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

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COPY

BOARD ROOM  
8800 CAL CENTER DRIVE  
SACRAMENTO, CALIFORNIA

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WEDNESDAY, DECEMBER 16, 1992  
10:00 A.M.

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Vicki L. Medeiros, C.S.R.  
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A P P E A R A N C E S

- 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 will start by calling roll, please.

7 MS. THOMAS: Board Members Chesbro.

8 BOARD MEMBER CHESBRO: Here.

9 MS. THOMAS: Huff.

10 BOARD MEMBER HUFF: Here.

11 MS. THOMAS: Egigian.

12 BOARD MEMBER EGIGIAN: Here.

13 MS. THOMAS: Neal.

14 BOARD MEMBER NEAL: Here.

15 MS. THOMAS: Relis.

16 BOARD MEMBER RELIS: Here.

17 MS. THOMAS: Chairman Frost.

18 BOARD CHAIRMAN FROST: Here. Thank you.

19 Now, does any Member of the Board have any ex  
20 parte announcement that they would like to make at this  
21 time?

22 Hearing none, Mr. Conheim, do you have any ex  
23 parte comments?

24 MR. CONHEIM: I have nothing on my desk except  
25 the standard announcement that Members of the Board comply

1 with the provisions of the Integrated Waste Management Act  
2 which require Members to disclose in writing all  
3 communications with members of the public on matters coming  
4 before this Board.

5 For Members that do so, those written disclosures  
6 are kept in a file available for public review, upon your  
7 written request. Mr. Chairman, you have just asked for  
8 oral disclosures of matters which, communications which may  
9 have taken place so close to this Board Meeting that the  
10 written disclosures have not yet been executed. That would  
11 complete this disclosure.

12 BOARD CHAIRMAN FROST: Okay.

13 Mr. Relis.

14 BOARD MEMBER RELIS: I would like to report a  
15 discussion with Tires, Inc. The name is Blankenship, and  
16 it's regarding or related to the tire regulations and the  
17 collection programs and grant programs that may be pursued  
18 for tire collection.

19 BOARD CHAIRMAN FROST: Okay.

20 Now, before we begin, I have some announcements  
21 concerning today's Agenda. First of all, five items have  
22 been pulled from the Agenda. They are Items 15, 21, 33, 35  
23 and 37.

24 You win \$15 million if you get those in the  
25 lottery.

1 BOARD MEMBER HUFF: And our schools win, too.

2 BOARD CHAIRMAN FROST: In addition, we have

3 twelve Items on today's Consent Calendar, which is

4 available at the back of the room.

5 We had thirteen. One of the items is being held,

6 and that is Item 14. Item 14 is not part of the Consent

7 Agenda at this time.

8 The Item Numbers that are part of the Consent are

9 17, 19, 23, 24 and 26 through 32, and Number 34. I'll read

10 them again: 17, 19, 23, 24, 26 through 32 and Number 34.

11 Would any Member of the Board like to pull any of

12 these items off of Consent?

13 If not, could we have a motion on Item 1?

14 BOARD MEMBER EGIGIAN: Moved.

15 BOARD MEMBER HUFF: Second.

16 BOARD CHAIRMAN FROST: Moved and seconded.

17 Call the roll, please.

18 MS. THOMAS: Board Members Chesbro.

19 BOARD MEMBER CHESBRO: Aye.

20 MS. THOMAS: Huff.

21 BOARD MEMBER HUFF: Aye.

22 MS. THOMAS: Egigian.

23 BOARD MEMBER EGIGIAN: Aye.

24 MS. THOMAS: Neal.

25 BOARD MEMBER NEAL: Aye.

1 MS. THOMAS: Relis.

2 BOARD MEMBER RELIS: Aye.

3 MS. THOMAS: Chairman Frost.

4 BOARD CHAIRMAN FROST: Aye.

5 Okay. Now, for Item 2, we have reports from Board  
6 Committees. We will start with Mr. Relis.

7 Do you have a report from the Market  
8 Development?

9 BOARD MEMBER RELIS: Yes, Mr. Chairman.

10 We continued working on the Market Development  
11 Plan. The Committee first discussed relatively immediate  
12 actions to stimulate market development based on seven  
13 commodity-specific workshops and actions plans that have  
14 been held over the last year.

15 Staff developed thirty-five consolidated actions  
16 and ranked them according to criteria being used, similar  
17 to those being used by the National Recycling Advisory  
18 Council. The Committee reviewed rankings and asked staff  
19 for more details on implementation of the top fifteen or  
20 so.

21 The Committee also discussed the staff workplan  
22 on emerging issues, such as ADF, advanced disposal fee, and  
23 responsible entities, impacts on international trade  
24 agreements and so forth.

25 The Committee asked staff to work with the

1 advisors and bring the first draft of the entire Market  
2 Plan to Committee in January for review.

3 The Committee discussed statewide objectives for  
4 the third cycle of the Recycling Market Development Zones.  
5 The Committee recommended that the Board approve two items  
6 related to today's Agenda, the membership of the loan  
7 committee, and the contract for legal services in order to  
8 get our loan package out.

9 The Committee last week held a day-long workshop  
10 on the use of tradeable credits in implementing minimum  
11 content requirements, private sector procurement efforts  
12 and means of expanding financing for secondary materials  
13 manufacture.

14 BOARD CHAIRMAN FROST: Thank you, Mr. Relis.

15 Mr. Egigian, do you have a report from the Policy  
16 Committee?

17 BOARD MEMBER EGIGIAN: Yes, I do, Mr. Chairman.

18 On January 8, the Policy, Research and Technical  
19 Assistance Committee discussed the Board's responsibility  
20 to collect and analyze information about the cost of  
21 integrated waste management.

22 In my opinion, this is a very important subject.  
23 Citizens, businesses and local governments are being asked  
24 to invest billions of dollars for waste management  
25 services, and it is this Board's responsibility to collect

1 information that will assist them to understand how to  
2 spend these resources wisely and well.

3 In addition, we need this information so the  
4 Board can explain to the public and the Legislature why  
5 waste management costs are increasing and the public  
6 benefits they are receiving from increased public  
7 expenditures.

8 Establishing an accurate and reasonable cost  
9 information system will require an important commitment by  
10 the Board and the cooperation of the local governments and  
11 those in the waste industry.

12 Policy, Research and Technical Assistance  
13 Committee requested Board advisors and staff to examine how  
14 the information being developed by local governments for  
15 their integrated waste management plans might be a symbol  
16 to answer important cost questions of interest to both  
17 local government and to the Board.

18 I look forward to hearing the results of this  
19 effort and to the Board assuming leadership to collect  
20 comparable information that can be used to help localities  
21 and the State make better decisions about integrated waste  
22 management cost and benefits.

23 Mr. Chairman, in addition to that, I also want to  
24 report that next month, January 6, our Committee will hear  
25 a briefing from the staff on rail haul issues. As you know,

1 a number of rail haul projects are being proposed.

2 Last week, I was invited to review Utah rail haul  
3 project demonstrations. Material will be shipped from  
4 several western states to Utah.

5 This project will have a number of important  
6 impacts, not the least of which is the potential loss of  
7 tipping fee revenue to this Board, as a result of  
8 out-of-state shipments of waste. If we assume that this  
9 project exported a daily tonnage equal to that now accepted  
10 by the Puente Hills landfill, this could result in revenue  
11 loss estimate from three- to three-and-a-half-million  
12 dollars.

13 I believe this Board should examine all the  
14 issues associated with the various rail haul projects so  
15 that we can make intelligent planning and permitting  
16 decisions about them.

17 That ends my report, Mr. Chairman.

18 BOARD CHAIRMAN FROST: Thank you, Mr. Egigian.

19 Mr. Chesbro, do you have a report from the  
20 Planning Committee?

21 BOARD MEMBER CHESBRO: Yes, Mr. Chairman.

22 One of the items that we took up in this month's  
23 Planning Committee meeting, Item 14, is on the Agenda and  
24 will be handled, as you mentioned earlier.

25 I wanted to report that yesterday there was a

1 workshop in San Bernardino County, a staff workshop which  
2 was the culmination of five workshops held from one end of  
3 the state to the other about implementation of Assembly  
4 Bill 2494 and Assembly Bill 3001.

5 I just wanted to compliment our staff on an  
6 outstanding job in difficult circumstances, because people  
7 want all the answers and they want them now. They want to  
8 know exactly how we're going to implement these bills.

9 Most of the responses that staff could give were,  
10 "Well, that's a very good question. We're going to write  
11 it down. It will have to be addressed in the  
12 regulations."

13 There were not any preconceived or upfront  
14 answers for a lot of very difficult questions. I thought  
15 the staff explained the two laws very, very well, and what  
16 the known at this point very well and received some very  
17 significant input on the issues that we're going to have to  
18 confront.

19 I heard a number of issues raised by  
20 representatives of the waste industry, local governments,  
21 consulting firms that made me realize that while these  
22 bills may simplify what we would have had to do without  
23 them, the situation remains very complicated.

24 There are issues involved, for example, in the  
25 question of how do we measure the waste for different

1 jurisdictions that are not only coming in the landfills but  
2 also coming into mixed waste MRFs, for example, how are we  
3 going to allocate both disposal credit and, therefore, the  
4 reductions that 2494 envisions?

5           It's going to be a very complicated system and  
6 one we need to spend some time making sure we do it right.  
7 There was a terrific attendance. There were  
8 representatives of various interests from all of the  
9 Southern California counties, south of Los Angeles,  
10 Imperial, San Diego, Orange, Riverside, San Bernardino and  
11 Los Angeles.

12           I'm much more confident after listening and  
13 watching that our staff is fully capable of helping to  
14 steer us through this, what in effect will be a very  
15 complicated process. I wanted to give staff a lot of  
16 credit.

17           BOARD CHAIRMAN FROST: Okay. Thank you,  
18 Mr. Chesbro.

19           Mr. Huff, any report from Permitting?

20           BOARD MEMBER HUFF: Just briefly.

21           A comment on one item that is not on the Agenda  
22 today, and that is our composting regulations, which I had  
23 suggested would be before us before the end of the year.

24           As it turns out, it won't be, but we expect them  
25 to be on the Board Agenda in January. As with the

1 regulation writing business and trying to get things right,  
2 sometimes it takes a little while longer than you really  
3 expect. We are slipping that self-imposed time frame back  
4 a month in the interest of getting it right.

5           The other thing I wanted to mention information  
6 that has come to our attention at the Permit Committee,  
7 and, in fact, I have raised it at other Committees, I  
8 believe, and that is the fact that in a survey of 70  
9 percent, I believe it's 70 percent, of the landfills across  
10 the State, 70 percent of the tonnage across the State, over  
11 half of that tonnage currently going into those landfills  
12 is being charged a dollar a ton in the name of the State of  
13 California to support the activities of this Board, even  
14 though we're only getting 75 cents of it.

15           I just thought I'd mention that. It was shocking  
16 information to us.

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

18           Ms. Neal, do you have a report from the  
19 Legislative and Public Affairs Committee?

20           BOARD MEMBER NEAL: Yes, I do.

21           Actually, I think we have a couple specific items  
22 further in the Agenda. The two reports that I have deal  
23 with situations that did not occur during the meeting but  
24 subsequent to the meeting.

25           The first one involves a request that we have

1 received from the Governor's Office to provide to our  
2 Washington, D.C. lobbyist some direction on our thoughts on  
3 RCRA for the upcoming session of Congress. We do not as yet  
4 know who is going to be on the specific committees that  
5 will deal with RCRA, and we're not sure exactly how the  
6 bill will be introduced.

7           Of course, it's premature to come up with any  
8 specific positions on whatever the RCRA proposal will be  
9 because we do not know exactly what it will be. We do  
10 suspect, as a result of advice from our lobbyist, that the  
11 issues most likely being focused on in 1993 include  
12 planning, permitting, tires, batteries and used oil. We  
13 will continue to monitor that as it rolls out.

14           In the meantime, we would like to provide to the  
15 lobbyist some idea of what our direction, our position  
16 would be relative to RCRA given what we know about it from  
17 last year. We've been asked to do that by January fourth  
18 so he has some idea of how to begin to posture.

19           Everything still is somewhat up in the air  
20 because Congress has not convened yet. What I would like  
21 to do at this point is to provide our legislative staff  
22 with some direction that at least as of this point we would  
23 continue our position on RCRA as it was last year, and then  
24 we could provide that information to our Washington  
25 lobbyist.

1           As something specific is introduced, that will  
2 come through Committee and the Board meeting. We would also  
3 like our legislative staff to begin working early on a  
4 proactive strategy to make sure our voice will be heard in  
5 Washington working through our lobbyist.

6           I would like to also give our staff that  
7 direction. At the next LPAC meeting be provided with some  
8 greater detail on what that strategy might look like.

9           With the consensus of the Board, I would like to  
10 give staff the direction to provide that input from us.

11           Staff, consider yourself so directed.

12           The second thing, and I was very, very pleased  
13 and proud of our PIO staff in this next item that I am  
14 going to tell you about. There was recently, last week, a  
15 meeting of the State Information Offices Council, down in  
16 Hayward or somewhere down in my neck of the woods.

17           Our Board received four first place awards and  
18 two honorable mentions from that group as a result of some  
19 of the publications that our PIO office has put together.

20           To give you some idea of what this is all about,  
21 our publications competed against those submitted by all  
22 state agencies, departments and boards. The winners were  
23 "Waste Matters," our new newsletter, which took first  
24 place for best internal newsletter and best external  
25 newsletter; our "Week with Waste Workbook for Teachers,"

1 got best special project award; our consumer brochures on  
2 composting, source reduction and recycling took first place  
3 in the brochures category; and we received awards of merit  
4 for the "Christmas Tree Recycling" brochure and the "Pocket  
5 Guide to Recycling."

