

**CERTIFIED
COPY**

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

**IN THE MATTER OF THE:)
)
COMPOSTING REGULATIONS WORKSHOP))
APRIL 27, 1992)
_____)**

DATE AND TIME: MONDAY, APRIL 27, 1992, 10 A.M.

**PLACE: LOS ANGELES COUNTY SANITATION DISTRICT
 BOARDROOM
 1955 WORKMAN MILL ROAD
 WHITTIER, CALIFORNIA**

**REPORTER: BETH C. DRAIN, RPR, CSR
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BRS FILE NO.: 11571

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APPEARANCES

MR. MICHAEL FINCH
MR. SCOTT HUMPERT
MS. DEBORAH COVIN



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1 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
2 WORKSHOP ON DEVELOPMENT OF COMPOSTING REGULATIONS
3 MONDAY, APRIL 27, 1992
4 10 A.M.

5
6 MR. FINCH: WE'RE GOING TO WAIT UNTIL QUARTER
7 AFTER TO ALLOW PEOPLE TO GET HERE. THERE MAY BE SOME
8 LATECOMERS. SO WE'LL GIVE IT ANOTHER TEN MINUTES OR SO.
9 SO IF YOU WANT TO GO GRAB A CUP OF COFFEE
10 OR SOMETHING, THERE'S A SNACK BAR NEXT DOOR TOWARDS THE
11 BACK.

12 (A BREAK WAS TAKEN.)

13 MR. FINCH: GOOD MORNING. WHY DON'T WE GET
14 STARTED NOW. I'M MICHAEL FINCH WITH THE WASTE BOARD'S
15 STANDARDS DEVELOPMENT DIVISION, AND I'D LIKE TO WELCOME
16 YOU TO OUR WORKSHOP ON COMPOSTING REGULATIONS.

17 ESSENTIALLY, WE'LL BE HERE TODAY TO RECEIVE
18 TESTIMONY FROM YOU, THE REGULATED PUBLIC AND OTHER
19 INTERESTED PARTIES, ON HOW WE SHOULD PROCEED WITH OUR
20 COMPOSTING REGULATIONS.

21 I'LL HAVE A FEW WORDS TO SAY, AND THEN I'LL
22 OPEN THE MICROPHONE UP OVER HERE FOR EVERYONE TO GET UP
23 ONE AT A TIME AND GIVE TESTIMONY. WE WILL BE BREAKING IN
24 A COUPLE HOURS FOR LUNCH; AND IF PEOPLE ARE STILL
25 INTERESTED, WE'LL MEET BACK IN ANOTHER HOUR OR SO AND



1 CONTINUE HEARING COMMENTS.

2 I'D ALSO LIKE TO INTRODUCE OVER HERE. THIS
3 IS SCOTT HUMPERT. HE'S GOING TO BE ACTUALLY WORKING ON A
4 LOT OF LANGUAGE ON THE REGS. AND OVER HERE IS DEBORAH
5 COVIN. ALSO, THEY'RE BOTH WITH THE STANDARDS DEVELOPMENT
6 SECTION, AND THEY'LL BE HERE. AND IF THEY HAVE ANY
7 QUESTIONS OF ANY OF THE SPEAKERS, THEY'LL BE SURE TO
8 MENTION SOMETHING.

9 WE HAVE A COURT REPORTER PRESENT TO RECORD
10 THE TESTIMONY. THIS ISN'T AN OFFICIAL RULEMAKING HEARING
11 AS FAR AS THAT GOES. WE'RE IN THE PRERULEMAKING STAGE
12 RIGHT NOW AS FAR AS OFFICIAL OAL, OFFICE OF
13 ADMINISTRATIVE LAW, RULEMAKING IS CONCERNED.

14 AND NOW, OF COURSE, IS THE BEST TIME TO
15 SORT OF GET YOUR FOOT IN THE DOOR, SO TO SPEAK, AND HELP
16 INFLUENCE AND SHAPE THE WAY THE REGS, YOU FEEL, SHOULD
17 GO.

18 CURRENTLY, WE DO NOT HAVE ANY DRAFT
19 LANGUAGE ACTUALLY AVAILABLE. WE'VE ONLY BEEN KICKING
20 AROUND A FEW CONCEPTS AND IDEAS. AND WHY DON'T I GET
21 INTO THE INTRODUCTION RIGHT NOW.

22 I ASK THAT EVERYONE USE THE SIGN-IN SHEET
23 THAT WAS THERE AT THE FRONT DOOR AND PLEASE PRINT LEGIBLY
24 BECAUSE I WILL USE THAT SIGN-IN SHEET TO NOTIFY EVERYONE
25 FOR FUTURE REGULATORY EFFORTS IN THIS PARTICULAR



1 COMPOSTING FIELD. SO IF YOU SCRIBBLE YOUR NAME. WE CAN'T
2 GET YOU A NOTICE. I HAD SOME PROBLEMS WITH THAT FROM THE
3 LAST WORKSHOP: SO IF ANY OF YOUR FRIENDS WEREN'T NOTIFIED
4 OR YOU GOT A LATE NOTICE, IT WAS BECAUSE WE COULDN'T
5 QUITE READ THE SIGNATURE OR THE ADDRESS.

6 COUPLE HOUSEKEEPING THINGS HERE. WE ASK
7 THAT YOU NOT BRING FOOD OR DRINK INTO THE AUDITORIUM
8 HERE. IF YOU CAN, DO SO IMMEDIATELY OUTSIDE. AND WE DO
9 HAVE A CAFETERIA IMMEDIATELY NEXT DOOR. YOU GO THROUGH
10 THE DOUBLE DOORS AND A BREEZEWAY HERE AND THEN PROCEED
11 TOWARDS THE BACK OF THE SAN DISTRICT'S OFFICE. AND
12 THERE'S COFFEE AND FOOD, ETC., THERE.

13 JUST BRIEFLY, TO GIVE YOU SOME OF THE
14 HISTORY, 17 DECEMBER '91, WE CONDUCTED OUR FIRST
15 COMPOSTING WORKSHOP AND THAT WENT ALL DAY. YOU HEARD A
16 LOT OF TESTIMONY. I WOULD SUM IT UP BY SAYING THAT A LOT
17 OF THE TESTIFIERS ASKED FOR A STREAMLINED PERMITTING
18 PROCESS, AND ALSO A LOT OF PEOPLE WERE INTERESTED IN A
19 PERMIT BY RULE PROCESS PARTICULARLY FOR GREEN SOURCE
20 SEPARATED WASTE ONLY.

21 ONE OF THE SUGGESTIONS THAT WE RECEIVED AT
22 THE 17 DECEMBER MEETING WAS THAT A COMPOST ADVISORY PANEL
23 BE SET UP TO AID THE BOARD IN SOME OF THE TECHNICAL
24 ISSUES LIKE ODOR CONTROL AND RUNOFF. RUNOFF, NOT SO MUCH
25 FROM THE ARENA OF ACTUAL CONCEPTS, BUT MORE THE NUTS AND



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BOLTS TYPE OF APPROACH.

AND CURRENTLY, THE BOARD IS CONSIDERING THE ACTUAL LIST. WE ADVERTISED FOR COMPOSTING EXPERTS FROM SIX AREAS, WHICH INCLUDED ACADEMIA, GREEN WASTE PEOPLE, THE MSW, MIXED SOLID WASTE, COMPOSTERS, FROM LOCAL GOVERNMENTS, FROM SEWAGE SLUDGE -- AND WHAT'S THE OTHER CATEGORY THAT I MISSED? I SAID ACADEMIA, LOCAL GOVERNMENT -- WELL, ANYWAY, FROM THOSE SIX CATEGORIES.

AND WE RECEIVED, OH, APPROXIMATELY 30 APPLICATIONS. AND FROM THOSE APPLICATIONS WE'RE LOOKING AT THEIR RESUMES AND COMING UP WITH A LIST OF 12 PEOPLE, TWO REPRESENTATIVES FROM EACH OF THESE CATEGORIES, WHO WILL THEN SIT IN ON THIS ADVISORY PANEL ON A VOLUNTARY BASIS.

THE PANEL WILL MEET APPROXIMATELY TWO TIMES. AND WE HOPE THAT THEY'LL HELP THE BOARD STAFF COME UP WITH -- DEAL WITH SOME OF THE TECHNICAL ISSUES. I EXPECT A DECISION TO BE MADE ON THE FINAL MAKEUP OF THE PANEL SOMETIME NEXT MONTH, WITH THE PANEL FINALLY MEETING AT ABOUT THAT TIME.

ANOTHER THING TO KEEP IN MIND IS SB 1523, WHICH IS SPONSORED BY SENATOR KILLEA. AND THAT PARTICULAR BILL WILL BE DIRECTLY IMPACTING WHAT WE SAY AND DO HERE TODAY. IT WILL BE SPECIFICALLY TALKING ABOUT COMPOSTING AND SOME OF THE DIFFERENT ISSUES THAT WILL



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1 COME UP. AND WHATEVER THE LANGUAGE THAT'S FINALLY
2 CONTAINED IN THAT BILL WILL SUPERSEDE WHATEVER WE DO
3 HERE.

4 SO THAT IF THE BILL SAYS, FOR EXAMPLE, THAT
5 WE HAVE TO HAVE, LET'S SAY, A FULL SOLID WASTE FACILITIES
6 PERMIT FOR ALL COMPOSTING FACILITIES, THEN THAT'S THE WAY
7 WE'LL HAVE TO GO. IT WILL BE AN OVERRIDING FACTOR. THAT
8 BILL IS, I HEARD TODAY, BEING HEARD IN COMMITTEE, SO
9 WE'RE GOING TO HAVE TO WAIT AND SEE HOW THE DUST SETTLES
10 ON THAT. BUT THAT IS ONE OF THE OVERRIDING CONCERNS.

11 BRIEFLY, THE LAST THREE ITEMS THAT WE HAVE
12 ON THE TOPICS TO CONSIDER, AND I HOPE THAT WHEN I OPEN
13 THE MICROPHONE UP TO GENERAL COMMENTS, THAT PEOPLE WILL
14 KEEP THESE THREE AREAS IN MIND. THOSE THREE AREAS ARE
15 THE PERMITTING ASPECTS OF REGULATIONS, OPERATIONAL
16 STANDARDS, AND PRODUCT QUALITY SPECIFICATIONS.

17 THE PERMITTING REGULATIONS WILL
18 SPECIFICALLY DEAL WITH HOW TO PERMIT YOUR COMPOSTING
19 FACILITY. AS I MENTIONED EARLIER, A LOT OF PEOPLE ARE
20 INTERESTED IN A STREAMLINED PERMITTING PROCESS, AND
21 SPECIFICALLY A PERMIT BY RULE PROCESS FOR GREEN WASTE
22 ONLY FACILITIES, MAYBE WITH -- MAYBE A CAP ON A CERTAIN
23 PER TONNAGE OR CUBIC YARD MAXIMUM AMOUNT OVER WHICH
24 EVERYONE HAS TO GET A FULL SOLID WASTE FACILITIES PERMIT.

25 CURRENTLY THE BOARD IS CONSIDERING GOING



1 ALONG WITH THE -- SOME SORT OF MODIFIED PERMIT BY RULE
2 PROCESS. ESSENTIALLY, THIS IS FROM A CONCEPTUAL BASIS.
3 I COULD SEE A PERMIT BY RULE PROCESS BEING ONE IN WHICH A
4 POTENTIAL COMPOSTER WOULD JUMP THROUGH ALL THE OTHER
5 HOOPS, WOULD DEAL WITH LOCAL LAND USE, WOULD DEAL WITH
6 THE CEQA ISSUES, WITH THE WASTE DISCHARGE REQUIREMENTS OR
7 EXEMPTION THEREOF, DEAL WITH THE AIR BOARD, AND DEAL WITH
8 THE LEA TO SEE WHETHER THE LEA MIGHT NOT FEEL THAT A MORE
9 RIGOROUS PERMITTING MIGHT BE IN ORDER FOR THIS PARTICULAR
10 FACILITY.

11 AND THEN AFTER ALL THESE OTHER SUBLOOPS ARE
12 DEALT WITH, THEN FILLING OUT A FORM THAT WOULD BE A PART
13 OF REGULATION, JUST SIMPLY FILL IN THE BLANK, NAME OF
14 COMPOSTERS, SITING LOCATION, TONNAGE EXPECTED,
15 INFORMATION ALONG THIS LINE, AND THEN SIGNING
16 CERTIFICATION AT THE BOTTOM STATING THAT YOU'VE COMPLIED
17 WITH ALL OTHER REQUIRED LAND USE PERMITS, ETC., AND
18 SENDING IT IN, AND STATING THAT YOU KNOW AND UNDERSTAND
19 THE BOARD'S OPERATION STANDARDS AND PRODUCT QUALITY
20 SPECIFICATIONS.

21 THIS WOULD ALLOW A FACILITY TO COME ON-LINE
22 SOONER, WHILE STILL ENSURING PROPER ENVIRONMENTAL CONCERN
23 AND PROPER PRODUCT QUALITY IS MAINTAINED BY UTILIZING
24 SPECIFIC OPERATION STANDARDS AND PRODUCT QUALITY
25 SPECIFICATIONS.



1 AND BOARD STAFF RIGHT NOW IS CONSIDERING
2 THAT FOR GREEN WASTE ONLY FACILITIES WITH SEWAGE SLUDGE
3 AND MSW, MIXED SOLID WASTE FACILITIES, GOING MORE OF A
4 TRADITIONAL ROUTE FOR PERMITTING VERY SIMILAR TO WHAT YOU
5 MIGHT HAVE FOR A MRF, MATERIALS RECOVERY FACILITY, OR A
6 TRANSFER STATION BECAUSE OF SOME OF THE OTHER
7 ENVIRONMENTAL CONCERNS ASSOCIATED WITH THOSE TYPE OF RAW
8 FEEDSTOCK.

9 LASTLY, WITH THE SOLID PRODUCT QUALITY
10 SPECIFICATIONS, WE'RE LOOKING AT SOMETHING ALONG THE LINE
11 AS THE 503 STANDARDS. ONE OF THE HANDOUTS I LEFT IN THE
12 BACK SHOWS SOME OF THE COMPOST PRODUCT STANDARDS BY SOME
13 VARIOUS STATES, COUNTRIES, AND PROPOSALS WORLDWIDE.
14 AND YOU SEE IT NEAR THE BOTTOM OF THE LIST, THE EPA 503
15 REGS, WHICH ARE IN DRAFT. THESE ARE THE DRAFT NUMBERS.

16 KEEP IN MIND THE EPA 503 NUMBERS
17 SPECIFICALLY APPLY FOR SEWAGE SLUDGE, BUT ARE BASED ON A
18 LOADING FACTOR FOR UNRESTRICTED END USE PRODUCT THAT
19 COULD BE BAGGED OR SOLD AND FOR AN UNRESTRICTED END USE.

20 AND THOSE NUMBERS WERE -- A LOT OF
21 TECHNICAL WORK WENT INTO THOSE NUMBERS, AND THE BOARD
22 STAFF ARE CONSIDERING USING THOSE AS THE PRODUCT QUALITY
23 SPECS FOR AN UNRESTRICTED END USE PRODUCT BECAUSE OF THE
24 WAY THE ACTUAL LOADING OF THE SOIL IS CONCERNED.

25 THE 503 REGS ARE UNDER COURT ORDER TO BE



1 OUT BY JULY 31ST OF THIS YEAR. AND LIKE I SAY, WE'RE
2 THINKING OF PIGGYBACKING ON THAT.

3 I ALSO KNOW THAT A DRAFT FORM OF SB 1523
4 HAS ALSO CONSIDERED UTILIZING THE SAME NUMBERS RATHER --
5 AND ALSO KEEP IN MIND THOSE NUMBERS WILL BE DYNAMIC IN
6 THE SENSE THAT ONGOING RESEARCH, IF OTHER CONCERNS ARE
7 FOUND, OR MAYBE THE NUMBERS NEED TO BE CHANGED OR
8 SOMETHING, WE WOULD INCORPORATE THOSE IN OUR REGULATIONS
9 BY REFERENCE TO THEM.

10 A LITTLE BIT ABOUT OPERATION STANDARDS.
11 THOSE WOULD ESSENTIALLY DEAL WITH HOW TO OPERATE YOUR
12 FACILITY. HOW TO OPERATE, PRECLUDE ODOR PROBLEMS. WOULD
13 ALSO DEAL WITH PROPER OPERATION IN CONJUNCTION WITH SOME
14 OF THE 503 CONCERNS.

15 SO EITHER YOU HAVE, FOR EXAMPLE, FOR
16 COMPOSTING, YOUR TIME AND TEMPERATURE RELATIONSHIP OR. IF
17 YOU DON'T WANT TO GO THAT ROUTE, YOU MIGHT SHOW HOW
18 YOU'VE DEALT WITH PATHOGENS ON A DIRECT MEASUREMENT
19 BASIS, LIKE LOOKING AT FECAL COLIFORM AND SALMONELLA, FOR
20 EXAMPLE.

21 SO THOSE ARE SOME OF THE AREAS THAT WE'RE
22 LOOKING AT RIGHT NOW. AND I'D LIKE TO ASK PEOPLE TO
23 EITHER RAISE YOUR HAND OR GET UP ONE AT A TIME. I ASK
24 THAT EVERYONE -- EVERY TIME YOU GET UP, TO PLEASE
25 IDENTIFY YOURSELF FOR THE RECORD, SAY WHAT COMPANY YOU



1 ARE WITH, ETC. AND WE'LL USE THIS MICROPHONE RIGHT OVER
2 HERE. ANY VOLUNTEERS TO BREAK THE ICE?

3 MR. KEARNEY: MY NAME IS RAY KEARNEY. I'M WITH
4 THE CITY OF LOS ANGELES.

5 MR. FINCH: IS THAT MICROPHONE ON?

6 MR. KEARNEY: BASICALLY -- WELL, LET ME START
7 OVER AGAIN. I'M RAY KEARNEY WITH CITY OF LOS ANGELES.
8 AND I HAVE ONE QUESTION AND ONE COMMENT.

9 THE FIRST QUESTION RELATES TO THE 503
10 STANDARDS. THOSE ARE THE FEDERAL U.S. EPA SEWAGE SLUDGE
11 STANDARDS. AND ALTHOUGH THERE IS A COURT ORDERED DECREE
12 FOR THOSE BEING ISSUED BY JULY 31ST THIS YEAR, IF THERE'S
13 A DELAY, AND THERE'S BEEN PLENTY OF DELAYS IN THE PAST.
14 WHAT WOULD YOUR BOARD'S INTENTION BE IN TERMS OF USING
15 THE NUMBERS THAT ARE BEING TALKED ABOUT FROM THOSE?

16 AND MY COMMENT RELATES TO THE SAME THING ON
17 YOUR STANDARDS SHEET. UNDER NOAEL, WHICH IS NO OBSERVED
18 ADVERSE EFFECT LEVEL, FOR CONSTITUENTS IN SLUDGE US 15
19 UNDER CADMIUM, THE NOAEL CONCEPT IS ONE THAT'S ONLY
20 PROPOSED IN THE NATIONAL SEWAGE SLUDGE SURVEY.

21 AND I'VE NEVER SEEN A NUMBER FOR CADMIUM
22 THAT LOW, EITHER IN THE NATIONAL SEWAGE SLUDGE SURVEY
23 NOTICE OR FROM THE PEER REVIEW COMMITTEE THAT IS
24 DEVELOPING THOSE NUMBERS. THE LOWEST NUMBER I'VE SEEN IS
25 18, AND THE OFFICIAL NUMBER THAT EPA TALKED ABOUT IS 25.



1 AND THE SCIENCE SUPPORTS A MUCH HIGHER NUMBER THAN THAT.
2 I JUST WANTED TO -- I THINK THAT NUMBER SHOULD BE
3 CORRECTED.

4 MR. FINCH: YES. LET ME GIVE YOU THE SOURCE FOR
5 THIS TABLE. IT CAME FROM THE "FOCUS ON COMPOSTING"
6 MEETING THAT WAS HELD -- WAS SPONSORED BY U.S. EPA AND
7 WAS HELD IN MINNEAPOLIS IN NOVEMBER. SO THAT'S THE
8 SOURCE FOR THESE NUMBERS. THAT MIGHT HAVE BEEN A TYPO.

9 MR. KEARNEY: MAYBE IT SHOULD HAVE BEEN 25.

10 MR. FINCH: YEAH. MIGHT HAVE BEEN 25.
11 ESSENTIALLY, I JUST PUT THESE OUT HERE JUST SO PEOPLE CAN
12 GET AN IDEA WHAT SOME OF THE OTHER COUNTRIES ARE LOOKING
13 AT.

