

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

8800 Cal Center Drive  
Sacramento, California 95826



*Wesley Chesbro, Chairman*  
*Kathy Neal, Member*  
*Paul Relis, Member*

Tuesday, March 2, 1993  
1:30 p.m.  
meeting of the

**INTEGRATED WASTE MANAGEMENT PLANNING COMMITTEE**

of the  
**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

8800 Cal Center Drive  
Sacramento, CA 95826

**AGENDA**

Note: o Agenda items may be taken out of order.  
o If written comments are submitted, please provide 20 two-sided copies.

**Important Notice:** The Board intends that Committee Meetings will constitute the time and place where the major discussion and deliberation of a listed matter will be initiated. After consideration by the Committee, matters requiring Board action will be placed on an upcoming Board Meeting Agenda. Discussion of matters on Board Meeting Agendas may be limited if the matters are placed on the Board's Consent Agenda by the Committee. Persons interested in commenting on an item being considered by a Board Committee or the full Board are advised to make comments at the Committee meeting where the matter is considered.

1. CONSIDERATION OF ADOPTION OF INITIAL STUDY, NEGATIVE DECLARATION, AND MODEL ORDINANCE RELATING TO THE COLLECTION AND LOADING OF RECYCLABLE MATERIALS IN DEVELOPMENT PROJECTS (PUBLIC RESOURCES CODE SECTIONS 42900 THROUGH 42911)
2. DISCUSSION AND CONSIDERATION OF APPROVAL TO FORMALLY NOTICE USED OIL RECYCLING REGULATIONS (REGULATIONS WILL BE AMENDED TO INCORPORATE AN EXEMPTION CERTIFICATE FOR USE BY OIL MANUFACTURERS)

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3. CONSIDERATION OF APPROVAL TO NOTICE A THIRD 15-DAY COMMENT PERIOD FOR THE USED OIL RECYCLING REGULATIONS (AMENDING THE CALIFORNIA CODE OF REGULATIONS, TITLE 14, SECTION 18601, AND ADOPTING SECTIONS 18619.1 THROUGH 18619.5 AND SECTIONS 18640 THROUGH 18659.4) [REGULATIONS RELATE TO CERTIFICATION OF RECYCLING FACILITIES AND COLLECTION CENTERS, REGISTRATION OF INDUSTRIAL GENERATORS, CURBSIDE COLLECTION PROGRAMS AND ELECTRIC UTILITIES, LOCAL GOVERNMENT GRANT PROGRAMS, THE INCENTIVE FEE CLAIM PROCESS, AND THE AUDITING PROCESS]
4. PRESENTATION OF A FIRST-YEAR PROGRESS REPORT ON THE CALMAX PROGRAM
5. OPEN DISCUSSION
6. ADJOURNMENT

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**Notice:** The Committee may hold a closed session to discuss the appointment or employment of public employees and litigation under authority of Government Code Sections 11126 (a) and (q), respectively.

For further information contact:  
INTEGRATED WASTE MANAGEMENT BOARD  
8800 Cal Center Drive  
Sacramento, CA 95826

Cathy Foreman  
(916) 255-2156

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**  
**INTEGRATED WASTE MANAGEMENT PLANNING COMMITTEE**  
**MARCH 2, 1993**

**AGENDA ITEM 1**

**ITEM:** Consideration of adoption of Initial Study, Negative Declaration, and Model Ordinance relating to the collection and loading of recyclable materials in development projects (Public Resources Code Sections 42900 through 42911)

**BACKGROUND:** On October 11, 1991, Assembly Bill No. 1327, Farr (Stats. 1991, Ch. 842) was signed by the Governor. This Bill added to Chapter 18 (commencing with Section 42900 to Part 3 of Division 30 of the Public Resources Code). Chapter 18 is known as the California Solid Waste Reuse and Recycling Access Act of 1991 (Act). The California Integrated Waste Management Board (Board) is mandated by the Act to prepare "a model ordinance relating to adequate areas for collecting and loading recyclable materials in development projects." Any local agency that has not adopted such an ordinance of its own by September 1, 1993 will be governed by the Board's Model Ordinance.

**Analysis:** Staff developed a draft model ordinance which was mailed on December 24, 1992 to over 3,400 local governments and interested parties for review and comment. The draft was presented to the Integrated Waste Management Planning Committee (Committee) at its February 2, 1993 meeting. An Initial Study and Negative Declaration were prepared pursuant to the California Environmental Quality Act (CEQA) and have been noticed for public review and comment.

**STAFF COMMENTS:** Staff recommends Committee adoption of the Initial Study and Negative Declaration. If these documents are adopted, staff recommends Committee adoption of the model ordinance.

**ATTACHMENTS:**

1. Public Resources Code Sections 42900 through 42911
2. Initial Study and Proposed Negative Declaration
3. Model ordinance (to be distributed at a later date)

Prepared By: Debra Taubitz *DT* Phone: 255-2370

Reviewed By: Melinda Fox/*M* Mitch Delmage Phone: 255-2385

Chapter 18 (commencing with Section 42900) is added to Part 3 of Division 30 of the Public Resources Code, to read:

**CHAPTER 18. CALIFORNIA SOLID WASTE REUSE AND RECYCLING ACCESS ACT OF 1991**

**Article 1. Short Title and Findings and Declarations**

42900. This chapter shall be known and may be cited as the California Solid Waste Reuse and Recycling Access Act of 1991.

42901. The Legislature finds and declares as follows:

(a) Cities and counties must divert 50 percent of all solid waste by January 1, 2000, through source reduction, recycling, and composting activities.

