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MEETING OF THE  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
SANTA BARBARA, CALIFORNIA  
REGULAR MONTHLY BUSINESS MEETING

Agenda Items 1 through 12. )  
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REPORTER'S TRANSCRIPT OF PROCEEDINGS  
THURSDAY, AUGUST 27, 1992  
10:10 A.M.

COPY

COUNTY ADMINISTRATION BUILDING  
BOARD OF SUPERVISORS HEARING ROOM  
105 EAST ANAPAMU STREET  
SANTA BARBARA, CALIFORNIA

Reported by: LAURA REBECCA RODRIGUEZ  
CSR No. 8918

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A P P E A R A N C E S

BOARD MEMBERS:

- Michael Frost, Chairman
- Wesley Chesbro, Vice Chairman
- Jesse R. Huff, Member
- Kathy Neal, Member
- Paul M. Relis, Member

STAFF PRESENT:

- Joanne Vorhies, Committee Secretary
- Cathy Foreman, Committe Secretary

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SANTA BARBARA, CALIFORNIA

THURSDAY, AUGUST 27, 1992

10:10 A.M.

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BOARD CHAIRMAN FROST: Good morning and welcome to the monthly meeting of the California Integrated Waste Management Board. We are very pleased to have this opportunity to meet in Santa Barbara. We look forward to the next two days where we'll have the chance to here about what your community is going to need. (Inaudible.)

Now, before we begin, we'll call the roll to establish a quorum.

BOARD SECRETARY VORHIES: Frost.

BOARD CHAIRMAN FROST: Here.

BOARD SECRETARY VORHIES: Neal.

BOARD MEMBER NEAL: Here.

BOARD SECRETARY VORHIES: Relis.

BOARD MEMBER RELIS: Here.

BOARD SECRETARY VORHIES: Chesbro.

BOARD VICE CHAIRMAN CHESBRO: Here.

BOARD CHAIRMAN FROST: Now, do any of the members of the board have any ex parte announcements to make at today's hearing?

1                   If none, we'll take Mr. Conheim.

2           MR. CONHEIM: Mr. Chairman and members of  
3 the board, good morning.

4                   The Public Resources Code 40412  
5 requires --

6                   Are we at that point, Mr. Chairman?

7           BOARD CHAIRMAN FROST: Yeah.

8           MR. CONHEIM: -- requires that members of  
9 the California Integrated Waste Management Board  
10 disclose communications with members of the  
11 public which they have had outside of a committee  
12 board meeting. Those are called, in the words of  
13 a statute, ex parte communications. Those  
14 disclosures are normally made in writing and are  
15 made part of the board's official record and are  
16 reviewable by members of the public upon written  
17 request to the board.

18                   We also provide, as a matter of our  
19 standard operating procedure, an opportunity for  
20 board members to make contemporaneous oral  
21 disclosures of communications relating to items  
22 on the board's agenda, which we have not yet had  
23 an opportunity to make in writing.

24                   And this would be the time,  
25 Mr. Chairman, if any member has any of those to

1 do.

2 BOARD VICE CHAIRMAN CHESBRO: If we've  
3 received written communication on the item, it  
4 will be considered today.

5 MR. CONHEIM: Does it have to be disclosed  
6 prior to the board meeting?

7 BOARD VICE CHAIRMAN CHESBRO: This is  
8 written, not verbal. The law requires that you  
9 disclose both written and oral communications on  
10 items that are before the board for decision.

11 BOARD VICE CHAIRMAN CHESBRO: I did receive  
12 a written communication. (Inaudible.)

13 BOARD CHAIRMAN FROST: (Inaudible.) Not  
14 necessarily before the item is heard.

15 BOARD MEMBER RELIS: No, not necessarily  
16 before the item is heard, but they must be  
17 disclosed before now.

18 BOARD VICE CHAIRMAN CHESBRO: Okay. I -- I  
19 did receive from the staff -- (Inaudible.)

20 BOARD MEMBER RELIS: I did, too.

21 BOARD CHAIRMAN FROST: Thank you.

22 Now, I'd like to take a moment on  
23 behalf of the board to thank our fellow board  
24 member, Paul Relis. He's been a great help in  
25 planning this month's meeting. I don't have to

1 tell you that Paul's one of Santa Barbara's  
2 favorite sons, and the board greatly appreciates  
3 his work in making this meeting an informative  
4 and -- (Inaudible.)

5 I'd also like to thank the Santa  
6 Barbara County Board of Supervisors and their  
7 staff -- (Inaudible) -- in not only providing the  
8 chambers for a meeting, but also for all of the  
9 hospitality insurance they have offered in  
10 preparing for our visit.

11 I'd like to call now upon Dr. Bill  
12 Walling, the Chairman of the Santa Barbara County  
13 Board of Supervisors.

14 DR. WALLING: Thank you.

15 Mr. Frost and members of the board,  
16 I'd like to welcome you to Santa Barbara County.  
17 We just balanced our budget after eight years in  
18 those seats, so if -- (Inaudible.)

19 I'd like to applaud you, too, for  
20 coming and holding your meetings around the state  
21 so that all of us can see you in action and let  
22 the local people have an input to your board.  
23 I'm particularly proud of Paul Relis as a member  
24 of this board. We felt that we put a lot of time  
25 into training Paul for this and that -- actually,

1 Paul is this year's beneficiary of what Paul  
2 meant -- (Inaudible) -- in this community and  
3 what he continues to mean because of the  
4 tremendous amount of effort that has gone into  
5 all of the recycling and all of the solid waste  
6 management efforts in this county.

7 I'd like to read just a very brief  
8 statement about the county. We're a very diverse  
9 county, and solid waste issues here reflect that  
10 diversity. We've found that there is no single  
11 answer to our solid waste problems and that a  
12 multi-faceted approach and the flexibility to  
13 change directions as the need occurs is an  
14 essential part of the solid waste management in  
15 this county.

16 We're the home of oil fields,  
17 agriculture and the University of California at  
18 Santa Barbara, and the third largest Air Force  
19 base in the world, as well as being a major  
20 tourist designation. We recognized some time ago  
21 that the solid waste recycling of household  
22 hazardous waste could be a major issue in the  
23 future and even prior to the adoption of the  
24 California Integrated Waste Management Act in  
25 1989.

1                   This board of supervisors adopted a  
2 policy of directing that the volume of solid  
3 waste in this county be reduced by 30 percent  
4 before 1995. I'm proud to tell you that we've  
5 met that goal already in the southern part of  
6 Santa Barbara County, and we have the ability to --  
7 (Inaudible) -- keep that goal in the rest of the  
8 county. It goes without saying that this has  
9 helped us immeasurably when the -- (Inaudible) --  
10 1989 was adopted and in 1989 became 25 percent  
11 reduction by 1995 and 50 percent by the year  
12 2000.

13                   We're also very grateful that your  
14 board has recognized its part -- (Inaudible) --  
15 in the management of solid waste in their recent  
16 decision to assist us financially with our  
17 integrated diversion of facility efforts, and we  
18 greatly appreciate it. I don't know what would  
19 have happened without your support.

20                   So again, welcome. Stay as long as  
21 you'd like, if you don't mind meeting in here for  
22 a while. There's plenty of money in Santa  
23 Barbara County. Thank you for coming and come  
24 back again.

25                   BOARD CHAIRMAN FROST: Thank you.

1                   Now, for board meeting  
2 announcements. First of all, the schedule for  
3 today consisted of items 8, 9, and three pieces  
4 of legislation within our -- (Inaudible) --  
5 finding: They are AB 2464, SB 1684, and  
6 AJR 101. Those are the consent items from the  
7 legislation and public affairs of all items that  
8 should be discussed.

9                   So items 8, 9 and item AB 2464 and  
10 SB 1684 and AJR 101 are on consent. Anyone who  
11 wishes to remove any item from the consent, make  
12 a motion, please.

13                  MR. HUFF: Move to second it.

14                  BOARD CHAIRMAN FROST: Moved and seconded  
15 that the second agenda be approved.

16                  Call roll, please.

17                  (All said aye.)

18                  BOARD CHAIRMAN FROST: Now, we have no  
19 other announcements this morning, so let's go to  
20 item 2, which is "Reports of the Board's  
21 Committees."

22                  Let me start by saying that Mr. Sam  
23 Diemi, a member of our board, is not here today.  
24 He is recovering from surgery, fairly major  
25 surgery, and he's doing very well. And we very

1 much hope that Sam will be back with us at our  
2 next month's board meeting, or at least at the  
3 meeting after that. So Mr. Diemi does not have  
4 have a report today, so we'll begin with  
5 Mr. Relis, who is Chair of the Integrated Waste  
6 Management planning committee.

7 BOARD MEMBER RELIS: The planning committee  
8 had a very short meeting on our last session; the  
9 only item was minor revisions to reporting  
10 environments for household hazard waste  
11 regulations. However, our work over the last  
12 staff year has focused on the staff proposal to  
13 amend AB 939, AB 939 planning requirements. The  
14 planning community view was that the best role  
15 for the board was to conduct in-depth analyses of  
16 issues that we heard via testimony that needed  
17 attention. The staff proposal that has been  
18 submitted to the legislature represents our best  
19 attempt to address issues such as what counts,  
20 generation base versus disposal base for the  
21 county -- (Inaudible) -- verdancy on reporting  
22 the issue of the -- and reporting the  
23 requirements that we've heard all around the  
24 state, regionalization and other matters, all  
25 within the context of maintaining the integrity

1 of AB 939.

2 We feel this work is very solid and  
3 supportable and that it results in many of the  
4 outstanding issues facing multiple governments  
5 and the board, and now the destiny of that work  
6 is in the hands of the legislature.

7 BOARD CHAIRMAN FROST: Mr. Relis --  
8 (Inaudible) -- Mr. Chesbro, a report from the  
9 security market development committee.

10 BOARD VICE CHAIRMAN CHESBRO: The  
11 administration committee has no report. The  
12 market development committee recommends the  
13 approval of the market development loan  
14 regulations, which will be considered item 12  
15 today.

16 We also held a workshop on --  
17 (Inaudible) -- waste paper inspired by you --  
18 (Inaudible) -- plan to process the development  
19 strategy of California, recycling marketability  
20 plan. And the staff held its last workshop, and  
21 at the workshop, presentations of status reports  
22 for those materials. And by all accounts,  
23 including people who are on very different sides  
24 of the issues involved, staff work is considered  
25 outstanding -- (Inaudible.)

1                   A status report has covered the  
2 issues, and I -- I would recommend each of you to  
3 accept it -- (Inaudible) -- at least the  
4 existence of a market development process, at  
5 least try to get their hands on who would be able  
6 to copy the status reports. Because they really  
7 reflect the depth of knowledge and expertise that  
8 our staff has, and I think maybe their knowledge  
9 is -- (Inaudible.)

10                   So I'm very proud of the work that  
11 was done.

12                   I was unable to attend the last  
13 workshop, but we got tremendous feedback about  
14 the work that was done. The committee will be  
15 held in the material specific workshops September  
16 8th on compostability and on October 8th on  
17 several types of plastic -- (Inaudible.)  
18 Workshops will be held in September on --  
19 (Inaudible) -- pavement and other paper that  
20 don't fit into the categories that we've already  
21 considered.

22                   We will be developing action plans  
23 by materials at both of those workshops. The  
24 staff will be -- (Inaudible.) And I hope that we  
25 will be bringing these three priority materials

1 that have been identified, because those are the  
2 ones the committee is holding workshops on, and I  
3 hope we will be bringing those action plans  
4 before the board by the end of the year.