14 ADDRESSING THE FIRST PART OF YOUR QUESTION,
15 WHICH IS A GOOD COMMENT, ONE OF THE WAYS AROUND WHAT YOU
16 ARE SAYING, IN FACT, WHAT I WOULD RECOMMEND DOING, WOULD
17 BE TO JUST SIMPLY INCORPORATE BY REFERENCE WHATEVER
18 GENERIC LANGUAGE IT WOULD SAY, "REGULATIONS ADOPTED BY
19 U.S. EPA PURSUANT TO," AND NOT NECESSARILY TIE ONESELF
20 DOWN TO A SPECIFIC TIME OR SECTION. SO THAT IF IT WERE
21 DELAYED, THEN WE WOULD SIMPLY DELAY THE EFFECTIVE
22 IMPLEMENTATION TIME OF OUR PARTICULAR STANDARDS.

23 SO THAT, FOR EXAMPLE, IF THERE ARE NO REGS
24 IN EFFECT, ANY 503 REGS, THEN THERE'S SIMPLY NO
25 REQUIREMENT AT THAT TIME. AND THEN ONCE THERE IS A



1 503-TYPE REG PROMULGATED, THEN YOU WOULD START
2 IMPLEMENTING IT. SO THAT'S ONE WAY AROUND THAT.

3 MR. KEARNEY: I WAS JUST CURIOUS IF EITHER
4 THROUGH SB 1523 OR I KNOW THE CHAIRMAN OF YOUR COMMITTEE
5 HAD INDICATED AT THE DECEMBER 17TH MEETING THAT HE WANTED
6 TO HAVE THE REGULATIONS FINAL BY THE END OF THIS YEAR.

7 MR. FINCH: CORRECT.

8 MR. KEARNEY: IF EITHER ONE OF THOSE PROCESSES
9 REQUIRED A PERMIT BEFORE THESE 503 REGS ARE OUT, WHAT
10 YOU'RE SAYING IS THERE WOULDN'T BE ANY REQUIREMENT FOR
11 THOSE STANDARDS.

12 MR. FINCH: RIGHT. IF THE ACTUAL LANGUAGE OF
13 THE WASTE BOARD REGS WERE SUCH THAT WE SIMPLY
14 INCORPORATED BY REFERENCE WHATEVER FEDERAL REGULATIONS OR
15 REQUIREMENTS THAT WERE IN EFFECT AT THE TIME, AND THERE
16 WERE NO FEDERAL REQUIREMENTS IN EFFECT AT THE TIME, THEN
17 EVEN PURSUANT TO YOUR OWN PERMIT, YOU SIMPLY WOULD NOT
18 HAVE ANY REQUIREMENTS THEN.

19 BUT THEN ONCE THOSE ARE FULLY PROMULGATED,
20 THEN YOU WOULD START FOLLOWING THEM.

21 THANK YOU.

22 MR. DAVIS: GOOD MORNING. MY NAME IS ADAM
23 DAVIS. I'M A COMPOST AND FIELD PROGRAMS COORDINATOR FOR
24 WASTE MANAGEMENT OF NORTH AMERICA. I JUST HAVE A FEW
25 BRIEF COMMENTS THIS MORNING I'D LIKE TO MAKE.



1 THE FIRST IS THAT WE'RE VERY INTERESTED IN
2 THESE REGULATIONS BECAUSE WE FEEL THAT THE SUCCESS OF
3 AB 939 DEPENDS LARGELY ON THE SUCCESS OF COMPOSTING
4 PROGRAMS IN CALIFORNIA. IT'S PRETTY CLEAR THAT ORGANICS
5 ARE THE SINGLE LARGEST FRACTION OF THE WASTESTREAM THAT
6 CAN EASILY BE RECYCLED. AND IT'S CRITICAL THAT WE GET
7 MOVING ON THESE COMPOST PROGRAMS.

8 BY THE SAME TOKEN, IT'S CRITICAL THAT THE
9 COMPOST PROGRAMS THAT WE GET STARTED WITH HAVE A POSITIVE
10 IMAGE, NOT ONLY IN THE PROFESSIONAL COMMUNITY BUT IN THE
11 PUBLIC AT LARGE, SO THAT WE DON'T GET NEGATIVE PERCEPTION
12 AND GET SLOWED DOWN AS WE TRY AND GET UNDERWAY.

13 WE WOULD URGE THE BOARD TO TAKE A LEAD ROLE
14 IN PROMOTING AND COORDINATING THE ACTIVITIES OF THE
15 VARIOUS PERMITTING AGENCIES AND TO ENSURE THAT THE
16 EFFORTS OF THE -- ESPECIALLY, THE FIRST COMPOST PROGRAMS
17 OUT OF THE GATE, SO TO SPEAK, ARE BOTH ENVIRONMENTALLY
18 AND TECHNICALLY SOUND.

19 SECONDLY, WE'D URGE THE BOARD TO LOOK TO
20 OTHER STATES FOR EXAMPLES OF SUCCESSFUL REGULATORY
21 APPROACHES. I WON'T GO INTO IT INTO DETAIL NOW, BUT I'VE
22 GOT SOME WRITTEN COMMENTS I'D LIKE TO SUBMIT THAT DO A
23 LITTLE BIT OF DISCUSSION ABOUT SOME OF THE REGULATION
24 THAT WE THINK HAS BEEN SUCCESSFUL IN OTHER STATES..

25 MR. FINCH: IF I COULD INTERRUPT, YOU REMINDED



1 ME. JUST TO LET EVERYONE KNOW IN THE AUDIENCE THAT I'LL
2 BE WILLING TO ACCEPT WRITTEN COMMENTS AT ANY TIME.
3 SIMPLY ADDRESS THEM TO MY ATTENTION AT THE WASTE BOARD.
4 I'VE GOT SOME BUSINESS CARDS UP HERE IF YOU NEED THE
5 ADDRESS. THANK YOU.

6 MR. DAVIS: AS YOU KNOW, THERE ARE TEN STATES
7 AROUND THE COUNTRY THAT ACTUALLY HAVE BANNED PUTTING YARD
8 WASTE AND LEAVES AND SO ON FROM GOING INTO LANDFILLS.
9 AND A LOT OF THEM HAVE HAD TO DEAL WITH THE COMPOST
10 FACILITIES ON-LINE IN A HURRY. PENNSYLVANIA, NEW YORK,
11 ILLINOIS, CONNECTICUT, AND MINNESOTA ALL HAVE REGULATIONS
12 WHICH WE THINK PROVIDES A GOOD ROAD MAP.

13 I WOULD MENTION THAT EVERY ONE OF THOSE
14 STATES THAT HAS APPROACHED THIS THROUGH REGULATION HAS
15 HAD A CONCERN WITH BOTH ODOR AND GROUNDWATER
16 CONTAMINATION, IN PARTICULAR, MAINLY IN TERMS OF
17 ENVIRONMENTAL PROTECTION, BUT, SECONDARILY, IN TERMS OF
18 PROTECTING THE IMAGE OF COMPOSTING IN THE STATE.

19 IN CALIFORNIA I THINK WE EVEN MORE REASON
20 TO BE CONCERNED BECAUSE WE HAVE TREMENDOUS VOLUME
21 COMPARED TO THOSE OTHER STATES AND ALSO LESS DECIDUOUS
22 LEAVES, WHICH IS MORE CARBONACEOUS AND PROVIDE LESS ODOR
23 AND LEACHATE POTENTIAL.

24 FINALLY, WE WOULD URGE THE BOARD TO
25 IDENTIFY AND TRY AND PREVENT LIKELY PROBLEMS THAT WE'RE



1 GOING TO ENCOUNTER IN COMPOSTING FACILITIES THROUGH
2 REGULATION. I BELIEVE THERE'S BEEN A LOT OF DISCUSSION
3 THAT SO-CALLED CLEAN GREEN OR SOURCE SEPARATED WOOD AND
4 YARD WASTE IS COMPLETELY INNOCUOUS MATERIAL.

5 OUR POSITION IS THAT A WELL-RUN GREEN WASTE
6 COMPOSTING OPERATION CAN BE PROBLEM FREE, BUT THAT IT IS
7 NOT NECESSARILY THE CASE THAT IT WILL BE, AND THAT
8 ACTUALLY THE PROBLEMS THAT CAN OCCUR IN A POORLY RUN
9 FACILITY ARE REALLY QUITE SERIOUS.

10 ODOR, VECTORS, WATER, AND DUST ARE
11 OBVIOUSLY PROBLEMS THAT NOT ONLY CAN CONTAMINATE THE
12 ENVIRONMENT, BUT CREATE REALLY BAD FAITH AND BAD PUBLIC
13 IMAGE FOR COMPOSTING.

14 IT'S PARTICULARLY OF CONCERN TO ME THAT OF
15 THE VERY FEW FACILITIES THAT HAVE BEEN STARTED IN
16 NORTHERN CALIFORNIA TODAY -- I'M LESS FAMILIAR WITH THE
17 SOUTHERN CALIFORNIA FACILITIES -- OF THE ONES THAT HAVE
18 STARTED IN NORTHERN CALIFORNIA, A REMARKABLY HIGH
19 PERCENTAGE ARE ALREADY ENTANGLED IN DISPUTES WITH AIR
20 BOARDS AND WATER BOARDS AND THE NEIGHBORS. AND THOSE
21 HAVE BEEN MAINLY EXTREMELY SMALL OPERATIONS AND
22 OPERATIONS WHICH HAVE BEEN RUN BY WHAT I CALL GOOD FAITH
23 OPERATORS.

24 THE GREEN WASTE YARD OR YARD WASTE THAT'S
25 GENERATED IN CALIFORNIA EACH YEAR IS ACTUALLY GREATER IN



1 VOLUME THAN THE ENTIRE SOLID WASTESTREAM OF 41 OF THE 50
2 STATES. IT'S AN ENORMOUS VOLUME OF MATERIAL. AND THE
3 INVESTMENT THAT WILL BE REQUIRED TO TRANSFORM THAT
4 MATERIAL INTO PRODUCT AND KEEP IT OUT OF LANDFILLS IS
5 ALSO ENORMOUS. IT EASILY I CAN IMAGINE IT REACHING A
6 BILLION DOLLARS.

7 WE URGE THE BOARD TO PROVIDE A SOUND
8 REGULATORY FRAMEWORK WITHIN WHICH TO PROTECT THOSE KINDS
9 OF INVESTMENTS IF WE'RE GOING TO SEE 939 SUCCEED. THANK
10 YOU.

11 MR. HUMPERT: MR. DAVIS, DO YOU SEE THAT
12 COMPOSTING HAS A BAD IMAGE?

13 THE REPORTER: I CAN'T HEAR YOU.

14 MR. FINCH: COULD YOU REPEAT AND SPEAK IN THE
15 MICROPHONE. COULDN'T QUITE HEAR YOU.

16 MR. HUMPERT: WELL, YOU WERE TALKING ABOUT
17 POSITIVE IMAGES AND THE POSSIBILITY THAT IT BE --

18 MR. FINCH: STOP. YOU ALMOST HAVE TO EAT THE
19 MIKE.

20 MR. HUMPERT: CAN YOU HEAR ME NOW?

21 MY QUESTION IS YOU ARE TALKING ABOUT
22 POSITIVE IMAGE AND THE POSSIBLE. I GUESS. PROBLEMS THAT,
23 IF WE DON'T GO AHEAD AND HAVE PROPER REGULATIONS ON GREEN
24 WASTE COMPOSTING, THAT THAT COULD AFFECT OUR IMAGE. I
25 THINK THAT'S WHAT YOU WERE ALLUDING TO.



1 MR. DAVIS: NOT ONLY AFFECT THE IMAGE. BUT ALSO
2 SLOW DOWN THE RATE OF INVESTMENT AND DEVELOPMENT OF NEW
3 FACILITIES.

4 MR. HUMPERT: AGAIN, RELATIVE TO THAT, I WAS
5 WONDERING HOW WOULD YOU CHARACTERIZE COMPOSTING'S IMAGE
6 AT THIS TIME?

7 MR. DAVIS: IT'S JUST BRAND NEW IS HOW I WOULD
8 CHARACTERIZE IT. MOST OF THE PEOPLE THAT I COME IN
9 CONTACT WITH ARE THE PUBLIC ARE NOT FAMILIAR WITH THE
10 ISSUES INVOLVED WITH COMPOSTING.

11 AND IN ILLINOIS, FOR EXAMPLE, WHERE THEY
12 BANNED WOOD AND YARD WASTE ABOUT A YEAR AND A HALF AGO
13 FROM LANDFILLS, THERE WAS ACTUALLY LEGISLATION INTRODUCED
14 LAST SUMMER TO REVERSE THAT BAN BECAUSE OF THE PUBLIC
15 OUTCRY OVER POORLY RUN COMPOSTING FACILITIES.

16 MOST OF THE FACILITIES THAT ARE OPERATING
17 IN CALIFORNIA NOW ARE QUITE SMALL. AND EVEN WITH THE
18 SMALL OPERATIONS, WE'RE RUNNING INTO SOME PROBLEMS. I'M
19 JUST CONCERNED THAT THE LEVEL OF PUBLIC COMPLAINT THAT'S
20 BEEN EVIDENCED ALREADY IN OTHER STATES COULD COME BACK TO
21 HAUNT US AS WE TRY AND INVEST IN DEVELOPING THESE
22 FACILITIES.

23 MR. COBB: GOOD MORNING. MY NAME IS DARYL
24 COBB, AND I OWN A TREE TRIMMING COMPANY CALLED THE TREE
25 SCULPTOR INC., AND I OPERATE OUT OF THE SANTA MONICA



1 MOUNTAINS.

2 AND I KEEP ABOUT 60 PERCENT OF THE WASTE
3 THAT I GENERATE. I WORK ALL OVER THE LOS ANGELES AREA.
4 AND I TAKE THIS MATERIAL BACK TO MY YARD UP IN TOPANGA
5 AND BASICALLY DUMP IT. AND I TAKE WATER RIGHT FROM THE
6 CREEK THAT RUNS THROUGH THERE, AND WITH A SYSTEM OF
7 SOAKER HOSES, I LET THE STUFF COMPOST ON ITS OWN FOR
8 ABOUT A 9- TO 12-MONTH PERIOD AND TURN AROUND AND SELL IT
9 RIGHT BACK TO MY CUSTOMERS.

10 AND I'VE NEVER HAD ANY COMPLAINTS FROM
11 ANYBODY. THIS IS IN A -- IT'S AN AGRICULTURALLY ZONED
12 RESIDENTIAL AREA. AND I LIVE IN CALABASAS IN THE MALIBU
13 CANYON AREA, AND SEVERAL OF MY NEIGHBORS, I TAKE AND
14 DELIVER TO THEM QUITE A BIT OF MATERIAL.

15 SOME PROPERTIES I'VE DUMPED PROBABLY IN THE
16 AREA OF 50 CUBIC YARDS OF MATERIAL, THAT WE THEN SPREAD
17 AROUND TO KEEP THE WEEDS DOWN AND LET THE STUFF DECOMPOSE
18 ON ITS OWN, AND THEN THEY CAN USE IT IN THEIR GARDEN.

19 AND SPECIFICALLY WHY I CAME HERE IS I
20 UNDERSTAND THAT NOW IF YOU HAVE ANY MORE THAN 15 CUBIC
21 YARDS, YOU NEED A SOLID WASTE PERMIT.

22 NOW, I DON'T HAVE QUITE THAT MUCH NOW IN MY
23 TOPANGA YARD. JUST THROUGH WORD OF MOUTH, I HAVE MORE
24 AND MORE OF MY CUSTOMERS REFERRING ME TO OTHER PEOPLE
25 WHERE THIS. I WOULD OFFER JUST AS A PERK, I WOULD TAKE



1 AND MAKE RINGS OF MULCH AROUND THE TREES. AND NOW PEOPLE
2 ARE CALLING ME JUST TO DO THAT. AND I'M DOING THIS AT A
3 PROFIT NOW.

4 INITIALLY, I WAS JUST TRYING TO STAY OUT OF
5 THE LANDFILL AND JUST OUT OF CONVENIENCE. AND THIS HAS
6 TURNED INTO A SMALL MULCHING BUSINESS. AND I THINK THAT
7 IT SHOULD BE SIMPLIFIED SO THAT PEOPLE THAT ARE IN
8 SEMIRURAL AREAS CAN BE ABLE TO DO THIS WITHOUT OPERATING
9 ILLEGALLY.

10 INITIALLY, I NEVER INTENDED TO GO INTO THE
11 MULCHING BUSINESS. IT JUST SORT OF HAPPENED AS A
12 SIDELINE, AND IT'S REAL NICE MATERIAL.

13 IT -- THE SOIL AT THE PROPERTY IN TOPANGA
14 WHERE I HAVE MOST OF MY MATERIALS STORED, THE SOIL WAS
15 REAL POOR. IT WAS PRETTY GRAVELLY STUFF. AND THERE WAS
16 NO ORGANIC MATTER IN IT AT ALL. AND JUST IN THE FEW
17 YEARS THAT I'VE BEEN OPERATING THERE, YOU CAN STICK A
18 PITCHFORK IN THERE AND YOU'VE GOT THIS NICE LOAMY
19 MATERIAL FULL OF WORMS. AND THERE'S A BEAUTIFUL
20 VEGETABLE GARDEN THERE WASN'T THERE A FEW YEARS AGO THAT.

21 AND, AGAIN, MY POINT IS TO STREAMLINE THIS.
22 SIMPLIFY IT SO THAT WE CAN HAVE A FEW SMALL LITTLE MOM
23 AND POP MULCHING OPERATORS THAT CAN DO IT LEGALLY AND NOT
24 HAVE TO SPEND MILLIONS OF DOLLARS BUILDING A FACILITY TO
25 MIX SLUDGE AND THINGS THAT AREN'T ACTUALLY NECESSARY TO



1 DO. TO PUT THE ORGANIC MATTER BACK IN THE SOIL, YOU
2 DON'T HAVE TO MIX HUMAN EXCREMENT IN IT. YOU CAN DO IT
3 IN A MUCH CLEANER WAY. THAT'S IT.

4 MR. JONES: MY NAME IS MILT JONES. AND I WORK
5 FOR A COMPANY CALLED PCM. WE DO LANDSCAPE DESIGN,
6 CONSTRUCTION, AND MAINTENANCE. WE MANAGE LARGE
7 PROPERTIES, LARGE ASSOCIATIONS IN SOUTHERN CALIFORNIA.
8 AND FOR THE LAST TWO YEARS WE'VE BEEN OPERATING A
9 SMALL-SCALE COMPOSTING PROJECT THAT USES AS FEEDSTOCK
10 SOLELY YARD WASTE. WE DIVERT APPROXIMATELY 15 TO 20 TONS
11 OF YARD WASTE FROM THE LANDFILL ON A DAILY BASIS.

12 AFTER PERUSING THE PROPOSED SENATE BILL
13 1523, I SEE ON THE HORIZON A REGULATION THAT WOULD MAKE
14 FACILITIES SUCH AS MINE AND THE FACILITY SUCH AS THE ONE
15 THIS GENTLEMAN WAS TALKING ABOUT PROHIBITIVE COSTWISE.

16 AFTER PERUSING SOME OF THE ELEMENTS OF
17 1523. I WAS LEFT WITH THE THOUGHT OF SHOULDN'T THE BURDEN
18 OF PROOF BE ON THE AUTHORS OF SUCH A BILL TO DETERMINE
19 WHETHER OR NOT THE COMPONENTS OF YARD WASTE COMPOSTING
20 ARE REALLY AS THREATENING AS THE BILL SUGGESTS.

21 MY EXPERIENCE IN OUR SMALLER COMPOSTING
22 FACILITIES, THAT THESE COMPONENTS ARE VERY BENIGN. IF
23 THE FACILITY IS MANAGED IN AN APPROPRIATE WAY, PROBLEMS
24 SUCH AS VECTORS, SMELL, DUST, NOISE ARE ABSOLUTELY
25 MINIMIZED.



1 THE FACILITY THAT WE RUN IN ORANGE COUNTY
2 IS ACTUALLY ABOUT 300 YARDS AWAY FROM A RESIDENTIAL AREA.
3 THE SMELL THAT'S PRODUCED FROM OUR COMPOSTING YARD IS ONE
4 OF PINE AND EUCALYPTUS SCENT THAT I HAVE RECEIVED NOTHING
5 BUT COMPLIMENTS ON.

6 AGAIN, MY PUSH WOULD BE TO URGE THE BOARD
7 TO STRONGLY CONSIDER THE ELEMENTS OF 1523 IN LIGHT OF
8 YARD WASTE COMPOSTERS SUCH AS MYSELF THAT REALLY DEEM
9 THE -- THAT THERE'S A GLARING DIFFERENCE BETWEEN THE
10 COMPOSTING OF PUTRESCIBLES SUCH AS THOSE FOUND IN SLUDGE
11 VERSUS THE RELATIVELY BENIGN COMPONENTS OF YARD WASTE.

12 THANK YOU.

13 MS. DELMATIER: I'M DENISE DELMATIER WITH GUALCO
14 GROUP ON BEHALF OF NORCAL WASTE SYSTEMS AND CALIFORNIA
15 WASTE REMOVAL SYSTEMS OUT OF LODI.