(b) Diverting 50 percent of all solid waste requires the participation of the residential, commercial, industrial, and public sectors.

(c) The lack of adequate areas for collecting and loading recyclable materials that are compatible with surrounding land uses is a significant impediment to diverting solid waste and constitutes an urgent need for state and local agencies, to address access to solid waste for source reduction, recycling, and composting activities.

**Article 2. Definitions**

42905. As used in this chapter, "development project" means any of the following:

(a) A project for which a building permit will be required for a commercial, industrial, or institutional building, marina, or residential building having five or more living units, where solid waste is collected and loaded and any residential project where solid waste is collected and loaded in a location serving five or more units.

(b) Any new public facility where solid waste is collected and loaded and any improvements for areas of a public facility used for collecting and loading solid waste.

**Article 3. Ordinances**

42910. (a) Not later than March 1, 1993, after holding a public hearing, the board shall adopt a model ordinance for adoption by any local agency relating to adequate areas for collecting and loading recyclable materials in development projects.

(b) The board shall consult with representatives of the League of California Cities, County Supervisors Association of California, American Planning Association, American Institute of Architects, private and public waste services, building construction and management, and retail businesses in developing the model ordinance.

(c) Not later than January 1, 1993, the board shall distribute the draft model ordinance to all local agencies and other interested parties for review. Any comments shall be submitted to the board by February 1, 1993, for consideration at the public hearing of the boards to adopt the ordinance.

42911. (a) By September 1, 1993, each local agency shall adopt an ordinance relating to adequate areas for collecting and loading recyclable materials in development projects.

(b) If by September 1, 1993, a local agency has not adopted an ordinance for collecting and loading recyclable materials in development projects, the model ordinance adopted pursuant to Section 42010 shall take effect on that date and shall be enforced by the local agency and have the same force and effect as if adopted by the local agency as an ordinance.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

**INITIAL STUDY AND PROPOSED NEGATIVE DECLARATION FOR  
MODEL SOLID WASTE REUSE AND RECYCLING ORDINANCE**

Prepared by:

California Integrated Waste Management Board

**INITIAL STUDY PREPARATION TEAM:**

**Waste Generation Analysis and Environmental Review Branch**

**Catherine Cardozo  
Leandro Ramos  
Tracy Woods**

INITIAL STUDY

Title of Proposal: Model Solid Waste Reuse and Recycling Access Ordinance

Date Checklist Submitted: \_\_\_\_\_

Agency Requiring Checklist: California Integrated Waste Management Board

Agency Address: 8800 Cal Center Drive

City/State/Zip: Sacramento, CA 95826

Agency Contact: Catherine L. Cardozo Phone: (916) 255-2308

DETERMINATION

On the basis of this initial evaluation:

a) I find that the proposed project could not have a significant effect on the environment, and

A NEGATIVE DECLARATION will be prepared ..... X

b) I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in the Initial Study have been added to the project.

A NEGATIVE DECLARATION will be prepared .....

c) I find the proposed project may have a significant effect on the environment, and

An ENVIRONMENTAL IMPACT REPORT is required .....

Tom Rietz  
Signature

Tom Rietz  
Print Name

California Integrated Waste Management Board  
For

January 15, 1993  
Date

# PROPOSED NEGATIVE DECLARATION

## MODEL SOLID WASTE REUSE AND RECYCLING ORDINANCE

### PROJECT DESCRIPTION

The project consists of the portion of the California Solid Waste and Recycling Act which requires the California Integrated Waste Management Board to adopt a model ordinance requiring adequate areas for collecting and loading recyclable materials in development projects.

### PROPOSED FINDING

The ordinance proposed by the California Integrated Waste Management Board will not have a significant effect on the environment. The attached initial study documents this finding.

### MITIGATION MEASURES

Several areas have been identified in the Environmental Checklist portion of the Initial Study as having potential for significant environmental impacts. These are in the areas of: odor, noise, light or glare, transportation, health hazard, aesthetics, and cultural resources. Staff believes that a combination of adherence to existing federal, state and local laws, and site-specific mitigation measures and conditions developed for each project will insure that the impacts are not significant.

Dated: 1-15-93

  
\_\_\_\_\_  
Tom Rietz, Deputy Director  
Planning and Local Assistance Division  
California Integrated Waste Management Board

## INITIAL STUDY AND ENVIRONMENTAL CHECKLIST FORM

PROJECT LOCATION: Statewide

DESCRIPTION OF PROJECT: The California Solid Waste Reuse and Recycling Access Act (Act) was passed to meet the urgent need for state and local agencies to address access to solid waste for source reduction, recycling, and composting activities. The Act requires the California Integrated Waste Management Board (Board) to adopt a model ordinance requiring adequate areas for collecting and loading recyclable materials in development projects.

A goal of the Model Solid Waste Reuse and Recycling Access Ordinance (see Attachment 1) is to increase the collection and loading of "commonly" recyclable materials (e.g., cardboard, plastics, newspapers, etc.) from multi-unit residential, commercial and industrial development projects. Collection and loading of hazardous or household hazardous waste in these areas is not covered by the ordinance. If, however, a developer proposes to include a collection area for hazardous or household hazardous materials in a proposed development project, then all applicable local, state and federal requirements must be met, including appropriate additional CEQA review.

