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MEETING  
STATE OF CALIFORNIA  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
REGULAR MONTHLY BUSINESS MEETING

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COPY

SANTA ROSA CITY COUNCIL CHAMBERS  
100 SANTA ROSA STREET  
SANTA ROSA, CALIFORNIA

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THURSDAY, OCTOBER 29, 1992

9:00 A.M.

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Vicki L. Medeiros, C.S.R.  
License No. 7871

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MICHAEL FROST, CHAIRMAN

WESLEY CHESBRO, Vice Chairman

SAM EGIGIAN, Board Member

JESSE HUFF, Board Member

KATHY NEAL, Board Member

PAUL RELIS, Board Member

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P R O C E E D I N G S

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3 BOARD CHAIRMAN FROST: Good morning and welcome  
4 to the monthly meeting of the California Integrated Waste  
5 Management Board.

6 We're very pleased to have the opportunity to  
7 hold our meeting in beautiful Santa Rosa. Those of us from  
8 Sacramento are not exactly sure what that is outside.  
9 Somebody told us it's rain. We haven't seen it in so long,  
10 we're not sure. It's very nice to see it.

11 I would like to thank the City Council and staff  
12 for the use of the Council Chambers and for these very nice  
13 facilities that they have provided for us today.

14 First, we'd like to call the roll to establish a  
15 quorum.

16 MS. THOMAS: Board Members Chesbro.

17 BOARD MEMBER CHESBRO: Present.

18 MS. THOMAS: Huff.

19 BOARD MEMBER HUFF: Present.

20 MS. THOMAS: Egigian.

21 Absent.

22 Neal.

23 BOARD MEMBER NEAL: Here.

24 MS. THOMAS: Relis.

25 BOARD MEMBER RELIS: Here.

1 MS. THOMAS: Chairman Frost.

2 BOARD CHAIRMAN FROST: Here.

3 Mr. Conheim, do you have some announcement?

4 MR. CONHEIM: For members of the public who  
5 haven't heard this announcement, let me say that Members of  
6 the Integrated Waste Management Board comply with Public  
7 Resources Section 40412, which is a mandate of AB-939 that  
8 requires Board Members to disclose in writing all  
9 communications, written or oral, that they may have with  
10 members of the public about matters which are coming before  
11 this Board for a decision.

12 Those written disclosures are maintained in a  
13 public file at Board Headquarters, and you may review those  
14 disclosures upon your written request.

15 Also, at this time, we, in compliance with this  
16 Section, provide Board Members with an opportunity to make  
17 contemporaneous oral disclosures of any such communications  
18 if they haven't had time to put them in writing.

19 That would be the time now, Mr. Chairman.

20 BOARD CHAIRMAN FROST: Okay. Thank you,  
21 Mr. Conheim.

22 Please record Mr. Egigian as present.

23 Any Board Members have any ex parte announcements  
24 that they would like to make?

25 Okay. Hearing none, first of all let me thank

1 the operators of the Central Landfill for the tour that  
2 they provided the Board yesterday afternoon.

3 It was a very interesting tour, and you can be  
4 proud of the job that your community is doing, particularly  
5 in the areas of diversion of composting and wood  
6 processing.

7 Speaking to today's Agenda, two items have been  
8 pulled from today's Agenda. They are Items 19 and 21.  
9 Items 19 and 21 are removed from the Board Agenda today.

10 Now, we'll move right into Item 1, our first  
11 Agenda Item is Presentation by Local Officials.

12 I would first like to introduce Supervisor Ernie  
13 Carpenter of the Sonoma County Board of Supervisors for a  
14 local presentation.

15 MR. CARPENTER: Mr. Chairman, I'm up here because  
16 I hope to be the briefest speaker today.

17 I would like to welcome you on behalf of Sonoma  
18 County and the City of Santa Rosa. I would like to thank  
19 you for the work you're doing.

20 We will have Ken Wells, our Waste Manager, so to  
21 speak, speaking to you today, and Mark Kostielney, our  
22 Director of Public Works.

23 What I would like to say, besides thank you for  
24 bringing the rain, is that if you can help us in any way at  
25 all, it's to not make your rules and regulations so rigid

1 that there is not a degree of flexibility.

2 We think can meet the standards and meet the  
3 goals, but what we need is a little flexibility. You've  
4 probably heard this before.

5 Secondly, what we don't need is much more paper  
6 work. Anything that you can do to alleviate that burden and  
7 help our staff meet the goals, which are admirable and  
8 supported in AB-939, and all the legislation that has come  
9 out, but what we find that it's difficult to get from point  
10 A to point B, as one might imagine, but we will get there.

11 We just need a little help. Thank you for  
12 coming. I appreciate the fact that you're here.

13 BOARD CHAIRMAN FROST: Thank you very much,  
14 Mr. Carpenter.

15 We agree with you on the paper work issue that  
16 you've raised. We supported a bill, Assembly Bill 25 that  
17 was signed in law by the Governor this year, that I think  
18 will have a very substantial reduction in the amount of  
19 unnecessary paper work for local governments.

20 That was the goal. You're right. That was a  
21 problem of the earlier implementation. Thank you again.

22 Now, we would like to hear from the Mayor of  
23 Santa Rosa, Mr. James Pedgrift.

24 MAYOR PEDGRIFT: Welcome.

25 I'm Jim Pedgrift, the Mayor of Santa Rosa. I

1 would like to welcome all of you here to the City of Santa  
2 Rosa and our City Hall.

3 I would like to give you a bit more of an outline  
4 of Santa Rosa's experience with AB-939, a progress report  
5 and outline some of our concerns.

6 We have had a long experience with recycling in  
7 Santa Rosa. Santa Rosa initiated curbside recycling in  
8 1978. It was the first program in the nation, and we're  
9 proud of that.

10 The curbside recycling technology was developed  
11 Santa Rosa and is used in San Jose, California. It is now  
12 known as Recycle America. That was done in 1978.

13 The program was funded from a grant from the  
14 California Waste Management Board. We use staffing from  
15 seated employees in the garbage franchise, our disposal  
16 management for the curbside recycling program for the time.

17 We provided 1500 containers for the pilot  
18 project. We recycled newspapers, glass and cans. We're  
19 adding yard waste to that.

20 Now the program includes 33,000 households as of  
21 November in 1989. It resulted in a decrease in the waste  
22 stream going to the landfill by over 20 percent.

23 August 1989, Santa Rosa recognized its  
24 one-millionth customer here who participated in the  
25 program.

1           Santa Rosa continues to work hard to stay out in  
2 front of recycling, and it brings to mind the words of Will  
3 Rogers, who said, "Even if you're on the right track, you  
4 can get run over if you do not run fast enough."

5           Santa Rosa is running as fast as we can to stay  
6 out in front.

7           What are we doing in regards to the new mandates  
8 here for AB-939? We have a final draft here of the Source  
9 Reduction Recycling Element and a Household Hazardous Waste  
10 Element that is completed by our consultant, and we have a  
11 public hearing set for December 8.

12           Santa Rosa's planning effort includes city and  
13 county cooperation, private and nonprofit recycling  
14 organizations, local and environmental organizations,  
15 garbage haulers, industry, business organizations, the  
16 scientific community and the community at large.

17           We're working hard to bring all these different  
18 players into the program.

19           Sonoma County is a special county with a lot of  
20 interests in the communitywide here in recycling.

21           Santa Rosa has been moving ahead with its plans,  
22 even though the final form has not yet been adopted.

23           What we have done in Santa Rosa, Santa Rosa has  
24 adopted a procurement policy within the City of Santa Rosa,  
25 encouraging the City Departments to use recycled goods, and

1 I think that State allows five percent. You pay more  
2 actually for recycled goods than you would for a virgin  
3 product.

4 In fact, what we're noticing here is that there  
5 has been a net savings, which was unexpected when we first  
6 put on the program. We were prepared to pay more. In  
7 fact, we found that we were paying less.

8 The City Council requires a recycling of  
9 construction materials. For example, the courthouse where  
10 we have a project just a couple of blocks from us here,  
11 recycled approximately 2,000 tons of cement.

12 Since June of 1992, our Public Works Department  
13 has recycled 863 tons of asphalt, 104 tons of concrete and  
14 106 yards of spoils.

15 The City Council also authorized a pilot green  
16 waste curbside collection project back in September 1990  
17 through September of 1991. That was a pilot project on the  
18 east part of town.

19 We provided the 60-gallon cans for normal  
20 household waste, and a 90-gallon can for yard waste, which  
21 normally would be used for household waste where normally  
22 they just put their yard waste in it.

23 Now we said, no. We asked them to separate that.  
24 The pilot project showed that variable pricing can work  
25 very effectively in the curbside green waste collection

1 program. We intend to implement the program citywide in  
2 1993.

3 The City Council has also authorized Hazardous  
4 Household Waste collection events. We have found that  
5 those are so successful, for the last one we ended up  
6 having to close at the appropriate hour and we had people  
7 waiting in line still wanting to participate. We need more  
8 programs.

9 The City Council has authorized a backyard  
10 composting education program. Some folks say, we want to  
11 keep the yard waste. We want to use them on our garden.  
12 We wanted to educate the people to do that.

13 Folks interested in doing that, we have the  
14 education to give them the information to do that. We have  
15 had twenty-four programs for educating residents here for  
16 composting yard waste in their backyards.

17 Future steps, there is a regional approach  
18 between the City and County in solving problems in working  
19 hard with other cities within the county. We formed a  
20 JPA. We're getting to work to construct and operate a  
21 central composting facility and put out to bid by the JPA.

22 We're also looking to expand our -- there has  
23 been a citywide household hazardous waste, and we're  
24 looking to do that regionally here. We're looking to  
25 involve the entire county as a part of that.

1           A consultant has been hired to scope this project  
2 by the JPA. We have very ambitious plans for the public  
3 education component here.

4           Concerns for the future, costs, of course. We're  
5 already starting to notice certain cracks in our present  
6 structure. The curbside recycling doesn't pay for itself,  
7 if you will.

8           The added costs are resisted by some folks. We  
9 have a pricing structure whereby commercial rates in effect  
10 subsidize the household or curbside recycling program. We  
11 extend the rates to businesses and institutional users, our  
12 exclusive franchiser, and we're noticing some resistance to  
13 that.

14           We lost, or were treated to lose a couple of  
15 institutional users. They may put it out to bid and get a  
16 better rate somewhere else. They don't want to subsidize  
17 our program. It's too bad.

18           If the program has to pay for itself, it's going  
19 to undercut the efforts that we're doing at this time. I'm  
20 quite concerned about that.

21           I guess just the deficiencies are the mandates  
22 just in AB-939. Is that the most efficient way to achieve  
23 our goals?

24           We're spending a lot of money here on plans and  
25 consultants, and that money may be better spent.

1 I hope that gives you an overview of what we're  
2 doing here in Santa Rosa, or trying to do. I appreciate  
3 your being here and coming out to Sonoma County to hear  
4 from us folks directly.

5 Welcome to Santa Rosa. Have a productive  
6 meeting.

7 BOARD CHAIRMAN FROST: Thank you very much, Mayor  
8 Pedgrift.

9 I would like to introduce Mr. Mark Kostielney,  
10 Sonoma County Director of Public Works.

11 MR. KOSTIELNEY: Good morning, Mr. Chairman and  
12 Members of the Board.

13 I just feel a need to correct one small error.  
14 I'm the Director of Public Health. I'm not sure if that's  
15 a promotion or demotion in terms of public works versus  
16 public health.

17 I'm honored to have the opportunity to speak with  
18 you this morning. I would like to talk for a minute about  
19 the relationship between our Local Enforcement Agency and  
20 the Integrated Waste Management Board.

21 I have been involved in solid waste in one form  
22 or another since the early 70's, beginning in the 70's. I  
23 have moved through my career and at various stages have  
24 been touched by it. One of the things that has always  
25 struck me in the enforcement role is that we at the local

1 level have immediate and upfront contact with the regulated  
2 community.

3 We have developed programs here in Sonoma County  
4 to address the special needs and special problems of that  
5 regulated community. We're proud of that.

6 We're proud of the fact that here in the Sonoma  
7 County Environmental Health Unit in the Public Health  
8 Department that we have been in involved in the enforcement  
9 of solid waste activities since 1978.

10 We are also proud of the fact that we were the  
11 very first groups of agencies to be certified as local  
12 enforcement agencies.

13 We're proud of the relationship that we have with  
14 your Board. We're particularly proud of one of the members  
15 of our staff, who has recently retired that you're  
16 considering honoring this morning, Jack VrMeer.

17 Jack has done an outstanding job of working with  
18 you and your staff. He's done an outstanding job of working  
19 with the regulated community here in Sonoma County.

20 That's not to say that Jack, that we all agreed  
21 with Jack, because I think that is not the case. But what  
22 we all have in common is that we respect his  
23 professionalism and what he represents.

24 Jack is moving on into retirement, the golden  
25 dream of every bureaucratic nation, and we wish him well in

1 that endeavor.

2 We also want to pledge to you that that  
3 relationship, that special relationship that we have with  
4 you, the Integrated Waste Management Board, and with the  
5 regulated community in Sonoma County, will continue.

6 We know that's not the case throughout the  
7 state. We know that there is some friction between local  
8 agencies and the State Board and the regulated communities.