16 I WANTED TO COMMENT THIS MORNING AND
17 SUPPORT THOSE FOLKS WHO ARE REQUESTING THE PERMIT BY RULE
18 PROCESS FOR SEPARATED GREEN WASTE. BOTH OF OUR CLIENTS
19 STRONGLY ENCOURAGE THE BOARD TO PROMULGATE REGULATIONS
20 THAT WOULD BOTH STREAMLINE THE PROCESS, BUT YET AT THE
21 SAME TIME PROVIDE FOR AN APPROPRIATE LEVEL OF OPERATIONAL
22 STANDARDS AND ENVIRONMENTAL MITIGATION.

23 WE ENCOURAGE THE BOARD TO PLAY THE LEAD
24 ROLE IN COORDINATING WITH OTHER AGENCIES SO THAT WE DON'T
25 BECOME BOGGED DOWN IN INTERAGENCY SQUABBLES AND ENCOURAGE



1 PARTICIPANTS IN TODAY'S WORKSHOP TO COMMUNICATE TO
2 SENATOR KILLEA'S OFFICE WITH THEIR CONCERNS SO THAT, AS
3 MR. FINCH MENTIONED EARLIER THIS MORNING. SO THAT WE
4 DON'T HAVE A SITUATION WHERE WE HAVE AN ONEROUS BILL THAT
5 SUPERSEDES ALL OUR EFFORTS HERE THIS MORNING AND THE
6 PREVIOUS WORKSHOP.

7 SPECIFICALLY, SB 1523 IS BEING HEARD THIS
8 MORNING IN SENATE APPROPRIATIONS AND WILL BE GOING TO
9 ASSEMBLY NATURAL RESOURCES COMMITTEE IN THE VERY NEAR
10 FUTURE. IT'S AT THAT TIME, I BELIEVE, THAT WE WILL HAVE
11 A STRONG BATTLE AHEAD OF US, AND WE NEED TO GET THOSE
12 THOUGHTS TO SENATOR KILLEA SO THAT SHE IS AWARE OF
13 INTERESTS OF THE PARTICIPANTS IN THIS WORKSHOP.

14 IF I COULD ANSWER ANY QUESTIONS.

15 MR. BOWDLE: GOOD MORNING. MY NAME IS LARRY
16 BOWDLE, B-O-W-D-L-E, FROM HCK. AND WE'VE WATCHED THE
17 COMPOSTING INDUSTRY FOR A NUMBER OF YEARS, AND I WANT TO
18 BRING MY COMMENTS TO IT. AND I MAY NOT BE ENTIRELY
19 POPULAR, BUT I'M GOING TO GIVE YOU MY TOTAL COMMENTS.

20 FIRST THING IS THAT I BELIEVE TO PROTECT
21 THE PUBLIC AND TO PROTECT EVERYBODY TO BE WORKING ON A
22 SAME PLANE, THAT I WOULD RECOMMEND THAT YOU ADOPT THE
23 SAME REGULATIONS AS THE 502 REGULATIONS FOR COMPOSTING
24 FROM THE FEDERAL GOVERNMENT THAT ARE GOING TO BE OUT.

25 THAT WOULD ENTAIL THAT EVERYBODY WOULD



1 OPERATE ON THE SAME BASIS, AND THAT WE WOULD NOT HAVE A
2 PROBLEM WITH POTENTIAL DISEASE OR WEED CONTROL THAT WE
3 NOW HAVE BY PEOPLE THAT DO NOT RUN -- USE TIME,
4 TEMPERATURE, OR USE ANY OTHER METHOD OF OTHER THAN
5 STACKING MATERIAL UP AND SELLING IT OUT LATER.

6 WHEREVER THE END CONSUMER IS GOING TO HAVE
7 TO BE USING THE MATERIAL, IT'S GOING TO GET BACK ON THE
8 GROUND, THAT IS THE POINT BEFORE THAT THAT IT SOMEHOW HAS
9 TO BE -- REACH THOSE TEMPERATURES.

10 I'M SURE THAT NOBODY IN THIS ROOM WOULD
11 WANT TO SEE BERMUDA GRASS SPREAD AROUND OR VITOFTRA
12 (PHONETIC) OR ROOT ROT. SOME OF THE DISEASES THAT HAVE
13 OCCURRED UP IN THE CENTRAL VALLEY, THE FUSARIUM WILT, WAS
14 ALL BROUGHT IN ON ONE 20-ACRE PLOT AND NOW COVERS
15 THOUSANDS OF ACRES. AND BEFORE WE CREATE SOMETHING LIKE
16 THAT, I THINK WE WANT TO TRY TO AVOID IT BECAUSE IN
17 CALIFORNIA OUR AGRICULTURE IS OUR BIGGEST SINGLE ASSET.

18 I'VE HEARD A LOT OF PEOPLE TALK ABOUT
19 LEACHATES. AND I'D LIKE TO JUST SEE THE BOARD MAKE SOME
20 KIND OF A STUDY AND THEN GO BACK AND DO SOME
21 RECOMMENDATIONS. LEACHATES ON A COMPOST PILE ARE ALMOST
22 IMPOSSIBLE. IF YOU STOP AND JUST SEE HOW MANY CUBIC FEET
23 OF MATERIAL YOU HAVE, AND WHAT THE MOISTURE CONTENT IS,
24 AND WHAT IT WOULD TAKE TO GET TO FIELD SATURATION, EVEN
25 WHEN WE'RE COMPOSTING THINGS LIKE SEWAGE SLUDGE THAT ARE



1 EXTREMELY WET, IT WOULD STILL TAKE 702 POUNDS PER LINEAL
2 FOOT OF A ROW FOR IT TO RAIN ON IT BEFORE IT WOULD EVER
3 GET POSSIBLY TO THE POINT OF A LEACHATE PROBLEM.

4 WHEN WE GET TO THAT MUCH RAINFALL, THE
5 LEACHATE IS GOING TO BE THE LEAST OF EVERYBODY'S PROBLEM.
6 I THINK WATER WINGS ARE WHAT YOU ARE GOING TO BE
7 CONCERNED WITH.

8 THE ENTIRE PROCESS OF PERMITTING, AND I
9 THINK EVERYBODY IN THIS ROOM THAT HAS TRIED TO EVEN THINK
10 ABOUT PERMITTING A SITE HAS -- WILL UNDERSTAND WHAT I'M
11 SAYING, AND I DON'T KNOW THAT YOU HAVE A GRASP OF WHAT
12 THE TOTAL PERMIT IS. BUT WHEN YOU START ON IT, PEOPLE
13 SAY, "WE'LL JUST GET A CUP."

14 NOW, YOU GO DOWN AND YOU GET A PIECE OF
15 LAND AND YOU GOT TO GET SOMEBODY TO PROVE THAT THERE'S NO
16 INDIAN ARCHAEOLOGY BONES OR SOMETHING ELSE ON IT.
17 REGARDLESS OF WHAT IT'S BEEN, BEEN PLOWED FOR 40 YEARS OR
18 140 YEARS, STILL YOU GOT TO HAVE A PERMIT. SO YOU'VE GOT
19 TO GET SOMEBODY TO CERTIFY THAT FOR YOU.

20 THEN YOU GOT TO GET SOMEBODY TO COME IN AND
21 SEE IF THERE'S ANY THREE-TOED LIZARDS THAT COULD BE
22 RUNNING ACROSS THAT PIECE OF LAND. AND THEN YOU'VE GOT
23 TO GET THE LOCAL HEALTH DEPARTMENT TO SEE IF IT'S IN
24 KEEPING WITH WHAT THEY WOULD LIKE.

25 THEN YOU'VE GOT TO GET A COUNTY COSWMP



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1 PLAN. AND THEN YOU'VE GOT TO COME AND GET YOUR PLAN.
2 AND EVERYBODY LOOKS AT THEIR PART OF IT AS IT'S NOT A BIG
3 DEAL; BUT TO PERMIT A SITE IS A MAJOR, MAJOR UNDERTAKING.
4 AND SO MANY OF THESE RULES YOU GOT TO DO THIS ONE BEFORE
5 THIS ONE BEFORE THIS ONE. IF ANYBODY HERE CAN PERMIT A
6 SITE WITHIN A YEAR, MY HAT'S OFF TO THEM. I THINK
7 THEY'RE A REAL GENIUS AND THEY'VE LIVED ON SOMEBODY'S
8 DOORSTEP AND DONE WHAT I THINK IS THE IMPOSSIBLE.

9 SO THAT'S WHERE MY RECOMMENDATIONS ARE ON
10 COMPOSTING. AND I'LL GIVE YOU A WRITTEN SCENARIO OF MY
11 ENTIRE COMMENTS. THANK YOU.

12 MR. KAULFUSS: GOOD MORNING. MY NAME IS KENT
13 KAULFUSS. I'M WITH WOOD INDUSTRIES COMPANY FROM VISALIA,
14 CALIFORNIA. AND I CERTAINLY HOPE I DON'T TAKE TOO MUCH
15 TIME HERE THIS MORNING IN LOS ANGELES BECAUSE I DON'T
16 FEEL I TOOK ENOUGH IN DECEMBER.

17 OUR COMPANY HAS SEVERAL CONCERNS. AND AS A
18 LITTLE BACKGROUND, WE HAVE TWO PROGRAMS IN PLACE IN THE
19 CENTRAL VALLEY. WE RECYCLE AG RESIDUE, ORCHARD REMOVAL,
20 AND PRUNINGS FROM TULARE AND KINGS AND FRESNO COUNTY.
21 WE'VE GOT AN URBAN WASTE PROGRAM THAT WE'VE HAD IN PLACE
22 SINCE 1988.

23 WE OPERATE IN THREE SEPARATE TULARE COUNTY
24 LANDFILLS AND HAVE OUR OWN FACILITY WITHIN THE LANDFILL.
25 WE WORK WITH SEVERAL INDIVIDUAL CITIES AND HAVE FOR



1 SEVERAL YEARS. TAKING ALL THEIR GREEN WASTE AND
2 PROCESSING IT.

3 WE WORKED IN VENTURA COUNTY. WE'VE WORKED
4 WITH SANTA BARBARA COUNTY. AND WE ALSO BAG OUR OWN LINE
5 OF SOIL AMENDMENTS AND HAVE DONE COMPOST EXPERIMENTATION
6 AND EXTENSIVE LAB ANALYSIS ON URBAN GREEN WASTE AND WOOD
7 PRODUCTS.

8 TWO ISSUES THAT CONCERN US ARE, ONE,
9 INCINERATION VERSUS COMPOST AND ALSO YARDAGE VERSUS
10 TONNAGE FOR QUALIFYING FOR 939.

11 IN THE INCINERATION END OF IT, EVIDENTLY
12 THE LANGUAGE THAT WAS IN AB 939 WAS TO DEFER
13 WASTE-TO-ENERGY PLANTS FROM BEING BUILT BECAUSE OF
14 CALIFORNIA AIR QUALITY STANDARDS; HOWEVER, AS IS USUAL,
15 IT'S THE CASE OF ONE STATE MANDATE SUPERSEDING ANOTHER.

16 WHEN THE CALIFORNIA ENERGY COMMISSION
17 ALLOWED BIOMASS FACILITIES TO BE BUILT AS ALTERNATIVE
18 ENERGY SOURCES TO CURTAIL OPEN BURNING AND STOP LANDFILLS
19 FROM FILLING UP, THEY WERE BUILT STRICTLY TO ACCOMMODATE
20 WOODWASTE.

21 NOW, VIRGIN DOESN'T QUALIFY FOR WOODWASTE
22 TO GO TO INCINERATION. THERE'S A DEMAND FOR NEW SOURCES
23 OF THIS WOODWASTE. WHICH BECOMES EITHER PLANTATION
24 PLANTING OR, IN THE CASE OF WHAT'S BEING DONE NOW, IT'S
25 IMPORT MATERIAL. WEEKLY THE PORT OF STOCKTON RECEIVES



1 SEVERAL BARGES FROM OREGON AND WASHINGTON LOADED WITH
2 BARK TO BE BURNED IN OUR COGENERATION PLANTS THAT CAN'T
3 TAKE THE GREEN WASTE OUT OF OUR OWN WASTESTREAM.

4 COUNTIES, AT LEAST WITH EXISTING BIOMASS
5 FACILITIES, SHOULD QUALIFY UNDER 939 IF THE WOOD PRODUCTS
6 ARE DIVERTED TO BIOMASS.

7 AS FAR AS COMPOSTING, WE DON'T HAVE A LOT
8 OF KNOWLEDGE IN THIS BACKGROUND, BUT AT THE SAME TOKEN
9 WHEN WE SAW THE HANDWRITING ON THE WALL THAT THINGS
10 WOULDN'T QUALIFY FOR 939, WE STARTED DOING EXTENSIVE
11 RESEARCH.

12 WE FOUND THAT COMPOSTING IS EXPENSIVE -- AN
13 EXPENSIVE AND A LENGTHY PROCESS. THERE'S A LACK OF
14 AVAILABLE GROUND DUE TO THE COMPOSTING PERMIT
15 RESTRICTIONS, WHICH IS IT HAS TO BE A SOLID WASTE
16 FACILITY VIRTUALLY. THAT'S THE SAME GROUND THAT'S
17 ALREADY IN SHORTAGE FOR LANDFILLS, AND WHOLE CITIES AND
18 MUNICIPALITIES CAN'T GET THAT TYPE OF PROPERTY.

19 THE PITFALLS THAT WE FEEL IS REGIONAL
20 DIFFERENCES FOR TOXICITIES BECAUSE OF SOIL CONDITIONS,
21 ETC. EVERY AREA OF CALIFORNIA HAS ITS DIFFERENT NATIVE
22 SPECIES. IN PALM SPRINGS AREA, IT'S PALM WOOD. IN
23 MONTEREY, IT'S PINE. THE CENTRAL CALIFORNIA IT'S
24 EUCALYPTUS AND MULBERRY.

25 ALL PLANT MATTER IS THROUGH TRANSPIRATION



1 OF PLANT UPTAKE RELATES TO PREVALENT SOIL MATERIAL AND
2 NATIVE MATERIAL THAT'S THERE. AND IT'S ALSO THE ACTS OF
3 HERBICIDES AND CHLORIDES THAT'S BEEN IN THE LAND
4 TRADITIONALLY.

5 AT FIRST WE WERE REALLY EXCITED ABOUT THE
6 PRODUCTS WE WERE MAKING. IT JUST HAD THAT GREAT RICH
7 CHOCOLATE BROWN COMPOST THAT WE WERE AFTER, UNTIL WE
8 STARTED GETTING BACK LAB ANALYSIS THAT SHOWED CHLORIDE
9 LEVELS OF 68 PARTS PER MILLION WHEN THE TOLERANCE THAT'S
10 ALLOWED FOR ORNAMENTAL PLANTS IS 1.5. THAT WAS OUR FIRST
11 CONCERN.

12 OUR SECOND WAS BORONS. WE HAD -- I THINK
13 BORONS ARE ALLOWED UP TO TWO PARTS PER MILLION. OUR
14 BORON LEVELS ARE COMING BACK 18 TO 20. ALL RELATIVE TO
15 NATIVE SOILS. IF YOU GO INTO MOJAVE DESERT, YOU'RE GOING
16 TO HAVE A LOT OF BORON PLANTS THAT UPTAKE ESPECIALLY
17 THROUGH THE LEAF ARE GOING TO BE HIGH IN PHOSPHATES AND
18 CHLORIDES.

19 WE STARTED SAYING WHERE DO THE CHLORIDES
20 COME FROM. WELL, THE BIGGEST KNOWN ELEMENT THAT
21 CHLORIDES ARE IN IS HERBICIDES. AND EVERY HOMEOWNER
22 ANYWHERE, THAT YOUR FAVORITE THING TO DO IS RUN TO K-MART
23 AND GET EVERY ORTHO PRODUCT YOU CAN TO PUT ON YOUR LAWN
24 SO THAT YOU HAVE SUPER GROWTH. THAT'S GOING TO COME BACK
25 IN THE FINAL PRODUCT.



1 AND THE OTHER WAY THAT WE'RE FINDING
2 CHLORIDE CONCENTRATIONS THAT WE HAVE WATER STANDARDS TO
3 ALLOW CHLORIDES AT SO MANY PARTS PER MILLION FOR DRINKING
4 WATER. BUT IF YOU'VE BEEN WATERING YOUR LAWN FOR 25 YEARS
5 CONTINUALLY. THE SATURATION POINT AND CONCENTRATION OF
6 THOSE CHLORIDE LEVELS IN YOUR YARD WASTE IS EXTREME.

7 THE OTHER CONCERN THAT WE HAVE IS PRODUCT
8 LIABILITY BECAUSE OF THESE VERY THINGS THAT WE MENTIONED.
9 WE HAVE EUCALYPTUS, PYRACANTHA, OLEANDER, PLANTS LIKE
10 THIS. EUCALYPTUS IS KNOWN TO BE A GROUND SOIL STERILANT
11 IN OUR YARD MAIN WASTESTREAM. YOU CAN'T POSSIBLE SORT
12 ALL THE DIFFERENT SPECIES OF WOOD AND HAVE ONE GO TO ONE
13 TYPE OF PRODUCT AND ONE TO ANOTHER.

14 THE OTHER THING THAT WE FOUND WAS THE EC
15 HIGH SALTS. THEY'RE ONE AND A HALF TO TWO AND A HALF.
16 OUR COMPOST WOULD RANGE IN SOME SALT LEVELS UP TO 18.
17 ALTHOUGH OUR PH WOULD REMAIN AT 6.7.

18 THE TESTING AND MONITORING AND REGULATING
19 THAT'S GOING TO BE NEEDED TO BE DONE IN ORDER TO MONITOR
20 ALL THE GEOGRAPHICAL AREAS IN THE STATE OF CALIFORNIA
21 WOULD BE PHENOMENAL. YOU'D HAVE TO HAVE EVERY'TIME THAT
22 EVERYBODY CAME UP WITH A NEW BAG OF COMPOST. THEY'D HAVE
23 TO ACTUALLY GO THROUGH LAB TESTS TO SEE IF IT WAS
24 SOMETHING THAT'S A VIABLE PRODUCT.

25 SAME THING WITH VOLUMES THAT WE TALKED



1 ABOUT IN DECEMBER. SUPPLY SIDE OF ECONOMICS HAS BEEN
2 SHOWN THAT WHEN YOU HAVE A BLIGHT ON A PRODUCT, IT'S
3 GOING TO BRING DOWN THE QUALITY AND THE PRICE OF THE
4 PRODUCT. THE LARGE VOLUMES THAT ARE GOING TO COME OUT OF
5 THE STATE OF CALIFORNIA CAN'T POSSIBLY GO INTO DOMESTIC
6 MARKETS. THEY'RE HAVE TO GO TO AG MARKET. IT WON'T
7 HAPPEN IN AN AG MARKET.

8 WE'VE WORKED WITH THE AG COMMISSIONER IN
9 TULARE COUNTY, ONE OF THE BIGGEST AGRICULTURAL COUNTIES
10 IN THE STATE. FARMERS HAVE IT ALL PLUGGED IN. THEY WORK
11 WITH DOLOMITE, GYPSUM, MANURE. ALL THESE PRODUCTS ARE
12 AVAILABLE TO THEM AT 6 TO \$11 A TON PLUS FREIGHT CHARGES.

13 THE EXPENSE OF COMPOSTING ALONE. PROCTOR
14 AND GAMBLE GAVE TESTIMONY AT THE LAST HEARING THAT
15 SOMETIMES COMPOSTING CAN COST UP TO \$50 A TON TO COMPOST.
16 SOMEBODY IS GOING TO HAVE TO SUBSIDIZE IT TO GET A FARMER
17 TO USE IT.

18 ALSO, FARMERS ARE GOING TO BE RELUCTANT TO
19 PARTICIPATE WITHOUT THESE SUBSIDIES. AND THE PROBLEM IS
20 GOING TO BE A VERSION OF STANDARD FARMING PRACTICES.
21 THEY ALREADY KNOW HOW MANY PARTS PER MILLION TO PUT OF
22 ALL THESE KNOWN PRODUCTS ON THEIR LAND. THEY'RE NOT
23 GOING TO BE THE FIRST ONE THAT'S GOING TO BE A SCAPEGOAT
24 TO TAKING A PRODUCT THAT HASN'T BEEN TESTED AND APPROVED
25 AND POSSIBLY HAVE TO HAUL OFF THEIR TOPSOIL. AND THERE'S



1 GOING TO BE EXTREME EXPENSE WITH THE EDUCATION AND
2 PRODUCT USE.

3 IN THE WORST CASE, AT LEAST ALLOW OVERSIZE
4 WOOD PRODUCTS TO GO TO COGENERATION AND YARD WASTE PLANT
5 MATTER TO COMPOST ON SOME KIND OF SPLIT ON PERCENTAGE
6 RATHER THAN A MANDATE THAT'S 100 PERCENT ONLY FOR
7 COMPOSTING.

