET THEIR OWN MONEY-MAKING LANDFILL GO
2 DOWN THE SHOOT.

3 MR. HICKS: NO. THE KEY PROBLEM WE'RE FACING, AS I
4 MENTIONED EARLIER, WAS THE IMPENDING CLOSURE OF SOME OF
5 THESE LANDFILLS.

6 BOARD MEMBER BREMBERG: THESE ARE ALSO THE SAME
7 COMPANIES ARE ALSO PROPOSING TO EXPAND EXISTING ONES AND
8 OPEN NEW ONES.

9 MR. HICKS: THAT BECOMES ADDITIONAL INFRASTRUCTURE
10 THAT WOULD COMPETE WITH ANY WASTE-BY-RAIL PROPOSAL, SO
11 IT'S NOT POTENTIAL DAMAGE TO EXISTING INFRASTRUCTURE, BUT
12 IT WOULD BE POTENTIAL COMPETITION FOR OTHER IDEAS.

13 BOARD MEMBER BREMBERG: THAT'S WHY YOUR GUARANTEE
14 BECOMES LESS THAN A GUARANTEE.

15 MR. HICKS: THAT'S TRUE. THE MORE COMPETITION, THE
16 MORE UNCERTAINTY THERE IS WITH RESPECT TO THAT STREAM,
17 THAT WASTE STREAM. SO, CLEARLY, BEFORE ANY CONTRACTS ARE
18 SIGNED AND BEFORE ANY NEW AGREEMENTS ARE MADE WITH THE
19 CITIES AND HAULERS, THERE HAS TO BE AN AGREED UPON
20 CONTRACT AND A STREAM GOING TO THIS FACILITY. AND IF YOU
21 CAN'T GET THAT AMOUNT, THEN YOU ARE IN TROUBLE
22 ECONOMICALLY.

23 WE DID NOT INDICATE THAT 5,000 WAS ANY MINIMUM
24 THRESHOLD THAT WE HAVE TO REACH. IT'S CONCEIVABLE THAT A
25 TRANSFER STATION OR RAIL LOADING YARD COULD EXIST AT MUCH

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1 SMALLER TONNAGES. AND, IN FACT, AS IT MENTIONED EARLIER
2 BY ONE OF THE BOARD MEMBERS. THE SANITATION DISTRICTS'
3 STAFF FEEL THAT 5,000 TONS IS ENORMOUS AND MAY NOT BE
4 PARTICULARLY FEASIBLE FROM AN ENVIRONMENTAL STANDPOINT TO
5 SITE A FACILITY OF THAT NATURE.

6 THE CITY OF LOS ANGELES, IN A SEPARATE REPORT,
7 FELT THAT A 3,000-TON FACILITY WAS PROBABLY THE BIGGEST
8 THAT THEY COULD SITE. SO WHEN YOU GO TO SMALLER SIZED
9 FACILITIES. IT'S EASIER TO DEDICATE A WASTE STREAM, AT
10 THE SAME TIME YOU LOSE ECONOMIES OF SCALE AND THE COSTS
11 PER TON GO UP WHEN THE FACILITY IS SMALLER.

12 BOARD MEMBER BREMBERG: WHAT'S MORE IMPORTANT,
13 LEAVING OUT DOLLARS, LEAVING OUT SCALES, CHARTS, MODELS,
14 THE WHOLE THING? IF YOU ARE ONLY GETTING 11 PERCENT
15 REDUCTION ON 5,000 TONS, THE PERCENT REDUCTION DIMINISHES
16 AS EACH TONNAGE LEVEL DIMINISHES, AND IT BECOMES A THING
17 WHERE YOU ARE GOING TO BE PAYING \$150 A TON, \$200 A TON.
18 NOBODY IS GOING TO DO THIS IF THEY HAVE TO BREAK EVEN, IF
19 THEY DON'T MAKE A PROFIT ON A PRIVATE LANDFILL. AND I
20 DON'T SEE ANY -- I MEAN, I'M PERFECTLY -- TO SAY YOU'VE
21 COMPLETED YOUR CONTRACT. I CERTAINLY FEEL THAT THERE'S
22 AN AWFUL LOST OF OMISSIONS AND WHAT IFS THAT HAVE NOT
23 BEEN ANSWERED AND PROBABLY WON'T BE ANSWERED FOR TEN
24 YEARS, IF THEN.

25 MR. EOWAN: WELL, MS. BREMBERG AND MEMBERS, WE DID



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1 HAVE -- I THINK MR. LARSON ALLUDED TO IT, IS THE
2 RECOMMENDATION THAT IF WE WANTED TO PURSUE IT FURTHER,
3 ONE WAY OF DOING IT WAS TO HOLD WORKSHOPS ON THE SUBJECT
4 IN THE AREA AND DO FURTHER ANALYSIS IN ADDITION TO THAT.
5 THAT'S SOMETHING THE BOARD CAN CONSIDER NOW OR AT A LATER
6 DATE.

7 CHAIRMAN GALLAGHER: THERE IS NOTHING IN THE
8 CURRENT AGREEMENT, THOUGH --

9 MR. EOWAN: NO, THERE IS NOT.

10 CHAIRMAN GALLAGHER: -- TO COVER THAT. SO THE
11 QUESTION BEFORE US: HAVE THEY COMPLETED THE SCOPE OF
12 WORK OF THE CONTRACT AND DOES THE BOARD ACCEPT, AS I
13 UNDERSTAND THE ISSUE?

14 MR. EOWAN: THAT'S CORRECT.

15 CHAIRMAN GALLAGHER: IS THERE ANY OTHER QUESTIONS
16 OF MR. HICKS BEFORE WE CALL FOR THE QUESTION? ALL RIGHT,
17 BOARD, IT'S YOUR PLEASURE. THE STAFF HAS RECOMMENDED
18 THAT WE ACCEPT THEIR RECOMMENDATION THAT THE SCAG HAS
19 COMPLETED THE SCOPE OF WORK AND THE CONTRACT HAS BEEN
20 COMPLETED.

21 BOARD MEMBER BEAUTROW: I WOULD MOVE THAT WE DO
22 ACCEPT THE REPORT AND AUTHORIZE FINAL PAYMENT, AND I ALSO
23 WOULD LIKE TO ADD TO THAT MOTION THAT WE CONTINUE TO
24 TRACK THIS AND ASK FOR FEEDBACK FROM SCAG AND THE SAN
25 DISTRICTS ON THE PROGRESS AND SEE IF WE COULD INTERFACE

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1 WITH THIS IN ANY WAY.

2 CHAIRMAN GALLAGHER: HAVE A SECOND TO THAT MOTION?

3 BOARD MEMBER BROWN: SECOND.

4 CHAIRMAN GALLAGHER: IT'S BEEN MOVED AND SECONDED
5 THAT WE ACCEPT STAFF RECOMMENDATION AND AGREE FOR FINAL
6 PAYMENT AND CONTINUE TO MONITOR. ALL THOSE IN FAVOR?
7 OPPOSED? CARRIED, AND SO ORDERED.

8 WE'RE GOING TO RECESS FOR A PERIOD OF FIVE
9 MINUTES SO OUR RECORDER CAN CHANGE THE TAPE IN HER
10 MACHINE AND DO ALL THE OTHER THINGS NECESSARY AT THIS
11 TIME.

12 (A BREAK WAS TAKEN.)

13 CHAIRMAN GALLAGHER: I'D LIKE TO RECONVENE, PLEASE.

14 MR. EOWAN: THANK YOU, MR. CHAIRMAN. JUST IN
15 REFERENCING OUR EARLIER STATEMENTS ABOUT THE AGENDA, WE
16 WOULD REQUEST THAT WE MOVE TO ITEM NO. 5, CONSIDERATION
17 OF DETERINATION OF CONFORMANCE AND CONCURRENCE IN THE
18 ISSUANCE OF A SOLID WASTE FACILITIES PERMIT FOR THE BERRY
19 STREET MALL TRANSFER STATION.

20 CHAIRMAN GALLAGHER: VERY WELL. MEMBERS, WE'RE
21 GOING TO GO TO ITEM NO. 5 ON THE AGENDA.

22 MR. IWAHIRO: MR. CHAIRMAN. I THINK ALL OF YOU ARE
23 FAMILIAR WITH THIS PARTICULAR ITEMS IN TERMS OF A NEED
24 FOR A PERMIT AT THIS SITE. CY ARMSTRONG OF OUR PLANNING
25 DEPARTMENT AND DON DIER, BERNIE VLACH, OF THE ENFORCEMENT

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1 AREA WILL BE COVERING THIS.

2 MR. VLACH: MR. CHAIRMAN, MEMBERS, GOOD MORNING.
3 TODAY THE STAFF IS BRINGING BACK TO YOU AN ISSUE THAT WAS
4 BROUGHT TO THE BOARD AT ITS MEETING IN JULY OF THIS YEAR.
5 AT THAT TIME THE BOARD STAFF PRESENTED TO YOU AN ISSUE
6 CONCERNING A LARGE VOLUME TRANSFER STATION THAT WAS
7 CONSTRUCTED AND OPERATING ON AN IMPROPERLY CLOSED
8 LANDFILL IN THE CITY OF ROSEVILLE. THAT ACTION -- THE
9 CONSTRUCTION TOOK PLACE AND THE OPERATION BEGAN IN 1987.

10 AT THAT TIME THE BOARD'S DIRECTION WAS TO
11 ISSUE A NOTICE AND ORDER REQUIRING THE OPERATOR TO CLEAN
12 UP THE IMPROPERLY CLOSED LANDFILL BY OCTOBER 1ST AND TO
13 CLOSE THE TRANSFER STATION WITHIN 14 DAYS UNLESS A PERMIT
14 COULD BE PROPOSED, WHICH WAS THE PROBLEM WITH THE
15 TRANSFER STATION. IT WAS OPERATING WITHOUT A PERMIT.

16 TODAY THE STAFF IS GOING TO BE PRESENTING THE
17 ISSUES CONCERNING THE PERMITTING OF THE TRANSFER STATION.
18 WE WILL NOT BE DISCUSSING THE CLEANUP ACTIVITIES AT THE
19 LANDFILL UNLESS YOU HAVE SOME SPECIFIC QUESTIONS ABOUT
20 THAT. THE ISSUE BEFORE US TODAY IS THE PERMIT THAT HAS
21 BEEN PROPOSED FOR THE OPERATION OF THE TRANSFER STATION.

22 AS YOU RECALL, THE PERMIT COULD NOT BE ISSUED
23 BY THE LEA BECAUSE THE OPERATOR HAD NOT TAKEN THE CORRECT
24 STEPS TO ENSURE THAT THE FACILITY WAS CONSISTENT WITH THE
25 CITY'S GENERAL PLAN, AND THERE WERE ALSO SOME DESIGN

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1 PROBLEMS WITH THE FACILITY THAT CONTRIBUTED TO IMPROPER
2 DRAINAGE, WHICH COULD RESULT IN LEACHATE PRODUCTION AT
3 THE SITE.

4 SO THE STAFF PRESENTATION THIS MORNING WILL
5 BE -- CY ARMSTRONG WILL BEGIN AND DESCRIBE THE RESOLUTION
6 OF THE ISSUE CONCERNING THE CITY'S GENERAL PLAN
7 INCONSISTENCY, AND DON DIER FROM THE PERMITS SECTION WILL
8 DESCRIBE THE PERMIT THAT'S BEING PROPOSED AND ANY
9 PROBLEMS THAT ARE STILL REMAINING CONCERNING THE DESIGN
10 AND OPERATION OF THE FACILITY THAT MIGHT PREVENT THE
11 PERMIT FROM BEING ISSUED, AND THEN I WILL SUMMARIZE AND
12 PRESENT A STAFF RECOMMENDATION WHICH, I SHOULD POINT OUT
13 AT THIS TIME, IS DIFFERENT THAN THAT WHICH IS PRESENTED
14 IN THE AGENDA ITEM BECAUSE OF CHANGES THAT HAVE OCCURRED
15 WITHIN THE LAST FEW DAYS.

16 I SHOULD ALSO POINT OUT AT THIS TIME THAT
17 THERE ARE HERE TODAY THE OPERATOR, MR. WILLIAM FINGER,
18 HIS REPRESENTATIVES FROM THE EBA ASSOCIATES, DAN
19 MAGNIANICO, AND MR. LYNN JOHNSON, WHO'S REPRESENTING
20 PLACER COUNTY ENVIRONMENTAL HEALTH.

21 AT THIS TIME I'D LIKE TO TURN IT OVER TO MR. CY
22 ARMSTRONG.

23 MR. ARMSTRONG: AGAIN, GOOD MORNING, MR. CHAIRMAN
24 AND BOARD MEMBERS. BECAUSE A NEW SOLID WASTE FACILITIES
25 PERMIT IS BEING ISSUED, THE BOARD MUST REVIEW THE

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1 PROPOSAL FOR CONFORMANCE WITH THE COUNTY SOLID WASTE
2 MANAGEMENT PLAN.

3 THE CITY OF ROSEVILLE WITHIN WHICH THE PROJECT
4 LIES PREPARED A NEGATIVE DECLARATION AS REQUIRED BY THE
5 CALIFORNIA ENVIRONMENTAL QUALITY ACT. THEY FILED A
6 NOTICE OF DETERMINATION ON THE COMPLETION OF THAT ACTION,
7 AGAIN, WHICH IS REQUIRED.

8 THE CITY OF ROSEVILLE HAS FOUND THAT THE
9 PROJECT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE
10 ENVIRONMENT. STAFF HAS REVIEWED THIS NEGATIVE
11 DECLARATION AND AGREES WITH THE CITY'S FINDINGS THAT IT
12 WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

13 THE PROJECT PROPONENT, MR. FINGER, HAS
14 SUBMITTED A NOTICE OF PROPOSED FACILITY WITH THE BOARD AS
15 REQUIRED. ALSO, THE PLACER COUNTY PUBLIC WORKS
16 DEPARTMENT HAS FOUND THE FACILITY TO BE IN COMPLIANCE
17 WITH THE -- IN CONFORMANCE, RATHER, WITH THE COUNTY SOLID
18 WASTE MANAGEMENT PLAN.

19 THERE ARE SEVERAL FINDINGS THAT THE BOARD MUST
20 MAKE AND STAFF RECOMMENDS ARE TRUE, WHICH IS THE
21 ESTABLISHMENT THAT THE FACILITY IS CONSISTENT WITH THE
22 BOARD'S STATE POLICY, THE ESTABLISHMENT OF THIS FACILITY
23 IS CONSISTENT WITH THE OVERALL GOALS OF THE PLACER COUNTY
24 SOLID WASTE MANAGEMENT PLAN AS REVISED.

25 THE BERRY STREET MALL IS NOW SPECIFICALLY



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1 IDENTIFIED IN THE PLACER COUNTY SOLID WASTE MANAGEMENT
2 PLAN, AND THE GLICH OR THE HANG-UP WHICH WE HAD
3 PREVIOUSLY THAT THE ESTABLISHMENT WAS NOT MENTIONED
4 SPECIFICALLY IN THE COUNTY -- RATHER, THE CITY GENERAL
5 PLAN HAS NOW BEEN RECTIFIED, AND THAT ACTION HAS BEEN
6 TAKEN.

7 I WILL NOW TURN THE REST OF THE PRESENTATION
8 OVER TO DON DIER, WHO WILL ADDRESS THE PERMIT ISSUES.

9 MR. DIER: THANK YOU, CY. MORNING, MEMBERS. JUST
10 A LITTLE BACKGROUND. THE FACILITY WE'RE CONSIDERING THIS
11 MORNING OCCUPIES 6.8 ACRES IN THE CITY OF ROSEVILLE. THE
12 PERMIT THAT HAS BEEN PROPOSED BY THE LOCAL ENFORCEMENT
13 AGENCY INCLUDES A PERMITTED DAILY CAPACITY OF 70 TONS PER
14 OPERATING DAY. THIS SHOULD ACCOMMODATE MATTERS IN THE
15 AREA FOR THE FORESEEABLE FUTURE.

16 THERE ARE A FEW PROCEDURAL MATTERS I'D LIKE TO
17 JUST BRIEFLY GO OVER TO LET YOU KNOW HOW WE GOT TO THIS
18 POINT TODAY. AS YOU ARE AWARE, THE GOVERNMENT CODE
19 REQUIRES THAT AN APPLICANT FILE AN APPLICATION AND REPORT
20 OF STATION INFORMATION WITH THE LEA. THIS HAS BEEN DONE.
21 STAFF HAS REVIEWED THESE DOCUMENTS AND FIND THEM
22 ACCEPTABLE.

23 WITHIN 75 DAYS OF ACCEPTING THAT APPLICATION
24 THE LOCAL ENFORCEMENT AGENCY IS REQUIRED TO SUBMIT A
25 PROPOSED PERMIT TO THE BOARD. THE LOCAL ENFORCEMENT

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1 AGENCY HAS DONE THIS. IN FACT, STAFF RECEIVED THE PERMIT
2 ON AUGUST 1ST OF 1988. AS YOU ARE ALSO AWARE, THE
3 GOVERNMENT CODE REQUIRES THE BOARD TO ACT ON THIS PERMIT,
4 EITHER CONCUR OR OBJECT, WITHIN 40 WORKING DAYS UPON
5 RECEIPT. THAT 40 DAYS WOULD HAVE EXPIRED ON SEPTEMBER
6 10, 1988; HOWEVER, AT OUR REQUEST THE OPERATOR DID WAIVE
7 THIS TIME REQUIREMENT IN ORDER TO ALLOW US TO CONSIDER
8 THIS MATTER TODAY.

9 I JUST WANTED THAT TO BE ON THE RECORD SO THAT
10 YOU ARE AWARE WE ARE BEYOND THE STIPULATED 40-DAY
11 REQUIREMENT, BUT THE OPERATOR HAS CONSENTED TO THIS.

12 THERE ARE THREE FINDINGS THAT ARE NECESSARY TO
13 BE MADE BY THE LOCAL ENFORCEMENT AGENCY IN SUBMITTING A
14 PROPOSED PERMIT TO THE BOARD. ONE IS A FINDING THAT THE
15 PERMIT IS CONSISTENT WITH THE COUNTY SOLID WASTE
16 MANAGEMENT PLAN. AS CY HAS MENTIONED, THERE HAS BEEN A
17 LOCAL FINDING OF CONFORMANCE. AND AS YOU WILL HEAR IN A
18 MOMENT, STAFF WILL BE RECOMMENDING A FINDING OF
19 CONFORMANCE WITH THE COSWMP; AND, THEREFORE, THE LEA
20 FINDING IS PROPER AT THIS TIME. THE PERMIT WILL BE
21 CONSISTENT WITH THE COSWMP.

22 ANOTHER FINDING IS CONSISTENCY WITH THE
23 GENERAL PLAN. AS OF CITY OF ROSEVILLE COUNCIL MEETING ON
24 SEPTEMBER 7TH, THIS FINDING CAN BE MADE THAT THE FACILITY
25 NOW IS CONSISTENT WITH THE CITY'S GENERAL PLAN.



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1 THIRD FINDING THAT HAS TO BE MADE BY THE LEA
2 IS THAT THE PERMIT IS CONSISTENT WITH BOARD STANDARDS,
3 STATE MINIMUM STANDARDS. THIS HAS CAUSED US A PROBLEM
4 BECAUSE OF THE VIOLATIONS THAT STAFF FOUND DURING A STATE
5 INSPECTION. AND JUST TO REFRESH YOU ON AND BRING YOU
6 UP-TO-DATE ON WHERE WE'RE AT, I'D LIKE TO HAVE SHARON
7 ANDERSON, THE STATE INSPECTOR, BRIEFLY SUMMARIZE FOR YOU
8 AND SHOW YOU GRAPHICALLY WHAT THOSE VIOLATIONS WERE
9 COMPRISED OF.

10 MS. ANDERSON: THANK YOU, DON. CHAIRMAN, MEMBERS
11 OF THE BOARD. I'M SHARON ANDERSON, MEMBER OF THE
12 ENFORCEMENT DIVISION. I CONDUCTED AN INSPECTION AT THE
13 BERRY STREET MALL TRANSFER STATION SIMPLY BECAUSE THE
14 PROPOSED PERMIT DID COME TO OUR OFFICE AND WE HAD TO
15 VERIFY AT OUR LEVEL THAT THE FACILITY WAS IN COMPLIANCE.
16 SO I VISITED THE SITE INITIALLY ON AUGUST 16, 1988, AND
17 THIS PHOTO WAS TAKEN IN DECEMBER OF THE DRAINAGE PROBLEM
18 OUT THERE. AT THE TIME THAT I WENT OUT THERE, I NOTED
19 THAT THERE WAS NO EFFLUENT FROM THE DRAINAGE SYSTEM;
20 HOWEVER, THE DESIGN OF THE FACILITY, IF THERE WERE TO BE
21 RAINFALL OR ANY INUNDATION FROM WATER OR LEACHATE, THE
22 SITUATION WOULD CONTINUE TO OCCUR.

23 SO I NOTED A VIOLATION UNDER GENERAL DESIGN
24 PARAMETERS BECAUSE A DRAINAGE CONTROL SYSTEM HAD NOT BEEN
25 IN PLACE TO PREVENT LEACHATES FROM LEAVING THE FACILITY.

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1 THE WATER BOARD WAS INVOLVED DURING THIS WHOLE SITUATION
2 AS WELL. I'LL EXPAND ON THAT LATER.

3 ANOTHER VIOLATION THAT I NOTED ON THAT DATE
4 WAS THE PROCESSING AREA OF SALVAGED GOODS WAS NOT KEPT
5 CONFINED TO SPECIFIC AREAS. STAFF SENT A LETTER TO THE
6 OPERATOR, ALONG WITH THE INSPECTION REPORT OF AUGUST
7 16TH, INFORMING HIM OF THE NEED TO BE IN COMPLIANCE IN
8 ORDER FOR OUR BOARD TO CONCUR WITH THE PROPOSED PERMIT.

9 YESTERDAY AND TODAY I WENT OUT AND REVIEWED
10 THE FACILITY AGAIN AND NOTED THAT THIS SITUATION IN THE
11 PROCESSING AREA HAD BEEN RECTIFIED. EVERYTHING IN THE
12 SALVAGE AREA WAS KEPT IN A NEAT AND TIDY ORDER; HOWEVER,
13 THE DRAINAGE SYSTEM HAD NOT BEEN INSTALLED. THERE IS A
14 PLAN UNDER REVIEW. I'LL TURN IT OVER TO DON NOW.

15 MR. DIER: THAT BRINGS US UP-TO-DATE WITH REGARD TO
16 THE STATUS OF THE VIOLATION. SO THEY ARE STILL IN
17 VIOLATION OF ONE OF OUR STATE MINIMUM STANDARDS. AND SO
18 WE AREN'T ABLE TO MAKE A FINDING TODAY THAT THE PERMIT IS
19 CONSISTENT WITH THE STANDARDS; HOWEVER, WHEN MR. VLACH
20 SUMMARIZES AND MAKES THE RECOMMENDATION, YOU WILL HEAR
21 STAFF'S APPROACH TO THIS MATTER.

22 WITH REGARD TO THE PERMIT ITSELF, THOUGH, AND
23 THE SUPPORTING DOCUMENTATION, THE STAFF HAS REVIEWED THEM
24 AND FIND THAT THEY ARE IN AN ACCEPTABLE FORM AND THEIR
25 CONTENT IS PROPER. AND WITH THAT, THEN, I WILL GIVE IT

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1 BACK TO MR. VLACH FOR STAFF'S RECOMMENDATION.

2 BOARD MEMBER ARAKALIAN: DO THEY HAVE A TIME
3 PROBLEM WITH HOW RAPIDLY THIS HAS TO GET GOING?

4 MR. VLACH: MR. ARAKALIAN, TRADITIONALLY THE STAFF
5 CANNOT RECOMMEND THAT THE BOARD CONCUR IN A PERMIT FOR A
6 NEW FACILITY IF THE FACILITY IS NOT CONSISTENT WITH THE
7 STATE MINIMUM STANDARDS.

8 BOARD MEMBER ARAKALIAN: THAT ISN'T WHAT I ASKED.
9 MY QUESTION WAS ARE THEY HAVING A TIME, T-I-M-E, PROBLEM?
10 ARE THEY HURTING UNTIL THIS IS DONE?

11 MR. VLACH: THE FACILITY IS STILL IN OPERATION
12 TODAY.

13 BOARD MEMBER ARAKALIAN: IT'S IN OPERATION?

14 MR. VLACH: YES, SIR.

15 BOARD MEMBER ARAKALIAN: I THOUGHT YOU SAID THEY
16 HAD A CEASE AND DESIST. DIDN'T I HEAR THAT?

17 MR. VLACH: YES, SIR. THE ORDER WAS WRITTEN THAT
18 THEY WOULD NEED TO CEASE OPERATIONS WITHIN 14 DAYS UNLESS
19 THE LEA COULD PROPOSE A PERMIT DURING THAT 14-DAY PERIOD;
20 AND, IN FACT, THE LEA DID PROPOSE A PERMIT, AS MR. DIER
21 SAID, ON AUGUST THE 1ST.

22 BOARD MEMBER ARAKALIAN: SO THE CEASE AND DESIST
23 HAS BEEN RAISED -- LIFTED. IS THAT IT?

24 MR. VLACH: THEY HAVE COMPLIED WITH THE BOARD'S
25 ORDER.



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1 BOARD MEMBER ARAKALIAN: I UNDERSTAND. THEREFORE,
2 THE CEASE AND DESIST IS NO LONGER ACTIVE. I MEAN, THEY
3 ARE OPERATING AGAIN.

4 MR. VLACH: THE CEASE AND DESIST ORDER INCLUDED
5 SEVERAL REQUIREMENTS, INCLUDING THE OPERATION OF THE
6 TRANSFER STATION. IT INCLUDED CLEANUP OF THE LANDFILL.
7 THE CEASE AND DESIST ORDER INCLUDED AT LEAST THREE
8 PROVISIONS. THE CLOSURE OF THE TRANSFER STATION WAS JUST
9 ONE OF THEM, SO THE CEASE AND DESIST ORDER, UNLESS THE
10 BOARD RESCINDS IT, REMAINS IN EFFECT.

11 BOARD MEMBER ARAKALIAN: THEY ARE OPERATING,
12 THOUGH?

13 MR. VLACH: YES, SIR, THEY'RE STILL OPERATING.
14 THEY'RE OPERATING BECAUSE THEY COMPLIED WITH THE NOTICE
15 AND ORDER BY PROPOSING A PERMIT BEFORE THE 14 DAYS HAD
16 EXPIRED.

17 BOARD MEMBER ARAKALIAN: THAT'S WHAT I WAS TRYING
18 TO FIND OUT. WE WENT AROUND. I JUST ASKED THE QUESTION
19 WRONG AND DIDN'T GET THE ANSWER.

20 THEY ARE OPERATING NOW AND WILL CONTINUE UNTILL
21 ALL THIS CLEARS UP?

22 MR. VLACH: WHAT I WAS TRYING TO SUMMARIZE IN THAT
23 THE STAFF RECOMMENDATION, WHICH IS SHOWN ON PAGE 36 OF
24 YOUR PACKET, WAS PREPARED WITH ANTICIPATION THAT THE
25 DRAINAGE PROBLEM, WHICH WAS THE ONE THAT WE WERE VERY

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1 CONCERNED ABOUT, WOULD BE COMPLETED BEFORE THIS MEETING.

2 AS SHARON HAS PRESENTED TO YOU, THE PROBLEM
3 HAS NOT BEEN RESOLVED. THEY'RE STILL IN VIOLATION OF
4 THAT DESIGN PROBLEM; HOWEVER, THE OPERATOR HAS LET
5 CONTRACTS BASED ON A SITE MITIGATION MEETING HELD HERE
6 AMONG STAFF, THE CONTRACTS FOR THE PURCHASE OF EQUIPMENT
7 FOR THE CONSTRUCTION OF THE -- AND COMPLETION OF THE
8 DESIGN OF THE DRAINAGE SYSTEM PROBLEM, AND STAFF IS
9 CONFIDENT THAT THE OPERATOR IS DOING EVERYTHING THAT A
10 REASONABLE MAN COULD DO TO CORRECT THE PROBLEM. AND THE
11 OPERATOR HAS PROMISED THAT THE RESOLUTION OF THE PROBLEM
12 WILL TAKE PLACE BEFORE OCTOBER 1ST, WHICH IS WITHIN A
13 COUPLE OF WEEKS, BY THE END OF THIS MONTH BASICALLY.