9 What we offer to you is to look at Sonoma County  
10 as a model for replicating throughout the state, find out  
11 what is working in our relationship, what is good about it,  
12 and duplicate that. We pledge to work with you to make  
13 that happen.

14 Thank you again for the opportunity to speak.  
15 I'm pleased to see that you're recognizing an outstanding  
16 governmental employee this morning.

17 Thank you.

18 BOARD CHAIRMAN FROST: Thank you very much.

19 Now I would like to hear from Mr. Ken Wells, the  
20 Local Task Force Chair Integrated Waste Management for  
21 Sonoma County, and Member of the Joint Powers Association.

22 MR. WELLS: Good morning. I'm Ken Wells. Almost  
23 any title you give me is probably pretty close. I have a  
24 lot of hats.

25 I have been here for eight months and have been

1 running at full speed since the second day I was here. It's  
2 been very exciting.

3 There is a tremendous amount of support in this  
4 community for, not only the legal mandate of AB-939 but,  
5 the ethic, the fact that this is the right thing to do.  
6 That kind of support makes this job, I think, the best job  
7 in the world for me.

8 I'm here because I believe in what I'm doing and  
9 having this opportunity with the support from the  
10 supervisors down to the individual residents of the  
11 community is just tremendous. I'm open with that.

12 I think that my ethic was formed in Humboldt  
13 County and put into place there.

14 BOARD CHAIRMAN FROST: We will not hold that  
15 against you.

16 MR. WELLS: I appreciate that.

17 My role here is many-fold. I'm the Integrated  
18 Waste Manager for the Department of Public Works for Sonoma  
19 County. In that role I'm responsible for the landfills,  
20 the garbage collection service in the unincorporated  
21 county, and the transfer stations and anything to do with  
22 solid waste and the implementation of those programs.

23 I'm also the Chairperson for the Local Task  
24 Force, the AB-939 advisory body. I want to emphasize again  
25 that that Task Force was in place and rolling very fast

1 when I came on board. I just feel like I'm a lightning rod  
2 of taking their power, their force and trying to guide it  
3 and get it implemented into programs.

4 I'm also the Director of the Sonoma County Waste  
5 Management Agency, a Joint Powers Authority that was  
6 created this year to implement AB-939 programs on a  
7 regional basis.

8 I would like to take a few minutes to describe  
9 three basic ideas here for your benefit. The first is a  
10 brief description of the county systems so you know what  
11 we're doing here in the terms of our solid waste handling  
12 program.

13 First of all, we have a Central Landfill. That's  
14 its name and its location. It handles about 99 percent of  
15 the waste that is disposed in Sonoma County. We also have  
16 a small landfill in the northwest corner that handles the  
17 remaining the one percent.

18 The landfill is owned and operated by county  
19 staff. The county also owns and operates four transfer  
20 stations geographically distributed around the county.

21 They all have recycling opportunities. We're  
22 expanding one of those right now in the region of the City  
23 of Sonoma, we have a transfer station that is currently  
24 undergoing a retrofit to what we feel is the cutting edge  
25 of a rural transfer station recycling program.

1           We're implementing the hierarchy of AB-939. The  
2 people that arrive first have the opportunity to drop off  
3 at a reuse area. As they continue on the driveway into the  
4 transfer station, they will have the opportunity to  
5 recycle. Finally, they go to the actual disposal area.

6           We're going to implement that. That will be  
7 completed next Spring.

8           Here in the county, all of the cities and the  
9 county contract with private haulers for the collection of  
10 our recyclables and our garbage. Those are delivered to the  
11 facilities here.

12           Mayor Pedgrift noted some of the highlights of  
13 the Santa Rosa program having had curbside recycling longer  
14 than anybody in California. I think that's something that  
15 should be noted again.

16           I would like to give credit to the Operations  
17 staff here, that the landfill was given an award, a  
18 National Award in 1989, of being the best landfill in the  
19 nation. That is something worth noting.

20           I also want to note that the Central Landfill  
21 recycling program that some of you got to visit yesterday  
22 was given an award this year by the California Resource  
23 Recovery Association as the best rural program in  
24 California.

25           We're proud of the work that the Garbage

1 Reincarnation Incorporated, a nonprofit, they contracted  
2 with the county and are running that program, and we give  
3 them full credit for that award.

4 Now, we get into the Sonoma County Waste  
5 Management Agency. This is an excellent example of the  
6 cooperation in a regional manner that provides the model of  
7 success if programs are going to be successful here in  
8 California.

9 The agency is composed of ten cities in the  
10 county. Each has one vote. The county provides  
11 administrative and staffing support for that agency. It's  
12 funded through tipping fees at the landfill which the  
13 county has implemented to fund start-up programs.

14 The operation of the programs are funded by user  
15 fees. As the composting program gets going, it will funded  
16 by the people using it.

17 There are three primary goals in the JPA's  
18 mandate. The first is yard waste and wood waste diversion  
19 programs. I'll talk to you a little bit about some of  
20 that.

21 We have a regional household hazardous waste  
22 collection program that we'll be implementing this next  
23 year. We also recognize that education is critical to  
24 succeed, and the agency does have a mandate to implement  
25 regional education programs to inform and educate people

1 about the need to recycle and reduce the amount of waste we  
2 generate and buy recycled products, et cetera.

3 Right now this agency has just jumped into things  
4 full, in over their head I'm afraid, but we have proposals  
5 out. We have received proposals for a composting  
6 contractor at the landfill.

7 We expect it to handle all of the yard debris and  
8 wood waste generated in the county that would normally be  
9 disposed, will be handled at the Central Landfill by a  
10 contractor. We're negotiating now with the top ranked  
11 proposer and hope to have that complete.

12 The goal is to have that in operation April of  
13 1993. That alone will easily put us over the top of the  
14 25-percent goal.

15 The other program, the household hazardous waste  
16 collection program, by late 1993 we expect to have a very  
17 innovative program, I believe, something that I am unaware  
18 of anywhere else in the country, a regional, countywide  
19 household hazardous waste program that uses a central  
20 collection storage area at the Central Landfill, with a  
21 satellite program of going out on a scheduled basis  
22 throughout the communities, to perhaps a dozen different  
23 locations so that everybody will have a frequent and  
24 convenient location to take care of appropriately their  
25 household hazardous waste.

1           Of course, along with that will be the education  
2 programs to let people know that there are nontoxic  
3 alternatives to reduce the amount of materials they  
4 actually use. Really, that is our primary goal.

5           Those are the programs that we just have underway  
6 just in the first few months of this operation. We're  
7 definitely moving forward as fast as we can.

8           The basis for the success in the past programs  
9 and the progress that we've made is really the support of  
10 the community and its leaders. The Board of Supervisors  
11 recognize this. It's not just the law.

12           It's the right thing to do. It's the right way  
13 to approach these problems. I think that the environmental  
14 ethic that I mentioned earlier is implicit in the entire  
15 community here. That's why this is, for me, the best job  
16 in the world.

17           I would like to complete my remarks here with  
18 some suggestions in how the Integrated Waste Management  
19 Board might be able to make my job easier.

20           The first comment is one where I recognize that  
21 you do not have direct responsibility, but you do work in  
22 Sacramento, and there are some Legislators who also work  
23 there, if you happen to see them in passing you might note  
24 that moving targets for plans are extremely wasteful on  
25 resources.

1           We find that we spend nearly half a million  
2 dollars in the planning process alone in this county. And  
3 to see the plan requirements change on an annual basis is  
4 ridiculous, to be blunt. I feel that certainly is a waste  
5 of our resources and the State's resources. I realize that  
6 you're not entirely responsible for those changes.

7           One area that you do have the authority and  
8 responsibility to assist us with would be something called  
9 an advanced recycling fee. The Local Task Force has  
10 discussed this issue for a number of years.

11           We feel that there is a specific area that the  
12 Board can provide some direct assistance to all communities  
13 in California. That would be an advanced recycling fee on  
14 appliances that contain Freon.

15           The Federal Clean Air Act recently enacted a  
16 prohibition of venting Freon, deliberately venting Freon.  
17 To comply with that law, we have implemented a program of  
18 charges at the landfill for having to recycle the Freon out  
19 of the appliances that contain it.

20           That program is not as successful as I would like  
21 because it's a tailend solution. It's not a front-end  
22 solution.

23           Most people who are informed in this issue  
24 recognize that putting a fee at the beginning, much like  
25 you have with batteries and tires, is the correct way to

1 approach this. People cannot avoid it. It's statewide.  
2 There is no inequity with competition between counties  
3 whether one may and one not.

4 If we do not see some action from the State, we  
5 are in the process of developing a local ordinance for an  
6 advance recycling fee. We do have cooperation. We brought  
7 in the appliance sales, retail and wholesale salse people.

8 They are supportive of a program of this nature.  
9 They also recognize this would be best from a statewide  
10 perspective rather than local. Regardless of where it comes  
11 from, it's the proper and appropriate way to approach the  
12 problem.

13 I would like to conclude. Thank you for this  
14 opportunity. Welcome to Sonoma County. I appreciate the  
15 wetness that you brought with you. It's needed here.

16 I would like to invite you to return next year.  
17 I've listed a whole bunch of different programs that we are  
18 in the process of developing or implementing. I would like  
19 you to come back next year at this time and have an  
20 opportunity to see those programs in operation.

21 I believe Sonoma County could be held as a model  
22 for not only California but the world in integrated waste  
23 program, that successfully integrates education and  
24 understanding of the community with actual operational  
25 programs so that we can use our resources in the most

1 sufficient and stable manner.

2 With that, I'll answer any questions, otherwise  
3 I'll let you get on with your day's work.

4 BOARD CHAIRMAN FROST: Thank you very much,  
5 Mr. Wells.

6 Mr. Chesbro.

7 BOARD MEMBER CHESBRO: Just a few comments.

8 Once again we have been shown a group of local  
9 governments proceeding aggressively to meet the mandates of  
10 the law. In this case they were proceeding very  
11 aggressively before the law came along and have a long  
12 history. I think that is admirable.

13 What is somewhat unique, although there are a few  
14 other examples around the state, is the partnership, the  
15 level of the partnership here, not only the cities and the  
16 county cooperating, but, as we saw yesterday, the nonprofit  
17 sector, the private recycling sector, and the waste hauling  
18 industry, as well as local governments all pulling together  
19 and picking up the different pieces of what needs to be  
20 done and moving cooperatively.

21 I wanted to commend all of the parties in Sonoma  
22 county for their farsightedness and willingness to put  
23 aside what, in many parts of the state, are insurmountable  
24 differences and succeed.

25 BOARD MEMBER RELIS: I have a few questions for

1 Mr. Wells.

2 I'm particularly interested in the approach that  
3 you have taken to the household hazardous program and the  
4 need there. Around the state that has proven to be very  
5 expensive.

6 Cities are faced with -- you're actually  
7 intending to increase your program, and I've heard some  
8 areas are rolling theirs back because of the cost.

9 I would like to know more about the cost  
10 containment that you have been able to do as a result of  
11 the collection of the paints and oils in the manner that  
12 you're doing because those do comprise about 60 percent.

13 What does that program cost you now?

14 MR. WELL: At this point, Sonoma County has not  
15 implemented a program. The county's program for this  
16 fiscal year was \$150,000, and that was five collection  
17 events.

18 It was done through a competitive proposal  
19 process. We emphasize recycling and reuse as much in that  
20 proposal process, and we were successful in getting a  
21 contractor to do that.

22 I believe if we can hold the cost at about that  
23 level, I suspect that with good management and some  
24 effective bidding processes and proposal processes, the  
25 cost will be -- certainly there will be costs involved.

1 BOARD MEMBER RELIS: That was five events?

2 MR. WELLS: We may go with six. It looks like we  
3 might be saving enough money to actually go with six.

4 BOARD MEMBER RELIS: What is the population base  
5 served?

6 MR. WELLS: Well, we have in the county 400,000  
7 residents.

8 The county's program, the Joint Powers Agency has  
9 a role here, the county's program is not restricted to any  
10 particular city or resident as long as they are in Sonoma  
11 County. The City's programs, because they are funded by  
12 City funds, necessarily have to restrict people to the city  
13 residents.

14 Sometimes people are not really familiar which  
15 side of the border they live on, so they show up, and they  
16 are turned away. The regional approach is a solution to  
17 that particular problem.

18 The County's programs this year served the entire  
19 county. No one was excluded. We focus our efforts on the  
20 more rural areas that do not have the city program to  
21 support them.

22 We did not do a major effort in the Santa Rosa  
23 area because Santa Rosa and Rohnert Park and other cities  
24 were doing their own programs.

25 BOARD MEMBER RELIS: I think the economy of this

1 program is really noteworthy.

2 It would be appropriate for the Board, through  
3 the staff, in our technical assistance role, information  
4 exchange, to share the details of this program statewide,  
5 because I am aware of many, many programs costing far more  
6 than that, not serving a significantly larger population  
7 and they are faced with breaking the continuity of the  
8 program.

9 To serve that many people on \$150,000, we should  
10 understand the specifics of that and communicate it  
11 statewide.

12 MR. WELLS: That particular budget item was for  
13 the unincorporated county. The cities are spending a  
14 substantial amount themselves.