6           You should note that over 100 entries were judged  
7 by a special panel, and the panel included a consultant  
8 from Senator Ken Maddy's office, a Public Service  
9 Coordinator from Channel 13, and a Director of Advertising  
10 and Public Affairs of SMUD.

11           It was a well-rounded panel. The judges  
12 apparently were impressed by the quality of our design and  
13 the consistency and image and level of professionalism.

14           I would like to note that Sharron Leao, our  
15 Publications Coordinator, shepherded all of these projects  
16 through development and publication and worked with all of  
17 the different divisions who provided all the information  
18 that was needed and some direction as to how they ought to  
19 be put together.

20           I'm real impressed by our PIO staff. I know that  
21 Sharron worked really hard on this project and brought a  
22 great deal of honor to us. I think that Sharron and the  
23 rest of the PIO staff under the direction of Pat Macht  
24 deserve an applause.

25           Thank you. I will tell you, yesterday when I

1 talked to Pat about this, she wanted to come and say that  
2 the Board had won it, but I believe in giving credit where  
3 credit is due.

4           The six of us sitting up here did not do it. It  
5 was really our staff. You really deserve all the kudos for  
6 this one. Thank you.

7           One last thing, bear with me. This is our last  
8 meeting of the year, so I'm going to take a little bit of  
9 liberty here. We have had, I think, with the LPAC  
10 Committee, through our legislative staff and our PIO staff,  
11 a very successful year.

12           We got some significant legislation passed,  
13 through the hard work of our legislative staff. I have  
14 just told you about the honors which our PIO staff has  
15 brought to this Board, and they have worked very, very hard  
16 this year.

17           I would like to acknowledge all of the people who  
18 did that and thank them. From our PIO staff, we have  
19 Sharron Leason, Tom Estes, Tricia Broddrick, Liza Smith,  
20 Cathy Love, Tracy Woods, Candy Robertson, Sandra Hood,  
21 Stefanie Woo and Thomas Gonzalez.

22           We also have our hotline students. If you know  
23 anything about how they hotline is working, they are  
24 probably some of the most overworked people and  
25 underacknowledged people that we have working here at the

1 Board, and I would like to thank Kathleen Williams, John  
2 Carlson, John Stillwell, Jessie Sherman, Mario Agarza,  
3 Karen Goodall, Charmain Oneil, Matt Weaver and Rocky  
4 Ovarraro. Thank you very much, PIO staff.

5 I also want to acknowledge the legislative staff  
6 under the able direction of Dorothy Fettig, Patty Schwartz,  
7 Michelle Fideli, Pat Shartran, Sara Avilla and Corey Wood.  
8 That on behalf of the LPAC Committee, thank you and have a  
9 Happy New Year.

10 That concludes my report.

11 BOARD CHAIRMAN FROST: Thank you very much.

12 I would like to suggest that on the awards that  
13 we receive that we ask the PIO staff to come up with a plan  
14 to further publicize that.

15 I think, particularly in the Legislature, this is  
16 one of the most common complaints that the Legislature has  
17 about State agencies is their publications and  
18 communications. I think it would be of great interest to  
19 them to know that this Board and our staff has been able to  
20 achieve and excel in this area. I don't think that they  
21 know it now.

22 I would like to ask the public affairs staff to  
23 come up with a way the toot your own horn, which you  
24 deserve, so that everybody will know this, blatantly.

25 This is really important. For any of us who have

1 ever worked in the Legislature, this is a key complaint  
2 that they have about State agencies.

3 I think it would be very good for us to make sure  
4 that this information is broadly disseminated.

5 BOARD MEMBER NEAL: I encourage that and agree  
6 with that. I know you will come up with something.

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

9 BOARD MEMBER NEAL: One more thing, I also meant  
10 to mention that down in the PIO office we're working on  
11 getting the word out about having a wasteless Christmas.

12 If you have a chance to go down there, Pat has in  
13 and around her office some wonderful ideas on wrapping  
14 presents that either incorporate the reuse ethic or the  
15 reduce ethic. They are absolutely fabulous.

16 They were created by the husband of one of our  
17 subcontractors on one of our public information projects.  
18 If you have the opportunity to go down there, they are  
19 absolutely gorgeous.

20 BOARD CHAIRMAN FROST: Thank you.

21 Now, I have a brief report as Chair of the  
22 Administration Committee. The Administration Committee met  
23 earlier this month and considered three work statements for  
24 contract concepts, which were approved by the Board in  
25 September.

1 Today, two of these items were on Consent, and  
2 the remaining item concerns the Tire Recycling Fund  
3 allocations, which we will hear. There was no other new  
4 business concluded at that meeting.

5 That concludes our Committee reports. Before  
6 going to Item 3, I would like to advise the Board Members  
7 that we will be having an Executive Session, and there are  
8 several items of business at that Executive Session, which  
9 we will do whenever we conclude our regular business  
10 today. We have at least four items for Executive Session,  
11 just for your information.

12 Now, we will move to Item 3, consideration of  
13 contracts and interagency agreements. For this item, we  
14 will be discussing the interagency agreement relating to  
15 the Teale Data Center.

16 The two other interagency agreements in the  
17 packet will be discussed in closed session because there  
18 are personnel issues involved in the items.

19 Don Wallace will present the interagency  
20 agreement relating to the Teale Data Center.

21 BOARD MEMBER CHESBRO: May I ask, on those other  
22 two, Mr. Chairman, those will be brought back for public  
23 vote, or are you talking about the personnel portions being  
24 discussed in closed session?

25 BOARD CHAIRMAN FROST: My understanding is we can

1 adopt those in closed session.

2 BOARD MEMBER CHESBRO: I guess I should wait to  
3 find out if that's the case. I would object to that  
4 procedure.

5 I want the right to vote publicly on the record  
6 on those items. I have no objection to discussing the  
7 personnel aspects of the items in closed session. I think  
8 that's perfectly appropriate.

9 I want the opportunity to vote on the record.

10 BOARD CHAIRMAN FROST: How do we do that, Bob,  
11 come back in session after the closed session?

12 MR. CONHEIM: And merely present the items,  
13 present them for approval.

14 BOARD MEMBER HUFF: You could postpone  
15 consideration do the close session, and come back in the  
16 afternoon.

17 BOARD CHAIRMAN FROST: There is enough business  
18 in the closed session if we started now it would take us to  
19 the noon hour.

20 We can come back into session after the closed  
21 session discussion for the vote only. Can we do that?

22 MR. CONHEIM: Yes, you could.

23 Or you could have two closed sessions. Handle  
24 this item and then come back and dispense with it.

25 BOARD CHAIRMAN FROST: I don't want to do that.

1 We will come back for vote only after the closed session.

2 Items 4 through 11, these are 8 different  
3 interagency agreements, and each needs a separate vote.

4 Don Wallace will lead the discussion and  
5 introduce each of the items. The plan is to vote one at a  
6 time after the presentation.

7 MR. WALLACE: Are we going to discuss the Teale  
8 Data Center, a portion of number three?

9 BOARD CHAIRMAN FROST: Yes, that's right. Do that  
10 one first.

11 MR. WALLACE: We do have an interagency agreement  
12 with the Teale Data Center for graphic services for \$25,000  
13 to enhance the Board's graphic art system down in the  
14 Public Information Office. We have provided them with some  
15 capability and this service that Teale Data Service  
16 provides enhances that and helps win the awards that Ms.  
17 Neal mentioned earlier.

18 BOARD MEMBER NEAL: How could someone not vote  
19 for that?

20 BOARD MEMBER HUFF: Move it.

21 BOARD MEMBER NEAL: Second.

22 BOARD CHAIRMAN FROST: Moved and seconded.  
23 Call the roll, please.

24 MS. THOMAS: Board Members Chesbro.

25 Away from his seat.

1 Huff.

2 BOARD MEMBER HUFF: Aye.

3 MS. THOMAS: Egigian.

4 BOARD MEMBER EGIGIAN: Aye.

5 MS. THOMAS: Neal.

6 BOARD MEMBER NEAL: Aye.

7 MS. THOMAS: Relis.

8 BOARD MEMBER RELIS: Aye.

9 MS. THOMAS: Chairman Frost.

10 BOARD CHAIRMAN FROST: Aye.

11 BOARD MEMBER HUFF: I would suggest that you hold  
12 the roll open so that Mr. Chesbro can be on the record.

13 BOARD CHAIRMAN FROST: That's very thoughtful of  
14 you, Mr. Huff.

15 Okay. Item 4.

16 MR. WALLACE: The bulk of these that will follow  
17 are interagency agreements. By board policy, they didn't  
18 go to Committee for final review.

19 Otherwise, many of them probably would have been  
20 candidates for Consent. Most of them are concepts that  
21 have been previously approved by the Board.

22 What I'm going to do is present a brief  
23 background on each of these. If you have further questions,  
24 there are staff here to answer any detailed questions that  
25 you might have.

1           Item 4 is consideration of an award for  
2 Interagency Agreement with Cal State University for the  
3 Used Oil Recycling Graphics. That's for \$52,000. That  
4 will provide us some necessary visual aids and consulting  
5 services to get the used oil program off the ground and  
6 provide some educational presentation and informational  
7 materials. That will be paid for out of the Used Oil Fund.

8           BOARD MEMBER HUFF: That was going to be my  
9 question.

10           Used Oil Fund, okay.

11           BOARD CHAIRMAN FROST: Any questions or  
12 discussions on this item?

13           BOARD MEMBER HUFF: Move it.

14           BOARD MEMBER RELIS: Second.

15           BOARD CHAIRMAN FROST: Okay. It's moved and  
16 seconded.

17           Call the roll, please.

18           MS. THOMAS: Board Members Chesbro.

19           Away from his seat.

20           Huff.

21           BOARD MEMBER HUFF: Aye.

22           MS. THOMAS: Egigian.

23           BOARD MEMBER EGIGIAN: Aye.

24           MS. THOMAS: Neal.

25           BOARD MEMBER NEAL: Aye.

1 MS. THOMAS: Relis.

2 BOARD MEMBER RELIS: Aye.

3 MS. THOMAS: Chairman Frost.

4 BOARD CHAIRMAN FROST: Aye.

5 BOARD MEMBER HUFF: I would suggest that you hold  
6 this roll open, also.

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

8 BOARD MEMBER HUFF: Mr. Chesbro has no better  
9 friend on this Board.

10 BOARD CHAIRMAN FROST: Whatever.

11 MR. WALLACE: Next is an Interagency Agreement  
12 also paid for out of the Used Oil Fund, for \$200,000 to  
13 conduct audits with the Department of Finance.

14 They will audit various firms, organizations and  
15 companies that are paying into the Used Oil Fund.

16 BOARD CHAIRMAN FROST: Okay. Any discussion on  
17 this item?

18 BOARD MEMBER HUFF: Move it.

19 BOARD MEMBER RELIS: Second.

20 BOARD CHAIRMAN FROST: Moved and seconded.

21 Call the roll, please.

22 MS. THOMAS: Board Members Chesbro.

23 Away from his seat.

24 Huff.

25 BOARD MEMBER HUFF: Aye.

1 MS. THOMAS: Egigian.

2 BOARD MEMBER EGIGIAN: Aye.

3 MS. THOMAS: Neal.

4 BOARD MEMBER NEAL: Aye.

5 MS. THOMAS: Relis.

6 BOARD MEMBER RELIS: Aye.

7 MS. THOMAS: Chairman Frost.

8 BOARD CHAIRMAN FROST: Aye.

9 MR. WALLACE: Next is another Interagency  
10 Agreement with Cal State University for graphic services.  
11 This is paid for out of the Integrated Waste Management  
12 Account. It's for \$175,000.

13 It's similar to the contract that we had last  
14 year. It provides graphic and audio-visual services on an  
15 as-needed basis. It will provide us once again some of the  
16 materials that Ms. Neal noted earlier.

17 BOARD MEMBER CHESBRO: May I ask that the items  
18 that I missed be counted as aye votes.

19 BOARD MEMBER HUFF: We held the vote open for you,  
20 Mr. Chesbro.

21 BOARD CHAIRMAN FROST: Okay. Mr. Chesbro will be  
22 recorded as aye on 3, 4 and 5.

23 Okay. Item 6, Mr. Huff?

24 BOARD MEMBER HUFF: This is if we don't use the  
25 service, we don't spend the money?

1 MR. WALLACE: That's correct.

2 BOARD MEMBER HUFF: I just wanted to have that  
3 put on the record.

4 BOARD CHAIRMAN FROST: Any further discussion on  
5 this item?.

6 BOARD MEMBER HUFF: Move it.

7 BOARD MEMBER RELIS: Second.

8 BOARD CHAIRMAN FROST: Okay. Moved and seconded.  
9 Call the roll, please.

10 MS. THOMAS: Board Members Chesbro.

11 BOARD MEMBER CHESBRO: Aye.

12 MS. THOMAS: Huff.

13 BOARD MEMBER HUFF: Aye.

14 MS. THOMAS: Egigian.

15 BOARD MEMBER EGIGIAN: Aye.

16 MS. THOMAS: Neal.

17 BOARD MEMBER NEAL: Aye.

18 MS. THOMAS: Relis.

19 BOARD MEMBER RELIS: Aye.

20 MS. THOMAS: Chairman Frost.

21 BOARD CHAIRMAN FROST: Aye.

22 MR. WALLACE: Next is an Interagency Agreement  
23 with the Department of Finance for Waste-to-Energy Economic  
24 Analysis in the amount of \$100,000.

25 This will assist the Board to assess the

1 economics of waste energy technologies. As part of the  
2 Board's hierarchy of diverting waste materials after 1995.  
3 This is a concept that was approved by the Board.