### ENVIRONMENTAL IMPACTS:

	Yes	Maybe	No
<b>I. EARTH. Will the proposal result in:</b>			
a) Unstable earth conditions or in changes in geologic substructures?	—	—	<u>X</u>
b) Disruptions, displacements, compaction or overcovering of the soil?	—	—	<u>X</u>
c) Change in topography or ground surface relief features?	—	—	<u>X</u>
d) The destruction, covering or modification of any unique geologic or physical features?	—	—	<u>X</u>
e) Any increase in wind or water erosion of soils, either on- or off-site?	—	—	<u>X</u>
f) Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	—	—	<u>X</u>
g) Exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	—	—	<u>X</u>

### DISCUSSION

Development of a previously undeveloped site has the potential to disrupt the "earth"; the extent of the disruption will be site-specific. This project does not propose specific developments. The mitigation measures necessary to reduce any impacts to less than significant levels will be specific to each proposed project. Mitigation measures for "earth" disrupting activities, such as grading the ground surface, are commonly required by local jurisdictions and are often contained in local building codes or other ordinances. The impacts must be considered during the environmental review process for each subsequent individual development project.

	Yes	Maybe	No
<b>II. AIR. Will the proposal result in:</b>			
a) Substantial air emissions or deterioration of ambient air quality?	—	—	<u>X</u>

- b) The creation of objectionable odors? — X —
- c) Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally? — — X

DISCUSSION

The recycling collection areas will potentially result in accumulation of wastes such as compostable organic waste and unrinsed food and other containers which could result in the creation of objectionable odors. This project does not propose specific developments.

Mitigation Measures

The mitigation measures necessary to reduce any impacts to less than significant levels will be specific to each proposed project. Local jurisdictions often require developers to mitigate objectionable odors associated with waste disposal through frequent pick-up (e.g. weekly), public education efforts such as distributing information on rinsing containers, use of closed storage containers or requiring storage in enclosed areas.

	Yes	Maybe	No
III. WATER. Will the proposal result in:			
a) Changes in currents, or the course of direction of water movements, in either marine or freshwaters?	—	—	<u>X</u>
b) Changes in absorption rates, drainage patterns, or the rate and amount surface runoff?	—	—	<u>X</u>
c) Alterations to the course or flow of flood waters?	—	—	<u>X</u>
d) Changes in the amount of surface water in any water body?	—	—	<u>X</u>
e) Discharge into surface waters, or in any alteration of surface water quality, including, but not limited to, temperature, dissolved oxygen or turbidity?	—	—	<u>X</u>
f) Alteration of the direction or rate of flow of ground waters?	—	—	<u>X</u>
g) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	—	—	<u>X</u>
h) Substantial reduction in the amount of water otherwise available for public water supplies?	—	—	<u>X</u>
i) Exposure of people or property to water related hazards such as flooding or tidal waves?	—	—	<u>X</u>

DISCUSSION

Any impacts on water will be site specific. This project does not propose specific developments. Additional area may be paved for recycling collection areas and increased runoff. However, the increase in paved area will not be significant. Mitigation measures necessary to reduce any impacts to less than significant will be specific to each proposed project. Mitigation measures for water are commonly required by local jurisdictions and are often contained in local building codes or other ordinances. The impacts must be considered during the environmental review process for each subsequent individual development project.

IV. PLANT LIFE. Will the proposal result in:

	Yes	Maybe	No
a) Change in the diversity of species, or number or any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	—	—	<u>X</u>
b) Reduction of the numbers of any unique, rare, or endangered species of plants?	—	—	<u>X</u>
c) Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	—	—	<u>X</u>
d) Reduction in acreage of any agricultural crop?	—	—	<u>X</u>

DISCUSSION

The potential impacts on plants will depend on the location of a proposed development project. This project does not propose specific developments. Therefore, the potential for significant disruption of plant life should be considered during the environmental review process for each proposed development project.

V. ANIMAL LIFE. Will the proposal result in:

	Yes	Maybe	No
a) Change in the diversity of species, or numbers of any species of animals (birds; land animals, including reptiles; fish and shellfish, benthic organisms or insects)?	—	—	<u>X</u>
b) Reduction of the numbers of any unique, rare, or endangered species or animals?	—	—	<u>X</u>
c) Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	—	—	<u>X</u>
d) Deterioration to existing fish or wildlife habitat?	—	—	<u>X</u>

DISCUSSION

The potential impacts on animals will depend on the location of a proposed development project. This project does not proposed specific developments. Therefore, the potential for significant disruption of animal life should be considered during the environmental review process for each proposed development project.

VI. NOISE. Will the proposal result in:

	Yes	Maybe	No
a) Increases in existing noise levels?	—	<u>X</u>	—
b) Exposure of people to severe noise levels?	—	—	<u>X</u>

DISCUSSION

Existing noise levels at a recycling collection area will potentially be increased due to additional waste collection and vehicle traffic and noise produced as people deposit their recyclables. This project does not propose specific developments.

Mitigation Measures

The mitigation measures necessary to reduce any impacts to less than significant levels will be specific to each proposed project. Local jurisdictions often have noise ordinances which specify maximum noise levels and mitigation measures for development projects. These mitigation measures could include berms or a combination of walls and berms as noise barriers. The impacts and mitigation must be considered during the environmental review process for each subsequent individual development project.

VII. LIGHT and GLARE. Will the proposal:

Yes    Maybe    No

a) Produce new light or glare?

—    X    —

DISCUSSION

Collection facilities may require night security lighting to prevent health and safety hazards. This could potentially increase light and glare to the surrounding area. This project does not propose specific developments.