15 I believe that the total cost for the county is  
16 not going to be extreme. We're looking, through an  
17 aggressive recycling use element, you need to see the paint  
18 program at the landfill, that will be continued. We have a  
19 reuse area for paint that takes that element out of the  
20 household hazardous waste collection program.

21 Those opportunities are available everyday. You  
22 do not need to save it up for household events. Those  
23 materials that are a problem can be treated at the  
24 collection bins.

25 I'm hoping that the regional program that we're

1 going to be implemented will be a model. I have been  
2 looking at the programs in Washington State and King County  
3 and some of the programs in Southern California, and I hope  
4 to take the best of each of those and try to implement it  
5 for our specific situation.

6 BOARD MEMBER RELIS: There was a reference made  
7 earlier about the procurement here, and you found that the  
8 cost of procurement was lower?

9 MR. WELLS: We found at the county level that  
10 procurement has not been a tremendous problem.

11 BOARD MEMBER RELIS: It hasn't been an added  
12 cost?

13 MR. WELLS: No.

14 We have implemented it. It's a program that most  
15 people support. The costs is not noticeably different.

16 It's mostly paper products. Santa Rosa as a city  
17 has a much more aggressive program than we're currently  
18 doing at the county because that includes the retreaded and  
19 recapped tires, re-refined oils and that, which we're still  
20 looking at.

21 BOARD MEMBER RELIS: One last question on the  
22 variable can rate.

23 I take it that you have seen this having a  
24 positive impact, in your opinion, on the generation of  
25 waste?

1 MR. WELLS: I don't know that I have the data to  
2 support one way or the other.

3 People support the program. It makes sense.

4 I do not believe in any other program,  
5 personally. I do not have the data to support it one way  
6 or the other.

7 We are currently implementing a variable can rate  
8 for the first time in several of the communities, so in the  
9 next year or two we will be able to see if that has a  
10 statistical effect.

11 BOARD MEMBER RELIS: Thank you.

12 BOARD CHAIRMAN FROST: Okay. Thank you very much,  
13 Mr. Wells.

14 I want to thank all of the people from both the  
15 City of Santa Rosa and the County of Sonoma for  
16 participating. It's been a very informative session.  
17 Thank you very much.

18 Item 2 is consideration of resolution recognizing  
19 the outstanding performance of Mr. Jack VrMeer, the LEA for  
20 Sonoma County Public Health Department.

21 Our Board's Executive Director, Mr. Ralph  
22 Chandler will present the resolution.

23 Mr. Chandler.

24 MR. CHANDLER: Jack, come on down.

25 Let me say, Jack, before presenting the

1 resolution, I asked staff to put together a couple of  
2 introductory comments entitled "Resolution Condemning Jack  
3 VrMeer." That might give you a warning of where we're  
4 headed.

5 I'll say a couple of remarks. Jack VrMeer was a  
6 pioneer involved in the original LEA program in Sonoma  
7 County since the late 1970's.

8 During his tenure, Jack's style was to  
9 continually test Board staff by constantly baiting them  
10 with a litany of questions that never ended. Staff was  
11 found effectively communicating with Jack through the most  
12 challenging questions that he offered.

13 But under Jack's direction, Sonoma County has  
14 singly exempted from the permitting process more sites than  
15 exist in the State of California. We have permit  
16 streamlining, and I think he invented it.

17 By the way, Jack, the Board is still waiting for  
18 copies of all those exemptions.

19 Seriously, we would like to honor you today by  
20 presenting this resolution. If I could take a couple of  
21 minutes, I would be honored to read it.

22 Whereas proper waste management enforcement is  
23 essential for the state's continued economic health,  
24 environment stability and public safety;

25 And whereas California's Integrated Waste

1 Management laws allow cities and counties to develop  
2 aggressive and innovative programs to achieve the State's  
3 enforcement goals;

4 And whereas Jack H. VrMeer, as an employee of the  
5 Sonoma County Public Health Department, the Local  
6 Enforcement Agency for Sonoma County, since the late  
7 1970's, has been instrumental in implementing a strong  
8 solid waste program;

9 And whereas Mr. VrMeer has made an outstanding  
10 contribution to the field of waste management and has  
11 served local government and the State of California with  
12 competence and integrity;.

13 An whereas Mr. VrMeer is extremely knowledgeable  
14 of local, state and federal solid waste laws and  
15 regulations was therefore able to guide new employees  
16 through their solid waste careers;

17 Now, therefore be it resolved, that the  
18 California Integrated Waste Management Board does hereby  
19 commend Jack H. VrMeer on the occasion of his retirement  
20 for his dedication in the field of solid waste management.

21 Congratulations, Jack.

22 MR. VRMEER: I would like to thank you all very  
23 much.

24 I'm sure that you're all aware that one person  
25 doesn't do all those marvelous things. It takes two to

1 tango in many situations.

2 As much of this is about your staff as it is  
3 about me. Thank you very much.

4 MR. CONHEIM: Before Jack leaves the room, I beg  
5 the Board's indulgence.

6 As one of the two or three people in the room  
7 that has known Jack the longest from the Board, may I make  
8 a few remarks?

9 BOARD CHAIRMAN FROST: Yes.

10 MR. CONHEIM: Also in my role of usually having  
11 to say or analyze things from the dais that many people  
12 disagree with, I'm sure that even Jack wouldn't disagree  
13 with these remarks, although I'm not sure.

14 When many of us at the State Board were new with  
15 high ideals, Jack with his longstanding experience in  
16 implementing public health and environmental health  
17 programs helped me understand the nuances of legal issues  
18 that developed when LEA applies to State regulations in a  
19 particular set of field circumstances.

20 Jack never came to me with easy legal issues. I  
21 didn't always, most of the time, didn't agree with Jack.  
22 But through his articulation of legal issues, both his  
23 County Counsel and I came to better understanding.

24 Because of Jack's commitment to protecting  
25 health, safety and the environment, because of his

1 integrity, many of us who follow will continue and are  
2 better able to do our jobs.

3 Thank you, Jack, and best wishes.

4 BOARD CHAIRMAN FROST: Thank you, Mr. Conheim.

5 Now, we will move on to Agenda Item 3, which is  
6 consideration of the Consent Items.

7 Today's Consent Agenda list of Items 8, 9, 10, 12  
8 and 14. Before I call for a motion, are there any Members  
9 of the Board who wish to request any Items to be removed  
10 from the Consent Agenda.

11 Hearing none, may we have a motion, please.

12 BOARD MEMBER HUFF: So moved.

13 BOARD MEMBER EGIGIAN: Second.

14 BOARD CHAIRMAN FROST: Moved and seconded.

15 Call the roll.

16 MS. THOMAS: Board Members Chesbro.

17 BOARD MEMBER CHESBRO: Aye.

18 MS. THOMAS: Huff.

19 BOARD MEMBER HUFF: Aye.

20 MS. THOMAS: Egigian.

21 BOARD MEMBER EGIGIAN: Aye.

22 MS. THOMAS: Neal.

23 BOARD MEMBER NEAL: Aye.

24 MS. THOMAS: Relis.

25 BOARD MEMBER RELIS: Aye.

1 MS. THOMAS: Chairman Frost.

2 BOARD CHAIRMAN FROST: Aye.

3 Item 4 is reports from the Board's Committees.

4 We will start with Mr. Relis, Chair of the Integrated Waste  
5 Management Planning Committee.

6 BOARD MEMBER RELIS: We had a presentation of the  
7 outcome AB-2494 and AB-3001, and the implications of these  
8 statutes for existing or proposed regulations.

9 As you know, the passage of 2494 has resulted in,  
10 we think, improvements in the paper workload that was  
11 referred to earlier. Those two were the most noteworthy  
12 laws signed by the Governor that came before the Planning  
13 Committee.

14 Siting elements in countywide integrated waste  
15 management plans are now before the Planning Committee.  
16 The nondisposal facility elements are also before the  
17 Committee.

18 The second item was related to used oil. There  
19 was the approved adoption of Emergency Regulations for  
20 Certification of Used Oil Recycling Facilities and  
21 Collection Centers, registration of industrial generators,  
22 establishment of local government grant programs and the  
23 process for incentive claims as well as a process for  
24 auditing the claims.

25 There was the approved Formal Notice of

1 Non-emergency Regulations for the same sections, and  
2 approved Notice of the fifteen-day comment period for  
3 Regulations on reporting requirements for manufacturers,  
4 haulers and recycling facilities. This item is on today's  
5 Agenda.

6 BOARD CHAIRMAN FROST: Thank you, Mr. Relis.  
7 Mr. Chesbro, Chair of the Administration and the  
8 Market Development Committee.

9 BOARD MEMBER CHESBRO: I have no report on  
10 anything that is before the Board.

11 BOARD CHAIRMAN FROST: Ms. Neal, do you have  
12 anything from the Legislation and Public Affairs  
13 Committee?

14 BOARD MEMBER NEAL: The Legislature continues to  
15 be in recess.

16 That's about it.

17 BOARD CHAIRMAN FROST: Now, could we have a  
18 report, Mr. Egigian, from the Policy and Technical  
19 Assistance.

20 BOARD MEMBER EGIGIAN: We didn't have anything on  
21 our Committee this last month.

22 We were briefed on the tire recycling program.  
23 We will have more for you next month.

24 BOARD CHAIRMAN FROST: Okay. Thank you.  
25 Mr. Huff, the Permitting and Enforcement

1 Committee.

2 BOARD MEMBER HUFF: I have just a brief report.

3 There are items on today's Agenda. We have two  
4 other things in the process that I just wanted to mention.

5 First is waste tire regulations. As a result of  
6 the Speaker's bill a couple of years ago, we are processing  
7 regulations that will replace the emergency regulations  
8 that are currently in force.

9 The 45-day comment period on these regulations  
10 has ended. There are two outstanding issues, basically.

11 The first is how the regulations interact with  
12 the tire retreaders and recyclers, and the definition of  
13 what waste tire is.

14 The second is the prospect of higher costs for  
15 disposal of waste tires due to these regulations and their  
16 various requirements in terms of how people operate these  
17 businesses and the potential that that will lead to  
18 increased dumping throughout the state.

19 The draft regulations will go out for at least  
20 one more public comment period and be before the Board late  
21 this year or early next year.

22 The other thing that we have in process is the  
23 composting regulations. These are very important to the  
24 AB-939 goals.

25 We have completed the first comment period on the

1 regulations for green waste composting. We are separating  
2 green waste composting from other forms because the feeling  
3 is that this will proceed more rapidly.

4 There are some technical issues related to the  
5 design and operation of facilities, including permeability,  
6 size of facilities that do not need a permit.

7 We also have some proposed changes to Chapter 5  
8 related to what is a complete permit. These have raised  
9 some concerns by LEAs.

10 We will be working to address these concerns and  
11 have another public comment period. We hope to have these  
12 regulations before the Board by December.

13 BOARD CHAIRMAN FROST: Okay. Thank you, Mr. Huff.

14 That takes us to Item 5, consideration of  
15 contracts and interagency agreements.

16 Mr. Don Wallace is here to present this item.

17 MR. WALLACE: Thank you, Mr. Chairman.

18 We have four contracts up for your approval for  
19 you to enter into today. All of these are concepts that  
20 have been approved by the Board in the past. Right now we  
21 just want to execute the agreement.

22 The first of those is for \$60,000 with the  
23 Department of Finance to conduct an internal financial  
24 control review. That's to take a look at our financial  
25 operating procedures to make sure we're in compliance with

1 State regulations.

2 The second is with the Department of Finance for  
3 \$30,000 to help us develop our EDP Risk Analysis  
4 Operational Recovery Plan Review.

5 Having this plan is required by State  
6 Administrative Manual and State Guidelines, and the  
7 Department of Finance has done a number of these for State  
8 agencies working to help them put together appropriate  
9 plans that the Office of Information Technology will be  
10 satisfied with.

11 Third, again with the Department of Finance, we  
12 have a \$150,000 Interagency Agreement to review the overlap  
13 of the State Water Resources Control Board and our own  
14 Integrated Waste Management activities as they relate to  
15 permitting issues.

16 Finally, the fourth is a contract with Cormac  
17 Pallet Company, and this is for the actual award of the  
18 NICE-3 Grant Program that we got from the U.S. Department  
19 of Energy. That's for \$100,000 for financial assistance to  
20 work with this company that will demonstrate the production  
21 of an innovative recycled paper product where they  
22 manufacture pallets out of corrugated cardboard.

23 We would request your approval for these four  
24 contracts.

25 BOARD CHAIRMAN FROST: Any discussion from the

1 Board Members on these four contracts?

2 Hearing none, may we have a motion, please.

3 BOARD MEMBER HUFF: Moved.

4 BOARD MEMBER CHESBRO: I would like the  
5 permitting overlap with the Water Board voted on  
6 separately.

7 BOARD CHAIRMAN FROST: The first one?

8 We will vote on all but the first one.

9 BOARD MEMBER HUFF: I will amend my motion, Mr.  
10 Chesbro, to include three and exclude the \$150,000  
11 Department of Finance overlap, and also reserve the right  
12 to speak on that one.