4 BOARD MEMBER CHESBRO: Mr. Chairman?

5 BOARD CHAIRMAN FROST: Yes, Mr. Chesbro.

6 BOARD MEMBER CHESBRO: I have opposed this at  
7 previous votes of the Board based on the question of  
8 whether the Department of Finance is qualified or the most  
9 qualified bidder to do this.

10 With an Interagency Agreement and no competition,  
11 there is no way to determine that. In addition to that,  
12 looking at this project scope, it is considerably beyond  
13 what the Board previously discussed.

14 It involves examination of markets for recycled  
15 materials and a variety of items beyond just studying waste  
16 energy. I add that objection to my reasons for voting no.

17 It reaches even further beyond Finance's scope  
18 than the previous proposal.

19 BOARD MEMBER RELIS: On the question of markets,  
20 that's a reasonable point.

21 I don't know why we need to go into secondary  
22 markets. Other than that, I think it's fine.

23 They will have a hard time with that. We have  
24 better information.

25 BOARD MEMBER CHESBRO: It's duplicative of other

1 work going on at the Board.

2 BOARD MEMBER RELIS: It's only a portion of it.

3 With that omission, it's okay.

4 MR. WALLACE: My understanding is that the scope  
5 of work was expanded at the request of the advisors.

6 If you want changes --

7 BOARD MEMBER NEAL: I suggest that you take that  
8 part out.

9 BOARD MEMBER HUFF: Take that sentence out.

10 BOARD CHAIRMAN FROST: Okay.

11 Any further discussion?

12 BOARD MEMBER HUFF: Move it.

13 BOARD MEMBER RELIS: Second.

14 BOARD CHAIRMAN FROST: Moved and seconded.

15 Call the roll, please.

16 MS. THOMAS: Board Members Chesbro.

17 BOARD MEMBER CHESBRO: No.

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<sup>3</sup>: Chairman Frost.

2 BOARD CHAIRMAN FROST: Aye.

3 Okay.

4 MR. WALLACE: Number 8 is actually a request to  
5 amend a previous action taken by the Board.

6 The Board in April approved a contract with the  
7 Argonne National Laboratory to perform landfill gas  
8 research. It has come to our attention that we have a  
9 difficulty contracting directly with Argonne Lab.

10 We can do it through Orange County. We will  
11 still have the same scope of work. We will get the same  
12 product.

13 This is just a technical vehicle to get us to  
14 where we need to be. We would like the Board to amend its  
15 previous action to reflect the award of this contract to  
16 the County of Orange to actually coordinate the landfill  
17 research study by a subcontract with Argonne.

18 BOARD MEMBER NEAL: Are there administrative fees  
19 to the county attached to this?

20 MR. WALLACE: There are none.

21 BOARD MEMBER NEAL: It's a straight pass?

22 MR. WALLACE: Yes.

23 BOARD MEMBER RELIS: I just wanted to point out,  
24 at first I was a bit ambivalent about this.

25 In light of the items that we took up in the last

1 permit cycle, Permitting and Enforcement Committee, I think  
2 this information in this study is going to be crucial to  
3 our monitoring of the gas migration, what's its cause, and  
4 how effective are our mitigations?

5 I think it's a real important study.

6 Moved.

7 BOARD MEMBER HUFF: Second.

8 BOARD CHAIRMAN FROST: Moved and seconded.

9 Call the roll, please.

10 MS. THOMAS: Board Members Chesbro.

11 BOARD MEMBER CHESBRO: Aye.

12 MS. THOMAS: Huff.

13 BOARD MEMBER HUFF: Aye.

14 MS. THOMAS: Egigian.

15 BOARD MEMBER EGIGIAN: Aye.

16 MS. THOMAS: Neal.

17 BOARD MEMBER NEAL: Aye.

18 MS. THOMAS: Relis.

19 BOARD MEMBER RELIS: Aye.

20 MS. THOMAS: Chairman Frost.

21 BOARD CHAIRMAN FROST: Aye.

22 MR. WALLACE: Next is an Interagency Agreement  
23 with the Department of General Services, Office of  
24 Information Systems for EDP Services for \$260,000.

25 This will allow us to acquire some supplemental

1 EDP support necessary to assure the continued delivery of a  
2 full spectrum of EDP services for the Board in the next  
3 fiscal year.

4 BOARD MEMBER FROST: Any discussion on this  
5 item?

6 BOARD MEMBER HUFF: Is this an as-needed type  
7 of --

8 MR. WALLACE: I believe we have a list of areas  
9 that we would like General Services to actually investigate  
10 for us.

11 BOARD MEMBER HUFF: We have uses that require  
12 \$260,000 worth of work out of them already in mind?

13 MR. WALLACE: Yes.

14 BOARD MEMBER HUFF: Okay. Move it.

15 BOARD MEMBER RELIS: Second.

16 BOARD CHAIRMAN FROST: Moved and seconded.

17 Call the roll, please.

18 MS. THOMAS: Board Members Chesbro.

19 BOARD MEMBER CHESBRO: Aye.

20 MS. THOMAS: Huff.

21 BOARD MEMBER HUFF: Aye.

22 MS. THOMAS: Egigian.

23 BOARD MEMBER EGIGIAN: Aye.

24 MS. THOMAS: Neal.

25 BOARD MEMBER NEAL: Aye.

1 MS. THOMAS: Relis.

2 BOARD MEMBER RELIS: Aye.

3 MS. THOMAS: Chairman Frost.

4 BOARD CHAIRMAN FROST: Aye.

5 MR. WALLACE: Next is consideration of an  
6 Interagency Agreement with the Department of Finance for  
7 Support of the Governor's Washington, D.C. Office, for  
8 14,000.

9 This will provide our share of the expenses for  
10 that particular office, and its purpose is to keep all  
11 State agencies apprised of federal policies and their  
12 impact on the State and issues that are going on at the  
13 federal level.

14 BOARD MEMBER CHESBRO: Which Committee was this  
15 reviewed by?

16 MR. WALLACE: This was not reviewed by any  
17 Committee. This is an Interagency Agreement.

18 BOARD MEMBER CHESBRO: All interagency agreements  
19 have been determined to not go before Committees?

20 MR. WALLACE: They come to the Board, according to  
21 the Board policy.

22 BOARD MEMBER CHESBRO: Where was that determined  
23 or decided?

24 MR. WALLACE: It was a policy articulated by the  
25 Board some couple of months ago.

1 BOARD MEMBER CHESBRO: That's news to me.

2 I do not recall that determination being made. I  
3 understand that we had made a decision that contract, once  
4 the concepts were approved by Committees, that was one  
5 thing, but I do not recall that being determined with  
6 regards to interagency agreements.

7 I would like to know the date and the meeting and  
8 the specific action that the Board took to make that  
9 policy.

10 MR. CHANDLER: Mr. Chesbro, I know there has been  
11 communication to all Board Members with regard to the steps  
12 that we are to follow as we understood it from the  
13 direction.

14 I will resupply your office with that memorandum  
15 that lays out the steps that speaks specific to the  
16 requirement.

17 BOARD MEMBER CHESBRO: This is in a different  
18 category than the other one's that we sort of streamlined  
19 the process over.

20 It's one that I think needs -- the idea of all of  
21 our contracts and interagency agreements is that at some  
22 point there is conceptual discussion in a Committee about  
23 ideas.

24 This is something that I think is being put in  
25 some other category than that. Somehow it's not being given

1 that consideration where we discuss it at a Committee, and  
2 I think it needs to have that discussion.

3 MR. WALLACE: Mr. Chesbro, I believe that Item 10  
4 and Item 11 are, shall I say, a tithing of State agencies  
5 to supply the support for the Governor's Washington office,  
6 as well as the Office of Planning and Research.

7 My understanding is that this is consistent with  
8 the way the budgets for each of these organizations have  
9 been put together, approved by the Legislature and the  
10 Governor, looking for reimbursement from other State  
11 agencies.

12 BOARD MEMBER CHESBRO: I understand that concept.

13 But taking that approach bypasses our  
14 decision-making process and makes an assumption and raises  
15 questions about the independence of this Board and its  
16 ability to make decisions about its budget.

17 To me, having it go through the consideration  
18 process gives us the opportunity to discuss what it is that  
19 we're getting and what level of service we're getting. I'm  
20 not necessarily saying we shouldn't be contributing, but it  
21 should require the courtesy of consideration the way all  
22 items are handled by this Board under its policy, which is  
23 that we have a policy discussion.

24 Any determination that is made that it's  
25 worthwhile, we're given the opportunity to ask questions.

1 I don't think this approach to consideration allows that.  
2 It makes an assumption that we are automatically in if this  
3 regard beholding to the Administration and doesn't give us  
4 opportunity to make an independent decision.

5 BOARD MEMBER HUFF: You say that the Legislature  
6 contemplated structuring the budgets for the D.C. Office  
7 and Office of Planning Research in this manner?

8 MR. WALLACE: My understanding is that they are  
9 dependent upon reimbursements from other State agencies for  
10 these purposes and as their budget has been approved.

11 BOARD MEMBER HUFF: In other words, the  
12 Legislature said to the Administration, you cannot have  
13 direct appropriation for the D.C. Office, you cannot have  
14 direct appropriation for OPR. You must fund it by  
15 reimbursements.

16 And when they structured the Budget Bill, they  
17 showed reimbursements coming into each of those entities?

18 MR. WALLACE: That's my understanding.

19 BOARD MEMBER HUFF: If we refuse the  
20 reimbursement, we are running counter to the intention of  
21 the Legislature, as well as counter to the operation of the  
22 Administration. We're thumbing our nose at both entities.

23 It could be said that?

24 MR. WALLACE: Yes, it could be said that.

25 BOARD MEMBER CHESBRO: I am not objecting to the

1 reimbursement.

2           What I am objecting to is the idea that this  
3 Board doesn't have a discussion through its normal  
4 Committee process. I'm also concerned about the precedent  
5 of it.

6           When are we going to have other items pop up on  
7 the Board's Agenda that haven't been considered by  
8 Committee because someone decided that it didn't require  
9 Committee consideration?

10           BOARD CHAIRMAN FROST: Mr. Chesbro, I thought we  
11 just went through Items 3 through 9, which were handled in  
12 exactly the same manner.

13           I didn't hear you object to any of those.

14           BOARD MEMBER CHESBRO: Those were items that in  
15 one way or another were discussed at the Committee level.

16           I haven't objected, with the possible exception  
17 of the last one, I considered voting against that one, the  
18 Teale EDP services contract.

19           BOARD CHAIRMAN FROST: Any other discussion on  
20 this item?

21           BOARD MEMBER HUFF: I would ask our legislative  
22 staff to go to the Legislature and ask them for the power  
23 to appropriate money on our own.

24           BOARD MEMBER CHESBRO: I would ask the Board to  
25 follow its Committee referral procedure.

1 BOARD CHAIRMAN FROST: I would ask for a motion  
2 on this item.

3 BOARD MEMBER HUFF: Moved.

4 BOARD MEMBER EGIGIAN: Second.

5 BOARD CHAIRMAN FROST: Moved and seconded.

6 Call the roll, please.

7 MS. THOMAS: Board Members Chesbro.

8 BOARD MEMBER CHESBRO: No.

9 MS. THOMAS: Huff.

10 BOARD MEMBER HUFF: Aye.

11 MS. THOMAS: Egigian.

12 BOARD MEMBER EGIGIAN: Aye.

13 MS. THOMAS: Neal.

14 BOARD MEMBER NEAL: No.

15 MS. THOMAS: Relis.

16 BOARD MEMBER RELIS: Aye.

17 MS. THOMAS: Chairman Frost.

18 BOARD CHAIRMAN FROST: Aye.

19 That item is adopted.

20 Next item.

21 MR. WALLACE: Item 11 is consideration of  
22 Interagency Agreement to support the Governor's Office of  
23 Planning and Research.

24 BOARD MEMBER HUFF: Same motion.

25 BOARD MEMBER CHESBRO: Same argument.

1 BOARD MEMBER NEAL: I have a question, what are  
2 we getting from the Governor's Office of Planning and  
3 Research?

4 MR. WALLACE: This is support of the activities  
5 of that organization, which basically includes writing and  
6 research services for agencies and departments.

7 BOARD MEMBER NEAL: What do we get?

8 MR. WALLACE: As well as the clearinghouse.

9 BOARD MEMBER HUFF: They have notifications for  
10 us.

11 MR. WALLACE: The clearinghouse in OPR provides  
12 the notification to all responsible agencies of  
13 environmental review documents that are going through the  
14 process. All the CEQA documents go to the clearinghouse in  
15 OPR.

16 They in turn inform other State agencies and ask  
17 for them to provide their analysis of those particular EIRs  
18 as to whether or not there is an impact to those  
19 departments or not.

20 BOARD MEMBER NEAL: How often in the past year  
21 have we been involved with that process?

22 MR. WALLACE: How many EIRs, Martha, have come  
23 through?

24 MS. VALDEZ: I'm not sure how many EIRs.

25 We use their services for more than just EIR

1 discussion. They are the experts on CEQA. We consult with  
2 them for a number of reasons.

3 Most notably, with Eagle Mount, we will use them  
4 as liason in coordinating that.

5 The project most visible is the MacMillan Bloedel  
6 paper facility. They have been very involved in that.

7 BOARD MEMBER NEAL: Doing what?

8 MS. VALDEZ: As a facilitator, getting all  
9 agencies to sit down at the same table and come to an  
10 agreement on a regulatory scheme.

11 BOARD MEMBER NEAL: Isn't that what Cal EPA is  
12 supposed to be doing?

13 BOARD CHAIRMAN FROST: Only for Cal EPA  
14 agencies. These include agencies that aren't in Cal EPA.

15 MS. VALDEZ: With MacMillan Bloedel, we sat down,  
16 they also included federal agencies and many other agencies  
17 not part of Cal EPA, including CARS, CalTrans and others.