5           The overall California market  
6 development plan I hope will be -- we hope will  
7 be before the board in January or February. It's  
8 very important that this not be used just for the  
9 committee's work, but that the whole board's  
10 against it. And I -- we talked to staff and will  
11 be encouraging them to come and present briefings  
12 to each board member on where we're going with  
13 this. So we ask for the board to be involved in  
14 this. (Inaudible.)

15           Again, I want to thank the staff for  
16 all their good work. I don't know if Mr. Relis  
17 or Mr. Huff want to add anything to that --  
18 (Inaudible.)

19           BOARD MEMBER RELIS: Well, I'd just like to  
20 add that I think we heard comments on the glass  
21 report at the glass workshop that some of the  
22 best information that has been presented on  
23 material has been a very difficult one for around  
24 the State of California, and I'd like to just  
25 support what Wesley said. I think the kind of

1 staff work that's coming out on market's  
2 development is just first-rate and it's going to  
3 help us a great deal with our action plan.

4 BOARD CHAIRMAN FROST: Thank you,  
5 Mr. Chesbro.

6 Mr. Huff, do you have a report from  
7 the marketing committee?

8 BOARD MEMBER HUFF: (Inaudible) -- I didn't  
9 I do on August 19th. I am aware, Mr. Chairman,  
10 that people in Taos, New Mexico, could hear you.  
11 Counsel has -- (Inaudible.)

12 BOARD VICE CHAIRMAN CHESBRO: Did you bring  
13 the package?

14 BOARD MEMBER HUFF: It was reported in the  
15 Wall Street Journal -- (Inaudible) -- any of the  
16 named -- (Inaudible.)

17 BOARD MEMBER RELIS: (Inaudible.)

18 BOARD MEMBER HUFF: (Inaudible.)

19 BOARD MEMBER RELIS: That I can vouch for.

20 BOARD MEMBER HUFF: Our August 19th  
21 committee meeting was cancelled, but we did hear  
22 public -- have public hearing, the board of  
23 regulations permanent waste facilities; it was a  
24 long hearing. There are many issues out there  
25 involving tire retreaders, banning tire piles,

1 the impact of the regulations could have to cost  
2 consumers -- (Inaudible) -- paid as opposed to  
3 their tires and market development to stimulate --  
4 to the command to waste tires. The staff is in  
5 the process of responding to acknowledge, which  
6 they were -- (Inaudible) -- made come back to the  
7 permanently committee meeting in October when we  
8 realize draft regulations.

9                   Secondly - this is a heads-up rule -  
10 a revised permit for the expansion of the San  
11 Marcos landfill in San Diego County has been  
12 submitted to the board, so the clock's running on  
13 that one. And it's not going to be enforced  
14 quite yet, but we have our 60 days. There are a  
15 number of outstanding technical and procedural  
16 issues which staff and the local agencies are  
17 working to resolve before the permits are secured  
18 by our committee in full board. The issues  
19 involved -- (Inaudible) -- are inadequacies and  
20 supplemental EIR, the status of the conditional  
21 use permit, scopes of buildings, et cetera. So  
22 you'll start hearing about San Marcos, the  
23 clock's ticking, and there are a long list of  
24 issues involved.

25                   BOARD CHAIRMAN FROST: Thank you, Mr. Huff.

1 Ms. Neal has a report from the  
2 Legislation and Public Affairs.

3 BOARD MEMBER NEAL: (Inaudible.)

4 BOARD CHAIRMAN FROST: Now, that takes us  
5 to item 3, which is "Presentation on Source  
6 Sampling for Waste Generation Data." We have a  
7 speaker from Ventura County today, and I will  
8 call on Mr. Relis to make the introduction for  
9 the board.

10 BOARD MEMBER RELIS: I would like to  
11 introduce Christy Madden from the County of  
12 Ventura, who has been working very vigorously on  
13 AB 939. The county has been very active on this  
14 issue and has done some original work in sampling  
15 methodology, which we've discussed with my  
16 advisor, Howard Levenson, over the last couple of  
17 months, who thought it would be useful to let her  
18 present today on their work.

19 Christy.

20 MS. MADDEN: Thank you.

21 Good morning, Chairman Frost and  
22 members of the board. What I would like to do  
23 this morning is to reduce -- introduce you to the  
24 County of Ventura source sampling waste  
25 characterization program. We have found it to be

1 an essential tool for solid waste planning  
2 activities and hope to entice the board to take  
3 an active role in pursuing the development of the  
4 source sampling data base for use throughout the  
5 State of California. With the mandate to -- to  
6 conduct the waste characterization studies for  
7 five jurisdictions, four of which were for cities  
8 under contract, the Solid Waste Management  
9 Department considered the potential problems with  
10 traditional disposal and urban characterization  
11 methods and developed a source sampling waste  
12 characterization methodology.

13 As you are all aware, disposal  
14 studies and diversion surveys are fraught with  
15 problems. Probably the most vocal complaint to  
16 come from local governments is their inability to  
17 get accurate jurisdictions, specific disposal and  
18 diversion data. I looked at report data from --  
19 from double palleting from the point of  
20 collections, free processor, and the ultimate  
21 point of disposal, and proved it -- proved to be  
22 another challenge. The effect of importation/  
23 exportation of solid waste across jurisdictional  
24 boundaries adversely affects the data's validity.  
25 These problems have -- have led to

1 inconsistencies and incompatibilities between the  
2 data for jurisdictions throughout the state.

3                   So what is source sampling and what  
4 makes it different from traditional waste  
5 characterization methods? As indicated in its  
6 title, waste is sampled at the point of  
7 generation, not at the point of disposal and  
8 diversion. As indicated in this graphic, source  
9 sampling materials are collected from specific  
10 points of generation to create a waste generation  
11 profile that is extrapolated to the whole  
12 population within a community.

13                   BOARD VICE CHAIRMAN CHESBRO: Can you stop  
14 for just a second?

15                   MS. MADDEN: Yeah.

16                   BOARD VICE CHAIRMAN CHESBRO: Is there any  
17 way to turn the lights in the front of this room  
18 down? Because there is a glare. Maybe if I  
19 move. Does anybody know how to do that? I'm  
20 sorry.

21                   MS. MADDEN: That's okay.

22                   BOARD VICE CHAIRMAN CHESBRO: That's  
23 better.

24                   MS. MADDEN: So in source sampling, you  
25 sample from the point of generation and you

1 extrapolate to the whole population in a  
2 community. As you are aware, in disposal  
3 sampling and in conducting diversion surveys,  
4 samples are selected from the points of disposal  
5 and diversion, and then one has to back into  
6 disposal and diversion profiles for each of the  
7 generator categories.

8           Briefly, then, source sampling is  
9 really a four-step process. First, a community  
10 is assessed on the basis of its residential  
11 population, dividing that into density groups.  
12 The business sector and the industrial sectors  
13 are divided by SIC Code, which is Standard  
14 Industrial Code classifications. We identify  
15 business sectors by employment and square  
16 footage.

17           Second, the samples are selected and  
18 sorted from the points of generation. I want to  
19 emphasize here that each sample that is selected  
20 represents a generation sample. Because we take  
21 both the disposal sample and a diversion sample  
22 for each one that we select.

23           Third, we calculate our per unit  
24 rate. Whether that represents pounds per person,  
25 per day, per employee or per square footage, all

1 data is -- is calculated into a common unit.

2                   Finally, the disposal and diversion  
3 profile in each segment of the community is  
4 extended by the total number of units that we  
5 identified in the first step. As you can see,  
6 the Solid Waste Management -- Management  
7 Department never sorted materials from a  
8 landfill. We've never consulted or surveyed  
9 private recyclers and, furthermore, we were not  
10 concerned with the importation and exportation of  
11 waste across jurisdictional boundaries when we  
12 did our study.

13                   So at this time, I'd like to take a  
14 few minutes to share with you some of the results  
15 from the Ventura County source sampling waste  
16 characterization program. Please keep in mind  
17 that this information is based on the collection  
18 of just over 300 samples from five different  
19 jurisdictions. Not really an enormous study, but  
20 as you will see, it represents some useful and  
21 some intriguing results.

22                   Our overall waste generation summary  
23 data appears similar to that from many other  
24 jurisdictions in the state. But what is  
25 interesting here is to recall that this

1 information presented in terms of pounds per  
2 person per day was collected from the points of  
3 generation. We did not back into this data by  
4 looking at a disposal characterization and a  
5 diversion survey. The information represents  
6 generation in pounds per resi- -- resident or  
7 employee per day as collected from residents --  
8 residences, businesses and industry. With our  
9 source sampling data, we would break up  
10 individual generator categories into a variety of  
11 different classifications, or strata, as we have  
12 called them.

13                   Here we see a variety of industrial  
14 generator categories with information presented  
15 in terms of percent -- percent waste composition.  
16 As one would expect, the printing industry is  
17 exceedingly high in the generation of paper  
18 products. The metals manufacturing industry is  
19 correspondingly high in generation of metals. In  
20 terms of determining what specific industries one  
21 needs to target for recycling programs, the  
22 information is very valuable. It defines who's  
23 generating what type of materials. But as many  
24 of us know, designing recycling programs requires  
25 not just information about what types of

1 materials are being generated, but we need to  
2 know how much material is being generated by  
3 different sectors.

4           Here we see a variety of commercial  
5 generator categories showing materials in terms  
6 of pounds per employee per day in generation.  
7 Note the exceptionally high paper and organics  
8 generation rate per employee for food stores;  
9 food stores which, in this instance, is commonly  
10 grocery stores. Each employee generates about 11  
11 pounds of paper products per employee per day.  
12 Most of that paper product represents cardboard.  
13 Restaurants generate similar waste profile in  
14 relatively smaller quantities. We also found a  
15 high paper generation rate by doctors' offices.  
16 But when we broke it down into the individual  
17 materials within paper, we found that most of  
18 those paper products were nonrecyclable. It  
19 represented tissue products and paper gowns that  
20 are used in examination rooms.

21           We're currently using our source  
22 sampling data in conducting solid waste impact  
23 assessments under CEQA and monitoring the effects  
24 of changes in development patterns and on waste  
25 generation and composition for program and

1 facility design and implanting and implementing  
2 our source reduction recycling hours. We're also  
3 using the data for market development programs.

4                   The Solid Waste Management  
5 Department is exceptionally proud of our  
6 development of the innovative mechanism for  
7 conducting solid waste impact assessments under  
8 CEQA. With the application of our source  
9 sampling waste characterization information,  
10 we're able to predict the types and quantities of  
11 waste that come from different developments.  
12 Once the waste generation profile for new  
13 developments is developed, the project component  
14 is required to reduce the waste by incorporating  
15 waste reduction and recycling programs to achieve  
16 AB 939 diversion goals. If the applicant does  
17 not incorporate these programs, then the impacts  
18 are being potentially significant. And what that  
19 means is that an environmental impact report has  
20 to be prepared.

21                   This new approach eliminates the  
22 subjectivity of conducting CEQA assessments; it  
23 uses a quantitative rather than a qualitative  
24 approach to environmental assessment; it provides  
25 a mechanism for us to mandate AB 939 diversion

1 goals on all new developments in our community;  
2 it also reduces our vulnerability to legal  
3 challenge. But most importantly, it represents a  
4 proactive approach in implementing recycling  
5 programs; kind of an innovative concept for a  
6 local government. It allows us to incorporate  
7 programs in -- up front in new development rather  
8 than doing it after the fact.