14 SO STAFF WOULD RECOMMEND SOMETHING DIFFERENT
15 THAN WHAT IS IN THE PACKET, AND THAT WOULD BE THAT THE
16 BOARD CONDITIONALLY CONCUR IN THE PERMIT TODAY. AND THE
17 CONDITION WOULD BE THAT THE CONSTRUCTION OF THE DRAINAGE
18 SYSTEM WOULD BE COMPLETED BY OCTOBER 1ST. AND THAT --
19 THERE'S A RESOLUTION TO THAT EFFECT, AND THAT CAN BE --
20 MR. DIER WILL BE HAPPY TO HAND THAT OUT TO YOU. THIS
21 WOULD REPLACE THE RESOLUTION THAT'S CURRENTLY IN YOUR
22 PACKET FOUND ON PAGE 69, AND IT DIFFERS FROM THAT IN YOUR
23 PACKET IN THAT IT STATES THAT THE OPERATOR WILL COMPLETE
24 BY OCTOBER 1ST THE REQUIRED DESIGN CHANGES, AND AT THAT
25 TIME THE FACILITY WILL BE CONSISTENT WITH THE STATE



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1 MINIMUM STANDARDS.

2 AND ALSO STATES THAT THE PERMIT -- THE BOARD'S
3 CONCURRENCE IS CONTINGENT UPON A FINDING BY THE STAFF
4 THAT THIS FACILITY DESIGN AND OPERATION IS IN FULL
5 COMPLIANCE WITH THE STATE STANDARDS BY OCTOBER 1, 1988.
6 DISCUSSING WITH THIS COUNSEL, THIS MEANS THAT IF THEY DO
7 NOT COMPLETE BY OCTOBER 1, 1988, THEN THE BOARD'S
8 CONCURRENCE GOES AWAY AND THE PERMIT CANNOT BE ISSUED.

9 BOARD MEMBER ARAKALIAN: ACTUALLY, I GOT AHEAD OF
10 MYSELF TRYING TO GET AHEAD OF YOU. THAT'S WHAT I WAS
11 GOING TO SUGGEST. DO IT WITH A CONTINGENCY SO THEY
12 WOULDN'T HAVE TO COME BACK TO THE NEXT MEETING.

13 MR. VLACH: THAT IS THE STAFF'S RECOMMENDATION, AND
14 I SHOULD POINT OUT THAT THAT CONSISTS REALLY TWO
15 DECISIONS BY THE BOARD, DECISION NO. 88-10, WHICH IS THE
16 DETERMINATION OF CONFORMANCE; AND, THERE AGAIN, AS MR.
17 ARMSTRONG POINTED OUT, THE STAFF RECOMMENDS THAT THE
18 BOARD FIND THE FACILITY IN CONFORMANCE. AND NO. 88-50,
19 WHICH IS CONCERNING THE DECISION YOU CONCUR WITH THE
20 PERMIT WITH THAT CONDITION AS I STATED.

21 CHAIRMAN GALLAGHER: TAKE ANOTHER QUESTION FROM MS.
22 BREMBERG.

23 BOARD MEMBER BREMBERG: THANK YOU, MR. CHAIRMAN.

24 I WAS VERY UPSET ABOUT THE DRAINAGE THING, AND
25 I WANTED A SPECIFIC TIME. AND I THINK BE VERY, VERY



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1 CAREFUL ON ENFORCEMENT OF THAT.

2 ALSO, THE PROCESSING AREA, I WOULD LIKE TO
3 SUGGEST THAT INSTEAD OF SAYING THE OPERATOR SHOULD -- AND
4 YOU INDICATED THAT HE HAD NEATENED UP AND SO FORTH -- IS
5 PUT IT IN MUST REQUIRE A SALVAGING OPERATION IN CLEARLY
6 IDENTIFIED SPECIFIC AREAS. WE ALL SHOULD BE VIRTUOUS AND
7 NOBLE, BUT WE ALL AREN'T. IF WE WERE REQUIRED TO,
8 PERHAPS WE'D BE A LITTLE BETTER. I THINK THAT THAT IS AN
9 EXTRAORDINARILY IMPORTANT DIFFERENCE BETWEEN SHOULD AND
10 MUST, AND THEN IT IS ENFORCEABLE, INSPECTABLE, AND YOU'VE
11 GOT AN OPPORTUNITY TO SEE THAT IT DOESN'T FALL APART JUST
12 AFTER NEATENING UP JUST FOR YOUR ATTENTION.

13 AND I WOULD ALSO LIKE TO SAY, WHETHER THIS IS
14 THE APPROPRIATE PLACE OR NOT, ON THIS WHOLE ISSUE I
15 PERSONALLY -- AND I AM SPEAKING ONLY AS AN INDIVIDUAL --
16 TRULY RESENTED THE PRESSURE PUT ON ME BY AN ASSEMBLYMAN
17 TO CHANGE MY VOTE. I WAS GIVEN FIRST THE COURTEOUS
18 REQUEST; AND WHEN I SAID I WOULDN'T, THEN IT GOT VERY
19 NASTY AND VERY UGLY AND A LOT OF SHOUTING. AND I REALLY
20 DIDN'T APPRECIATE IT. AND I DON'T BELIEVE THAT FOR
21 POLITICAL EXPEDIENCY THE MEMBERS OF THIS BOARD OR ANY
22 OTHER BOARD OR ANY CITY COUNCIL OR ANY BOARD OF
23 SUPERVISORS OR ANYBODY SHOULD BE TOLD THAT THEY MUST
24 CHANGE THEIR VOTE AND THEIR ATTITUDE TOWARD A GIVEN ISSUE
25 JUST BECAUSE OF SOMEONE'S DESIRE TO BE REELECTED.

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1 AND I WOULD LIKE TO HAVE THAT AS PART OF THE
2 RECORD. I RESENTED IT. I TOLD THE MAN THAT I RESENTED
3 IT AND THAT I REALLY WOULD NEVER ACCEPT A CALL FROM HIM
4 AGAIN ON THIS PARTICULAR ISSUE. THANK YOU.

5 MR. VLACH: MR. GALLAGHER, I SHOULD POINT OUT,
6 AGAIN, THAT THE OPERATOR, MR. FINGER, IS HERE AND HIS
7 REPRESENTATIVE THAT COULD DISCUSS ANY TECHNICAL ISSUES
8 CONCERNING THE DESIGN PROBLEMS AND WHEN THAT WOULD BE
9 COMPLETED, WHAT THE STATUS OF THAT IS. AND ALSO MR. LYNN
10 JOHNSON FROM THE HEALTH DEPARTMENT IS HERE TO DISCUSS ANY
11 ISSUES CONCERNING THE PERMIT OR THE VIOLATIONS FOUND AT
12 THE FACILITY. THEY'RE AVAILABLE IF ANY OF THE BOARD
13 MEMBERS HAVE QUESTIONS.

14 CHAIRMAN GALLAGHER: THERE'S BEEN A NUMBER OF
15 QUESTIONS ASKED. ANY QUESTIONS OF MR. FINGER AND HIS
16 COHORTS? ARE YOU READY TO MOVE ON THE ISSUE? YOU'VE
17 BEEN GIVEN A RESOLUTION NO. 88-10 AND 88-50. WHAT IS
18 YOUR PLEASURE?

19 BOARD MEMBER MOSCONE: MOVE ACCEPTANCE.

20 BOARD MEMBER ARAKALIAN: I'LL MOVE THAT WE ACCEPT.

21 CHAIRMAN GALLAGHER: I HAVE A MOTION. I NEED A
22 SECOND.

23 BOARD MEMBER ARAKALIAN: OH, A SECOND. I'LL SECOND
24 IT. I'M NEVER ON TIME.

25 CHAIRMAN GALLAGHER: YOU HAVE HEARD THE MOTION, YOU



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1 HAVE HEARD THE DISCUSSION ON THE ISSUE. WHAT IS YOUR
2 PLEASURE? ALL THOSE IN FAVOR? OPPOSED?

3 BOARD MEMBER BREMBERG: AYE -- I MEAN NO.

4 BOARD MEMBER BEAUTROW: NO.

5 BOARD MEMBER BREMBERG: YES, I'M OPPOSED.

6 BOARD MEMBER VARNER: MR. CHAIRMAN, THERE IS JUST
7 ONE THING THAT I WOULD LIKE TO SAY ON THIS THAT'S
8 DISTURBED ME ABOUT THIS WHOLE ISSUE. I'VE BEEN IN THE
9 RUBBISH BUSINESS FOR A LONG TIME AND A NUMBER OF
10 DIFFERENT THINGS, AND EVERY TIME THAT I'VE HAD ANYTHING
11 OR ANY OF THE PEOPLE THAT I KNOW THAT HAVE BEEN ON THE
12 THING IS YOU DO NOT OPERATE A FACILITY BEFORE YOU'VE GOT
13 ALL THE PROPER PERMITS.

14 THIS IS WHAT HAS DISTURBED ME IN THIS, AND I,
15 LIKE MRS. BREMBERG, RESENTED SOME OF THE THINGS SAID,
16 THAT THIS IS MERELY A TECHNICALITY. SINCE WHEN IS IT A
17 TECHNICALITY THAT YOU OPERATE A FACILITY FOR TWO YEARS
18 WITHOUT EVER HAVING THE PROPER PERMITS TO BEGIN WITH?

19 TO ME, THIS IS THE CENTRAL ISSUE OF THIS WHOLE
20 THING. OBVIOUSLY, HERE I WILL CONCUR WITH THIS
21 ARRANGEMENT THAT WE'RE GOING TO DO HERE BECAUSE IT'S
22 SOMETHING THAT'S KIND OF A COMEDY OF ERRORS OR WHATEVER
23 FOR A LONG PERIOD OF TIME, BUT THIS IS SOMETHING THAT
24 REALLY DISTURBS ME IS HOW? THAT A FACILITY IS OPERATED
25 FOR TWO YEARS WITHOUT THE PROPER PERMITS IN THE FIRST



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1 PLACE. AND THAT, TO ME, IS THE CENTRAL ISSUE OF THE
2 WHOLE THING.

3 I DON'T UNDERSTAND THAT THE PERMITTING PROCESS
4 THAT WE HAVE IS SOME KIND OF A MERE TECHNICALITY. AND IN
5 THAT RESPECT, THE ASSEMBLYMAN THAT MRS. BREMBERG TALKS
6 ABOUT, A NUMBER OF OTHER PEOPLE JUST KEPT HARPING ON THIS
7 THING THAT THE WHOLE THING WAS JUST MERELY A TECHNICAL
8 THING THAT SOMEHOW IS A BUREAUCRATIC TECHNICALITY. I
9 CAN'T AGREE WITH THAT. IF THAT'S SO, THEN THE WHOLE
10 PERMITTING PROCESS IS A FARCE. I DON'T BELIEVE THAT IT
11 IS BECAUSE OUR WHOLE SOCIETY OPERATES ON PERMITTING
12 PROCESSES, AND YOU GET THE PERMITS BEFORE YOU OPEN THE
13 DOORS AND NOT OPERATE FOR A COUPLE OF YEARS AND THEN SAY,
14 "WELL, NOW I WANT YOU TO GIVE ME A PERMIT," WHEN YOU HAVE
15 AN AWFUL LOT OF THINGS THAT YOU WOULDN'T HAVE GOT A
16 PERMIT IN THE FIRST PLACE BECAUSE THE FACILITY WAS NOT IN
17 ITS PROPER COMPLIANCE. AND THAT'S WHY YOU GET ALL THOSE
18 COMPLIANCES BEFORE A PERMIT IS ISSUED, AND YOU DON'T
19 START OPERATING BEFORE YOU HAVE ONE.

20 BOARD MEMBER CALLOWAY: MR. CHAIRMAN, I WOULD
21 CONCUR WITH WHAT MR. VARNER SAID. I THINK ALL OF US HAVE
22 BEEN VERY DISTURBED ABOUT THIS WHOLE SITUATION. BUT
23 IT'S -- NOW, I THINK THE STAFF HAS DONE AN OUTSTANDING
24 JOB WORKING WITH THESE PEOPLE TO TRY TO SOLVE THE PROBLEM
25 WHICH WAS THERE -- WHICH WAS NO MAKING OF OURS OR ANYONE

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1 ELSE, YOU KNOW, OF OUR STAFF'S PROBLEM, BUT TO HAVE
2 SOLVED IT, AND I THINK NOW WE'LL MOVE ON; AND, HOPEFULLY,
3 EVERYBODY HAS LEARNED SOME LESSONS FROM THIS THING.

4 AS MR. VARNER SAYS, THESE PERMITTING
5 PROCESSES, IT IS A REQUIREMENT AND IT SHOULD CERTAINLY BE
6 FOLLOWED, AND IT'S NOT JUST A TECHNICALITY. AND SO I
7 WOULD CERTAINLY AGREE. THE STAFF, I THINK, HAS DONE AN
8 EXCELLENT JOB IN SOLVING THIS VERY DIFFICULT AND VERY
9 SENSITIVE PROBLEM TO THE PEOPLE OF ROSEVILLE.

10 CHAIRMAN GALLAGHER: THANK YOU, MR. CALLOWAY. I
11 DON'T THINK THERE'S ANY QUESTION THAT THERE'S BEEN A LOT
12 OF LESSONS LEARNED. THE RATTLING IS OVER. THE
13 RESOLUTIONS ARE PAST. JUST HOPE WE DON'T GET OURSELVES
14 IN THIS KIND OF A BOX AGAIN. ADMONISH STAFF TO SEE THAT
15 WE DON'T. THAT'S THE NEXT THING. SO THE RESOLUTIONS ARE
16 PASSED. THE RESOLUTIONS STAND PASSED, AND WE'LL MOVE ON
17 TO ANOTHER AGENDA, ITEM NO. 6.

18 MR. IWAHIRO: MR. CHAIRMAN, ITEM NO. 6 IS WITH
19 REGARD TO A REPORT THAT STAFF HAS DRAFTED. IT'S
20 BASICALLY AN ANNUAL REPORT FROM WASTE-TO-ENERGY. IT
21 GIVES THE STATUS OF WHERE WE FEEL WE ARE AT. IT GIVES
22 SOME SURVEY DATA AND ALSO TALKS A LITTLE BIT ABOUT SOME
23 OF THE ISSUES.

24 NEAL JOHNSON, WHO IS THE PRINCIPAL AUTHOR OF
25 THIS REPORT. AND MARTHA GILDART WILL BE REPORTING ON THIS



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1 ITEM.

2 MR. JOHNSON: THANK YOU, MR. CHAIRMAN, MEMBERS OF
3 THE BOARD. ANNUALLY, WE DO PRODUCE A REPORT FOR THE
4 LEGISLATURE ON THE STATUS OF WASTE-TO-ENERGY PROJECTS IN
5 CALIFORNIA. THIS HAS BEEN A REQUIREMENT FOR A NUMBER OF
6 YEARS, AND I WON'T TROUBLE YOU WITH SOME OF THE DETAILS
7 OF IT, OTHER THAN THIS IS ROUGHLY THE TENTH VERSION.

8 WHAT I WOULD LIKE TO DO IS GO THROUGH THE
9 SLIDES, WHICH BASICALLY DISCUSS THE REPORT, AND ALSO
10 ANSWER ANY QUESTIONS YOU HAVE, EITHER GENERALLY BY THE
11 SLIDES OR IN SPECIFICALLY. WE WOULD LIKE ANY COMMENTS
12 YOU MAY HAVE TO THE SPECIFIC LANGUAGE OF THE SPECIFIC
13 REPORT.

14 MOVE TO, I BELIEVE IT IS, PAGE 78 IN YOUR
15 PACKET, WHICH IS THE SURVEY. FOLLOW WHERE WE ARE.
16 PARTICULARLY, TABLES 1 AND 2, WHICH ARE ON PAGE 80 AND
17 81.

18 AS OF THIS POINT IN TIME, THERE ARE FOUR
19 PROJECTS THAT HAVE BEEN CONSTRUCTED. THOSE ARE THE
20 COMMERCE FACILITY, WHICH HAS BEEN OPERATING SINCE THE
21 FIRST OF JANUARY 1987. PRETTY MUCH CONSISTENTLY WITH A
22 FEW PERIODS OF BREAKDOWN IN CALENDAR 1987. THE PROJECT
23 HANDLED NEARLY 80,000 TONS OF SOLID WASTE AND PRODUCED
24 APPROXIMATELY 50 MILLION KILOWATT HOURS. THAT IS ABOUT
25 70 PERCENT OF WHAT WOULD HAVE BEEN -- THAT'S NOT RIGHT --

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1 ABOUT 80 PERCENT OF THAT WHICH THEY HAD HOPED TO GET IN
2 AN AVERAGE YEAR. AND WHEN I THINK A NUMBER OF THE
3 PROBLEMS THAT NEEDED TO BE REWORKED LAST YEAR AND HAVE
4 BEEN -- APPEAR TO BE SOLVED THIS YEAR, YOU WILL START
5 SEEING NUMBERS IN THE 90,000 TONS A YEAR, WHICH IS THE
6 SITE CAPACITY.

7 THE SERRF PROJECT IN LONG BEACH IS RIGHT NOW
8 INTO REFUSE TEST FIRING. IT IS ESTIMATED TO BE ON-LINE
9 ROUGHLY THE FIRST OF DECEMBER OF THIS YEAR IN THE -- WITH
10 A TWO BOILER ARRANGEMENT WHICH HANDLES 900 TONS A DAY.
11 THE THIRD BOILER UNIT, ALSO A 450-TON-A-DAY UNIT, WILL BE
12 ON LINE IN EARLY 1989, BRINGING THAT TO A CAPACITY OF
13 1350 TONS A DAY.

14 THE STANISLAUS PROJECT, WHICH IS 800 TONS A
15 DAY, IS NOT QUITE AND HAS COMPLETED CONSTRUCTION AND IS
16 EARLY INTO THE SHAKEDOWN PHASE. THEY, AGAIN, HOPE TO BE
17 OPERATIONAL ROUGHLY DECEMBER OF THIS YEAR.

18 THE FOURTH PROJECT IS THE LASSEN COLLEGE
19 FACILITY, WHICH WENT ON LINE IN 1984 AND WAS SHUT DOWN IN
20 1985 DUE TO SOME TURBINE PROBLEMS. THE FACILITY IS
21 LISTED IN THE TABLES AS TEMPORARILY SHUT DOWN. THE
22 COLLEGE HAS BEEN SEEKING A BUYER OF THE FACILITY AND
23 APPARENTLY IS UNDER -- NEGOTIATIONS ARE CURRENTLY GOING
24 ON BETWEEN THE COLLEGE AND A POTENTIAL BUYER FOR THAT
25 FACILITY.

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1 THERE ARE THREE PROJECTS THAT WE LIST UNDER
2 CLASS OF PERMITS OR OTHERWISE CALLED GROUP B PROJECTS.
3 THOSE ARE PROBABLY FAIRLY FAMILIAR TO YOU. ONE IS THE
4 NORTH COUNTY RESOURCE RECOVERY PROJECT IN SAN MARCOS,
5 WHICH THIS BOARD ISSUED A FACILITIES PERMIT FOR SEVERAL
6 YEARS AGO. THAT HAS BEEN IN THE PERMIT PROCESS FOR A
7 WHILE AND BEEN THE SUBJECT OF SEVERAL LAWSUITS AND MORE
8 RECENTLY WOULD HAVE BEEN THE SUBJECT OF A COUPLE OF
9 DIFFERENT VENDORS.

10 THE OTHER PROJECTS IN THAT GROUP INCLUDE A
11 PROPOSAL BY THE CITY OF SANGER, WHICH WAS FOR A COUPLE
12 YEARS LOOKING AT A MUNICIPAL WASTE PROJECT AS PART OF AN
13 INDUSTRIAL -- OVERALL INDUSTRIAL ACTIVITY, WHICH IN THE
14 1987 VERSION INCLUDED A STEEL PLANT. CURRENTLY, OUR MOST
15 RECENT UNDERSTANDING, AND THIS IS SORT OF SUBSEQUENT TO
16 THIS ACTUAL DRAFTING OF THE REPORT, CITY OF SANGER MAY
17 WANT TO DO SOMETHING DIFFERENT.

18 THE THIRD PROJECT IS, AGAIN, ONE THAT YOU HAVE
19 SEEN OR HEARD ABOUT FOR ABOUT TEN YEARS, AND THAT IS THE
20 WEST CONTRA COSTA PROJECT IN RICHMOND, WHICH HAS STARTED
21 ORIGINALLY AT THE 450-TON-A-DAY PROJECT, WENT TO 900, AND
22 THEN BACK TO THE CURRENT PROPOSAL OF 450. IT IS STILL A
23 MASS BURN PROJECT WITH A WESTINGHOUSE SYSTEM. IT IS --
24 HAD RECEIVED AN ASBESTOS. CONDITIONAL AUTHORITY TO
25 CONSTRUCT IN THE BAY AREA DISTRICT. THAT WAS SINCE



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1 SUSPENDED DUE TO SOME CHANGES IN THE PROJECT CONCEPT AND
2 BASICALLY SIZE.

3 THE MAIN ACTIVITY OF THAT PROJECT THE LAST
4 YEAR HAS BEEN A BATTLE, DISCUSSION OVER AN AMENDMENT TO
5 THE POWER SALES AGREEMENT, AND THAT IS STILL BEFORE THE
6 CALIFORNIA PUBLIC UTILITIES COMMISSION FOR RESOLUTION.

7 THE FINAL GROUP WHICH ON THIS SLIDE IS SHOWN
8 IN PLANNING OR OTHERWISE CALLED GROUP C PROJECTS, THERE
9 ARE TEN OF THOSE, FOR A TOTAL WHICH IN CONCERT HANDLE
10 ABOUT 8,000 OR COULD HANDLE ABOUT 8,000 TONS A DAY.
11 THESE INCLUDE, I GUESS, MAYBE MOST NOTABLY THE COMBUSTION
12 ENGINEERING PROPOSAL OF REDWOOD CITY THAT, IN ITS EARLIER
13 VERSION, WAS BEFORE THE CALIFORNIA ENERGY COMMISSION AT A
14 3,000-TON-A-DAY FACILITY. THAT APPLICATION WAS
15 WITHDRAWN. COMBUSTION IS STILL LOOKING AT A SMALLER
16 SCALE PROJECT, AND AN INFORMAL DECISION HAS NOT BEEN MADE
17 BY THAT CORPORATION WHICH WAY IT WANTS TO GO.

18 THE -- ANOTHER WAY TO LOOK AT THE SURVEY
19 RESULTS IS BY COMBUSTION PROCESS. IN THE 1988 EDITION,
20 WE HAVE 11 PROJECTS WHICH PROPOSE TO USE MASS BURN. THAT
21 IS DOWN FROM 18 WHO WERE PROPOSED LAST YEAR AS MASS BURN
22 PROJECTS. RDF PROJECTS, THERE ARE THREE AS OPPOSED TO AN
23 EARLIER -- YEAR AGO WHEN WE WERE TALKING ABOUT SOME SIX
24 PROJECTS THAT WERE PLANNING TO PROCESS THE SOLID WASTE
25 INTO A FUEL.

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1 THERE ARE TWO PROJECTS THAT ARE UNDECIDED
2 ABOUT COMBUSTION PROCESS. IN LAST YEAR'S REPORT WE HAD
3 FIVE THAT FIT INTO THAT CATEGORY.

4 THE FINAL CATEGORY IS OTHER, WHICH IS THE
5 SANGER PROJECT WHICH REALLY IN SOME SENSES HASN'T
6 DECIDED, BUT BY THE NATURE OF A PIECE OF LEGISLATION THEY
7 WERE OPERATING UNDER. IT REQUIRES AN ADVANCED COMBUSTION
8 SYSTEM, AND THEY WERE LOOKING AT SOMETHING ON THE ORDER
9 OF A FLUIDIZED BED GAS FIRE. CLEARLY, NOT ONE OF THE
10 FIRST TWO.

11 THE SECOND MAJOR PORTION OF THE REPORT DEALS
12 WITH THE SOCIAL AND ECONOMIC ENVIRONMENTAL ISSUES THAT
13 ALL WASTE-TO-ENERGY PROJECTS FACE IN ONE DEGREE OR
14 ANOTHER. THAT DISCUSSION STARTS ON PAGE 88 IN YOUR
15 AGENDA PACET. I HAVE DIVIDED THE ISSUES INTO TWO MAJOR
16 BLOCKS. ONE IS ENVIRONMENTAL ISSUES. THE OTHER DEALS
17 WITH ECONOMIC-FINANCIAL ISSUES.

18 UNDER THE ENVIRONMENTAL ISSUES, THERE ARE,
19 AGAIN, TWO MAJOR AREAS: AIR EMISSIONS AND ASH RESIDUES
20 AND MANAGEMENT. THE AIR EMISSIONS AREA IS ONE A NUMBER
21 OF THE MEMBERS OF THIS BOARD HAVE BEEN HERE FOR A LONG
22 TIME ARE QUITE FAMILIAR WITH SOME OF THE BACKGROUND OF
23 THAT, AND I'D JUST BRIEFLY LIKE TO TOUCH ON THAT OVER --
24 BASICALLY SINCE 1980 THE EMPHASIS IN -- FROM BOTH THE
25 POINT OF VIEW OF RESOURCE RECOVERY OR WASTE-TO-ENERGY

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1 PROJECT COMPONENTS AND ENVIRONMENTAL REGULATION HAS
2 SHIFTED.

3 IN 1980, FOR EXAMPLE, WE WERE MORE -- THE
4 CONCERN DEALT WITH THE ABILITY OF PROJECTS TO SATISFY THE
5 REQUIREMENTS OF THE LOCAL AIR DISTRICTS, ARB, THE CLEAN
6 AIR ACT WITH RESPECT TO WHAT ARE CALLED CRITERIA
7 POLLUTANTS, THINGS SUCH AS NITROGENS OF OXIDE, SULPHUR
8 OXIDE, PARTICULATE MATTER, ETC., THAT HAVE WELL DEFINED
9 STANDARDS IN PLACE AND THEN ALSO THE ABILITY OF CONTROL
10 SYSTEMS TO SATISFY THOSE REQUIREMENTS.

11 TODAY THE ISSUE HAS EVOLVED TO MORE ONE OF THE
12 POLLUTANTS THAT ARE EMITTED BY WASTE-TO-ENERGY PROJECTS
13 SPECIFICALLY, AND THOSE TEND TO BE IN THE AREA OF TOXIC
14 AIR CONTAMINANTS. THE CALIFORNIA AIR RESOURCES BOARD IS
15 UNDER OR HAS A PROGRAM ON TOXIC AIR CONTAMINANT CONTROL
16 AND ARE SLOWLY STARTING TO DEVELOP STANDARDS FOR
17 PARTICULAR POLLUTANTS.

18 ADDITIONALLY, THE SHER BILL OF 1986, ANY NEW
19 PROJECT AND ONE OF THE ISSUES THAT'S STILL, FOR EXAMPLE,
20 UNDEFINED WITH RESPECT TO THE SERRF PROJECT DEALS WITH
21 THE HEALTH RISK -- REQUIREMENT OF A HEALTH RISK
22 ASSESSMENT.

23 IN -- WITH RESPECT TO THE ASH RESIDUES, THE
24 ISSUE, AGAIN, HAS BEEN ONE OF EVOLUTION FROM CONCERN
25 ON -- EARLIER OF WHETHER THE ASH WAS SIMPLY HAZARDOUS OR



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1 NON-HAZARDOUS TO TODAY. STILL THAT ISSUE EXISTS, BUT NOW
2 THERE IS MORE AND MORE CONCERN UPON THE ACTUAL MANAGEMENT
3 AND DISPOSAL OF THE ASH. THE DEPARTMENT OF HEALTH
4 SERVICES, FOR EXAMPLE, AS IS THE SERRF AND STANISLAUS
5 PROJECTS, ALL INDEPENDENTLY, ARE LOOKING AT POTENTIAL
6 TREATMENT PROCESSES FOR THE ASH.

7 THE STANISLAUS PROJECT PROPOSES TO DISPOSE OF
8 THE ASH AT THE FINK ROAD LANDFILL IN A MONOFILL AREA.
9 THE COMMERCE PROJECT CURRENTLY TAKES THE ASH TO PUENTE
10 HILLS AND OCCASIONALLY TO THE SPADRA LANDFILLS. THE
11 SERRF PROJECT INTENDS TO PRIMARILY DISPOSE OF THEIR
12 REFUSE OR THEIR ASH AT THE PUENTE HILLS LANDFILL IN THE
13 SAME MANNER THAT THE COMMERCE ASH IS CURRENTLY BEING
14 DISPOSED OF.

15 THIS IS CURRENTLY ACCEPTABLE. THERE IS SOME
16 CONCERN ON THE PART OF BOTH THE WATER FOLKS, L.A. AREA
17 REGIONAL WATER CONTROL BOARD, AND ALSO THE STATE WATER
18 QUALITY CONTROL BOARD LEVEL, AND WITH DEPARTMENT OF
19 HEALTH SERVICE ON WHETHER THE CURRENT PRACTICE OF
20 HANDLING ASH AS A NON-HAZARDOUS WASTE AND DISPOSAL IN
21 SANITARY FILLS IS AN ACCEPTABLE PROCESS.