18 They have provided very valuable service. I have  
19 not been involved in developing this particular contract,  
20 but I have involvement with --

21 BOARD MEMBER NEAL: Sounds like a layer of  
22 bureaucracy.

23 MS. VALDEZ: It is, but they do assist proponents  
24 in getting permits.

25 Many times as someone hits a stumbling block,

1 they are the experts. They know who to call to get a  
2 project moving.

3 BOARD MEMBER NEAL: We are concerned with those  
4 getting the permits from us, and Cal EPA was to be  
5 responsible for that.

6 MS. VALDEZ: At Cal EPA, the permit streamlining  
7 group, OPR, sits on that round table. They are actively  
8 involved in developing a permit streamlining approach.

9 BOARD MEMBER NEAL: I'm trying to see where we're  
10 getting \$11,250 worth of services from OPR. So far I  
11 haven't heard that.

12 BOARD MEMBER CHESBRO: I would like to separate  
13 the question of the value or validity of this contract as  
14 with the last one with the question of whether or not the  
15 kinds of questions that Ms. Neal is asking having had the  
16 opportunity at the Committee level to be asked and  
17 discussed so we understand what it is that we're handing  
18 money over for.

19 I'm going to vote no again because I think  
20 procedurally we are throwing our rules out the window if we  
21 proceed with the way it's suggested.

22 BOARD MEMBER HUFF: I already made the motion.

23 BOARD MEMBER EGIGIAN: Second.

24 BOARD CHAIRMAN FROST: Moved and seconded.

25 Call the roll, please.

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 Motion adopted.

14 MR. WALLACE: Number 12 is consideration of  
15 catagories of projects to be funded under our contract with  
16 the California Conservation Corps.

17 That Interagency Agreement has previously been  
18 approved by the Board. Marilyn Olson is here to present  
19 that detail, if you would like some more information.

20 BOARD CHAIRMAN FROST: Let me ask, do we need any  
21 other information?

22 BOARD MEMBER NEAL: I have issues with some of  
23 the proposal, and it may have benefitted from a Committee  
24 level discussion that maybe we'll need to have it here.

25 BOARD CHAIRMAN FROST: Okay. Ms. Olson.

1 MS. OLSON: Would it be best if you had your  
2 questions and I could respond?

3 BOARD MEMBER NEAL: In looking at the proposals  
4 that are here, I sort of question the Rebuild LA proposal.

5 This is not a new question to you that I have  
6 had. I wonder if between the time that this proposal was  
7 created and now there has been an opportunity to do any  
8 research to determine, first of all, if what we're  
9 proposing here is needed, would be helpful, and also given  
10 all of the attention and millions of dollars that is  
11 focused on Rebuild LA will suit some of our criteria that  
12 we'd like in terms of really making an impact and getting  
13 recognition, and et cetera, et cetera.

14 MS. OLSON: Since the Admin Committee and so  
15 forth, we have worked with the local Corps in LA to ask  
16 them because they have been administering some programs  
17 down there already, and we've talked with LA County, they  
18 do see the need that we can assist.

19 In particular, we can use the paint recycling  
20 program, the collection. They already have paint, but we  
21 would use the application there to assist, and that seems  
22 to be well worthwhile.

23 There also is another project by a nonprofit  
24 group that is working with the county, and they could  
25 utilize the funds as well for some ongoing programs they

1 have to augment as far as recycling and composting programs  
2 that are going on locally there in LA.

3 BOARD MEMBER NEAL: I'm not sure I got that last  
4 part.

5 Who are you talking about?

6 MS. OLSON: I have staff here to respond because  
7 they have worked directly with LA. Judy Friedman will come  
8 up.

9 BOARD CHAIRMAN FROST: Were these projects  
10 proposed or decided by CCC or by us?

11 MS. OLSON: The projects were proposed by us.

12 Our staff went out to the various program areas  
13 and asked LEAs, districts, constituency groups, the school  
14 districts what they see to be the need. From that we  
15 developed the proposal.

16 We also, as you will see in the item, had a  
17 criteria which we used to develop the five categories.

18 BOARD MEMBER NEAL: Mike, I will add, and this is  
19 also not a new complaint that I've had on this, no Board  
20 Members were asked if they had any input that they would  
21 like to provide prior to any of these proposals being  
22 developed.

23 I think that the Committees themselves also  
24 should have maybe had some opportunity. I didn't get a  
25 chance, and maybe I'm arguing against myself once I found

1 out what was going on, to put in a proposal, but I still  
2 think in terms of process that we should have been  
3 approached at the front end to see if we had any input that  
4 we would like to add.

5 That's the point.

6 BOARD MEMBER HUFF: Somewhere in all this  
7 conversation, Marilyn, maybe you can do this, I would like  
8 to know if the Legislature has had any input?

9 This was an invention of the Legislature. We  
10 didn't ask for this. They told us that we were going to  
11 spend this million dollars on the CCC.

12 If the Legislature is happy with this million,  
13 then I'm happy. If they're not, then I'm concerned.

14 BOARD MEMBER NEAL: I can answer that as well.

15 The Legislature was approached for input well  
16 after these proposals were developed as well.

17 Only because the question ultimately was raised,  
18 "Well, did you think to check with them?" That had not  
19 happened.

20 I did finally check with the Speaker's office  
21 because he was the one who initiated this in the first  
22 place. Quite frankly, they sort of left it up to me to  
23 provide some guidance on the project development.

24 After it was put together, they said, "Well,  
25 that's fine. We'll go with it."

1 No, they were not approached at the beginning.

2 BOARD MEMBER HUFF: So, you have the Speaker's  
3 proxy?

4 BOARD MEMBER NEAL: Yes.

5 BOARD CHAIRMAN FROST: My understanding, though,  
6 was, as I say, that we didn't ask for this and probably  
7 wouldn't be doing it if the Legislature hadn't directed us  
8 to do it.

9 In terms of my own input, I didn't really want  
10 any input. I just wanted the Legislature to be satisfied  
11 that their direction was being met, and it was my  
12 understanding that the main direction was to get additional  
13 State funding for the State CCC which would free up funding  
14 for local CCCs, which I think this does.

15 BOARD MEMBER NEAL: This does that.

16 Again, as I said, I'm addressing process, and the  
17 fact that the Board and the Legislature were brought in  
18 more on the back end than the front end.

19 MR. WALLACE: I would like to point out that we  
20 did work closely with the CCC themselves in initiating  
21 these projects.

22 We asked them what kinds of services could they  
23 provide, what was possible.

24 BOARD MEMBER HUFF: I notice they are punching  
25 holes in tires.

1 BOARD MEMBER NEAL: We understand that.

2 BOARD MEMBER CHESBRO: I do have a remaining  
3 question that I brought up at the Committee level that I'm  
4 not real clear on what the answer is.

5 Should there be some sort of natural disaster,  
6 some other need arise during the term of this contract or  
7 program, do we have the flexibility to redirect the funds  
8 by mutual agreement with the CCC if there was an earthquake  
9 or something else and the need for some program that is  
10 appropriately related to the Board to have the CCC work on,  
11 could we change this?

12 MS. OLSON: Do I hear your question is that we  
13 would want CCCs to be directed elsewhere or the CCC  
14 themselves would ask to because of their responsibility to  
15 redirect these?

16 BOARD MEMBER CHESBRO: Either way, is there  
17 flexibility built in?

18 Are we locked into this grouping, or if something  
19 else pops up that is unexpected, do we have the opportunity  
20 to consider other options?

21 MS. OLSON: I believe the way the contract has  
22 been signed or was presented to CCC that it is open, that  
23 we could make some changes because it's a service-as-needed  
24 contract, and the specific projects are not included in the  
25 text of the contract.

1           What we're proposing to you today are the  
2 categories of projects that these dollars and work would be  
3 directed toward.

4           So, I believe you would have the flexibility at  
5 both ends.

6           BOARD MEMBER RELIS: On that point, I just wanted  
7 to ask Ms. Neal if like under Item 1, on the Rebuild, I'm  
8 not really aware -- I was down there a month or two most  
9 ago, and I don't know what the status of the salvage effort  
10 is of the demolished buildings, whether that -- is that  
11 pretty much complete now?

12           BOARD MEMBER NEAL: I don't know either.

13           That is part of why I was asking some of the  
14 questions. On the face of it, it sounds like a noble thing  
15 to do.

16           But I don't know if we have really done the kind  
17 of research to determine if, in fact, it's something that  
18 is really needed and something that gives us the most bang  
19 for the buck that we have here.

20           I just think that maybe they have the answer. I  
21 have not heard them yet. We got sidetracked as I was asking  
22 the question.

23           BOARD MEMBER RELIS: Is it urgent that it be  
24 done?

25           BOARD MEMBER NEAL: If I might frame at least

1 part of our decision today, I think we're deciding if we  
2 want to go forward with all of these projects as proposed.

3 If maybe we like some and not others, it's up to  
4 us to decide what we want to do with these. I'm not sure  
5 what the time frame is if we need to do this right away.

6 MR. WALLACE: If you have some problems with  
7 pieces of the work plan, we could separate the issue.

8 What I would just point out is that a million  
9 dollars was earmarked for the CCC for expenditure in  
10 1992-1993, we are in December.

11 In order for that money to be freed up between  
12 now and June in order to be used in other ways, the more  
13 quickly they can put the Corps members to work and charge  
14 hours against this contract the better that will all work  
15 out.

16 If you would like to do part of this and have a  
17 chance to review part of it for later, we can certainly do  
18 that.

19 BOARD CHAIRMAN FROST: It does make it difficult  
20 for them the later they get this money, it's difficult for  
21 them to spend it.

22 BOARD MEMBER HUFF: I wouldn't want the  
23 Legislature to think we're dragging our feet on spending  
24 this million dollars that they wanted spent.

25 BOARD MEMBER NEAL: I'm not suggesting we drag

1 our feet.

2 I don't know if we want to do this discussion,  
3 but I still have some sort of substance questions, like the  
4 one I raised about LA, about these particular projects.

5 BOARD MEMBER HUFF: Are some that you don't have  
6 questions?

7 BOARD MEMBER NEAL: Partnerships and education.

8 BOARD MEMBER HUFF: Is there more than one that  
9 you don't have questions?

10 BOARD MEMBER NEAL: Possibly the tire cleanup,  
11 but I have questions about that, about how much do we get  
12 out of a one-shot deal there?

13 BOARD CHAIRMAN FROST: What do you propose, Ms.  
14 Neal, as to how to proceed on this item?

15 BOARD MEMBER NEAL: It's sort of like shoring up  
16 the bridge after it's been built.

17 BOARD MEMBER HUFF: That's the story of this  
18 whole million dollars.

19 BOARD MEMBER NEAL: It's the story of how it's  
20 been dealt with once it got here.

21 I'm just raising some questions that I think are  
22 valid questions. I'm one vote on the Board, if you want to  
23 go forward with the rest of the proposals.

24 If you don't think that it is important to find  
25 out what the substance of these projects will be, then

1 that's fine, just go on and vote on it.

2 BOARD MEMBER HUFF: We value your advice and  
3 counsel, particularly in matters that involve our interface  
4 with the Legislature. We're very concerned about our  
5 relationship with the Legislature.

6 That's why I'm concerned with getting on the with  
7 the program here and wonder which one's are the most ready  
8 for us to get on with so that the CCC can actually spend  
9 the million dollars that the Legislature wanted them to  
10 spend.

11 BOARD MEMBER NEAL: I've told you two projects  
12 that I have real questions about, the Rebuild South Central  
13 LA, and, again, the Recycle Paint Collection.

14 BOARD MEMBER HUFF: Then, why don't we move the  
15 other two?

16 BOARD CHAIRMAN FROST: Is it possible for us to  
17 allocate the money to CCC and let them spend it on the  
18 other projects and have a further review of these  
19 projects?

20 MR. WALLACE: The contract has been let and  
21 signed with the CCC. They are just waiting for direction  
22 as to what to do, what to charge against it.

23 If you do some and not all, we can come back with  
24 a plan for whatever you like to not move forward on at this  
25 time.

1           BOARD MEMBER NEAL: Or I can just at a later time  
2 tell you what the questions are, and if I get some answers,  
3 then that's fine.

4           Rebuild LA and Recycled Paint Collection.

5           BOARD MEMBER HUFF: Partnerships and tires are  
6 okay.

7           What about rural counties?

8           BOARD CHAIRMAN FROST: Let me try this.

9           What if we adopt this item and give Ms. Neal our  
10 proxy on the questions that she has on the other items, and  
11 if she is not satisfied with the responses, then those  
12 items come back to the Legislative and Public Affairs  
13 Committee for discussion?

14          MR. WALLACE: Yes, that's fine.

15          We're certainly open to any other ideas that you  
16 would like to substitute for the things that are on that  
17 list.

18          BOARD CHAIRMAN FROST: Okay. That way we avoid  
19 further delay and still deal with the individual issues.

20          BOARD MEMBER HUFF: What is the motion?

21          BOARD CHAIRMAN FROST: To adopt this and give Ms.  
22 Neal our proxy on the questions that she has remaining on  
23 the remaining projects, and if she's not satisfied with  
24 those answers, those items will come specifically before  
25 the Legislation and Public Affairs Committee for

1 discussion.