13 BOARD CHAIRMAN FROST: Okay. There is a motion.

14 BOARD MEMBER RELIS: Second.

15 BOARD CHAIRMAN FROST: Call the roll.

16 MS. THOMAS: Board Members Chesbro.

17 BOARD MEMBER CHESBRO: Aye.

18 MS. THOMAS: Huff.

19 BOARD MEMBER HUFF: Aye.

20 MS. THOMAS: Egigian.

21 BOARD MEMBER EGIGIAN: Aye.

22 MS. THOMAS: Neal.

23 BOARD MEMBER NEAL: Aye.

24 MS. THOMAS: Relis.

25 BOARD MEMBER RELIS: Aye.

1 MS. THOMAS: Chairman Frost.

2 BOARD CHAIRMAN FROST: Aye.

3 Now, the overlap with the Water Board and CIWMB,  
4 do we have a motion on that?

5 BOARD MEMBER HUFF: Move it.

6 BOARD MEMBER EGIGIAN: Second.

7 BOARD CHAIRMAN FROST: Mr. Chesbro.

8 BOARD MEMBER CHESBRO: I've made my concerns  
9 clear in the past.

10 It's just that I feel that have not determined  
11 that we have gotten the best qualified contractor to  
12 provide the service.

13 BOARD MEMBER HUFF: Let me verify my position.

14 I understand, and staff can correct me if I'm  
15 wrong, that there is a requirement in State law, passed by  
16 the Legislature, signed by the Governor, that this study be  
17 done, correct?

18 MR. WALLACE: That's correct, with a due date of  
19 March first, 1993.

20 BOARD MEMBER HUFF: Due date March first, 1993.

21 It's my understanding, really without going --  
22 that unless we do a sole source interagency agreement, we  
23 won't make that date, and we stand a serious risk of  
24 missing that date.

25 MR. WALLACE: I do not believe we could complete

1 an RFP process in time to get a satisfactory product.

2 BOARD MEMBER HUFF: I certainly would like to  
3 report to the Legislature on time.

4 BOARD MEMBER CHESBRO: Mr. Chairman, I don't  
5 object to the need for the contract, but we should be able  
6 to ensure that we have got the product that gave them the  
7 answers that they asked for, and I don't think -- if we  
8 went and asked for the choice of an inadequate report and  
9 it's on time, and an adequate report that's late, I think  
10 they would prefer an adequate report.

11 It's my feeling that we haven't really determined  
12 if we have explored the options from the beginning as to  
13 finding a qualified contractor.

14 BOARD MEMBER NEAL: Can we count on your support  
15 of timely reports to the Legislature now in every  
16 instance?

17 BOARD MEMBER HUFF: I have also tried to the  
18 speed the reports along.

19 You always have my support.

20 Mr. Chesbro, you're prejudging the report. I  
21 believe that it will be more than adequate.

22 BOARD CHAIRMAN FROST: Okay.

23 BOARD MEMBER CHESBRO: Perhaps you're  
24 prejudiced.

25 You like the Department of Finance a lot.

1 BOARD MEMBER HUFF: I do like the Department of  
2 Finance. Some of my best friends are in the Department of  
3 Finance.

4 Some of my best friends are on the Legislature.

5 BOARD MEMBER NEAL: Probably your very best  
6 friend is the Head of the Department of Finance.

7 Can we call this? .

8 BOARD CHAIRMAN FROST: Please, call the roll.

9 MS. THOMAS: Board Members Chesbro.

10 BOARD MEMBER CHESBRO: No.

11 MS. THOMAS: Huff.

12 BOARD MEMBER HUFF: Aye.

13 MS. THOMAS: Egigian.

14 BOARD MEMBER EGIGIAN: Aye.

15 MS. THOMAS: Neal.

16 BOARD MEMBER NEAL: Aye.

17 MS. THOMAS: Relis.

18 BOARD MEMBER RELIS: Aye.

19 MS. THOMAS: Chairman Frost.

20 BOARD CHAIRMAN FROST: Aye.

21 Thank you.

22 We'll move on to Item 6.

23 That is all for that item?

24 MR. WALLACE: That is correct.

25 BOARD CHAIRMAN FROST: Consideration of proposed

1 permanent regulations for the used oil recycling program.

2 Mr. Tom Reitz will make the staff presentation.

3 MR. REITZ: Mr. Chairman, as you know, the  
4 California Oil Recycling Act has been implemented in  
5 various stages by the Board.

6 The first final non-emergency regulation being  
7 presented today includes final phase of program  
8 implementation, namely regulations describing industry  
9 reporting procedures for oil manufacturers, used oil  
10 haulers and used oil recycling facilities.

11 Staff has also, as Mr. Relis indicated, gone to  
12 the Planning Committee with a separate regulatory package  
13 related to, among other things, certification procedures  
14 for used oil collection centers and local government grant  
15 procedures.

16 I would now like Christy Porter to further  
17 describe the contents of these regulations and seek your  
18 approval to close the rulemaking file and to move these  
19 regulations to the Office of Administrative Law.

20 BOARD CHAIRMAN FROST: Any discussion on this  
21 item?

22 MS. PORTER: Mr. Chairman, Board Members, as Tom  
23 stated, these non-emergency regulations describe industry  
24 reporting requirements for used oil haulers, used oil  
25 recycling facilities and oil manufacturers.

1           We do have emergency regulations in place at this  
2 time. These regulations will expire on December 18, which  
3 is rapidly approaching. Therefore, we're asking that the  
4 Board adopt these regulations today and allow staff to  
5 close the rulemaking file and submit to OAL, Office of  
6 Administrative Law.

7           We began working on these regulations back in  
8 March. We have been working very closely with industry.

9           They describe how oil manufacturers pay the  
10 sixteen-cent per gallon fee on lubricating oil to the  
11 State. This fee with went into effect on October first.

12           They also describe how used oil haulers and used  
13 oil recycling facilities report the amount of used oil  
14 that's been recycled.

15           We have had several informal workshops. We  
16 published a notice and held a 45-day comment period. We  
17 also had an additional 15-day comment period after we made  
18 several minor changes to make the regulations consistent  
19 with some recent cleanup legislation.

20           Overall, staff has received few comments on these  
21 regulations. We're asking that the Board adopt these  
22 regulations and direct staff to close the rulemaking file  
23 and submit the regulations to OAL.

24           BOARD CHAIRMAN FROST: Okay. Any discussion or  
25 questions of the Board Members?

1 Hearing none, do we have a motion?

2 BOARD MEMBER RELIS: I move that we approve this.

3 BOARD MEMBER EGIGIAN: Second.

4 BOARD CHAIRMAN FROST: It's been moved and  
5 seconded.

6 Call the roll, please.

7 MS. THOMAS: Board Members Chesbro.

8 BOARD MEMBER CHESBRO: Aye.

9 MS. THOMAS: Huff.

10 BOARD MEMBER HUFF: Aye.

11 MS. THOMAS: Egigian.

12 BOARD MEMBER EGIGIAN: Aye.

13 MS. THOMAS: Neal.

14 Away from her seat.

15 Relis.

16 BOARD MEMBER RELIS: Aye.

17 MS. THOMAS: Chairman Frost.

18 BOARD CHAIRMAN FROST: Aye.

19 Thank you very much.

20 Item 7, consideration of an annual announcement  
21 interest rate to be charged, and first year quarterly  
22 review schedule for Zone Revolving Loan Program.

23 Mr. Reitz.

24 MR. REITZ: Mr. Chairman, the next item related to  
25 our Market Development Zone Loan Program, along with the

1 NICE-3 contract you just approved, are part of the Board's  
2 overall strategy to establish a recycling-based economy in  
3 California to expand and enhance economic growth.

4 Local government, including zone administrators,  
5 have indicated to us that the two most important things  
6 that we can do for them are to provide technical assistance  
7 and resource assistance.

8 These resources will attract business to  
9 California and to our zones and will enhance the use of  
10 discarded materials in California as a feedstock for  
11 production.

12 Jill Larner, of the Industrial Development  
13 Section, will present to you our recommendations for, one,  
14 the interest rate to be charged, and, two, the first year  
15 quarterly review schedule for loan applications for the  
16 Zone Revolving Loan Program.

17 MS. LARNER: Good morning, Mr. Chairman and Board  
18 Members.

19 This item is consideration of the annual  
20 announcement of the interest rate to be charged for the  
21 Recycling Market Development Zone Loan Program, and the  
22 first quarterly review schedule to be followed for the  
23 first year of the program.

24 The regulations for the Zone Loan Program have  
25 been submitted to OAL, and the program will begin soon, and

1 we will start accepting loan applications.

2           The loan regulations require that on September  
3 first of each year the Board make an annual announcement,  
4 specifying the interest rate to be charged on the loans for  
5 the following calendar year.

6           The annual announcement must also include a  
7 quarterly review schedule for application submittal  
8 deadlines. The statute now governing the loan program  
9 requires that the interest rate that the Board sets and  
10 charges on the loans must be based on the State Pooled  
11 Money Investment Account rate.

12           This rate is currently 5 percent, based on last  
13 quarter's rate, plus this month's rate from the State  
14 Treasurer's Office. Staff recommends setting the rate at 5  
15 percent for loans made from this account for the first  
16 calendar year of the program.

17           Also, a timeline has been drafted which shows the  
18 proposed review schedule for the first year of the program.  
19 This is in the Agenda Item as Attachment 1.

20           The timeline, if approved by the Board today,  
21 will be the quarterly review schedule, submittal deadlines  
22 for prospective loan applicants.

23           The schedule provides enough time for application  
24 preparation, review and approval in each quarter. The  
25 quarter system of review was chosen to serve as the

1 schedule for Board consideration of loan requests so that  
2 it was not done on a monthly basis by the Board.

3 I might note that the Attachment 1 says that we  
4 are going to announce the program November second. This  
5 will probably be delayed several weeks.

6 Should it be delayed further than that, we would  
7 ask the Board to consider its first review of the loan  
8 requests in March of 1993 rather than February of 1993, and  
9 just move the schedule one month later.

10 This is based on OAL approval of the regulations.

11 That concludes my presentation. If there are any  
12 questions.

13 BOARD CHAIRMAN FROST: Any questions?

14 BOARD MEMBER EGIGIAN: Mr. Chairman, I notice on  
15 the draft on page 35, loan committee meetings, who is on  
16 the loan committee?

17 MS. LARNER: We are recruiting right now for the  
18 loan committee, and we'll take our recommendations to the  
19 Market Development Committee in November.

20 BOARD MEMBER EGIGIAN: We don't have a committee  
21 yet?

22 MS. LARNER: That's being done right now.

23 BOARD MEMBER RELIS: They are basically financial  
24 people?

25 MS. LARNER: Right, with financial analysis

1 experience, credit evaluation.

2 BOARD MEMBER CHESBRO: If there are no further  
3 questions, I move the item.

4 BOARD CHAIRMAN FROST: All right. The Item has  
5 been moved.

6 BOARD MEMBER RELIS: Just a point of  
7 clarification.

8 At 5 percent, does that cover the 10 million?  
9 We're looking at \$10 million.

10 MS. LARNER: Right.

11 The remainder of this fiscal year, we'll be  
12 dealing with two fiscal year allotments of money due to the  
13 timing of the program when it's started. It will cover  
14 calendar year 1993.

15 BOARD MEMBER RELIS: Thank you.

16 BOARD CHAIRMAN FROST: There is a motion.

17 Do we have a second.

18 BOARD MEMBER EGIGIAN: Second.

19 BOARD CHAIRMAN FROST: Call the roll.

20 MS. THOMAS: Board Members Chesbro.

21 BOARD MEMBER CHESBRO: Aye.

22 MS. THOMAS: Huff.

23 BOARD MEMBER HUFF: Aye.

24 MS. THOMAS: Egigian.

25 BOARD MEMBER EGIGIAN: Aye.

1 MS. THOMAS: Neal.

2 BOARD MEMBER EGIGIAN: Aye.

3 MS. THOMAS: Relis.

4 BOARD MEMBER RELIS: Aye.

5 MS. THOMAS: Chairman Frost.

6 BOARD CHAIRMAN FROST: Aye.

7 Thank you very much.

8 Item 11 is consideration of certification and  
9 designation for the City and County of San Francisco Bureau  
10 of Environmental Health Services as the LEA.

11 Martha Vazquez will present this.

12 MS. VAZQUEZ: Good morning, Mr. Chairman and  
13 Board Members.

14 This item does regard the certification of the  
15 City and County of San Francisco as the LEA. A temporary  
16 certification status was granted to this jurisdiction in  
17 July of 1992.

18 The package was not complete for permanent  
19 certification status. So, it was granted temporary  
20 certification until November first of 1992.

21 It was not acceptable for permanent status  
22 because there were several key elements that were missing.  
23 Staff has now reviewed the package and found it to be  
24 complete and acceptable for the Board's consideration.

25 This jurisdiction resolution includes a six-month

1 performance review to assess San Francisco's success in the  
2 implementation and effectiveness of permitting, inspection  
3 enforcement programs.

4 This review generally would be conducted  
5 annually, but because we had noted problems with San  
6 Francisco's performance in the past, we are asking that the  
7 Board approve of a six-month review.

8 We are optimistic that we will find a favorable  
9 determination in six months because San Francisco has  
10 committed additional staff resources and a commitment to  
11 perform their duties recently, and as a result of preparing  
12 their package.