8 AND THIS MIGHT NOT BE THE FORUM FOR IT, BUT
9 THE WAY 939 WAS WRITTEN. IF ALL THE QUALIFYING FACTORS
10 FOR RECYCLING CREDITS ARE TONNAGE NOT YARDAGE, AND WHEN
11 WE'RE DEALING WITH YARD WASTE AND LANDFILL SPACE, IT IS
12 DEFINITELY YARDAGE, NOT TONNAGE. IF WE BROUGHT IN A TON
13 OF BB -- STYROFOAM BB'S IN THIS ROOM RIGHT NOW AND PUT IN
14 A TON OF CONCRETE, ANYBODY WILL KNOW WHICH IS GOING TO
15 TAKE UP THE GREATEST VOLUME.

16 EACH OF OUR LANDFILLS WE WORKED 12,000 TONS
17 OF BRUSH AND YARD WASTE. AFTER HOGGING IT, THAT'S 4.5
18 CUBIC YARDS TO A TON, DEPENDING ON MOISTURE. AT SEVEN TO
19 ONE REDUCTION, THAT'S 370,000 CUBIC YARDS AT EACH
20 LANDFILL A YEAR. AND AT TEN TO ONE, WHICH WE HAD,
21 THAT'S 540,000 CUBIC YARDS. TONS SEEMS IRRELEVANT.
22 CUBIC YARDS IS WHAT REALLY FILLS UP A LANDFILL. AND
23 THERE'S MUCH BETTER COMPACTION IN A LANDFILL WITHOUT YARD
24 WASTE IN IT.

25 IN CONCLUSION. I'D SAY TO MAKE THE CRITERIA



1 EASIER BY WAY OF ALLOWABLE USES AND MAKE PARTICIPATION
2 BETTER AND MORE ABILITY TO QUALIFY AT LESS EXPENSE.
3 RURAL AREAS CAN'T DO CURBSIDE AS WELL AS CITY AREAS CAN.
4 RECYCLING ALREADY HAS A NEGATIVE REVENUE FACTOR.

5 WE CAN REMOVE THIS HANDICAP BY NOT
6 OVERCOMPLICATING IT, BURDENING IT WITH EXPENSIVE
7 PROCESSING MACHINERY, I THINK WE CAN ALL HELP MEET THESE
8 MANDATES. DIFFERENT PERCENTS OF QUALIFICATION ARTICLE
9 ACCORDING TO THE GEOGRAPHIC AREAS, TAKING PRODUCTS TO THE
10 CLOSEST MARKETS.

11 TULARE COUNTY CAN BURN ITS YARD WASTE CLOSE
12 BY. WE HAVE SEVERAL BIOMASS FACILITIES AND COGENERATION
13 PLANTS WITHIN 50 MILES. WE HAVE TO HAUL ALL OUR PLASTIC
14 AND PAPER TO L.A. L.A. BRINGS THEIR YARD WASTE TO TULARE
15 COUNTY TO BE BURNED. IT SHOULD HAVE A HIGHER PERCENTAGE
16 QUALIFICATION FOR THINGS THAT ARE CLOSER TO ITS AREA.

17 AND I APPRECIATE THE OPPORTUNITY TO SPEAK
18 TO THE BOARD AND HOPE THAT YOU TAKE SOME OF THESE ISSUES
19 INTO CONSIDERATION. THANK YOU.

20 MR. PAVICH: MY NAME IS NICK PAVICH, AND I
21 OPERATE A COMPANY CALLED WEEDFREE ORGANICS AND VALLEY
22 ROLL-OFF. OUR -- WE'VE BEEN IN THE MULCHING BUSINESS FOR
23 APPROXIMATELY TWO YEARS. WE'RE -- RIGHT NOW, WE'RE DOING
24 ABOUT 50 TO 100 TONS A DAY.

25 AND THERE'S SEVERAL PROBLEMS IN WHAT WE'RE



1 DEALING WITH. IT'S BASICALLY A SIMPLE PROBLEM, BUT THE
2 MAIN THING IS EDUCATING PEOPLE OR EDUCATING THE PUBLIC.
3 AND EVEN ONE OF THE OTHER PROBLEMS IS THERE'S TOO MUCH --
4 THERE'S A LOT OF TECHNICAL PEOPLE COMING INTO THIS FIELD.
5 AND IT'S SIMPLER THAN IT IS BECAUSE THE MARKETS WILL
6 DECIDE WHAT WILL BE TAKEN AND WHAT WILL BE SOLD AND WHAT
7 DIRECTION TO GO.

8 THERE'S A LOT OF DIFFERENT PEOPLE PLAYING
9 WITH MULCH AND COMPOST; AND, BASICALLY, IT'S DILUTING IT
10 INTO A SOIL CONDITION WHICH WILL BE USED FOR PLANT
11 GROWTH.

12 AND I THINK A LOT OF PEOPLE ARE GETTING
13 CONFUSED BECAUSE IF YOU PUT THESE PRODUCTS ON THE
14 MARKETPLACE AND YOU LOOK AT ALL THE SPECIFICATIONS, AND
15 SOMETIMES THE SPECIFICATIONS COME UP WITH TOO HIGH OF A
16 SALT OR TOO HIGH A PH, A LOT OF THIS CAN BE DILUTED BY
17 MIXING IT IN WITH SOIL, WHICH IS BEING DONE NOW, AND IT'S
18 BEEN DONE IN THE PAST BY AGRICULTURE AND EVEN THE LOCAL
19 PEOPLE THAT ARE DEALING WITH, LIKE, HORSE MANURE, WHICH
20 HAS A NATURAL KNOWN HIGH SOIL CONTENT AND THEY'RE
21 DILUTING IT. AND WE NEED TO TAKE A SIMPLE APPROACH TO
22 THESE THINGS.

23 I MEAN, YOU GET TOO COMPLICATED, AND IT CAN
24 WIPE YOU COMPLETELY OUT WHERE A SMALL BUSINESSMAN
25 COMPARED TO A WASTE MANAGEMENT COMPANY CAN'T SURVIVE. I



1 MEAN, ESPECIALLY WITH PAPERWORK AND THE COST OF OPERATING
2 A BUSINESS AND BUYING THIS TYPE OF EQUIPMENT TO HANDLE IT
3 AND BASICALLY FINDING OUT YOUR DIFFERENT TESTS THAT ARE
4 MANDATED.

5 YOU HAVE TO HAVE PATHOGEN TESTS, AND THESE
6 TESTS ARE VERY EXPENSIVE FOR A SMALL OPERATOR, TO HAVE A
7 CONTINUOUS TEST MONTHLY. WHICH IS WHAT IS PROBABLY NEEDED
8 TO HAVE A CONSISTENCY IN THESE PRODUCTS. A LOT OF PEOPLE
9 DON'T UNDERSTAND ON THESE TESTS WHAT WE'RE COMING UP
10 WITH. WE HAD A PATHOGEN TEST DONE AND A PESTICIDE TEST,
11 AND WE CAME UP THERE WAS DDT IN IT. AND IT WAS BELOW THE
12 STANDARDS. I DON'T HAVE THE FIGURES NOW, BUT IT WAS
13 BELOW THE STANDARDS. BY A NINE-MONTH PERIOD, IT
14 BASICALLY WIPES ITSELF OUT. BUT -- AND THIS COMES INTO
15 DILUTION. WHEN YOU DILUTE IT WITH SOIL, YOU ARE
16 BASICALLY -- THE SPECS WILL BE NONEXISTENT.

17 AND I THINK YOU NEED TO ADDRESS THE ISSUE
18 OF MULCH COMPARED TO COMPOST. MULCH IS BASICALLY WHAT A
19 LOT OF PEOPLE ARE DOING. AND COMPOSTING IS A MORE OF A
20 TECHNICAL THING THAT PEOPLE HAVE TO MONITOR AND TO HAVE A
21 FINAL PRODUCT.

22 BUT A MULCH IS A NECESSITY HERE. A LOT OF
23 PEOPLE NEED TO USE THIS MULCH PRODUCT. AND IT'S A VERY
24 SIMPLE PROCESS TO MAKE. SO DON'T OVERCOMPLICATE IT.
25 THAT'S WHAT I'M SAYING. IF WE GET TOO COMPLICATED, WE



1 WIPE OUT THE SMALL BUSINESSMAN. AND YOU ARE GOING TO
2 COME BACK AND WHO'S GOING TO PAY FOR IT? IT'S GOING TO
3 BE THE TAXPAYERS. THE TAXPAYERS ARE GOING TO HAVE TO PAY
4 A LOT OF MONEY TO DISPOSE OF THIS PROBLEM.

5 THAT'S BASICALLY IT.

6 MR. FINCH: I JUST WANTED TO BRIEFLY MENTION
7 SOMETHING TO YOU. THE 503 NUMBERS AND MOST OF THESE
8 OTHER NUMBERS WERE BASED ON A LOADING CONCERN. IN OTHER
9 WORDS, THEY'RE LOOKING AT -- IT'S THE WORST CASE SCENARIO
10 WHERE SOMEONE COMES WITH AN UNRESTRICTED END USE
11 SUPPLYING PRODUCT, AND THEY'RE LOOKING AT THE END RESULT
12 IN THAT SOIL AFTER MUCH LOADING.

13 IT'S TRUE YOU CAN CUT PRODUCTS AND
14 INCORPORATE IT INTO SOIL, AND THAT'S WHY WE'RE LOOKING AT
15 HERE. FOR AN UNRESTRICTED END USE PRODUCT, YOU MUST MEET
16 THESE NUMBERS. IF YOU DON'T MEET THESE NUMBERS, IT
17 DOESN'T PRECLUDE SOMEONE FROM STILL MARKETING THAT
18 PRODUCT. IT WOULD THEN HAVE TO GO ON MORE OF A
19 CASE-BY-CASE BASIS, WHERE YOU WOULD ACTUALLY LOOK AT HOW
20 MUCH IS BEING APPLIED, WHAT THE NATIVE CONDITIONS ARE.

21 JUST WANTED TO MAKE SURE THAT YOU
22 UNDERSTOOD.

23 MR. PAVICH: I THINK A LOT OF PEOPLE ARE AFRAID.
24 I MEAN, WHEN YOU TALK TO THE PUBLIC, WHEN YOU START
25 TALKING SEWAGE SLUDGE AND NITROHUMUS, THEY DON'T KNOW THE



1 DIFFERENCE. THERE'S A LOT OF EDUCATION THAT NEEDS TO BE
2 DONE TO THE PUBLIC EVEN ON SITING.

3 SITING IS A REAL PROBLEM. I MEAN, YOU GO
4 IN THERE AND SAY YOU ARE GOING TO HANDLE SEWAGE SLUDGE.
5 YOU ARE GOING TO GET SO MUCH FLAK THAT YOU WON'T BE
6 THERE. AND THE SAME THING WITH ODOR PROBLEM. YOU ARE
7 GOING TO HAVE SOME ODORS. THERE'S NO WAY ROUND TO GET
8 AROUND IT BECAUSE WHEN YOU START GRINDING UP TREES, IT
9 HAS A DIFFERENT SCENT. IT BASICALLY PUTS ANY SCENT YOU
10 PUT OUT THERE, EUCALYPTUS, ALMOND, WHATEVER SCENT YOU
11 WANT TO PUT OUT. BUT EVEN THOUGH WHEN YOU START PUTTING
12 GRASS IN IT, THEY'RE GOING TO HAVE THE REAL TRUE SCENT,
13 THE ODOR THAT PEOPLE DON'T WANT TO SEE.

14 BUT EVEN THOUGH, THEY GOT TO UNDERSTAND
15 THAT THESE FACILITIES HAVE TO BE PART OF THEIR COMMUNITY.
16 OTHERWISE, THEY HAVE TO PAY TO SHIP IT OUT OF STATE OR
17 WHEREVER THEY WANT TO BURY IT. BUT I MEAN THIS IS ALL
18 USABLE MATERIALS. IT'S A SHAME TO THROW IT AWAY. I
19 THINK WE SHOULD ALL REALIZE IT.

20 I MEAN, WE CAN'T -- IT'S NOT GOING TO GO
21 AWAY BY ITSELF. WE CAN'T PUT IT ON A BARGE AND SHIP IT
22 AWAY. WE HAVE TO -- WE HAVE A PROBLEM. WE HAVE TO SIT
23 DOWN AND FIGURE OUT HOW TO WORK OUT THESE PROBLEMS, THE
24 SIMPLE WAYS OR THE REAL TECHNICAL WAYS.

25 AND BASICALLY WHAT THE APPROACH LOOKS LIKE



1 NOW, THEY'RE TAKING THE TECHNICAL. REAL DIFFICULT WAY OUT
2 AND APPLYING IT TO THE SITUATION. THE WORST CASE
3 SCENARIO, LIKE YOU'RE SAYING.

4 I THINK BASICALLY IT'S A CASE-TO-CASE
5 BASIS. AND MOST OF THE GUYS THAT ARE DEALING WITH IT NOW
6 ARE SMALL OPERATORS. JUST LIKE THE GENTLEMAN WITH WASTE
7 MANAGEMENT. WE HAVEN'T SEEN WHAT REALLY IS GOING TO
8 HAPPEN TO THE WHOLE STATE BECAUSE L.A. GENERATES -- JUST
9 BY THE CURBSIDES SUPPOSED TO GENERATE 1500 TONS A DAY.
10 I MEAN, THAT'S A TREMENDOUS AMOUNT OF MATERIAL. WHERE IS
11 IT GOING TO GO?

12 NOW, IF THE END PRODUCT, JUST LIKE I WAS
13 SAYING BEFORE, THE MARKET WILL DECIDE WHERE IT'S GOING TO
14 GO. AND IT'S USUALLY, LIKE WE WERE SAYING, AGRICULTURE.
15 AGRICULTURE IS NOT GOING TO BE ABLE -- THERE'S NO PROFIT
16 IN AGRICULTURAL TAKING THIS MATERIAL. WHO'S GOING TO BE
17 PAYING FOR IT?

18 SO END RESULTS ARE TIPPING FEES. SOMEBODY
19 IS GOING TO BE PAYING TIPPING FEES TO PROCESS THIS
20 MATERIAL AND GO TO THE FARMER. OR BASICALLY THERE'S
21 GOING TO BE A LOT OF SMALL OPERATORS OUT THERE THAT CAN
22 PUT THIS MATERIAL TO GOOD USE. A LOT OF BACKYARDS NEED
23 THIS MATERIAL. AN ORGANIC MULCH IN YOUR BACKYARD COULD
24 BUILD UP A WATER RETENTION VALUE THAT'S -- I MEAN THAT WE
25 ALL NEED BECAUSE OF OUR DROUGHT SITUATION IN SOUTHERN



1 CALIFORNIA.

2 IT'S VERY, VERY IMPORTANT, AND WE DON'T
3 WANT TO MISS THE ISSUE. I MEAN, IT MIGHT AS WELL GO OVER
4 OUR HEAD AND ALL OF IT BE SHIPPED TO AGRICULTURE AND
5 BURIED. AND THAT'S THE SAME THING WE'RE TRYING TO
6 ELIMINATE TODAY. WE DON'T WANT TO BURY IT.

7 IT'S JUST LIKE I WAS INVOLVED WITH THE AUTO
8 DISMANTLING INDUSTRY FOR 20 YEARS. I SAW THE REGS COME
9 IN, AND I'M TALKING ABOUT BATTERIES, CAR BATTERIES. I
10 UNDERSTAND THAT NOW, SINCE THE MOM AND POP BUSINESS HAS
11 BEEN SORT OF ELIMINATED FROM COLLECTING CAR BATTERIES,
12 THERE'S LESS CAR BATTERIES COLLECTED TODAY THAN THERE
13 WERE FIVE YEARS AGO.

14 SO WE DON'T WANT TO HAVE THAT HAPPEN HERE.
15 WE DON'T WANT TO HAVE THIS GREEN WASTE BEING DUMPED AND
16 BURIED. WE WANT TO BE HAVING IT REUSED. AND THAT'S THE
17 MOST IMPORTANT PART OF WHAT WE'RE TRYING TO ACCOMPLISH.

18 MR. FINCH: THANK YOU.

19 MR. DEMETRULIAS: I'M PETE WITH PSD ENTERPRISES.
20 WHAT WE HAVE IS A COMPOSTING FACILITY, I GUESS MULCHING
21 FACILITY, YOU'D CALL IT. BUT WE ARE DIFFERENT FROM
22 ANYBODY ELSE. WE DON'T TAKE ANY GREENS OR RECYCLED WOOD
23 PRODUCT FROM, LIKE, WOOD MILLS AND HORSE STABLES AND THAT
24 TYPE OF THING.

25 AND WE'VE BEEN IN BUSINESS FOR ABOUT SEVEN



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1 YEARS. AND WE COMPOST OURSELVES. IT TAKES ABOUT A YEAR
2 TO COMPOST IT, GRIND IT. AND PROCESS IT. AND CLEAN IT AND
3 WASH IT THROUGH WATER PROCESSES. AND TURN IT EVERY SO
4 MANY WEEKS.

5 OUR PRODUCT IS ZERO PRODUCT AT ALL. WE USE
6 EVERYTHING. NOTHING GOES BACK TO THE DUMP. WE PICK UP
7 FROM DIFFERENT STABLES AND DIFFERENT PLACES, BUT OUR
8 PRODUCT -- WE HAVE A GRINDER. WHATEVER THE BIGGER
9 MATERIAL IS, WE SET IT APART, WE COMPOST IT FOR ANOTHER
10 SIX OR EIGHT MONTHS, AND THEN WE HAVE ZERO WASTE AT ALL.

11 I DON'T KNOW HOW THIS WOULD AFFECT US. WE
12 ARE A COMPOSTING FACILITY. SO IF WE HAVE TO GO TO A
13 SOLID WASTE DEAL, WHICH, YOU KNOW, WE'RE A SMALL COMPANY,
14 THEY -- WE COULDN'T TAKE THOSE COSTS, I GUESS, OR
15 WHATEVER. SO OUR MATERIAL IS TESTED PERIODICALLY. OUT
16 OF FOUR BAGS YOU GET. I DON'T CARE HOW YOU COMPOST IT,
17 YOU'RE NOT GOING TO GET EXACTLY THE SAME THING EVERY TIME
18 YOU COMPOST IT. NO WAY -- THERE'S JUST NO WAY TO DO
19 THAT.

20 MR. HUMPERT: JUST FOR THE COURT REPORTER, WHAT
21 IS YOUR LAST NAME?

22 MR. DEMETRULIAS: DEMETRULIAS.

23 MR. LA CHAPELLE: I'M ROGER WITH PLC ORGANICS
24 INCORPORATED, AND WE DO COMPOSTING, BEEN DOING IT FOR THE
25 PAST 12 YEARS. AND WE'VE BEEN DOING A BIOFUEL OPERATION



1 FOR THE PAST THREE YEARS. AND THAT'S SOMEWHAT THE SCOPE
2 OF MY OPERATION.

3 BUT I WANT TO BRING ATTENTION TO AN ARTICLE
4 HERE THAT WAS IN THE "BIOCYCLE." I'M SURE MAYBE YOU'RE
5 FAMILIAR WITH "BIOCYCLE." THEY MAKE A STATEMENT HERE
6 SAYS, "TO PERMIT OR NOT TO PERMIT, WHICH IS THE
7 QUESTION." I'M SURE WE'RE GOING TO BE PERMITTING, BUT
8 IT'S JUST HOW AND HOW EXPENSIVE THE PERMITTING IS GOING
9 TO BE.

10 I THINK MANY OF US HERE ARE SMALL BUSINESS
11 PEOPLE AND, YOU KNOW, TRYING TO SURVIVE IN THIS
12 CALIFORNIA BUSINESS CLIMATE AS IT IS TODAY IS PRETTY
13 DIFFICULT, VERY DIFFICULT. I MEAN, THERE ARE ONLY, AS
14 YOU PROBABLY HEARD, LITTLE OVER 60,000 BUSINESSES LEAVING
15 CALIFORNIA BECAUSE THEY JUST CAN'T AFFORD TO OPERATE
16 WITHIN THE PARAMETERS OF ALL THIS RULE STRUCTURE AND THE
17 EXPENSE OF DOING THIS.