2 BOARD MEMBER HUFF: Are we focusing that motion  
3 then on the Rebuild LA?

4 BOARD CHAIRMAN FROST: No particular items. We're  
5 just giving her our proxy.

6 BOARD MEMBER HUFF: Carte blanche?

7 BOARD CHAIRMAN FROST: Yes.

8 BOARD MEMBER NEAL: I like that.

9 Can I have that on everything?

10 BOARD MEMBER RELIS: I move that.

11 BOARD CHAIRMAN FROST: Moved by Mr. Relis.

12 BOARD MEMBER NEAL: I second that one.

13 BOARD CHAIRMAN FROST: Call the roll.

14 MS. THOMAS: Board Members Chesbro.

15 BOARD MEMBER CHESBRO: Well, yes.

16 MS. THOMAS: Huff.

17 BOARD MEMBER HUFF: With enthusiasm.

18 MS. THOMAS: Egigian.

19 BOARD MEMBER EGIGIAN: Yes.

20 MS. THOMAS: Neal.

21 BOARD MEMBER NEAL: With hope that this proxy is  
22 precedent-setting, yes.

23 MS. THOMAS: Relis.

24 BOARD MEMBER RELIS: Aye.

25 MS. THOMAS: Chairman Frost.

1 BOARD CHAIRMAN FROST: With no comment, aye.

2 All right.

3 MR. WALLACE: We have one final contract and  
4 that's for Comprehensive Legal Services for the Recycling  
5 and Market Development Zone Resolving Loan Fund Program.

6 This is to secure some specialized legal review  
7 so that we can put together the loan documents, review loan  
8 documents and do a program implementation on closing those  
9 loans.

10 BOARD MEMBER RELIS: Mr. Chair, we have an urgent  
11 need here to get our loan packages out.

12 BOARD MEMBER CHESBRO: Moved.

13 BOARD MEMBER NEAL: Second..

14 BOARD CHAIRMAN FROST: Moved and seconded.

15 Call the roll, please.

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 BOARD CHAIRMAN FROST: Okay. Now, that takes us,  
4 Mr. Wallace, to Item 14?

5 MR. WALLACE: Yes.

6 BOARD CHAIRMAN FROST: Item 14, Mr. Rietz.

7 MR. RIETZ: Mr. Chairman, this item was prepared  
8 in support of Contra Costa County's efforts to comply with  
9 the new requirements for submission of the County's  
10 Integrated Waste Management Plan, Non Disposal Facility  
11 Element, requirement contained contained in AB 3001.

12 We are asking that this item be pulled from  
13 Consent at this time because the county has a suggested  
14 modification.

15 BOARD CHAIRMAN FROST: It's already been pulled  
16 from Consent.

17 MR. RIETZ: Thank you, sir.

18 I would now just like to briefly present the  
19 requested modification and have staff respond to the  
20 request.

21 It reads as follows:

22 "Whereas, Contra Costa County submitted  
23 a draft Countywide Integrated Waste Management  
24 Plan and Siting Element on September 18, 1992,  
25 and upon review by staff, that Draft Plan was

1 found to have had only four regulatory  
2 deficiencies and no statutory deficiencies."

3 I'd ask staff to respond to this requested  
4 modification.

5 MS. LAWRENCE: Good morning, Chairman Frost and  
6 Board Members.

7 Contra Costa County has requested an additional  
8 paragraph to be added to the Resolution for this item. It  
9 would follow after existing paragraph number 4. We have  
10 evaluated that request, and we are, as staff, satisfied  
11 that that is accurate, and we would recommend that that be  
12 added to the Resolution.

13 BOARD MEMBER CHESBRO: With that addition and  
14 with staff's concurrence, I move it.

15 BOARD MEMBER RELIS: Second.

16 BOARD CHAIRMAN FROST: Moved and seconded.

17 Call the roll, please.

18 MS. THOMAS: Board Members Chesbro.

19 BOARD MEMBER CHESBRO: Aye.

20 MS. THOMAS: Huff.

21 BOARD MEMBER HUFF: Aye.

22 MS. THOMAS: Egigian.

23 Away from his seat.

24 Neal.

25 BOARD MEMBER NEAL: Aye.

1 MS. THOMAS: Relis.

2 BOARD MEMBER RELIS: Aye.

3 MS. THOMAS: Chairman Frost.

4 BOARD CHAIRMAN FROST: Aye.

5 Okay. Item 16, consideration of the staff  
6 recommendation on Resolving Loan Fund Program Loan  
7 Committee Membership.

8 MR. RIETZ: Mr. Chairman, one of the most  
9 important aspects of the new revolving loan fund is the  
10 credit worthiness of the applicants.

11 One of the things we've been doing is to identify  
12 the most able and capable members of the Loan Committee,  
13 and staff are here to present to you the recommendations  
14 that were approved by the Market Development Committee for  
15 staff presentation.

16 MS. FORD: Good morning.

17 The purpose of the Loan Committee, as Tom briefly  
18 mentioned, was to evaluate the financial soundness of the  
19 loan recommendations and the credit worthiness and to  
20 provide the recommendations to the Market Development  
21 Committee, who will then recommend prioritization of the  
22 loan applications to the full Board.

23 The Loan Committee will be comprised of members  
24 with expertise in financial analysis and credit evaluation.

25 We have solicited committee members from the

1 public and private sector, urban and rural areas, the  
2 lending community and the Department of Commerce.

3 Staff is available to answer any questions  
4 concerning the composition of the Loan Committee.

5 BOARD CHAIRMAN FROST: Any questions from the  
6 Board Members regarding the Loan Committee?

7 BOARD MEMBER CHESBRO: Move the Committee  
8 recommendation.

9 BOARD MEMBER NEAL: Second.

10 BOARD CHAIRMAN FROST: Moved and seconded.

11 Call the roll, please.

12 MS. THOMAS: Board Members Chesbro.

13 BOARD MEMBER CHESBRO: Aye.

14 MS. THOMAS: Huff.

15 BOARD MEMBER HUFF: Aye.

16 MS. THOMAS: Egigian.

17 Away from his seat.

18 Neal.

19 BOARD MEMBER NEAL: Aye.

20 MS. THOMAS: Relis.

21 BOARD MEMBER RELIS: Aye.

22 MS. THOMAS: Chairman Frost.

23 BOARD CHAIRMAN FROST: Aye.

24 Next is Item 18, Consideration of adoption of the  
25 California Tire Recycling Management Fund.

1 This discussion will be lead by Marilyn Olson.

2 MS. OLSON: Chairman and Members, I'm here to  
3 present Item 18, the proposed allocation for the scheduling  
4 of the remaining balance in the Tire Recycling Management  
5 Fund.

6 The fund was established in 1990 as part of the  
7 Tire Recycling Act, and the revenues are derived from the  
8 twenty-five cent assessment on the tires disposal fee. The  
9 total amount available in your fund for the 1992-93 fiscal  
10 year is \$4.7 million, and to date you have already  
11 allocated \$2.198 million of that fund.

12 As you know, the Tire Recycling Act directs the  
13 use of the dollars, and it mandates that we, as a Board,  
14 establish a statewide recycling program and reduce our  
15 dependency on landfill disposal of used whole tires by 25  
16 percent within four years of our recycling program.

17 As a result of this mandate, you have multiple  
18 purposes for which you can use these dollars for. They  
19 range from cost associated with the obvious recycling  
20 program, development and enforcement of regs related to  
21 waste tire storage, cleanup, abatement, remedial action,  
22 studies and research to promote and develop alternatives to  
23 landfill disposal, and Statewide shredding programs at  
24 authorized landfills as well as costs associated with the  
25 purchase preference by the State for materials manufactured

1 from recycled tires.

2 Noting that you have a variety of fund uses,  
3 these definitely cross your divisional lines as well as  
4 your several policy Committees, staff took a team approach  
5 and had representatives from each division evaluate the  
6 programs and present a proposal.

7 We then consulted with all of the advisors, had  
8 meetings prior to the Administration Committee, which this  
9 issue was referred to, and subsequent to that, and what we  
10 have presented to you today in the light of the short  
11 turn-around between the Committee as well as the Board, we  
12 had a revised Resolution that reflects the input that we  
13 received.

14 Essentially, the proposal is \$1 million to be  
15 allocated to Market Development Zone Loan Program, which is  
16 an augmentation on your existing program, but it will be  
17 directed to tires only; \$1 million that would go for two  
18 grant programs, one directed toward research, and the other  
19 toward business development and feasibility demonstration  
20 projects; and \$365,000 for remedial action.

21 This essentially concludes my remarks, and Martha  
22 Gildart will give you a brief summary of the policy  
23 considerations that were brought into fold to develop this  
24 proposal.

25 MS. GILDART: Good morning, Mr. Chairman and

1 Members of the Board.

2           What we're asking today is for your approval of  
3 all the different pieces that fit together to make up the  
4 Board's Tire Program. The mechanism for this will be the  
5 allocation of funds to the different projects.

6           This allocation procedure will be gone through  
7 annually so that we can revise the amounts and types of  
8 projects each year to reflect that year's need.

9           The goals of the program, as I said, allocate the  
10 available funding this year, unite these different elements  
11 into one coherent program, set the precedent for using an  
12 allocation procedure for the projects, promote a diversity  
13 of projects the State will be funding, to work with local  
14 agencies and businesses to promote their efforts and try to  
15 spread our limited funds for research and business  
16 development as efficiently as possible.

17           To summarize the action before you, I have a  
18 paraphrased version of the Resolution. By approving the  
19 Resolution, the Board will be authorizing the start-up of  
20 the different program elements.

21           In general, the Resolution will allocate the  
22 dollars available this year in the fund to the different  
23 programs. It will direct the staff to issue a solicitation  
24 for grant applications. That is the mechanism of which we  
25 will find out what activities are available, and we will

1 determine which one's are eligible for funding for this  
2 fiscal year.

3 We need to have these funds encumbered by June.  
4 We will also be asking you to direct staff to amend the  
5 Market Development Zone Loan Program regulations to include  
6 tire related activities.

7 It's a fairly simple amendment. They do have to  
8 go through that process to spend the Tire Fund dollars on  
9 tire projects.

10 When we presented our proposal to the  
11 Administration Committee, they did have some changes, which  
12 are reflected in the Resolution that's been handed out to  
13 you today.

14 I'm not sure if that's legible to everyone in the  
15 room. The Committee changes were to reduce the amount of  
16 money in the remedial action element to \$365,000. Those  
17 are dollars that are currently available to be spent  
18 through contract.

19 One of the things we had to deal with in this  
20 program were dollars in our budget that were either in the  
21 support category or the local assistance category, and  
22 you're restricted to certain uses in those categories.

23 We would have \$365,000 available for technical  
24 assistance to local governments in the form of advice,  
25 expertise, cleanup, whatever, for them to conduct their own

1 programs on remedial action and cleanup. This is through  
2 the Permits Division.

3 The Market Development Zone Loan Program would  
4 have an augmentation of \$1 million, and under direction of  
5 the Committee, we have reversed the order of use to reflect  
6 the hierarchy.

7 We did consult with the Market Development Zone  
8 Loan Program staff and legal staff on the statutes that  
9 enable the Market Development Zone Program and were told  
10 that transformation or fuel use is allowable, but we have  
11 tried to reflect a lower priority in the order that we have  
12 presented them in the Resolution.

13 The other elements have remained the same in the  
14 Research Grant Program. I could go into detail if the  
15 Board so wishes on what kinds of activities we are  
16 proposing to fund.

17 BOARD CHAIRMAN FROST: No, I think that unless  
18 there are specific questions about any further items, we  
19 have discussed all the changes that were made.

20 BOARD MEMBER RELIS: I have a question on the  
21 priority.

22 I'm pleased to see that we're reflecting the  
23 recycling over the energy function here even though energy  
24 use is integral with tire management.

25 Would you explain why you have put such a

1 emphasis in the pyrolysis area?

2 MS. GILDART: It goes back to the report that we  
3 submitted earlier this year to the Legislature.

4 We were directed by the statute to examine the  
5 feasibility of using tires as a fuel supplement. We also  
6 included a discussion of pyrolysis under that report.

7 Part of what we feel is that there are 20 million  
8 or more tires sitting on the ground right now that do not  
9 lend themselves as easily to the process of recycling into  
10 new products. Quite often it's a matter of contamination,  
11 the quality of the tire, what is in it, and it seemed that  
12 combustion techniques were preferable for those tires.

13 We are trying to develop the Grant Program, the  
14 Loan Program, to encourage the alternative uses of product  
15 development.

16 The pyrolysis is one of interest because it has a  
17 product. It is not just energy related.

18 You have three components from pyrolysis. You  
19 have gas, oil and carbon char. The gas is typically  
20 consumed within the pyrolysis project itself. It's burned  
21 to heat the tire materials to the point of decomposition.

22 The oil and the carbon are products that can be  
23 marketed. The oil can be used either in fuel or possibly  
24 as a lubricant.

25 We feel that this blends the components of

1 transformation and materials recovery in one action.

2 BOARD MEMBER RELIS: You think that we're going  
3 to likely take pyrolysis further than it's been taken?

4 There has been a lot of money thrown at  
5 pyrolysis. That is what I'm trying to speak to. That's  
6 been over twenty years.

7 MS. GILDART: There are actually several entities  
8 who have expressed interest in some form of pyrolysis.

9 We have been contacted by Texaco, who is looking  
10 at a tire pyrolysis project. We are aware of other  
11 gasification projects of materials other than tires.

12 It often boils down to an economic analysis  
13 rather than a technical limitation. We have a current  
14 contract looking as pyrolysis and its feasibility.

15 In this program, what we have done is limited  
16 what a pyrolysis project could apply to the Board for  
17 funding. We are not proposing grants be made available to  
18 a pyrolysis project, but that loans might be made available  
19 for the product, market product development, where we are  
20 wanting to help on the economic feasibility side.

21 BOARD MEMBER RELIS: That would be one on the  
22 scale that would come back to us, that would be \$50,000 or  
23 more?