22 THE -- AT THE FEDERAL LEVEL -- WE MENTION IN
23 THE REPORT AT THE FEDERAL LEVEL THERE HAS BEEN
24 LEGISLATION THIS YEAR BY LUKEN, BY WHITTAKER -- FLORIO ON
25 HOW TO HANDLE ASH. THE BILL SEEMED TO BE MOVING TOWARDS



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1 EITHER HANDLING ASH AS A MONOFILL -- IN A LINED MONOFILL
2 OR HANDLE -- OR IF THE ASH IS TO BE COMINGLED WITH OTHER
3 SOLID WASTE INTO, AGAIN, LANDFILLS, IN THIS CASE, DOUBLE
4 LINERS, LEACHATE COLLECTION SYSTEMS, ETC.

5 WHAT EXACTLY WILL BE THE REQUIREMENTS STILL
6 HAVE NOT BEEN DECIDED. SOME OF THAT DECISION WILL
7 UNDOUBTEDLY COME OUT OF THE TESTING PROGRAM BEING FUNDED
8 UNDER THE PVA MONIES. WE WON'T TOUCH ON THAT. WE'LL GET
9 TO THAT ISSUE IN A FEW MINUTES.

10 WITH RESPECT TO THE ECONOMICS AND FINANCIAL
11 ISSUES, AGAIN, THE ISSUES HAVEN'T -- ARE STILL THE SAME
12 ISSUES WE HAVE SEEN FOR SEVERAL YEARS. PRIMARILY, THE
13 PRICE DERIVED FROM THE SALE OF ENERGY AND ESPECIALLY
14 ELECTRICITY. THE MOST OF THE CURRENT PROJECTS HAVE A
15 STANDARD -- INTERIM STANDARD OFFER THAT WAS SIGNED
16 1984/1985 WITH ONE OF THE VARIOUS UTILITIES. THOSE
17 CONTRACTS ARE TENDING TO -- FOR THOSE PROJECTS THAT ARE
18 NOT OPERATIONAL WILL TEND TO EXPIRE WITHIN THE NEXT YEAR
19 OR TWO.

20 THE OLD CONTRACTS WERE BASED UPON A FORECAST
21 OF THE WORLD IN 1983 AND CONTAIN HIGHER ENERGY SALES
22 PRICES THAN ONE CAN ACQUIRE SIGNING A CONTRACT TODAY,
23 WHICH IS BASED ON CURRENT SPOT MARKET PRICES.

24 THE ELECTRICITY GENERATIONAL COST IN
25 CALIFORNIA HAS FALLEN SIGNIFICANTLY IN THE LAST FIVE



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1 YEARS PRIMARILY DUE TO THE DEREGULATION OF THE NATURAL
2 GAS MARKET.

3 WITH RESPECT TO FINANCING AND INCOME TAX LOSS,
4 WE HAVE SEEN A SERIES OF CHANGES IN THIS DECADE, MOST
5 NOTABLY THE 1986 TAX REFORM ACT, WHICH HAVE NOT HAD
6 SIGNIFICANT IMPACT UPON THE EXISTING PROJECTS BECAUSE
7 MOST OF THOSE WERE GRANDFATHERED INTO OR GIVEN
8 GRANDFATHER CLAUSES UNDER THE ACT SO THEY COULD CONTINUE
9 UNDER THE OLD LAW. NEW PROJECTS WHICH ONE WOULD EXPECT
10 TO COME ABOUT, BUT HASN'T YET SEEN; NAMELY, THOSE
11 PROJECTS ONE WOULD TEND TO FIND IN 1995 THROUGH THE YEAR
12 2000, WILL PROBABLY BE DIFFERENT, PARTICULARLY WITH
13 RESPECT TO PUBLIC OWNERSHIP AND POTENTIALLY PUBLIC
14 OPERATION OF THE FACILITIES.

15 MOST OF THE CURRENT PROJECTS LOOK -- PROPOSE
16 TO HAVE PRIVATE OWNERSHIP OF THE FACILITY, WHICH HAS
17 SIGNIFICANT ADVANTAGE OR HAD SIGNIFICANT ADVANTAGE UNDER
18 THE TAX LAW BEFORE 1986.

19 FINALLY, THE NUMBER, AS I SAID, IN THE
20 PREVIOUS SECTION, THERE ARE NUMBER OF UNANSWERED
21 QUESTIONS IN THE ENVIRONMENTAL AREA. WE ARE HOPING THAT
22 SOME OF THOSE ANSWERS COME OUT OF THE CURRENT PVA PROJECT
23 WHICH STANDS FOR PETROLEUM VIOLATION ESCROW ACCOUNT,
24 BASICALLY A COLLECTION FUND FOR -- DUE TO OVERPRICING BY
25 OIL COMPANIES THAT IS COLLECTED BY BOE AND PROVIDED THEN

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1 BACK TO THE STATES FOR VARIOUS ACTIVITIES.

2 THIS -- THE CURRENT PROJECT IS A ONE MILLION
3 DOLLAR DEMONSTRATION PROJECT WHICH IS HEADED BY THIS
4 AGENCY. MARTHA GILDART IS THE CHAIR OF THE TECHNICAL
5 COMMITTEE WHICH INCLUDES ALSO THE CALIFORNIA AIR
6 RESOURCES BOARD, THE DEPARTMENT OF HEALTH SERVICES, THE
7 CALIFORNIA ENERGY COMMISSION, ALONG WITH THE SOUTH COAST
8 AIR QUALITY MANAGEMENT DISTRICT, AND, I GUESS, THE HOST
9 AGENCY, THE L.A. COUNTY SAN DISTRICT, WHO PROVIDED THE
10 COMMERCE FACILITY AS THE TESTING GROUND FOR THE TESTS
11 THAT WERE CONDUCTED DURING THE LAST TWO WEEKS OF JULY AND
12 FIRST WEEK OF AUGUST OF THIS YEAR.

13 THE TESTS -- THE TESTING WAS REPORTED ON BY
14 MARTHA LAST MONTH IN HER PRESENTATION, SO I WON'T SORT OF
15 BORE YOU WITH THOSE DETAILS, OTHER THAN THE TESTS WERE
16 CONDUCTED ON THREE BASIC AREAS: AIR EMISSIONS, THE ASH
17 RESIDUES THAT WERE COLLECTED, AND ALSO CHARACTERIZATION
18 OF THE INCOMING WASTE.

19 THE -- WHEN THE TEST WAS CONDUCTED, IT WAS
20 UNDERSTOOD THAT SOME OF THE DATA WOULD BE -- WOULD COME
21 RELATIVELY SOON AND SOME OF THE DATA, PARTICULARLY THAT
22 FROM THE AIR TESTS, WOULD TAKE A LONG TIME TO ANALYZE AND
23 WOULD NOT BE AVAILABLE FOR A WHILE. WE ARE HOPING BY
24 THE -- ALMOST ANY DAY, BY THE END OF THIS MONTH TO HAVE
25 SOME DATA ON THE ASH THAT WILL START TO ANSWER SOME OF

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1 THESE QUESTIONS ABOUT HOW IT SHOULD BE CLASSIFIED AND HOW
2 IT SHOULD BE MANAGED.

3 THE TESTING WAS CONDUCTED FOR THE BASIC -- OR
4 WAS CONDUCTED TO ALLOW FOR POLICY DEVELOPMENT BY THE
5 STATE AGENCIES. THE -- SINCE THE DATA IS NOT CURRENTLY
6 AVAILABLE AND WILL NOT BE FOR A WHILE, WE HAVE NOT BEGUN
7 TO ANALYZE IT AND DRAFT THE REPORT OR REPORTS WHICH WILL
8 BE FORTHCOMING THAT WILL EXPLAIN WHAT THE DATA IS AND
9 WHAT IT MEANS.

10 WE ARE ESTIMATING THAT ROUGHLY MARCH, APRIL
11 FOR THE FIRST OF THESE REPORTS TO BE AVAILABLE. FROM
12 THAT, HOPEFULLY WE, THIS BOARD AND THE OTHER STATE
13 AGENCIES, CAN DEVELOP A WELL-MEANING, WELL-REASONED
14 ENVIRONMENTAL MANAGEMENT PROGRAM FOR WASTE-TO-ENERGY
15 PROJECTS TO GUARANTEE THEY ARE, IN FACT, GOOD NEIGHBORS.

16 I THANK YOU.

17 MR. IWAHRO: MR. CHAIRMAN, YES, ON THIS REPORT,
18 THE STAFF IS READY TO GO TO PRINT WITH THIS, AND WE ARE
19 RECOMMENDING THAT THE BOARD APPROVE IT FOR PRINT WITH ANY
20 CHANGES THAT YOU MAY HAVE, MAY WANT TO MAKE, THOSE
21 CHANGES.

22 CHAIRMAN GALLAGHER: CHAIR WOULD LIKE TO ASK A
23 QUESTION BEFORE WE RAISE THE ISSUE. IS THERE A
24 PARTICULAR REASON WHY THE TIRE BURNING FACILITY IN WESLEY
25 WAS NOT INCLUDED IN THIS BECAUSE THAT SEEMS TO BE ONE OF

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1 THE MAJOR WASTE-TO-ENERGY PROJECTS IN THE STATE?

2 MR. JOHNSON: THE REASON WAS WE, I THINK, MORE OF
3 CONVENTION, THAT WE HAVE ALWAYS -- WELL, TWO THINGS. ONE
4 IS THAT THE STATUTORY REQUIREMENT FOR THE REPORT WAS
5 GENERATED -- COMES OUT OF THE BILL SB 1855 IN 1978, WHICH
6 SPECIFICALLY DIRECTED FOR A REPORT ON SIX PROJECTS.

7 THE SERRF PROJECT, THE GENERIC SAN FRANCISCO
8 PROJECT, ONE IN CITY OF ALAMEDA, ONE IN CENTRAL CONTRA
9 COSTA, ONE IN HUMBOLDT COUNTY, WHICH IS NOW A WOOD WASTE
10 ONLY PROJECT THAT HAS BEEN OPERATIONAL FOR FOUR YEARS,
11 AND THE SANDER PROJECT IN SAN DIEGO.

12 WE -- BECAUSE OF A NUMBER OF OTHER PROJECTS,
13 SUCH AS WEST COUNTY, COMMERCE, THE NORTH COUNTY PROJECT,
14 WHICH ARE MUNICIPAL WASTE PROJECTS VERY SIMILAR TO THOSE
15 SIX, WE CHOSE TO EXPAND THE REPORT TO THAT.

16 THE WESLEY PROJECT WASN'T INCLUDED BECAUSE IT
17 WAS A SORT OF SINGLE-TYPE MUNICIPAL WASTE. AND MAYBE
18 THAT IS AN OVERSIGHT ON OUR PART, BUT IT DIDN'T, I GUESS,
19 STAFFS' OPINION THAT IT DIDN'T FIT WITHIN THE BASIC
20 STATUTORY REQUIREMENT OF THE REPORT.

21 MR. CONHEIM: MR. CHAIRMAN, IT'S ALSO NOT A SOLID
22 WASTE FACILITY. THE BOARD MADE A DETERMINATION THAT IT
23 WAS EXCLUDED FROM THE PERMITTING AND REGULATORY SCHEME OF
24 THE BOARD, AND THAT MAY BE ANOTHER REASON WHY.

25 CHAIRMAN GALLAGHER: UNDERSTAND, I WAS NOT BEING



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1 CRITICAL. I WAS MERELY ASKING A QUESTIONA TO WHY IT WAS
2 NOT.

3 MR. BEAUTROW.

4 BOARD MEMBER BEAUTROW: I WOULD LIKE TO SEE
5 INCORPORATED INTO THIS REPORT SOME OF THE SUMMARY-TYPE
6 INFORMATION THAT NEAL SHOWED ON THE SCREEN, LIKE THERE'S
7 11 MASS BURNS. IN OTHER WORDS, YOU'VE GOT TO READ
8 THROUGH ALL OF THIS TO GET THE REAL MEAT OF IT, AND
9 THERE'S SOME HIGHLIGHTS THAT NEED TO BE -- THE BIGGEST
10 ONE OF ALL CROPPED OUT TO ME IS WE'VE GOT FOUR PROJECTS
11 AND AGGREGATE TOTAL WAS 2800 TONS A DAY. IT'S OBVIOUS
12 THAT WE'RE NOT MAKING A DENT IN THE -- I MEAN THAT'S ONE
13 REASONABLY SIZED LANDFILL.

14 SO I WOULD LIKE TO HAVE SOME SUMMARY TABLES
15 RIGHT UP IN FRONT THAT INCLUDE THE MATERIAL ON THE
16 SLIDES. I THINK THAT WOULD BE HELPFUL IF NO ONE READS
17 FURTHER.

18 MR. EOWAN: HAPPY TO DO THAT. WE CAN ALSO INCLUDE
19 INFORMATION ON WESLEY. THAT WAS PRIMARILY A JUDGMENT
20 CALL BASED ON MR. CONHEIM'S COMMENT THAT IT WASN'T A
21 SOLID WASTE FACILITY. BUT IF YOU THINK IT'S RELEVANT TO
22 THE SUBJECT, IT VERY WELL COULD BE INCLUDED.

23 BOARD MEMBER BEAUTROW: SO THAT IT'S NOT --

24 MR. EOWAN: AND MAKE THAT DISCLAIMER ON IT SURE.

25 CHAIRMAN GALLAGHER: THAT'S THE BOARD JUDGMENT; BUT



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1 AS A MEMBER OF THE BOARD, IT WAS MY CONSIDERED OPINION
2 THAT WE'RE SHORTING THE LEGISLATURE INFORMATION IF WE DO
3 NOT INCLUDE IT IN SOME FORM AS AN ADDENDUM. IDENTIFY IT
4 AS NOT A SOLID WASTE PERMIT, BUT TALK ABOUT ITS SUCCESS
5 OR FAILURE OR WHATEVER YOU FEEL ABOUT IT.

6 MR. EOWAN: WE'D BE HAPPY TO DO THAT.

7 CHAIRMAN GALLAGHER: DO YOU ALL CONCUR BY THE WAY?

8 BOARD MEMBER VARNER: YES, I WOULD BECAUSE
9 OBVIOUSLY TIRES, WHILE WE CHOSE TO NOT CALL THIS A SOLID
10 WASTE FACILITY, TIRES IS ONE OF THE BIGGEST PROBLEMS
11 GOING INTO LANDFILLS, AND ONE OF THE THINGS THAT SHOULD
12 BE KEPT OUT OF LANDFILLS. SO THAT'S A CENTRAL ISSUE. IT
13 APPEARS THAT AN AREA WHICH THIS IS BEING DONE AND
14 ACTUALLY ONE OF THE THINGS THAT THIS BOARD IS VERY
15 CONCERNED ABOUT IS TRYING TO KEEP ALL THE TIRES OUT OF
16 THE LANDFILLS, AND WE'VE SUPPORTED LEGISLATION TO TRY TO
17 AUGMENT THAT BECAUSE THIS IS A SERIOUS SOLID WASTE
18 PROBLEM.

19 BOARD MEMBER MOSCONE: IS THERE -- I KNOW THAT THIS
20 REPORT IS DATED AUGUST '88 AND THIS IS SUPPOSED TO BE
21 WHAT'S GOING ON, WASTE-TO-ENERGY UPDATE, AUGUST 1988. I
22 WAS JUST WONDERING IF THIS COULD BE, SAY, SEPTEMBER,
23 OCTOBER, WHATEVER. AND THE REASON BEING ONE OF OUR KEY
24 ISSUES, NO. 4, THE APPROPRIATE CLASSIFICATION AND
25 MANAGEMENT OF ASH, AND I THINK THAT MR. JOHNSON COVERED



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1 WHAT WAS GOING ON IN CONGRESS AND ALL OF THAT, AND I JUST
2 THOUGHT THAT MAYBE SOME OF THIS SHOULD BE MENTIONED. FOR
3 EXAMPLE, IN PAGE 89, ASH RESIDUE CLASSIFICATION AND
4 MANAGEMENT, AND IT LOOKS LIKE THEY WANT EPA TO ADOPT
5 CERTAIN REGULATIONS AND ONE BEING THAT IT BE REGARDED AS
6 A SPECIAL WASTE AND ALL OF THESE KINDS OF THINGS.

7 I DON'T KNOW WHETHER YOU SHOULD PUT MORE INTO
8 THIS. RATHER THAN JUST SAY THAT IT'S BECOME THE SUBJECT
9 OF LEGISLATIVE ACTION ON BOTH THE STATE AND FEDERAL
10 LEVELS, WHETHER WE SHOULD HAVE MORE DETAIL IN THAT OR
11 NOT.

12 ONE OTHER THING SO I GET IT OFF MY MIND AND
13 THEN YOU CAN ANSWER. I WAS THROWN IN THE CONCLUSION, THE
14 LAST SENTENCE, AND I THINK THAT I KNOW THAT SEVERAL OTHER
15 PROJECTS THAT ARE ACTIVELY SEEKING PERMITS. MAYBE YOU
16 WANT TO DELETE "THAT" BECAUSE, TO ME, THE -- IT'S NOT A
17 COMPLETE SENTENCE OR IT CHANGES IT IF YOU DELETE "THAT"
18 ARE ACTUALLY SEEKING PERMITS, THE FIRST PARAGRAPH IN THE
19 CONCLUSION.

20 MR. EOWAN: GOOD POINT.

21 BOARD MEMBER MOSCONE: 94. AM I MAKING SENSE?

22 MR. EOWAN: YES.

23 BOARD MEMBER MOSCONE: SO AS FAR AS THE OTHER, I
24 DON'T KNOW HOW FAR OR WE JUST WANT -- AS FAR AS THE
25 CLASSIFICATIONS AND WHAT EPA IS DOING OR WHAT CONGRESS IS

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1 DOING.

2 MR. JOHNSON: I THINK THERE WERE TWO -- IT ALWAYS A
3 LITTLE HARD RIGHT IN THE MIDDLE OF THE LEGISLATIVE
4 SESSION AND WASN'T SURE QUITE WHERE THOSE BILLS WILL GO,
5 BUT WE WILL -- WE'LL BRING THEM UP-TO-DATE, BRING THAT
6 DISCUSSION MORE UP-TO-DATE WITH WHERE THAT FEDERAL
7 LEGISLATION IS. I THINK THAT WILL ANSWER YOU.

8 MR. EOWAN: ONE OF THE ISSUES THAT IS SIGNIFICANT
9 TO THIS DISCUSSION IS THE ORIGINAL INTENT OF THE
10 LEGISLATION THAT MANDATED US TO DO THIS SPECIFIES SIX
11 PROJECTS, WHICH, YOU KNOW, IS KIND OF MOOT POINT THERE.
12 WHAT WE'VE DONE WITH THIS REPORT, AND I THINK IT'S A GOOD
13 IDEA TO CONTINUE DOING IT, IS MAYBE GO BEYOND THE
14 ORIGINAL INTENT OF THE LEGISLATION AND THOSE SIX PROJECTS
15 THAT WERE INITIALLY MENTIONED AND SIMPLY PROVIDE AN
16 UPDATE ON THE STATUS OF WASTE-TO-ENERGY IN CALIFORNIA
17 WITH ALL THESE KEY ISSUES.

18 THAT WOULD BROADEN THE SCOPE SIGNIFICANTLY,
19 BUT WOULD CONTINUE TO KEEP EVERYBODY UP-TO-DATE ON, YOU
20 KNOW, WHAT'S HAPPENING WITH WASTE-TO-ENERGY IN
21 CALIFORNIA.

22 BOARD MEMBER MOSCONE: I DON'T THINK THAT THE -- I
23 DON'T THINK WE SAY THAT. I THINK THAT'S THE INTENTION, I
24 GUESS, OF WHAT'S GOING ON IN WASTE-TO-ENERGY IN
25 CALIFORNIA. IT JUST SAYS WASTE-TO-ENERGY UPDATE. NOW,

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1 EITHER WE PUT IN CALIFORNIA OR WE PUT IN WASTE-TO-ENERGY
2 UPDATE AND INCLUDE A LITTLE OF WHAT'S GOING NATIONALLY.
3 THIS IS MY OBSERVATION.

4 MR. EOWAN: WHAT'S GOING ON NATIONALLY IS DIFFERENT
5 THAN WHAT'S GOING ON IN CALIFORNIA SIGNIFICANTLY. THAT
6 MIGHT BE HELPFUL. I DON'T KNOW. IT'S UP TO YOU. IF WE
7 WANT TO EXPAND THE SCOPE, THOSE ARE THE KINDS OF
8 QUESTIONS WE SHOULD DISCUSS AND MAKE A DETERMINATION
9 EITHER FOR THIS REPORT OR FUTURE REPORTS. IF YOU WANT TO
10 MAKE THIS NATIONAL IN SCOPE, THEN YOU'RE TALKING ABOUT
11 A --

12 BOARD MEMBER MOSCONE: I DON'T WANT TO MAKE IT
13 NATIONAL. IT COULD BE.

14 CHAIRMAN GALLAGHER: IF I READ YOUR RECOMMENDATION,
15 YOU ARE RECOMMENDING THAT THE BOARD APPROVE THE REPORT TO
16 BE ISSUED AND THAT YOU WILL INTEND TO INCLUDE ANY AND ALL
17 COMMENTS THAT COME OUT OF THE BOARD MEETING TODAY. WITH
18 THAT IN MIND AND THE FACT THAT WE'RE DRAWING CLOSE TO A
19 LUNCH PERIOD, MAY I HAVE THE PLEASURE OF THE BOARD?

20 BOARD MEMBER BEAUTROW: I'LL MOVE THAT WE DO ACCEPT
21 THE STAFF REPORT AND INCLUDE THE AMENDMENTS AS DISCUSSED,
22 BUT I WOULD NOT LIKE TO SEE IT NATIONAL IN SCOPE. MAYBE
23 THE TITLE CHANGE WOULD BE BETTER TO -- INSTEAD OF
24 WASTE-TO-ENERGY, THE STATUS OF WASTE-TO-ENERGY PROJECTS
25 IN CALIFORNIA, SOMETHING LIKE THAT, CURRENT STATUS OR

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1 SOMETHING LIKE THAT, WITH THE SEPTEMBER DATE AND THE
2 AMENDMENTS THAT WERE DISCUSSED.

3 BOARD MEMBER VARNER: I'LL SECOND THAT MOTION.

4 CHAIRMAN GALLAGHER: IT'S BEEN MOVED AND SECONDED
5 THAT WE ADOPT THE STAFF'S REPORT TO INCLUDE ANY AND ALL
6 COMMENTS THAT HAVE BEEN MADE BY BOARD MEMBERS AT THIS
7 MEETING. AND ALL THOSE IN FAVOR SAY, AYE. OPPOSED?

8 NOW ON THE SUBJECT, MS. BREMBERG HAD A COMMENT
9 THAT SHE WOULD LIKE TO MAKE.

10 BOARD MEMBER BREMBERG: WHILE MARTHA IS HERE, I
11 WOULD JUST LIKE TO TELL THE BOARD THAT I ASKED MARTHA TO
12 COME DOWN AND GIVE US THE SAME REPORT ON THE COMMERCE
13 PLANT THAT SHE GAVE TO OUR BOARD, TO THE CITY OF GLENDALE
14 COUNCIL AND THE CITY OF PASADENA, AND THAT SHE CAME AND
15 SHE NOW HAS A FAN CLUB IN PASADENA AND IN THE CITY OF
16 GLENDALE.

17 AND I ALSO WOULD LIKE TO ADD AND THIS IS THAT
18 THE SUPERINTENDENT OF THE MECHANICAL MAINTENANCE AT THE
19 CIVIC CENTER GARAGE, WHO IS IN CHARGE OF REPAIRING ALL
20 KINDS OF POLICE CARS AND THINGS LIKE THAT, CARRIED HER
21 BACK TO THE AIRPORT FOR ME. AND HE CALLED ME UP AFTER
22 THE COUNCIL MEETING AND SAID, "WOW, YOU SURE KNOW SOME
23 PRETTY AND SOME VERY SMART LADIES. DO YOU KNOW SHE WAS
24 AN ENGINEER?" I SAID, "YES, TOM. I KNEW SHE WAS AN
25 ENGINEER." AND HE SAID, "WOW." AND I THINK THAT SAYS IT

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1 ALL.

2 MS. GILDART: I HAVE A QUESTION ABOUT THE VERB
3 CARRIED.

4 BOARD MEMBER BREMBERG: THAT'S A GOOD OL' SOUTHERN
5 EXPRESSION I PICKED UP FROM JIM CALLOWAY. CARRY ME BACK.

6 CHAIRMAN GALLAGHER: JUST BEFORE WE ADJOURN FOR
7 LUNCH, AS I READ THIS THING, THERE WAS SOME QUESTION IN
8 THERE THAT THE LEGISLATION REQUIRING THIS REPORT WAS NOW
9 MOOT. AT AN APPROPRIATE TIME WE MAY WANT TO CONSIDER
10 HAVING CHANGES IN THE LEGISLATION TO DELETE THAT, BUT NOT
11 NECESSARILY --

12 MR. EOWAN: THANK YOU FOR BRINGING THAT UP.

13 CHAIRMAN GALLAGHER: -- CONTINUALLY MAKING THE
14 REPORT.

15 IF THERE IS NO OTHER COMMENTS ON THIS SUBJECT,
16 WE ARE NOW GOING TO RECESS FOR LUNCH. WE WILL RECONVENE
17 AGAIN AT 1:30 THIS AFTERNOON.

18 (A BREAK WAS TAKEN.)

19 CHAIRMAN GALLAGHER: RECONVENE THE MEETING OF THE
20 CALIFORNIA WASTE MANAGEMENT BOARD. WE'VE BEEN REQUESTED
21 TO MAKE ANOTHER REARRANGEMENT TO THE AGENDA.

22 MR. EOWAN: YES, MR. CHAIRMAN, MEMBERS. I WOULD
23 RECOMMEND THAT WE TAKE A LOOK AT THE LEGISLATIVE PACKET
24 THAT YOU'VE BEEN PROVIDED IN WHAT IN MANY WAYS IS THE
25 SUMMATION OF THE LEGISLATIVE YEAR. ACTUALLY, THE



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1 SUMMATION OF THE LEGISLATIVE SESSION, WHICH IS TWO YEARS.

2 WHAT WE'RE REQUIRED TO DO AT THE END OF THE
3 SESSION IS PROVIDE TO THE AGENCY AND THE GOVERNOR'S
4 OFFICE WHAT ARE CALLED ENROLLED BILL REPORTS, WHICH ARE
5 OUR FINAL ANALYSIS AND RECOMMENDATION ON LEGISLATION.

6 AND WHAT YOU HAVE IN FRONT OF YOU IS, I THINK,
7 15 ITEMS THAT WE HAVE PROVIDED TO THE GOVERNOR'S OFFICE.
8 SO YOU CAN SEE IT'S A SIGNIFICANTLY PARED DOWN VERSION
9 FROM WHAT WE'VE BEEN LOOKING AT ALL YEAR.

10 NOW, SOME OF THESE WE HAVE PROVIDED TO THE
11 AGENCY AT THEIR REQUEST. OTHERS WE PROVIDED BECAUSE WE
12 THOUGHT THEY NEEDED TO KNOW OUR POINT OF VIEW, WHETHER
13 THEY ASKED FOR IT OR NOT. AND THE DEADLINES ARE SUCH
14 THAT WE HAD TO SUBMIT THESE TO THEM BASICALLY PRIOR TO
15 THIS MEETING. AND WE DID OUR BEST TO MAKE SURE THAT OUR
16 RECOMMENDATIONS MET WITH ALL THE DISCUSSIONS THAT WE'VE
17 HAD ON THESE BILLS OVER THE LAST YEAR, IN SOME CASES THE
18 LAST TWO YEARS.

19 WE CAN GO THROUGH EACH OF THESE ITEM BY ITEM
20 IF YOU WANT, BUT I PARTICULARLY WANT TO CALL YOUR
21 ATTENTION TO THE EXCEPTION TO WHAT I JUST SAID. THAT
22 WOULD BE NOS. 4 AND 11. WE DID NOT SUBMIT AN EBR,
23 ENROLLED BILL REPORT, TO AGENCY ON EITHER OF THESE TWO
24 BILLS BECAUSE -- PARTICULARLY AB 3012 HAS CHANGED SO MUCH
25 UP TO THE LAST MINUTE OF THE SESSION, AND WE'VE WORKED

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1 CLOSELY WITH THE AUTHOR INITIALLY, PARTICULARLY, BUT ALL
2 THE WAY THROUGH THE LEGISLATIVE PROCESS, AND WE MADE
3 REQUESTS, ETC., AND IT CAME OUT STILL CONTROVERSIAL AT
4 THE END.

5 SO I WANTED TO DELAY SENDING THAT TO AGENCY
6 FOR THAT REASON. AND, IN ADDITION, THE AGENCY HAS
7 REQUESTED -- HAS NOT REQUESTED AN EBR FROM US, SO WE DID
8 HAVE SOME TIME ON THAT. IN FACT, THEY ASKED THAT WE
9 DEFER TO THE WATER BOARD ON THIS PARTICULAR BILL.