9           With the current push to move  
10 towards a disposal waste diversion attainment  
11 system, it is ever more important that we have a  
12 tool for monitoring the effects of changes in  
13 development patterns on both the types and  
14 quantities of waste that are being developed --  
15 that are being generated. What we have  
16 discovered with our source sampling data is, it's  
17 important to not only monitor the changes in the  
18 number of generators in a community, but you also  
19 have to look at the mix of generators that you  
20 have.

21           For example, in this hypothetical  
22 scenario, we have 5,000 single-family units,  
23 10,000 square feet of manufacturing, and 50,000  
24 square feet of schools. We estimate that it  
25 would generate 9,940 tons per year. A similar

1 community with 5,000 multi-family homes, 50,000  
2 square feet of manufacturing, and 10,000 square  
3 feet of schools would generate 6,305 tons per  
4 year. Both of these scenarios have 5,000  
5 dwelling units and 60,000 square feet of  
6 commercial/industrial space, but they generate  
7 vastly different quantities and composition of  
8 materials. So this is a real important tool, we  
9 feel.

10 In order to simplify the preparation  
11 of waste generation projections, the Solid Waste  
12 Management Department developed a simple software  
13 program that allows one to prepare waste  
14 generation profiles for any hypothetical or real  
15 development. Here is what the data input screen  
16 looks like. As you see, what inputs information  
17 on the number of residents by the type of  
18 density, and the number of square feet of  
19 different manufacturing and commercial  
20 businesses. The input data is on the left-hand  
21 column of this screen. The information can also  
22 be generated using employment rather than square  
23 footage. We found that useful for CEQA, where  
24 you don't know how many employees you're going to  
25 have.

1                   This particular projection happens  
2 to be for a naval construction battalion center  
3 in Port Hueneme. This is a real projection that  
4 we developed for them; although we have done  
5 similar waste generation profiles for  
6 jurisdictions as far -- as far away as San Diego.  
7 The -- the resulting data is in this format. It  
8 gives you information on both the types and  
9 quantities of material from each generator  
10 category; the residential, commercial, and the  
11 industrial. With this specific information, one  
12 can cater waste reduction and recycling programs  
13 to the specific conditions of existing or client  
14 developments. It allows us to determine the  
15 types and quantities of material that may go to a  
16 particular facility - very useful information in  
17 issuing RFPs - and it allows us to evaluate the  
18 impact of changing development patterns on the  
19 types and quantities of the material that are  
20 generated within a region.

21                   As you might imagine, our source  
22 sampling data base has also proved valuable if we  
23 implement our newly designated recycling market  
24 development zone program. With our data we can  
25 solicit businesses into our zone by predicting

1 the types and quantities -- quantities of  
2 material that are being generated; materials that  
3 will ultimately be used in the manufacture of the  
4 new products. We can also predict the types and  
5 quantities of the materials that will be  
6 generated by future development based on the  
7 types of industry that are entering an area. We  
8 also require new developers to use recycled  
9 materials as a condition of project approval  
10 whenever that's economically feasible.

11           While Ventura County appears to be  
12 the first to complete a comprehensive source  
13 sampling waste characterization program, we're  
14 not the only ones interested in this -- in this  
15 subject. As many of you are aware, the City of  
16 Los Angeles is in the midst of a very large-scale  
17 source sampling program. I've also learned that  
18 the State of Washington Department of Ecology has  
19 recently contracted for a statewide waste  
20 characterization program and has integrated  
21 source sampling into a part of that contract for  
22 the Seattle area. We've been coordinating with  
23 both of these organizations to see if we can  
24 consolidate our data to expand the data base.

25           Solid Waste Management Department

1 has been invited to present a nuts-and-bolts  
2 presentation at the National Recycling Congress  
3 in Boston next month. This will be a how-to  
4 presentation on how to implement waste reduction  
5 and the source sampling waste characterization  
6 program. The invitation grew out of the  
7 publishing of an article in the July issue of  
8 Biosampling magazine on the subject. I've given  
9 copies to the clerk and they've been provided to  
10 the board. It gives more technical information  
11 about our program.

12                   Finally, it's important to note  
13 there's a significant amount of interest in  
14 source sampling on the part of local government.  
15 As a result of my presentation at the CRA  
16 conference on the subject, several jurisdictions  
17 will be getting together to share ideas about  
18 what we can do with source sampling and how we  
19 can implement source sampling programs and  
20 integrate into local planning activities.

21                   In summary, development of  
22 comprehensive source sampling data base  
23 represents an opportunity, I believe, for the  
24 waste board to take a leadership role. While our  
25 department has developed the concept of source

1 sampling, we do not have the financial and staff  
2 resources to expand our data base. As I  
3 indicated, the information I presented is based  
4 on about 300 samples that we took in our study.

5           As I hope I have demonstrated, we  
6 have obtained some interesting and very useful  
7 information with a very limited number of  
8 samples. Expanding the data base would require  
9 that the board contract for additional sampling,  
10 which could be done with relatively little cost,  
11 given the usefulness of the information. This  
12 data, if used on a large scale, could standardize  
13 the data base for statewide market development  
14 activities, a mandated function of your board.

15           As I indicated earlier, with the  
16 current data base coming from our local source  
17 reduction and recycling elements, the validity of  
18 the data is subject to question. A source sample  
19 data base could provide a useful tool for  
20 verifying the relative accuracy of a disposal  
21 base reporting system. Interestingly, in Ventura  
22 County, our data came out very consistent with  
23 the known disposal tonnages in our local  
24 landfills for our jurisdictions.

25           Finally, in your technical

1 assistance role, the state can provide waste  
2 characterization data to local government at  
3 virtually no cost once we've developed the  
4 statewide data base. This information would be  
5 catered to the unique profile of each  
6 jurisdiction based on the types of industry and  
7 number of dwelling units within each city. This  
8 information could be used for a variety of  
9 applications for doing CEQA assessments, for  
10 doing facility development, and for implementing  
11 local programs. Facilitating the development of  
12 a comprehensive source sampling data base for the  
13 State of California appears to be a viable  
14 function of the Integrated Waste Management  
15 Board.

16                   With that, I'd like to thank  
17 Mr. Relis and the rest of the board for granting  
18 us the opportunity to share information with you  
19 about source sampling. We are very excited about  
20 the prospect of expanding this data base and  
21 would like to see other jurisdictions have the  
22 opportunity to use this information for solid  
23 waste planning.

24                   And with that, I'd be happy to  
25 answer any questions.

1 BOARD MEMBER RELIS: Christy, thanks for  
2 the presentation. I think it's important that we  
3 receive this now. Because, as I understand, in  
4 our technical assistance, we -- we have, I think,  
5 several areas of interest. One is trying to  
6 translate this approach or an amalgamation of  
7 approaches from Washington, L.A. into the type of  
8 assistance that we need for more efficient, cost-  
9 effective implementation of 939.

10 And if you have any thoughts at this  
11 point as to what the economic implications of  
12 going this route would be, both from the --  
13 you -- you've touched on the EIR side all the way  
14 to forecasting. I can see it being a very  
15 effective tool. Like I know in Sacramento  
16 County, there's a lot of road there and a large  
17 plan needed for developments. It could be a way  
18 of scoping that. Do you have any -- any sense of  
19 the economics of this approach as to prepare the  
20 way we've been going?

21 MS. MADDEN: Well, the -- the way we've  
22 been going is really quite haphazard. I want to  
23 emphasize to the board that I'm not suggesting  
24 that source sampling some plant was currently  
25 going on with respect to disposal base reporting

1 systems. I concur with most everybody that the  
2 current system is problematic. There's a lot of  
3 bean counting and a lot of other activities that  
4 we could do away with by -- by using a disposal  
5 base system. But I think it's more important if  
6 we go to a disposal base system and we're not  
7 forced to gather data on specific generators.  
8 It's all the more important that we have a tool  
9 like this so that we can plan programs.

10                   You go to a disposal -- I mean, you  
11 do a disposal waste characterization study, and  
12 you have no information with which to design  
13 programs. You know that you have so many tons of  
14 cardboard going into your own landfill every  
15 year, but you do not know specifically where  
16 that's coming from. So if you develop a waste  
17 characterization profile for different sectors of  
18 the community, anybody can access and use this  
19 information. The theory is that a grocery store  
20 is a grocery store, regardless of where it's  
21 located.

22                   Now, there may be - and I don't  
23 know - additional sampling and studies to verify  
24 or dispute this. But there might be some  
25 regional differences across the state. We did

1 find in our residential study that there are  
2 differences based on income level. And some of  
3 these things are discussed in the article. We  
4 found that affluent communities by and large  
5 generate more material than in less affluent  
6 communities; not necessarily in composition, but  
7 in quantity.

8                   So I think we've touched upon  
9 something that's very useful here, and there's a  
10 lot of ramifications. As people try to develop  
11 new facilities for their communities, it's real  
12 important to know what types and how much  
13 material goes to a manufacturer. Operators not  
14 only are requiring that they get a certain amount  
15 of material, but they want guarantees that  
16 they're going to have a certain quality in order  
17 to make the economics of a new facility work.  
18 Because if all they're getting is nonrecyclable  
19 paper and materials that don't have any value,  
20 then the tipping fee is going to be really high.  
21 So with this type of a tool, all you need is a  
22 business license data base; that's what we use.

23                   Now, granted, business license data  
24 bases in communities are not the most accurate in  
25 the world; some of them are relatively outdated.

1 But I think it's an approach that we need to  
2 pursue for long-range planning. It's not going  
3 to be an instant solution to any problem.

4 BOARD VICE CHAIRMAN CHESBRO: I just wanted  
5 to make a general comment, that it's really  
6 exciting to see a -- (Inaudible) -- recognize  
7 that data gathering is more than just a method of  
8 proving to the board that diversion has taken  
9 place; that it's essential to planning a -- a  
10 flexible, responsive program and to market  
11 development. And so I -- it's heartening to me  
12 to see a -- (Inaudible) -- recognizing the value  
13 of data for the purposes of successful programs.

14 BOARD MEMBER RELIS: I know we'll be  
15 interested in this type of activity, the Planning  
16 Committee, because it has to use an ongoing  
17 implementation of the Planning Committee.

18 BOARD VICE CHAIRMAN CHESBRO:  
19 Unfortunately, due to the nature of our --  
20 (Inaudible) -- block, you know, there's a natural  
21 focus that people have on this, being counted to  
22 prove diversion. And it probably can't be  
23 totally avoided, but I think it sort of casts a  
24 cloud over the question of data. And it's  
25 unfortunate, because I understand

1 jurisdictions -- a lot of jurisdictions have not  
2 yet realized what Ventura County has; that we  
3 need to development ways to obtain the data base  
4 organized work. And that's very positive.

5 MS. MADDEN: The real costly aspect of  
6 doing the source sampling waste characterization  
7 program has really already been undertaken by our  
8 department. We absorbed a lot of the cost  
9 associated with doing the -- the software  
10 program, working out the bugs in the system to  
11 try and make it work. So we now have a strategy  
12 where all you need is to pay for the going out  
13 and collecting the samples and the actual  
14 sorting. We've absorbed all of the costs of  
15 software development and everything else. We  
16 think we've worked out many of the bugs that are  
17 encountered in implementing the program.