Mitigation Measures

The mitigation measures necessary to reduce any impacts to less than significant levels will be specific to each proposed project. Local jurisdictions often have codes or ordinances related to lighting. Any mitigation measures need to be specified in environmental reviews performed for each development project.

VIII. LAND USE. Will the proposal result in:

Yes    Maybe    No

a) Substantial alteration of the present or planned land use of an area?

—    —    X

DISCUSSION

A proposed development project may result in a substantial alteration of the present or planned land use. This project does not propose specific developments. The recycling areas of any specific development project would not normally be much larger than the area already used for waste storage/loading.

IX. NATURAL RESOURCES. Will the proposal result in:

Yes    Maybe    No

a) Increase in the rate of use of any natural resources?

—    —    X

DISCUSSION

The project will not result in an increase in the rate of use of any natural resource. Instead, having adequate loading and collection areas for recyclable materials in a development project may help preserve natural resources, by increasing reuse and recycling of materials.

X. RISK OF UPSET. Will the proposal involve:

Yes    Maybe    No

a) A risk of an explosion or the release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) in the event of an accident or upset condition?

—    —    X

b) Possible interference with an emergency response plan or an emergency evacuation plan?

—    —    X

DISCUSSION

Recycling collection areas covered by this project do not include hazardous or household hazardous waste collection areas. Collection areas for these types of material need to be developed separately, meet applicable local, state and federal requirements and undergo appropriate environmental review.

**XI. POPULATION.** Will the proposal:

a) Alter the location, distribution, density or growth rate of the human population of an area?

Yes	Maybe	No
—	—	<u>X</u>

**XII. HOUSING.** Will the proposal:

a) Affect existing housing, or create a demand for additional housing?

Yes	Maybe	No
—	—	<u>X</u>

**XIII. TRANSPORTATION/CIRCULATION.** Will the proposal result in:

- a) Generation of substantial additional vehicular movement?
- b) Effects on existing parking facilities, or demand for new parking?
- c) Substantial impact upon existing transportation systems?
- d) Alterations to present patterns of circulation or movement of people and/or goods?
- e) Alterations to waterborne, rail or air traffic?
- f) Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

Yes	Maybe	No
—	—	<u>X</u>
—	—	<u>X</u>
—	—	<u>X</u>
—	<u>X</u>	—
—	—	<u>X</u>
—	—	<u>X</u>

DISCUSSION

Any impacts related to traffic will be site specific. This project does not propose specific development projects. Implementing the proposed project may reduce the quantity of solid waste disposed. Therefore, the number of vehicles required to transport solid waste to landfills may be reduced. Additional recyclables collection trucks may increase traffic but the additional vehicular movement is not likely to be significant.

Mitigation Measures

The mitigation measures necessary to reduce any impacts to less than significant levels will be specific to each proposed project. Mitigation measures for traffic are commonly required by local jurisdictions and are often contained in codes or ordinances. Traffic impacts must be considered during the environmental review process for each subsequent development project.

**XIV. PUBLIC SERVICES.** Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

- a) Fire protection?
- b) Police protection?
- c) Schools?
- d) Parks or other recreational facilities?
- e) Maintenance of public facilities, including roads?
- f) Other governments services?

Yes	Maybe	No
—	—	<u>X</u>

	Yes	Maybe	No
<b>XV. ENERGY. Will the proposal result in:</b>			
a) Use of substantial amounts of fuel or energy?	—	—	<u>X</u>
b) Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	—	—	<u>X</u>

	Yes	Maybe	No
<b>XVI. UTILITIES and SERVICE SYSTEMS. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:</b>			
a) Power or natural gas?	—	—	<u>X</u>
b) Communications systems?	—	—	<u>X</u>
c) Water?	—	—	<u>X</u>
d) Sewer or septic tanks?	—	—	<u>X</u>
e) Storm water drainage?	—	—	<u>X</u>
d) Solid waste and disposal?	—	<u>X</u>	—

DISCUSSION

Public Resources Code (PRC) § 42911 (a) requires each local agency in California to adopt an ordinance relating to adequate areas for collecting and loading recyclable materials (i.e., a recycling area) for development projects. If a local agency has not adopted such an ordinance by September 1, 1993, the Board's adopted Model Solid Waste Reuse and Recycling Access Ordinance will take effect and have the same force and effect as if adopted by the local jurisdiction [PRC § 42911 (b)]. Development of recycling areas may reduce the quantity of solid waste requiring disposal. A city, county or private business may need to modify its waste and /or recyclables collection/hauling system. The impacts are not expected to be significant, as discussed in the transportation/circulation section above.

	Yes	Maybe	No
<b>XVII. HUMAN HEALTH. Will the proposal result in:</b>			
a) Creation of any health hazard or potential health hazard (excluding mental health)?	—	—	<u>X</u>
b) Exposure of people to potential health hazards?	—	<u>X</u>	—

DISCUSSION

The storage of recyclables may result in potential health hazards from shattered glass, cans and vectors such as flies and rodents. An increase in public health hazards is not expected to be significant as these materials are currently in the waste stream. This project does not propose specific developments.

Mitigation Measures

Mitigation measures commonly used reduce health hazards to a level of insignificance include measures such as storage area design to minimize contact with waste, use of closed containers, public education efforts and safety training. Mitigation measures for reducing health hazards from waste are commonly required by local jurisdictions and are often contained in local building or health codes and other ordinances. Human health impacts must be considered during the environmental review process for each subsequent development project.

Yes    Maybe    No

**XVIII. AESTHETICS.** Will the proposal result in:

- a) The obstruction of any scenic vista or view open to the public?
- b) The creation of an aesthetically offensive site open to public view?