24 MR. WALLACE: The specific contracts themselves?

25 Yes.

1           BOARD MEMBER RELIS: I'm skeptical about that  
2 area, and I want to make sure that we are getting  
3 something.

4           MR. WALLACE: That's true.

5           MS. GILDART: Getting to more detail on how the  
6 grant portion would be set up, we were envisioning in the  
7 business development part of the Grant Program a two-phased  
8 process where the initial phase would be business cost  
9 start-up costs which could come back to us later for the  
10 larger grants if necessary.

11           The Loan Program might also make monies available  
12 for existing projects. So, there are two possible avenues  
13 that the pyrolysis project could come to us for funding,  
14 but it's lower priority than the product development.

15           BOARD MEMBER RELIS: I just want to be guaranteed  
16 that we have a way of looking at the projects that would  
17 come.

18           I would like to look at it before just a blanket  
19 prescription.

20           MR. WALLACE: Mr. Relis, I believe it's fair to  
21 say that what you have before you is an allocation of the  
22 dollars to purposes, and the specific work statement for  
23 each of those will come back to the appropriate Committee  
24 and to this Board.

25           MS. GILDART: We do have a Notice of Funds

1 Available, the Notice that we would send out to let the  
2 world know that we have a Grant Program.

3 When we release that, then people will contact us  
4 for a grant application form and explanation. When those  
5 applications come back for evaluation, most likely we will  
6 have a Committee review, and at that time could have  
7 participation, if it is so wished, by the advisors to the  
8 Members.

9 When we award the actual dollars to any grantee,  
10 then that will have Board approval.

11 BOARD MEMBER NEAL: I would like to make it a  
12 little stronger than most likely will have Committee  
13 review. I would like to, and this is along the lines of  
14 policy, saying I would like to have something written in  
15 that any pyrolysis projects must come to the Board.

16 MS. GILDART: Pyrolysis only, or all of the Tire  
17 Grant Program applications?

18 BOARD MEMBER NEAL: Any with pyrolysis, that one,  
19 and any combustion, any burning, I want to have come back  
20 to the Board.

21 BOARD MEMBER EGIGIAN: I would suggest that  
22 whoever has questions about this pyrolysis situation look  
23 at what Texaco has going in Southern California in  
24 Montebello.

25 BOARD MEMBER RELIS: I'll be happy to check it

1 out.

2 The way I read this, the way we're going to  
3 address the tire problem, besides through the crumb rubber  
4 application, a lot of it is going to be used in the cement  
5 kiln applications, our work should reflect as much as  
6 possible the reality of the alternatives that are available  
7 to really address this problem.

8 I don't think the Board is in a position to do a  
9 lot of research that, at least from what I have been led to  
10 believe, that has not led down a very productive path.  
11 Pyrolysis is one of those areas that I just happen to know  
12 something about.

13 MS. GILDART: The way we have it set up now, we  
14 would not fund research for tire pyrolysis through this  
15 program.

16 We could fund the processing equipment to prepare  
17 the fuel, or product market development for the carbon or  
18 oil or whatever, the inputs and outputs to the process.

19 We're not recommending at this time funding  
20 fundamental research into pyrolysis.

21 BOARD MEMBER RELIS: But the process historically  
22 has very expensive subsets.

23 BOARD MEMBER EGIGIAN: We should not limit  
24 anything that has to do with this tire situation.

25 When we first started on this tire, we looked at

1 it in our Committee before it was moved from our Committee  
2 to a different Committee. We knew that there was a big  
3 problem. Everybody that came before the Committee so  
4 stated.

5 Now, it looks like we're trying to limit the  
6 areas that people can get involved in on this tire  
7 situation. We are starting to put them in catagories. I  
8 don't like that.

9 I think it should be left wide open. The tire  
10 problem will be resolved because there are so many people  
11 are interested in doing something about it. If it's a  
12 grant, I say don't give any grants.

13 If it's a loan and the people can pay it back,  
14 then let's go on on that basis. I think by law, we're  
15 supposed to give some grants here, so I will not fight  
16 that.

17 I want it left open.

18 BOARD MEMBER HUFF: This is a process question,  
19 not just on pyrolysis but on all of them.

20 What would be the process followed under the  
21 Market Development Zone Loans or Research and Business  
22 Development Grants, what is the process?

23 MS. GILDART: If we are so directed today, the  
24 staff will issue the Notice of Funds Available early in  
25 January.

1 Interested applicants will contact the Board for  
2 application forms, the application package that explains  
3 what they have to do. Those will come back to us and will  
4 be evaluated by Committee, which I hear will have advisor  
5 participation on pyrolysis or combustion --

6 BOARD MEMBER HUFF: Well, let's not anticipate.  
7 What would be the normal process?

8 MS. GILDART: The application would be evaluated  
9 by a Committee.

10 There is a list of criteria in the statute by  
11 which we evaluate those applications, rank them, see how  
12 much money can be spread as far as possible going down the  
13 hierarchy and come back to the Board for approval of those  
14 funds going to those applicants.

15 BOARD MEMBER HUFF: When you say evaluated by a  
16 Committee, you mean a staff Committee not a Committee of  
17 Board Members?

18 MS. GILDART: Exactly.

19 We're following the contract process. Once the  
20 concept is approved, the work statement is usually approved  
21 through the advisors, and you see the contract at the Board  
22 level.

23 We will follow that process. We can alter that  
24 at your direction.

25 BOARD MEMBER HUFF: The Board gets another shot

1 at it?

2 Before these monies go out the door we will see  
3 it again, all of them, right?

4 MS. GILDART: Right.

5 BOARD MEMBER HUFF: What's wrong with that?

6 Let's just do it. It's a motion.

7 BOARD MEMBER CHESBRO: Before we do, I want to  
8 make a couple of comments on the Loan Fund, the million  
9 dollar loan fund in the zones.

10 I'm prepared to go along, but I wanted to state  
11 what my concern is. My concern is that these are Recycling  
12 Market Development Zones not Waste Energy Market  
13 Development Zones.

14 I'm real disturbed about hearing that the  
15 language, and I should not repeat it, but the language  
16 doesn't specifically, for the broader loan program,  
17 prohibit fuel processing.

18 We should look at that legislatively because  
19 these are specifically targetted intending to create  
20 recycling markets, and that's what the zones are for.  
21 That's what I've been working for. I think that's what the  
22 Legislature intended.

23 That being said, it's clear that the tires are in  
24 a category by themselves. They have their own problems,  
25 their own health and safety hazards associated with them,

1 and to create a completely separate, duplicative loan  
2 program outside the zones would be sort of bureaucratic and  
3 unnecessary.

4           While I'm concerned about mixing the message  
5 about what the zones are for, I think if the staff is  
6 conscious of that and continues to realize the hierarchy  
7 guides our actions, and for the non-tire loan programs that  
8 clearly recycling is our goal, then I'm prepared to accept  
9 the fact that we are going to have two loan programs that  
10 have a different set of issues and problems associated with  
11 them, and that the tires, ultimately the Tire Fund could be  
12 used for fuel processing, even though it conflicts with the  
13 mission of the zones.

14           BOARD MEMBER EGIGIAN: I don't know why we're  
15 talking about hierarchy in the every item that we're  
16 talking about here.

17           BOARD MEMBER CHESBRO: Because that's the law.

18           BOARD MEMBER EGIGIAN: That's the law, but one of  
19 the items in the hierarchy does have what you're trying to  
20 preclude here.

21           I don't think we should limit it. I think it  
22 should be left wide open, and if it's part of what the law  
23 says we should do, then we should do it. We're limiting  
24 everything on every issue that we talking about. We're  
25 trying to talk out the importance of one or the other

1 issues that might not be one, two, three, four or five,  
2 depending on where it happened to land, we're giving that  
3 less importance.

4 BOARD MEMBER HUFF: I had a motion.

5 BOARD CHAIRMAN FROST: I heard a motion.

6 MR. DIER: I would like to add some  
7 clarification. I would like to have Nadine Ford address the  
8 concern with regard to the Zone Program.

9 I would like to emphasize that this is a  
10 one-time-only expenditure for this year in the Zone  
11 Program. It is up to the Board, as Martha explained, to  
12 reallocate funds each year.

13 As proposed right now, it's only for this fiscal  
14 year. This will be an activity within the Zone Program.

15 BOARD MEMBER CHESBRO: Before getting too far  
16 into it, and I'm happy to hear from Nadine, but let me  
17 repeat that I was prepared to go along.

18 I just wanted to get my concerns on the record.  
19 I'm not trying to prolong the argument here.

20 BOARD MEMBER HUFF: Was there a second to the  
21 motion?

22 BOARD MEMBER RELIS: I'm seconding it with the  
23 discussion. We understand what the intent of the  
24 discussion is, and we will see the projects and see them  
25 separately.

1 I'm prepared to second it.

2 BOARD CHAIRMAN FROST: Okay. Moved and seconded.

3 Call the roll, please.

4 MS. THOMAS: Board Members Chesbro.

5 BOARD MEMBER CHESBRO: Aye.

6 MS. THOMAS: Huff.

7 BOARD MEMBER HUFF: Aye.

8 MS. THOMAS: Egigian.

9 BOARD MEMBER EGIGIAN: Aye.

10 MS. THOMAS: Neal.

11 BOARD MEMBER NEAL: Aye.

12 MS. THOMAS: Relis.

13 BOARD MEMBER RELIS: Aye.

14 MS. THOMAS: Chairman Frost.

15 BOARD CHAIRMAN FROST: Aye.

16 On Item 18, I did have a request to speak, but it  
17 is a request for a specific grant on a specific project.

18 This is not the forum to present grant requests  
19 under that item. That will be solicited by the staff and  
20 can be given to staff at that time. This is only a  
21 function of the State budget process that we're doing  
22 here.

23 We are not dealing with any individual grant  
24 requests at this time. We're not prepared to do so. I  
25 would like to make that clear, that that's not a part of

1 the process at this time.

2 BOARD MEMBER HUFF: Mr. Chairman, I'm pleased and  
3 heartened that knowledge of these funds and their  
4 soon-to-be availability is preceding our action, and we  
5 have people out there ready to go to work.

6 BOARD CHAIRMAN FROST: Yes.

7 Okay. So, now, we will move to Item 20,  
8 consideration and approval of the Augmentation of the  
9 Disposal Capacity Study Phase II, Tom Rietz.

10 MR. RIETZ: In May the Board awarded the  
11 Integrated Waste Management Planning Study, which included  
12 the Landfill Disposal Capacity Study Phase II.

13 This contract was awarded to Environmental  
14 Science Associates, Incorporated. Subsequently we  
15 identified a need to proceed with a portion of the work  
16 that was anticipated to be performed in Phase III of the  
17 Landfill Disposal Capacity Study, namely the development of  
18 standard methodologies for determining remaining landfill  
19 disposal capacity.

20 Tracey Harper of the Local Assistance Branch will  
21 now present more detail regarding this augmentation  
22 request.

23 MS. HARPER: Good morning, Chairman Frost, Board  
24 Members. I'm here to present Agenda Item No. 20 which is  
25 the consideration and approval of augmentation to the

1 Integrated Waste Management Planning Study, Disposal  
2 Capacity Study, Phase II.

3 First, I'll provide some background to put this  
4 proposal into context. As you may recall, previously staff  
5 was directed by the Policy, Research and Technical  
6 Assistance Committee to prepare a report which summarized  
7 the remaining landfill capacities statewide and aggregated  
8 by county.

9 The Interim Landfill Disposal Capacity Report,  
10 otherwise entitled "Reaching the Limits," was approved by  
11 the Policy, Research and Technical Assistance Committee and  
12 moved to this Board where it was approved at the April 29  
13 Board meeting.

14 That report was a compilation of data submitted  
15 by the local task forces as required by AB-939. As you  
16 know, staff is managing a contract, the Integrated Waste  
17 Management Planning Study, which includes the Landfill  
18 Capacity Study Phase II.

19 This contract was Awarded to Environmental  
20 Science Associates, ESA, at the May 28 Board meeting.  
21 Phase II's major goals include updating the information on  
22 remaining landfill disposal capacity on a site specific  
23 basis.

24 Also an evaluation of how each jurisdiction and  
25 landfill determines its remaining capacity will be

1 performed. Finally, strategies to overcome landfill  
2 disposal capacity shortfalls will be identified.

3 Phase III of the Landfill Capacity Study  
4 envisions two major goals. The first goal is to proceed  
5 with strategy development, those strategies identified as a  
6 result of Phase II, the current contract, which are  
7 endorsed by the Policy, Research and Technical Assistance  
8 Committee, and then moved by this Board, will be more fully  
9 developed and implementation plans will be identified.

10 The second goal of Phase III is to develop one or  
11 more standard methodologies for determining landfill  
12 capacity. The scope of work for Landfill Phase III was  
13 approved at the September 10 Administration Committee  
14 meeting.

15 At that meeting it was determined that a portion  
16 of the work under Landfill Capacity Study Phase III should  
17 be moved to the current contract for Phase III. The  
18 mechanism for accomplishing this is an augmentation.

19 The purpose of this item before you today is to  
20 move that second goal envisioned under the scope of the  
21 Landfill Capacity Phase III to Phase II.

22 The work to be performed includes development of  
23 one or more standard methodologies for determining  
24 remaining landfill disposal capacity.

25 This action in concept was approved by the Board

1 at the September thirtieth meeting. This involves moving  
2 \$75,000 from the approved \$200,000 for Phase III to the  
3 augmentation of Phase II.

4 The proposed augmentation was presented to the  
5 Policy, Research and Technical Assistance Committee last  
6 week. The Committee approved the Resolution, augmenting the  
7 Environmental Science Associates contract by \$75,000 to  
8 include the development of one or more standard  
9 methodologies for the Landfill Disposal Capacity Study  
10 portion of the contract.