18 So I think in the article we  
19 discussed some of the costs associated with our  
20 study, and the board would find that for our  
21 relatively modest investment, you could develop a  
22 real comprehensive data base that would be  
23 absolutely invaluable to all the families.

24 BOARD CHAIRMAN FROST: Okay. Thank you  
25 very much for that presentation.

1                   Now, we need to move to item 4,  
2 "Consideration of Contracts and Interagency  
3 Agreements." Bob del Agostino will make his  
4 presentation.

5                   MR. DEL AGOSTINO: Mr. Chairman, board  
6 members, there are two items under "Contract and  
7 Interagency Agreements." I'd like to do the  
8 first, which is a prospective award of the new PC  
9 Napa contract. I'm sure you're aware that we've  
10 been renting PCs - 44, to be exact - for several  
11 months now pending the installation of the  
12 board's line computer system.

13                   We also heard that some months  
14 ago -- recently a decision was made to cancel the  
15 RP which was underway and issue a new RP to start  
16 a new computer system because of some delays in  
17 bids by General Services. The new RP was in fact  
18 delivered to General Services yesterday. We  
19 anticipate it will be released shortly. The  
20 contract award date is currently scheduled for  
21 the end of December. However, the current rental  
22 contract with G.E. Rents expires in mid-October.  
23 This puts us in the position of having to either  
24 extend the contract or issue a new contract for  
25 continuing rental of equipment.

1                   In assessing options, we also looked  
2 at what the needs -- the current critical needs  
3 of the board were in terms of community support,  
4 and determined that rather than 44 PCs, we really  
5 needed 50 PCs and also some monitors, which are  
6 just the PC screens, if you will, so we could  
7 connect with the portables we have, too, so we  
8 could use those, and also ten printers.

9                   We then contacted seven rental firms  
10 with this list and the requirements to go with  
11 each of the PCs, specifying memory, speed,  
12 et cetera. And out of the seven firms, AT&T was  
13 the lowest bidder -- they were the 13th, not  
14 lowest bidder, that contacted the firm. They  
15 were lower than G.E. Rents, the current vendor,  
16 which was the lowest of the others by 15 percent.  
17 So AT&T was 15 percent less.

18                   What we are requesting is that the  
19 board approve the authority to contract on a sole  
20 source basis for PC and related equipment for an  
21 amount not to exceed \$40,000 with AT&T or such  
22 other firm as General Services will approve.  
23 There is always the possibility, even though  
24 we've done the survey, that General Services will  
25 say no firm pickup considered. And so this could

1 turn out we look at them and they are in fact  
2 lower than AT&T. Part of the problem is that a  
3 number of the vendors have a difficult time  
4 coming up with a number of computers we want and  
5 the printers and the monitors.

6 We are requesting approval; we do  
7 need the PCs. If we don't get them, we're going  
8 to cause a staff production dropback on the  
9 computer capabilities, the kind that will be  
10 pressing us for more computer support.

11 BOARD CHAIRMAN FROST: Mr. Del Agostino,  
12 what is the status of our contracting authority  
13 while we don't have a budget?

14 MR. DEL AGOSTINO: My understanding, we can  
15 enter into a contract; the issue becomes one of  
16 payment.

17 BOARD CHAIRMAN FROST: And we can't make  
18 the payment?

19 MR. DEL AGOSTINO: No. We have -- we have  
20 payment problems, as everybody does, with  
21 contractors, and a number of contractors right  
22 now are not getting paid. Unless we have a  
23 contract from last year, this would be a new  
24 contract.

25 BOARD CHAIRMAN FROST: So they would have

1 to take this on a faith basis.

2 MR. DEL AGOSTINO: They would -- they would  
3 have to take it on faith, that's correct.

4 BOARD CHAIRMAN FROST: Okay.

5 Ms. Neal.

6 BOARD MEMBER NEAL: Couple of questions.  
7 This is a new computer approach; I guess I'm not  
8 familiar with it. I don't quite understand why  
9 we didn't have to go through a bid process for  
10 this contract and how a sole source justification  
11 was made if in fact there are other potential  
12 providers out there.

13 MR. DEL AGOSTINO: We would have to comply  
14 with the Department of General Services and the  
15 requirements to convince them through a survey  
16 that in fact these are all the firms that are  
17 available to us, and these -- these are the ones  
18 that meet our requirements and here's what we  
19 ask. And we would have to comply with their  
20 requirements. It's a limited procurement, if you  
21 will, in the sense that you don't have to take  
22 the time to develop a whole other process; it's  
23 just a rental for a short period of time.

24 BOARD MEMBER NEAL: Okay. I thought I  
25 heard you say something about the sole source

1 justification. What I don't understand is how  
2 you do sole source justification if there are  
3 others out there that can provide.

4 MR. DEL AGOSTINO: Because we would have to  
5 survey -- we would have to survey the rental  
6 companies against the General Services. That we  
7 did a survey and here's what the results were,  
8 and it points to the one -- one that is obviously  
9 going to drop out.

10 BOARD MEMBER NEAL: I understand the  
11 survey.

12 MR. DEL AGOSTINO: And then -- so then that  
13 was -- then -- then by the time you do that, you  
14 come down and say, "We have X company. It is" --  
15 "it is the one that can meet our requirements.  
16 Here's their price." And then we would say to  
17 General Services that we want the sole source of  
18 this company, we've gone through the exercise of  
19 reviewing and providing.

20 BOARD MEMBER NEAL: So that's based  
21 strictly on the lowest --

22 MR. DEL AGOSTINO: It would be the lowest  
23 cost --

24 BOARD MEMBER NEAL: -- cost?

25 MR. DEL AGOSTINO: -- because what we're

1 doing is asking for hardware; we're not asking  
2 for -- (Inaudible.)

3 BOARD CHAIRMAN FROST: And you see that the  
4 General Services could turn down your request.

5 MR. DEL AGOSTINO: Conceivably. That's why  
6 I like to have the approval of the board, so that  
7 such other firm as they will approve. Because  
8 they won't approve something that they don't  
9 believe is competitive.

10 BOARD MEMBER NEAL: I understand. Still,  
11 everything I've ever heard about sole source  
12 previously had to do with some entity being the  
13 only one that could provide that to people who  
14 are specialized in whatever it was they were  
15 looking for. This sounds different.

16 MR. DEL AGOSTINO: That's typically the way  
17 it is. And I think in this case we're looking at  
18 a mid-October expiration date, and we're trying  
19 to get this thing moving. And we would have to  
20 play by your rules if you allow this though --  
21 (Inaudible.)

22 BOARD MEMBER NEAL: Did you have any  
23 negotiations with the existing contractor once  
24 you got some of the other prices to see if there  
25 was a potential for them matching the lowest one?

1 MR. DEL AGOSTINO: I don't know if we did  
2 the back and forth. I would expect we didn't  
3 shop it in that sense. They took it because it  
4 was low.

5 BOARD MEMBER NEAL: Seems like we were  
6 partnershiping sort of different businesses that  
7 maybe be inappropriate.

8 One other question. How does the  
9 way you're approaching this -- what kind of MWDPE  
10 concerns would be addressed?

11 MR. DEL AGOSTINO: We would have to -- the  
12 vendor would have to comply with concerns --  
13 (Inaudible) -- all of General Services  
14 requirements would have to be provided with the  
15 exception -- (Inaudible.)

16 BOARD MEMBER NEAL: Some of my questions  
17 would be clearer if I knew what you're saying.

18 BOARD CHAIRMAN FROST: What you're saying  
19 is, the middle of October we're going to have  
20 less computer power than we have now.

21 MR. DEL AGOSTINO: About 25 percent less  
22 than we do now.

23 BOARD CHAIRMAN FROST: Twenty-five percent.  
24 Have you found a way to cover the gap? All we're  
25 doing is covering the gap until our contract

1 kicks in.

2 MR. DEL AGOSTINO: That's true.

3 BOARD CHAIRMAN FROST: It's going to cost  
4 us, as I understand, 15 percent less.

5 MR. DEL AGOSTINO: Our survey indicated  
6 that AT&T were more powerful systems and more  
7 would be 15 percent less.

8 BOARD CHAIRMAN FROST: So you want more  
9 computer for less money.

10 MR. DEL AGOSTINO: Yes.

11 BOARD CHAIRMAN FROST: You're going to get  
12 386s instead of 286s.

13 MR. DEL AGOSTINO: That's correct.

14 BOARD CHAIRMAN FROST: And you're going to  
15 get six more of them.

16 MR. DEL AGOSTINO: Yes.

17 BOARD CHAIRMAN FROST: You're going to have  
18 50 instead of 44. That's quite a deal.

19 BOARD MEMBER NEAL: What kind of  
20 construction will there be -- (Inaudible.)

21 MR. DEL AGOSTINO: We -- we will have to  
22 advise the staff as to specific dates that they  
23 can unload files; in other words, take things off  
24 of the system. And we'll work very closely with  
25 them to provide sufficient time. And then once

1 that's accomplished, then it's simply bringing in  
2 the new equipment, unplugging the old equipment,  
3 and plugging in the new equipment.

4 BOARD MEMBER NEAL: Have you done an  
5 assessment of exactly what that is and what that  
6 means in terms of the staff time in downloading  
7 and uploading and the taking out of the existing  
8 machines and the installation of the new ones?

9 MR. DEL AGOSTINO: I don't have -- we have  
10 not done an assessment of the time required to do  
11 that. We would simply schedule it and work with  
12 the staff to minimize any instruction during a  
13 workday.

14 BOARD MEMBER NEAL: You have no idea what  
15 it's going to mean -- (Inaudible.)

16 MR. DEL AGOSTINO: We just know --  
17 (Inaudible.)

18 BOARD MEMBER NEAL: (Inaudible) -- to get  
19 that?

20 MR. DEL AGOSTINO: Not -- (Inaudible.)

21 BOARD VICE CHAIRMAN CHESBRO: Briefly, this  
22 obviously -- (Inaudible) -- but we did not have  
23 administration -- (Inaudible) -- but at this  
24 point I'd be for you -- (Inaudible.)

25 BOARD MEMBER NEAL: I -- I'm just a little

1 concerned that there's been no assessment of that  
2 kind of impact on the staff. And to minimize the  
3 effect, we may get some other dialogue with the  
4 existing contractor to see if it would be minimal  
5 construction, if it could meet the price of these  
6 requirements.

7 BOARD CHAIRMAN FROST: We're -- we're not  
8 adverse to having that conversation, if there's a  
9 way to get -- get the lease cost and then also  
10 minimal disruption of -- (Inaudible.)

11 BOARD MEMBER NEAL: And will there be any  
12 reporting back on the committee meeting response?

13 BOARD CHAIRMAN FROST: The concern report --  
14 (Inaudible.)

15 BOARD VICE CHAIRMAN CHESBRO: I'd like to  
16 go ahead and move the staff's recommendation that  
17 we initiate the items that Ms. Neal suggested  
18 this morning having the -- (Inaudible.)

19 BOARD MEMBER NEAL: And you may want to  
20 inform them in terms of their clients that  
21 there's no question that there are qualified --  
22 may be companies out there that would participate  
23 in this in terms of installation; that there  
24 would be no such thing as -- we do expect for  
25 them to be responsive.