13 This item was not considered by the Permitting  
14 and Enforcement Committee this month because the title was  
15 inadvertently left from the Committee's Agenda packet.

16 With that, I would like to introduce Mary Coyle.

17 MS. COYLE: Mr. Chairman, Members, my name is  
18 Mary Coyle, with the LEA Section and Compliance Division.

19 As Martha said, this is for consideration for the  
20 LEA for the City and County of San Francisco. Because of  
21 the timeliness required for action to have an LEA certified  
22 by November 1, we inadvertently did not get on the  
23 Permitting and Enforcement Committee's Agenda, and we've  
24 come straight to you for consideration today.

25 A little background, Public Resources Code does

1 require or allow local governing bodies to designate  
2 enforcement agencies to carry out the permitting,  
3 inspection and enforcement duties in their jurisdiction.

4 In order to seek certification, local agencies  
5 must prepare an enforcement program plan which is deemed  
6 acceptable and certifiable by the Board.

7 For the agency to be designated, it must meet the  
8 following minimum requirements: It must have technical  
9 expertise; adequate staff resources; adequate budget  
10 resources; training; the existence of at least one  
11 permitted solid waste facility within the jurisdiction; and  
12 no operational involvement in any of the types of  
13 facilities that is permitting, inspecting or enforcing; and  
14 lastly, a sole enforcement agency per LEA jurisdiction.

15 The Board may issue certifications for four  
16 different types. They all relate to different types of  
17 facilities. They cover landfills, incinerators, processing  
18 stations and transfer stations.

19 With that, the City and County of San Francisco  
20 was originally issued a temporary certification in July, as  
21 their package had been received to allow enough time for  
22 adequate review and correction of that package.

23 So, we're in front of you today. The document  
24 that we have received is complete, and it is certifiable.

25 As Martha mentioned, in reviewing the agency's

1 past performance, we found that we needed to improve the  
2 agency's permitting, inspection and enforcement programs.

3 They have increased their staff and are committed  
4 to implement those programs correctly. We will look at them  
5 in six months, but we're confident that they will pass that  
6 review.

7 With that, I would like Jo Clement of my staff to  
8 review this jurisdiction.

9 MS. CLEMENT: Good morning, Mr. Chairman, Board  
10 Members. My name is Jo Clement, with the LEA Section.

11 Following information for the City and County of  
12 San Francisco is compiled from their Designation  
13 Information Package and Enforcement Program Plan.

14 Their designated local governing body is the City  
15 and County of San Francisco. The designated jurisdiction  
16 is the City and County of San Francisco.

17 Their designated enforcement agency is the City  
18 and County of San Francisco Bureau of Environmental Health  
19 Services.

20 The total count of their facilities and sites are  
21 17.

22 The total count of their vehicles being 147.

23 They have one transfer station in their  
24 jurisdiction.

25 The site types include 13 closed and abandoned

1 sites, 3 illegal sites, that is illegal sites are the LEA  
2 is taking action against these illegal sites.

3 The jurisdiction is requesting certification type  
4 C.

5 It's our recommendation to grant them  
6 certification types A, C and D to ensure coverage for the  
7 closed, illegal and abandoned sites.

8 Their total annual budget is \$459,120.

9 They are demonstrating their technical expertise  
10 and staff adequacy with two Registered Environmental  
11 Specialists.

12 Their time task analysis shows that they require  
13 1.8 persons.

14 Ben Gayle and Henry Louis from the LEA are here  
15 if you have any questions.

16 BOARD MEMBER EGIGIAN: May we ask questions of  
17 you?

18 MS. CLEMENT: Sure.

19 BOARD MEMBER EGIGIAN: Can you identify the  
20 illegal sites? Do you know what they are?

21 MS. CLEMENT: Offhand, I cannot.

22 They have identified them in the enforcement  
23 program plan.

24 BOARD MEMBER EGIGIAN: You don't know what they  
25 are yourself?

1 MS. CLEMENT: Offhand, I don't have them here with  
2 me.

3 MS. COYLE: Sharon Anderson with the Enforcement  
4 Branch has that information.

5 MS. ANDERSON: I'm Sharon Anderson.

6 My staff has conducted work with the county to  
7 identify the sites.

8 They originally identified four sites: Presidio  
9 Transfer Station; L and K Frebock Company; Waste Resource  
10 Technology, aka DUB; G and E Debris Box; and also City  
11 Debris Box.

12 We have four. I believe the numbers have been  
13 reduced to two. Ben Gayle could explain the reduction.

14 BOARD MEMBER CHESBRO: Are those the closed?

15 MS. ANDERSON: Those are the illegal.

16 They have identified 13 closed and abandoned site  
17 aside from these three or four.

18 BOARD MEMBER CHESBRO: What kind of sites were  
19 those?

20 Where is there space for an abandoned site?

21 MS. ANDERSON: There is probably something  
22 sitting on top of them.

23 The Presidio area has a host of old closed one's  
24 Henry Louis and Ben Gayle can shed some light, if you would  
25 like.

1 BOARD MEMBER EGIGIAN: I would like to add one  
2 thing, the others that we went through prior to this, we  
3 asked to come back to us in six months and tell us what is  
4 happening as far as the illegal and abandoned stuff.

5 So, in six months you could tell us that?

6 MS. VAZQUEZ: In six months we will be conducting  
7 a performance review and have a complete analysis of the  
8 LEA's performance in permitting and enforcement.

9 BOARD MEMBER EGIGIAN: I don't know, Martha, if  
10 I'm getting too old, or if you're not talking loud enough,  
11 but move the mike closer.

12 BOARD CHAIRMAN FROST: I can't hear you either.

13 MS. VAZQUEZ: In six months we will conduct a  
14 complete performance analysis of the LEA's work. That will  
15 include an analysis of the work they have done for the  
16 closed, illegal and abandoned sites, the illegal  
17 facilities, those are the one's that are operating without  
18 a permit, and all their inspection duties.

19 We will have a complete analysis in six months.

20 BOARD MEMBER EGIGIAN: Thank you.

21 BOARD CHAIRMAN FROST: Thank you.

22 Now, is there a motion for this item?

23 BOARD MEMBER HUFF: I move.

24 BOARD MEMBER EGIGIAN: Second.

25 BOARD CHAIRMAN FROST: Call the roll.

1 MS. THOMAS: Board Members Chesbro.

2 BOARD MEMBER CHESBRO: Aye.

3 MS. THOMAS: Huff.

4 BOARD MEMBER HUFF: Aye.

5 MS. THOMAS: Egigian.

6 BOARD MEMBER EGIGIAN: Aye.

7 MS. THOMAS: Neal.

8 BOARD MEMBER NEAL: Aye.

9 MS. THOMAS: Relis.

10 BOARD MEMBER RELIS: Aye.

11 MS. THOMAS: Chairman Frost.

12 BOARD CHAIRMAN FROST: Aye.

13 Thank you.

14 Now, Item 13, consideration of concurrence in the  
15 issuance of a new solid waste facilities permit for the  
16 Gilton Resource Recovery Composting Facility, Stanislaus  
17 County.

18 Martha Vazquez.

19 MS. VAZQUEZ: This regards the concurrence of a  
20 new permit for Gilton Compost Facility. This is a new  
21 facility that is not yet constructed.

22 As this permit was developed, the operator and  
23 Board staff considered the proposed regulations that are  
24 currently being compiled. We believe that this facility  
25 will exceed those requirements.

1           This facility is a little unique in that the  
2 Board is acting as the Enforcement Agency for Stanislaus  
3 County. So, Board staff has prepared the permit. Generally,  
4 it would be a Local Enforcement Agent that would do that.

5           This is a windrow type operation. It will be  
6 conducted on compacted soil. The types of waste that will  
7 be incorporated into the compost is green waste, wood waste  
8 and a small amount of food processing residual.

9           Mr. Paul Sweeney of the Permit staff is available  
10 to make a complete staff presentation on this item.

11           BOARD MEMBER HUFF: Normally, this would be on  
12 Consent. Were it not for the fact that Board staff  
13 prepared the permit and the Committee and Committee Members  
14 agreed that it just should not be on Consent if the Board  
15 staff is actually preparing the permit the way we move  
16 through the Consent.

17           Otherwise, this would be something that would be  
18 on Consent.

19           BOARD CHAIRMAN FROST: Is that a motion?

20           BOARD MEMBER HUFF: Yes.

21           BOARD MEMBER EGIGIAN: Second.

22           BOARD MEMBER HUFF: Just wanted everyone to know  
23 we are continuing to act as LEA under these circumstances.  
24 It's the State doing the local work in this case, but we're  
25 charging for it.

1 BOARD CHAIRMAN FROST: Call the roll, please.

2 MS. THOMAS: Board Members Chesbro.

3 BOARD MEMBER CHESBRO: Aye.

4 MS. THOMAS: Huff.

5 BOARD MEMBER HUFF: Aye.

6 MS. THOMAS: Egigian.

7 BOARD MEMBER EGIGIAN: Aye.

8 MS. THOMAS: Neal.

9 BOARD MEMBER NEAL: Aye.

10 MS. THOMAS: Relis.

11 BOARD MEMBER RELIS: Aye.

12 MS. THOMAS: Chairman Frost.

13 BOARD CHAIRMAN FROST: Aye.

14 Okay. Item 17, consideration of the adoption of  
15 regulations for the addition of the Federal Certification  
16 Financial Assurance Mechanism for Closure and Postclosure  
17 Maintenance.

18 Martha Vazquez will make this presentation.

19 MS. VAZQUEZ: This item proposes amendments to  
20 the closure and postclosure regulations for Title 14.

21 The amendments provide an additional financial  
22 assurance mechanism which may be used by a Federal entity  
23 to demonstrate financial responsibility for the closure and  
24 postclosure maintenance of a solid waste landfill.

25 Staff has been working with the Feds for the last

1 two years in developing a regulatory solution that would  
2 allow Federal facilities to comply with the financial  
3 assurance responsibilities for California.

4 Mr. Garth Adams of the Financial Assurance  
5 Section is available to make a complete staff presentation.

6 BOARD MEMBER HUFF: Mr. Chairman, this item is  
7 pretty straightforward.

8 BOARD CHAIRMAN FROST: I skipped 15 and 16  
9 inadvertently. We will go back to that.

10 BOARD MEMBER HUFF: We are allowing the Federal  
11 Government the only means under Federal law under which  
12 they can comply with financial assurance, as I understand  
13 it.

14 MS. VAZQUEZ: Yes.

15 BOARD MEMBER HUFF: That's why we're undergoing  
16 this process and changing our regulations.

17 If we don't do this, then the Federal Government  
18 cannot provide financial assurance on some of the  
19 properties that they should be providing financial  
20 assurance on according to our State law.

21 But it is regulations. We would have put this on  
22 Consent, but it is a process of regulations, and it is a  
23 serious process, and we wanted to not just to use the  
24 convenience of the Consent Calendar.

25 BOARD CHAIRMAN FROST: Is that a motion?

1 BOARD MEMBER HUFF: Yes.

2 I also wanted to provide Mr. Chesbro and other  
3 people who are not on the Permit Committee this chance to  
4 ask questions.

5 BOARD MEMBER CHESBRO: I'll come more often if  
6 you would like me to.

7 BOARD MEMBER HUFF: We will be glad to have you.

8 BOARD CHAIRMAN FROST: The item is moved.

9 BOARD MEMBER EGIGIAN: Second.

10 BOARD CHAIRMAN FROST: Call the roll.

11 MS. THOMAS: Board Members Chesbro.

12 BOARD MEMBER CHESBRO: Aye.

13 MS. THOMAS: Huff.

14 BOARD MEMBER HUFF: Aye.

15 MS. THOMAS: Egigian.

16 BOARD MEMBER EGIGIAN: Aye.

17 MS. THOMAS: Neal.

18 BOARD MEMBER NEAL: Aye.

19 MS. THOMAS: Relis.

20 BOARD MEMBER RELIS: Aye.

21 MS. THOMAS: Chairman Frost.

22 BOARD CHAIRMAN FROST: Aye.

23 Now, we'll go back to 15, which I inadvertently  
24 skipped.

25 Item 15 is consideration of concurrence in the

1 issuance of a Revised Solid Waste Permit for Double Butte  
2 Sanitary Landfill, in Riverside County.

3 Mr. Huff, do you have a comment?

4 BOARD MEMBER HUFF: It's not on Consent because  
5 one of my Committee Members abstained.

6 BOARD CHAIRMAN FROST: That's a good reason.

7 MS. VAZQUEZ: I will provide a brief  
8 introduction.

9 This is a Revised Permit for a landfill, the  
10 Double Butte Sanitary Landfill that has been in operation  
11 since 1972. This proposed permit allows a tonnage increase  
12 from 233 tons per day to 600 tons per day.

13 The increase in tonnage decreases the site life,  
14 so the site life has been decreased. The closure year has  
15 been changed from the year 2000, decreased to the year of  
16 December of 1994.

17 There is also a change of hours that have been  
18 incorporated into this permit.

19 There is a stipulated Order in effect for this  
20 facility that was issued by the LEA because they have been  
21 in violation of the tonnage limits imposed by the existing  
22 permit.

23 There is also a groundwater pollution problem at  
24 the facility. Board staff have cited a leachate violation.

25 We feel it is appropriate that the Board consider

1 this permit for concurrence because the operator has made  
2 substantial progress in monitoring this pollution problem.