11 In order to go forward with the augmentation,  
12 it's necessary at this time for this Board to expressly and  
13 formally pass a Resolution approving of this augmentation.

14 That concludes my presentation.

15 BOARD MEMBER NEAL: I move approval.

16 BOARD MEMBER CHESBRO: Seconded.

17 BOARD CHAIRMAN FROST: Moved and seconded.

18 Call the roll, please.

19 MS. THOMAS: Board Members Chesbro.

20 BOARD MEMBER CHESBRO: Aye.

21 MS. THOMAS: Huff.

22 BOARD MEMBER HUFF: Aye.

23 MS. THOMAS: Egigian.

24 BOARD MEMBER EGIGIAN: Aye.

25 MS. THOMAS: Neal.

1 BOARD MEMBER NEAL: Aye.

2 MS. THOMAS: Relis.

3 BOARD MEMBER RELIS: Aye.

4 MS. THOMAS: Chairman Frost.

5 BOARD CHAIRMAN FROST: Aye.

6 Thank you. Item 22, which is the cosponsorship  
7 of the CRRA workshop.

8 Pat Macht.

9 MS. MACHT: Item 22 requests approval of \$2500  
10 from the Board's Outreach Budget to have the Board enter  
11 into a partnership with CRRA to put on a course for  
12 manufacturers to assist in business expansion.

13 Basically, the CRRA proposes to contract with the  
14 National Development Council to conduct a "Financial  
15 Management for Entrepreneurs" course.

16 The target audience is end-use manufacturers of  
17 recycled products. I believe that this does complement our  
18 Technical Assistance Programs in the market development  
19 area.

20 BOARD CHAIRMAN FROST: Mr. Relis?

21 BOARD MEMBER RELIS: I have no comments.

22 BOARD MEMBER NEAL: Move approval.

23 BOARD MEMBER RELIS: Second.

24 BOARD CHAIRMAN FROST: Moved and seconded.

25 Any discussion?

1 BOARD MEMBER EGIGIAN: Do you want discussion?

2 Mr. Chairman, I'm opposed to this. It appears  
3 that the CRRA went ahead and let a contract and then  
4 somebody told them why don't you try the Integrated Waste  
5 Management Board to get \$2500 to help you defray this cost.

6 Item 18, we're spending over \$2 million, and it  
7 has to do with business start-up and expansion, and for  
8 research projects, market development and so forth,  
9 business development and feasibility.

10 If such a study is made, it should be this Board  
11 that contracts out to make the study and not an  
12 organization that has a membership larger than the  
13 membership of our whole organization here.

14 As a Member on this Board that represents the  
15 waste industry, CRRA has gone out of their way many times  
16 to try to change and disassemble many things that have  
17 happened in this waste industry over many, many years.

18 I, as one, am opposed to spending this money  
19 knowing that everything that I read in the papers tells us  
20 that we are going to have budget problems, and this Board  
21 itself is going to be short of money in this coming fiscal  
22 year.

23 It's not a lot of money after spending two or  
24 three million dollars on items before, but anything that we  
25 can save I think we should at this point in time.

1 BOARD CHAIRMAN FROST: Okay. I have a request.

2 BOARD MEMBER NEAL: I wanted to respond that  
3 first of all this is -- we are not contracting for a report  
4 or study to be conducted.

5 We have been requested to be a cosponsor for an  
6 activity, the same way that we are requested to be a  
7 cosponsor for the CSAC meeting, the way we're requested to  
8 be a cosponsor for ECO Expo and any number of activities.

9 We have in the past done cosponsorships in  
10 exactly this same way. We were requested to sign on as a  
11 cosponsor, and we decide whether it's the kind of activity  
12 that we feel is appropriate to cosponsor.

13 The reason that I feel this is an excellent  
14 activity for us to provide support, first of all, I remind  
15 you when we established our Market Development Zones, we  
16 went from eight to twelve, stretching our resources, and  
17 there was a commitment on the part of this Board to do  
18 everything possible to generate additional resources and  
19 give additional help given this added burden that we placed  
20 on our whole Market Development Zone Program.

21 This is certainly getting to a population that is  
22 going to be key in making that program successful, and I  
23 think it's getting to that population in a way that is very  
24 cost-effective. We would actually be working through CRRA  
25 through the National Development Council, an organization

1 with which we've worked with in the past and that has  
2 certainly delivered to us some very good kinds of services  
3 and support.

4 I think that this is certainly an activity that  
5 gives us a lot of bang for the buck, supports our market  
6 development initiatives, and is in line with the commitment  
7 that the Board has given to do everything that they can to  
8 deliver additional resources to our Market Development  
9 Program.

10 That is why I suggest we support this.

11 BOARD MEMBER EGIGIAN: Ms. Neal, I'm saying that  
12 we are running short of money. We're concerned about our  
13 budget.

14 Why should we spend any amount of money that we  
15 don't have to spend when we're already spending large  
16 amounts in other areas to do the same job?

17 If we feel that it's important enough, then we  
18 should do it ourselves and not through a second group.

19 BOARD MEMBER NEAL: We don't have the expertise  
20 in-house to do it ourselves.

21 BOARD MEMBER CHESBRO: It's a lot less expensive  
22 to share the expense with others as well, cosponsor rather  
23 than sponsor.

24 BOARD MEMBER RELIS: Mr. Chair, I thought the  
25 only issue here, if I'm wrong, was that the Board would

1 have an oversight function here, that was the concern,  
2 before the invitation list, the involvement was left  
3 unclear. I thought that was resolved.

4 MS. MACHT: As a matter of fact, during the last  
5 thirty days, our staff has worked with CRRA, and they are  
6 in full agreement that the Board staff and Planning and  
7 Assistance should be actively involved in every aspect of  
8 this conference to be sure that the conference does  
9 dovetail with their market development efforts.

10 BOARD MEMBER EGIGIAN: Are you saying that we  
11 have already agreed to do this by the staff and now the --

12 BOARD MEMBER NEAL: There is a process question  
13 that we discussed in Committee, and Ms. Macht just gave you  
14 the answer to the process concern that we had.

15 MS. MACHT: No commitment has been made yet.

16 BOARD CHAIRMAN FROST: Mr. Liss, would you like  
17 to say anything at this time?

18 MS. LISS: I just appreciate the opportunity to  
19 speak to this item.

20 I believe that Ms. Neal has addressed all of the  
21 issues that have been raised this morning. I am available  
22 to answer any other questions.

23 BOARD CHAIRMAN FROST: Thank you.

24 Now, there has been a notion and a second.

25 Call the roll, please.

1 MS. THOMAS: Board Members Chesbro.

2 BOARD MEMBER CHESBRO: Aye.

3 MS. THOMAS: Huff.

4 BOARD MEMBER HUFF: No.

5 MS. THOMAS: Egigian.

6 BOARD MEMBER EGIGIAN: No.

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: Abstain.

13 BOARD MEMBER CHESBRO: I certainly hope that  
14 Mr. Egigian's comments this morning and votes and comments  
15 at recent Board meetings aren't indicative of the industry  
16 backing away from support from market development.

17 We have seen some direct attacks on efforts to  
18 put resources into market development. We've seen the  
19 hierarchy consistently questioned. We have requests,  
20 including the one which was just unanimously, to put money  
21 into the lower end of the hierarchy to continue to pursue  
22 disposal of waste with a significant lack of support on the  
23 other end of the equation for market development.

24 It started last summer in Long Beach where the  
25 Board failed to adopt a very simple and direct and basic

1 philosophical statement committing itself to market  
2 development, and now I think we see just step-by-step a  
3 backing away from market development as an essential piece  
4 of this Board's responsibility.

5 This disturbs me greatly. I think this will  
6 jeopardize this Board's future in the Legislature's eyes.  
7 We didn't get created to be the old waste board that puts  
8 its resources and its time strictly into disposal. We were  
9 created to pursue a hierarchy of waste management practices  
10 that has source reduction and recycling at the top.

11 We're in deep trouble if this is a statement  
12 about the future.

13 BOARD MEMBER NEAL: I would like to put the  
14 question on call.

15 BOARD CHAIRMAN FROST: Okay. The vote is on  
16 call.

17 We have never really adopted that kind of  
18 procedure.

19 BOARD MEMBER HUFF: It's a good procedure.  
20 We will leave it on call until the person putting  
21 it on call decides to lift the call.

22 BOARD CHAIRMAN FROST: Okay. Go to Item 25.

23 BOARD MEMBER CHESBRO: I would like to move  
24 reconsideration of the item involving, the item which was  
25 approved on the Disposal Capacity Study.

1 BOARD MEMBER NEAL: I second.

2 BOARD MEMBER CHESBRO: In argument in favor of  
3 it, I'd like to say that pursuing some balance of approach  
4 on this Board is critical, and I would really have voted  
5 otherwise on that item had I known that the Board was going  
6 to turn down a simple inexpensive contract to assist small  
7 businesses with market development.

8 BOARD MEMBER EGIGIAN: Wesley, what you're saying  
9 is if I don't agree with you, there is no balance on this  
10 Board, is that what you're saying?

11 BOARD MEMBER CHESBRO: Well, apparently there is  
12 a majority, or at least half the Board that's agreeing with  
13 you as well about your priorities, and so I think that the  
14 balance is quickly slipping away.

15 BOARD MEMBER EGIGIAN: So my priorities have  
16 nothing to do with my function on this Board?

17 BOARD MEMBER CHESBRO: You're saying, as far as I  
18 can tell, that disposal is what counts and that the other  
19 things don't matter.

20 BOARD MEMBER EGIGIAN: Without disposal nothing  
21 will count here. That's quite obvious.

22 BOARD CHAIRMAN FROST: We're going to recess for  
23 lunch.

24 BOARD MEMBER NEAL: We have a motion on the  
25 floor.

1 BOARD CHAIRMAN FROST: We'll take the motion up  
2 immediately after lunch.

3 BOARD MEMBER NEAL: May I ask you to hold off for  
4 a minute.

5 I did have one other item that I wanted to bring  
6 up before lunch, if I might. I have invited today, and  
7 maybe this is a good time to have this happen, a friend.

8 (Thereupon a robot entertained the Board  
9 and attendees.)

10 BOARD CHAIRMAN FROST: We are going to adjourn  
11 for lunch and reconvene in public session at 1:45.

12 (Thereupon the lunch recess was taken.)  
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A F T E R N O O N S E S S I O N

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3 BOARD CHAIRMAN FROST: All right. The Board will  
4 return to order for our afternoon session.

5 There is currently a motion and a second on the  
6 floor to return to Item 20.

7 Mr. Chesbro made the motion.

8 BOARD MEMBER CHESBRO: I withdraw the motion.

9 BOARD CHAIRMAN FROST: That motion is withdrawn.

10 We will move to Item 25, which is consideration  
11 of Certification and Designation of Nevada County  
12 Department of Environmental Health.

13 BOARD MEMBER NEAL: Before we do that, we had an  
14 item on call. Can we revisit that now?

15 BOARD CHAIRMAN FROST: Do you want to lift the  
16 call now?

17 BOARD MEMBER NEAL: Yes.

18 BOARD CHAIRMAN FROST: Call is lifted on Item  
19 22.

20 If anybody wishes to change their vote on this  
21 item, this is their opportunity to change the vote.

22 BOARD MEMBER HUFF: Mr. Chairman, how am I  
23 recorded?

24 MS. THOMAS: I'm not the Chairman, but I'll  
25 answer, Mr. Huff.

1 BOARD CHAIRMAN FROST: Close enough.

2 MS. THOMAS: You were recorded as a no vote.

3 BOARD MEMBER HUFF: I would like to change my  
4 vote no to abstain.

5 BOARD MEMBER EGIGIAN: Mr. Chairman, I just  
6 wanted to make clear one point up here.

7 Mr. Chesbro was remarking on the fact that I was  
8 possibly against marketing or anything to do with it for as  
9 long as I have been around here.

10 I just want Mr. Chesbro and this Board to know  
11 that I was in marketing and then the recycling business  
12 before Mr. Chesbro could spell recycling. He was a very  
13 young boy when I was in this business.

14 I haven't changed my attitude. He also related  
15 somewhat to the industry. The industry as spent hundreds  
16 of millions of dollars on marketing and recycling, and I  
17 don't think it's a fair statement that he make.

18 If the industry hadn't done this, who else would  
19 have done it? I just wanted to make that plain.

20 BOARD CHAIRMAN FROST: I would also like to point  
21 out, Mr. Egigian, that you were in recycling before I was  
22 born.

23 BOARD MEMBER EGIGIAN: I'm a hundred and two,  
24 so --

25 BOARD CHAIRMAN FROST: Okay. We're back to the

1 roll call. How am I recorded?

2 MS. THOMAS: You are recorded as an abstain.

3 BOARD CHAIRMAN FROST: I change from abstain to  
4 aye.

5 MS. THOMAS: Done.

6 BOARD CHAIRMAN FROST: That item is adopted.

7 BOARD MEMBER NEAL: May I beg the Chair's  
8 indulgence for one more thing?

9 I apologize for being late, but I wanted to put a  
10 plug in.

11 The reason I was late was I was over in the side  
12 chamber recording a spot for this evening's five o'clock  
13 news on Channel 10 on ways to have a more waste responsible  
14 holiday season.

15 The wonderful packages that I mentioned earlier,  
16 we highlighted those, and they will be talking about tree  
17 recycling and tree replanting and how to look for gifts  
18 with recycled content or recycled content packaging.

19 I encourage everybody to watch me on the five  
20 o'clock news on Channel 10. If I messed up too badly, I  
21 don't want to hear about it.