1 BOARD CHAIRMAN FROST: I understand.

2 BOARD VICE CHAIRMAN CHESBRO: Mr. Chairman,  
3 can I make a point on this?

4 BOARD CHAIRMAN FROST: Yes.

5 BOARD VICE CHAIRMAN CHESBRO: I would just  
6 like to clarify that if in negotiations with  
7 them, they can't compare their price to AT&T, in  
8 order for the bids to be equitable, they would  
9 have to upgrade all their computers to 386s. So  
10 the issue of disruption to staff would be  
11 consistent either way.

12 BOARD CHAIRMAN FROST: That's a good point.

13 Okay. We have a motion and a  
14 second; Mr. Huff seconds. Call roll, please.

15 (All said aye.)

16 BOARD CHAIRMAN FROST: The item is  
17 approved.

18 BOARD MEMBER RELIS: Thank you.

19 The next item will be presented by  
20 Tim Dunn of planning assistance.

21 MR. DUNN: Good morning, board members,  
22 Chairman.

23 This is agenda item 4A,  
24 "Consideration of Contracts and Interagency  
25 Agreements," concerning the next three grants.

1 This story starts a while back.

2 I supervised my recycle program last  
3 fiscal year; the board approved the contract for  
4 the 1994 paper study. As part of that study, I  
5 was given the attention -- or some attention was  
6 brought to me that other funds from the federal  
7 government were available for the Industrial  
8 Competitiveness Award Grant Program. Using the  
9 funds that the board had already established for  
10 the 1994 paper study, I used those funds for the  
11 basis of matching grants, plus the proposal  
12 suggested that a innovative postconsumer waste  
13 paper product be produced in California.

14 In July of this year, the board -  
15 and I'm saying I'm very grateful to the board -  
16 sent me to Washington, D.C., for the biorecycling  
17 conference. During the two days of the  
18 biorecycling conference, I interviewed every  
19 manufacturer at the conference in regards to  
20 biorecycling products and how to set up in  
21 California. During that survey, I mentioned to  
22 all the paper products manufacturers of the  
23 possible award of the grant for -- very few  
24 people contacted me with any interest.

25 And at the end of July -- actually,

1 early August, the Department of Energy notified  
2 me that our grant proposal for a \$100,000 grant  
3 award from the Department of Energy and Federal  
4 EPA was to be awarded if we could select an  
5 industry participant. We had proposed to go out  
6 with competitive RFP. However, the EPA said that  
7 they didn't want to wait for RFP process; they  
8 wanted the board to select an industry  
9 participant immediately.

10 At that point, I went out and talked  
11 to my staff and I talked to every paper producer  
12 and paper product producer in the state. None of  
13 the paper producers in the state expressed  
14 significant interest; about 17 asked for copies  
15 of the proposal, grant proposal. The only  
16 contact I've been able to solicit is a company  
17 out of Texas right now. Austin, Texas, has a  
18 manufacturing facility; they have an office in  
19 St. Louis. Their customer base is in California,  
20 however, and they are very interested in  
21 establishing a manufacturing facility here in the  
22 state.

23 After reviewing all the information,  
24 I propose to the board that the board select this  
25 company, Cormack Pallets, Incorporated, as our

1 industry participant for the next three grants.  
2 The Department of Energy received funds for the  
3 \$100,000 two weeks ago. If the board selects a  
4 participant that we can go forward with in the  
5 second week of September, the Department of  
6 Energy, who was the funding agency, the delegated  
7 funding agency, will be able to make the award  
8 next month.

9                   The contractor, or Cormack Pallets,  
10 Incorporated, has agreed to my suggestions that  
11 they possibly site the facility in the market  
12 development zone in Oakland, California. This  
13 facility would approximately start out as ten to  
14 fifteen jobs, manufacturing pallets manufactured  
15 out of corrugated cardboard. The cardboard would  
16 be produced from postconsumer waste paper. This  
17 product does two things: It uses the  
18 postconsumer waste materials; also, it replaces a  
19 virgin product with wood pallets. The wood  
20 pallets it replaces are one-way pallets. Over  
21 80 percent of the pallets sold in the United  
22 States are one-way pallets. So in one item, we  
23 do three things: We use the funds already  
24 expended, we gain another \$100,000, we put a  
25 business in Oakland, and we do our No. 1 priority

1 in substitution source reduction; we reduce the  
2 amount of lumber used in production of one-way  
3 pallets.

4 For these reasons, I request that  
5 the board pass the resolution to award the -- the  
6 selection of the industry participant to Cormack  
7 Pallets, Incorporated.

8 BOARD VICE CHAIRMAN CHESBRO: Was there a  
9 committee recommendation on this act?

10 MR. DUNN: There was not time, given the  
11 fact that we weren't notified of its requirement  
12 until mid- -- actually, early part of August.  
13 There was not time to get this before the  
14 committee. The committee that first -- I have  
15 had communications with the board chairman, Sam  
16 Egigian, concerning this. Sam's committee was  
17 the committee that heard the initial proposal,  
18 the grant proposal. There was not time.

19 So what has happened is, they've  
20 told us they won't award the grant unless we name  
21 an industry participant. Otherwise, they won't  
22 award the grant.

23 BOARD CHAIRMAN FROST: The grant will be  
24 denied.

25 BOARD MEMBER RELIS: What would be the

1 basis for legal on -- would this present any  
2 problems to us by making such an award in a  
3 speedy way and sole source?

4 MR. DUNN: If I could answer that.

5 I went over this avenue approach  
6 with Steve Sparr prior to coming to the board,  
7 and Steve did agree that we have enough sole  
8 source justification to do this action.

9 MR. CONHEIM: We're also in a grant mode,  
10 so that relaxes the situation a little bit;  
11 although it's not always the case.

12 In -- in a technical sense, it is not a  
13 contract. The problem comes in that we often  
14 implement these grants through the use of  
15 contracts because there is no other way under  
16 state system, and then General Services kicks in  
17 and attempts to apply all of its requirements as  
18 if it were a consultant contractor. So there's  
19 always a discussion about that. But covering it  
20 both ways: One, it's a grant; two, we have  
21 enough sole source justification.

22 MR. DUNN: Also, Board Member Relis, it's a  
23 possibility that we will not have to contract the  
24 funds; we may be able to do an interagency of our  
25 agreement with EOBS in zero sum dollar and they

1 cut the checks directly to Cormack. So those --  
2 that issue hasn't been resolved and will go  
3 before the board at a later time. Currently all  
4 we have to do is select an industry participant  
5 and work out the details and bring them before  
6 the board in October.

7 BOARD MEMBER RELIS: This certainly fits  
8 with our market development, and getting it in a  
9 zone would sure be helpful, as you outlined --  
10 (Inaudible.)

11 BOARD CHAIRMAN FROST: I agree.

12 Do we have a motion?

13 BOARD VICE CHAIRMAN CHESBRO: Second.

14 BOARD MEMBER RELIS: Seconded.

15 BOARD CHAIRMAN FROST: Call roll, please.

16 (All said aye.)

17 BOARD CHAIRMAN FROST: Can I ask a question  
18 now, because I -- this has nothing to do with my  
19 vote, but why did we -- why did we select the  
20 marketing development zone rather than them?

21 MR. DUNN: The reason I suggested the  
22 marketing development zone - I did not select  
23 it - was that after doing a customer survey with  
24 the Cormack Pallets, their primary customer base  
25 is in Palo Alto, Oakland and San Francisco.

1 Their secondary customer base is in Fairview.

2 BOARD VICE CHAIRMAN CHESBRO: Can I mention  
3 one other contract issue? Not related to this  
4 one, but there was one involving contact with --  
5 that I guess was going to be considered at staff.  
6 I didn't need to be -- I just wanted to make one  
7 comment. There's apparently an extension  
8 necessary in that time because -- (Inaudible) --  
9 preliminary data from that report is needed for  
10 marketing development efforts. And so I  
11 encourage staff to - even though we may not get  
12 the product - have the final contact by the end  
13 of the year to work with pallets to order the  
14 data as early as possible.

15 BOARD CHAIRMAN FROST: Okay. That takes us  
16 to item 5, which is "Consideration of State  
17 Legislation." Patty Zwarts, of our legislative  
18 office, will present this item of business.

19 MS. ZWARTS: Good morning, Mr. Chairman.  
20 At the next board meeting, we hope to present a  
21 wrap session to give you an idea of where it is,  
22 and --

23 BOARD CHAIRMAN FROST: I think you're  
24 right. I think it is still in session.

25 MS. ZWARTS: I think we all have that --

1 have wishful thoughts here.

2                   The first measure before you today  
3 is AB 2494, by assembly member Sher. This  
4 measure would amend AB 939 to require the use of  
5 disposal base methods for determining compliance  
6 with diversion requirements, authorizes regional  
7 implementation of planning mandates, and provides  
8 increased state assistance in the areas of source  
9 reduction, public education, and market  
10 development.

11                   There have been quite a few recent  
12 developments on this measure, as I think you well  
13 know. The bill was heard yesterday in the Senate  
14 Appropriations Committee and was held over until  
15 this Friday for a vote. It was also  
16 significantly amended yesterday with over 50  
17 pages of amendments. Although I haven't seen  
18 them personally, Dorothy Petit, our Director of  
19 Legislation, has submitted it to me. All the  
20 board's amendments and the language the staff  
21 worked with have been now incorporated into 2494,  
22 as we had wished them to be. I wanted to  
23 communicate that to you. The L-Pass  
24 recommendation on this measure was worked.

25                   BOARD CHAIRMAN FROST: Do you need a vote .

1 on that?

2 MS. ZWARTS: I believe so, officially.

3 BOARD CHAIRMAN FROST: I thought that  
4 recommendation on 2494 was.

5 Could we have a motion, please.

6 BOARD MEMBER NEAL: Move.

7 BOARD VICE CHAIRMAN CHESBRO: Second.

8 BOARD CHAIRMAN FROST: (Inaudible.)

9 BOARD MEMBER HUFF: What was that?

10 BOARD CHAIRMAN FROST: The recommendation  
11 was -- the motion was to approve the committee  
12 recommendation.

13 BOARD MEMBER HUFF: And Mr. Relis is sure  
14 that the bill was -- (Inaudible.)

15 BOARD CHAIRMAN FROST: Well, we are pretty  
16 sure; as sure as we can be, given the --

17 BOARD MEMBER RELIS: They took all our --  
18 our report.

19 MS. ZWARTS: Our report and all the  
20 language that we'd been working with them on.

21 BOARD VICE CHAIRMAN CHESBRO: I understood  
22 you were relying on assurances that that was --

23 MS. ZWARTS: Yeah, her assessment of the  
24 pages of amendments that she received yesterday.

25 BOARD MEMBER HUFF: I'm a little concerned

1 that there's a lot of gamesmanship with this  
2 bill.

3 BOARD MEMBER NEAL: Let me suggest, though,  
4 we're going to be constantly monitoring this.

5 BOARD CHAIRMAN FROST: I think in this  
6 case, though, Mr. Huff is on our side, and I know  
7 he's going to let the bill be amended the way we  
8 wanted.

9 BOARD MEMBER HUFF: I don't think so,  
10 either, although I suspect -- (Inaudible.)

11 BOARD CHAIRMAN FROST: I would say -- I  
12 met -- I met with him last week. I think he's  
13 very strong with this (Inaudible.)

14 MS. ZWARTS: Maybe he's the second or third  
15 to know, fourth, fifth -- fifth is never our  
16 maximum.

17 BOARD CHAIRMAN FROST: Okay. Call roll,  
18 please.

19 (All said aye.)