10 AND SO WHAT I'D LIKE TO DO IS STILL SUBMIT ONE
11 TO THE AGENCY. THEY CAN DO WITH IT WHAT THEY WANT.
12 WE'LL GIVE IT OUR BEST SHOT. BUT I WANT YOU TO TAKE A
13 LOOK AT WHAT THE BILL DOES AND GIVE US YOUR DIRECTION ON
14 THE BILL.

15 SO JOELLEN, IF I MAY, WOULD YOU PLEASE GO
16 THROUGH THAT BILL FIRST; AND THEN IF WE HAVE TIME OR IF
17 THE DESIRE OF THE BOARD IS SUCH, WE GO AHEAD AND GO
18 THROUGH THE OTHER BILLS. THAT BILL AND ITEM NO. 11,
19 WHICH IS THE MOUNTJOY AB 3804, THEY'RE SIMILAR SUBJECT
20 AREAS.

21 MS. JACKSON: MR. CHAIRMAN, BOARD MEMBERS, I'D LIKE
22 YOU TO TURN TO PAGE 2 OF AB 3012 SO WE CAN GO OVER THE
23 EFFECTS OF THE BILL.

24 MR. EOWAN: YOU ARE TALKING ABOUT PAGE 2 OF THE
25 ANALYSIS?



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1 MS. JACKSON: PAGE 2 OF THE BILL ANALYSIS.

2 BOARD MEMBER GALLAGHER: ITEM 4?

3 MS. JACKSON: YES.

4 MR. EOWAN: THE ONE ITEM THAT WE INITIALLY ASKED
5 FOR ON THIS BILL, IF YOU RECOLLECT, GOING BACK NOW, I
6 DON'T REMEMBER WHEN IT WAS FIRST INTRODUCED, A NUMBER OF
7 MONTHS AGO WE HAD A STRONG CONCERN ON THE DEVELOPMENT OF
8 PROPERTY NEAR LANDFILLS.

9 CONSTANTLY WE'RE FINDING THAT THERE'S GAS
10 MIGRATION, LEACHATE PROBLEMS NEAR LANDFILLS. ALMOST
11 ALWAYS IT'S NOT THAT THE LANDFILL IS BUILT NEXT TO, SAY,
12 A RESIDENTIAL AREA, COMMERCIAL PROPERTY, OR WHATEVER, BUT
13 MOST OFTEN THE CONTRARY; THAT IS, THAT THE DEVELOPMENT
14 ENCROACHES UPON THE BOUNDARIES OF LANDFILLS OVER TIME.

15 SO WHAT -- ONE OF THE THINGS THAT WE ASKED FOR
16 IN THIS BILL WAS THAT THERE BE A PROVISION THAT REQUIRES
17 THAT THERE BE NO BUILDING WITHIN 2,000 FEET OF A WASTE
18 FACILITY; AND, LIKEWISE, THAT THERE BE NO WASTE FACILITY
19 BUILT WITHIN 2,000 FEET OF ANY RESIDENTIAL, COMMERCIAL,
20 ETC. TYPE PROPERTY. AND WE DID RECEIVE THAT PROVISION IN
21 THE BILL AT OUR REQUEST, AND IN THAT RESPECT THE AUTHOR
22 WAS COOPERATIVE.

23 NOW, THERE WERE A NUMBER OF OTHER CONCERNS BY
24 THE BOARD AS WELL AS OTHER INTERESTED AND AFFECTED
25 PARTIES. JOELLEN, YOU WANT TO GO THROUGH THOSE?

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1 MS. JACKSON: IT ALSO ALLOWS THE COUNTY TO GRANT A
2 VARIANCE ON DRINKING WATER WELLS DOWN GRADIENT QUARTER
3 MILE FROM A DISPOSAL SITE. I DO WANT YOU TO NOTICE JUST
4 ABOVE THAT ON THE 2,000 FEET THERE IS NOW LANGUAGE WHERE
5 THE REGIONAL BOARD MAY GRANT A VARIANCE FROM THE STATE'S
6 BOARD REGULATIONS CONCERNING THE 2,000 FEET.

7 ALSO, THE BILL REQUIRES ALL NEW OR EXPANDED
8 SITES TO INSTALL CLAY OR SYNTHETIC LINERS, GROUNDWATER
9 MONITORING SYSTEMS, LEACHATE COLLECTION REMOVAL SYSTEMS
10 ACCORDING TO THE WATER BOARD'S REGS, AND ALSO REQUIRES
11 GAS MONITORING SYSTEMS ACCORDING TO OUR REGULATIONS.

12 IT PROHIBITS AN ISSUANCE OF A DISCHARGE PERMIT
13 BY THE WATER BOARD TO ANY LANDFILL USING A GRAVEL OR SAND
14 PIT. AND A VARIANCE TO THIS PROHIBITION WILL BE GRANTED
15 BY THE REGIONAL WATER BOARD AFTER THEY CONSULT WITH THE
16 WASTE BOARD. AND APPLICATIONS FOR THE VARIANCE SHALL PAY
17 A PROCESSING FEE ESTABLISHED BY THE WATER BOARD FOR
18 DIRECT COST OF PROCESSING THE VARIANCE.

19 THE BILL APPROPRIATES \$210,000 OF AB 2448 FOR
20 THREE POSITIONS TO THE WATER BOARD WITH THE PROMISE THAT
21 NEXT YEAR ONE MORE PY WILL BE GIVEN TO THE WATER BOARD
22 AND AN ADDITIONAL \$70,000. THIS IS FUNDING COMING OUT OF
23 2448. THEY'VE GIVEN US ONE PY, THAT'S \$60,000 IN THE
24 BILL AS IT WAS SENT TO THE GOVERNOR.

25 CHAIRMAN GALLAGHER: ANY QUESTIONS? MS. BREMBERG.



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1 BOARD MEMBER BREMBERG: AS I REITERATED, MORE IN
2 THE PAST AND SHALL AGAIN, THAT THIS IS A PRIVATE BILL
3 WHICH WILL SHUT DOWN ONE EXISTING AND PRESENTLY OPERATING
4 LANDFILL FOR 18 MONTHS WHILE NEW REGULATIONS -- I'M
5 ASTONISHED THAT YOU DIDN'T PUT IN THAT NEW REGULATIONS
6 WOULD BE REQUIRED, REINVENTING THE WHEEL, RECHANGING THE
7 WHEEL.

8 THERE IS LAW IN PLACE THAT CAN BE ENFORCED,
9 WHICH IS CLEARLY COVERED IN THE MOUNTJOY BILL, WHICH
10 WOULD ALLOW THE WATER BOARD TO ASSESS THE NECESSITY
11 FOR -- AND THERE'S A CLEAR NEED FOR EVALUATING GRAVEL
12 PITS AS LANDFILLS AND WATER MIGRATION AND SO FORTH -- BUT
13 I TRULY DON'T BELIEVE THAT WE SHOULD ENCOURAGE THE
14 PASSAGE OF BILLS THAT ARE GEARED AND AIMED AT A SPECIFIC
15 LANDFILL BY ANOTHER COMPANY.

16 THIS IS VERY, VERY APPARENTLY AND PATENTLY
17 OBVIOUS AIMED AT ONE COMPANY BY ANOTHER COMPANY, AND I
18 DON'T THINK THAT WE SHOULD BE A PARTY TO INTERNECINE
19 COMMERCIAL WARFARE. THAT'S THEIR PROBLEM. THAT ISN'T
20 OUR PROBLEM. BUT WHY LEND THE STATE'S AUTHORITY ON THE
21 ABILITY FOR ONE COMPANY TO SHUT DOWN SOMEBODY ELSE FOR 18
22 MONTHS WHILE NEW REGULATIONS ARE BEING DEvised?

23 LET THE VARIANCE PROCEDURE UNDER THE MOUNTJOY
24 BILL AND THE EXISTING REGULATIONS GO FORWARD WHILE THE
25 POLICIES ARE BEING SET BY THE REGIONAL WATER QUALITY

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1 BOARDS CONCERNING LANDFILLS NEAR GRAVEL PITS AND THE
2 NEEDS FOR LINERS, DOUBLE LINERS, TRIPLE LINERS, WHATEVER.

3 IF YOU WANT ME TO GET SPECIFIC, IT'S THE AZUSA
4 WESTERN LANDFILL THAT WOULD BE SHUT DOWN IF THE KATZ BILL
5 GOES INTO PLACE BECAUSE OF THE REQUIREMENTS THAT WHEN IT
6 WAS ORIGINALLY PUT IN PLACE MANY YEARS AGO, THOSE THINGS
7 WEREN'T A PART OF THE WHOLE SMEAR AND, OBVIOUSLY, THEY
8 ARE NOW; BUT WHY PENALIZE SOMEONE WHO WAS COMPLYING WITH
9 THE LAW AND SUDDENLY RETROACTIVELY IS NOT COMPLYING WITH
10 THE LAW AND IT WILL DIMINISH THE CAPACITY IN THE SAN
11 GABRIEL VALLEY, WHICH IS ONE OF THE THINGS WE'VE BEEN
12 TALKING ABOUT THIS MORNING.

13 AND I JUST REALLY RESENT BEING ASKED TO BE
14 PARTY TO TWO GIANT CORPORATIONS SLUGGING IT OUT AND USING
15 AN AUTHOR FROM AN AREA THAT DOESN'T USE EITHER ONE OF THE
16 LANDFILLS OR THE COMPANIES INVOLVED TO PENALIZE ONE
17 PERSON AND NOT ANOTHER. NO MATTER HOW IT'S AMENDED, IT'S
18 STILL AN EXTRAORDINARILY VICIOUS PRIVATE BILL.

19 AND I THINK WE OUGHT TO SEND A VETO MESSAGE.
20 THE LEAGUE OF CITIES HAS, OUR DIVISION HAS, THE CITY OF
21 GLENDALE ALREADY HAS, AND THAT'S PERFECTLY ALL RIGHT.
22 YOU KNOW, I'M NOT REPRESENTING THE CITY OF GLENDALE HERE.
23 BUT I AM PART OF THE LEAGUE OF CALIFORNIA CITIES, AND IT
24 HAS NOT BEEN AMENDED TO BE SATISFACTORY. IT IS NOT A
25 STATEWIDE BILL. IT IS A VERY TINY, LOCALIZED BILL THAT

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1 PROBABLY WILL NOT BE, IF IT'S SIGNED, SENT THROUGHOUT THE
2 STATE BECAUSE THERE JUST DON'T HAPPEN TO BE THAT MANY
3 LANDFILLS THAT ARE ANYWHERE NEAR WHAT'S ADDRESSED IN
4 THIS, AND I DON'T SEE WHY YOU HAVE TO REINVENT
5 REGULATIONS THAT ARE ALREADY IN PLACE AND CAN BE
6 MONITORED AND CAN BE ENFORCED. AND I THINK WE OUGHT TO
7 URGE SIGNING OF THE MOUNTJOY BILL; AND, AFTER ALL, HE'S
8 THE MAN REPRESENTING THE AREA AND URGE A VETO ON 3012.

9 CHAIRMAN GALLAGHER: THANK YOU. ANY OTHER
10 QUESTIONS ON THE THING?

11 IF I UNDERSTOOD THE ANALYSIS, WE WERE NEUTRAL
12 AS OF 7-8 AND 8-12. IS THAT STILL OUR CURRENT POSITION,
13 NEUTRAL?

14 MR. EOWAN: WE HAVE NOT CHANGED OUR POSITION SINCE
15 THE LAST BOARD MEETING, BUT THE BILL HAS BEEN AMENDED A
16 NUMBER OF TIMES SINCE THEN. I WANTED TO POINT --

17 CHAIRMAN GALLAGHER: SINCE 8-12?

18 MR. EOWAN: BILL HAS BEEN AMENDED FOUR TIMES SINCE
19 THEN.

20 THERE IS AN ERROR IN THE ANALYSIS ON THE FRONT
21 PAGE. IT SAYS THAT BROWNING FERRIS INDUSTRIES IS
22 NEUTRAL. I WAS INFORMED THAT THEY ARE OPPOSED TO THE
23 BILL, SO THAT SHOULD GO TO OPPOSED. BFI, BROWNING FERRIS
24 INDUSTRIES, IS LISTED NEUTRAL ON THIS. MY UNDERSTANDING
25 IS THEY'RE OPPOSED TO THE BILL UNLESS THERE'S BEEN

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1 SOMETHING THAT'S CHANGED IN THE LAST FEW DAYS.

2 CHAIRMAN GALLAGHER: THE BILL HAS NOT BEEN SIGNED
3 YET?

4 MS. JACKSON: NO, IT HAS NOT, MR. CHAIRMAN.

5 MR. EOWAN: THERE IS ANOTHER CONCERN THAT STAFF HAS
6 RAISED ON THIS, HAVING TO DO WITH SETTING IN STATUTE THE
7 AUTHORITY FOR THE WATER BOARD, I GUESS, MORE CLEARLY
8 SETTING THE STATUTE FOR THE WATER BOARD TO DEVELOP
9 REGULATIONS DEALING WITH WASTE FACILITIES. AND STAFF
10 TAKE ISSUE WITH THAT. THEY THINK THAT THAT IS A
11 REDUNDANT, UNNECESSARY PROVISION FOR TWO REASONS.

12 NO. 1, THE WATER BOARD HAS ALREADY PROMULGATED
13 REGULATION THROUGH SUBCHAPTER 15 THAT ARE INTENDED TO
14 REGULATE LANDFILLS IN TERMS OF WATER QUALITY; AND, NO. 2,
15 THAT THE WASTE BOARD, WASTE MANAGEMENT BOARD, HAS VERY
16 CLEAR AUTHORITY TO DEVELOP REGULATIONS AND STANDARDS FOR
17 WASTE FACILITIES:

18 SO FOR THOSE TWO REASONS, STAFF BELIEVE THAT
19 ADDITIONAL STATUTORY AUTHORITY DOESN'T TAKE US ANYWHERE
20 THAT WE AREN'T ALREADY AND PROBABLY LENDS SOME REDUNDANCY
21 TO IT ALL BECAUSE IT COULD EXPAND THE REGULATORY
22 AUTHORITY OF THE WATER RESOURCES CONTROL BOARD.

23 CHAIRMAN GALLAGHER: IF I UNDERSTOOD YOU CORRECTLY,
24 IT'S MORE APT TO DIMINISH OUR LEAD AGENCY STATUS FOR ALL
25 SOLID WASTE FACILITIES. THAT IN ITSELF MIGHT NOT BE A

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1 DESIRABLE SITUATION.

2 MR. EOWAN: I THINK THE WAY TO LOOK AT IT, THOUGH,
3 ASIDE FROM THAT POINT OF VIEW, IS ARE THE ENVIRONMENTAL
4 AND HEALTH REGULATIONS OF THE WASTE FACILITIES BEING
5 ADEQUATELY ADDRESSED CURRENTLY UNDER STATUE AS IT
6 PERTAINS TO THE PROVISIONS IN A BILL LIKE THIS. AND I
7 THINK THE OVERRIDING OPINION OF THE BOARD -- BOARD STAFF
8 IS THAT, YES, IT IS AND THAT THIS DOESN'T ADD ANY ELEMENT
9 OF ADDITIONAL AUTHORITY TO ANY STATE AGENCIES SO THAT, IN
10 OTHER WORDS, IF YOU REALLY WANTED TO DO THIS KIND OF
11 REGULATION, YOU DON'T HAVE TO ADD ADDITIONAL AUTHORITY TO
12 AN AGENCY.

13 CHAIRMAN GALLAGHER: ANY FURTHER DISCUSSION ON THAT
14 BILL?

15 BOARD MEMBER CALLOWAY: MR. CHAIRMAN, I NOTICE THAT
16 THE LEAGUE OF CALIFORNIA CITIES AND THE COUNTY
17 SUPERVISORS ASSOCIATION, AND L.A. SAN, OPPOSE THIS. I'D
18 LIKE TO HEAR WHAT MR. BROWN HAS TO SAY ABOUT THE
19 SUPERVISORS ASSOCIATION. HAVE YOU HAD ANY CONVERSATION
20 WITH THEM?

21 BOARD MEMBER BROWN: I DON'T KNOW. DO YOU HAVE ANY
22 IDEA, GEORGE? HAVE YOU HAD CONTACTS WITH VIC?

23 MR. EOWAN: I'M SORRY. I CAN'T REMEMBER. I USED
24 TO KNOW THE REASON, BUT I CAN'T THINK OF IT OFF THE TOP
25 OF MY HEAD AT THE MOMENT. JOELLEN, DO YOU KNOW THE

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1 REASON?

2 MS. JACKSON: NO, I DON'T. I CAN FIND OUT FOR YOU.

3 BOARD MEMBER CALLOWAY: I JUST THINK IT'S
4 INTERESTING THAT THOSE TWO, YOU KNOW, GROUPS WHO
5 REPRESENT ALL THE ELECTED OFFICIALS AND THE COUNTIES AND
6 THE CITIES ACROSS THE STATE, I THINK IT'S VERY
7 INTERESTING BOTH OF THEM OPPOSE THIS BILL. SO THEY
8 OBVIOUSLY KNOW SOMETHING THAT'S GOING ON HERE.

9 BOARD MEMBER BREMBERG: MR. CHAIRMAN, THE LEAGUE OF
10 CITIES OPPOSES IT PARTLY BECAUSE IT IS ANOTHER EROSION OF
11 HOME RULE AND SELF-DETERMINATION WITHIN A POLITICAL
12 JURISDICTION. AND I DON'T KNOW IF THAT'S WITH THE
13 COUNTIES. I KNOW THAT THAT'S THE PRIMARY REASON AS FAR
14 AS THE LEAGUE OF CITIES IS CONCERNED AND THE FACT THAT
15 GOVERNMENTAL AGENCIES ARE BEING ASKED TO REMOVE -- BY
16 THIS ACTION TO REMOVE AN EXISTING LANDFILL WHERE THERE'S
17 NO REPLACEMENT AND WOULD IMPACT THE USERS BY INCREASED
18 COST OF TRANSPORTATION AND DISPOSAL AND SO FORTH WHILE
19 REGULATIONS THAT ARE ALREADY IN PLACE AND UNDER WHICH WE
20 ARE ALL FUNCTIONING WOULD BE REWRITTEN TO SAY
21 APPROXIMATELY THE SAME THING AT THE END OF 1990.

22 CHAIRMAN GALLAGHER: READING THE HISTORY OF OUR
23 POSITION, WE HAVE NEVER BEEN IN SUPPORT OF THE BILL.

24 MR. EOWAN: THAT'S CORRECT.

25 CHAIRMAN GALLAGHER: AND I CERTAINLY THINK THAT IN



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1 ITSELF IS A CLEAR INDICATION THAT THIS BOARD HAS NOT BEEN
2 ENCHANTED WITH THIS PARTICULAR BILL, AND IT WOULD SEEM TO
3 ME THAT IT MIGHT BE APPROPRIATE TO ASK THEIR OPINION
4 RIGHT NOW AS TO WHETHER OR NOT WE SHOULD NOT ISSUE A VETO
5 MESSAGE.

6 BOARD MEMBER CALLOWAY: MR. CHAIRMAN, I WOULD, IF
7 YOU DON'T WANT ANY FURTHER DISCUSSION, I WOULD MOVE THAT
8 WE SEND A VETO MESSAGE ON THIS BECAUSE I AGREE WITH MS.
9 BREMBERG. IT IS A VERY SPECIAL INTEREST BILL THAT -- AND
10 IT'S JUST AN AWFUL LOT OF THINGS IN THERE THAT BOTHER ME.
11 WHEN I SEE THE COUNTY SUPERVISORS ASSOCIATION AND THE
12 LEAGUE OF CALIFORNIA CITIES AND PEOPLE LIKE THAT OPPOSING
13 A BILL LIKE THIS, IT BOTHERS ME VERY MUCH, SO I WOULD SO
14 MOVE THAT WE SEND A VETO MESSAGE ON THIS.

15 BOARD MEMBER BREMBERG: SECOND.

16 CHAIRMAN GALLAGHER: WE HAVE A MOTION ON THE FLOOR;
17 IT'S MOVED AND SECONDED THAT WE SEND A VETO MESSAGE ON AB
18 3012. IS THERE ANY FURTHER DISCUSSION? YOU INDICATED
19 LIKE YOU WANTED TO TALK AGAIN ON THE BILL, GEORGE.

20 MR. EOWAN: YEAH, I DO. THE POINT OF THE 2,000
21 FEET IS SIGNIFICANT. MR. VARNER AND I WENT AND SPOKE TO
22 THE AUTHOR ON THE SUBJECT DIRECTLY; AND IF WE DO ISSUE A
23 VETO REQUEST, I THINK WE SHOULD MAKE, LIKE, MR. VARNER
24 AND MYSELF OR OTHER REPRESENTATIVES OF THE BOARD, IF YOU
25 WISH, MAKE AN EFFORT TO DISCUSS WITH THE AUTHOR DIRECTLY



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1 WITH HIM WHAT THE PURPOSE OF OUR CONCERNS AND VETO
2 REQUEST WAS.

3 AND, NO. 2, I BELIEVE WE OUGHT TO TRY AND GET
4 THAT SAME KIND OF PROVISION IN A BILL NEXT YEAR. I THINK
5 IT'S VERY IMPORTANT BECAUSE WE'RE RUNNING INTO PROBLEMS
6 WITH THIS ALL OVER THE STATE.

7 BOARD MEMBER VARNER: YES. WHAT GEORGE IS TALKING
8 ABOUT THERE I WOULD LIKE TO ELABORATE ON A LITTLE BIT
9 MORE. MY PARTICULAR CONCERN IN TALKING WITH HIM IS THE
10 THING THAT'S ALWAYS BOTHERED ME. THEY WRITE THESE
11 REGULATIONS THAT SAY YOU CAN'T BUILD A LANDFILL WITHIN A
12 CERTAIN DISTANCE OF EXISTING HOUSING.

13 I TOLD MR. KATZ, I SAYS, "IN THE 50 YEARS THAT
14 WE'VE BEEN IN BUSINESS, I'VE NEVER EVER SEEN ANYBODY
15 BUILD A LANDFILL OR ATTEMPT TO BUILD ONE IN A RESIDENTIAL
16 AREA. THEY ALWAYS PUT THEM WAY OUT OF TOWN." IF YOU
17 WANT TO PUT SOME LANGUAGE IN THERE I COULD SUPPORT IS TO
18 SAY FOR AREAS THAT SET ASIDE FOR LANDFILLS OR DEDICATED
19 TO IT, YOU CAN'T BUILD ANYTHING WITHIN A CERTAIN DISTANCE
20 OF THE LANDFILL. THAT'S WHAT ALWAYS MADE SENSE TO ME.

21 WHAT HAPPENS YOU HAVE A LANDFILL FIVE OR TEN
22 MILES OUT OF TOWN AND PRETTY SOON SOME DEVELOPERS COME
23 ALONG AND THEY BUILD A HOUSING DEVELOPMENT RIGHT UP
24 ALONGSIDE THE LANDFILL AND THEY WANT THE LANDFILLS
25 CLOSED. THAT WAS MY POSITION ON THAT, AND IT'S ONE THAT

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1 I FELT THERE SHOULD ALWAYS HAVE BEEN LANGUAGE FOR THAT
2 SORT OF THING THAT WAS SET ASIDE AND DEDICATED FOR THAT.
3 IT SHOULD HAVE THAT PURPOSE DEDICATED SOLELY FOR THAT
4 PURPOSE, AND THEN WE WOULDN'T HAVE THE LANDFILL CRISIS
5 THAT WE HAVE TODAY BECAUSE THERE'S AN AWFUL LOT OF LAND
6 THAT'S GEOLOGICALLY SUITABLE FOR LANDFILLS TO TAKE CARE
7 OF ALL OF OUR NEEDS.

8 THE REASON THAT YOU CAN'T HAVE A LOT OF THEM
9 OPERATE IS DEVELOPERS COME ALONG AND BUILD HOUSES AND SO
10 FORTH UP ALONGSIDE OF THEM, AND THEN THEY WANT THE AREAS
11 CLOSED. THEN IT'S HARD TO GET ANOTHER ONE SITED. THAT
12 WAS MY POSITION AND WHY THAT LANGUAGE TO SOME EXTENT WAS
13 PUT INTO THE BILL. AND I HAVE NO -- I HEAR WHAT IS BEING
14 SAID BY THE REST OF THE BOARD AND I HAVE NO PARTICULAR
15 FEELING THAT YOU ARE NOT CORRECT; BUT. IN THAT
16 PARTICULAR INSTANCE, IF WE DON'T HAVE THIS BILL, WE
17 SHOULD GET SOME LANGUAGE SOMEWHERE THAT STARTS TO PROTECT
18 AREAS FOR EVERYBODY'S WELFARE.

19 BOARD MEMBER CALLOWAY: I THINK YOU ARE ABSOLUTELY
20 RIGHT, MR. CHAIRMAN, AND I AGREE WITH GEORGE THAT WE
21 SHOULD CONSULT WITH THE AUTHOR, TELL HIM WHY -- THE
22 REASONS THAT WE DON'T LIKE THIS BILL, BUT WE WOULD
23 CERTAINLY LIKE TO WORK WITH HIM NEXT YEAR AND NEXT
24 SESSION AND COME UP WITH SOME REGS AND TELL HIM WHY WE
25 NEED THESE REGS TO DO THE JOB PROPERLY AS MR. VARNER JUST



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1 OUTLINED.

2 CHAIRMAN GALLAGHER: MS. JACKSON, YOU WANTED TO
3 MAKE A COMMENT.

4 MS. JACKSON: YES. I UNDERSTAND THE BOARD'S DESIRE
5 TO SEND A VETO MESSAGE TO THE GOVERNOR ON AB 3012;
6 HOWEVER, I WANT TO REMIND YOU THAT THE AUTHOR'S OFFICE
7 WORKED DILIGENTLY WITH US ON THIS BILL, AND WE ARE NOT
8 REQUIRED TO TAKE ANY ACTION ON THIS BILL AT ALL. WE
9 REALLY DO HAVE TWO OPTIONS. WE CAN DO NOTHING OR WE CAN
10 SEND A VETO MESSAGE.

11 BOARD MEMBER BREMBERG: I REALLY THINK THAT WE
12 SHOULD COMMEND MR. KATZ FOR LISTENING ON OUR CONCERNS;
13 AND IF HE REALLY WANTS TO GET A GOLD STAR IN HIS CROWN,
14 HE SHOULD INTRODUCE A BILL THAT IS A SINGLE-ISSUE BILL
15 THAT DEALS WITH DEVELOPMENT CLOSE TO LANDFILLS AND SO
16 FORTH AND SO ON INSTEAD OF TRYING TO MAKE A VERY
17 UNPALATABLE AND REALLY ROTTEN BILL ACCEPTABLE BY THROWING
18 IN THE ISSUE OF DEVELOPMENT CLOSE TO LANDFILLS. AND MR.
19 KATZ IS A BIG BOY NOW, AND HE KNOWS EXACTLY WHAT HE'S
20 DOING, AND I THINK HE DESERVES A BIG ROUND OF APPLAUSE
21 AND A HEARTY THANK YOU AND A FRIENDLY SMILE FOR PUTTING
22 THAT AMENDMENT IN, BUT HE DID NOT TAKE OUT THE PART OF
23 BILL THAT IS REALLY DESTRUCTIVE.

24 CHAIRMAN GALLAGHER: MR. MOSCONE.

25 BOARD MEMBER MOSCONE: I HAD THOUGHT THAT THIS BILL



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1 HAD BEEN AMENDED DOWN TO 1,000 FEET.

2 MR. EOWAN: I THINK --

3 MS. JACKSON: 2,000 FEET, MR. MOSCONE.

4 BOARD MEMBER MOSCONE: NO. WASN'T THAT ORIGINALLY,
5 AND I HAD UNDERSTOOD THAT THE AUTHOR HAD REDUCED IT TO A
6 THOUSAND.

7 MR. EOWAN: I THINK IT WAS A THOUSAND.

8 MS. JACKSON: IT WAS A THOUSAND AND THEN IT WAS
9 INCREASED TO TWO.

10 BOARD MEMBER MOSCONE: ALL OF THE OTHER REQUIRING
11 ADOPT REGULATIONS FOR NEW BE EQUIPPED WITH GAS MONITORING
12 SYSTEMS AND GAS MIGRATION AND ALL OF THAT AND INSTALLING
13 CLAY OR SYNTHETIC LINERS, AREN'T WE FACED WITH THAT RIGHT
14 NOW? AREN'T WE GOING TO BE?