3           There is also a Cleanup and Abatement Order that  
4 has been issued by the Regional Water Quality Control Board  
5 for drainage problems at the site. The Regional Board has  
6 found that the facility has made substantial progress and  
7 is in compliance with the Order.

8           The real test will be this winter to see if the  
9 drainage is sufficient.

10           At the Committee meeting, we reported that the  
11 operator was \$32,000 short of funding the financial  
12 assurance mechanism. Between last Wednesday and today, the  
13 county has provided additional funds, so they are  
14 adequately funded at this time.

15           Mr. Dave Otsubo, of the Permits Branch, is  
16 available to make a complete presentation.

17           BOARD MEMBER HUFF: I think what prompted the  
18 Committee to send this off to the Board is the fact that at  
19 the present time the problems are being addressed.

20           This permit will do, as far as we can determine,  
21 nothing of deleterious nature to make the problems worse.  
22 The problems are being addressed. This doesn't impact  
23 making them worse.

24           Mr. Relis did have some particular specific  
25 questions, and, therefore, abstained in the vote. Maybe he

1 would like to share them.

2 BOARD MEMBER RELIS: I discussed this with staff  
3 after the meeting.

4 The compliance history is what bothered me in  
5 this particular case, and I wanted to get a little more  
6 information on the history there. I met with Ms. Vazquez  
7 and got an update on that.

8 I think it's okay. This is one, like others,  
9 several others that we have seen here, that I think bear  
10 close scrutiny on the information back to the Board.

11 That was the nature that I did not feel  
12 comfortable giving this Consent.

13 BOARD CHAIRMAN FROST: Okay. Mr. Relis, do you  
14 wish to go through a formal staff presentation on this?

15 BOARD MEMBER RELIS: No.

16 I've received the information.

17 BOARD MEMBER NEAL: Do you feel comfortable now?

18 BOARD MEMBER RELIS: Yes.

19 BOARD MEMBER EGIGIAN: If Mr. Relis is  
20 comfortable, I would suggest that we take staff  
21 recommendations and concur on the issuance of this permit.

22 BOARD MEMBER RELIS: Okay.

23 BOARD CHAIRMAN FROST: Call the roll.

24 MS. THOMAS: Board Members Chesbro.

25 BOARD MEMBER CHESBRO: No.

1 MS. THOMAS: Huff.

2 BOARD MEMBER HUFF: Aye.

3 MS. THOMAS: Egigian.

4 BOARD MEMBER EGIGIAN: Aye.

5 MS. THOMAS: Neal.

6 BOARD MEMBER NEAL: No.

7 MS. THOMAS: Relis.

8 BOARD MEMBER RELIS: Aye.

9 MS. THOMAS: Chairman Frost.

10 CHAIRMAN FROST: Aye.

11 MS. THOMAS: Motion passed.

12 BOARD CHAIRMAN FROST: Item 16 is concurrence of  
13 the issuance of a Revised Solid Waste Permit for the SERRF  
14 Facility, in Los Angeles County.

15 Martha Vazquez.

16 MS. VAZQUEZ: This is a Revised Solid Waste  
17 Facility Permit that adds an ash treatment process to the  
18 operation.

19 This process is a chemical fixation process that  
20 immobilizes heavy metals that are generally found in ash  
21 residuals. This process has been added as a result of the  
22 Regional Water Quality Control Board restrictions that have  
23 been imposed at the landfill receiving the ash.

24 The landfill that receives ash from this is  
25 facility is Puente Hills.

1           This permit also reconfigures the tonnage  
2 language that was present the old permit and is now  
3 consistent with current permit language.

4           It should be noted that the Long Beach LEA was  
5 certified as a result of Board action this morning, and  
6 that was necessary before the Board could take action on  
7 this permit.

8           Mr. Tadese Gebre-Hawariat of the Permit staff is  
9 available to make a staff presentation.

10           BOARD MEMBER CHESBRO: What was it that the City  
11 of Long Beach was certified as?

12           MS. VAZQUEZ: They were certified as LEA, through  
13 the Board's approval, the Consent Agenda this morning.

14           BOARD CHAIRMAN FROST: Is that the reason that  
15 this item is here?

16           MS. VAZQUEZ: It is not.

17           BOARD MEMBER HUFF: The certification was simply  
18 a reflection of the fact that Long Beach, after a very  
19 short period of time, decided that they would much rather  
20 be their own LEA rather than be part of the county.

21           They are the people who are handling Long Beach  
22 unless we had certified them. But that is done and that's  
23 history now.

24           This permit is in front us because SERRF, as  
25 everyone knows, the SERRF is up and running and has been

1 for years, and they have dumped their ash in Puente Hills.  
2 Recently, they were told by the Water Board that they had  
3 to do additional treatment to that ash before we they put  
4 it in Puente Hills.

5 They are doing that. They are revising the permit  
6 to reflect that they are treating the ash before it gets  
7 dumped in Puente Hills.

8 BOARD MEMBER CHESBRO: I have a question, but  
9 they go to the question of the requirement in the law that  
10 relates to diversion.

11 I'm not sure if I need to direct my question to  
12 you or counsel or planning staff. There are assurances in  
13 the staff's recommendations, and in the memo that we have  
14 received as Attachment 5, that the City anticipates  
15 achieving certain diversion rates, and I know Long Beach is  
16 proceeding aggressively in its diversion.

17 My concern is that there is a provision in the  
18 law, and I would like to ask Mr. Conheim to comment on,  
19 which requires, as I understand it, all feasible diversion  
20 to take place, that this Board has to make a finding to  
21 that effect, in order to approve a waste energy plant.

22 So, the question is, first of all, can you  
23 describe that provision, and, second, does it apply to the  
24 situation where we are amending a permit for an existing  
25 power plant?

1 MS. VAZQUEZ: Mr. Chesbro, Planning staff has  
2 taken that particular section into consideration, and Lloyd  
3 Dillon is available to discuss that.

4 BOARD MEMBER CHESBRO: I will ask Mr. Conheim  
5 then and also comments from the appropriate staff.

6 MR. CONHEIM: I merely wanted to answer your  
7 committee and not steal Lloyd's thunder.

8 The provision does provide for new and revised  
9 permits for transformation facilities, and it does require  
10 that the projects remove all recyclables prior to  
11 incineration to the extent feasible.

12 You were correct in your characterization. It is  
13 also my understanding that staff has made a full analysis  
14 as to how the provisions apply to this facility and has  
15 information to share with you.

16 BOARD CHAIRMAN FROST: Does that apply to this  
17 facility or does that only apply to new facilities?

18 MR. CONHEIM: It applies to the issuance or the  
19 revision of solid waste facilities permits.

20 BOARD MEMBER HUFF: It only applies to them  
21 because they are doing something about the ash. That is  
22 what gets them into the net.

23 BOARD CHAIRMAN FROST: I thought that whole  
24 section did not apply to facilities that were existent at  
25 the time that the law was made.

1 I was under the impression that it did not.

2 MR. CONHEIM: This section does apply.

3 There is another section in the law that  
4 discusses the liability of a community for reaching  
5 additional diversion, constituting 25 to 50 percent, if it  
6 had a grandfathered transformation facility, under certain  
7 circumstances.

8 But this provision that Mr. Chesbro is asking for  
9 applies notwithstanding any credits or abatements that  
10 might go to the host community -- not the host community  
11 but the supplying community.

12 BOARD MEMBER CHESBRO: It's a separate standard.

13 MR. CONHEIM: It's separate and a different part  
14 of the law, the one that I am now advising you does apply.

15 The other is still able to be invoked under  
16 specific circumstances.

17 BOARD CHAIRMAN FROST: The issue before us now  
18 is, they are further treating their ash above the level  
19 that they are now treating it?

20 MS. VAZQUEZ: Yes.

21 There is a chemical fixation process that is  
22 necessary.

23 BOARD CHAIRMAN FROST: If we deny this, what  
24 happens?

25 MS. VAZQUEZ: They would not be allowed to

1 dispose of the ash at Puente Hills Landfill because the  
2 Regional Board had issued the --

3 BOARD CHAIRMAN FROST: They would not be required  
4 to treat it?

5 MS. VAZQUEZ: The Regional Board has issued waste  
6 discharge requirements to Puente Hills Landfill that  
7 requires that the ash be treated prior to disposal, so that  
8 the restriction is actually imposed at the landfill not the  
9 facility.

10 The facility, in order to be able to dispose of  
11 the ash, has to process it.

12 BOARD MEMBER EGIGIAN: It should be noted that  
13 there is another incinerator in the Southern California  
14 area that is treating their ash and dumping it. As far as  
15 I know, there is no order against them for doing that.

16 The problem was originally with the Water  
17 Quality, and, so, if we deny this one, and we let that one  
18 go, I'm sure that Long Beach has some good attorneys, and  
19 we'll hear about it.

20 BOARD MEMBER CHESBRO: This is the first time  
21 since this Board has been seated that we have either a  
22 permit or a permit amendment for a waste energy plant.

23 It reaches beyond just Long Beach's situation to  
24 understand what we're legally required to do, vis-a-vis the  
25 findings of the existing diversion.

1           That's the reason for the light of my question.  
2           It's not just Long Beach's situation, but I think I'm  
3           trying to feel in the dark here, and hopefully soon in the  
4           light, what the definitions of the law are and our  
5           responsibilities are when we're faced with an amendment for  
6           a permit for a waste energy plant.

7           BOARD MEMBER RELIS: The point that Mr. Chesbro  
8           is bringing up is the basis for my not wanting to see this  
9           go on Consent.

10           I believe that staff later on will prepare a  
11           table that has come out subsequent to the meeting that  
12           addresses the diversion issue. I wanted to point that out.

13           BOARD CHAIRMAN FROST: Thank you.

14           All right. Proceed.

15           MR. GEBRE-HAWARIAT: With the diversion aspect of  
16           it or the whole presentation?

17           BOARD CHAIRMAN FROST: The diversion.

18           MR. GEBRE-HAWARIAT: Mr. Lloyd Dillon of the  
19           Board's Local Assistance Branch will make that  
20           presentation.

21           MR. DILLON: I'm Lloyd Dillon, with the Local  
22           Assistance Branch of the Planning Assistance Division.

23           There were questions at the Permits Committee  
24           meeting about diversion. We did compile a couple of  
25           informational overheads that have been distributed to you,

1 and I'll show those in a minute for the audience.

2           The facility, diversion credits are allowed at a  
3 permitted facility, and this is a permitted facility in the  
4 law, and it gets transformation credit after 1995 for up to  
5 10 percent of the existing, of the diversion credit at that  
6 time.

7           There is another bill and a provision that if a  
8 jurisdiction sends 75 percent or more of its waste to that  
9 facility, and there is going to be a financial burden or  
10 significant financial burden, or the community would be, it  
11 would impair the ability to meet their allotted  
12 indebtedness, they may petition for reduction in their  
13 goals.

14           If a city is submitting 75 percent of their waste  
15 to a waste generating facility, that only leaves 25 percent  
16 left to deal with for diversion. They could potentially  
17 get a reduction in their diversion goals to account for  
18 that.

19           What we have done with this other portion of the  
20 code also is to require that any contracts or commitments  
21 that the waste energy facility enters into has up-front  
22 diversion or recycling added to it. That could be at the  
23 local jurisdiction level. That could be that the city has  
24 a diversion or recycling program so that the material  
25 coming to the waste energy facility, SERRF, or the City of

1 Commerce facility, has been diverted out.

2 The recyclables have already been taken care of.  
3 The facility at SERRF, they have a waste load checking  
4 program that they do for white goods and hazardous waste,  
5 because they burn hazardous waste.

6 The waste load checking that pulls those  
7 significant recyclable materials out. There is also a  
8 tipping floor inspection. They inspect the truck loads as  
9 they come in, once it tips on to the floor, prior to going  
10 into the process where they burn.

11 It is looked at and any significant recyclables  
12 are pulled out at that point.

13 The idea was to get up-front diversion of  
14 materials.

15 BOARD MEMBER CHESBRO: I would like to ask, if I  
16 may, that the information that I found in the packet  
17 related to what the City of Long Beach intended to do with  
18 regards to recycling programs by 1995.

19 Is that the basis for helping the Board to make  
20 the finding that maximum recycling is taking place, or is  
21 it on the basis of the existing program?

22 Is it projected or existing?

23 MR. DILLON: Projected.

24 Jim Kuhl is here from the city. They have few  
25 diversion programs because they count on SERRF.

1           The city only picks up mostly residential waste.  
2 They do have a lot of commercial waste that is diverted.

3           BOARD MEMBER CHESBRO: You were just describing  
4 some sort of screening taking place, load checking on the  
5 tipping floor to keep the recyclables out of the plant?

6           MR. DILLON: Yes.

7           BOARD MEMBER CHESBRO: Where do they go?

8           MR. DILLON: I assume, since this is permission  
9 of the permit, implement one at the facility itself or  
10 possibly, worst case, turn the truck away.

11           The contract would have to go back also to the  
12 jurisdictions to know that the waste being picked up -- the  
13 City of Lakewood also uses the SERRF extensively. They  
14 also will have to put some sort of diversion program in the  
15 area.