20 MS. ZWARTS: The next measure before you is  
21 AB 3322, also by Assemblyman Sher. This one has  
22 also had a lot of recent developments, some  
23 between the time of the L-pack of this bill and  
24 the time that it's before you here today. The  
25 bill is amended, has an exemption in there for

1 medical waste facilities from certain planning  
2 requirements. When it was before the L-pack, it  
3 was our impression that it contained, quote,  
4 "cleanup language." And upon expediting the  
5 process, it's been communicated to us that the  
6 medical waste language is being removed by the  
7 author and instead, our, quote, "cleanup  
8 language," will be reinserted back into the bill.  
9 It should be amended today or tomorrow back in.

10 BOARD VICE CHAIRMAN CHESBRO: So what's the  
11 proper position?

12 BOARD MEMBER NEAL: Recommended --  
13 (Inaudible.)

14 BOARD CHAIRMAN FROST: And this is the one,  
15 Mr. Huff, that the game's being played on, and I  
16 think this is the time to -- (Inaudible.)

17 BOARD MEMBER HUFF: Well, there is another  
18 one that the game's being played on.

19 BOARD MEMBER NEAL: I think there's been  
20 more games on this one.

21 BOARD CHAIRMAN FROST: Okay. So support of  
22 the amendment is the recommendation of the  
23 committee, moved, seconded.

24 Call roll, please.

25 (All said aye.)

1 MS. ZWARTS: The next bill is AB 3348,  
2 by Assemblywoman Eastin, who advises the manner  
3 in which funds in our Eastin fund are allocated.  
4 We had brought -- put this on the agenda to bring  
5 before the board in case recent developments  
6 happened on this measure. They have not. The  
7 board's position of support is our former  
8 position. They are making some changes to the  
9 measure. And this one's also a little bit  
10 confusing because it's very closely linked to  
11 what is going on in the budget act. We're  
12 working closely with the author's office to  
13 ensure that whatever goes in the bill is  
14 consistent with what the board's objectives and  
15 plans are.

16 BOARD CHAIRMAN FROST: I think that the  
17 staff's well aware where the board is on this,  
18 and we just have to monitor it closely.

19 MS. ZWARTS: The next measure is AB 3470,  
20 by assembly member O'Connell. This bill requires  
21 all local agencies after June 1st when purchasing  
22 certain products to offer 10 percent price  
23 reductions for purposes of recycled products.  
24 This bill again has been changed quite a bit in  
25 recent -- at the L-pack -- the L-pack position of

1 support, if amended, that the certain provisions  
2 in the bill that required the board to review  
3 local agency exemption requests of procurement  
4 requirements be reviewed.

5 We've communicated that to the  
6 author's office, who is committed to removing  
7 those provisions. However, of recent, it's our  
8 understanding from the author's office that the  
9 bill will be used by the leadership as part of  
10 the budget process for a Workmen's Compensation  
11 bill. So --

12 BOARD MEMBER HUFF: It's a related subject.

13 BOARD CHAIRMAN FROST: Let's take the  
14 position of --

15 BOARD MEMBER NEAL: I don't believe so.  
16 Local government would have to carry this.

17 BOARD MEMBER HUFF: That's right. That's  
18 what I said; it's a related subject. A very  
19 strange bill.

20 BOARD CHAIRMAN FROST: Anything else?

21 MS. ZWARTS: The next is SB 1523, by  
22 Senator Killea. This bill would require the  
23 board to adopt regulations for the permitting  
24 operation enclosure of composting facilities.  
25 Again, we've been working very closely with the

1 author's office on this measure. The present  
2 position of the board is opposed unless amended.  
3 They have recently amended the bill, as of  
4 yesterday, to include some of the board's more  
5 technical changes. There are two issues  
6 outstanding that have not been adopted by the  
7 author: One is that the issue of mulching be  
8 removed from the bill; and the second is that  
9 there is an interim permit process still in the  
10 bill prior to court injunction.

11 BOARD CHAIRMAN FROST: So the committee  
12 recommendation was opposed last November?

13 MS. ZWARTS: Yes. And that's also the  
14 board's standing position.

15 BOARD CHAIRMAN FROST: That's our standing  
16 position?

17 MS. ZWARTS: Yes, sir.

18 BOARD CHAIRMAN FROST: Okay. Do we need to  
19 take a vote?

20 MS. ZWARTS: I don't believe so, unless  
21 you'd like to change the position.

22 BOARD MEMBER RELIS: Mr. Chairman, I've had  
23 some discussion, although less than others, with  
24 the author's office. It's my understanding, in  
25 reviewing the latest iteration of the bill, which

1 I got yesterday, that many of them we felt to be  
2 prescriptive direction of that bill that would in  
3 effect involve the bill in our already  
4 established regulatory process in removing, the  
5 way I read, the current language.

6                   And that the mulch issue -- I -- I  
7 went back over the four points that -- in our  
8 letter to Senator Killea, and it seems like, with  
9 the exception -- and this is -- I know the  
10 concern Mr. Huff has is regarding the gap --  
11 or -- the gap, I don't want to use that -- but  
12 the one-year interim period. There's still some  
13 concerns over that, but it looks like the author  
14 has moved considerably in our direction. And I  
15 would think that would warrant change, at least  
16 for me.

17                   BOARD MEMBER NEAL: I would tend to agree  
18 with that in the overall scheme of things. I  
19 can't say I disagree with the concerns about  
20 mulch, but I'm not sure that, given everything  
21 else that's happened with that bill, that's a --  
22 so I think the author has some -- (Inaudible.)

23                   BOARD VICE CHAIRMAN CHESBRO: If you look  
24 at who's gotten on the board relative to the  
25 composting industry and waste management

1 industry, it seems that the author has gone a  
2 long ways towards alleviating the concerns that  
3 there were about how it was drafted, and  
4 certainly it's got a fairly round base of support  
5 by the regulating committee itself now, and I  
6 think that certainly strengthens my willingness  
7 to consider supporting it.

8 BOARD MEMBER HUFF: I come from a slightly  
9 different place. I'm not sure there's a need for  
10 a bill at all. And the more this bill is  
11 amended, the more it proves that there's isn't a  
12 need for the bill. Because the more the  
13 amendments get put in place, the less the bill  
14 does. That isn't an argument, however, to deny  
15 an author a bill. There are lots of bills that  
16 do better. I'm still concerned that the issues  
17 of mulch and that the grant -- (Inaudible.) These  
18 are not things that are that difficult to resolve  
19 if there's a proper willingness to resolve them.

20 And I had a conversation with the  
21 author last week, and I thought that the  
22 conclusion of that conversation was an agreement  
23 to have the staff sit down and resolve those  
24 issues; and it didn't happen. And that proves  
25 it. So yes, I am pleased that amendments have

1 been taken that address some of our concerns. At  
2 the same time, I'm a little bothered that  
3 agreed-to conversations haven't occurred to  
4 address the rest of our concerns.

5 BOARD MEMBER RELIS: Mr. Huff, do you think  
6 that's a communication problem at this point?  
7 Because from what you indicated earlier on the  
8 discussion, it appeared that the author was very  
9 receptive.

10 BOARD MEMBER HUFF: I -- I've had a  
11 conversation with Killea. He was a fine member  
12 and person, and -- but --

13 BOARD CHAIRMAN FROST: First of all, our  
14 current position is opposed unless amended. I  
15 suspect that the suggestion to change is to,  
16 what, support it as amended? Is that what --

17 BOARD MEMBER HUFF: That still gives us  
18 legal requirement. If the amendments aren't  
19 adopted, we can -- (Inaudible.)

20 BOARD CHAIRMAN FROST: Is that an  
21 acceptable -- (Inaudible) -- compromise for the  
22 support of that committee?

23 BOARD MEMBER HUFF: I suppose so.

24 BOARD CHAIRMAN FROST: I propose that we  
25 take the position of support of the mandate and

1 that we spell out the relatively minor but still  
2 aggravating differences to just add the -- to add  
3 some quality -- (Inaudible.)

4 BOARD MEMBER NEAL: In fact, we --  
5 (Inaudible.)

6 BOARD MEMBER HUFF: If you're talking about  
7 the communication --

8 BOARD VICE CHAIRMAN CHESBRO: Well, we had  
9 a -- can I make a comment?

10 BOARD CHAIRMAN FROST: Yes.

11 BOARD VICE CHAIRMAN CHESBRO: We had a --  
12 unfortunately, an extensive discussion at the  
13 legislative -- legislation committee meeting  
14 about exactly what is meant by adding mulch in  
15 and mulch out. And it seemed like the author's  
16 intent in the supporting bill in that our staff  
17 and the board's intents were similar, and there  
18 was disagreement about what the practical effect  
19 of antimulch -- (Inaudible.) I think that  
20 we're -- I want to make sure that we don't end up  
21 with the intent of saying it in a way that it's  
22 not negotiable. I think we need to be very  
23 flexible.

24 BOARD MEMBER RELIS: It's my understanding,  
25 Mr. Chesbro - and correct me if I'm wrong,

1 Mr. Huff - that the mulch issue is a -- a  
2 matter -- our intent was to make sure that mulch  
3 would be treated very -- relatively lightly here  
4 to compost facilities, recognizing the less risk  
5 and difficulties associated with that. That --  
6 in my reading of the bill, we have that latitude,  
7 as a regulatory agency, to make that distinction.  
8 But I think Mr. -- the point that Mr. Huff's  
9 making about the interim period is -- is a really  
10 more important issue to me.

11 BOARD CHAIRMAN FROST: Okay. Call roll.

12 MS. ZWARTS: Mr. Chairman.

13 BOARD CHAIRMAN FROST: Yes?

14 MS. ZWARTS: We'd like for you to know what  
15 our concerns have been regarding the conclusion  
16 of mulch as a regulated facility. There are many  
17 mulch facilities located on mulching operations,  
18 including at nurseries, farms throughout the  
19 state, and everywhere. There were -- and --  
20 because there are some that have relatively  
21 little or no impact on the environment. I  
22 thought that there would be an overextension of  
23 our regulatory authority to include those  
24 facilities, and that is why we have asked the  
25 legislative staff to work with the author in

1 having those types of facilities deleted from the  
2 definition of mulching facilities.

3 BOARD CHAIRMAN FROST: That's the intent of  
4 this motion.

5 BOARD MEMBER RELIS: I noticed in the  
6 language, the agricultural -- all the  
7 agricultural mulch was -- is excluded, or the --  
8 all those activities. But you're saying that  
9 language needs to be somewhat broadened?

10 MS. ZWARTS: Broadened or just have the  
11 inclusion of mulch deleted from the bill  
12 entirely. We do not wish to regulate mulch  
13 operations. It's chipping and shredding of  
14 greenways, generally, with no biological  
15 decomposition occurring.

16 BOARD CHAIRMAN FROST: That is -- that is  
17 our position.

18 BOARD MEMBER HUFF: And -- and again,  
19 that's been communicated with the author. And --  
20 and in my conversation, I wasn't going to  
21 negotiate language. I said, "Let's have staff  
22 simply sit down and be able to" - and I'm sure  
23 they can - "draw the line between what is mulch  
24 and what is compost. We can pay very close  
25 attention to the drawing of that line." The

1 author agreed.

2 BOARD VICE CHAIRMAN CHESBRO: The sense I  
3 got in the discussion of that meeting was that  
4 the author wasn't trying to push us to regulate  
5 mulch; he wanted to leave us the flexibility to  
6 decide. And if there's disagreement on whether  
7 the wording -- how we had the wording --

8 (Inaudible.)