18 ANYWAY, IN THIS ARTICLE IT BRINGS UP THAT
19 THERE ARE MANY STATES THAT HAVE -- THEY DON'T EVEN HAVE
20 PERMITS AND SO FORTH. AND, OF COURSE, THERE'S A LOT OF
21 STATES THAT DO HAVE THE PERMITS, BUT SOME OF THESE ARE
22 WELL RELAXED, VERY STREAMLINED, AND SO FORTH. I CAN'T
23 SEE ANY REASON IN THE WORLD WHY WE HERE IN THE STATE OF
24 CALIFORNIA CAN'T BE DOING THE SAME THING AS WHAT THESE
25 PEOPLE ARE DOING. AFTER ALL, WE'RE DEALING WITH THE SAME



1 TYPES OF MATERIAL, SOMEWHAT, AND ANYWAY, I THINK -- READ
2 JUST A LITTLE BIT HERE, WHAT I'VE GOT FOR ME, ANYWAY.

3 ANOTHER POINT I'D LIKE TO BRING OUT IS THAT
4 A FACILITY SUCH AS LIKE WHAT I HAVE IS A COMPOST ORGANIC
5 MATERIALS, SUCH AS WOOD, LEAVES, GRASS, MANURES, AND ALSO
6 MANUFACTURERS BIOFUEL. AND THIS SHOULD BE CONSIDERED A
7 RESOURCE RECOVERY FACILITY AND NOT A RECYCLING FACILITY,
8 NOT SOLID WASTE FACILITY. IN OTHER WORDS, IT SHOULD BE
9 TREATED TOTALLY DIFFERENT FROM THE SOLID WASTE FACILITY.

10 MR. FINCH: IF I COULD INTERJECT RIGHT HERE.
11 THE PRC, PUBLIC RESOURCES CODE, AS PART OF AB 939, IS
12 VERY EXPLICIT. IT SAYS COMPOSTING FACILITIES SHALL BE
13 REQUIRED TO HAVE A PERMIT.

14 SO ESSENTIALLY WHAT WE'RE DISCUSSING BY
15 THESE REGS ARE HOW THEY ARE TO BE PERMITTED. CURRENTLY,
16 IT'S VERY DETAILED. ESSENTIALLY, YOU HAVE TO COME AND
17 MEET THE SAME STANDARDS THAT YOU WOULD FOR, LIKE, A
18 TRANSFER STATION OR A MATERIALS RECOVERY STATION TO
19 BECOME PERMITTED. AND THERE ARE VERY FEW OPERATIONS IN
20 THE STATE THAT HAVE ACTUALLY DONE THIS FOR COMPOSTING.

21 WHAT WE'RE LOOKING AT -- WHAT A LOT OF
22 PEOPLE ARE DISCUSSING HERE IS HOW THIS PARTICULAR PERMIT
23 FOR COMPOSTING, WHAT IT WILL CONSIST OF. IF IT'S
24 SOMETHING LIKE A PERMIT BY RULE, I THINK WE'LL FIND IT A
25 WHOLE LOT EASIER THAN IF IT'S A FULL SOLID WASTE



1 FACILITIES PERMIT.

2 MR. LA CHAPELLE: WE HOPE SO.

3 MR. FINCH: YES. OKAY. I JUST WANTED TO LET
4 YOU KNOW THAT THIS IS NOT SOMETHING THAT THE WASTE BOARD
5 OR EVEN MYSELF IS NECESSARILY PROMOTING. BUT WE'RE
6 MANDATED BY STATE LAW: YOU MUST DO THIS.

7 AND CURRENTLY IT'S QUITE EXPENSIVE AND
8 QUITE DIFFICULT TO UNDERGO THIS WHOLE SOLID WASTE
9 FACILITIES PERMIT PROCESS. A PERMIT BY RULE, FOR
10 EXAMPLE, WOULD OFFER A MORE STREAMLINED APPROACH.

11 JUST WANTED TO LET YOU KNOW HOW THE CARDS
12 ARE STACKED.

13 MR. LA CHAPELLE: I'M HOPING TO SEE IT VERY
14 STREAMLINED AND INEXPENSIVE. I THINK IS THE KEY WORD
15 "INEXPENSIVE," CHEAP. THANK YOU VERY MUCH.

16 MR. FINCH: THANK YOU.

17 MR. MORHARDT: RICHARD MORHARDT FROM THE WORM
18 CONCERN. AND THE LAST TIME WE TALKED ABOUT TIER
19 APPROACHES. I THINK THAT'S SOMETHING THAT WE SHOULD GO
20 ON MORE ABOUT TODAY. AND THAT THE PERMIT BY RULE IS ONE
21 OF THE TIER APPROACHED METHODS. I THINK WE NEED TO
22 REALLY DEFINE WHAT IS GOING TO BE TIERED OR QUALIFIES FOR
23 TIERED, AND HOW WE'RE GOING TO MAKE THAT WORK.

24 WHETHER IT'S GREEN WASTE, THE TIERED
25 APPROACH IS SOMETHING DIFFERENT THAN GREEN WASTE. HOW



1 WITHIN THE TIER, IS IT NUMBER OF CUBIC YARDS, HOW MUCH
2 YOU PROCESS. I THINK WE NEED TO GET DOWN TO SOME OF
3 THESE ACTUAL EXAMPLES AND PUT SOME TIME FRAMES ON THIS.
4 AND OUR PROCEDURES ARE GOING TO GO ON FROM THAT.

5 AND DICK WAS SAYING ABOUT MULCH BEING
6 DIFFERENT FROM COMPOST. I AGREE WITH HIM ON THAT. I
7 ALSO SAY THAT WORM CASTINGS ARE DIFFERENT FROM COMPOST
8 AND FROM MULCH. WE NEED TO SEPARATE THAT AND WE SHOULD
9 DO IT WITHIN THE TIERED APPROACH.

10 AND WE HAVE BEEN WORKING WITH FARMERS
11 THROUGHOUT THE YEARS. WE'VE BEEN DOING THIS FOR 15
12 YEARS. AND YOU CAN WORK WITH FARMERS. YOU HAVE TO HAVE
13 A LOCAL MARKET. OTHERWISE, THE TRUCKING COSTS ARE TOO
14 BIG. THERE ARE FARMERS OUT THERE NOW THAT WANT TO GET
15 INTO SUSTAINABLE AGRICULTURE AND ARE WILLING TO WORK WITH
16 PEOPLE. SO THAT'S SOMETHING THAT CAN BE DONE.

17 AND I ALSO THINK MAYBE IN THE REGULATIONS
18 THERE SHOULD BE SOME SORT OF PROCUREMENT POLICIES AND
19 PROCEDURES ON HOW THAT SHOULD WORK. SO THAT'S ABOUT IT.
20 BUT REALLY THE PERMIT NEEDS TO BE KEPT SIMPLE, I BELIEVE.
21 IT'S A SIMPLE OPERATION, IT'S TAKING A SIMPLE MATERIAL,
22 THEN PERMITTING PROCESS SHOULD BE KEPT SIMPLE. AND
23 PERMIT BY RULE MAKES SENSE TO US.

24 MR. FINCH: ONE QUESTION. YOU WERE TALKING
25 ABOUT THE PROCUREMENT PROCESS. IS THIS WHAT THE STATES



1 BUY?

2 MR. MORHARDT: FOR THE STATE TO BUY OR RULES ON
3 WHAT QUALIFIES THEM FOR PROCUREMENT.

4 MR. FINCH: OKAY. KEEP IN MIND, I THINK THE
5 PRC., ONCE AGAIN, MANDATES GENERAL SERVICES TO ADOPT THOSE
6 SPECIFIC REGS FOR CALTRANS TO BUY COMPOST. OR IN THIS
7 CASE IT'S NOT REGS; I THINK THEY'RE STANDARDS. SO THIS
8 HERE IS NOT NECESSARILY THE PROPER FORUM TO BE BRINGING
9 THAT UP. IT'S GOOD TO REMIND.

10 MR. MORHARDT: I UNDERSTAND THAT, BUT WITHIN
11 THIS FORUM WE CAN DECIDE ON HOW WE APPROACH THOSE, THAT
12 AVENUE, AND HOW TO GET THAT WORKING FOR US, TOO. THERE'S
13 MORE THAN JUST PERMITTING. ONCE WE GET OUR PERMITS, WE
14 NEED TO KNOW WHERE TO GO WITH IT. THANK YOU.

15 MR. FINCH: THANK YOU.

16 MR. PRICE: GOOD MORNING. MY NAME IS BEN PRICE.
17 I'M THE GENERAL MANAGER OF THE FALLBROOK SANITATION
18 DISTRICT. US WORM FOLKS SEEM TO BE BACK ON THE SAME
19 POINT IN THE PROGRAM.

20 I'VE GOT FIVE POINTS THAT I WOULD LIKE TO
21 COVER WITH YOU, BUT THE FIRST TWO REQUIRE SOME QUESTIONS.
22 MIKE, AND MAYBE I COULD ASK YOU A COUPLE OF THINGS.

23 YOU'VE GOT A SCHEDULE TO PRODUCE
24 REGULATIONS IN 1992 AND BEYOND. COULD YOU JUST CAPSULIZE
25 WHICH ONES OF THE REGULATIONS YOU'RE ANTICIPATING TO



1 PRODUCE AND WHAT TIMES YOU'RE ANTICIPATING THEM TO BE
2 PRODUCED?

3 MR. FINCH: ESSENTIALLY, THE ONLY TIMETABLE THAT
4 HAS BEEN PUBLICLY AIRED WAS THAT THE WASTE BOARD WOULD
5 ADOPT REGULATIONS IN THE AREA OF COMPOSTING BY THE END OF
6 THIS CALENDAR YEAR.

7 NOW, ONE OF THE SCENARIOS THAT I CAN
8 FORESEE IS, FOR EXAMPLE, THAT WE MIGHT ADOPT REGULATIONS
9 THAT ONLY PERTAIN TO GREEN WASTE FACILITIES DURING THIS
10 CALENDAR YEAR, AND THEN DEFER TO A LATER TIME MSW
11 COMPOSTING AND SLUDGE COMPOSTING. BUT THAT'S REALLY
12 GOING TO BE DEPENDENT ON THE VARIOUS PROBLEMS THAT WE RUN
13 INTO IN THE PROCESS.

14 IT'S MY INTENT THAT WE DEAL WITH THE FULL
15 NINE YARDS BY THE END OF CALENDAR YEAR, BUT OUR FALLBACK
16 POSITION WILL BE JUST TO DEAL WITH GREEN WASTE.

17 MR. PRICE: OKAY. MY SECOND QUESTION HAS TO DO
18 WITH PERMIT BY RULE. COULD YOU JUST, FOR THE SAKE OF THE
19 KING'S ENGLISH, HELP ME UNDERSTAND THE DIFFERENCE BETWEEN
20 PERMIT BY RULE AND THAT MORE ONEROUS APPROACH THAT YOU
21 REFERRED TO EARLIER?

22 MR. FINCH: SURE. ESSENTIALLY, WHAT THE PERMIT
23 BY RULE PROCESS, YOU WOULD HAVE TO COMPLY WITH ALL OTHER
24 EXISTING REQUIREMENTS FOR OPENING A FACILITY.

25 OBVIOUSLY, YOU HAVE TO DEAL WITH YOUR LOCAL



1 ZONING AND LAND USE REQUIREMENTS AND YOU HAVE TO DEAL
2 WITH CEQA. EITHER AS AN EXEMPTION. DO A NEGATIVE DEC OR
3 SOMETHING. THE SAME IS TRUE WITH YOUR AIR BOARD, THE
4 LOCAL AIR DISTRICT CONCERN, AND YOU ALSO LOOK AT YOUR
5 LOCAL ENFORCEMENT AGENCY, WHICH IS THE WASTE BOARD'S
6 FIRST LINE OF DEFENSE.

7 ONCE AGAIN, THEY'RE LOOKING AT LOCAL
8 CONCERNS, LOCAL ORDINANCES THAT MIGHT HAVE BEARING ON
9 YOUR PROPOSED FACILITY.

10 I COULD FORESEE A PERMIT BY RULE APPROACH
11 BEING POSSIBLY AS SIMPLE AS A FILL-IN-THE-BLANK-TYPE FORM
12 WITH A CERTIFICATION AT THE BOTTOM THAT STATES THAT I
13 HAVE COMPLIED WITH ALL THESE OTHER REQUIREMENTS, THAT YOU
14 ARE ALREADY CURRENTLY REQUIRED TO DEAL WITH ANYWAY. SO
15 WE'RE NOT INTRODUCING ANYTHING NEW. BUT ALSO THAT YOU
16 WOULD AGREE TO FOLLOW OUR SPECIFIC OPERATING STANDARDS
17 AND OUR SPECIFIC QUALITY SPECS FOR END -- NONRESTRICTED
18 END USE PRODUCT SO THAT YOU DIDN'T NEED THESE PARTICULAR
19 STANDARDS. YOU WOULD THEN GO TO A RESTRICTED END USE FOR
20 THAT PARTICULAR PRODUCT.

21 SO THAT WE WOULD LOOK AT IT MORE ON A
22 CASE-BY-CASE BASIS INSTEAD OF JUST SOMETHING GOING OUT
23 THE BACK DOOR, AND WE DON'T CARE TO LOOK AT IT ANYMORE.

24 THIS WAY, THE WAY OF A PERMIT BY RULE
25 PROCESS, YOU'RE LOOKING AT -- YOU'RE RELYING MORE UPON



1 THE OPERATION STANDARDS AND YOUR PRODUCT QUALITY SPECS TO
2 ENSURE THAT A PROPER OPERATION IS CONDUCTED.

3 THE LOCAL ENFORCEMENT AGENT IS CURRENTLY
4 REQUIRED TO UNDERGO AT LEAST MONTHLY INSPECTIONS OF ALL
5 SOLID WASTE FACILITIES AND BY STATUTE ONCE AGAIN. A
6 COMPOSTING FACILITY IS A SOLID WASTE FACILITY BY STATUTE.
7 NOTHING THAT THE BOARD HAS DONE.

8 SO THAT IT WOULD HAVE TO BE, AT LEAST,
9 MONTHLY INSPECTIONS BY THE LEA. AND THE LEA IS REQUIRED
10 BY THE LEA CERTIFICATION REGS TO FOLLOW UP ON ALL
11 COMPLAINTS THAT ARE RECEIVED AND DOCUMENT ALL OF THESE,
12 AS WELL AS THE WASTE BOARD IS ALSO MANDATED TO CONDUCT,
13 AT LEAST, ANNUAL INSPECTIONS IN CONJUNCTION WITH THE LEA
14 OF ALL SOLID WASTE FACILITIES IN THE STATE.

15 SO WHAT WE'RE DOING IS WE'RE UTILIZING
16 THESE EXISTING PROGRAMS AND THESE EXISTING REQUIREMENTS,
17 AS WELL AS OUR OWN OPERATION STANDARDS THAT WE'RE GOING
18 TO DEVELOP, TO ENSURE THAT THESE PARTICULAR FACILITIES
19 DON'T CREATE A NUISANCE OR A HEALTH OR SAFETY CONCERN OR
20 ANY ENVIRONMENTAL PROBLEMS, RATHER THAN TRYING TO
21 SECOND-GUESS WHAT'S HAPPENING BEFOREHAND BEFORE YOU EVEN
22 START OPERATIONS.

23 BECAUSE IT -- UNDER THIS SCENARIO THAT I'VE
24 DESCRIBED, YOU ALREADY HAVE UNDERGONE A CERTAIN LEVEL OF
25 ENVIRONMENTAL ASSESSMENT AND REVIEW. SO THAT RATHER THAN



1 REQUIRE SOMETHING SUPERFLUOUS. WE WOULD THEN INCORPORATE
2 THAT INTO THE PERMIT AND THEN BEGIN OPERATION.

3 THEN IF YOU CAN'T STAY WITHIN THOSE
4 CONSTRAINTS OF THE OPERATION STANDARDS AND THE OTHER
5 REQUIREMENTS, THEN THE LOCAL ENFORCEMENT AGENCY OR THE
6 BOARD CAN TAKE ACTION AGAINST SUCH A FACILITY WHICH
7 WOULD -- ACTION WHICH WOULD INCLUDE FINES AND POSSIBLY
8 EVEN SHUTTING A FACILITY DOWN ON A PERMANENT BASIS.

9 SO THIS IS THE APPROACH THAT A PERMIT BY
10 RULE PROCESS WOULD UTILIZE. INSTEAD OF HAVING EVERYTHING
11 FRONT LOADED, IT WOULD BE MORE BACK LOADED AND DURING
12 YOUR ACTUAL OPERATIONS TO ENSURE THAT IT'S PROPERLY RUN.

13 MR. PRICE: PERHAPS NOT TOO UNLIKE WHAT WE, AS
14 POTW'S, ALREADY ENJOY OR SUFFER UNDER, DEPENDING ON HOW
15 YOU LOOK AT IT, WITH THE REGIONAL WATER QUALITY CONTROL
16 BOARD.

17 MR. FINCH: RIGHT.

18 MR. PRICE: I WOULD ENCOURAGE YOU TO DO A COUPLE
19 OF THINGS, THEN, IN THAT REGARD.. FIRST OF ALL, WITH THE
20 ADVENT OF CAL-EPA HERE A YEAR OR TWO AGO, WE AS PART OF
21 TRITAK (PHONETIC) HEARD THAT ONE OF THEIR FUNCTIONS WOULD
22 BE TO BE THE UMBRELLA ORGANIZATION STATEWIDE. THAT
23 RATHER THAN INSTITUTING ANOTHER LAYER OF GOVERNMENT, IN
24 FACT, WE'RE HAVING THIS SORT OF CENTRALIZED ACTIVITY THAT
25 WOULD BE -- I'LL USE THE TERM -- CLEARINGHOUSE FOR THINGS



1 GOING ON IN ALL OF THE ENVIRONMENTAL RELATED FUNCTIONS OF
2 THE STATE.

3 AND SO SINCE THAT TOPIC WAS ORIGINALLY
4 INTRODUCED, I, FOR ONE, AND A NUMBER OF PEOPLE I KNOW,
5 HAVE BEEN LOOKING TOWARDS THIS SIMPLIFICATION, THIS
6 ONE-STOP-SHOPPING IDEA, WHICH WOULD BE -- FOR PUBLICLY
7 OWNED-TREATMENT WORKS, WOULD BE DELIGHTFUL FROM OUR
8 STANDPOINT.

9 AND I THINK THE POINTS THAT LARRY MADE A
10 LITTLE BIT EARLIER POINT TO IT. NOT ONLY DO YOU HAVE A
11 NUMBER OF STATE AGENCIES, THE STATE WATER RESOURCES
12 CONTROL BOARD, THE AIR MANAGEMENT BOARD, THE DEPARTMENT
13 OF HEALTH SERVICES, THE INTEGRATED WASTE MANAGEMENT
14 BOARD, NOT ONLY DO YOU HAVE ALL OF THOSE AT THE STATE
15 LEVEL, BUT THEN YOU HAVE THEIR COUNTERPARTS AT THE COUNTY
16 LEVEL, TOO. AND SO THERE IS THIS MULTILAYERED ACTIVITY.

17 AND IT WOULD BE ABSOLUTELY DELIGHTFUL IF WE
18 COULD DO SOME ONE-STOP-SHOPPING HERE AND LET YOU FOLKS DO
19 SOME IN-HOUSE COORDINATION SO THAT WE WOULD HAVE A SINGLE
20 INTERFACE TO WORK WITH.

21 LET ME -- TWO OTHER POINTS SEEM TO BE
22 IMPORTANT HERE. AS PART OF YOUR RULEMAKING, I DON'T KNOW
23 HOW MUCH YOU ARE COORDINATING YOUR ACTIVITIES WITH THESE
24 OTHER ORGANIZATIONS. IS THAT PART AND PARCEL OF WHAT YOU
25 ARE DOING HERE? ARE YOU LOOKING TO REACH CONSENSUS. FOR



1 EXAMPLE?

2 THE STATE WATER RESOURCES CONTROL BOARD IS
3 GOING TO HAVE TO, EVIDENTLY, ISSUE STORMWATER PERMITS.
4 EVERY ONE OF THESE FACILITIES HERE IS UNDOUBTEDLY GOING
5 TO BE TARGETED FOR A STORMWATER PERMIT, WHICH MEANS THE
6 STATE WATER RESOURCES CONTROL BOARD HAS GOT US BECAUSE OF
7 THAT.

8 YOU FOLKS ARE TALKING ABOUT PERMITS FOR THE
9 COMPOSTING OPERATION ITSELF. AND THERE SEEMS TO BE A
10 REDUNDANCY THERE IN THAT WE HAVE THE SAME SITE DOING THE
11 BASIC SAME THING, BUT NOW WE REQUIRING TWO PERMITS.

12 ONE BECAUSE THE WATER RUNS OFF THE SITE,
13 THE WATER FROM RAINFALL RUNS OFF THE SITE; THEREFORE, WE
14 HAVE TO DO SOMETHING ABOUT THAT. THAT'S A FOREGONE
15 CONCLUSION. AND IT WOULD BE DELIGHTFUL -- ALTHOUGH YOU
16 MAY NOT HAVE ROOM IN THE STATUTE, IT WOULD BE DELIGHTFUL
17 TO COMBINE THOSE ACTIVITIES BECAUSE IT. UNFORTUNATELY,
18 TAKE A ROCKET SCIENTIST TO UNDERSTAND THAT WHEN RAIN
19 FALLS ON THAT SITE IN SUFFICIENT QUANTITIES, IT WILL RUN
20 OFF. AND IT MAY HAVE AN IMPACT OR IT MAY NOT BASED ON
21 THE FACT THAT WE'RE COMPOSTING ON THAT SITE, BUT THAT IS
22 PART AND PARCEL OF THE COMPOSTING OPERATION. IT'S NOT A
23 SEPARATE STORMWATER OPERATION, PER SE.