22 BOARD MEMBER CHESBRO: If we're home at 5:00.

23 BOARD MEMBER HUFF: We're going to be out of here  
24 by 5:00.

25 BOARD MEMBER NEAL: We have TV's here.

1           BOARD MEMBER RELIS: I wish CRRA and the National  
2 Development Council well on their project, and we look  
3 forward to assisting the market development efforts.

4           BOARD MEMBER EGIGIAN: One other thing, Mr.  
5 Chairman, if this thing is going to go on with CRRA and  
6 they are going to do the inviting, I hope they invite some  
7 people from from the waste industry that have some of the  
8 answers and can give some good suggestions to the  
9 solutions.

10           BOARD MEMBER CHESBRO: That issue was aired  
11 thoroughly at the Committee, and the Board staff will be  
12 contributing significantly to who is attending.

13           It's not just a CRRA list. It's open to a  
14 variety of parties.

15           BOARD CHAIRMAN FROST: Okay. Now, we can move to  
16 Item 25, which is the certification of Nevada County  
17 Department of Environmental Health as the LEA for the  
18 County of Nevada.

19           BOARD MEMBER HUFF: While staff is coming up --

20           BOARD CHAIRMAN FROST: They are already here.

21           BOARD MEMBER HUFF: I'll go ahead anyway.

22           This was not on Consent, one, because of the long  
23 history we have had with Nevada County, but, two, because  
24 in the Committee, even though the vote was unanimous, we  
25 had a member of the public speak against the County of

1 nevada. For those reasons, it wasn't on Consent, absent  
2 the fact, it probably would've been.

3 BOARD CHAIRMAN FROST: Are you suggesting  
4 something in terms of the presentation, or how would you  
5 like to handle this?

6 BOARD MEMBER HUFF: We all know the history of  
7 our involvement with Nevada County.

8 I think staff will tell you that the County has  
9 been very responsive of late to our concerns and are making  
10 what staff regard as a pretty good faith effort to conduct  
11 their business in the most appropriate way.

12 I don't know if you have any requests to speak.

13 BOARD CHAIRMAN FROST: Yes, I have one request.

14 BOARD MEMBER HUFF: Is it from a County person.

15 BOARD CHAIRMAN FROST: Yes, Nevada County  
16 Environmental Health.

17 BOARD MEMBER HUFF: So, they wouldn't speak if,  
18 in fact, this item was moved.

19 BOARD CHAIRMAN FROST: I suspect they would like  
20 to see the item moved.

21 BOARD MEMBER HUFF: I wonder if there were any  
22 members from the public here to speak against it.

23 BOARD CHAIRMAN FROST: No one else has requested  
24 to speak on this item.

25 BOARD MEMBER HUFF: So, I move the item.

1 BOARD MEMBER CHESBRO: Second.  
2 BOARD CHAIRMAN FROST: Moved and seconded.  
3 Call the roll, please.  
4 MS. THOMAS: Board Members Chesbro.  
5 BOARD MEMBER CHESBRO: Aye.  
6 MS. THOMAS: Huff.  
7 BOARD MEMBER HUFF: Aye.  
8 MS. THOMAS: Egigian.  
9 BOARD MEMBER EGIGIAN: Aye.  
10 MS. THOMAS: Neal.  
11 BOARD MEMBER NEAL: Aye.  
12 MS. THOMAS: Relis.  
13 BOARD MEMBER RELIS: Aye.  
14 MS. THOMAS: Chairman Frost.  
15 BOARD CHAIRMAN FROST: Aye.  
16 BOARD MEMBER HUFF: You guys were eloquent.  
17 BOARD CHAIRMAN FROST: That takes us to Item 36,  
18 which was contingent upon Item 25.  
19 This is an issuance of a Revised Solid Waste  
20 Facilities Permit for the McCourtney Road Transfer Station,  
21 in Nevada County.  
22 This was before your Committee?  
23 BOARD MEMBER HUFF: This came before our  
24 Committee. Nevada County is now the LEA for this activity  
25 for this permit, but this item we ought to hear in brief

1 because of our history and involvement with McCourtney Road  
2 Landfill and what has gone on there.

3 I think that staff should make their  
4 presentation.

5 MR. SWEENEY: Good afternoon, Board Members. My  
6 name is Paul Sweeney, representing Board staff.

7 This item regards the consideration of  
8 concurrence of the issuance of a new Solid Waste Facilities  
9 Permit for the McCourtney Road Transfer Station. The  
10 facility will be permitted to process up to 180 tons per  
11 day of mixed municipal waste.

12 This waste has previously been disposed of in the  
13 McCourtney Road Landfill. The waste will be transported to  
14 and disposed of at the Anderson Solid Waste Landfill in  
15 Shasta County, California, Facility No. 45-AA-0020.

16 A Judgment Pursuant to Stipulation, JPS, between  
17 the State of California and the County of Nevada was signed  
18 March 4, 1991. Faced with a December 31, 1992 JPS deadline  
19 for submittal of a complete application for a Revised Solid  
20 Waste Facilities Permit or Final Closure/Postclosure  
21 Maintenance Plans, the County evaluated the relative merits  
22 of continuing solid waste disposal operations at the  
23 McCourtney Landfill versus contracting with others to  
24 achieve the same ends.

25 They decided to pursue site closure, and in order

1 to provide continued solid waste disposal services to the  
2 Western Nevada County population, entered into a long haul  
3 contract with a private firm to remove wastes to the  
4 Anderson Solid Waste Landfill in Shasta County.

5 The McCourtney Road Transfer Station, as  
6 described in this proposed permit, would provide the means  
7 for accepting and preparing the waste for transfer from  
8 Western Nevada County to the Anderson Solid Waste Landfill  
9 in Shasta County.

10 This facility is the former Public Receiving Area  
11 of the McCourtney Road Landfill. It consists of a  
12 scalehouse, a covered tipping floor area and the associated  
13 roads and parking spaces needed by the public for unloading  
14 of wastes.

15 Refuse enters the site, is checked and weighed at  
16 the scalehouse. Signs direct the vehicles to the MRTS for  
17 customer drop-off of waste. The waste is loaded into the  
18 long-haul trailers for transfer to the contracted disposal  
19 site. The peak daily loading of 180 tons per day results  
20 in a maximum of eight trucks per day.

21 Then again, there is more operational stuff, but  
22 there is an implementation of the MRTS operations and the  
23 long haul of waste to the Anderson Landfill will not change  
24 the traffic volume on the roadways attributed to public and  
25 commercial vehicles hauling solid waste to the site.

1 Nevada County Department of Transportation  
2 concludes that the only traffic increase generated from the  
3 project will be the truck-trailer trips transporting waste  
4 to the Anderson Landfill. It is projected that ten to  
5 fourteen trips both ways, or five to six round trips will  
6 be made everyday that the site is in operation in  
7 transporting the waste to the Anderson Landfill in Shasta  
8 County.

9 Salvaging is permitted only by MRTS staff who  
10 intercept recyclables from the waste stream. Customers are  
11 encouraged to only deposit refuse at the MRTS. Recyclables  
12 and wood waste are directed to the adjacent recycling  
13 operations.

14 Tim Snellings, Director of the Nevada County  
15 Department of Environmental Health, and two of his staff,  
16 Ron Hall and Brian Isman are here to answer any of your  
17 questions.

18 The last thing that came up at the Committee  
19 meeting, we have a new first page of the permit that had  
20 not gone into print beforehand. Now that the LEA is  
21 certified, we can insert their name in place of Martha's.

22 BOARD MEMBER HUFF: This is the ultimate solution  
23 to the problems at McCourtney Road?

24 MR. SWEENEY: It's a beginning.

25 They are not accepting any more waste at the

1 landfill as of December first. That stops the bleeding.  
2 Now they can proceed with closure plans. Their draft  
3 closure plans were submitted on December 2.

4 BOARD MEMBER HUFF: To fund the closure, they  
5 have upped the tipping fee.

6 MR. SWEENEY: Yes, sir.

7 BOARD MEMBER HUFF: What do people pay now?

8 MR. SWEENEY: I believe \$145 a ton.

9 MR. FARRELL: Mr. Chairman and Board Members, I'm  
10 Tom Farrell, Director of the Department of Sanitation for  
11 Nevada County.

12 The rate change occurred on 1 December, \$102 a  
13 ton. It went down. It was 158 for a few months.

14 When the decision came through to long-haul,  
15 there was some savings for that. We are applying the money  
16 on hand against true cost of the operation is closer to  
17 \$150 a ton, but we have revenues left over from the year  
18 before that we're applying to it.

19 BOARD MEMBER HUFF: The reason for it to be so  
20 high is simply to get enough bucks to close the place,  
21 right?

22 MR. FARRELL: In a manner of speaking.

23 The County borrowed \$23 million for landfill  
24 improvement and remediation projects approximately eighteen  
25 months ago. The debt service on that is in the neighborhood

1 of about \$62 per ton, and it's the money that we borrowed  
2 that would be applied to the closure project.

3 Closure is estimated at about \$7 million, over  
4 and above what has been spent already.

5 BOARD MEMBER CHESBRO: I assume also the hauling  
6 cost to Shasta County has to somehow enter into the  
7 picture, too, in terms of tipping fee?

8 MR. FARRELL: Yes, that's correct.

9 Last spring, we bid the development, the  
10 construction of a new cell at the McCourtney facility, and  
11 concurrently we bid a waste export contract.

12 They were opened up almost side-by-side. We  
13 compared the two options, not on speculation but on hard  
14 numbers from the two different bids, one for more waste  
15 management unit at the site, and the other against  
16 long-haul.

17 We did our economic analysis, and it was less  
18 expensive to export the waste than to operate our own  
19 landfill.

20 BOARD CHAIRMAN FROST: Okay. Any other  
21 questions?

22 Discussion?

23 BOARD MEMBER CHESBRO: I did have a chance to get  
24 up there after things settled down, get up there and see  
25 the site. It's real clear from a long, long ways down

1 Nevada County has come a long ways back and has really made  
2 a positive effort.

3 This applies to the item we already approved,  
4 which was the recertification question, and also to their  
5 efforts in finding a solution for their waste.

6 So, I should defer to the Committee Chair.

7 BOARD MEMBER HUFF: Thank you.

8 I move the item.

9 BOARD MEMBER CHESBRO: Second.

10 BOARD CHAIRMAN FROST: Okay. This is Item 36,  
11 Nevada County.

12 Roll call, please.

13 MS. THOMAS: Board Members Chesbro.

14 BOARD MEMBER CHESBRO: Aye.

15 MS. THOMAS: Huff.

16 BOARD MEMBER HUFF: Aye.

17 MS. THOMAS: Egigian.

18 BOARD MEMBER EGIGIAN: Aye.

19 MS. THOMAS: Neal.

20 BOARD MEMBER NEAL: Aye.

21 MS. THOMAS: Relis.

22 BOARD MEMBER RELIS: Aye.

23 MS. THOMAS: Chairman Frost.

24 BOARD CHAIRMAN FROST: Aye.

25 Okay. Now, if I am following correctly, that

1 completes our business prior to Executive Session.

2 The Board will go into Executive Session at this  
3 time. We will return to Public Session for vote only on  
4 Item 3 at the conclusion of the Executive Session.

5 (Thereupon the Board adjourned into Executive  
6 Session.)

7 BOARD CHAIRMAN FROST: Let's go into session.  
8 We're back in session.

9 We're on Item 3.

10 Mr. Wallace.

11 MR. WALLACE: There were two contracts under Item  
12 3 for vote only.

13 I understand that we separated the question on  
14 contracts. The first is a contract for the services of an  
15 individual from this organization for the period of July 1,  
16 1992 through November 30, 1992 with Cal EPA.

17 BOARD MEMBER HUFF: Moved.

18 BOARD MEMBER CHESBRO: Seconded.

19 BOARD CHAIRMAN FROST: Moved and seconded.

20 Call the roll, please.

21 MS. THOMAS: Board Members Chesbro.

22 BOARD MEMBER CHESBRO: Aye.

23 MS. THOMAS: Huff.

24 BOARD MEMBER HUFF: Aye.

25 MS. THOMAS: Egigian.

1 BOARD MEMBER EGIGIAN: Aye.  
2 MS. THOMAS: Neal.  
3 BOARD MEMBER NEAL: Aye.  
4 MS. THOMAS: Relis.  
5 BOARD MEMBER RELIS: Aye.  
6 MS. THOMAS: Chairman Frost.  
7 BOARD CHAIRMAN FROST: Aye.  
8 Okay. The second item.  
9 MR. WALLACE: The second item is for the services  
10 of an employee for an enforcement action at Cal EPA for the  
11 period of time from December 1 through June 30 of this  
12 fiscal year.  
13 BOARD MEMBER HUFF: Move it.  
14 BOARD MEMBER RELIS: Seconded.  
15 BOARD CHAIRMAN FROST: Moved and seconded.  
16 Call the roll, please.  
17 MS. THOMAS: Board Members Chesbro.  
18 BOARD MEMBER CHESBRO: No.  
19 MS. THOMAS: Huff.  
20 BOARD MEMBER HUFF: Aye.  
21 MS. THOMAS: Egigian.  
22 BOARD MEMBER EGIGIAN: Aye.  
23 MS. THOMAS: Neal.  
24 BOARD MEMBER NEAL: No.  
25 MS. THOMAS: Relis.

1 BOARD MEMBER RELIS: Aye.

2 MS. THOMAS: Chairman Frost.

3 BOARD CHAIRMAN FROST: Aye.

4 The item is adopted, and that is the end of our  
5 business for the day. We are now adjourned.

6 (Thereupon the Board meeting was adjourned  
7 at 4:25 p.m.)

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CERTIFICATE OF SHORTHAND REPORTER

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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 tenth day of February, 1993.



VICKI L. MEDEIROS  
Certified Shorthand Reporter  
License No. 7871