DISCUSSION

Improperly maintained or vandalized recycling collection areas can negatively impact the appearance of residential neighborhoods and commercial areas.

Mitigation Measures

Such potential impacts can be mitigated to a level of insignificance by proper containerization (using enclosed or secure containers) and monitoring (visual inspection) by both the waste generator and the collector; by incorporating aesthetic considerations into the siting process, and use of appropriate design measures for softening/shielding views of the recycling collection area open to public view. Such mitigation measures are commonly required by local jurisdictions and are often contained in local building codes or other ordinances. The impacts must be considered during the environmental review process for each subsequent development project.

Yes    Maybe    No

**XIX. RECREATION.** Will the proposal result in:

- a) Impact upon the quality or quantity of existing recreational opportunities?

Yes    Maybe    No

**XX. CULTURAL RESOURCES.** Will the proposal:

- a) Result in the alteration of or the destruction of a prehistoric or historic archaeological site?
- b) Result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- c) Have the potential to cause a physical change which would affect unique ethnic cultural values?
- d) Restrict existing religious or sacred uses within the potential impact area?

DISCUSSION

Potential impacts to cultural resources will be site-specific. This project does not propose specific developments.

Mitigation Measures

Mitigation measures necessary to reduce any impacts to less than significant will be specific to each proposed project and are commonly required by local jurisdictions.

Yes    Maybe    No

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE,**

- a) Potential to degrade: Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of

California history or prehistory?

— — X

b) Short-term: Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively, brief, definitive period of time. Long-term impacts will endure well into the future.)

— — X

c) Cumulative: Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect on the total of those impacts on the environment is significant.)

— — X

d) Substantial adverse: Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

— — X

### DISCUSSION

This project does not propose specific developments. However, development of a previously undeveloped site has the potential to degrade the environment; the extent of the disruption will be site-specific. The mitigation measures necessary to reduce any impacts to less than significant levels will be specific to each proposed project.

A goal of the proposed project is reduce solid waste disposal by increasing recycling rates at new development projects. Implementation of the proposed project would potentially be of long term benefit because of potential reductions in consumption of natural resources and a reduction in material directed to landfills.

The various potential impacts of the proposed project will be mitigated to a level of insignificance, and cumulative impacts will not be considerable. There may be less-than-significant environmental effects of the proposed project related to the handling, storage and transportation of recyclable materials, but any such effect will not be significant enough to cause substantial, adverse effects on human beings. Mitigation measures have been outlined in the Initial Study for all the foreseeable impacts associated with implementing the proposed project.

### XXII. DISCUSSION OF ENVIRONMENTAL EVALUATION.

Approval of the proposed project will not result in significant environmental impacts. Project-specific environmental reviews should be conducted when specific development sites and projects are proposed. Project-specific and cumulative impacts will be identified and evaluated at that time.

### XXIII. DISCUSSION OF LAND USE IMPACTS.

Adoption and subsequent implementation of the Model Solid Waste Reuse and Recycling Ordinance (the proposed project) must be consistent with a City's or County's General Plan, or other planning policies of a local agency, which would ensure conformance with locally approved land uses.

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

**INTEGRATED WASTE MANAGEMENT PLANNING COMMITTEE**

March 2, 1993

**AGENDA ITEM 2**

**ITEM:** Discussion and Consideration of Approval to Formally Notice Used Oil Recycling Regulations (Regulations will be amended to incorporate an exemption certificate for use by oil manufacturers)

**BACKGROUND:**

The California Oil Recycling Enhancement Act (Act) requires oil manufacturers to pay to this Board \$0.16 for each gallon of lubricating oil sold in California, effective October 1, 1992. The Board has entered into an interagency agreement with the State Board of Equalization (BOE) to collect these fees.

Regulations describing payment and reporting procedures for oil manufacturers were recently filed with the Secretary of State. However, the BOE has received many requests from oil manufacturers to produce an exemption certificate to document sales exempt from payment of the fee; the current regulations do not address documentation of exempt sales.

The BOE has developed regulatory language regarding the exemption process. This language is modeled after similar regulations in the California Sales and Use Tax Code. Staff would like to publish a formal notice of these regulations in the California Regulatory Notice Register in mid-March.

**ANALYSIS:**

Oil manufacturers must pay the \$0.16 per gallon fee on all lubricating oil sold in California except as provided in Public Resources Code Section 48650(a). Specific categories of exempt sales include oil exported or sold for export, and bulk oil sales to a motor carrier.

The proposed regulations include a standard exemption certificate form. The purchaser of the exempt oil would complete the form and indicate: the purchaser's name and address, the name of the vendor, the reason the oil is exempt from payment of the fee, the date of purchase, and the signature of the purchaser. The exemption certificate would then be retained by the vendor.

The regulations address improper usage of an exemption certificate and hold the purchaser responsible for payment of the fee, and additional penalties, if the oil is ultimately used for a non-exempt use. The seller is presumed to have taken the certificate in good faith in the absence of evidence to the contrary.

**STAFF COMMENTS:**

The BOE has drafted the proposed regulations, the initial statement of reasons, and the notice for inclusion in the California Regulatory Notice Register pursuant to the terms of the interagency agreement. However, this Board must receive public comments and approve the regulations.

Staff recommends the Committee approve submittal of a formal notice of the proposed regulations to the Office of Administrative Law for publication in the California Regulatory Notice Register.