24 SO ANY THOUGHT GIVEN TO COMBINING THOSE?

25 MR. FINCH: WELL, CERTAINLY WE'RE STRIVING AS



1 MUCH AS WE POSSIBLY CAN GIVEN STATUTORY CONSTRAINTS THAT
2 YOU JUST ALLUDED TO.

3 ESSENTIALLY. IT'S REALLY UNCLEAR RIGHT NOW
4 WHETHER ONE-STOP SHOPPING WILL EVER ACTUALLY CRYSTALLIZE
5 AT THIS POINT. THERE IS TALK OF SORT OF A BACKLASH IN
6 THE STATE LEGISLATURE RIGHT NOW. AND IT'S REALLY -- WE'RE
7 REALLY GOING TO HAVE TO WAIT AND SEE WHAT HAPPENS.

8 CURRENTLY, ALL THE ENABLING LEGISLATION FOR
9 THE THREE BOARDS THAT YOU JUST DESCRIBED ARE ALL
10 INDEPENDENT OF EACH OTHER. AND THERE REALLY IS NO
11 STATUTORY TEETH, AS IT MAY, TO CAL-EPA. AND IT WILL
12 REALLY REQUIRE SOMETHING FAR BEYOND WHAT THE BOARD CAN
13 DO.

14 I KNOW THE BOARD IS VERY INTERESTED, FROM A
15 POLICY STANDPOINT, OF STREAMLINING THINGS AS FAR AS TO
16 CUT OUT REDUNDANCY. FOR EXAMPLE. IT WOULD SEEM TO BE
17 REDUNDANT IF, FOR EXAMPLE. YOU HAD TO PERFORM A RUNOFF
18 ANALYSIS FOR THE WATER BOARD AND TURN AROUND AND DO THE
19 SAME THING FOR THE WASTE BOARD.

20 MY -- THE WAY I CAN SEE OUR PROGRAMS MOVING
21 TOGETHER IS THAT THE WATER BOARD WOULD LOOK AT THE STORM
22 RUNOFF. FOR EXAMPLE; WHEREAS, WE WOULDN'T BE SO MUCH
23 INTERESTED IN STORM RUNOFF. WE'D BE INTERESTED IN THE
24 ISSUES AS THEY WOULD PERTAIN TO THE SOLID WASTE
25 MANAGEMENT. THINGS SUCH AS ENSURING ODOR CONTROL, THINGS



1 ALONG OPERATIONS STANDARDS AS FAR AS PROPER DISINFECTION
2 OF THE WASTE, THINGS THAT WON'T COME UNDER THE PURVIEW OF
3 THESE OTHER AGENCIES THAT YOU'VE DESCRIBED.

4 AND, AT LEAST, NOT NECESSARILY ON A
5 STATEWIDE BASIS. I'M SURE THAT THERE ARE CERTAIN LOCAL
6 ORDINANCES IN COMMUNITIES HERE AND THERE THAT MIGHT BE
7 APPLICABLE, BUT WE'LL HAVE TO DO FROM AN OVERALL
8 STATEWIDE PERSPECTIVE.

9 BUT AS FAR AS FOR ONE-STOP SHOPPING TO
10 ACTUALLY WORK, IT WILL REQUIRE A STATUTORY OVERHAUL OF
11 THE ENTIRE -- OF, AT LEAST, THREE ACTS THAT I CAN THINK
12 OF, CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT AND
13 POSSIBLY THE CLEAN AIR ACT, BUT IT'S SOMETHING BEYOND THE
14 SCOPE OF WHAT YOU OR I CAN DO HERE OR THE WASTE BOARD
15 ITSELF CAN DO.

16 WE CAN -- CERTAINLY, THE WASTE BOARD HAS
17 STATED THAT INTEREST IN STREAMLINING PROCESSES TO CUT OUT
18 UNNECESSARY REDUNDANCIES. AND I'M CERTAIN THAT THE BOARD
19 IS COMMITTED TO MEETING THOSE GOALS.

20 AND FROM A STAFF LEVEL VIEWPOINT, WE WORK
21 VERY CLOSELY WITH THESE OTHER AGENCIES AS FAR AS
22 PROMULGATING REGULATIONS. I KNOW, FOR EXAMPLE, WHEN I
23 WAS IN THIS VERY ROOM ON THE CLOSURE REGS A NUMBER OF
24 YEARS AGO. WE WORKED VERY CLOSELY WITH THE STATE WATER
25 RESOURCES CONTROL BOARD IN PROMULGATING THOSE REGS. AND



1 A LOT OF PROVISIONS THAT WE ENDED UP ADOPTING IN THOSE
2 CLOSURE REGS. THESE ARE FOR SOLID WASTE LANDFILLS. WERE
3 ONES THAT -- SIMPLY INCORPORATING THE OTHER AGENCY'S REGS
4 BY REFERENCE. SO JUST SAYS. YOU WILL FOLLOW WHAT'S
5 SUPPOSEDLY IN THERE. THAT GAVE A CERTAIN LEVEL OF
6 FLEXIBILITY IN CASE A REGIONAL WATER BOARD, FOR EXAMPLE,
7 RENEGED ON ITS RESPONSIBILITY.

8 YOU ARE PROBABLY FAMILIAR WITH THE WAY THE
9 STATE AND THE NINE REGIONAL BOARDS ARE SET UP. THEY'RE
10 ALL INDEPENDENT ORGANIZATIONS. AND ONE CONCERN THE WASTE
11 BOARD HAD AT THAT TIME WAS APPARENTLY -- IT WAS APPARENT
12 TO US THAT CERTAIN REGIONAL BOARDS WERE NOT NECESSARILY
13 ENFORCING CERTAIN PROVISIONS OF CHAPTER 15, TITLE 23.

14 AND OUR CONCERN AT THAT TIME WAS THAT IF
15 THOSE WEREN'T BEING ENFORCED, THAT THE WASTE BOARD COULD
16 STEP IN AND SAY, WELL, YOU NEED TO INSTIGATE GROUNDWATER
17 MONITORING. WE DON'T THINK IT'S APPROPRIATE TO HAVE AN
18 EXEMPTION FOR A SOLID WASTE LANDFILL. FOR EXAMPLE.

19 BUT WE'VE -- THAT'S JUST AN EXAMPLE OF
20 WHERE WE'VE. THE WASTE BOARD, HAS TRIED IN THE PAST TO
21 COORDINATE WITH THESE OTHER STATE AGENCIES.

22 MR. PRICE: IT'S IMPORTANT TO PERHAPS KEEP UP
23 THAT INTERFACE, TOO, BECAUSE THERE ARE CERTAIN ADVANTAGES
24 TO THE -- I MEAN. THE CONCEPT OF REGIONAL BOARDS BEING
25 SET UP WAS THAT THERE WERE REGIONAL DIFFERENCES. WE WANT



1 TO MAINTAIN THAT KIND OF FLEXIBILITY SO WE AREN'T LOCKED
2 INTO A STATEWIDE REQUIREMENT. IT IS SIMPLY NOT
3 APPLICABLE ON A LOCAL OR REGIONAL BASIS.

4 LET ME WRAP UP MY COMMENTS BY SAYING THIS.
5 THAT TWO THINGS THAT YOU'VE ALLUDED TO THAT REALLY THE
6 INTEGRATED WASTE MANAGEMENT BOARD HAS NO CONTROL OVER.
7 AND THAT'S THE ISSUE OF ONE-STOP SHOPPING. IT'S A BIG
8 ISSUE.

9 SB 1523 COULD VERY WELL BE THE VEHICLE. I
10 KNOW THAT YOU'RE NOT -- IT'S NOT SOMETHING THAT YOU CAN
11 DO. PERHAPS, I'M TALKING TO THE FOLKS HERE WHO ARE
12 INTERESTED IN DOING SOMETHING ABOUT THIS. THE 1523 COULD
13 BE THE VEHICLE TO, AT LEAST, EXPRESS LEGISLATIVE INTENT.
14 THAT THERE BE SOME CONCEPT LIKE THIS. WITH THE UPCOMING
15 HEARINGS ON THIS SB 1523. THAT'S ONE OF TWO THINGS THAT I
16 WOULD SUGGEST WE, AS AN INDUSTRY, COULD CONTRIBUTE TO
17 OURSELVES. TO LOBBY TOM HIGGINS ON SENATOR KILLEA'S STAFF
18 TO SEE THAT THAT KIND OF INCLUSION IS MADE.

19 AND THE SECOND ISSUE HAS TO DEAL WITH THE
20 CONCEPT YOU MENTIONED EARLIER OF WASTE VERSUS RESOURCE.
21 YOU'RE CONSTRAINED BY THE PUBLIC RESOURCES CODE TO CALL
22 IT WASTE.

23 IF YOU COULD PERMIT ME A 30-SECOND STORY.
24 WHEN I WAS MARKETING RECLAIMED WATER A FEW YEARS AGO. IT
25 WAS A DELIGHTFUL THING TO DO. AND MANY PEOPLE IN THE



1 FOURTH AND FIFTH YEAR OF THE DROUGHT WERE JUST PLEASED AS
2 PUNCH THAT THEY WOULD HAVE A GUARANTEED WATER SUPPLY.
3 NOTHING IS MORE GUARANTEED THAN CONNECTING TO THE
4 TAILPIPE OF A WASTE TREATMENT PLANT BECAUSE THAT WATER
5 FLOWS INDEPENDENT OF WHETHER OR NOT IT RAINS. AND SO
6 NURSERIES WERE DELIGHTED TO BE IN TOUCH WITH THAT.

7 WHEN IT CAME DOWN TO THE FINAL CONTRACT
8 SIGNINGS, AND I WENT TO THEM AND I SAID, "BY THE WAY, YOU
9 HAVE TO APPLY FOR A WASTE DISCHARGE PERMIT." THEY SAID,
10 "WAIT A MINUTE. I THOUGHT YOU WERE SELLING ME A
11 COMMODITY. I DIDN'T REALIZE I WAS BUYING INTO A WASTE
12 PRODUCT. THIS IS AN ENTIRELY A DIFFERENT MATTER." AND
13 IT CHANGED THE COMPLEXION OF THE MARKETING THAT WAS
14 REQUIRED TO DO THIS.

15 WE CAN'T, ON THE ONE HAND, HAVE A BILL,
16 AB 939, THAT SAYS THOU SHALT DIVERT FROM THE LANDFILL
17 BECAUSE IT'S VALUABLE, AND ON THE OTHER HAND, PUT THE
18 ONEROUS REQUIREMENT OF A WASTE PSEUDONYM ON THIS THING.
19 IT'S NOT A WASTE. WE'LL ALL AGREE IT'S NOT A WASTE. YOU
20 HEARD ALL THE TESTIMONY TODAY, YET YOU'RE UNDER THE PRC
21 CONSTRAINTS.

22 AGAIN, A COMMENT TO THE AUDIENCE, THAT
23 SB 1523 COULD VERY WELL BE THAT VEHICLE. AND THAT'S WHAT
24 WE DID LAST YEAR. WE WENT BACK TO THE LEGISLATURE, AND
25 WE CHANGED THE DEFINITION OF RECLAIMED WATER FROM A WASTE



1 TO A RESOURCE. IT WASN'T A MONUMENTAL THING TO DO: IT
2 WAS A VERY SIMPLE THING TO DO. AND IT RELIEVED THE
3 REGULATORY AGENCIES OF HAVING TO COME UP WITH PERMITS FOR
4 SOMETHING THAT WE ALREADY RECOGNIZE AS A RESOURCE.

5 SO YOU MIGHT -- MAYBE YOUR PART IN THIS.
6 YOU CAN'T LOBBY THE LEGISLATURE, BUT YOUR PART IN THIS
7 MAY VERY WELL BE TO ENCOURAGE THOSE FOLKS WHO INTERFACE
8 WITH YOU TO ENCOURAGE SENATOR KILLEA TO MAKE THAT KIND OF
9 A MODIFICATION.

10 THE ONLY OTHER POINT I WOULD LIKE TO
11 ENCOURAGE YOU ON IS THE IDEA OF CONTROLS ON THE -- I'LL
12 USE THE TERM TAILPIPE OF THE PROCESS, TO BE THE OUTPUT OF
13 THE PROCESS VERSUS CONTROL ON THE OPERATION ITSELF.

14 I DON'T KNOW SPECIFICALLY WHAT YOU'RE
15 THINKING ABOUT HERE, BUT LET ME ENCOURAGE YOU TO WITH
16 WHATEVER REGULATIONS AND REQUIREMENTS YOU ARE GOING TO
17 COME UP WITH, THAT THEY BE OUTPUT BASED AND NOT PROCESS
18 BASED.

19 IT IS CERTAINLY LEGITIMATE TO SAY THE
20 OPERATION SHOULD NOT PRODUCE OBNOXIOUS ODORS. IT IS
21 CERTAINLY LEGITIMATE TO SAY IT SHOULD NOT PRODUCE VECTOR
22 PROBLEMS, BUT IT WOULD BE UNFORTUNATE IF IT ATTEMPTED TO
23 DESCRIBE HOW TO DO THAT. RATHER, SIMPLY IDENTIFY THE END
24 RESULT. DO YOU WANT IT ODORLESS OR OBNOXIOUSLESS. THEN
25 SO BE IT, BUT DON'T GET INTO THE PROCESS ITSELF.



1 WE, WHO HAVE BEEN PRACTICING IT FOR A
2 NUMBER OF YEARS, AREN'T SURE WE CAN WRITE A SET OF
3 REGULATIONS THAT WOULD APPLY IN EVERY PARTICULAR CASE.

4 MR. FINCH: KEEP IN MIND, AS PART OF THE OAL
5 PROCESS FOR ADOPTING REGS. YOU'RE REQUIRED TO DO --
6 BECOME -- TO DO A LOT OF TECHNICAL DEMONSTRATIONS IF YOU
7 ADOPT A PROSCRIPTIVE ONLY STANDARD. AND THAT'S THE
8 REASON WHY I, FOR ONE, AND THE WASTE BOARD, AS WELL, LOOK
9 TO PERFORMANCE STANDARDS AND NOT PROSCRIPTIVE STANDARDS.

10 FOR EXAMPLE, WITH THE VECTOR OR -- NOT
11 VECTOR CONTROL, BUT THE PATHOGEN CONTROL, WE'LL ALLOW TWO
12 ROUTES AS -- FROM A TECHNICAL VIEWPOINT HERE. I CAN
13 FORESEE TWO ROUTES. ONE A PROSCRIPTIVE APPROACH, WHEREBY
14 YOU HAVE TIME AND TEMPERATURE, SO MANY DAYS, SO MUCH
15 TEMPERATURE.

16 OR IF YOU DON'T WANT TO UTILIZE THAT
17 METHOD, YOU CAN HAVE A DIRECT PATHOGEN EXAMINATION, SO WE
18 WON'T LOOK AT HOW YOU DID IT. WE'LL LOOK AT THAT END
19 RESULT.

20 BUT BY HAVING EITHER OPTION, IT ALLOWS YOU
21 EITHER TO GO IN AND DIRECTLY DO THE TESTS, WHICH CAN BE A
22 LITTLE EXPENSIVE. OR TO USE THE TIME HONORED,
23 TIME-TEMPERATURE RELATIONSHIP.

24 I WOULD LIKE, FROM A TECHNICAL VIEWPOINT,
25 WOULD LIKE TO EXTEND THAT TYPE OF OPTION TO ALL THE



1 OPERATORS. AND THAT'S ALREADY CONTAINED IN A LOT OF THE
2 503 REGS AND USING THOSE TYPES OF STANDARDS AND OPTIONS
3 AT PEOPLE'S DISPOSAL. BUT LIKE I SAY, I THINK WE ARE
4 DEFINITELY TENDING TOWARDS PERFORMANCE STANDARDS. AND
5 THIS GOES BACK TO TITLE 1 REGS, WHICH ARE THE REGS THAT
6 RULE MAKING REGS TO THE OFFICE OF ADMINISTRATIVE LAW.

7 SO THAT RATHER THAN BEING PROSCRIPTIVE,
8 WHENEVER ABSOLUTELY POSSIBLE, WE WILL ADOPT PERFORMANCE
9 STANDARDS. AND, YOU KNOW, LIKE YOU SAY, WHEN IT COMES TO
10 THINGS LIKE ODOR CONTROL, IT'S PRETTY HARD TO HAVE MUCH
11 MORE THAN A SENTENCE OR TWO THAT SAYS THOU SHALT CONTROL
12 ODORS.

13 I DON'T FORESEE SOMETHING LIKE WE'VE HAD IN
14 SOME OF OUR OLDER REGS THAT HAVE BEEN ON THE BOOKS FOR
15 SOME TIME TO TALK ABOUT ODOR PANELS AND TEFLAR BAGS AND
16 ALL THESE OTHER THINGS THAT PEOPLE WITH NORMAL SMELLING
17 OR ODORIMETERS OR SOMETHING LIKE THAT.

18 I WOULD THINK IT WOULD BE PRETTY MUCH A
19 PERFORMANCE STANDARD OR, FOR THAT MATTER, SOMETHING THAT
20 DICTATED A COOKBOOK APPROACH. YOU WILL DO YOUR
21 COMPOSTING, TURN IT EVERY SO MANY HOURS, YOU WILL DO THIS
22 AND YOU WILL DO THAT.

23 THE ONLY TYPES OF THINGS WHERE WE END UP --
24 WE'LL END UP HAVING TO BE PROSCRIPTIVE ARE THOSE THINGS
25 THAT ARE JUST OVERWHELMINGLY YOU HAVE TO DO IN THE



1 LITERATURE. AND THIS IS WHERE SOMETHING LIKE OUR COMPOST
2 ADVISORY PANEL WILL HELP US WITH. I HOPE, AND WORKSHOPS
3 SUCH AS THIS TO HELP IDENTIFY WHAT CONCERNS ABSOLUTELY
4 HAVE TO BE THERE. AND WHEN WE ARE PROSCRIPTIVE LIKE
5 THAT, WE'LL HAVE TO BACK IT UP WITH REAMS OF INFORMATION
6 FOR OUR RULEMAKING FILE.

7 MR. PRICE: YOUR COMPOST ADVISORY COMMITTEE,
8 YOU'RE TO BE COMMENDED ON THAT PARTICULAR APPROACH. I
9 THINK THAT'S DELIGHTFUL. EPA HAS USED THAT VERY
10 EFFECTIVELY.

11 AND I THINK THE OTHER THING THAT YOU'RE TO
12 BE COMMENDED ON IS YOUR VIEW OF 503 RIGHT NOW AND HOW
13 YOU'RE PLANNING ON INCORPORATING THEM. THERE'S AN
14 INCREDIBLE AMOUNT OF SCIENCE AND EXPENSE THE PUBLIC HAS
15 GONE TO TO DEVELOP THAT OVER THE LAST MANY, MANY YEARS.
16 AND IT'S DELIGHTFUL YOU USE THAT AS A LAUNCHING PAD.

17 MR. FINCH: WE DON'T WANT TO REINVENT THE WHEEL
18 HERE.

19 MR. PERRY: MY NAME IS MIKE PERRY WITH EMCON
20 SOUTHWEST. MY COMMENTS PRIMARILY HAVE TO DO WITH
21 COMPLIANCE OF A CITY -- FROM A CITY'S STANDPOINT AND
22 POINT OF VIEW IN ACHIEVING ITS GOALS UNDER AB 939.

23 AS A CONSULTANT, I AM ALWAYS CONSTANTLY
24 ASKED THE QUESTION: WHAT COUNTS AND WHAT DOESN'T. THE
25 CITY IN PUTTING ON A COMPOSTING OPERATION OR A MULCHING



1 OPERATION, IT'S VERY UNCLEAR HOW THEY'RE GOING TO RECEIVE
2 THOSE DIVERSION CREDITS.

3 OBVIOUSLY, A COMPOSTING OPERATION WILL
4 REQUIRE A PERMIT CURRENTLY KNOWN AS THE DRAFT REPORT OF
5 COMPOSTING SITE INFORMATION AND PERMIT THAT FOLLOWS.

6 HOWEVER, IF YOU HAVE A MULCHING OPERATION,
7 IT'S EXTREMELY UNCLEAR FROM A LOCAL ENFORCEMENT AGENCY'S
8 POINT OF VIEW HOW A CITY WILL RECEIVE THOSE DIVERSION
9 CREDITS AND WHAT THEY CAN DO TO STREAMLINE THIS PROCESS.