15 MR. EOWAN: YES.

16 BOARD MEMBER MOSCONE: WHY DO WE NEED IT IN THIS
17 BILL?

18 MR. EOWAN: THAT'S EXACTLY THE POINT.

19 BOARD MEMBER CALLOWAY: THAT'S THE POINT. THAT'S
20 EXACTLY WHY WE'RE SAYING VETO IT, THAT WE DON'T NEED IT,
21 IN THIS BILL. FROM EVERYTHING I CAN HEAR, I THINK HE'S
22 BEEN A VERY COOPERATIVE AUTHOR TO WORK WITH, AND THAT'S
23 GREAT AND WE NEED MORE LIKE THAT. I DON'T WANT TO HURT
24 THE GUY OR ANYTHING LIKE THAT. THAT'S NOT THE IDEA OF
25 IT, BUT TELL HIM THAT WE WILL WORK WITH HIM IN THE NEXT



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1 SESSION.

2 MS. JACKSON: I'M JUST SAYING, MR. CALLOWAY, WE
3 HAVE A CHOICE TO DO NOTHING IF WE CHOOSE TO DO THAT.

4 BOARD MEMBER CALLOWAY: I DON'T THINK --

5 MS. JACKSON: BECAUSE IT WAS DEFERRED TO WATER
6 BOARD BY AGENCY.

7 BOARD MEMBER CALLOWAY: WELL, I'M NOT SURE
8 THAT'S -- I THINK SO MANY TIMES, YOU KNOW, YOU WANT TO BE
9 NEUTRAL OR SOMETHING, AND BEING NEUTRAL IS LIKE SAYING
10 "HEY, I DON'T HAVE THE BACKBONE TO STAND UP AND SAY
11 WHAT'S ON MY MIND." YOU KNOW. AND I'M NOT SURE THAT'S
12 RIGHT, AND MAYBE HE'LL GET THE WRONG IMPRESSION IF WE
13 JUST REMAIN NEUTRAL.

14 MS. JACKSON: IF WE CHOSE TO REMAIN NEUTRAL, WE
15 COULD FOLLOW UP WITH LETTER TO MR. KATZ AND LET HIM KNOW
16 WHAT OUR POSITION IS AS WELL AS THANK HIM AND HIS STAFF
17 FOR THE WORK THEY'VE DONE WITH US AND LET HIM KNOW HOW
18 SIGNIFICANT WE BELIEVE THE 2,000 FOOT VARIANCE IS.

19 BOARD MEMBER CALLOWAY: MR. CHAIRMAN AND JOELLEN, I
20 REALLY HAVE SOME PROBLEMS WITH THAT BECAUSE I AM A LOCAL
21 ELECTED OFFICIAL AND HAVE BEEN FOR MANY YEARS, AND I'M
22 SORRY, BUT I JUST DON'T LIKE TO SEE BIG DADDY STATE
23 GOVERNMENT SAYING, "HEY, YOU CAN'T, YOU KNOW, DO THESE
24 THINGS." IN OTHER WORDS, THEY'RE GETTING INTO ZONING.
25 IF THEY CAN DO THIS TODAY, TOMORROW THEY CAN GET INTO

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1 ZONING. AND THE NEXT THING YOU KNOW YOU DON'T HAVE LOCAL
2 GOVERNMENT, AND I BELIEVE THIS IS WHY THE CSAC AND THE
3 LEAGUE HAS OPPOSED THIS BECAUSE YOU ARE GETTING ON LOCAL
4 GOVERNMENT'S TURF. AND I THINK THAT'S AN AWFUL DANGEROUS
5 PLACE TO BE. I JUST --

6 MS. JACKSON: WHATEVER THE BOARD'S WISHES ARE.

7 BOARD MEMBER CALLOWAY: I'D LIKE TO SIT DOWN AND
8 TALK TO THE AUTHOR ABOUT IT, AND I CERTAINLY THINK HE
9 SHOULD BE AWARE OF THIS, THAT WHAT HE'S TRYING TO DO IS
10 NOT VERY POPULAR THING HERE.

11 BOARD MEMBER VARNER: MR. CHAIRMAN, THE THING OF IT
12 IS THAT I WOULD LIKE TO SAY THAT IF WE'RE GOING TO TAKE A
13 VETO POSITION, IT SHOULD BE A VETO POSITION BECAUSE OF
14 OPPOSITION AT THE CALIFORNIA WASTE MANAGEMENT BOARD IN
15 OUR OFFICIAL CAPACITY HERE. I DON'T THINK THAT IT'S
16 NECESSARY FOR US TO DEFEND THE LEAGUE OF CITIES OR THE
17 COUNTY SUPERVISORS ASSOCIATION BECAUSE I THINK THEY'RE
18 VERY CAPABLE OF STATING THEIR OWN POSITIONS.

19 I UNDERSTAND WHAT YOU ARE SAYING; BUT IF WE'RE
20 GOING TO ISSUE A VETO MESSAGE, IT SHOULD BE FROM ONE --
21 FROM THE CALIFORNIA WASTE MANAGEMENT BOARD BECAUSE OF
22 PROBLEMS THAT WE HAVE WITH IT AS A BOARD. I THINK IF WE
23 DON'T DO THAT, WE MAY BE INVITING TROUBLE WE DON'T NEED.
24 AT LEAST THAT'S SOMETHING TO THINK ABOUT.

25 CHAIRMAN GALLAGHER: THANK YOU. MAY I ASK A



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1 QUESTION OF MS. JACKSON? WHAT HAS BEEN THE POSITION OF
2 THE WATER BOARD AND THE AGENCY? ARE THEY SUPPORTING THE
3 BILL?

4 MS. JACKSON: THE WATER BOARD INITIALLY WAS OPPOSED
5 TO THIS BILL. THEY TOOK A NO POSITION ON THE BILL, AND
6 CURRENTLY THEY HAVE SIGNED AN ENROLLED BILL REPORT.
7 THEY'RE REQUESTING THAT THE BILL BE SIGNED INTO LAW
8 BECAUSE THE AUTHOR'S OFFICE HAS MET ALL OF THEIR
9 CONCERNS.

10 CHAIRMAN GALLAGHER: IT'S NOT IMPORTANT NECESSARILY
11 THAT WE ALWAYS AGREE WITH WATER BOARD, BUT IT IS
12 INTERESTING TO NOTE THAT WE'LL HAVE TWO BOARDS FROM THE
13 SAME AGENCY RECOMMENDING OPPOSITE POSITIONS. THE WATER
14 BOARD RECOMMENDING APPROVAL, OUR RECOMMENDING VETO. AND
15 I ONLY BRING THAT UP SO THAT EVERYBODY IS KNOWLEDGEABLE
16 OF THAT AS WE GO FORWARD.

17 MR. VARNER.

18 BOARD MEMBER VARNER: MR. CHAIRMAN, AS I THINK
19 ABOUT IT, THERE'S BEEN SOME GOOD POINTS MADE OUT THAT
20 THERE'S A LOT OF THINGS IN THIS BILL THAT ARE REDUNDANT.
21 THIS IS A POINT THAT GEORGE MADE THAT -- AND WE COULD --
22 I THINK THERE ARE SOME THINGS THAT WE AS A BOARD COULD BE
23 IN OPPOSITION TO IT BECAUSE OF THE REDUNDANCY OF IT, THE
24 FACT THAT IT MAY WEAKEN OUR AUTHORITY. DOES IT REALLY DO
25 ANYTHING OR STRENGTHEN LAWS THAT AREN'T ALREADY ON THE

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1 BOOKS? THERE'S SOME POSITIONS THAT WE COULD TAKE.

2 I JUST WAS POINTING OUT I DON'T THINK THAT WE
3 SHOULD TAKE A POSITION -- A VETO POSITION BECAUSE OF SOME
4 OF THESE OTHER THINGS. THE SAME WAY, I REPRESENT PRIVATE
5 INDUSTRY, BUT I DON'T THINK THE BOARD WOULD EVER TAKE THE
6 POSITION HERE THAT WE OUGHT TO VETO SOMETHING BECAUSE OF
7 PRIVATE INDUSTRIES' OPPOSITION TO IT.

8 NOW, PRIVATE INDUSTRY, PUBLIC INPUT AND SO
9 FORTH CERTAINLY ARE A CONCERN OF ALL OF US AND NEEDS TO
10 BE TAKEN OVERALL WITH THE EQUATION, BUT I THINK AS A
11 BOARD WHATEVER POSITION WE TAKE, IT SHOULD BE TAKEN FROM
12 THE STANDPOINT OF HOW IT AFFECTS THIS BOARD. AND THERE
13 ARE SOME THINGS IN IT THAT WE COULD TAKE OPPOSITION TO.

14 BOARD MEMBER CALLOWAY: THAT'S OKAY WITH ME. MR.
15 CHAIRMAN, THAT WOULD BE PERFECTLY OKAY WITH ME BECAUSE I
16 AGREE THERE'S ENOUGH IN IT. I'M JUST SAYING, SKEET, I
17 HAVE A LITTLE PROBLEM WITH THIS, AND I STILL LIKE TO
18 PROTECT HOME RULE BECAUSE I DON'T THINK YOU WOULD WANT
19 BIG GOVERNMENT MOVING IN NEXT DOOR TO YOU AND SAYING,
20 "HEY, WE'RE GOING TO BUILD THIS WHETHER YOU LIKE IT OR
21 NOT, WHETHER YOUR CITY COUNCIL AND YOUR SUPERVISORS
22 DON'T." AND THAT'S -- I JUST WANTED TO POINT THAT OUT,
23 THAT IT IS TWO ORGANIZATIONS HERE THAT ARE WELL-RESPECTED
24 AND THEY ARE OPPOSED TO THIS BILL.

25 BOARD MEMBER VARNER: I AGREE.



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1 BOARD MEMBER CALLOWAY: I DON'T THINK YOU CAN
2 OVERLOOK THAT.

3 BOARD MEMBER VARNER: I AGREE WITH YOU THERE ON ALL
4 OF THOSE ISSUES; BUT, NATURALLY, I THINK THERE NEEDS TO
5 BE A DISTINCTION BETWEEN THOSE ENTITIES AND OURS BECAUSE
6 THERE WILL BE TIMES WHEN WE DON'T ALWAYS AGREE WITH THEM
7 EITHER.

8 BOARD MEMBER CALLOWAY: THAT'S RIGHT, VERY TRUE.

9 CHAIRMAN GALLAGHER: MS. BREMBERG.

10 BOARD MEMBER BREMBERG: I WAS GOING TO SAY THAT
11 JUST BECAUSE THE WATER BOARD HAD THEIR WHIMS AND DESIRES.
12 AND RECEIVED SOME MONEY AND THEY ASSUMED A SUPPORT
13 POSITION, THEY'RE NOT TERRIBLY INTERESTED IN HOME RULE.
14 AND I MEAN THEY'RE INTERESTED IN FURTHERING THEIR OWN --
15 FEATHERING THEIR OWN NEST, FURTHERING THEIR OWN GOALS,
16 AND EXPANDING THEIR EMPIRE. AND I'M INTERESTED IN THE
17 ABILITY OF LOCAL GOVERNMENT TO MAKE DECISIONS AT THE
18 LOCAL LEVEL.

19 CHAIRMAN GALLAGHER: IS THERE ANY OTHER DISCUSSION
20 ON THIS ISSUE? WE HAVE A MOTION ON THE FLOOR, WHICH IS
21 TO SEND A VETO MESSAGE TO THE GOVERNOR. WE HAVE BEEN
22 ASKED TO INCLUDE A VISIT TO THE AUTHOR TO EXPLAIN TO HIM
23 WHY OUR OPPOSITION, AND IT'S BEEN, I THINK, GRAPHICALLY
24 POINTED OUT THAT THERE ARE SOME REASONS WHY THIS BOARD AS
25 A BOARD COULD BE IN OPPOSITION TO THE BILL. WILL THE



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1 MAKER OF THE MOTION AGREE WITH THAT PROVISIO?

2 BOARD MEMBER CALLOWAY: YES, I WOULD AGREE THAT WE
3 CERTAINLY SIT DOWN WITH THE AUTHOR AND EXPLAIN TO HIM WHY
4 WE'RE DOING THIS AND THANK HIM FOR HIS COOPERATION AND
5 TELL HIM THAT THIS BOARD CERTAINLY APPRECIATES HIS
6 COOPERATION THAT HE'S GIVEN US ON THIS BILL. THAT IT'S
7 BEEN GOOD TO WORK WITH HIM, AND WE HOPE WE CAN WORK WITH
8 HIM ON THE NEXT SESSION AND GET A BETTER BILL.

9 CHAIRMAN GALLAGHER: ALL THOSE IN FAVOR OF THAT
10 POSITION SAY AYE. OPPOSED? CARRIED; SO ORDERED.

11 MR. EOWAN: I THINK YOU WANT TO THEN TAKE A LOOK AT
12 ITEM NO. 11, AB 3804.

13 MS. JACKSON: AB 3804, AS YOU RECALL, THREE OR FOUR
14 MONTHS AGO AGENCY ASKED US DEFER TO THE WATER BOARD ON
15 THIS BILL. YOU DO HAVE A BILL ANALYSIS. THAT'S THE
16 APRIL 18TH VERSION, AND WHAT WE'VE DONE IS GIVEN YOU AN
17 AUGUST 9TH UPDATE ON THE LAST VERSION OF THE BILL.

18 THIS BILL, AS MS. BREMBERG HAS MENTIONED, IS
19 ENROLLED TO THE GOVERNOR. AND I'D LIKE TO JUST GO OVER A
20 COUPLE OF THE CHANGES WITH YOU ON THE AUGUST 9TH VERSION
21 OF THE BILL.

22 THE FIRST THING IS THAT ORIGINAL WATER BOARD
23 CAN ISSUE A VARIANCE AND WASTE DISCHARGE REQUIREMENTS AT
24 THE SAME TIME. ALSO, VARIANCES WILL BE ALLOWED ONLY IF
25 IT IS DETERMINED THAT A SITE WILL NOT IMPAIR WATER

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1 QUALITY DURING OPERATION OR POSTCLOSURE, THE POSTCLOSURE
2 PERIOD.

3 AND WHAT THE BILL STILL DOES IS IT PROHIBITS
4 THE REGIONAL WATER BOARD FROM ISSUING THE PERMIT TO
5 LANDFILLS CITED IN GRAVEL OR SAND PITS.

6 BOARD MEMBER BREMBERG: MR. CHAIRMAN, I WOULD MOVE
7 THAT WE SEND A PLEASE SIGN THIS BILL MESSAGE TO THE
8 GOVERNOR ON 3804, ASSEMBLYMAN MOUNTJOY.

9 CHAIRMAN GALLAGHER: I DON'T SEE ANY HISTORY OF OUR
10 POSITION ON IT.

11 MR. EOWAN: WE TRACKED THIS BILL AND NOT TAKEN A
12 POSITION?

13 MS. JACKSON: NO, WE HAVE NOT. WE DEFERRED SEVERAL
14 MONTHS AGO TO THE WATER BOARD BY REQUEST OF AGENCY, AND
15 AT THAT TIME WE DID NOT HAVE A POSITION ON THIS BILL. WE
16 WERE TRACKING.

17 CHAIRMAN GALLAGHER: YOU HEAVE HEARD MS. BREMBERG'S
18 MOTION. IS THERE A SECOND?

19 BOARD MEMBER VARNER: MR. CHAIRMAN, BEFORE THE --
20 THAT, THERE'S A COUPLE OF QUESTIONS I'D LIKE TO ASK. I
21 HAVEN'T READ THE BILL LATELY, BUT I KNOW THAT SOME OF THE
22 ORIGINAL VERSIONS OF THIS BILL HAD SOME THINGS LIKE 50
23 FEET. HAVE SOME OF THOSE THINGS BEEN TAKEN OUT?

24 BOARD MEMBER BREMBERG: I THINK SO.

25 MS. JACKSON: YES.



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1 BOARD MEMBER VARNER: THERE IS -- THE ORIGINAL
2 VERSION OF THE BILL HAS SOME THINGS IN IT THAT WERE BAD,
3 AND I JUST MAKE SURE BEFORE I VOTED ON IT THAT SOME OF
4 THESE THINGS THAT WERE REALLY BAD WERE TAKEN OUT OF IT
5 BECAUSE IT HAD SOME THINGS IN IT THAT WERE UNWORKABLE IN
6 THE ORIGINAL VERSION.

7 MR. CONHEIM: MR. CHAIRMAN, THE ORIGINAL BILL THAT
8 MR. VARNER IS TALKING ABOUT HAS BEEN DELETED, AND THE
9 LANGUAGE ANALYZED NOW HAS BEEN SUBSTITUTED, SO NONE OF
10 THAT 50 FOOT STUFF -- IT DIDN'T SURVIVE PAST COUPLE
11 MONTHS, THE FIRST HEARING.

12 BOARD MEMBER VARNER: THAT'S ALL I WANTED TO MAKE
13 SURE OF.

14 CHAIRMAN GALLAGHER: DO I HAVE A SECOND?

15 MR. EOWAN: YOU KNOW, IF I MAY, I DIDN'T MEAN TO
16 INTERRUPT THE PROCESS.

17 CHAIRMAN GALLAGHER: IT'S BEEN MOVED AND SECONDED.
18 IS THERE ANY FURTHER DISCUSSION ON THE BILL BEFORE WE
19 VOTE?

20 MR. EOWAN: IF THERE WAS A BILL BETWEEN THE TWO
21 THAT WE SHOULD DEFER ON, THIS WOULD BE THE ONE, I WOULD
22 THINK, BECAUSE IT MORE DIRECTLY AFFECTS THE WATER BOARD'S
23 JURISDICTION, AND IT DOES NOT CREATE AN OVERLAP OR
24 DUPLICATION THAT I CAN SEE IN READING THE BILL. MAYBE
25 I'M WRONG. I DON'T SEE THAT. THIS WOULD BE A GOOD ONE

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1 TO DEFER ON FOR THOSE REASONS.

2 CHAIRMAN GALLAGHER: ANY FURTHER DISCUSSION?

3 BOARD MEMBER CALLOWAY: TO MR. EOWAN, YOU SEE
4 SOMETHING WRONG WITH SUPPORTING IT THEN? YOU SAY IT'S A
5 WATER BOARD BILL BASICALLY, SO THERE ISN'T ANYTHING WRONG
6 WITH SUPPORTING IT? WE'RE SUPPORTING WATER BOARD ON IT?

7 MR. EOWAN: THAT'S RIGHT. THIS IS JUST A BILL THAT
8 I BROUGHT UP FOR YOUR INFORMATION BECAUSE I THOUGHT IT
9 WAS IMPORTANT TO BRING UP 3012; AND, THEREFORE, YOU
10 SHOULD KNOW ALL THE OTHER BILLS AROUND THAT ARE
11 ADDRESSING THE SAME ISSUES.

12 AGENCY HAS NOT ASKED FOR US AND I THINK IN
13 THIS CASE RIGHTFULLY SO. AND THE OTHER BILL, WHILE IT'S
14 A MUCH DIFFERENT KIND OF BILL, CLEARLY MOVES INTO OUR
15 STATUTORY AREA. THIS ONE DOESN'T. AND SO IF YOU WANT TO
16 SUPPORT IT, THAT'S CERTAINLY A PREROGATIVE. I WOULD NOT
17 RECOMMEND THAT YOU SUPPORT IT. I WOULD RECOMMEND THAT
18 YOU DEFER IT.

19 BOARD MEMBER BREMBERG: MR. CHAIRMAN, WOULD YOU
20 RATHER THAT I CHANGE THE MOTION TO ONE OF DEFERRING TO
21 THE SUPPORT THE POSITION OF THE WATER BOARD? I REALLY
22 DON'T CARE. I THINK THAT IT'S VERY OBVIOUSLY A BILL THAT
23 IF EITHER IS GOING TO BE SIGNED, SHOULD BE SIGNED. AND
24 WHETHER OR NOT WE HAVE A POSITION OR NOT, IT MATTERS NOT
25 TO ME HOW THE MOTION IS WORDED, WHETHER WE DEFER TO THEIR



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1 SUPPORT POSITION OR WHETHER WE URGE SIGNING.

2 BOARD MEMBER CALLOWAY: I WOULD AGREE TO THAT. I
3 MEAN, IF YOU WANT GO AHEAD AND DO THAT, THAT'S FINE WITH
4 ME.

5 BOARD MEMBER BREMBERG: I MOVE, THEN, THAT THE
6 WASTE BOARD DEFER TO THE WATER BOARD'S POSITION ON THIS
7 BILL NO. AB 3804 BY ASSEMBLYMEMBER MOUNTJOY.

8 BOARD MEMBER CALLOWAY: SECOND.

9 CHAIRMAN GALLAGHER: AND WE HAVE A MOTION AMENDED
10 AND SECONDED. ALL THOSE IN FAVOR? OPPOSED? PASSED AND
11 SO ORDERED.

12 MR. EOWAN: NOW, IT'S YOUR PREROGATIVE AT THIS
13 POINT. WE CAN GO THROUGH THIS ENTIRE PACKET AT THIS
14 TIME, NOT GO THROUGH IT, GO THROUGH IT AT A LATER TIME.
15 THIS IS PRIMARILY AT THIS POINT FOR YOUR INFORMATION, SO
16 IT DOESN'T REQUIRE ANY ACTION BECAUSE WE'VE ALREADY SENT
17 THE EBR TO AGENCY ON THE REST OF THE ITEMS IN YOUR
18 PACKET.

19 CHAIRMAN GALLAGHER: IT MIGHT BE PRUDENT IF WE WENT
20 AHEAD WITH FURTHER WORK ON THE REST OF THE AGENDA. AND,
21 THEN AGAIN, IF WE HAVE THE TIME TOMORROW TO COMPLETE THE
22 THING, THOSE ARE THE URGENCIES THAT YOU SAW.

23 MR. EOWAN: YES.

24 BOARD MEMBER CALLOWAY: MR. CHAIRMAN, I'D LIKE TO
25 THANK MS. JACKSON.



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1 CHAIRMAN GALLAGHER: THANK YOU, MS. JACKSON.

2 BOARD MEMBER CALLOWAY: BEFORE THEY LEAVE AND TO
3 GIVE THEM SOME TIME TO WORK ON THE SUGGESTION FOR
4 TOMORROW ON 3298 I WOULD LIKE TO SEE US DO, AND I ASSUME
5 WE'RE GOING TO TAKE A VETO POSITION ON THIS.

6 MS. JACKSON: THAT'S CORRECT, MR. CALLOWAY.

7 BOARD MEMBER CALLOWAY: I CERTAINLY HOPE SO, BUT I
8 WOULD LIKE TO SEE US SPELL OUT OUR REASONS FOR THIS. IN
9 OTHER WORDS, GIVE THE GOVERNOR OUR REASONS WHY WE'RE
10 DOING IT AND LAY OUT TO THE GOVERNOR AND EVERYBODY ELSE
11 HOW -- THAT THIS BOARD IN ITS CAREER OF RECYCLING, ITS
12 HISTORY OF RECYCLING AND SO FORTH, AND DOC HAS NEVER
13 RECYCLED ANYTHING. I THINK YOU'VE GOT TO MAKE THESE
14 COMPARISONS BECAUSE IF WE DON'T MAKE THEM, WE CAN'T
15 EXPECT SOMEBODY ELSE TO MAKE THEM FOR US.

16 SO IF YOU ARE SITTING OVER THERE IN THE
17 GOVERNOR'S POSITION AND YOU EXPECT HIM TO SIGN IT OR VETO
18 IT, YOU'VE GOT TO GIVE HIM REASONS TO DO IT. I THINK WE
19 SHOULD WRITE A VERY STRONG MESSAGE AND TOOT OUR HORN A
20 LITTLE BIT HERE AS TO WHY WE'RE DOING IT. WE'RE NOT
21 OPPOSED TO RECYCLING, BUT WE'RE OPPOSED TO THIS BILL
22 SIMPLY BECAUSE IT IS DILUTING THE AUTHORITY OF THIS
23 BOARD. THIS AUTHORITY IS CHARGED BY STATE LAW WITH
24 RECYCLING IN THIS STATE, AND THIS IS DILUTING THEIR
25 AUTHORITY, AND WE OBJECT TO THAT. AND I THINK RIGHTLY



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1 SO. AND SO THOSE ARE THE WORDS THAT I WOULD LIKE TO PASS
2 ON TO THE GOVERNOR. THANK YOU.

3 CHAIRMAN GALLAGHER: LET ME ASK A QUESTION OF MR.
4 EOWAN. IS IT POSSIBLE THAT YOU COULD HAVE A VETO MESSAGE
5 DRAWN BY TOMORROW SOMETIME SO THAT WE WOULD HAVE
6 SOMETHING TO DISCUSS?

7 MS. JACKSON: ON AB 3298? IT'S DRAWN UP ALREADY,
8 MR. CHAIRMAN. IN FACT, THE BILL ANALYSIS THAT IS IN YOUR
9 BINDER IS THE FIRST BILL ANALYSIS YOU HAVE SEEN ON THIS
10 BILL IN MONTHS. STAFF PREPARED THIS BILL ANALYSIS. AS
11 YOU CAN SEE, PROBABLY SEE IF YOU WANT TO TURN TO ITEM NO.
12 7, PAGE 3 OF THE BILL ANALYSIS, I WILL BE VERY HAPPY TO
13 GO OVER ALL THE STAFF COMMENTS.

14 AND THE STAFF COMMENTS INDICATE WHY THIS BILL
15 SHOULD NOT BE SIGNED INTO LAW, THAT IT IS DUPLICATIVE AND
16 IT REDUCES LOCAL GOVERNMENT AUTHORITY, ETC. AT THE END
17 OF THAT, WE HAVE GIVEN YOU A VETO MESSAGE THAT WE'D LIKE
18 TO SEND TO THE GOVERNOR AND TO AGENCY ON AB 3298.

19 MR. EOWAN: IN LIGHT OF WHAT MR. CALLOWAY IS
20 SAYING, IT DOESN'T ADDRESS SOME OF THE POINTS HE WAS
21 MAKING. AND SO TAKING YOUR LEAD THAT YOU OUTLINED A
22 MINUTE AGO, WE CAN GO AHEAD AND TAKE A LOOK AT THIS
23 TOMORROW AND TRY AND ADJUST TO WHAT YOU SAID AND LOOK AT
24 IT TOMORROW.

25 BOARD MEMBER CALLOWAY: I WOULD APPRECIATE THAT



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1 BECAUSE I AM JUST SICK AND TIRED OF HEARING PEOPLE
2 BROWBEAT THIS BOARD FOR THE FACT THAT THEY'VE NEVER DONE
3 ANYTHING ABOUT RECYCLING. I THINK IT'S ABSOLUTELY
4 STUPID, AND WE ARE LETTING OUR OPPOSITION GET AWAY WITH
5 IT. AND I DON'T THINK WE SHOULD, AND I THINK IT'S TIME
6 TO STAND UP AND BE COUNTED AND LET PEOPLE KNOW WHAT WE'RE
7 DOING. AND I THINK HERE'S AN OPPORTUNITY TO DO IT.

8 MS. JACKSON: MR. CALLOWAY, WE WILL DISCUSS IT
9 TOMORROW AT THE BOARD'S PLEASURE.

10 BOARD MEMBER BREMBERG: MR. CHAIRMAN. ONE THING I
11 THINK YOU OUGHT TO CONSIDER ON YOUR BILL ANALYSIS NO. 2
12 ON PAGE 3, THE BILL PREMATURELY MANDATES STATE RECYCLING
13 POLICY. ONE THING YOU HAVEN'T MENTIONED IN THERE IS THE
14 FACT THT IT IS A TOTALLY UNENFORCEABLE PROVISION AT ANY
15 LEVEL AND THAT -- TO HECK WITH BENEFIT OF TASK FORCE
16 DELIBERATIONS. THAT'S FINE TO TOSS IN AND MOTHERHOOD AND
17 APPLE PIE, BUT POINT OUT THERE ISN'T ENOUGH MONEY IN THE
18 WORLD TO HIRE AN INSPECTOR FOR EVERY HOME TO GO THROUGH
19 EVERYBODY'S TRASH BASKET AND FIND IF THEY HAVE A PEPSI
20 COLA CAN AND TURN THEM IN FOR ROAD WORK AS A MISDEMEANOR
21 OR SOMETHING. THIS MANDATING STATEWIDE IS ABSOLUTELY
22 ABSURD, AND I THINK THAT THAT OUGHT TO BE CONSIDERED AS
23 PART OF IT. YOU ARE PLACING A TOTALLY UNENFORCEABLE --
24 ANOTHER TOTALLY UNENFORCEABLE LAW ON THE BOOKS IF THIS IS
25 SIGNED IN ITS PRESENT FORM.

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1 CHAIRMAN GALLAGHER: MR. MOSCONE.

2 BOARD MEMBER MOSCONE: IN THIS VETO MESSAGE, THE
3 LAST SENTENCE IN THE SECOND PARAGRAPH, YOU ARE TALKING
4 ABOUT A JOINT PROPOSAL FROM THE SENATE'S TASK FORCE ON
5 SOLID WASTE MANAGEMENT SHOULD FORM THE BASIS FOR ANY
6 FURTHER LEGISLATION ON THIS SUBJECT. WHAT THE HELL CAN
7 WE EXPECT FROM THAT GROUP?