**ATTACHMENTS:**

1. Proposed Notice
2. Proposed Regulations

Prepared by: Christy Porter <sup>CP</sup> Phone 255-2362  
Reviewed by: Mitch Delmage <sup>MD</sup> Phone 255-2383  
Legal review: Mem Date/Time 2/29/93 - 1:15pm

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

**INTEGRATED WASTE MANAGEMENT PLANNING COMMITTEE**

March 2, 1993

**AGENDA ITEM 3**

**ITEM:** Consideration of Approval to Notice a Third 15-Day Comment Period for the Used Oil Recycling Regulations (Amending the California Code of Regulations, Title 14 Section 18601, and Adopting Sections 18619.1 through 18619.5 and Sections 18640 through 18659.5) [Regulations Relate to Certification of Recycling Facilities and Collection Centers, Registration of Industrial Generators, Curbside Collection Programs and Electric Utilities, Local Government Block Grant Programs, and the Incentive Claim Process.]

**BACKGROUND:**

Emergency regulations for the certification, registration, incentive claim, and local government block grant portions of the Used Oil Recycling Program were approved by the Office of Administrative Law on January 21, 1993. Since emergency regulations only remain in effect for 120 days, Board staff has also been conducting the non-emergency rulemaking process.

The 45-day public comment period for the non-emergency regulations ended on December 14, 1992. Following minor changes to the regulations, the Planning Committee granted approval to notice two additional 15-day comment periods, the first at its January meeting and the second at its February meeting. Shortly after mailing the second 15-day notice, staff determined additional changes to the regulations were necessary.

**ANALYSIS:**

Because the second 15-day comment period has just begun, no comments have been received. Should any be received, they will be presented to the Committee at its March meeting along with any regulatory changes proposed in response to the comments. In addition to these possible changes, staff proposes the following changes in response to comments received from the public and Assemblyman Sher's office:

- Deletion of the requirement that applicants for certification of a used oil collection center provide verification that the applicant has applied to the appropriate local government agencies for operating and/or land use approval.

- Addition of language requiring certification applicants to certify under penalty of perjury that at the time of application their facility is in compliance with all federal, state and local requirements.
- Addition of language clarifying that block grants can be used for existing programs, regardless of whether the grant will be used to enhance or just maintain a used oil collection program.
- Addition of language to enable the Board to withhold a portion of grant funds from local agencies who are establishing new certified collection centers until the center is certified. If a certification application for a center is denied or not received by the Board during the term of the grant, the local agency may be required to return to the Board any grant funds specifically used to establish the certified collection center.
- Addition of language requiring block grant applicants to clarify how they will ensure timely certification of any new used oil collection centers established under the program.

**STAFF COMMENTS:**

Staff recommends the Committee approve the proposed changes to the regulations and allow staff to notice an additional 15-day comment period for the changes. The final regulations may then be considered by the Board at its March 31, 1993 meeting.

**ATTACHMENTS:**

1. 15-Day Notice (to be distributed to Committee members prior to the meeting)

Prepared by: Donnaye Palmer Phone 255-2329

Reviewed by: Mitch Delmage Phone 255-2383

Legal review: *MCP* Date/Time 3/22/93 8:45AM

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**8800 Cal Center Drive  
Sacramento, California 95826**15-DAY PUBLIC NOTICE AND COMMENT PERIOD  
NOTICE OF PUBLIC AVAILABILITY OF THIRD 15-DAY COMMENT PERIOD  
CHANGES TO PROPOSED REGULATIONS FOR THE IMPLEMENTATION  
OF THE CALIFORNIA OIL RECYCLING ENHANCEMENT ACT**

Pursuant to Government Code Section 11346.8(c) notice is hereby given that the California Integrated Waste Management Board (Board) has revised the text of the proposed regulations which specify the process for certification of recycling facilities and collection centers, registration of industrial generators, curbside collection programs and electric utilities, local government block grant program, and the incentive claim process under the provisions of the Public Resources Code.

Written comments were accepted during the 45-day public comment period which ended on December 14, 1992 and during 15-day public comment periods which ended on January 25, 1993 and on February 23, 1993. Post comment period changes were subsequently made to the proposed text.

This 15-day public notice includes all revisions made to the text. The changes are denoted by underline and strikeout and these are the only items for comment. Notice is given that any interested person may submit written comments regarding these revisions, and only these revisions, to the text, to:

Christy Porter  
California Integrated Waste Management Board  
8800 Cal Center Drive  
Sacramento, CA 95826

**In order to be considered, comments must be received by the Board between 8:00 a.m. and 5:00 p.m. no later than Thursday, March 25, 1993.**

A copy of the revised text is attached. The information which forms the basis for the revision is available for public inspection between 8:00 a.m. and 5:00 p.m. at 8800 Cal Center Drive, Sacramento, California. To be included in this regulation package mailing list and to receive updates on this rulemaking, please contact Vickie Adamu at (916) 255-2891. Please direct all written comments to Christy Porter at the address listed above.

**Third 15-Day Comment Period Changes to Proposed Regulations for Implementation of the California Oil Recycling Enhancement Act.**

The California Integrated Waste Management Board (Board) has revised the text of the proposed final regulations which specify: the certification process for used oil collection centers and recycling facilities; the registration process for industrial generators, curbside collection programs, and electric utilities; the recycling incentive claim process; and the local government block grant program (14 CCR sections 18650.3, 18651.2, 18658.1, 18659.1, 18659.3 and, 18659.4). Additions are underlined (underline) and deletions are indicated by ~~strikeout~~ (~~strikeout~~).