10 THE URGENCY INVOLVED IS, OF COURSE, WE'RE
11 ALREADY IN 1992. WE HAVE DIVERSION THAT MUST BE ACHIEVED
12 BY 1995. AND MANY CITIES HAVE ADOPTED PROGRAMS THAT WILL
13 RELY HEAVILY UPON GREEN WASTE DIVERSION PROGRAMS.

14 SO MY URGENCE IS TO DEVELOP CLEAR
15 REGULATIONS DELINEATING THE DIFFERENCES BETWEEN
16 COMPOSTING, CO-COMPOSTING WITH SLUDGE, AND MULCHING
17 OPERATIONS, HOPEFULLY, TO A POINT WHERE THERE ARE SOME
18 DRAFT GUIDELINES ISSUED IN THE VERY NEAR FUTURE WHICH
19 CITIES CAN START LOOKING AT AND TOWARD ACHIEVING THEIR
20 COMPLIANCE GOALS. AND INCORPORATED WITHIN THOSE, IF
21 THERE ARE CLEARER DEFINITIONS ON HOW A CITY IS TO RECEIVE
22 THOSE DIVERSION CREDITS.

23 THEY ALL WANT TO COMPLY WITH THE AB 939.
24 THEY'RE DOING THEIR BEST TO DO IT, BUT THEY DON'T KNOW
25 HOW TO DO IT AT THIS POINT WITH REGULATIONS THAT ARE



1 VAGUE AND UNCLEAR AND CONFLICTING INFORMATION BETWEEN
2 LOCAL ENFORCEMENT AGENCIES IN ONE COUNTY AND DIRECTION
3 FROM THE CALIFORNIA WASTE MANAGEMENT BOARD IN OTHER
4 AREAS.

5 THANK YOU.

6 MR. FINCH: JUST FOR THE RECORD HERE, I JUST
7 WANTED TO LET YOU KNOW. AS SOON AS WE DO HAVE DRAFT
8 LANGUAGE AVAILABLE. WE INTEND TO SHARE THAT WITH THE
9 PUBLIC, REGULATED PUBLIC, AND THE OTHER INTERESTED
10 PARTIES BEFORE WE GO TO OAL. SO THAT THERE WILL BE A
11 SORT OF INFORMAL PUBLIC COMMENT PERIOD ON PROPOSED DRAFT
12 LANGUAGE.

13 THIS IS EVEN BEFORE WE EVEN START THE
14 OFFICIAL OAL RULEMAKING PROCESS. SO WE WILL HAVE SOME
15 DRAFT LANGUAGE TO HELP AT LEAST START AS A GUIDELINE OR
16 SORT OF A TARGET, AS IT MAY, TO AID THE CITIES AND
17 COUNTIES FOR MEETING THE WASTE DIVERSION CREDITS AND AS
18 FAR AS THAT GOES. KEEP IN MIND, THOUGH, THESE
19 REGULATIONS DON'T DIRECTLY DEAL WITH THE DIVERSIONS AND
20 THE DIVERSION CREDITS.

21 IT IS TRUE, AS YOU BROUGHT OUT, THAT
22 DELINEATION BETWEEN COMPOST, MULCH, ETC., CAN'T HAVE A
23 BEARING ON THIS, BUT WE'RE NOT DIRECTLY DEALING IN THIS
24 PARTICULAR REGULATORY EFFORT WITH WHAT IS OR IS NOT A
25 DIVERSION OF WASTE.



1 MR. HUDSON: I'M BARCLAY HUDSON. I WORK WITH
2 EAGLE SOURCE INTERNATIONAL, WHICH IS A NONPROFIT FIRM IN
3 WEST LOS ANGELES. WE'VE BEEN DEALING WITH WASTE ISSUES
4 FOR SOME YEARS. WE'RE WORKING ON AB 939 PLANS, AND WE'VE
5 GOTTEN TO THE STAGE WHERE WE'RE TRYING TO THINK VERY HARD
6 ABOUT WHAT WOULD FACILITATE IMPLEMENTATION OF THE AB 939
7 PLANS. AND WE FIND THAT PARTICULARLY SMALL BUSINESSES
8 ARE CAUGHT BETWEEN A ROCK AND A HARD PLACE.

9 ON ONE HAND SOME OF THE BEST EXAMPLES OF
10 RESOURCE USE FROM WASTESTREAM HAVE NOT BEEN REGULATED.
11 IF THEY HAD BEEN REGULATED, YOU WOULD FIND TONS AND TONS
12 OF MATERIAL THAT IS NOW BEING PRODUCTIVELY GOING TO
13 LANDFILLS. FOR EXAMPLE, SOMETHING LIKE 85 PERCENT
14 AUTOBODIES ARE RECYCLED, RECYCLED MATERIALS. THAT WOULD
15 NEVER BE POSSIBLE IF AUTOBODIES WERE CONSIDERED WASTE AS
16 OPPOSED TO A RESOURCE.

17 THE SAME MIGHT BE TRUE OF AGRICULTURAL
18 WASTE BEING USED AS MANURE. ESSENTIALLY, YOU COULD NOT
19 DO ORGANIC FARMING IF THEY WERE REGULATED IN THE SAME
20 MANNER AS WE'RE TRYING TO REGULATE GREEN WASTE AT THIS
21 TIME.

22 SO MY CONCERN IS THAT PERHAPS THERE'S SOME
23 WAYS OF RELIEVING THE REGULATORY BURDEN BY SIMPLY
24 CLASSIFYING SOME THINGS AS RESOURCES. AS WAS MENTIONED
25 HERE. AS OPPOSED TO WASTE. AND NOT ONLY BECAUSE IT



1 RELIEVES A REGULATORY BURDEN AND PRESERVES SOME VERY GOOD
2 INITIATIVES IN INDUSTRIES THAT HAVE BEEN GOING ON FOR
3 DECADES, BUT ALSO BECAUSE IT MEANS THAT THERE WILL BE
4 MUCH MORE CREATIVITY AND MUCH MORE OPPORTUNITY TO DO
5 THINGS TO CARRY THE STATE OF THE ART WELL BEYOND WHAT
6 THEY ARE NOW.

7 I'VE SEEN IN NEW ENGLAND, PARTICULARLY,
8 REGULATIONS CUTTING OFF MANY KINDS OF INITIATIVES THAT
9 HAVE TAKEN PLACE THROUGH UNIVERSITIES AND AGRICULTURAL
10 COMMUNITIES AND MUNICIPAL GOVERNMENTS THAT HAVE STOPPED
11 DEAD IN THEIR TRACKS BECAUSE NEW REGULATIONS HAVE COME
12 ALONG, AND MADE IT SO IMPONDERABLE AND SO DIFFICULT AND
13 SO COSTLY, THAT SOME TERRIFICALLY CREATIVE THINGS THAT
14 ARE HAPPENING ARE STOPPED AND THINGS THAT WERE HAPPENING
15 VERY EFFECTIVELY IN DIVERTING WASTE IN THE PAST HAVE ALSO
16 COME TO A HALT.

17 SO MY ONE POINT IS IF THERE ARE WAYS OF
18 RELAXING THE DEFINITION OF WASTE TO INCORPORATE THEM AS
19 RESOURCES, THAT COULD BE A TREMENDOUS BOON TO CREATIVITY
20 IN BOTH LARGE INDUSTRIES AND SMALL ONES.

21 FROM THE PERMITTING AND SITING STANDPOINT,
22 I FOUND THAT THERE ARE GREEN WASTE PEOPLE WHO TRIED TO
23 GET FACILITIES WHICH HAVE VERY LITTLE PROBLEM WITH THE
24 COMMUNITY; BUT AS SOON AS A SIGN WAS UP THAT SAYS THIS IS
25 BEING REGULATED BY THE WASTE BOARD, PEOPLE SAY, "MY GOD.



1 WHAT'S GOING ON HERE? THIS IS WASTE. WHAT ARE THEY
2 BRINGING IN HERE?"

3 IT'S THE SAME THING THAT'S BEEN BROUGHT IN
4 AND USED BY GREEN WASTE PEOPLE FOR DECADES. AS SOON AS
5 IT'S LABELED WASTE, THEN EVERYBODY THINKS OF TOXIC DRUMS
6 AND KETTLEMAN. AND THAT CREATES -- JUST NOMENCLATURE
7 CREATES A PROBLEM APART FROM THE REGULATORY PROBLEM.

8 I'M WONDERING IF ALSO THE REGULATORY
9 PROCESS CAN'T BEGIN TO GIVE MORE ATTENTION TO RISK BASED
10 CHOICES. EPA OVER THE YEARS HAS BEEN DEALING WITH VERY
11 ISOLATED, COMPARTMENTALIZED FORMS OF WASTE MANAGEMENT.

12 IN THE LAST COUPLE OF YEARS, THEY'VE COME
13 TO TAKE STOCK OF WHAT HAPPENS WHEN YOU DIVIDE REGULATORY
14 FUNCTIONS UP BETWEEN MEDIA FUNCTIONS, FOR EXAMPLE, AIR
15 AND WATER AND HEALTH. AND WHAT HAPPENS IS IT MEANS THAT
16 PEOPLE MAKE SOME AWFULLY WRONG DECISIONS.

17 I'VE BEEN IN MEETINGS AT EPA, EPA FUNDINGS.
18 WHERE AT SOME POINT SOME OF THE HIGH LEVEL OFFICIALS --
19 OFFICIALS WILL GO AROUND AND HOLD MEETINGS BETWEEN MEDIA
20 GROUPS TO TRY TO SAY, "HOW ARE WE GOING TO DEAL WITH THIS
21 IN AN INTEGRATED FASHION AS MUCH YOU ARE TRYING TO DO?"

22 WHAT HAPPENS IS THAT AT THE END OF THE
23 MEETINGS ALMOST INVARIABLY THE HIGHEST LEVEL OFFICIAL
24 WILL SAY, "WHERE IS THE CRAP GOING TO GO? BECAUSE THE
25 AIR PEOPLE WANT TO PUT IT IN THE WATER. AND THE WATER



1 PEOPLE WANT TO PUT IT IN THE LAND. AND THE LAND PEOPLE
2 WANT TO PUT IN THE AIR, AND IT'S A ROUND ROBIN. WHAT
3 HAPPENS IS THE GREEN WASTE INDUSTRY WILL GET CAUGHT IN
4 THAT SAME SITUATION HERE.

5 I THINK THAT PERMITTING BY RULE IS HELPFUL.
6 BUT I THINK PERHAPS THE BOARD CAN TAKE A MORE PROACTIVE
7 ROLE AND TRY TO MAKE IT, IF NOT THE ONE STOP, AT LEAST
8 SOMETHING WHERE SOMEBODY IS LOOKING AT ALL THE WAYS THAT
9 RISK ARE ATTACHED TO THE PROCESSES AND BEING BOLD ENOUGH
10 TO SAY, "MAYBE IF WE DON'T TAKE SOME RISKS NOW, WE'RE
11 GOING TO CREATE MUCH GREATER RISKS BY THE MATERIAL BEING
12 MISMANAGED OR BEING USED IN THE WRONG PLACE."

13 EPA SPENDS BILLIONS AND BILLIONS OF DOLLARS
14 NOW ON ASBESTOS CLEANUP WHEN IT'S NOW WELL ESTABLISHED
15 THAT THAT WAS A VERY OVERREACTIVE SET OF REGULATIONS THAT
16 REQUIRED ASBESTOS TO BE TREATED IN THE WAY IT IS NOW.
17 THERE IS VIRTUALLY NO NONINDUSTRY-RELATED DEATHS THAT
18 HAVE BEEN RELATED TO ASBESTOS. YET THERE ARE MILLIONS
19 AND MILLIONS OF DOLLARS BEING SPENT IN CLEANING THAT
20 STUFF UP, ALL CREATING MUCH HIGHER RISKS IN THE CLEANUP
21 PROCESS THAN IN THE FIRST PLACE.

22 THE SAME IS TRUE OF SUPERFUNDS WHERE
23 LITERALLY TENS OF MILLIONS OF DOLLARS ARE BEING SPENT IN
24 AREAS WHICH EPA NOW RECOGNIZES IS EXTREMELY LOW RISK
25 COMPARED TO OTHER AREAS WHERE REGULATIONS AND MONEY CAN



1 BE SPENT THAT WOULD GENUINELY SAVE MANY, MANY FORMS OF
2 LIVES.

3 MY CONCERN IS THAT THE KINDS OF LEVELS OF
4 RISK THAT WE'RE DEALING WITH HERE IN COMPOSTING ARE MUCH,
5 MUCH LOWER THAN THE RISK THAT EACH OF US FACES WHEN WE GO
6 OUT TO OUR CARS THIS AFTERNOON. AND WE'RE REALLY DEALING
7 WITH THAT LEVEL OF RISK IN COMPOSTING THAT IS REALLY OUT
8 THERE IN SALT LEVELS AND CADMIUM LEVELS. IN OTHER WORDS,
9 WE DARE GET NEAR OUR CARS THIS AFTERNOON. THERE'S TENS
10 THOUSANDS OF TIMES GREATER RISK DOING SOMETHING IN
11 EVERYDAY LIFE WHERE WE HAVEN'T ASSIGNED THIS REGULATORY
12 IMPORTANCE. I'M JUST CONCERNED THAT THAT MIGHT BE A
13 PROBLEM.

14 IN CLOSING, I THINK THAT IT'S VERY
15 IMPORTANT TO HAVE A VERY CLEAR IDEA OF RELATIVE RISKS,
16 RELATIVE USE OF WORD WASTE VERSUS RESOURCES, AND THAT
17 REQUIRES A TIERED APPROACH WHICH IS QUITE SOPHISTICATED.
18 THERE'S AT LEAST HALF A DOZEN TYPES OF TIERS THAT I CAN
19 THINK OF THAT I THINK ARE ABSOLUTELY CRITICAL IN ORDER TO
20 NOT PUT PEOPLE INADVERTENTLY OUT OF BUSINESS WHO HAVE
21 BEEN IN BUSINESS FOR A LONG TIME.

22 ONE OF THE TIERS, OF COURSE, IS END USE.
23 WE'VE TALKED ABOUT THAT. ANOTHER IS THE TYPE OF
24 FEEDSTOCK. WE'RE TALKING ABOUT GREEN WASTE,
25 PUTRESCIBLES, OR SLUDGE MIXED IN MUNICIPAL SOLID WASTE.



1 BACKGROUND LEVELS WHERE YOUR EMPLOYMENT IS
2 IS ANOTHER IMPORTANT APPROACH. COMPOST IS OFTEN BEING
3 APPLIED THAT IS BEING DISALLOWED ON THE BASIS OF SUCH
4 THINGS AS CADMIUM OR ZINC LEVELS. WHEN IN FACT THE
5 BACKGROUND LEVELS IN THE FIELDS ARE MUCH HIGHER THAN THE
6 COMPOST WHICH IS BEING APPLIED.

7 IT'S PARTICULARLY TRUE IN VERMONT WHERE
8 THEY USED CHEMICAL FERTILIZERS AND CADMIUM AND ZINC COME
9 IN CHEMICAL FERTILIZERS. BUT WHEN YOU TRY TO SOLVE THAT
10 PROBLEM WITH COMPOST, THEY DISALLOW THAT BECAUSE THE
11 LEVELS ARE PERCEPTIBLE AND YET IMMEASURABLE AND YET FAR
12 BELOW BACKGROUND LEVELS, AND YET THOSE THINGS ARE
13 DISALLOWED. I THINK IT'S IMPORTANT THAT BACKGROUND
14 LEVELS BE INCLUDED IN THE TIERED APPROACH FOR HOW YOU
15 APPLY GREEN WASTE.

16 PROCESS LOCATION IS ANOTHER IMPORTANT TIER,
17 WHETHER YOU'RE DEALING WITH AN INDUSTRIAL AREA,
18 AGRICULTURAL AREA, MUNICIPAL AREA, URBAN, SEMIURBAN.
19 THERE'S ANOTHER THING THAT I THINK WE CAN TALK ABOUT
20 HERE, BUT I DON'T THINK WILL BE TAKEN SERIOUSLY ENOUGH
21 UNLESS SOMEBODY VIEWS THAT VERY EXPLICIT INTENTION IN THE
22 REGULATORY LEVEL.

23 THE SIZE, WE'RE TALKING ABOUT 15 CUBIC
24 YARDS. I THINK YOU CAN MAKE A TIER THAT GO MORE THAN
25 THAT SIZE. I THINK WE'VE SEEN HERE SMALL BUSINESSES THAT



1 COLLECT PERHAPS 100 CUBIC YARDS, 500 CUBIC YARDS, WHICH
2 ARE NOT A MASSIVE FACILITY THAT'S GOING TO WIPE WHOLE
3 POPULATIONS OFF THE FACE OF THE EARTH, BUT YET SHOULD BE
4 ALLOWED TO HAVE DIFFERENT LEVELS OF PERMITTING THAN THE
5 MAJOR FACILITIES THAT ARE GOING TO BE DEALING WITH WHOLE
6 WASTESTREAMS IN THE LARGE MUNICIPALITY.

7 I THINK PROCESS TYPE IS ALSO IMPORTANT
8 WHETHER YOU'RE TALKING ABOUT IN VESSEL VERSUS WINDROWING
9 VERSUS VERMICULTURE VERSUS NONCOMPOSTING MULCH. I COULD
10 GO ON. THE END USE LOCATION, WHETHER YOU'RE DEALING WITH
11 SOMETHING THAT'S CLOSED LOOP ON THE SITE OR IN A NARROW
12 AREA, WHERE YOU DON'T HAVE THE DANGER OF DISSEMINATING
13 DISEASES TO OTHER AREAS. THESE ARE ALL THINGS THAT I
14 THINK DESERVE TO BE ADDRESSED IN A TIERED APPROACH AND
15 NOT MAKE ONE OR TWO.

16 FINALLY, I WOULD ENCOURAGE THE BOARD TO
17 INFORM GROUPS SUCH AS THIS ON YOUR MAILING LIST OF EVEN
18 THE MOST TENTATIVE THINKING THAT YOU HAVE IN TERMS OF
19 WHERE YOU ARE GOING.

20 MY UNDERSTANDING IS THAT YOU'VE BEEN VERY,
21 VERY GOOD ABOUT THAT AT THE PRESENT, BUT I WOULD
22 ENCOURAGE YOU NOT TO WAIT UNTIL THE LAST DAYS OF NOVEMBER
23 BEFORE LETTING US KNOW EVEN YOUR MOST TENTATIVE APPROACH.
24 I THINK IT'S VERY HARD FOR PARTICULARLY DISJOINTED GROUPS
25 LIKE THIS TO REACT IN A CONSOLIDATED THOUGHTFUL WAY TO



1 THOUGHTS THAT COME AT THE LAST MINUTE.

2 THERE'S A SENSE OF UNEASY NERVOUSNESS THAT
3 YOU ARE GETTING THE ANSWERS AND CONSOLIDATING AND MAKING
4 THOSE VERY CONCRETE BEFORE YOU'VE HAD A CHANCE FOR PEOPLE
5 TO RESPOND TO VERY, VERY SPECIFIC PROPOSALS AND IDEAS
6 THAT YOU ARE DEVELOPING UP THERE. SO IF THERE CONTINUES
7 TO BE A DIALOGUE AND NOT JUST PUBLIC AT LARGE PROVIDING
8 YOU WITH INFORMATION OVER THE NEXT SIX MONTHS AND
9 SUDDENLY THE ANSWER COMES MAGICALLY OUT OF SACRAMENTO.

10 I KNOW THAT YOU ARE NOT DOING THAT. I KNOW
11 THAT YOU'VE BEEN VERY GOOD ABOUT THE DIALOGUE, BUT I HOPE
12 THAT CONTINUES.

13 MR. LORD: HELLO. I'M JIM LORD WITH GUADALUPE
14 LANDFILL IN SAN JOSE. I WANT TO SPEAK TO A COUPLE OF
15 ISSUES THAT WE HAVEN'T TALKED ABOUT A WHOLE LOT. WE
16 STARTED TALKING ABOUT PERMIT BY RULE, WHICH IS A GREAT
17 CONCEPT. AND, MIKE, YOU MENTIONED A COUPLE OF TIMES
18 PUTTING A CAP ON THAT.

19 HAVE YOU GUYS HAD ANY DEALING AT ALL AS TO
20 WHAT TYPE OF CAP YOU ARE LOOKING AT?

21 MR. FINCH: NOT AT THIS TIME. THAT WAS JUST A
22 CONCEPT THAT WAS KICKED AROUND. WE DO NOT HAVE ANY
23 CONCRETE NUMBERS AT THIS TIME.

24 MR. LORD: OKAY. WELL. THEN LET ME GO ON TO
25 PERMITTING BECAUSE I THINK A LOT OF FACILITIES ARE GOING



1 TO END UP WITH PERMITTING. PERMIT BY RULE IS GREAT FOR
2 THE PEOPLE THAT HAVE 15 TO 20 TO 30 YARDS OF MATERIAL.
3 BUT PEOPLE THAT ARE GOING TO BE DOING MUNICIPAL
4 WASTESTREAMS, I THINK THEY'RE GOING TO BE SUBJECT TO
5 PERMITTING.