16           BOARD MEMBER CHESBRO: The timing, as I  
17 understand it, is a legal requirement, and somebody can  
18 correct me if I misunderstand it, it is referring to the  
19 type of operation of the plant that is permitted that the  
20 diversion has to exist, and the maximum feasible diversion,  
21 not -- well, sometime in the future, but the other kinds of  
22 guidelines that have to be provided for 25 percent, 50  
23 percent, but that that maximum feasible diversion has to  
24 happen up front.

25           I would like to know if that's the case, that

1 this permit will require the maximum diversion upon  
2 effectiveness of the permit?

3 MR. DILLON: I do not believe that that exists at  
4 this time with all the contracts and commitments that SERRF  
5 has.

6 Because they pick up only a couple of contracts,  
7 but the County and Sanitation District uses SERRF and other  
8 private enterprises use SERRF on a daily basis, so I don't  
9 know believe that what you're asking is taking place right  
10 at this time because the programs are under planning for  
11 implementation by 1995, curbside collection, paper diversion,  
12 wood waste diversion, et cetera.

13 BOARD MEMBER RELIS: It might be helpful to hear  
14 directly from the City of Long Beach as to what the timing  
15 is on this.

16 I asked the question, again, to bring this back  
17 to the full Board because there was in the original staff  
18 report, I found it unclear how the diversion would be met.  
19 I requested something like what we have before us.

20 If we could go through the table together with  
21 hearing from Long Beach, we could get a direct response.

22 BOARD MEMBER CHESBRO: I want to make sure that I  
23 understand legally what we are talking about in terms of  
24 the standards that need to be met.

25 MR. CONHEIM: The statute requires that the

1 facility use programs to remove all recyclables prior to  
2 transformation to the extent feasible.

3 The timing, by its own language, that means that  
4 if the statements in the permit are that the facility  
5 complies with all of those conditions, then it would be  
6 complying with that statute at the time that it began to  
7 operate under this permit.

8 If it weren't, it would be a compliance problem  
9 with the permit, technically speaking.

10 There is no proposal, or in the future, or it  
11 just says if you comply with that provision, you are  
12 removing recyclables prior to transformation. So, the next  
13 load that goes to the burner has all the recyclables to the  
14 extent feasible removed.

15 MS. VAZQUEZ: It should be noted that there is  
16 language in the permit, on page 14 of the permit, that says  
17 all contracts and commitments entered into shall contain  
18 provisions requiring front-end recycling before the waste  
19 is transported to SERRF.

20 There is a provision in the permit that addresses  
21 that, on page 14 of the permit, Item O, or Provision O.

22 This item was included based on consultation with  
23 Planning staff.

24 BOARD MEMBER HUFF: That language is not in the  
25 permit that was previously issued. This is new language

1 put in here specifically because of this situation.

2 MS. VAZQUEZ: That's correct.

3 BOARD MEMBER RELIS: Does this language then  
4 accomplish or meet the legal requirement?

5 MR. CONHEIM: I think that it does.

6 The requirement of the law says that, 44150 says  
7 that the Enforcement Agency shall not issue or revise the  
8 permit unless, and then it goes to this condition.

9 The permit by its terms tends to be  
10 self-executing and tends to be self-complying.

11 Mr. Chesbro, I think, has raised a factual  
12 question of whether compliance is taking place with the  
13 very next load that goes in the burner when the permit is  
14 issued.

15 BOARD MEMBER CHESBRO: We need to hear from the  
16 city.

17 BOARD MEMBER HUFF: Not only is the permit making  
18 changes, this permit before us makes changes from the  
19 previous permit with regard to ash, but it also makes  
20 changes with the language of the permit specifically with  
21 regard to front-end recycling, and that would be part of  
22 the new, revised permit, and that is as a result of the  
23 statute, and then, as was said, really the only question  
24 remaining, does it happen tomorrow, or the day after  
25 tomorrow, and at what point that it doesn't happen does our

1 staff get into a conversation with Long Beach about that?

2 MR. CONHEIM: We believe, and Martha tell me if  
3 this is not correct, but I think it is, but staff believes  
4 that the permit adequately addresses this requirement under  
5 the law.

6 There would be no more that staff has felt ought  
7 to be in the permit. I concur with that, that the permit  
8 itself, which is the subject of this requirement, complies  
9 with this statute, notwithstanding any factual  
10 considerations that may follow.

11 I couldn't suggest better language for the  
12 permit.

13 MS. VAZQUEZ: Mr. Conheim, your analysis is  
14 correct.

15 We included that language specifically to address  
16 that portion of the law. We feel that the conclusion of  
17 this makes this permit consistent with all requirements.

18 MR. DILLON: I would like to add that that was  
19 worked out between Local Assistance, Permitting and with  
20 concurrence of the Long Beach LEA.

21 BOARD MEMBER CHESBRO: I would like to hear from  
22 the City, because from my standpoint on a decision as to  
23 whether the language is adequate depends on what it is  
24 actually going to mean.

25 My belief depends on understanding what level of

1 recycling, when, and more specifics, even though the  
2 provisions may generally meet the requirements.

3 MR. DILLON: This is Jim Kuhl, from the City of  
4 Long Beach, and Charles Tripp, the operator of SERRF.

5 MS. VAZQUEZ: Mr. Chairman, I would like to  
6 clarify something that was stated a little earlier.

7 There was a statement that this facility burns  
8 hazardous waste. It does not burn hazardous waste.

9 There are narcotics that are incinerated at this  
10 facility. The narcotics are drugs that have been  
11 confiscated by law enforcement agencies, from statewide  
12 operations. The proposed permit limits the quantity of the  
13 refuse, including narcotics, that can be burned at the  
14 facility.

15 It is not hazardous waste that is burned but  
16 contraband.

17 MR. KUHL: Mr. Chairman, Members of the Board, my  
18 name is Jim Kuhl with the City of Long Beach. This is  
19 Charlie Tripp, the SERRF operator.

20 I'll try to answer the question, and I'm not sure  
21 exactly where it's going. The diversion program that we  
22 are planning in the City of Long Beach, the City Council  
23 recently awarded a residential recycling contract that will  
24 serve 125,000 homes, which is basically every dwelling in  
25 the City of Long Beach up to a ten-unit apartment building.

1           This is \$3-million annual contract begins with  
2 container distribution on November 16. We expect to have  
3 the full city on residential recycling by Spring 1993.

4           In addition to the usual materials collected at  
5 curbside, the city's program will be collecting film  
6 plastic, corrogated, motor oil and all mixed plastic.

7           The City has also implemented a Christmas tree  
8 recycling program. Last year we recovered over 250 tons of  
9 Christmas trees.

10          This year, in cooperation with the GTE, citywide  
11 phone book recycling, we collected 100 tons of phone books  
12 that were used to make wall board.

13          The City has instituted a private hauler permit  
14 process that requires a private hauler operating in the  
15 City of Long Beach to meet the AB-939 diversion  
16 requirements. The materials that private haulers are  
17 hauling prior to coming to SERRF are required to pull out  
18 materials, be it source separation or other terms.

19          We require annual or monthly permits from the  
20 haulers reporting on their diversion activity.

21          The City has opened a backyard composting class  
22 at El Dorado Nature Center where we hold monthly classes on  
23 backyard composting.

24          The City is also implementing an automated refuse  
25 collection system, which encourages source reduction

1 recycling.

2 I think it should be noted in our 939 plan, the  
3 City projects a 52 percent diversion by the year 2000.  
4 This does not include a 12 percent existing inert  
5 diversion, nor does it include a 10 percent diversion  
6 available for waste energy facilities.

7 Also, the City of Long Beach has one of the  
8 State's 12 RMDZ's, and is aggressively working with 20  
9 local companies to site recycling companies in the City of  
10 Long Beach.

11 The City of Long Beach is aggressively going  
12 toward these goals. If the permit is issued today, we will  
13 not be able to have every material out of the waste stream  
14 before going to SERRF, but I think by the year 2000 the  
15 City of Long Beach will be one of the few cities that will  
16 be able to comply with this law.

17 BOARD MEMBER CHESBRO: I have some questions.

18 Before I do, let me say that, I have a lot of  
19 confidence in Long Beach's program and Mr. Kuhl's work, so  
20 I don't want this to be misinterpreted.

21 I also know these things take time to get on  
22 line. On the other hand, the Legislature put a pretty  
23 strong statement in the law about that. It's not a  
24 reflection on why haven't you attained perfection?

25 It's because of the legal provisions. It's not

1 that I have any doubts that you will succeed, given the  
2 other time lines in the law.

3 That being the case, let me ask you a few  
4 questions about your programs. What about commercial office  
5 paper recycling, that kind of thing?

6 MR. KUHL: The City has been working with some of  
7 the large landlords in the City of Long Beach.

8 We just recently implemented a World Trade Center  
9 Office Recycling Program. It's about a 35-story story  
10 building. We worked with the developer, IBM, to put in an  
11 office recycling program.

12 We have worked with GTE, Southern California  
13 Edison and various commercial businesses in the City of  
14 Long Beach to put in office recycling program.

15 BOARD MEMBER CHESBRO: Those are in the formative  
16 stages?

17 MR. KUHL: The World Trade Center is in place.

18 The city's strategy to meet 939 is to take on our  
19 largest generators first. We're starting with our office  
20 buildings and other large users, such as our Convention  
21 Center and implementing waste reduction programs, and then  
22 moving to the smaller businesses.

23 BOARD MEMBER CHESBRO: What about yard waste  
24 diversion?

25 You mentioned the backyard composting. It's nice

1 to take 100 percent. I doubt it, but an optimist like me.

2 MR. KUHL: Before 1995 have plans in the SRRE to  
3 implement a green waste collection program, which will be a  
4 source separated program at the curb from all the single  
5 family homes and multiple family homes in Long Beach.

6 We are currently looking at the options as to how  
7 that material will be reused, and whether it will be a  
8 composting facility in the city or shipped out to another  
9 facility.

10 BOARD MEMBER CHESBRO: On the load checking  
11 program for recyclables, what point, and I'm sorry if  
12 you've said this, but at what point would that be in  
13 operation?

14 MR. TRIPP: Mr. Chairman, my name is Charlie  
15 Tripp. I'm also with the City of Long Beach, and I'm  
16 responsible to assure that the plan is operating under  
17 removal permit as well as we have a private operator in  
18 there operating the facility.

19 Load checking program that we have now is,  
20 basically, trucks dump on the tipping floor, and we inspect  
21 to make sure there are no hazardous wastes, and we'll  
22 implement that for recyclables.

23 But you have to understand that the recyclables  
24 coming in or the waste coming is mixed waste. The obvious  
25 impact is that we have an obvious truckful of white paper,

1 something like that, we would divert that truck and  
2 basically not accept their waste. Turn it around and they  
3 would have to take it elsewhere.

4 The bottomline is that if there is one can in a  
5 truckload, and implementing that, and having somebody  
6 remove the can, and saying that is recyclable, having that,  
7 no, it's significant amount of recyclables, pulling that  
8 out.

9 BOARD MEMBER CHESBRO: Which materials are  
10 checked for and rejected if there are significant amounts?

11 MR. TRIPP: Significant amounts of newspapers,  
12 paper, we cannot -- because our process doesn't allow us to  
13 burn a single type of homogeneous waste. It really has to  
14 be a mixed type of waste for the process to work  
15 correctly.

16 If we get a load of wood or load of white paper,  
17 we generally implement this process and say, no, that is  
18 recyclable material and has to go elsewhere.

19 BOARD MEMBER CHESBRO: Between a load that is  
20 just white paper or yard waste and one that has a bit in  
21 it, there has to be some decision -- you're not talking  
22 about just rejecting loads that are minimum one material?

23 MR. TRIPP: Loads of significant quantities of  
24 recyclable material.

25 BOARD MEMBER CHESBRO: Is that yard waste and

1 various types of fiber?

2 MR. TRIPP: We would implement that, yes.

3 BOARD MEMBER NEAL: As I was listening to your  
4 description of programs, it seemed to me that the bulk of  
5 them addressed recycling.

6 I would like to know what you're doing to address  
7 the issue of source reduction?

8 MR. KUHL: Through the City's facilities, the  
9 City is putting through our electronic metal program. We  
10 have gone to double-sided copying almost citywide.

11 Those are types of activity. We're also working  
12 on a public education program called TREC, Traveling  
13 Recycling Education Center, that goes out to the schools.  
14 A major component of that will be source reduction  
15 education. So, we can get the Long Beach School Districts  
16 to push the idea of source reduction.

17 We also have numerous brochures and other forms  
18 that we give out information to the public on how to reduce  
19 our waste stream.

20 Probably the biggest effect we'll see toward  
21 source reduction will be in our volume refuse rates going  
22 in effect January for most portions of the city.

23 People pay by the amount of trash they put out.  
24 It's probably the most effective way to reach that.

25 BOARD MEMBER RELIS: If I look at the table,

1 there is no page, the plan diversion contributions stated  
2 in 1995, and you have 10 percent source reduction, 19  
3 recycling, 11 composting, for a total of 32, what I  
4 understand is that the 32 percent, and then later the 52  
5 percent do not include what you could count as 10 percent  
6 from transformation; is that correct?