**Article 6.0**

**18650.3 What information am I required to provide in the application for certification?**

**(a) To be considered complete, applications shall contain the following information:**

**(1) A request for either initial certification, or recertification.**

**(A) If the application is for recertification, it shall include only that information which has changed since the last application for certification was submitted to the Board.**

**(2) The name, street and mailing address, and phone number (if applicable) of the used oil collection center, and, if different, of the operator.**

**(3) The type of organization which the operator represents.**

**(A) If the organization is an individual business doing or proposing to do business under a different name, the applicant shall provide a copy of the fictitious business name statement.**

**(B) If the organization is a partnership, the applicant shall provide a copy of the current partnership agreement.**

**(C) If the organization is a corporation, the applicant shall provide the corporate number and Articles of Incorporation as filed with the Secretary of State, the name and position of all current corporate officers, and the agent for service of process. If a corporation applies for certification of**

more than one used oil collection center, it may submit a copy of the Articles of Incorporation with the first application submitted and reference said application in all subsequent certification application submittals.

(1) If the operation is a for-profit corporation from a state other than California, a copy of the approved certificate from the California Secretary of State qualifying and authorizing the corporation to transact business in California shall be submitted.

(D) If the organization is a husband and wife co-ownership, the application shall contain both names.

(E) If the organization is a local government agency, the applicant shall provide a copy of the authorizing resolution from the governing board.

(F) If the operation is a private, nonprofit program, the applicant shall provide verification of nonprofit status. A copy of the following will constitute verification:

(i) Letter from the Federal Internal Revenue Service confirming tax exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code; and

(ii) Letter from the State of California Franchise Tax Board confirming tax exempt status pursuant to Section 23701(d) of the Revenue and Taxation Code; and

(iii) Articles of Incorporation filed with the Secretary of State.

(4) The federal identification number (employer ID number) of the organization.

(5) A description of the physical location of the facility in relation to the nearest cross street.

(6) A site location map showing the general location of the collection center. Such maps shall show points of access to the site.

(7) The name, street and mailing address, and phone number of the owner or leaseholder, if applicable, of the facility premises.

(A) If the applicant owns the property, a copy of the deed, a current mortgage statement or a current tax bill which specifically identifies the operator/owner name and the facility location.

(B) If applicant is leasing, renting, or operating on donated space, a signed copy of a lease, rental agreement or written permission from the property owner or leaseholder who has authority to determine use of the specific property shall be provided.

~~(8) Verification that the applicant has applied to the applicable local government agency(ies) to obtain all required permits for land use and all required operating approvals for the specific facility location, including, where applicable:~~

~~(A) A copy of the application(s) filed with the local agency(ies); or~~

~~(B) A written statement from the local agency(ies) containing:~~

~~(i) the date an application was filed or a statement that all required permits and approvals have been obtained; and~~

~~(ii) the signature, printed name, title, and phone number of the person providing the statement; or~~

~~(C) A copy of all local permit(s).~~

(98) If it is a proposed operation, the date the center intends to begin accepting used oil from the public.

(109) If it is an existing facility, the date the center began accepting used oil from the public.

(140) The actual days and hours the used oil collection center is, or will be, open for business.

(121) If applicable, the hazardous waste generator identification number assigned by either the Department of Toxic Substances Control or the U.S. EPA.

(132) Description of operations conducted at the collection center, if any, in addition to the collection of used oil from the public. Description of other materials collected for disposal and/or recycling at the facility.

(142) Anticipated or actual used oil storage vessel capacity, in gallons.

(154) If the application is for initial certification, a description of the type and frequency of advertising which will be conducted to comply with Section 18651.5 of this Chapter.

(165) If the application is for recertification, a description of the method and frequency of each type of advertising conducted (since the previous application for certification was submitted) to comply with Section 48660(b)(4) of the Public Resources Code and Section 18651.4 of this Chapter. Whenever possible, an example or facsimile of each advertising event should be included.

(176) An indication whether the proposed operator or owner also operates or owns a used oil hauler business, as defined in Public Resources Code Section 48623, or a used oil recycling facility, as defined in Public Resources Code Section 48624.

(187) Any other information the Board determines is necessary to aid in a finding of compliance with Public Resources Code Section 48660(b).

(b) The application shall be signed by the applicant(s) as described below, under penalty of perjury. The signature block shall contain an affidavit stating the following: "I certify, under penalty of perjury, that the information contained in this application is true and correct to the best of my knowledge, and that the facility for which this application is being made is currently in compliance with all Federal, State and local requirements. I agree to operate in compliance with the requirements of the California Oil Recycling Enhancement Act, and with all related regulatory provisions."

(1) If the operator is a partnership, the application shall be signed by each partner.

(2) If the operator is a firm, association, corporation, county, city, public agency or other governmental entity, the application shall be signed by the chief executive officer or the individual with authority to legally bind the entity to a contract.

(3) If the operator is a husband and wife co-ownership, the application shall be signed by both the husband and the wife.

Note: Authority cited: Sections 40502 and 48641, Public Resources Code. Reference: Section 48660, Public Resources Code.

18651.2 What are the required operational procedures for certified used oil collection centers?

(a) Certified used oil collection centers operators shall operate in accordance with all Federal, State and local laws and regulations, the laws governing the handling and disposal of used oil (Chapter 6.5, Division 20, Health and Safety Code, and Title 49 of the Code of Federal Regulations, Part 279).