8 BOARD MEMBER VARNER: A WHOLE LOT OF DISCUSSION IF
9 YOU SIT IN ON TWO OR THREE MEETINGS.

10 BOARD MEMBER MOSCONE: DO WE EVEN STAND A CHANCE OF
11 BEING ALLOWED TO GIVE AN EXPLANATION OF WHY WE WOULD
12 FAVOR SOMETHING THAT WE WOULD WANT? ALL I'M THINKING
13 ABOUT, ALL OF THESE PEOPLE, IT STRIKES ME ARE JUST
14 LOOKING TO SEE WHERE THE VOTES ARE IN THEIR OWN
15 DISTRICTS.

16 CHAIRMAN GALLAGHER: MR. VARNER.

17 BOARD MEMBER VARNER: MR. CHAIRMAN, WELL, I HAVE
18 SOME PROBLEMS WITH LOCKING OURSELVES IN TO GETTING
19 TOGETHER WITH CONSERVATION TO COME UP WITH SOMETHING.
20 I'M NOT TOO SURE THAT WE OUGHT NOT TO JUST SAY THAT WE'LL
21 DILIGENTLY WORK ON THE THING TO COME UP WITH PROPER
22 RECOMMENDATIONS FROM THIS BOARD.

23 MS. JACKSON: THIS WAS LANGUAGE, MR. VARNER, THAT
24 AGENCY REQUESTED WE PUT IN THE VETO MESSAGE.

25 BOARD MEMBER VARNER: YEAH, WELL, I UNDERSTAND



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1 THAT, BUT I DON'T KNOW THAT I AGREE WITH IT EITHER. BUT,
2 ANYWAY, IN JOHN'S TALK -- QUESTION ABOUT THE SENATE TASK
3 FORCE, OF WHICH I HAVE BEEN ASKED TO MONITOR BY THE
4 PEOPLE THAT ARE PUTTING IT ON, BUT ALSO THE CHAIRMAN OF
5 THE BOARD, WHICH WILL BE MR. JOHN GALLAGHER, WILL BE
6 SITTING IN AS A MEMBER OF THAT TASK FORCE. AND I'M SURE
7 THAT JOHN WILL EXPRESS OUR VIEWPOINTS VERY SUBSTANTIALLY.

8 AS TO WHAT COMES OUT OF THIS THING, WHO KNOWS.
9 IT'S QUITE A LARGE GROUP, SOME 30 PEOPLE, AND SO MOST OF
10 THEM HAVE THEIR POSITIONS ALREADY STAKED OUT; BUT I THINK
11 THAT WE AS A BOARD ARE GOING TO HAVE TO COME UP WITH OUR
12 OWN RECOMMENDATIONS AND SHOULD PROMISE TO DO SO.

13 AS JOELLEN POINTED OUT, THE AGENCY HAS ASKED
14 US TO GET TOGETHER WITH CONSERVATION, AND I DON'T HAVE
15 ANY PROBLEM ABOUT GETTING TOGETHER WITH ANYBODY AND
16 TALKING THINGS OVER; BUT TO PROMISE THAT WE'RE GOING TO
17 COME UP WITH SOME KIND OF AN AGREEMENT THAT WE MAY NOT BE
18 ABLE TO HONOR, I PERSONALLY AM NOT VERY MUCH IN FAVOR OF
19 THAT. I THINK THAT WE'RE PERFECTLY CAPABLE HERE ON THIS
20 BOARD OF EXPRESSING WHAT NEEDS TO BE DONE. AND I THINK
21 THAT, AS MR. CALLOWAY SAID, I'M KIND OF TIRED OF HEARING
22 ALL THE BOLOGNA ABOUT HOW INCOMPETENT WE ARE. I THINK
23 THAT WE JUST NEED TO AGGRESSIVELY MOVE FORWARD ON THESE
24 ISSUES AND WE NEED TO EXPRESS OURSELVES THAT WAY.

25 BOARD MEMBER BEAUTROW: JOELLEN, WOULD YOU -- I'M



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1 SORRY. MAYBE I MISSED IT, BUT WHO ORIGINATED THIS
2 GHOST-WRITTEN VETO MESSAGE?

3 MS. JACKSON: THE SECOND PARAGRAPH WHERE THE WASTE
4 MANAGEMENT BOARD AND DEPARTMENT OF CONSERVATION, THAT
5 LANGUAGE WAS ASKED FOR THIS MORNING BY ENVIRONMENTAL
6 AFFAIRS AGENCY. THEY WANTED OUR MESSAGE TO STATE THAT
7 THE BOARD AND CONSERVATION HAD SEVERAL MEETINGS AND TASK
8 FORCE. AS YOU KNOW, MR. CONHEIM AND GEORGE LARSON AS
9 WELL AS TWO STAFF PEOPLE FROM DOC HAVE MET SEVERAL TIMES
10 OVER THE MONTHS TO DISCUSS RECYCLING, AND THEY WANTED IT
11 IN THE VETO MESSAGE.

12 BOARD MEMBER BEAUTROW: MAYBE I'M A LITTLE NAIVE,
13 BUT I DIDN'T KNOW THAT -- THIS IS THE FIRST TIME I'VE
14 EVER SEEN ANYTHING LIKE THIS ON ANY SUBJECT THAT AN
15 AGENCY WROTE SOMETHING IN THE LANGUAGE FOR THE GOVERNOR.
16 I MEAN, THIS IS WRITTEN FOR THE GOVERNOR, RIGHT?

17 MR. EOWAN: THEY REQUESTED THAT WE PREPARE A VETO
18 MESSAGE.

19 BOARD MEMBER BEAUTROW: SINCE I'VE BEEN ON HERE, I
20 NEVER HEARD OF US DOING ANYTHING LIKE THAT.

21 BOARD MEMBER BREMBERG: NEVER GOT A COPY OF IT.

22 BOARD MEMBER MOSCONE: IT SEEMS TO ME THERE ARE A
23 LOT OF GOOD POINTS THAT PROBABLY SHOULD BE IN THAT VETO
24 MESSAGE AND THE REASONS FOR OUR POSITION ON THE PAGE
25 BEFORE, THE BOTTOM PARAGRAPH, BEFORE THIS VETO MESSAGE. I

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1 THINK A LOT OF THIS MAKES MORE SENSE THAN SOME OF THE
2 STUFF THAT'S IN THE VETO MESSAGE.

3 CHAIRMAN GALLAGHER: I'M WONDERING IF IT IS
4 POSSIBLE TO REWRITE THE SECOND PARAGRAPH, TAKING INTO
5 ACCOUNT SOME OF THE OBJECTIONS OF THE BOARD MEMBERS HERE
6 TO BEING TIED INTO SOME KIND OF A JOINT PROPOSAL AND
7 STILL SATISFY AGENCY'S REQUEST.

8 AS MR. VARNER SO ELOQUENTLY STATED, DOESN'T
9 HAVE ANY TROUBLE SITTING DOWN WITH ANYBODY AT ANY TIME;
10 BUT WHETHER OR NOT WE CAN COME TO A FORCED AGREEMENT FOR
11 A PROPOSAL MIGHT BE THE STUMBLING BLOCK. AND I'M
12 WONDERING IF WE COULD NOT JUST REWRITE THAT SO THAT WE
13 WILL AGREE TO SIT DOWN WITH THE DEPARTMENT OF
14 CONSERVATION AND DISCUSS RECYCLING IN CALIFORNIA AND
15 ATTEMPT TO COME UP WITH SOME POLICY THAT EVERYONE COULD
16 LIVE WITH. THERE YOU ARE NOT COMMITTED TO ARRIVING AT
17 ANY SPECIFIC AGREEMENT AND YET YOU ARE SATISFYING
18 AGENCY'S REQUEST THAT WE SIT DOWN WITH THE DEPARTMENT OF
19 CONSERVATION. DOES THAT MAKE ANY SENSE AT ALL?

20 MR. EOWAN: SURE. WE'D BE HAPPY TO DO THAT.

21 CHAIRMAN GALLAGHER: DOES THIS MAKE ANY SENSE TO
22 THE REST OF YOU?

23 BOARD MEMBER VARNER: I AGREE. WE AGREE TO TALK
24 WITH THEM, AND THEN COME UP WITH ANY SENSIBLE SUGGESTION
25 WE'LL LISTEN TO.

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1 CHAIRMAN GALLAGHER: INsofar AS THE TASK FORCE IS
2 CONCERNED, I DON'T --

3 MR. EOWAN: I DON'T THINK THAT MERITS MENTIONING.

4 CHAIRMAN GALLAGHER: I DON'T KNOW THAT THEY'RE
5 GOING TO HAVE TOO MUCH IN THE WAY OF PROPOSALS BY THE END
6 OF THE YEAR. THEY'RE RUNNING WAY BEHIND. IT SEEMS TO ME
7 THEY'RE HAVING A DIFFICULT TIME EVEN AGREEING ON A WORK
8 PLAN.

9 THERE'S A LOT OF WORK TO BE DONE THERE, BUT I
10 THINK THERE IS ALSO ALWAYS THE UNDERLYING POSSIBILITY
11 THAT RECOMMENDATIONS UNFAVORABLE TO THE BOARD WILL COME
12 OUT. WE'LL BE THERE, DEFINITELY, TRYING TO HOLD OUR OWN.
13 I'VE ATTENDED ALL THE MEETINGS UP TO NOW, AND I THINK
14 WE'LL CONTINUE TO TRY TO HOLD OUR OWN.

15 I'VE HAD SOME SURPRISES AND SOME OF YOU, I
16 THINK, CONSIDER THEM SURPRISES, BUT SO FAR WE'RE STILL IN
17 BUSINESS. AND I THINK WE'RE GOING TO CONTINUE TO BE IN
18 BUSINESS, AND WE'RE GOING TO CONTINUE TO BE THE LEAD
19 AGENCY. THAT'S MY OWN PREDICTION, AND I'M GOING TO WORK
20 TO TRY TO GET THAT.

21 SO I JUST FRANKLY DON'T WANT TO ACQUIESCE.
22 YET, ON THE OTHER HAND, I CERTAINLY DON'T WANT TO REBUFF
23 AGENCY THAT WE'RE UNWILLING TO SIT DOWN AND DISCUSS THE
24 ISSUE WITH THE DEPARTMENT OF CONSERVATION. I SHARE, LIKE
25 EVERYONE ELSE, SOME QUESTION AS TO WHAT THEY CAN BRING TO

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1 THE PARTY. WE OUGHT TO LISTEN TO WHAT THEY HAVE TO SAY
2 ANYWAY.

3 SO IF YOU HAVE NO OBJECTION TO THAT, REWRITE
4 THE VETO MESSAGE TO GO ALONG THAT LINE, AND I THINK LET'S
5 HAVE A LOOK AT IT TOMORROW.

6 MR. EOWAN: THANK YOU.

7 MS. JACKSON: THANK YOU.

8 CHAIRMAN GALLAGHER: OKAY. NOW, TRY TO TAKE UP THE
9 REST OF IT TOMORROW?

10 MR. EOWAN: THAT WOULD BE FINE.

11 CHAIRMAN GALLAGHER: AS FAR AS THE LEGISLATIVE
12 ISSUE IS CONCERNED?

13 MR. EOWAN: IF YOU LIKE, YES. YOU CAN LOOK AT IT
14 TONIGHT AND MAKE A DECISION TOMORROW IF YOU WANT TO
15 DISCUSS ANY ITEMS. IF NOT, THAT WOULD BE FINE WITH US AS
16 WELL.

17 CHAIRMAN GALLAGHER: WE GOT TO JUMPING AROUND ON
18 THE AGENDA TODAY BECAUSE OF TRYING TO HEAR SOME PEOPLE
19 WHO WANTED TO BE HEARD THAT WERE SCHEDULED FOR LATER. WE
20 DID NOT DISCUSS ITEM 4. ARE WE PREPARED TO TALK ABOUT
21 ITEM 4 RIGHT NOW?

22 MR. EOWAN: YES, MR. CHAIRMAN, WE ARE PREPARED.

23 MR. OLDALL: SURE, MR. CHAIRMAN, EXACTLY. THAT
24 PARTICULAR ITEM, CONSIDERATION OF DRAFT REPORT TO THE
25 LEGISLATURE ON THE COST AND EFFECTIVENESS OF DETAILED

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1 IMPLEMENTATION SCHEDULES FOR COUNTY SOLID WASTE
2 MANAGEMENT PLANS. I'D LIKE TO HAVE GEORGE LARSON DO A
3 BRIEF INTRODUCTION ON THAT TO EXPLAIN TO THE BOARD WHAT
4 LEGISLATION PASSED THAT 1982 REQUIRES US TO DO A REPORT
5 TO THE LEGISLATURE BY JANUARY 1, 1989, AND I BELIEVE
6 JEANNIE BLAKLESLEE WILL PRESENT THE REST OF THE ITEM.

7 MR. LARSON: MR. CHAIRMAN, MEMBERS, WE FELT IT
8 APPROPRIATE HERE TO MAKE SUCH AN EXPLANATION ABOUT THE
9 FACT THAT LEGISLATION ENACTED IN 1982 WOULD REQUIRE A
10 REPORT IN 1989.

11 AND IN EXPLANATION OF THE LAW ITSELF, WHICH
12 WAS SPONSORED OR THE AUTHOR WAS ASSEMBLYMAN LARRY
13 KAPILOFF, REQUIRED THAT BY JULY 1, 1984, THAT EACH COUNTY
14 IN THE REVISION OF THEIR COUNTY SOLID WASTE MANAGEMENT
15 PLAN INCLUDE WHAT'S DESCRIBED IN THE LEGISLATION AS A
16 DETAILED IMPLEMENTATION SCHEDULE WHICH ATTACHES SPECIFIC
17 DATES TO CERTAIN ACTIONS TO BE UNDERTAKEN OR COMPLETED IN
18 THE COURSE OF CARRYING OUT THE PLAN.

19 WITH THIS INITIATION DATE OF JULY 1ST OF 1984
20 AS THE REQUIREMENT FOR THE START OF INCONCLUSION OF THIS
21 SCHEDULE, WE ALLOWED OR IN ORDER TO EVALUATE THE IMPACT
22 OF THIS, HAD TO REALLY LET THE CYCLE GO THROUGH ONE TIME.
23 SO BETWEEN 1984 AND 1987, EACH OF THE COUNTY SOLID WASTE
24 MANAGEMENT PLANS WOULD HAVE COME UP FOR REVIEW AND IF
25 DEEMED APPROPRIATE BY THE BOARD WOULD HAVE BEEN REVISED.

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1 AND IN THAT REVISED VERSION WOULD HAVE -- IT
2 WOULD HAVE INCLUDED THE NOW CALLED FOR DETAILED
3 IMPLEMENTATION SCHEDULE. SO DURING 1988 IS THE TIME IN
4 WHICH WE HAVE CONDUCTED THIS EVALUATION, AND JEANNIE
5 BLAKESLEE OF OUR LOCAL PLANNING DIVISION STAFF IS HERE
6 TO EXPLAIN THE PROCESS THAT WE UNDERWENT IN CONDUCTING
7 THIS EVALUATION.

8 MS. BLAKESLEE: GOOD AFTERNOON, MR. CHAIRMAN AND
9 BOARD MEMBERS. TODAY I WILL PRESENT TO YOU A REPORT ON
10 COST OF ADOPTION AND APPLICATION OF THE IMPLEMENTATION
11 SCHEDULES, WHICH ARE REQUIRED IN THE COUNTY SOLID WASTE
12 MANAGEMENT PLANS.

13 AS MANDATED, THE CALIFORNIA WASTE MANAGEMENT
14 STAFF HAS CONDUCTED A SURVEY, CONSULTING WITH LOCAL
15 COUNTY OFFICIALS FROM REPRESENTATIVE COUNTIES TO REVIEW
16 THE COSTS OF IMPLEMENTATION SCHEDULES AS REQUIRED IN THE
17 GOVERNMENT CODE. TRADITIONALLY, COUNTY SOLID WASTE
18 MANAGEMENT PLANS HAVE REQUIRED IMPLEMENTATION SCHEDULES;
19 HOWEVER, THE LEVEL OF DETAIL HAS NOT BEEN CLEARLY
20 DEFINED.

21 THE 1982 LAW REQUIRES THAT APPROXIMATE DATES
22 FOR ESTABLISHMENT, EXPANSION, AND THE CLOSURE OF SOLID
23 WASTE FACILITIES BE INCLUDED IN THE IMPLEMENTATION
24 SCHEDULES. THE SCHEDULES MUST ALSO INCLUDE APPROXIMATE
25 DATES FOR ORDERLY AND TIMELY IMPLEMENTATION OF SOLID

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1 WASTE PLAN POLICIES AND PROGRAMS.

2 CALIFORNIA CODE OF REGULATIONS STATES THAT
3 COUNTY SOLID WASTE MANAGEMENT PLANS SHALL SCHEDULE SHORT,
4 MEDIUM, AND LONG-TERM ACTIVITIES. AS A MEANS OF
5 ANALYZING THE COSTS, ADOPTION, AND THE APPLICATION OF
6 IMPLEMENTATION SCHEDULES, LOCAL OFFICIALS FROM 20
7 COUNTIES WITH VARYING POPULATIONS WERE CONTACTED. A LIST
8 OF THESE COUNTIES IS INCLUDED ON PAGE 30 OF YOUR BOARD
9 PACKET. THERE IS A TYPOGRAPHICAL ERROR ON THE BOTTOM.
10 IT HAS ONE TOO MANY NINES. STANISLAUS COUNTY WAS ALSO
11 LEFT OFF; THEREFORE, YOU WILL ONLY SEE 19 COUNTIES.

12 THREE QUESTIONS WERE ASKED EACH COUNTY, AND
13 THESE QUESTIONS INCLUDE: WHAT ADDITIONAL COSTS HAVE THE
14 COUNTIES INCURRED IN PREPARING A DETAILED IMPLEMENTATION
15 SCHEDULE FOR THE COUNTY SOLID WASTE MANAGEMENT PLANS?
16 NO. 2, DOES INCLUDING A MORE DETAILED IMPLEMENTATION
17 SCHEDULE MAKE ADOPTION OF THE COSWMP MORE OR LESS
18 DIFFICULT? AND THE THIRD QUESTION WAS HOW MUCH MORE
19 USEFUL ARE THE COSWMPs NOW THAT MORE DETAILED
20 IMPLEMENTATION SCHEDULES ARE REQUIRED?

21 IN REGARDS TO QUESTION NO. 2, ON WHAT
22 ADDITIONAL COSTS HAS THE COUNTY INCURRED, MOST COUNTIES
23 HAVE RESPONDED THAT THERE HAS BEEN NO ADDITIONAL COST
24 BECAUSE THE SCHEDULES HAVE HISTORICALLY BEEN REQUIRED AS
25 PART OF THE PLAN; HOWEVER, SOME OF THE COUNTIES HAVE

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1 INCURRED ADDITIONAL EXPENSES IN HIRING STAFFS, DATA
2 GATHERING, AND CONSULTING FEES.

3 REGARDING QUESTIONS NO. 2 AND 3, ON ADOPTION
4 AND APPLICATION, DOES INCLUDING A MORE DETAILED
5 IMPLEMENTATION SCHEDULE MAKE THE ADOPTION OF THE COUNTY
6 SOLID WASTE MANAGEMENT PLAN MORE OR LESS DIFFICULT, AND
7 HOW MUCH MORE USEFUL ARE THE PLANS NOW THAT THE DETAILED
8 IMPLEMENTATION SCHEDULES ARE REQUIRED, THE ADOPTION AND
9 THE APPLICATION OF THESE IMPLEMENTATION SCHEDULES HAS
10 HELPED THE COUNTIES IN PLANNING FOR THE FUTURE AND
11 IDENTIFYING THE NEED FOR SUCH PROJECTS IN ESTABLISHMENT
12 AND MODIFICATION, EXPANSION, AND CLOSURE OF SOLID WASTE
13 FACILITIES.

14 THIS CONCLUDES MY REPORT. ARE THERE ANY
15 QUESTIONS AT THIS TIME?

16 CHAIRMAN GALLAGHER: ANY QUESTIONS?

17 BOARD MEMBER BREMBERG: GOOD REPORT.

18 CHAIRMAN GALLAGHER: EXCELLENT REPORT, BUT I'D LIKE
19 TO ASK A QUESTION. IS THIS SECTION NOW MOOT? HAS THE
20 LAW BEEN COMPLIED WITH? DOES IT SUNSET? DOES IT GO OUT
21 OF THE THING, OR IS IT GOING TO BE NECESSARY FOR
22 ADDITIONAL LEGISLATION TO REPEAL IT, OR WILL WE BE FACED
23 WITH GOING THROUGH THE SAME THING AGAIN AT SOME POINT IN
24 TIME?

25 MR. LARSON: MR. CHAIRMAN, I'D LIKE TO ADDRESS THAT



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1 THIS IS THE CASE WITH MANY SECTIONS OF LAW THAT WE HAVE
 2 UNDER THE GOVERNMENT CODE WHICH REQUIRE THE BOARD TO TAKE
 3 A SPECIFIC ACTION ON A ONE-TIME BASIS. UNLESS IT HAS
 4 SPECIFIC LANGUAGE CONTAINED IN THE LAW AT THE TIME OF
 5 ENACTMENT WHICH SPECIFIES A DATE UPON WHICH IT IS
 6 REPEALED, IT TENDS TO STAY IN THE LAW. HOWEVER, SINCE
 7 THIS IS A ONE-TIME REPORT, THERE ISN'T A WAY THAT I CAN
 8 INTERPRET THE LAW THAT SUCH A REQUIREMENT FOR AN
 9 EVALUATION IN THE FUTURE WOULD BE REQUIRED AGAIN.

10 I WOULD IMAGINE THAT, IF NOTHING ELSE, IN THE
 11 INTEREST OF HOUSEKEEPING AT SOME POINT IN THE FUTURE, WE
 12 MAY WANT TO SPOT ON SOME BILL THE REPEAL OF THIS SECTION
 13 AFTER WE HAVE COMPLIED. AND, OF COURSE, TODAY THE INTENT
 14 IS TO BRING THESE FINDINGS TO THE BOARD TO SEEK THEIR
 15 INPUT AND POSSIBLE APPROVAL. AND WITH THAT, WE WOULD
 16 SUBMIT OUR FINDINGS ON THE STUDY TO THE LEGISLATURE.

17 CHAIRMAN GALLAGHER: THANK YOU. AND I -- THAT'S
 18 THE REASON I BROUGHT THAT UP IS THAT WE MAY AT SOME POINT
 19 IN TIME WANT TO GET ON THE SPOT WHERE WE CAN REPEAL IT
 20 AND KIND OF KEEP THE LANGUAGE IN THE CODE UP-TO-DATE.

21 MR. MOSCONE.

22 BOARD MEMBER MOSCONE: MR. CHAIRMAN, I SHUDDER
 23 SOMETIMES TO THINK WHAT WOULD HAVE HAPPENED IN SOME OF
 24 THESE COUNTIES HAD THEY NOT BEEN REQUIRED TO SUBMIT A
 25 COUNTY PLAN. WE'VE SEEN EXAMPLES OF IT JUST THIS

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1 MORNING, FOR EXAMPLE. YOU MIGHT USE AS AN EXAMPLE,
2 PERMIT, ALL OF THAT KIND OF STUFF. AND ALL -- I THINK
3 THAT SOME OF THESE, IF THEY EVER MENTIONED IN THE CHARTER
4 OR IN WHATEVER THAT THE CITY OR COUNTY HAS DRAWN UP, THEY
5 SAY THE GARBAGE SHALL BE COLLECTED BY A LICENSED
6 COLLECTOR OR SOMETHING OR MAYBE DON'T EVEN SAY LICENSED
7 OR THE GARBAGE SHALL BE DISPOSED WHEREVER THE SUPERVISORS
8 OR THE CITY COUNCIL SAYS IT SHOULD GO AND THAT WOULD BE
9 ABOUT THE EXTENT OF IT. I THINK WE'VE DONE THE STATE, THE
10 CITIES, AND THE COUNTIES, THIS SB 5 HAS BEEN THE STATE
11 AND THE CITIES AND THE COUNTIES A HELL OF A FAVOR
12 REQUIRING THEM TO COME UP WITH THESE COUNTY PLANS.

13 MR. LARSON: WITH THE CHAIRMAN'S APPROVAL, I'D LIKE
14 TO FOLLOW UP ON MR. MOSCONE'S COMMENT AND ALSO
15 ACKNOWLEDGE MY BIAS TOWARDS THE COUNTY PLANNING PROCESS,
16 WHICH I THINK IS OF EXTREME VALUE. IT WAS TO OUR
17 PLEASANT SURPRISE THAT WHEN WE DID CONDUCT THIS SURVEY,
18 THAT ALMOST TO THE NUMBER EACH OF THE COUNTIES CONTACTED
19 FELT THAT THE ADDITIONAL REQUIREMENTS OF THIS
20 IMPLEMENTATION SCHEDULE ACTUALLY HAD A POSITIVE IMPACT ON
21 THEIR ABILITY TO MANAGE THEIR OWN COUNTY SOLID WASTE
22 MANAGEMENT ACTIVITY, SO IT WAS A VERY POSITIVE
23 EXPERIENCE.

24 CHAIRMAN GALLAGHER: I WAS CERTAINLY IMPRESSED WITH
25 THAT AS I READ IT IN THE REPORT, AND I WOULDN'T HAVE



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1 SUSPECTED IT NECESSARILY BECAUSE IT MADE MORE WORK FOR
2 EVERYONE.

3 MS. BREMBERG.

4 BOARD MEMBER BREMBERG: I JUST WISH THAT WE COULD
5 GO ONE STEP FURTHER AND ENFORCE ALL OF THE GLORY DREAMS
6 THAT ARE IN THE COSWMPs AND SEE THEM CARRIED TO FRUITION
7 INSTEAD OF WOULDN'T IT BE NICE IF WE COULD AND WE WILL
8 TRY HARD.

9 CHAIRMAN GALLAGHER: THANK YOU. STAFF HAS ASKED US
10 TO APPROVE THE DRAFT REPORT. DO WE HAVE ANY FURTHER
11 COMMENTS? IF NOT, CAN I HAVE A MOTION?

12 BOARD MEMBER BREMBERG: MOVE ACCEPTANCE OF THE
13 REPORT ON ITEM 4, CONSIDERATION OF DRAFT REPORT TO
14 LEGISLATURE ON COSTS AND EFFECTIVENESS OF DETAILED
15 IMPLEMENTATION SCHEDULES FOR COUNTY SOLID WASTE
16 MANAGEMENT PLANS.

17 MR. MOSCONE: SECOND.

18 CHAIRMAN GALLAGHER: WE HAVE A MOTION ON THE FLOOR
19 TO APPROVE STAFF RECOMMENDATION, A SECOND TO THAT. ANY
20 FURTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR?
21 OPPOSED? SO ORDERED.

22 NOW WE'RE DOWN TO ITEM 7, CONSIDERATION OF THE
23 DRAFT REPORT ON THE BOARD'S LANDFILL GAS CHARACTERIZATION
24 STUDY. ARE YOU PREPARED ON THAT ONE, MR. EOWAN?

25 MR. EOWAN: YES, MR. CHAIRMAN. I'LL LET MR.

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1 IWAHIRO GO AHEAD AND INTRODUCE THIS REPORT.

2 MR. IWAHIRO: THIS IS AN EFFORT BY BOARD STAFF TO
3 LOOK AT A NUMBER OF LANDFILLS, ACTUALLY 63 TO BE EXACT,
4 IN TERMS OF THE CONSTITUENTS OF THE GAS WITHIN LANDFILLS.

5 WE BASICALLY PUNCHED HOLES IN LANDFILLS,
6 EXTRACTED THE LANDFILL GAS, AND TESTED IT OUT TO SEE WHAT
7 WAS IN IT, AND WE DID THIS ON SPECIFIC TYPES OF
8 LANDFILLS, AND WE TRIED TO COVER THE STATE TO A CERTAIN
9 DEGREE WITH THESE 63 LANDFILLS.

10 ROGER FORMANEK WAS IN CHARGE OF THE GROUP.
11 BARRY MCGEE, AND RIZ PARANGALAN, HAL GJERMANN, AND ANDY
12 MARINO WERE ALL INVOLVED IN THE FIELD WORK. THEY DID
13 SOME RELATIVELY NEW TYPES OR TECHNIQUES OF EXTRACTING
14 GAS, AND I THINK THAT WILL BE EXPLAINED IN OUR
15 PRESENTATION.