9 BOARD CHAIRMAN FROST: Call roll, please.

10 (All said aye.)

11 BOARD CHAIRMAN FROST: Does that conclude  
12 item 5?

13 MS. ZWARTS: Two -- two more information  
14 items.

15 BOARD CHAIRMAN FROST: Can we pause for 30  
16 seconds?

17 (Brief pause in proceedings.)

18 BOARD CHAIRMAN FROST: Okay. Let's  
19 continue with item 5, please.

20 MS. ZWARTS: The next item on your agenda  
21 packets is a letter of information on -- intended  
22 to provide analysis of SB 1565. No author; just  
23 one of the major budget trail bills.  
24 Unfortunately, we don't have the information that  
25 we wanted to provide you with the analysis, since

1 so much is changing -- (Inaudible) -- on this  
2 hourly at the Capitol and what's going on with  
3 local budgets and the trailer bills. So we've  
4 just handed out to you a short list of all the  
5 trailer bills that are out there for your  
6 information.

7                   The next item is SB 1661, by Senator  
8 Leroy Greene. And again, this is just for your  
9 information. This is a measure that's actually  
10 been signed into law. And what it does is, it  
11 extends the taxpayer bill of rights, which now  
12 applies to certain tax provisions of the income  
13 tax laws, over to a number of other smaller fee  
14 programs administered by the Board of  
15 Equalization, including our Eastin fund. It  
16 shouldn't have a major impact on our board. It  
17 just has a taxpayer bill of rights which requires  
18 that we communicate to fee payers, and written  
19 simply and other things, that we have an annual  
20 hearing to look at ways to make it easier for fee  
21 payers.

22                   We just wanted to bring it to your  
23 attention that it has been signed into law.

24                   BOARD CHAIRMAN FROST: Thank you. This is  
25 staff agenda item --

1 MS. ZWARTS: Item 6, "Consideration of  
2 Federal Legislation." You have in your packet  
3 some information on federal bills that are out  
4 there as well as an analysis that our staff  
5 provided on HR 3865, the House bill. Also, you  
6 have a letter in your packet that was  
7 collectively written by ourselves and the  
8 Southern California Association of Governors. We  
9 all had joint concerns with the House bill and  
10 communicated that to the California delegation.

11 The analysis summarizes various  
12 areas of concern for us. We put our emphasis on  
13 those areas that we thought would move this year  
14 and the worker bill, if at all. As you know, the  
15 worker bill's very unstable; whether it will go  
16 this year or not at all. The L-pack has  
17 recommended that the board take an -- (Inaudible) --  
18 opposed unless position on this measure and  
19 communicate that to the California delegation.

20 BOARD MEMBER NEAL: I would move to adopt  
21 that.

22 BOARD VICE CHAIRMAN CHESBRO: Okay.  
23 Second.

24 BOARD CHAIRMAN FROST: The motion was  
25 seconded. Call roll, please.

1 (All said aye.)

2 MS. ZWARTS: That's concludes item No. 6.

3 BOARD CHAIRMAN FROST: Okay. Now, item 7,  
4 I understand, is a handout.

5 MS. ZWARTS: Yes. Item 7 is an information  
6 item again. It is a fiscal summary of the 1992  
7 proposed in-chapter legislation to date. It is a  
8 draft summary; it's for your information, to  
9 allow you to see all the bills that are out there  
10 across the board. We hope to present a final one  
11 at the end of the session and, when the  
12 governor's completed his actions of signing the  
13 veto, the final tally of the cost of the bills  
14 this year.

15 BOARD VICE CHAIRMAN CHESBRO: Is that the  
16 same handout you handed out at the meeting?

17 MS. ZWARTS: Yes, it is.

18 BOARD CHAIRMAN FROST: Okay. Thank you  
19 very much.

20 That concludes items 5, 6 and 7.

21 BOARD MEMBER NEAL: And before we move from  
22 legislation, I just want to -- we do this  
23 frequently, but really thank and commend our  
24 legislative staff, who has done an excellent job  
25 during some very difficult times in the Capitol

1 of this session. I know Dorothy has spent many  
2 nights burning the midnight, 1:00, 2:00,  
3 3:00 a.m. oil working on amendments and trying to  
4 work through some of the decisions on these  
5 bills. And we just really want to thank you and  
6 especially extend our appreciation to Dorothy  
7 Petit, who couldn't be here today because she is  
8 being our point person in the Capitol even as we  
9 speak.

10 BOARD VICE CHAIRMAN CHESBRO: Especially, I  
11 think, the last week. Maybe this happens every  
12 year; I don't know. I'm just starting to get  
13 more involved in this now, but it's been amazing  
14 to me.

15 BOARD MEMBER NEAL: Yeah. And I have to  
16 say that I think that we've been very fortunate  
17 in having the individuals that we do have in our  
18 legislative unit. Because perhaps with some  
19 different personalities, we would not be  
20 experiencing at least some of the success that we  
21 are.

22 BOARD CHAIRMAN FROST: It should be  
23 mentioned that we probably have hired more former  
24 legislative employees in this state than any  
25 other state agency, because they are -- being a

1 former legislative staff myself, they are  
2 superior, of course.

3 BOARD MEMBER NEAL: Well, we also  
4 understand the -- (Inaudible.)

5 BOARD CHAIRMAN FROST: Okay. Let's move  
6 on, now, to item 10, consideration of a permit  
7 for Napa Garbage Service Composting Facility in  
8 Napa County. Phil Morales of our staff will  
9 present this item.

10 MR. MORALES: Good morning, Mr. Chairman  
11 and members of the board.

12 For the record, my name is Phillip  
13 Morales, Manager of the Permits Branch of the  
14 Permitting and Compliance Division. The agenda  
15 item before you is a new solid waste facilities  
16 permit for Napa Garbage Service Composting  
17 Facility.

18 As noted earlier in Mr. Huff's  
19 report, the permitting enforcement committee has  
20 not taken action on this item due to the  
21 cancellation of the August 19th committee  
22 meeting. So this item is before you for the  
23 first time.

24 The total permitted acreage of the  
25 Napa Garbage Composting Facility is 12 acres.

1 The composting facility will encompass 5.25  
2 acres, of which 4.2 acres is designated for the  
3 composting operations. The site is located off  
4 Tower Road in Napa. Operations began at the  
5 facility in April of 1992.

6 The Napa Garbage Service Composting  
7 Facility is designed to compost green waste  
8 collected through curbside collection and solid  
9 waste from the City of Napa and the  
10 unincorporated portions of Napa County south of  
11 Trubody Lane. The facility receives an average  
12 of 30 tons of yard waste per day, Monday through  
13 Friday, with a maximum tonnage of 100 tons per  
14 day. Ninety percent of the waste consists of  
15 leaves, grass, twigs and branches, and 10 percent  
16 is agricultural waste such as straw and green  
17 wastes from grape farming operations. The  
18 facility may accept an additional 200 tons per  
19 year of agricultural waste, 180 tons of which is  
20 grape processing waste.

21 Trucks deliver the waste to the yard  
22 composting site and unload it onto a concrete  
23 surface. The material is then shredded in a tub  
24 grinder. All green waste is shredded within one  
25 day of receipt. Loaders move the shredded waste

1 from the receiving area onto the windrow area  
2 where it is shaped into windrows that are a  
3 minimum of 7 feet high, 14 feet wide and from 250  
4 to 350 feet long, an average of about 300 feet in  
5 length. Each windrow has a capacity of about 550  
6 cubic yards.

7                   The moisture content and temperature  
8 of the windrows are monitored daily by moisture  
9 gauges and thermometers. The optimum moisture  
10 level is between 40 and 60 percent. If the  
11 moisture level falls below 40 percent, the piles  
12 are turned and irrigated. The windrows will be  
13 irrigated with reclaimed water from the site.  
14 All windrows will be irrigated with sprinklers  
15 served by the American Canyon Water District. If  
16 needed, water may be purchased from the Napa  
17 Sanitation District.

18                   If the moisture is above 60 percent,  
19 the piles are turned for aeration and drying.  
20 The optimum temperature range for biological  
21 activity in the windrows is between 130 and 160  
22 degrees Fahrenheit. Below 130 degrees, the piles  
23 are turned and -- to increase the amount of  
24 oxygen. If the temperature rises above 160, the  
25 piles are then again turned and watered to reduce

1 the temperature.

2                   The shredded waste remains in the  
3 windrows to decompose for three to six months.  
4 The windrows are turned for aeration on an  
5 average of twice a week. The compost is ready  
6 for use when the temperature does not rise past  
7 120 degrees Fahrenheit after turning. No  
8 chemical or other additives are used in the  
9 composting process. There is approximately 1,300  
10 cubic yards of capacity for the composting  
11 operation.

12                   Prior to arriving at the Napa  
13 Garbage Service Composting Facility, the yard  
14 wastes are visually -- visually screened at least  
15 three times to separate any noncompostable  
16 materials. First, the residential customer has  
17 been instructed to segregate compostable  
18 materials from regular garbage. Second, trucks  
19 will be designated to pick up only yard waste,  
20 and the operators of these trucks will not pick  
21 up cans or bundles that contain any material  
22 other than twigs, leaves and grass. In addition,  
23 they will not pick up yard wastes in plastic  
24 bags. Third, composting facility employees who  
25 unload the yard waste and feed in into the

1 grinder separate unacceptable materials, which  
2 will be disposed of in bins located by the  
3 unloading and shredding area. These bins will be  
4 emptied into compactor trucks and taken to  
5 American Canyon Sanitary Landfill daily. It is  
6 estimated that the amount of unsuitable  
7 composting material brought to the site will  
8 constitute about .5 percent of the total  
9 collection.

10           The finished compost is mechanically  
11 screened to achieve a desired fineness to be sold  
12 as mulch, ground cover, erosion control material  
13 or soil amendment, depending on the buyer's need.  
14 It is anticipated that approximately 300 cubic  
15 yards of finished compost per month will be  
16 produced by this facility.

17           In the agenda item before you, on  
18 page 13 of the board packet and on page 3 of the  
19 agenda item, noting -- the summary of permit  
20 consideration issues notes that at the time that  
21 this item was prepared, staff was unable to make  
22 a finding of conformance pursuant to Public  
23 Resources Code Section 50000.

24           Please note that an agenda has been  
25 provided to you to be attached to your agenda

1 packet and is in front of you now, which does in  
2 fact note that a finding can be made. Also,  
3 reflecting that finding is a modified resolution  
4 permit for your consideration. The  
5 representatives of Napa County and the LEA and of  
6 Napa Garbage Service are here to answer questions  
7 for you.

8                   Pursuant to Public Resources Code  
9 Section 44009, the board has 60 calendar days to  
10 concur and/or reject the issuance of a solid  
11 waste facility permit. Since the proposed permit  
12 for the facility was received on July 10, 1992,  
13 the last day that the board may act is  
14 September 8, 1992. The LEA has submitted a  
15 proposed permit to the board, staff has reviewed  
16 the proposed permit and supporting documentation.  
17 And now that the proposed permit is in  
18 conformance with the county plan, it is  
19 consistent with the general plan, the California  
20 Environmental Quality Acts issues have been  
21 addressed with conformance there, the waste  
22 diversion requirements have also been met,  
23 conformance of the financial assurance for  
24 closure and postclosure maintenance costs have  
25 been addressed, and conformance of state minimum

1 standards have also been addressed as well.