7 MR. KUHL: That's correct.

8 Our City Council made a policy decision not to  
9 use SERRF as a reason not to recycle. Our 939 plan was  
10 written -- our plans have written out that 10 percent.

11 We're going to try get the 52 percent without the  
12 SERRF credit.

13 BOARD MEMBER RELIS: The related question is that  
14 you also don't have, or this is a point of information that  
15 came up at the Committee meeting, I think there are items  
16 of confusion that there might be a flow control agreement  
17 to SERRF, but when I heard your presentation, that that's  
18 floating on the market, so to speak, there is no  
19 requirement for Long Beach to deliver a certain quantity of  
20 its solid waste to SERRF?

21 MR. TRIPP: In order to finance any facility to  
22 be self-supporting, we had to have existing contracts for  
23 control of the waste stream.

24 A Memorandum of Understanding was signed with the  
25 actual department in the city which picks up, the city

1 picks up, it's about 50 percent of the waste stream, and  
2 there is a Memorandum of Understanding to deliver to SERRF  
3 everything that is not recyclable.

4 It's the same type of contract that exists with  
5 the City of Lakewood. We have another with the County  
6 Sanitation District to provide us with waste in case we  
7 needed that waste.

8 I'm saying that all of the existing contracts in  
9 place require some recycling to be done prior to the  
10 delivery of that waste to SERRF. It's a matter of  
11 timeliness.

12 BOARD MEMBER RELIS: Just to pursue that point  
13 again, the MOU, I don't know what the MOU states, but the  
14 MOU says that there is to be recycling?

15 MR. KUHL: The MOU requires the delivery of all  
16 waste collected in the City of Long Beach the waste energy  
17 facility, except for materials that could be recycled or  
18 recovered.

19 It's not a tonnage amount. It's anything that we  
20 are not recycling and collecting from the City of Long  
21 Beach has to go to the waste energy facility. It's not  
22 tonnage, full control tonnage that has to go to SERRF.

23 Does that answer the question?

24 MR. TRIPP: It's important to understand that  
25 these contracts and MOUs were signed back in 1986, and 1985

1 with Lakewood.

2 In those contracts we specifically put in the  
3 contracts, because we always felt that the approach was how  
4 to determine an integrated waste management program, to  
5 encourage recycling and not accept those recyclables SERRF.

6 BOARD MEMBER EGIGIAN: Mr. Chairman, I think  
7 we're off the subject here. However, everyone has had the  
8 privilege. I want to get off the subject a little myself.

9 It's no wonder that people in this country have  
10 so little faith in government. Here we are sitting up here  
11 getting to the nitty-gritty, and here's a city in front of  
12 us, Long Beach, who has been one of the outstanding cities  
13 in all of their programs, and we have forgotten that we are  
14 driving this horse where we're recycling, and we're  
15 breaking a lot of people in business because there is no  
16 markets.

17 We should have some method, and I don't know  
18 where it should come from, whether this Board should be  
19 instrumental or not, but one of the biggest MRFs in  
20 Southern California is either going bankrupt or they are on  
21 the verge of going bankrupt.

22 They have owed people money for over six months  
23 now. All of the people that I'm talking with that are in  
24 the recycling business heavily at all we telling me they  
25 are losing plants.

1           There are no markets. They can't sell this  
2 material. We're collecting it.

3           We're baling it. It's costing us \$50 a ton. Then  
4 then the Fire Marshal comes by and tells us we have to get  
5 rid of it. We take it to the landfill.

6           We pay another, depending on what the rates at  
7 the landfill are, pay another price.

8           I was told by several very, very knowledgeable  
9 people from parts of the East Coast that California will  
10 never reach the 50 percent goal unless you have waste  
11 energy tied in with your programs. We don't have that  
12 privilege today, and probably won't have for a number of  
13 years.

14           We should take into consideration that when  
15 people are trying their best to follow the law that we are  
16 supposed to implement here, that we should forget looking  
17 at the numbers all the time and look at the people and see  
18 what is happening to them.

19           We are destroying everything that we have helped  
20 create in the last five or six years. By the time the  
21 markets are developed, the MRFs are going to be broke.

22           I'm sure that in the near future, Mr. Relis will  
23 give you a report on what the financial institutions are  
24 telling you about giving money to create these MRFs.

25           I suggest we get back to the subject that we are

1 talking about. If you're ready, I'd like to make a motion.

2 BOARD MEMBER RELIS: With all respect to my  
3 colleague, Mr. Egigian, I do feel that the questions that  
4 have been raised are in line with our mandate.

5 We have a legal obligation to fulfill AB-939.  
6 That is the purpose of this Board. Recycling and reduction  
7 are very key to that mandate. That was why it was  
8 written.

9 I believe that we are very committed to achieving  
10 that. That's why I brought up the questions at the  
11 Committee level.

12 The issues about the market development are being  
13 worked on as rigorously as I think that this Board can do.  
14 That's a problematic statement.

15 The problems that MRFs are encountering will need  
16 to be treated in context.

17 I just feel that it's important to say that. The  
18 recycling issue and how the City of Long Beach and other  
19 cities meet these diversion goals are of major importance  
20 to us on the Board.

21 So, I'll keep raising these points.

22 BOARD CHAIRMAN FROST: Ms. Neal.

23 BOARD MEMBER NEAL: Just a comment on Mr.  
24 Egigian's comment.

25 I agree that we are having to spend much too much

1 money on trying to manage our wasteful behavior. Recycling  
2 programs are costing an arm and a leg for a lot of  
3 municipalities. The unfortunate thing is that it's the  
4 price right now that we have to pay for our irresponsible  
5 and, in many minds, stupid behavior because we, especially  
6 in this county, just refuse to accept what I think is a  
7 very simple fact.

8           If you generate less, if you use less, then you  
9 have less you have to worry about and less to manage. I  
10 for the life of me cannot understand why that is so hard  
11 for people to figure out.

12           We're very resistant to that. As long as we  
13 continue to be resistant to that, we're going to keep  
14 paying these sums of money.

15           What I would suggest, the smartest thing for all  
16 of us to do, if we don't like the fact that we're doing  
17 that, go out and start preaching as hard as you can, just  
18 don't create the stuff in the first place.

19           BOARD MEMBER CHESBRO: I would like to add my  
20 comment that if markets were the number one concern here,  
21 we would need to move full steam ahead with our market  
22 development strategy, which I haven't seen done here.

23           BOARD MEMBER HUFF: Mr. Chairman, only you and I  
24 haven't made comments yet. Do you want to go first?

25           I want to move the item. I'm tired of it.

1           What we have here is a facility that is going to  
2 start treating their ash whether they don't move it at all.

3           You have a City Council that has commented that  
4 they are so committed that they are not going to use the 10  
5 percent that they could use to meet the 50 percent goal.  
6 They have decided that that's a matter of their public  
7 policy they are not going to do that.

8           You have permit language here that is totally  
9 consistent with the State law, and, in fact, couldn't be  
10 better.

11           I don't understand what the problem is. I would  
12 like to move it.

13           BOARD MEMBER EGIGIAN: Second.

14           BOARD CHAIRMAN FROST: Moved and seconded.

15           BOARD MEMBER CHESBRO: I would like to say that  
16 the permit language could be better in terms of specifying  
17 how it would be carried out, and that's my objection.

18           Once again, it's no reflection on Long Beach's  
19 commitment to meet the other diversion requirements of 1995  
20 and 2000, but I do think that it's a precedent.

21           We will have other waste energy plants that will  
22 come to us in the future, and we need to look at the  
23 Legislature's intent and be specific and strict about its  
24 implementation.

25           BOARD CHAIRMAN FROST: Okay. Call the roll.

1 MS. THOMAS: Board Members Chesbro.

2 BOARD MEMBER CHESBRO: No.

3 MS. THOMAS: Huff.

4 BOARD MEMBER HUFF: Aye.

5 MS. THOMAS: Egigian.

6 BOARD MEMBER EGIGIAN: Aye.

7 MS. THOMAS: Neal.

8 BOARD MEMBER NEAL: No.

9 MS. THOMAS: Relis.

10 BOARD MEMBER RELIS: Aye.

11 MS. THOMAS: Chairman Frost.

12 BOARD CHAIRMAN FROST: Aye.

13 MS. THOMAS: Motion passed.

14 BOARD CHAIRMAN FROST: Okay. We have completed

15 Item 17.

16 So, Item 18 is consideration of adoption of  
17 amendments for Financial Responsibility for Operating  
18 Liability Claims.

19 Mr. Huff, do you want to make a comment on this  
20 or go through the presentation?

21 BOARD MEMBER HUFF: This is not on Consent  
22 because it was regulation.

23 MS. VAZQUEZ: Yes.

24 BOARD MEMBER HUFF: That's the logic.

25 We already adopted this as emergency, and this is

1 making the change in the real regulations.

2 The only reason that it was not on Consent was  
3 because it was a regulation matter. Okay.

4 With that, I would like to move it, and say that  
5 this Item is in response, as was the change in the  
6 emergency regulations, largely as a result of the concerns  
7 raised by local governments.

8 We're dealing with local governments a lot here  
9 today. I'm proud to continue to be supportive of local  
10 governments.

11 I move this Item.

12 BOARD MEMBER CHESBRO: Second.

13 BOARD CHAIRMAN FROST: Moved and seconded.

14 Call the roll.

15 MS. THOMAS: Board Members Chesbro.

16 BOARD MEMBER CHESBRO: Aye.

17 MS. THOMAS: Huff.

18 BOARD MEMBER HUFF: Aye.

19 MS. THOMAS: Egigian.

20 BOARD MEMBER EGIGIAN: Aye.

21 MS. THOMAS: Neal.

22 BOARD MEMBER NEAL: Aye.

23 MS. THOMAS: Relis.

24 BOARD MEMBER RELIS: Aye.

25 MS. THOMAS: Chairman Frost.

1 BOARD CHAIRMAN FROST: Aye.

2 MS. THOMAS: Motion passed.

3 Item 20, consideration of authorization of the  
4 Executive Director to execute an interagency agreement with  
5 the Water Resources Control Board to provide permitting and  
6 compliance activities at solid waste landfills during  
7 fiscal year 92-93.

8 Martha Vasquez.

9 Unless Mr. Huff, wanted to make a comment on  
10 this.

11 Okay. Martha.

12 MS. VAZQUEZ: This item provides money to the  
13 State Board to provide permitting and enforcement  
14 activities at solid waste landfills.

15 The statute mandates that five percent of the  
16 total amount deposited into the solid waste disposal site  
17 and maintenance account be allocated to the State Water  
18 Board upon application.

19 This is third year that the State Water Board has  
20 applied. This Item would authorize the Executive Director  
21 to enter into an agreement with the State Board which would  
22 provide for a transfer of funds.

23 The agreement also specifies the work that would  
24 be performed and the method of reporting. The work that  
25 has been performed by the State Water Board and the

1 Regional Boards in the past years has been well-documented.

2 The \$1-million would provide for approximately 12  
3 staff in the Regional Board offices. Their duties would  
4 include preparing waste discharge requirements, perform  
5 inspections and doing an assortment of enforcement work.

6 BOARD CHAIRMAN FROST: Mr. Wallace, as I  
7 understand this, this is an ongoing transfer that is  
8 already in the budget; is that correct?

9 MR. WALLACE: This is a provision in the Eastin  
10 fund that has been ongoing for a couple of years now.

11 This contract is basically similar to one that we  
12 had in 1991-92, and it is money that is budgetted in the  
13 budget.

14 BOARD CHAIRMAN FROST: Budgetted in our own and  
15 water resources budget?

16 MR. WALLACE: Yes. They would show it as a  
17 reimbursement.

18 BOARD CHAIRMAN FROST: Okay. Thank you.

19 Any further discussion?

20 Is there a motion, please.

21 BOARD MEMBER HUFF: Move it.

22 BOARD MEMBER RELIS: Second.

23 BOARD CHAIRMAN FROST: It's been moved and  
24 seconded.

25 Call the roll, please.

1 MS. THOMAS: Board Members Chesbro.

2 BOARD MEMBER CHESBRO: Aye.

3 MS. THOMAS: Huff.

4 BOARD MEMBER HUFF: Aye.

5 MS. THOMAS: Egigian.

6 BOARD MEMBER EGIGIAN: Aye.

7 MS. THOMAS: Neal.

8 BOARD MEMBER NEAL: Aye.

9 MS. THOMAS: Relis.

10 BOARD MEMBER RELIS: Aye.

11 MS. THOMAS: Chairman Frost.

12 BOARD CHAIRMAN FROST: Aye.

13 That concludes our regular Agenda Items.

14 Is there any other business that needs to come  
15 before the Board at this time?

16 Okay. Hearing none, this concludes our regular  
17 monthly meeting.

18 Once again, I would like to thank the City  
19 Council and their staff for the use of their Chambers.

20 The Board will now recess into closed session to  
21 discuss a personnel matter.

22 (Thereupon the hearing was adjourned  
23 at 11:10 a.m.

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CERTIFICATE OF SHORTHAND REPORTER

I, VICKI L. MEDEIROS, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing hearing was reported in shorthand by me, Vicki L. Medeiros, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing nor in any way interested in the outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of December, 1992.



VICKI L. MEDEIROS  
Certified Shorthand Reporter  
License No. 7871