16 THIS IS BASICALLY THE RESULTS OF OUR TESTS
17 THAT PROBABLY TOOK US ABOUT A COUPLE OF YEARS TO DO.
18 ROGER FORMANEK.

19 MR. FORMANEK: MR. CHAIRMAN, MEMBERS OF THE BOARD,
20 IN JULY OF 1985 THE BOARD ELECTED TO CONDUCT LANDFILL GAS
21 CHARACTERIZATION STUDY TO IDENTIFY THE MAJOR AND TRACE
22 COMPONENTS OF GAS FROM NON-HAZARDOUS LANDFILLS THROUGHOUT
23 CALIFORNIA. THE STUDY OF CHEMICAL COMPOUNDS IN GAS, FOR
24 THE MOST PART, REMAINS AN UNEXPLORED AREA THAT IS JUST
25 NOW BEING CONSIDERED. LANDFILL GAS COMPOSITION IS ONLY

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1 GENERALLY KNOWN.

2 MANY OF THE TRACE COMPOUNDS FOUND IN THE
3 SAMPLES HAVE YET TO BE IDENTIFIED. SAMPLING AND
4 ANALYTICAL PROCEDURES VARY AND THERE IS NO COMMONLY
5 ACCEPTED STANDARD.

6 FOR THE CONSTITUENTS THAT CAN BE IDENTIFIED,
7 FREQUENTLY CONCENTRATIONS OF WHICH THEY OCCUR IS
8 GENERALLY UNKNOWN. SEVERAL STUDIES HAVE BEEN DONE TO
9 DATE WHICH EVALUATE THE COMPOSITION OF LANDFILL GAS. FOR
10 THE MOST PART, THOSE INVESTIGATIONS HAVE GENERALLY BEEN
11 LIMITED TO A PARTICULAR SITE OR GEOGRAPHICAL REGION.

12 ONE STUDY THAT HAS SOME NOTORIETY WAS DONE IN
13 THE SOUTHERN CALIFORNIA AREA. IT SURVEYED SEVERAL
14 LANDFILLS IN THE L.A. BASIN; BUT THE STUDY FAILED TO
15 CLEARLY DISTINGUISH BETWEEN NON-HAZARDOUS SITES,
16 HAZARDOUS SITES, AND NON-HAZARDOUS SITES THAT ACCEPTED
17 HAZARDOUS WASTE, AND THE SITES WERE EVALUATED TOGETHER.
18 UNIFORMITY AND METHODOLOGY BETWEEN DIFFERENT STUDIES HAS
19 GENERALLY BEEN LACKING.

20 RECENTLY, CALIFORNIA ENACTED LEGISLATION WHICH
21 REQUIRES OPERATORS OF SOLID WASTE DISPOSAL SITES TO TEST
22 FOR TEN SPECIFIED AIR CONTAMINANTS. REGULATORY AGENCIES
23 ARE REQUIRED TO REVIEW THOSE RESULTS AND DETERMINE OF
24 THOSE CONTAMINANTS POSE A HEALTH RISK OR A THREAT TO THE
25 ENVIRONMENT.

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1 THE SOLID WASTE AIR QUALITY ASSESSMENT TEST,
2 OTHERWISE KNOW AS THE SWAT, REPORTS ARE PRESENTLY BEING
3 PREPARED AND SUBMITTED BY OPERATORS FOR REVIEW. EVEN IN
4 THE PREPARATION OF SWAT REPORTS, IT'S LEFT TO THE
5 OPERATORS TO PREPARE THOSE, DEPENDING ON WHATEVER
6 CONTRACTORS THEY MAY SO CHOOSE. THERE ARE NO COMMONLY
7 ACCEPTED STANDARD PROCEDURES FOR SAMPLING NOR THE
8 TECHNICAL ANALYSIS, ONLY GUIDELINES.

9 THIS STUDY WAS DESIGNED TO SURVEY LANDFILL GAS
10 FROM NON-HAZARDOUS LANDFILLS THROUGHOUT CALIFORNIA AND
11 EVALUATE THE SAMPLES FOR COMMON CONSTITUENTS.
12 NON-HAZARDOUS SITES THAT ARE KNOWN TO CONTAIN HAZARDOUS
13 WASTE WERE EXCLUDED FROM THE STUDY.

14 SEVERAL IMPORTANT OBJECTIVES OF THE STUDY WERE
15 TO SAMPLE REPRESENTATIVE NUMBER OF NON-HAZARDOUS
16 LANDFILLS THROUGHOUT THE STATE; TWO, ANALYZE COMPOUNDS
17 ADDITIONAL TO THOSE SPECIFIED BY SWAT REQUIREMENTS;
18 THREE, INVESTIGATE METHODS OF SAMPLING AND PROCEDURES FOR
19 ANALYSIS; FOUR, EVALUATE EACH LANDFILL USING COMMON
20 SAMPLING AND ANALYTICAL PROCEDURES; FIVE, ATTEMPT TO
21 IDENTIFY COMMON COMPOUNDS IN LANDFILL GAS.

22 THE RESULTS OF THIS STUDY AND THE
23 RECOMMENDATIONS MADE HEREIN PROVIDE THE BASIS FOR
24 ADDITIONAL RESEARCH INTO THE CHARACTER OF LANDFILL GAS BY
25 THE CWMB.

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1 THE 63 SITES SELECTED FOR THE STUDY ARE FOUND
2 ON TABLE 1. THAT'S PAGE 107 OF YOUR BOARD PACKET. A
3 VARIETY OF SITES ARE REPRESENTED THAT RANGE IN SIZES,
4 TYPES, GEOGRAPHICAL LOCATIONS, AND CLIMATIC CONDITIONS.
5 THE SITES WERE SPREAD THROUGHTOUT 31 COUNTIES, 47 IN THE
6 NORTHERN AND 16 IN THE SOUTHERN PART OF THE STATE.

7 TEN OF THE SITES HAVE GAS RECOVERY SYSTEMS, 54
8 OF THE SITES RECEIVE MUNICIPAL-TYPE WASTES, AND 9 ARE
9 CLASSIFIED AS SPECIAL SITES. THOSE SITES RECEIVE ONLY
10 SINGLE WASTE, SUCH AS WOOD WASTE, ASH, OR OFFICE AND
11 MISCELLANEOUS WASTE GENERATED BY THE OWNING COMPANY'S
12 OPERATIONS.

13 NINE COMPOUNDS ARE REQUIRED FOR ANALYSIS BY
14 CALIFORNIA'S AIR SWAT PROGRAM, AND COMPOUNDS INCLUDED ON
15 THE EPA LIST OF VOLATILE PRIORITY POLLUTANTS WERE
16 SELECTED FOR THE ANALYSIS. THOSE COMPOUNDS ARE LISTED IN
17 TABLE 2, WHICH IS FOUND ON PAGE 109 OF YOUR BOARD PACKET.

18 IN ADDITION, SAMPLES WERE ANALYZED FOR
19 METHANE, CARBON DIOXIDE, NITROGEN, OXYGEN, HYDROGEN,
20 WHICH ARE ALL CALLED THE MAJOR OR FIXED GAS COMPONENTS.

21 THE STAFF DEVELOPED A UNIQUE WAY OF SAMPLING
22 LANDFILL GAS. TRADITIONALLY, GAS IS WITHDRAWN FROM A
23 LANDFILL USING A PUMP. IT INVOLVES THE USE OF THE
24 MECHANICAL TECHNOLOGY ON THE PUMP AND ALSO A VARIETY OF
25 FILTERING IS REQUIRED ON THE SAMPLE.

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1 TO GET A MORE REPRESENTATIVE SAMPLE, THE STAFF
2 USED A PROCEDURE WHERE THEY IMMersed AN EVACUATED
3 CYLINDER INTO LIQUID NITROGEN AND THEREBY CREATING A
4 VACUUM RELATIVE TO THE ATMOSPHERE. THEY WOULD HOOK THE
5 CYLINDER DIRECTLY TO THE SAMPLE TUBE AND OPEN A GAS COCK,
6 AND THEN THE WARMING OF THE TUBE -- RATHER THE COLD TUBE
7 WOULD SUCK THE SAMPLE INTO IT. THEN WHEN THE TUBE
8 WARMED, IT WAS PRESSURIZED. THEY'D TAKE THAT TO THE LAB.
9 AND THEN THEY'D GET A PURE SAMPLE THAT DIDN'T PASS
10 THROUGH A PUMP AND WASN'T FILTERED.

11 SAMPLES WERE TAKEN FROM THE TEN SITES WITH GAS
12 RECOVERY SYSTEMS WERE CONSIDERED TO BE THE BEST AND MOST
13 REPRESENTATIVE FOR THE ENTIRE SITE BECAUSE THE RECOVERY
14 SYSTEM PROVIDED MULTIPLE COLLECTION POINTS FOR THE
15 LANDFILL GAS SAMPLE. THE ANALYTICAL RESULTS FOR THESE
16 SAMPLES, INCLUDING THE FREQUENCIES OF DETECTION, ARE
17 SHOWN ON TABLE 3. THAT'S PAGE 110 OF YOUR PACKET.

18 ANALYSIS OF THE SAMPLES FROM THESE TEN SITES
19 SHOWED THE PRESENCE OF EIGHT COMMONLY FOUND COMPOUNDS.
20 THESE COMPOUNDS ARE BENZENE, ETHYLBENZENE, TOLUENE, VINYL
21 CHLORIDE, DICHLOROMETHANE, TRICHLOROMETHANE, 1,2-CIS
22 DICHLOROETHYLENE, AND TETRACHLOROETHYLENE.

23 IF YOU TURN TO PAGE 110, I'LL QUICKLY EXPLAIN
24 HOW THE TABLE IS SET UP. THE COMPOUNDS THAT WERE TESTED
25 FOR ARE IDENTIFIED ON THE LEFT SIDE. THE RANGE OF



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1 CONCENTRATIONS IS LISTED IN PPM FOR THE TEN MUNICIPAL
2 LANDFILLS THAT HAVE GAS RECOVERY SYSTEMS, AND THE RIGHT
3 COLUMN IS THE FREQUENCY THAT COMPOUND WAS FOUND AT THE
4 SITES, FOUND AT THE TEN MUNICIPAL LANDFILLS WITH GAS
5 RECOVERY SYSTEMS.

6 BOARD MEMBER BEAUTROW: CAN I ASK YOU A QUESTION
7 RIGHT HERE? WHEN YOU TAKE SAMPLES OF ANYTHING AND
8 THERE'S ALWAYS, DEPENDING UPON YOUR POINT OF VIEW,
9 SOMEBODY WILL DISPUTE THE SAMPLING METHODS AND THE
10 ACCURACY OF THE RESULTS. YOU KNOW THE STORY. THIS
11 SAMPLING METHODS HERE AND THE CUSTODY OF THE SAMPLES, YOU
12 KNOW, THAT EVERYTHING SEEMS TO BE SUSPECT IN THESE DAYS.
13 AND, YOU KNOW, ONE IS TESTED POSITIVE FOR AIDS AND
14 ANOTHER IS NEGATIVE, YOU KNOW, THAT KIND OF THING.

15 WHAT IS THE ACCURACY OR THE WAY THAT THIS
16 COULD BE UPHELD THAT THIS IS FACTUAL BECAUSE WE'RE
17 TALKING A HUNDRED PERCENT OF THESE FREQUENCY ON THESE
18 SEVERAL ITEMS, THE PUBLIC SAYS, "GEE, IT'S A CERTAINTY
19 THAT THIS IS..."

20 MR. FORMANEK: YOU ARE ABSOLUTELY RIGHT IN THE
21 POINTS YOU MADE. WE VIEW THIS AS A RESEARCH EFFORT.
22 THERE'S NO QUESTION ABOUT THAT. THE IMPORTANCE IN THIS
23 STUDY, THOUGH; THAT IS, IN THE TECHNIQUES THAT WERE USED
24 TO SAMPLE THE GAS FROM THE LANDFILL AND EVALUATE IT WERE
25 CONSTANT THROUGHOUT THE STUDY. EVEN IN THE CONTRACT LAB

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1 THE BOARD STAFF WENT INTO THE LABORATORIES IN MANY CASES
2 AND STOOD OVER THE SHOULDERS OF THE LAB WORKERS WHILE THE
3 SAMPLES WERE BEING PROCESSED. THIS ALONE IS KIND OF A
4 PIONEERING EFFORT BECAUSE IT'S A SURVEY WHERE WE HAD
5 HANDS-ON INVOLVEMENT.

6 BOARD MEMBER BEAUTROW: WHAT I'M SAYING IS YOU ARE
7 WILLING TO STAND BEHIND THE CREDIBILITY OF THE ANNOUNCED
8 RESULTS HERE THAT THESE ARE FACTUAL?

9 MR. EOWAN: WE TRIED A NUMBER OF DIFFERENT METHODS.
10 WE DIDN'T TRY JUST ONE. AND WE THINK WE HAVE THE BEST
11 METHOD FOR OBTAINING THESE SAMPLES.

12 AND ONE OF THE REASONS THAT WE UNDERTOOK THIS
13 RESEARCH EFFORT TO BE BEGIN WITH WAS TO BE ABLE TO
14 EVALUATE THE SAMPLING METHODS THAT ARE USED FOR OTHER
15 EFFORTS, PARTICULARLY THE SWAT TESTS THAT ARE GOING ON.
16 WE WANTED TO HAVE A BASE LINE OURSELVES FROM WHICH TO
17 EVALUATE THE SWAT'S GOING ON ALL OVER THE STATE FROM A
18 SAMPLING METHOD TO THE ANALYTICAL SIDE.

19 MR. FORMANEK: I THINK THIS STUDY COMES AS CLOSE
20 AND CLOSER THAN ANY OTHER IN CONTROLLING UNKNOWNNS.
21 WHETHER THE SAMPLE PROCEDURE IS THE ONE ULTIMATELY THAT
22 WILL BE ACCEPTED NATIONWIDE AS BEING THE SAMPLE PROCEDURE
23 FOR LANDFILL GAS, I DON'T KNOW. WHETHER THE ANALYTICAL
24 TECHNIQUES WILL BE ACCEPTED, I DON'T KNOW. WE'RE STILL
25 EVALUATING THOSE TECHNIQUES THROUGH THE CONTRACT FUNDS WE



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1 HAVE RIGHT NOW. WE'LL TAKE A SAMPLE, WE'LL EVALUATE IT,
2 AS SOON AS WE CAN GET IT TO THE LABORATORY, WE'LL WAIT 72
3 HOURS AND EVALUATE IT.

4 BOARD MEMBER BEAUTROW: MY MAIN POINT IS THAT WE'RE
5 WILLING TO STAND BEHIND THESE THINGS AS BEING
6 REPRESENTATIVE OF WHAT IS FOUND, USING ALL OF THE --

7 MR. EOWAN: WE'RE WILLING TO STAND BEHIND IT FROM
8 THE STANDPOINT THAT IT'S THE BEST KNOWN WAY TO SAMPLE.
9 THAT DOESN'T MEAN WE WON'T FIND A BETTER WAY. WE FEEL
10 THAT'S OUR JOB, TO CONTINUE TO DO THIS RESEARCH.

11 BOARD MEMBER MOSCONE: IN LINE WITH PHIL'S
12 DISCUSSION, I WAS, FRANKLY, KIND OF SURPRISED IN YOUR
13 CONCLUSIONS ON NO. 3 ON THE HAND-HELD INDICATOR. IT
14 PROVED TO BE RELIABLE. IT COMPARED FAVORABLY WHEN
15 CHECKED BY GAS CHROMATOGRAPHY. THAT KIND OF SURPRISED
16 ME.

17 MR. FORMANEK: TYPICALLY, IN THE FIELD WHAT'S USED
18 TO TEST FOR METHANE GAS MIGRATION ARE THESE HAND-HELD
19 INSTRUMENTS; AND WE FIGURED, SINCE THE SAMPLES GOING TO
20 THE LAB, WE HAVE MUCH MORE SOPHISTICATED EQUIPMENT IN THE
21 LAB THAT MIGHT AS WELL CORRELATE FIELD RESULTS WITH LAB
22 RESULTS. IT'S NOT A MAJOR PART OF THIS STUDY, BUT I
23 THINK WE HAVE THE DATA ANYWAY, SO IT'S WORTH EVALUATING
24 TO SEE JUST HOW GOOD, LET'S SAY, AN LEA OR OUR BOARD'S
25 ENFORCEMENT PEOPLE DO WITH THE HAND-HELD INSTRUMENTS THEY



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1 THEY GO TO THE FIELD. HOW CLOSE ARE THEY? JUST FOR
2 METHANE ALONE.

3 BOARD MEMBER MOSCONE: MR. BEAUTROW'S REMARKS
4 REMINDS ME THAT THIS WOULD BE ONE THING WHERE SOMEONE
5 WOULD SAY, "WHAT THE HELL CAN YOU GET FROM STICKING
6 SOMETHING IN THE GROUND INSTEAD OF USING ALL THESE OTHER
7 MACHINERY AND EVERY OTHER THING?"

8 MR. FORMANEK: BUT METHANE IS A FAIRLY SIMPLE
9 COMPOUND TO TEST FOR. AS MR. BEAUTROW POINTS OUT, SOME
10 OF THESE OTHER COMPOUNDS AREN'T SIMPLE. THERE ARE NO
11 STANDARDIZED PROCEDURES. THAT'S THE PROBLEM WE, AT THE
12 STAFF LEVEL, STRUGGLE WITH IN SAMPLING AND ANALYSIS.

13 THE BEST I CAN SAY IS IS THAT THE CONSTANTS IN
14 THIS STUDY WERE CONTROLLED AS FAR AS POSSIBLE. WE
15 SURVEYED LANDFILLS STATEWIDE USING THE SAME CONTROLS, THE
16 SAME CONDITIONS, AND THAT'S CERTAINLY A LOT MORE THAN IS
17 BEING DONE IN THE SWAT PROGRAM.

18 CHAIRMAN GALLAGHER: WHILE WE'VE INTERRUPTED YOU,
19 LET ME CONTINUE AND ASK YOU A QUESTION. DO YOU THINK
20 THAT YOU GOT ANY SURPRISES OUT OF THIS? WERE THERE ANY
21 SURPRISES IN WHAT TRACE CHEMICALS WERE IN THOSE GASES?
22 AND DO YOU FEEL THERE WERE ANY CONCENTRATIONS THAT YOU
23 DIDN'T EXPECT THAT MIGHT POSE A HAZARD?

24 MR. FORMANEK: I MAY NOT BE THE MOST QUALIFIED
25 PERSON UP HERE TO ANSWER THAT QUESTION. ACTUALLY BARRY



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1 MCGEE, WHO SITS NEXT TO ME, WHO ACTUALLY IS INVOLVED IN
2 THE SAMPLING ANALYSIS PROCEDURE, COULD GIVE YOU A BETTER
3 ANSWER THAN I CAN.

4 MR. MCGEE: WE WEREN'T SURPRISED IN THE COMPOUNDS
5 THEMSELVES. WE THOUGHT WE'D MAYBE FIND MORE OF THE
6 COMPOUNDS ON THE TARGET LIST THAN WE ACTUALLY DID FIND.
7 THE EIGHT THAT WE FOUND THAT TURNED UP THE MOST PREVALENT
8 EIGHT WEREN'T SURPRISING AT ALL. WE EXPECTED TO FIND
9 THEM. WE EXPECTED TO FIND MORE ACTUALLY.

10 AS FAR AS CONCENTRATIONS GO, WITH OUR SINGLE
11 PROBE, THE SITES THAT CONTAINED A SINGLE SAMPLE LOCATION,
12 SOME OF THE NUMBERS WERE ALL OVER THE BOARD. WE FOUND
13 SOME EXTREMELY HIGH CONCENTRATIONS OF SOME OF THE TRACE
14 COMPOUNDS IN SITES THAT WE DIDN'T EXPECT TO. SOME OF
15 YOUR SMALL RURAL SITES WOULD HAVE EXTREMELY HIGH TOLUENE
16 CONCENTRATION, WHERE SOME OF THE LARGER SITES MAY HAVE A
17 LOW CONCENTRATION.

18 THE SITES THAT WE CONCENTRATED ON AFTER THE
19 INITIAL ROUND WERE THE SITES WITH THE GAS RECOVERY
20 SYSTEMS BECAUSE THEY SEEM TO PROVIDE THE MOST UNIFORM
21 RESULTS. AS FAR AS NUMBER OF COMPOUNDS CONSISTENTLY
22 FOUND, THOSE EIGHT WERE FAIRLY CONSISTENTLY FOUND IN THE
23 GAS RECOVERY SYSTEMS. WE MAY BE DRAWING FROM 25 TO 50 TO
24 A HUNDRED WELLHEADS SCATTERED THROUGHOUT THE LANDFILL
25 RATHER THAN JUST ONE SINGLE POINT IN THE LANDFILL. ONE

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1 SINGLE POINT IN THE LANDFILL WE FOUND WE COULD GET IN IF
2 WE GOT INTO AN AREA WHERE SOME OF THIS STUFF WAS BEING
3 GENERATED LOCALIZED NEAR THE PROBE. THAT WOULD BE --
4 MIGHT NOT BE REPRESENTATIVE OF A LOCATION 25 OR 50 FEET
5 AWAY.

6 SO TO GET A GOOD CHARACTERIZATION, YOU NEED A
7 LOT OF SAMPLE POINTS. THE AIR SWAT'S ARE USED
8 RECOMMENDING FIVE SAMPLE POINTS. WE HAVEN'T SEEN ENOUGH
9 DATA FROM THOSE TO MAKE A DETERMINATION ON WHETHER THAT'S
10 EVEN ENOUGH TO GET AN IDEA OF WHAT'S THE CHARACTERISTIC
11 OF THE ENTIRE SITE.

12 CHAIRMAN GALLAGHER: IT WOULD SEEM TO ME THAT THIS
13 IS CERTAINLY IS PUTTING US IN THE FOREFRONT. AS I READ
14 THE REPORT, MAYBE IT'S BECAUSE I COULDN'T UNDERSTAND SOME
15 OF THE NUMBERS, I THINK THIS IS ONE OF THE MOST
16 COMPREHENSIVE EFFORTS THAT HAS BEEN DONE ANYWHERE. AND I
17 CERTAINLY THINK IT WAS AN EXCELLENT REPORT EVEN THOUGH
18 SOME OF THE NUMBERS I DIDN'T PARTICULARLY UNDERSTAND. I
19 COULD PRONOUNCE MOST OF THE NAMES.

20 MR. FORMANEK: THANK YOU, MR. GALLAGHER. WE'RE
21 PROUD OF IT AS WELL. WE THINK THAT IT REPRESENTS AN
22 EFFORT THAT I HAVEN'T SEEN DONE ANYWAY.

23 MR. EOWAN: IT ACHIEVED AN OBJECTIVE THAT IS
24 IMPORTANT, AND THAT IS COMPLETING UP TO THIS STAGE SO
25 THAT WE HAVE WHAT WE HAVE BEFORE THE SWATDATA, THE AIR



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1 SWAT DATA BEGINS ARRIVING IN MULTITUDES.

2 CHAIRMAN GALLAGHER: MS. BREMBERG.

3 BOARD MEMBER BREMBERG: WHILE WE'VE INTERRUPTED
4 HERE AGAIN, MAY I ASK TO WHOM WILL THIS BE SENT? WHO
5 WILL SHARE IT? WE DON'T -- WE'RE NOT ASKING FOR ANY
6 COMMENTS ON IT BECAUSE IT'S PERFECT AS PRESENTED; BUT,
7 NEVERTHELESS, WHO DO WE INTEND TO FOLD IN ON THIS PROCESS
8 AND INCLUDE? WHO DO WE INTEND TO IMPRESS WITH OUR
9 SUPERIORITY?

10 CHAIRMAN GALLAGHER: IT SEEMS TO ME IT'S A PERFECT
11 OPPORTUNITY TO BLOW OUR HORN IN AN AREA THAT IS NEW, YOU
12 KNOW.

13 MR. FORMANEK: WE'RE GETTING AN AWFUL LOT OF
14 REQUESTS FOR THIS DOCUMENT ALREADY. FOR THE MOST PART,
15 THEY'RE COMING FROM OTHER GOVERNMENT AGENCIES, ALSO
16 CONSULTING GROUPS WHO ARE BECOMING AWARE OF THE
17 INFORMATION AVAILABLE.

18 BOARD MEMBER BREMBERG: HOW ABOUT NATIONAL
19 PUBLICATIONS? SEND OUT INFORMATION ON THIS REPORT AS A
20 PROPOSED ARTICLE FOR FURTHER INVESTIGATION IN VARIOUS
21 ENGINEERING AND SO FORTH MAGAZINES, GEOLOGICAL MAGAZINES.
22 IT SEEMS TO ME THAT THERE'S NO POINT IN NOT COPYRIGHTING
23 IT AND THEN SHARING IT.

24 MR. FORMANEK: I THINK IT WOULD MAKE A VERY GOOD
25 TECHNICAL ARTICLE FOR A JOURNAL. WE'VE BEEN TALKING TO



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1 THE EPA. THEY APPROACHED US, WANTING TO KNOW WHAT WE'VE
2 BEEN DOING. WE'VE GONE BACK AND FORTH A LITTLE BIT.
3 MOSTLY, OUR CONCERN IN OUR DISCUSSIONS WITH THEM IS
4 MONEY. WE'RE TRYING TO FIND OUT WE CAN GET SOME GRANT
5 MONEY.

6 BOARD MEMBER BREMBERG: THEY CAN SEND MONEY. WE'LL
7 CAN XYZ TO COPYRIGHT IT AND THEN WE GET PAID.

8 CHAIRMAN GALLAGHER: BEFORE WE HAVE LEGISLATION
9 INTRODUCED NEXT YEAR TO REQUIRE US TO DO EXACTLY WHAT
10 YOU'VE DONE, I'D LIKE TO BE SURE THAT THE LEGISLATURE
11 OVER THERE KNOWS WHAT WE'VE BEEN DOING WHILE THEY SIT
12 OVER THERE THINKING WE'RE DOING NOTHING. AND THAT'S WHY
13 I'M SUGGESTING THAT WE OUGHT TO TAKE A REAL GOOD LOOK AT
14 WHO GETS BRIEFED ON THIS.

15 BOARD MEMBER BEAUTROW: COULD I ASK THAT ONE
16 STATEMENT -- IT'S A QUALIFIER ON THE BOTTOM OF PAGE 102,
17 PERHAPS SHOULD BE MOVED UP TOWARDS THE FRONT BECAUSE IT'S
18 LOST IN THERE; OR IF YOU LEAVE IT WHERE IT IS, IT SHOULD
19 AT LEAST BE UNDERLINED. IN THE VERY LAST PARAGRAPH THAT
20 THOSE SAMPLES CANNOT BE CONSIDERED REPRESENTATIVE OF AN
21 ENTIRE SITE BECAUSE ONLY A SINGLE DATA POINT WAS
22 EVALUATED.

23 IN OTHER WORDS, IF YOU DON'T READ THIS THING
24 IN THE ENTIRETY, YOU MIGHT COME TO THE CONCLUSION THAT
25 IT'S TOTALLY REPRESENTATIVE. ON THE OTHER HAND, WE KNOW

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1 THAT THERE'S CERTAIN PEOPLE OR GROUPS THAT TAKE THINGS
2 OUT OF CONTEXT AND SAY IT REPRESENTS THE ENTIRE SPECTRUM.
3 SO I THINK IT SHOULD BE A -- IT IS A QUALIFIER AND MAYBE
4 IT COULD BE MOVED UP IN FRONT OR AT LEAST UNDERLINED OR
5 SOMETHING. THANK YOU.

6 BOARD MEMBER VARNER: JUST TO FOLLOW UP ON YOUR
7 COMMENT OF A MOMENT AGO, I WOULD MAKE THE SUGGESTION THAT
8 THIS MIGHT BE A GOOD ACTIVITY FOR THE NEW CHAIRMAN,
9 YOURSELF, TO MAYBE SEE THAT SOME OF THESE THINGS; AND,
10 ALONG WITH THAT, THE OTHER THINGS THAT THIS BOARD HAS
11 DONE AND SHOULD PROPERLY GET THE CREDIT FOR, START TO SEE
12 THAT THOSE THAT NEED TO KNOW ARE INFORMED. I WOULD
13 ENCOURAGE YOU TO MAYBE MAKE THAT A THOUGHTFUL PRIORITY IN
14 YOUR NEW TERM OF OFFICE.

15 CHAIRMAN GALLAGHER: SHALL DO. ANY FURTHER
16 COMMENTS?

17 BOARD MEMBER MOSCONE: I THINK THAT ON PAGE 96, OF
18 COURSE, WE WERE GIVEN BACK IN 1985 INSTRUCTIONS FROM
19 THE -- TO CONDUCT THIS STUDY AND WE GOT \$100,000 DOLLARS
20 TO DO IT. BUT I THINK ON PAGE 95, IN THAT LAST SENTENCE,
21 "IN CALIFORNIA THE SCOPE OF RCRA HAS BEEN EXPANDED TO
22 CONSIDER CHEMICAL CONSTITUENTS OTHER THAN METHANE,"
23 SO-AND-SO, AND DO YOU HAVE ALL OF THAT IN THE BACKGROUND
24 IN THE CHARACTERIZATION STUDY ITSELF?