2 At this time, staff and -- is  
3 available to answer any questions for you.

4 BOARD CHAIRMAN FROST: Any discussion?

5 BOARD MEMBER RELIS: I just have one point  
6 of information for clarification. I'd just like  
7 to point out on page 16 that -- it's just an  
8 observation -- that we tend to view -- greenways  
9 can release ammonia and gases that are just as  
10 attractive to vectors as sludge and other  
11 materials. And the implication on the second  
12 paragraph down is that that isn't the case. And  
13 I'd just like to indicate in future work that we  
14 just make that observation, that ammonia releases  
15 occur with grass. Anyone who has made up a pile  
16 will know that's the case. So I just point that  
17 out for information; otherwise, everything's  
18 fine.

19 BOARD CHAIRMAN FROST: Thank you.

20 We have a motion.

21 UNIDENTIFIED SPEAKER: Seconded.

22 BOARD MEMBER HUFF: Move it.

23 BOARD CHAIRMAN FROST: Moved and seconded.

24 Call roll, please.

25 (All said aye.)

1 BOARD CHAIRMAN FROST: Item 11 is the  
2 staff's report on asbestos-containing waste  
3 regulations. Don Dier will make this  
4 presentation.

5 MR. DIER: Mr. Chairman, Martha Vasquez is  
6 joining me because this a dual presentation. We  
7 wanted to bring you up to date on the status of  
8 the memorandum of understanding of the  
9 department's toxic substance control and then  
10 tell you where we are at with the draft emergency  
11 regulations. I'll let Martha discuss the item  
12 with you briefly.

13 MS. VASQUEZ: Good morning, Mr. Chairman  
14 and board members. You will find a copy of the  
15 page 47 of the agenda packet. The assembly was  
16 developed after six months of negotiations with  
17 toxic substances control division gives the board  
18 the regulatory authority to review and regulate  
19 the disposal of fiber asbestos at all  
20 nonhazardous waste facilities. This would  
21 include unclassified, Class 2 and Class 3  
22 landfills.

23 Previously, the disposal of asbestos  
24 was not regulated by any state agency. The water  
25 board has recognized that asbestos is not water

1 connected, so they did not regulate it. Air  
2 heading -- the air board and air district had  
3 minimal responsibility of regulation, and toxics  
4 did not exert their regulatory authority. So we  
5 will be the first agency that will take an active  
6 role in regulating fiber asbestos disposal.

7           The way that this avenue will affect  
8 our programs -- first of all, it is a points  
9 program, developing a staff of five specialists  
10 that will be responsible for visiting sites that  
11 receive asbestos, and other special ways. These  
12 five staff will be trained in a higher level of  
13 protection than staff currently are. They will  
14 be able to don protective gear that would allow  
15 them into your more hazardous areas. Their  
16 training would include the use of self-contained  
17 breathing apparatuses. The board will also be  
18 developing an illness/injury prevention plan  
19 pursuant to SB 198.

20           Site assessments will be conducted  
21 of each facility that receives asbestos in  
22 conjunction with the board's health and safety  
23 regulations. Toxics has agreed to assist the  
24 board in training and a program development for  
25 enforcement of these facilities. The permits

1 program will also be affected in that solid waste  
2 facility permits will have to be revised for  
3 fiber asbestos receiving areas.

4 Internally we are developing an  
5 informational bulletin that will actually be used  
6 for many things. Our first bulletin is for  
7 asbestos -- the asbestos and that should be going  
8 out to the LEAs within the next month. We will  
9 also be working to provide training to the LEAs  
10 after the regulations are developed.

11 So with that, let me turn this back  
12 over to Mr. Dier.

13 MR. DIER: The staff of the standards  
14 section within my division has been working very  
15 closely with staff of the toxics department over  
16 the last month to formulate the emergency  
17 regulations to carry out this memorandum of  
18 understanding. At this point, we had hoped to  
19 have those ready in draft form to give you this  
20 morning, but we missed just by a little bit  
21 there, so we will be putting the final touches on  
22 them. These regulations will, however, be  
23 distributed and be available on your desks Monday  
24 morning when you return to the office. And  
25 concurrently, they're being mailed out.

1                   This is the first time they're going  
2 to be public as a draft regulation packet. We've  
3 been working internally with toxics staff. We're  
4 mailing them out, also, to the enforcement  
5 advisory council because they're to be meeting  
6 next week, on September 3rd, and it's on their  
7 agenda to discuss these regulations.

8                   Getting on to the number of comments  
9 from the EAC, we will be prepared shortly after  
10 that meeting to transmit the regulations to  
11 toxics for adoption as emergency regulations.  
12 And we have commitments from toxics that they are  
13 staffed and ready to go with the package as soon  
14 as they receive them. These regulations are  
15 aimed at providing operating standards at these  
16 non-Class 1 facilities regarding the receipt,  
17 handling and disposal of asbestos-containing  
18 waste. They provide requirements for monitoring  
19 and recordkeeping for security, for closure,  
20 postclosure, maintenance, and financial  
21 responsibility.

22                   Probably one of the more  
23 controversial aspects of the draft regulations is  
24 the requirement that staff is recommending for a  
25 separate disposal of the asbestos-containing

1 waste from other nonhazardous waste; and this  
2 issue will be coming up as the regulations go  
3 through the formal rule-making process. As part  
4 of that process, we intend to have one of toxics'  
5 hearings be conducted as part of the enforcement  
6 committee meeting. We anticipate that will be in  
7 the October time frame.

8           If there are any questions you have  
9 at this time, I'll be happy to answer them. But  
10 briefly, where we're at today with the asbestos  
11 regulations -- (Inaudible.)

12           BOARD CHAIRMAN FROST: Do we need a motion  
13 on this?

14           MR. DIER: We have the package right here.

15           We're not asking for a motion.  
16 These regulations are going to be adopted by the  
17 Department of Toxic Substance Control, not our  
18 board. What we intend to do this next  
19 legislative session is to seek statutory  
20 authority over regulation of this material so  
21 that then we can transfer these regulations into  
22 our Title 14. But they will be adopted right  
23 now, as a rule, into item 22, but enforced and  
24 administered by our board and law enforcement  
25 agencies.

1 BOARD CHAIRMAN FROST: Okay. Open for  
2 discussion.

3 BOARD MEMBER HUFF: I just don't want to  
4 pass the opportunity to say that this should  
5 be -- ought to be pointed out with considerable  
6 pride by us as evidence that we do work with  
7 other agencies and counties, that we've  
8 successfully resolved an intricate part of an  
9 issue here which, in fact, we took the initiative  
10 in raising. And I just don't want to let the  
11 opportunity go by without restating that.

12 BOARD CHAIRMAN FROST: So stated.

13 Any further discussion?

14 Okay. Thank you very much.

15 Now, we'll move to our final item,  
16 item 12, which is consideration of adoption of  
17 regulations for recycling market development  
18 zones. Mark Maldonado will present this item.

19 MR. MALDONADO: Good morning, Mr. Chairman,  
20 members of the board. The item before you is  
21 consideration of the adoption of the Recycling  
22 Market Development Zone Revolving Loan Fund  
23 Program regulations. Senate bill 2310, Ferguson,  
24 of last year, amended the Public Resources Code  
25 and authorized the board to transfer \$5,000,000

1 on an annual basis from the Integrated Waste  
2 Management Fund to Recycling Marketing  
3 Development Quality Loan Fund account for the  
4 purposes of assisting the board and local  
5 agencies in achieving marketing development goals  
6 set forth in source reduction recycling elements  
7 and the recycling of market development zones.

8                   This program was -- in July of 1997,  
9 at which time money lent out and repaid will go  
10 back to the Integrated Waste Management Fund with  
11 interest at a greater return than the state money  
12 investment account. The proposed regulations  
13 clarify the purpose and the eligibility and  
14 criteria and priorities for making loans --  
15 (Inaudible.) They also describe the loan terms,  
16 application contents, processes and review  
17 procedures.

18                   Following the market development  
19 committee's approval on January 7th, 1992, of the  
20 initial regulations, the proposed regulations  
21 were formally announced at the California  
22 Regulatory Notice Registrant on January 14th,  
23 1992. This began a formal public comment period.  
24 The proposed regulations were considered as a  
25 discussion item at the market development

1 committee meeting June 9th, and a 15-day notice  
2 of changes, which ended on July 4th, followed  
3 that committee meeting.

4           On August 6th, 1992, the market  
5 development committee approved postregulations  
6 for consideration by the full board. A second  
7 15-day public comment period beginning on  
8 August 11 ended yesterday at 4:00 p.m. No  
9 comments were received during that second comment  
10 period; therefore, there are no comments with  
11 which to respond to.

12           Now, I would be more than glad to go  
13 through the process and the considerations of how  
14 the loan process occurs or through any of the  
15 regulations, line by line.

16           BOARD CHAIRMAN FROST: I think we're pretty  
17 familiar with that. I don't think it's  
18 necessary.

19           BOARD VICE CHAIRMAN CHESBRO: Mr. Chairman,  
20 this has been a very long process. And to start  
21 out with, a lot of different points of view seem  
22 to have been integrated now, and there are  
23 agreements between staff and staff's different  
24 divisions and committees. And so if there's no  
25 questions or any further discussion, we'll meet

1 the approval of staff regulations.

2 BOARD CHAIRMAN FROST: Moved and seconded.

3 Call roll, please.

4 (All said aye.)

5 BOARD VICE CHAIRMAN CHESBRO: Thank you,  
6 legal staff and market development staff.

7 BOARD CHAIRMAN FROST: I have a couple of  
8 announcements to make.

9 First of all, we will be meeting  
10 here tomorrow at 9:30 a.m. And we have an agenda  
11 for tomorrow, but we will also be briefly going  
12 into emergency session to consider approval of  
13 emergency regulations relating to the Shasta  
14 County fire. So we will be handling that  
15 tomorrow morning at 9:30 as a first item of  
16 business, and then we have our regular agenda  
17 items for tomorrow.

18 Now, we also have a closed session  
19 on personnel matters which will take place now,  
20 and we may or may not return to session after the  
21 closed session today. So that's the only -- all  
22 I can tell you, other than the board will now  
23 recess into our executive session.

24 (Whereupon the proceedings  
25 were concluded at 11:50 a.m.)

1 STATE OF CALIFORNIA )  
2 COUNTY OF VENTURA ) ss.

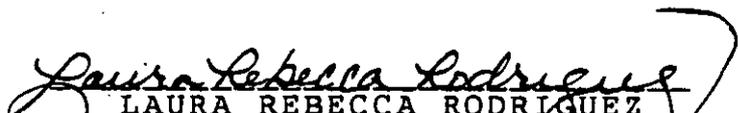
3 I, LAURA REBECCA RODRIGUEZ, CSR No.  
4 8918, a Deposition Notary within and for the  
5 State of California, do hereby certify:

6 THAT the above-referenced hearing  
7 was taken at the time and place therein named and  
8 was thereafter reduced into printed form by  
9 computer-assisted transcription;

10 THAT the foregoing pages numbered 5  
11 through 89 consist of a full, true, and correct  
12 transcription of my notes so taken;

13 I further certify that I am not  
14 interested in the event of this action.

15 IN WITNESS WHEREOF, I have hereunto  
16 subscribed my name this 11th day of September,  
17 1992.

18   
19 LAURA REBECCA RODRIGUEZ  
20 Certified Shorthand Reporter

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24  
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