6 AND I'M VERY --

7 MR. FINCH: JIM, IF I COULD INTERJECT HERE. I
8 THINK WHAT WE'RE THINKING OF IS A NUMBER MORE ON THE
9 ORDER OF SOMETHING LIKE 500 CUBIC YARDS, AND THIS WOULD
10 BE SOURCE SEPARATED GREEN WASTE.

11 KEEP IN MIND THAT THE 15, THAT WAS BELOW
12 REGULATORY CONCERN, LIKE IT CURRENTLY IS, SO THAT YOU
13 WOULDN'T EVEN BE SENDING IN YOUR PERMIT BY RULE
14 APPLICATION UNLESS THE LEA SAID THAT YOU HAD TO DO IT FOR
15 SOME STRANGE REASON, WHICH I DON'T FORESEE.

16 MR. LORD: OKAY. IN THE YARD WASTE I'M GOING TO
17 BE DOING I'M CERTAINLY GOING TO BE OVER THE LIMITS YOU
18 ARE LOOKING AT.

19 MR. FINCH: OVER 500?

20 MR. LORD: CERTAINLY.

21 MR. FINCH: WELL, I MEAN, THAT'S JUST A NUMBER I
22 THREW OUT BECAUSE OF THE LAST SPEAKER. I'M NOT
23 NECESSARILY IMPLYING THAT WE'LL BE GOING WITH THAT OR
24 THAT THERE EVEN NEEDS TO BE A CAP. MAYBE THERE DOESN'T
25 NEED TO BE ONE.



1 MR. LORD: I WOULD TO SPEAK TO THE POINT THAT
2 THERE REALLY DOESN'T NEED TO BE A CAP. IF YOU HAVE A
3 PROBLEM WITH 100 YARDS. YOU'RE CERTAINLY GOING TO HAVE
4 THE SAME PROBLEM WITH THE 1,000-YARD FACILITY.

5 BUT IN SPEAKING OF STREAMLINING THE
6 PERMITTING, I THINK IT'S VERY IMPORTANT WE DON'T TRY TO
7 OVERREGULATE AT THIS TIME ESPECIALLY IN GREEN WASTE.
8 IT'S GOING TO BE IMPORTANT TO DEFINE WHAT ISN'T YARD
9 WASTE IN THE PROCESS BECAUSE I'M AFRAID THAT THERE'S
10 GOING TO BE THAT ONE CUP OR THAT ONE GALLON OF SOMETHING
11 THAT GETS MIXED IN AND IT'S GOING TO CHANGE IT FROM YARD
12 WASTE TO SOMETHING ELSE. YOU KNOW, WHETHER IT'S SEWAGE
13 EFFLUENT, ADDED COMPOST, AND THEN MAYBE YOU HAVE
14 SOMETHING THAT'S DIFFERENT. I'M CONCERNED ABOUT THE
15 DEFINITION.

16 AND WE'VE SPOKEN SOME TODAY AND AT THE LAST
17 MEETING ABOUT HEALTH AND SAFETY ISSUES, WHICH I THINK
18 EVERYONE RECOGNIZE HAVE TO BE ENFORCED. WELL, WE DIDN'T
19 SPEND A LOT OF TIME TALKING ABOUT SOME OF THE OTHER
20 REGULATORY CONTROLS THAT I THINK A LOT OF PEOPLE HAVE
21 BEEN SPEAKING TODAY HAVEN'T HAD TO DEAL WITH.

22 YOU KNOW, LEACHATE CONTROL MAY BE ONE ISSUE
23 AND STORMWATER RUNOFF, YOU KNOW, ARE PRETTY WIDELY KNOWN.
24 BUT GROUNDWATER MONITORING CAN BE EXTREMELY EXPENSIVE AND
25 VERY ONEROUS TO UNDERTAKE.



1 THEN WE START GETTING INTO CLOSURE AND
2 POSTCLOSURE REGULATIONS AND EVEN LIABILITY INSURANCE.
3 WHICH IS NOW ENVIRONMENTAL IMPAIRMENT INSURANCE BY
4 DEFINITION OF THE BOARD.

5 AND I JUST REALLY HOPE THAT WE CAN TAKE THE
6 GREEN WASTE COMPOSTING, ESPECIALLY, AND MOVE IT OUT OF A
7 LOT OF THOSE FIELDS.

8 MR. FINCH: IF COULD INTERJECT HERE, JUST
9 BRIEFLY, IT'S MY CONTENTION THAT THESE FACILITIES SHOULD
10 BE CLEAN CLOSED; I.E., EVERYTHING REMOVED WHEN THEY'RE
11 FINISHED SO THAT THERE SHOULD BE NO POSTCLOSURE
12 MONITORING MAINTENANCE.

13 IF THERE IS A RESIDUAL CONTAMINATION IN THE
14 SOIL OR SOMETHING LIKE THAT, THAT WOULD BE A CORRECTIVE
15 ACTION. SO THAT'S THE WAY I WOULD FORESEE THIS GOING
16 DOWN THE ROUTE.

17 I DO KNOW THAT SOME OF THE ORIGINAL
18 LANGUAGE OF 1523 SPOKE OF FINANCIAL ASSURANCE FOR CLOSURE
19 AND POSTCLOSURE. AND ONE OF THE COMMENTS I HAD ON THAT
20 WAS THAT IT MIGHT BE APPROPRIATE FOR CLOSURE, BUT
21 CERTAINLY NOT POSTCLOSURE BECAUSE THIS IS NOT A LANDFILL.
22 YOU DO NOT HAVE WASTE STILL THERE. IT SHOULD BE CLEAN
23 CLOSED; THERE'S NOTHING THERE AS FAR AS THAT GOES.

24 IN OUR REGULATORY EFFORT HERE, I DON'T
25 FORESEE NECESSARILY REQUIRING LIABILITY OR



1 CLOSURE/POSTCLOSURE FUNDING UNLESS 1523 MANDATES THAT WE
2 DO SO. THAT'S KIND OF THE THINKING THAT -- THAT'S GOING
3 ON. I KNOW IN ONE VERSION OF THAT PARTICULAR BILL, IT
4 SPOKE OF OPERATOR LIABILITY AND, LIKE I SAY, FUNDING FOR
5 CLOSURE/POSTCLOSURE. SO WHATEVER COMES OUT OF THAT BILL
6 WOULD PROBABLY END UP DICTATING, JUST TO LET EVERYONE
7 KNOW.

8 MR. LORD: OKAY. HERE'S THE LAST POINT I WANT
9 TO VERY MUCH SUPPORT YOUR PERFORMANCE STANDARDS ON THE
10 FINISHED PRODUCT USE AND THE OPTIONS OF BEING ABLE TO DO
11 WHAT YOU NEED TO DO TO GET THE MATERIAL TESTED AND
12 MEETING THE REQUIREMENT. THANK YOU.

13 MR. FINCH: THANK YOU.

14 MR. NEAL: MY NAME IS BILL NEAL. I'M WITH
15 CLEMENTS ENGINEERS. WE DESIGN AND PERMIT MRF'S, TRANSFER
16 STATIONS, COMPOSTING OPERATIONS, AND SO FORTH. IN THE
17 EARLY '80S, I COFOUNDED THE GREEN WASTE PROCESSING
18 OPERATION AND THE FIRST BIOFUEL COMPOSTED MATERIALS.

19 ROUGHLY AT THE SAME TIME, I GAVE TESTIMONY
20 AT A BOARD HEARING CONCERNING THE STATE WASTE MANAGEMENT
21 PLAN THAT WAS BEING PUT IN EFFECT IN THOSE DAYS. I WAS
22 BASICALLY SAYING THE SAME THING THEN THAT A LOT OF FOLKS
23 ARE SAYING TODAY.

24 YOU HAVE TO BE VERY CAREFUL NOT TO CREATE A
25 SITUATION IN WHICH YOU ARE HAVING A NEGATIVE NET EFFECT



1 ON THE OPERATIONS THAT ARE CURRENTLY DIVERTING MATERIALS
2 OUT OF THE LANDFILLS.

3 I THINK THE POINT BY MR. DAVIS FROM WASTE
4 MANAGEMENT IS WELL TAKEN. THAT TO DEVELOP THE LEVEL OF
5 OPERATIONS AT WHICH A COMPANY SUCH AS HIS WOULD BE
6 INTERESTED IN PARTICIPATING, THAT YOU DO HAVE TO HAVE
7 VERY FIRM CONTROLS. YOU NEED THE PUBLIC'S CONFIDENCE.

8 AT THE SAME TIME, HAVING RECENTLY COMPLETED
9 A DIVERSION SURVEY FOR THE CITY OF LOS ANGELES, TALKING
10 TO A LOT OF FOLKS LIKE THE PEOPLE OF PFP ENTERPRISES, PRC
11 ORGANICS, THE WORM CONCERN, I KNOW THAT THERE ARE A LOT
12 OF THINGS GOING ON RIGHT NOW THAT COULD HAVE -- COULD BE
13 NEGATIVELY AFFECTED BY THIS PROCESS.

14 AND I THINK THAT YOUR DISCUSSION CONCERNING
15 THE BACKLOADED PERMIT BY RULE PROCESS PROBABLY IS, I
16 WOULD THINK, ONE OF THE MOST POSITIVE THINGS THE BOARD
17 COULD DO AT THIS POINT IN TERMS OF, FIRST OF ALL, JUST
18 UNDERSTANDING WHAT IS GOING ON RIGHT NOW. AND I SEE IT
19 IN SOME WAYS SIMILAR TO WHAT THE STATE WATER RESOURCES
20 BOARD IS DOING WITH STORMWATER DISCHARGE PERMITS.

21 FIRST OF ALL. YOU GET YOUR PERMIT AND,
22 SECONDLY. YOU -- IT'S UP TO YOU TO OPERATE RESPONSIBLY:
23 AND IF YOU CAN'T DO THAT. THEN YOU ARE IMPOSED DISCHARGE
24 REQUIREMENTS THAT YOU DIDN'T START OUT WITH.

25 I THINK THAT A BACKLOADED PERMIT BY RULE



1 PROCESS THROUGH SOME SORT OF TIERED APPROACH IS PROBABLY
2 THE BEST THING THE BOARD CAN DO AT THIS POINT.
3 OBVIOUSLY, YOU DO HAVE A FULL SPECTRUM OF OPERATIONS LIKE
4 THE OPERATIONS THAT A COMPANY WASTE MANAGEMENT MIGHT BE
5 INTERESTED IN, AND THERE IS AN OBVIOUS NEED FOR THAT KIND
6 OF THING.

7 AT THE SAME TIME, I THINK THAT YOU DO NEED
8 TO BE VERY CAREFUL NOT TO HAVE A NEGATIVE NET EFFECT ON
9 THE OPERATIONS THAT ARE PROVIDING THE BULK OF THE
10 DIVERSION THAT'S GOING ON NOW.

11 ONE MORE THING. IS IT POSSIBLE TO EXPLAIN
12 WHAT THE BOARD'S CURRENT THINKING IS ON THE TIERED
13 APPROACH? WHAT APPROACH IS THE BOARD CONSIDERING AT THIS
14 POINT?

15 MR. FINCH: WELL, OTHER THAN -- THE BOARD UP TO
16 THIS POINT HAS LOOKED FAVORABLY ON A TIERED APPROACH.
17 WHETHER IT WOULD BE TWO OR THREE OR FOUR OR FIVE OR HOW
18 MANY TIERS, IT'S UNCERTAIN RIGHT NOW.

19 I THINK IT'S REALLY GOING TO COME DOWN TO
20 WHAT BOARD STAFF CAN COME UP WITH, WHAT THE COMPOST
21 ADVISORY PANEL SUGGESTS. I THINK WHAT WE MAY END UP WITH
22 IS SOME DE FACTO TIERS THAT MAY OR MAY NOT BE PRESENT.
23 LIKE IF YOU TAKE SEWAGE SLUDGE, YOU WILL FOLLOW
24 SUCH-AND-SUCH. WELL, THAT MAY END UP BEING A DE FACTO
25 TIER AND NOT NECESSARILY A TIER THAT'S CLEARLY IN THE



1 REGS.

2 I THINK ULTIMATELY. ONCE WE END UP WITH
3 DRAFT LANGUAGE. WE CAN THEN DISTRIBUTE IT TO YOU FOLKS
4 OUT HERE. AND WE CAN GET SOME FURTHER FEEDBACK ON THE
5 AMOUNT, WHETHER MORE OR FEWER TIERS ARE IN ORDER.

6 THE -- ONE OF THE PROBLEMS THAT I CAN
7 FORESEE WITH TOO MANY TIERS IS IT BECOMES CONFUSING TO AN
8 OPERATOR. WHICH TIER DO I FIT INTO? AND I THINK WE WANT
9 TO TRY TO AVOID OVER COMPLICATION, IF POSSIBLE.

10 MR. BUSHEE: MY NAME IS PAUL BUSHEE. I'M FROM
11 THE ENCINO WASTEWATER AUTHORITY. AND I'D LIKE, FIRST OF
12 ALL, TO CONCUR WITH THE STATEMENTS OF BEN PRICE
13 REPRESENTING TRITAK.

14 AND BASICALLY, I HAD A QUESTION IN
15 REGARDS -- I DIDN'T FULLY UNDERSTAND WHETHER OR NOT WAS
16 YOUR PERMIT BY RULE APPROACH, WAS THAT FOR ONLY FOR GREEN
17 WASTE COMPOSTING, OR WAS THAT TIER APPROACH FOR OTHER
18 TYPES OF MATERIALS, SUCH AS MUNICIPAL AND SOLID WASTE?

19 MR. FINCH: YES. THIS IS JUST AN IDEA THAT'S
20 BEEN KICKED AROUND BY STAFF AND BASED ON SOME COMMENTS
21 THAT WE'VE RECEIVED UP TO NOW, WAS A TIERED -- THE TIERED
22 APPROACH WOULD CONSIST OF A PERMIT BY RULE PROCESS WITH
23 SOURCE SEPARATED GREEN WASTE WITH DEFINITION OF GREEN
24 WASTE BEING DEFINED. THEN A -- VARIOUS OTHER
25 REQUIREMENTS FOR OTHER TYPES OF FACILITIES. THAT'S



1 CURRENTLY WHAT'S BEING KICKED AROUND.

2 NOW, WHETHER A SEWAGE SLUDGE OR A
3 CO-COMPOST MIGHT GO A SIMILAR PERMIT BY RULE PROCESS, WE
4 HAVEN'T RECEIVED ANY COMMENTS ALONG THAT LINE AT THIS
5 POINT IN TIME, BUT THAT MIGHT BE ANOTHER IDEA.

6 I THINK THERE ARE GREATER TECHNICAL
7 CONCERNS WITH MSW, MIXED SOLID WASTE, IN OTHER WORDS, AND
8 WITH SEWAGE SLUDGE THAN THERE IS SOURCE SEPARATED GREEN
9 WASTE. AT LEAST ON THE SURFACE IT APPEARS TO BE THIS
10 WAY.

11 HOWEVER, IT'S -- WE HAVEN'T REALLY COME
12 DOWN TO ANY DETERMINATION. THIS IS JUST AN IDEA THAT'S
13 BEING KICKED AROUND.

14 MR. BUSHEE: WELL, I THINK IT'S A GOOD IDEA FOR
15 SEWAGE SLUDGE TOO. LET ME JUST GIVE AN EXAMPLE OF
16 WHAT -- IN ANY CASE, WHATEVER PROCESS THAT YOU DO COME UP
17 WITH, I'D LIKE TO SEE A SIMPLIFIED AND STREAMLINED
18 PROCESS.

19 RIGHT NOW WE'RE IN THE PROCESS OF
20 PERMITTING A COMPOSTING FACILITY. AND ONE OF OUR
21 REQUIREMENTS IS OBTAINING A SOLID WASTE FACILITIES
22 PERMIT, AND ONE OF THE REQUIREMENTS OF THAT IS BEING
23 IDENTIFIED OR FINALLY CONFORM WITH THE COUNTY SOLID WASTE
24 MANAGEMENT PLAN.

25 WELL, THE COUNTY HAS DETERMINED THAT WE



1 HAVE TO FOLLOW THIS GAP PROCEDURE IN ORDER TO BE
2 IDENTIFIED ON THE PLAN. AND THERE'S BEEN SOME CONFUSION,
3 I THINK, IN OUR COUNTY, WHICH IS SAN DIEGO COUNTY, AS TO
4 THE TIMING OF THAT ISSUE. WE'RE FINDING THE COUNTY IS
5 REQUIRING US TO OBTAIN A SOLID -- A MAJOR USE PERMIT
6 PRIOR TO OBTAINING -- JUST GOING THROUGH THIS GAP
7 PROCEDURE FOR BEING IDENTIFIED IN THE PLAN. AND THIS IS
8 SOME OF THE ISSUES THAT ARE FACING US.

9 WE'RE THE FIRST COMPOSTING FACILITY, AT
10 LEAST THAT I CAN THINK OF, IN THE COUNTY, AND WE'RE
11 STARTING TO RUN INTO LITTLE ROADBLOCKS. WE DON'T FEEL
12 THAT THE LEVEL OF DETAIL THAT'S NEEDED FOR A MAJOR USE
13 PERMIT IS NECESSARY TO BE IDENTIFIED IN THE PLAN.

14 AND I GUESS WE'RE -- I WOULD SUPPORT A
15 PERMIT BY RULE PROCESS THAT WOULD MAKE IT SOMEWHAT
16 SMOOTHER FOR US TO OBTAIN A SOLID WASTE FACILITIES PERMIT
17 OR THAT -- BASICALLY THAT SUPPORT WHAT BEN PRICE OF
18 TRITAK, THAT TYPE OF METHODOLOGY. A ONE-STOP-SHOP
19 APPROACH. WE'D BE IN SUPPORT OF THAT.

20 MR. REDICK: MY NAME IS MILTON REDICK. I'M AN
21 ENGINEER WITH THE CLEAN WATER PROGRAM IN SAN DIEGO. I
22 HAVE A BRIEF COMMENT.

23 MY PROBLEM IS I'VE BEEN IN THE WASTEWATER
24 FIELD FOR MANY YEARS, AND WE HAVE A BIBLE CALLED
25 "STANDARD METHODS" THAT IDENTIFIES THE VARIOUS LABORATORY



1 PROCEDURES. AND I'M SUGGESTING THAT WHEN WE TALK ABOUT
2 PURITY STABILIZATION, THAT IT'S NOT IN MY BOOK.

3 AND SO I THINK THERE'S A NUMBER OF THINGS
4 THAT NEED TO BE CLEARLY DEFINED. AND PROBABLY BORROWING
5 FROM AG AND SOIL, THAT IDENTIFY THEM, HOW TO DO IT, AND
6 WRITE A BIBLE, IF THAT'S NECESSARY.

7 WE RECENTLY TRIED TO IDENTIFY SALT, AND I
8 WAS AMAZED AT HOW -- DEPENDING ON WHAT SIDE OF THE SALT
9 PICTURE YOU'RE ON, WHAT IS SALT. SIMPLE, I THOUGHT, AS
10 THAT. SO TRY TO BE CLEAR AS TO HOW YOU MEASURE THINGS,
11 AND I GUESS I'M TALKING ABOUT THE PRODUCT STANDARDS.

12 AND, AGAIN, WE SUPPORT THE PRODUCT
13 STANDARDS, AND WE'D LIKE TO SEE THOSE WELL DEFINED.

14 MR. FINCH: OKAY. I WAS JUST REMINDED THAT
15 CAL-EPA IS CURRENTLY HOLDING HEARINGS AND WORKSHOPS LIKE
16 THIS ONE ON THE PERMIT STREAMLINING ISSUE AND TO CALL
17 CAL-EPA IN SACRAMENTO FOR MORE INFORMATION.

18 WELL, IF YOU DON'T HAVE ANY MORE SPEAKERS,
19 MAYBE WE'LL CONCLUDE THIS PUBLIC HEARING. I'D LIKE TO
20 THANK EVERYONE FOR ATTENDING. AND AS I MENTIONED
21 EARLIER, I'M ALWAYS WILLING TO ACCEPT ANY WRITTEN
22 COMMENTS AT ANY TIME. JUST ADDRESS THEM TO ME WITH THE
23 WASTE BOARD.

24 THANK YOU FOR ATTENDING. AND I'LL BE SURE
25 TO NOTIFY EVERYONE OF THE NEXT WORKSHOP WHEN THAT TAKES



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PLACE.

THANK YOU.

(END OF PROCEEDINGS AT 12:20 P.M.)



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Reporter's Certificate

* * * * *

I, BETH C. DRAIN hereby certify:

that on the 27th of
APRIL 1992, 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;

that the foregoing transcript is a true and correct
copy of my shorthand notes thereof.

Beth C. Drain

Certified Shorthand Reporter

Certificate No. 7152