25 MR. FORMANEK: I HAVE THAT IN THE INTRODUCTION,



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1 SECOND PARAGRAPH ON PAGE 99.

2 BOARD MEMBER MOSCONE: GOOD, VERY GOOD.

3 CHAIRMAN GALLAGHER: WE INTERRUPTED YOUR
4 PRESENTATION, BUT I THINK IT'S ONLY BECAUSE OF THE
5 TREMENDOUS INTEREST IN HERE THAT HAS CARRIED ON. WE NOW
6 RETURN IT TO YOU.

7 MR. FORMANEK: GOING BACK TO THE EIGHT COMPOUNDS
8 THAT WERE COMMONLY FOUND IN THE TEN SITES WITH GAS
9 CONTROL SYSTEMS, THESE COMPOUNDS ARE WIDELY USED IN
10 INDUSTRY AND ARE FOUND COMMON HOUSEHOLD PRODUCTS OR USED
11 IN THEIR MANUFACTURER. THE FIRST THE FOUR COMPOUNDS
12 LISTED ON PAGE 102 OF YOUR PACKET REPRESENT 18 PERCENT OF
13 THE TOTAL ORGANIC CHEMICALS SHOWN ON THE LIST OF THE TOP
14 50 CHEMICALS PRODUCED IN THE U.S. IN 1987.

15 FORTY-FOUR OF THE MUNICIPAL LANDFILLS SURVEYED
16 WERE SAMPLED FROM A SINGLE PROBE PLACED IN THE REFUSE.
17 THOSE SAMPLES CANNOT BE CONSIDERED REPRESENTATIVE OF AN
18 ENTIRE SITE BECAUSE THEY ARE ONLY A SINGLE DATA POINT.

19 THE ANALYTICAL RESULTS FOR THE MUNICIPAL
20 LANDFILLS WITHOUT GAS RECOVERY SYSTEMS ARE PRESENTED IN
21 TABLE 4, WHICH IS ON PAGE 111 OF YOUR PACKET.

22 TESTS OF GAS SAMPLED FROM THE NINE LANDFILLS
23 CATEGORIZED AS SPECIAL WASTE SITES INDICATED VERY FEW
24 TRACE CONTAMINANTS; HOWEVER, METHANE WAS DETECTED IN MOST
25 OF THESE SITES. COMPARED TO MUNICIPAL LANDFILLS, THESE

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1 SPECIAL WASTE LANDFILLS WERE FOUND TO BE CLEANER WITH
2 RESPECT TO THE PRESENCE OF THE TARGETED CHEMICALS. THE
3 COMPOUNDS FOUND IN THE NINE LANDFILLS ARE FOUND IN TABLE
4 5 OF YOUR PACKET, WHICH IS PAGE 112.

5 ADDITIONAL CHARACTERIZATION WAS DONE ON
6 SAMPLES COLLECTED FOR THIS STUDY BY DOING A FULL-SCAN
7 LIBRARY SEARCH ON THE CHROMATOGRAMS. AS PART OF THE
8 EVALUATION OF EACH SAMPLE, WE GOT -- A CHROMATOGRAM WAS
9 GENERATED FROM THE INSTRUMENT THAT EVALUATES THE SAMPLES.
10 WE TOOK THOSE CHROMATOGRAMS AND WENT TO AN INDEX OF
11 CHEMICAL COMPOUNDS AND DID COMPARATIVE ANALYSIS TO
12 TYPICAL CHROMATOGRAMS THAT ARE FOUND IN THESE INDEXES AND
13 TRIED TO IDENTIFY OTHER COMPOUNDS WITH JUST KIND OF AN
14 ARM-WAVING APPROACH TO SEE WHAT MATCHES UP AND WHAT
15 GENERAL CONCENTRATION.

16 FIFTY-FIVE COMPOUNDS AND GROUPS OF COMPOUNDS
17 IN ADDITION TO THOSE ALREADY MENTIONED WERE IDENTIFIED IN
18 THIS MANNER. THOSE ARE IDENTIFIED IN TABLE 6, PAGE 113
19 OF YOUR PACKET.

20 AN ATTEMPT WAS MADE TO CORRELATE MAJOR GAS
21 CONCENTRATION TO THE OCCURRENCE OF TRACE COMPOUNDS. A
22 CLEAR RELATIONSHIP CANNOT BE IDENTIFIED. WHERE MAJOR GAS
23 FELL WITHIN THE RANGE EXPECTED FROM MUNICIPAL LANDFILLS,
24 THE TYPES AND CONCENTRATIONS OF TRACE COMPOUNDS VARIED.
25 IN SOME CASES MAJOR GAS CONCENTRATIONS WERE LOW, BUT THE

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1 TRACE COMPOUND CONCENTRATIONS WERE HIGH. IN OTHER CASES
2 THE REVERSE WAS TRUE.

3 QUITE OFTEN IT'S TYPICAL, AND PARTICULARLY AT
4 BKK AND PUENTE -- PV AND SEVERAL OTHER SITES IN THE
5 STATE, THEY'VE TRIED TO USE METHANE AS SURROGATE TO
6 IDENTIFY, FOR EXAMPLE, VINYL CHLORIDE BECAUSE METHANE IS
7 PRETTY EASY TO TEST FOR. THIS STUDY SHOWS THAT YOU JUST
8 CAN'T REALLY DRAW A CORRELATION ON A STATEWIDE BASIS AND
9 SAY, "BECAUSE YOU ARE FINDING SO MUCH METHANE; THEREFORE,
10 SUCH-AND-SUCH A COMPOUND HAS TO BE IN THE SAMPLES IN SUCH
11 A QUANTITY. AT THE LEVEL OF STUDY WE UNDERTOOK, WE
12 COULDN'T ESTABLISH SUCH A RELATIONSHIP.

13 SEVERAL POSSIBLE EXPLANATIONS FOR THE PRESENCE
14 OF TRACE COMPOUNDS DETECTED IN MUNICIPAL LANDFILL GAS
15 ARE, ONE, THE GASES ARE THE RESULT OF VOLATIZATION OF
16 CHEMICALS DISPOSED OF PRIOR TO STRICT CONTROLS ON THE
17 DISPOSAL OF INDUSTRIAL HAZARDOUS WASTE AT MUNICIPAL
18 LANDFILLS; TWO, THE GASES ARE THE RESULT OF THE
19 VOLATIZATION OF CHEMICALS CONTAINED IN HOUSEHOLD
20 HAZARDOUS WASTE THAT IS TYPICALLY FOUND IN MUNICIPAL
21 WASTE STREAM; THREE, THE GASES ARE FORMED DURING THE
22 BIOLOGICAL AND CHEMICAL DECOMPOSITION OR REACTIONS
23 BETWEEN CHEMICALS CONTAINED IN INDUSTRIAL OR HOUSEHOLD
24 HAZARDOUS WASTE; FOUR, THE GASES ARE FORMED DURING THE
25 BIOLOGICAL DECOMPOSITION OF NON-HAZARDOUS MUNICIPAL

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1 WASTE. THE MECHANISMS MAY INVOLVE ALL FOUR; HOWEVER, A
2 DETERMINATION OF THE SOURCE OF THE COMPOUNDS IS BEYOND
3 THE SCOPE OF THIS STUDY.

4 ON PAGE 104 OF YOUR BOARD PACKET, WE HAVE THE
5 CONCLUSIONS.

6 BOARD MEMBER VARNER: MR. CHAIRMAN, YOU KNOW, JUST
7 KIND OF AN INTERESTING THING, YOU PROBABLY DON'T HAVE THE
8 ANSWER TO THAT. AS YOU WENT THROUGH THE POSSIBLE REASONS
9 FOR THESE TRACE GASES AND SO FORTH OR CONCENTRATIONS OF
10 GASES, AND IT'S BEYOND THE SCOPE OF YOUR STUDY TO
11 DETERMINE WHAT CAUSED THEM EXACTLY, IS THERE, TO YOUR
12 KNOWLEDGE, ANY STUDIES GOING ON THAT WOULD ACCURATELY
13 DETERMINE WHAT PORTION OF THESE THINGS WOULD COME FROM
14 THE NATURAL DECOMPOSITION OF MATERIAL AS OPPOSED TO
15 HAZARDOUS MATERIAL THAT MIGHT BE PLACED IN THERE?

16 MR. FORMANEK: MAYBE MR. EOWAN MAY WANT TO
17 ELABORATE ON THIS. WE GOT A REQUEST FROM AGENCY TO
18 PREPARE SOME SORT OF PROPOSAL TO LOOK INTO THIS SORT OF
19 ISSUE IF POSSIBLE.

20 BOARD MEMBER VARNER: THE REASON I ASKED THAT,
21 OBVIOUSLY PEOPLE WILL JUMP, ALREADY HAVE JUMPED TO THE
22 CONCLUSION THAT THESE THINGS ARE IN THERE BECAUSE OF,
23 SAY, HOUSEHOLD HAZARDOUS WASTE THAT'S PUT IN. AND,
24 ACTUALLY, NO ONE KNOWS ONE WAY OR THE OTHER. I WAS JUST
25 WONDERING IF, TO YOUR KNOWLEDGE, THERE'S ANY STUDIES

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1 GOING ON THAT CAN ACCURATELY DETERMINE SOME OF THESE
2 METHODS AND MAYBE EVEN ACTUALLY DETERMINE THAT CERTAIN
3 THINGS HAPPEN AS A NORMAL DECOMPOSITION OF MATERIAL.

4 MR. EOWAN: I THINK THERE ARE STUDIES ON THE
5 DECOMPOSITION RATES OF MATERIAL AND HOW IT PRODUCES
6 GASES. JUST TO REFRESH YOUR MEMORY, WE DID TRACE GAS
7 DEVELOPMENT RATE STUDY WITH DR. GIOVANOGLAS (PHONETIC),
8 AND HE ALSO DEVELOPED A COMPUTER MODEL THAT COULD BE
9 APPLIED TO VARIOUS LANDFILLS, GIVEMN THE FACTORS OF WASTE
10 COMPOSITION, ETC., YOU COULD DETERMINE WHAT THE
11 DEVELOPMENT RATE FOR TRACE GASES WAS.

12 THAT'S THE WORK THAT WE'VE DONE. AND WHEN YOU
13 TAKE THAT WORK, PLUS THE WORK THAT WE'VE DONE HERE IN THE
14 FIELD, YOU BEGIN TO START HAVING GLIMMERS OF A PICTURE OF
15 HOW A LANDFILL, UNDER A VARIETY OF CONDITIONS, WILL
16 DEVELOP TRACE GASES AND METHANE. AND WE THINK THIS IS ON
17 THE WAY TO BEING A COMPREHENSIVE STUDY WITHOUT ACTUALLY
18 DOING LANDFILL CELL ANALYSIS ITSELF, WHICH IS ANOTHER
19 WHOLE BALL GAME THAT WE'RE NOT INVOLVED WITH AT THIS
20 POINT. MAYBE WE SHOULD BE.

21 AND ON THE HOUSEHOLD HAZARDOUS WASTE QUESTION,
22 I DO RECALL, I THINK THE UNIVERSITY OF CINCINNATI WAS
23 DOING SOME CELL ANALYSIS USING HOUSEHOLD HAZARDOUS WASTE.
24 I DON'T KNOW IF YOU REMEMBER THAT ONE, ROGER. THERE HAVE
25 BEEN SORT OF SPORADIC EFFORTS ON THAT. WE'RE PROPOSING

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Barristers'
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1 FOR THE NEXT BUDGET YEAR TO INCLUDE SOME RESEARCH EFFORT
2 IN THAT AREA WHERE WE WOULD ACTUALLY LOOK AT HOW
3 HOUSEHOLD HAZARDOUS WASTE -- NOW THAT WE'VE DONE A
4 COMPOSITION STUDY REGARDING HOUSEHOLD HAZARDOUS WASTE,
5 THE NEXT LOGICAL STEP WOULD BE LOOKING AT THAT WITHIN A
6 LANDFILL CELL AND SEEING WHAT KIND OF TRACE GAS
7 GENERATION YOU GET. AND WE'LL SEE IF WE GET FUNDING FOR
8 THAT THROUGH THE PROCESS.

9 BOARD MEMBER VARNER: I'M REALLY INTERESTED IN
10 THIS.

11 MR. FORMANEK: I CALLED AROUND LAST WEEK TO SEE
12 WHO'S TRYING TO DRAW LINKS BETWEEN WHAT GOES -- WHAT'S IN
13 THE WASTE STREAM AND WHAT WE'RE FINDING IN LEACHATE AND
14 WE'RE FINDING IN GAS. AND THE GAS END, BEYOND WHAT THE
15 EPA IS DOING THROUGH THE UNIVERSITY OF CINCINNATI, I
16 DON'T KNOW OF ANY SCIENTIFIC RESEARCHERS IN THE FIELD
17 THAT ARE REALLY DOING ANYTHING. FOR THE MOST PART, THIS
18 FIELD IS KIND OF FULL OF PEOPLE THAT HAVE EDUCATED
19 OPINIONS BASED ON INSTINCT, BUT YOU REALLY DON'T HAVE A
20 LOT OF PEOPLE WHO KNOW FROM A SCIENTIFIC, HARD-FACT
21 DATABASE WHAT'S GOING ON.

22 BOARD MEMBER VARNER: YEAH, WELL, THE REAL PROBLEM
23 OUT THERE IS EMOTIONAL RESPONSES TO THINGS WITHOUT ANY
24 KNOWLEDGE OF IT. THAT'S WHAT BOTHERS ME. AND I'M GLAD
25 TO SEE SOMETHING LIKE THIS HAPPENING SO THAT WE CAN START

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1 TO INTELLIGENTLY RESPOND TO THESE PEOPLE.

2 MR. FORMANEK: THE CONCLUSIONS, ON 104 OF YOUR
3 BOARD PACKET, INCLUDE THAT EIGHT TRACE COMPOUNDS WERE
4 IDENTIFIED THAT ARE LIKELY TO BE FOUND IN MUNICIPAL WASTE
5 STREAMS; TWO, THE PRESENCE OR ABSENCE OF METHANE, WHICH
6 IS COMMONLY USED AS AN INDICATOR OF LANDFILL GAS
7 MIGRATION OR EMISSION, DOES NOT NECESSARILY PROVE THAT
8 LANDFILL GASES CONTAINING HAZARDOUS TRACE COMPOUNDS IS
9 PRESENT OR ABSENT; AND, THREE, THE HAND-HELD, DUAL-RANGE
10 NATURAL GAS INDICATOR PROVED TO BE A RELIABLE INSTRUMENT
11 FOR DETERMINING THE METHANE CONTENT IN LANDFILL GAS.

12 THE RECOMMENDATIONS FOUND ON PAGE 105 ARE THAT
13 ADDITIONAL RESEARCH SHOULD BE CONDUCTED ON THE SAMPLING
14 METHOD, SPECIFICALLY TO DETERMINE ANY CHANGE IN GAS
15 COMPOSITION DUE TO THE COOLING OF THE GAS, VARIATION OF
16 THE SAMPLING TIME AND PRESSURE, AND SAMPLE HOLDING TIME.

17 WE'RE DOING THAT RIGHT NOW. WE'RE USING --
18 THROUGH EUREKA LABORATORIES.

19 SECOND RECOMMENDATION IS THAT A LONG-TERM
20 TESTING PROGRAM SHOULD BE CONDUCTED TO FOCUS ON THE
21 PRESENCE OF TRACE AND MAJOR GASES IN FRESHLY DEPOSITED
22 WASTE AND THE EVOLUTION OF THOSE GASES AS THE LANDFILL
23 AGES.

24 THREE, AMBIENT AIR SAMPLING AND ANALYSIS
25 SHOULD BE CONDUCTED FOR TRACE GASES IN AREAS ON AND



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1 ADJACENT TO LANDFILLS WHERE LANDFILL GASES MAY BE FOUND
2 AT ELEVATED CONCENTRATIONS WHERE HUMAN EXPOSURE IS
3 LIKELY. LOCATIONS MAY INCLUDE ON-SITE STRUCTURES, GAS
4 RECOVERY AND CONTROL FACILITIES, AND DRAINAGE STRUCTURES.

5 FOUR, RESEARCH SHOULD BE CONDUCTED ON THE FATE
6 OF TRACE GASES AS LANDFILL GAS PASSES FROM THE WASTE MASS
7 THROUGH THE COVER SOIL.

8 THAT CONCLUDES MY PRESENTATION ON THE TEXT OF
9 THE REPORT. ONE POINT I WANT TO MAKE AND STRESS, ASIDE
10 FROM THE WRITTEN TEXT, IS THAT THIS STUDY SAMPLED RAW
11 LANDFILL GAS TAKEN DIRECTLY FROM THE REFUSE OR FROM THE
12 HEADERS OF GAS COLLECTION SYSTEMS. THAT IN NO WAY
13 REPRESENTS WHAT'S IN THE ATMOSPHERE OF A FACILITY AND IN
14 NO WAY REPRESENTS WHAT THE POTENTIAL IMPACT TO
15 ENVIRONMENT AND PUBLIC HEALTH ARE. IT'S JUST STRICTLY A
16 LANDFILL GAS SAMPLE OUT OF THE REFUSE HEAP.

17 I'D BE VERY HAPPY TO ANSWER ANY QUESTIONS YOU
18 MAY HAVE.

19 BOARD MEMBER BREMBERG: MR. CHAIRMAN, I THINK THAT
20 THAT MAY BE ONE OF THE MOST IMPORTANT THINGS THAT YOU
21 POINTED OUT THAT BECAUSE YOU CAN SHOW IN A CONFINED AND
22 CONTROLLED AREA PRECISELY WHAT IS BEING GENERATED, AND
23 YOU CAN PROVE WHAT'S THERE SO THAT WHEN PEOPLE COME
24 AROUND AND SAY THAT A LANDFILL IS EXUDING FIVE MILLION
25 PARTS PER BILLION OF DIOXIN, YOU CAN SAY, "WRONG-O. IT'S

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1 THE DECAYING LEAVES ON TOP OF THE LANDFILL THAT MAY BE
2 EXUDING THAT MUCH DIOXIN, BUT IT IS NOT COMING FROM THE
3 LANDFILL OR THE WASTE THAT'S IN THAT LANDFILL."

4 AND I THINK THAT'S TERRIBLY IMPORTANT, AND I
5 THINK MAYBE YOU OUGHT TO PUT THAT INTO YOUR REPORT
6 BECAUSE THE VERY FIRST THING THAT PEOPLE ARE GOING TO SAY
7 RIGHT UP FRONT IS, "YEAH BUT, YEAH BUT, THE AIR, YOU ARE
8 KILLING US. YOU ARE DOING ALL THESE -- AND WE'VE ALL
9 HEARD THESE RADICAL DECLARATIONS AND GENERALIZATIONS WITH
10 NO FOUNDATION IN FACT, AND YOU DO HAVE VERY CLEARLY
11 DELINEATED AND CONTROLLED TESTING OF GENERATION OF GASES
12 AND SO FORTH WITHIN A LANDFILL UNDER THE LID, IF YOU
13 WILL.

14 CHAIRMAN GALLAGHER: ANY REASON WHY SUCH A
15 DISCLAIMER WOULD BE OUT OF ORDER, ROGER?

16 MR. FORMANEK: NONE WHATSOEVER. I'D BE HAPPY TO
17 PUT THAT IN THERE.

18 CHAIRMAN GALLAGHER: ANY FURTHER DISCUSSION? CAN
19 I GET A VOTE? I THINK IT'S AN OUTSTANDING REPORT, ROGER.

20 MR. FORMANEK: THANK YOU. I CAN'T REALLY ACCEPT
21 PRAISE FOR THIS. IT REALLY HAS TO GO TO BARRY AND RIZ
22 PARANGALAN, WHO REALLY DID 99 PERCENT OF THE STUDY,
23 INCLUDING PREPARATION OF THE REPORT. MY ROLE FOR THE
24 MOST PART WAS AS EDITOR.

25 CHAIRMAN GALLAGHER: LET'S BROADEN IT SAY YOUR UNIT



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1 DID A GREAT REPORT.

2 MR. FORMANEK: THANK YOU.

3 CHAIRMAN GALLAGHER: AND WE'VE BEEN ASKED TO
4 APPROVE THIS FOR PUBLICATION NOW. MAY I HAVE A MOTION?

5 BOARD MEMBER BREMBERG: I WOULD MOVE THAT WE NOT
6 ONLY ACCEPT, BUT ENCOURAGE IMMEDIATE PUBLICATION AND
7 DISTRIBUTION OF THIS REPORT TO A VARIETY OF NEWS SOURCES
8 AND TECHNICAL JOURNALS.

9 BOARD MEMBER MOSCONE: SECOND.

10 CHAIRMAN GALLAGHER: IT'S BEEN MOVED AND SECONDED
11 THAT WE ACCEPT THIS REPORT WITH THE PROVISIONS THAT WERE
12 INHERENT IN THAT MOTION. ALL THOSE IN FAVOR? OPPOSED?
13 CARRIED AND SO ORDERED.

14 MR. EOWAN: THANK YOU, MR. CHAIRMAN.

15 CHAIRMAN GALLAGHER: I INDICATED EARLIER THIS
16 MORNING AT 3:30 WE WOULD GO INTO CLOSED SESSION. WE HAVE
17 20 MINUTES; AND ACCORDING TO THE TIME FRAME OF YOUR
18 AGENDA, WE PROBABLY COULD GET THROUGH ITEM NO. 10. OKAY?

19 MR. EOWAN: THAT WOULD BE FINE. IF YOU WOULD LIKE
20 TO GO WITH THAT ONE, WE CAN COMPLETE TODAY'S WORK ON THE
21 AGENDA WITH ITEM NO. 10.

22 MR. OLDALL: MR. CHAIRMAN, THIS IS ANOTHER ONE OF
23 OUR REKNOWNED CLOSURES OF AN SB 650 CONTRACT, AND I'D
24 LIKE -- THIS ONE WAS FOR SOME RECYCLING EQUIPMENT THAT
25 WAS ACTUALLY SURPLUS EQUIPMENT THAT WE GAVE BACK OUT TO

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1 SOLANA RECYCLERS. CAROLE BROW WILL BE PRESENTING THE
2 ITEM.

3 MS. BROW: MR. CHAIRMAN, MEMBERS OF THE BOARD, ONCE
4 AGAIN, I'D LIKE TO DESCRIBE FOR YOU FIRST A LITTLE BIT
5 ABOUT THE CLOSEOUT PROCEDURES THAT WE HAVE FOR SB 650
6 GRANTS AND SURPLUS EQUIPMENT GRANTS.

7 BACK IN 1984 THE BOARD ADOPTED A SET OF
8 PROCEDURES THAT INVOLVED AN EVALUATION OF THE GRANTEE'S
9 PERFORMANCE RELATIVE TO SEVEN CRITERIA. AND JUST TO SUM
10 UP WHAT THE SEVEN WERE, THEY BOIL DOWN TO TWO.

11 FIRST OF ALL, DID THE GRANTEE PERFORM THE
12 CONTRACT AS SPECIFIED; AND, TWO, HOW LIKELY IS IT THAT
13 THE EQUIPMENT AND FACILITIES THAT WERE PROVIDED WITH THE
14 GRANT FUNDS WILL CONTINUE TO BE USED TO PROMOTE RECYCLING
15 IN THE STATE OF CALIFORNIA.

16 FOR THE SOLANO RECYCLERS, WE PROVIDED THEM
17 WITH A TWO-AND-A-HALF TON STAKEBED TRUCK. THAT WAS A
18 1980 TRUCK, WHICH IN 1985 HAD AN ESTIMATED VALUE OF ABOUT
19 \$5500.

20 STAFF VISITED THE SITE, INSPECTED THE
21 OPERATION, AND LOOKED AT THE TRUCK. AND JUST TO BE
22 REALLY BRIEF, WHAT WE FOUND WAS THEY MEET ENTIRELY THE
23 TEST THAT WAS PREVIOUSLY ESTABLISHED FOR CONTRACT
24 CLOSURE.

25 THE TRUCK IS USED TO COLLECT RECYCLABLES:

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1 ALUMINUM, GLASS, AND NEWSPAPER, FROM THE COMMUNITIES THAT
2 ARE SERVED BY SOLANO RECYCLERS. SOLANO RECYCLERS, BY THE
3 WAY, THIS IS A NONPROFIT COMMUNITY ORGANIZATION IN SAN
4 DIEGO COUNTY. THERE WAS NO SPECIFICATION IN THE CONTRACT
5 ABOUT HOW MUCH THEY WOULD COLLECT; BUT, IN FACT,
6 CONSIDERING THE SMALL SIZE OF THE COMMUNITY, THEY ARE
7 DOING VERY WELL.

8 THEY'VE COLLECTED 364 TONS IN THE YEAR --
9 FINAL YEAR OF THE CONTRACT. THAT'S ABOUT 4 PERCENT OF
10 THEIR WASTE STREAM. THEY HAVE CONTINUED TO EXPAND THEIR
11 PROGRAM AND HAVE, AS RECENTLY AS YESTERDAY, WHEN I TALKED
12 TO THEIR MANAGER, INDICATED EXPECTATIONS TO CONTINUE TO
13 EXPAND THEIR OPERATION AND TO IMPROVE IT.

14 THEREFORE, STAFF RECOMMENDS THAT THE BOARD
15 APPROVE CLOSURE OF THIS CONTRACT AND TRANSFER OF THE
16 TITLE TO THE TRUCK.

17 BOARD MEMBER MOSCONE: QUESTIONS?

18 BOARD MEMBER BREMBERG: MR. CHAIRMAN.

19 BOARD MEMBER MOSCONE: MRS. BREMBERG.

20 BOARD MEMBER BREMBERG: I THINK FOR THE PRICE OF A
21 TRUCK, AND WHAT CAUGHT MY ATTENTION ORIGINALLY, WE GAVE
22 THEM NO DOLLARS. I THOUGHT THAT WAS REMARKABLE, THAT WE
23 GAVE THEM A TRUCK AND THEY HAVE PROBABLY ONE OF THE BEST
24 AND MOST SUCCESSFUL AND TOTALLY DEDICATED PROGRAMS, AND
25 WE'VE GIVEN OR THE BOARD HAS GIVEN A HALF MILLION DOLLARS

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1 TO OTHERS WHO HAVEN'T MANAGED TO DO ANYTHING BUT MAKE
2 WONDERFUL PLANS AND A LOT OF WHISTLES AND BALLOONS AND
3 TELEVISION COVERAGE AND HAVEN'T RECYCLED MUCH OF
4 ANYTHING. SO I THINK THEY ARE TO BE COMMENDED AND
5 ENCOURAGED; AND IF THEY EVER COME BACK AND ASK FOR
6 ANOTHER TRUCK, I'D BE PERFECTLY WILLING TO GIVE THEM ONE.
7 THEY USE IT SO WELL.

8 BOARD MEMBER ARAKALIAN: FIRST TIME. NOTHING IN
9 DOLLARS.

10 BOARD MEMBER BREMBERG: A TRUCK.

11 MS. BROW: THERE WAS NO EXTRA FUNDING THAT WAS
12 AVAILABLE. THE TRUCK HAD SOME VALUE, BUT THERE WAS NO
13 CASH THAT CHANGED HANDS.

14 BOARD MEMBER ARAKALIAN: WHAT ELSE COULD WE GIVE
15 THEM?

16 MR. EOWAN: FROM TIME TO TIME WE DO HAVE THINGS
17 THAT ARE AVAILABLE.

18 BOARD MEMBER ARAKALIAN: STALE BREAD OR SOMETHING.

19 BOARD MEMBER BREMBERG: THEY'VE DONE A SUPER JOB.

20 BOARD MEMBER MOSCONE: DID SOMEONE MAKE A MOTION?

21 BOARD MEMBER CALLOWAY: I'LL MOVE THE ADOPTION OF
22 RESOLUTION 88-54.

23 BOARD MEMBER BREMBERG: SECOND.

24 BOARD MEMBER MOSCONE: CALL THE QUESTION. ALL IN
25 FAVOR? OPPOSED? NONE. SO ORDERED.

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MS. BROW: THANK YOU.

BOARD MEMBER MOSCONE: DO WE HAVE ANY OTHER SHORT
ITEM, GEORGE?

MR. EOWAN: I THINK WE COULD RECESS NOW.

BOARD MEMBER MOSCONE: WE WILL RECESS NOW TILL
TOMORROW MORNING AT 9 O'CLOCK.

(END OF PROCEEDINGS.)



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REPORTER'S CERTIFICATE

I, BETH C. DRAIN, HEREBY CERTIFY THAT ON THE
15TH DAY OF SEPTEMBER, 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



1600 EAST FOURTH STREET, SUITE 220
SANTA ANA, CALIFORNIA 92701
TELEPHONE (714) 953-4447

Barristers'
reporting service