(b) Certified used oil collection centers shall accept used oil from the public at no charge and shall offer to pay any person an amount equal to the recycling incentive the center will receive for the used oil.

(c) Certified used oil collection center operators shall not accept more than twenty (20) gallons of used oil, in containers not larger than five (5) gallons, from a person each day.

(d) Used oil received from the public may be refused if it is contaminated by materials which render the used oil infeasible for recycling. Certified used oil collection center operators shall provide the name and address of the nearest business or governmental entity which accepts contaminated oil to any member of the public whose used oil is refused due to contamination.

(e) If the collection center accepts used industrial oil in addition to used lubricating oil, it shall maintain a Used Industrial Oil Receipt Log (Log). The Industrial Oil Receipt Log shall include:

- (1) Date used industrial oil received;
- (2) Quantity of used industrial oil received, in gallons or quarts;

(f) If the collection center is owned or operated by a used oil hauler or a used oil recycling facility, it shall maintain a Used Oil Receipt Log. The Used Oil Receipt Log shall include:

- (1) An entry for each receipt of used oil. This entry shall include:
  - (A) Printed name, address and signed name of patron;
  - (B) Date received;
  - (C) Quantity of oil received, in gallons or quarts;
  - (D) Amount of incentive fee paid, if any;
  - (E) Indication of lubricating or industrial oil;
  - (F) An indication if the used lubricating oil was:

- (i) Generated by the collection center itself;
- (ii) From out of state (in which case no incentive payment was made);
- (iii) Anonymously donated.

(g) Logs must be available for inspection at the collection center, or other location specified in accordance with Section 18650.7 of this Article, during normal business hours. Logs must contain data for the last three-year period.

(h) If the collection center is owned or operated by a used oil hauler or a used oil recycling facility:

(1) The percentage of anonymously donated used lubricating oil received must not exceed ten (10) percent of the total amount received for any quarter.

(2) The Board may refuse to pay the recycling incentive to the center for the amount of anonymously donated used lubricating oil in excess of ten (10) percent of the total amount received for any quarter.

(3) Should a center wish to receive payment of the recycling incentive for a quantity of anonymously donated used lubricating oil in excess of ten (10) percent of the total amount received for any quarter, the center shall petition the Board for approval. Such petition shall be a written request describing why the center is entitled to payment. The Board shall notify the center in writing within thirty (30) calendar days of receipt of the petition that it is either:

(A) Approved; or

(B) Denied and the reasons for denial.

Note: Authority cited: Sections 40502 and 48641, Public Resources Code. Reference: Section 48660(b), 48660(c), 48660(d), 48670, Public Resources Code.

## Article 8

### Section 18658.1 Programs Eligible for Funding.

(a) Used oil collection programs eligible for funding from the Fund, shall provide for activities relating to the implementation of existing or new used oil collection programs, ~~or the enhancement of current programs.~~ These programs shall meet one or both of the following criteria:

(1) Ensure that at least one certified used oil collection center is available for every 100,000 residents not served by curbside used oil collection. The center shall accept used oil from the public at no charge. The center shall be open at least four days a week for a total of 20 hours of which three hours each week are outside the weekday hours of 8:00 a.m. through 5:30 p.m.

(2) Provide curbside collection at least once a month.

(b) Programs eligible for funding from the Fund shall include a public education program to inform the public of locally available used oil recycling opportunities.

(c) A local agency may implement its used oil collection program in conjunction with other similar programs in order to improve used oil recycling efficiency.

(d) A county or local agency whose program has not served a specific city or area within the county is not eligible to obtain the funds the city or area would have been eligible to receive.

(1) A county may not claim the service area of a city that provided a used oil collection program for the area if the city meets the following criteria:

(A) Was the sole sponsor of the used oil collection program for its respective jurisdiction or was part of a regional program of which the county was not a participant; and

(B) Notified the Board and the county in writing by August 31 of the grant year that it met the provisions of this section.

NOTE: Authority cited: Section 48641, Public Resources Code.  
Reference: Sections 48613 and 48691, Public Resources Code.

### Article 8.1

#### Section 18659.1 Contents of the Grant Application.

(a) A local agency which is eligible for a grant award, pursuant to Section 18658.1 of this Chapter, shall submit to the Board a grant application. The grant application shall include, but not be limited to all of the following:

(1) An Application Cover Sheet, provided by the Board as CIWMB Form 306 (9/92), which is herein incorporated by reference.

(2) A Program Report, which shall include:

(A) A description of the used oil collection program and the problem that the program is addressing;

(B) An explanation of the program's goals or objectives;

(C) Identification of the tasks necessary to complete the proposed program and an implementation schedule for the proposed tasks;

(D) If applicable, the geographic area to be serviced by a used oil curbside collection program;

(E) The local agency's population and the population served by the local agency's used oil collection program;

(F) The operation plan which describes how the program will be conducted. This may include, but is not limited to, ~~hours of operation~~; frequency of pickup for a curbside collection program; days and hours of operation for a used oil collection center(s); type of equipment or facilities used; and method of used oil storage and disposal;

(G) A description of the proposed public education program to inform the public of locally available used oil recycling opportunities;

(H) A description of funding sources other than the grant from the Fund, which will be used for the program; and

(I) Description of cooperative efforts between local government agencies and interested citizen associations and groups, if any, regarding implementation of the program; and

(J) If a program includes establishing a new used oil collection center(s) to meet the block grant eligibility requirements as specified in Section 48691 of the Public Resources Code, the report shall include a description of how the local agency will ensure the certification of the collection center at the earliest opportunity.

(3) A Budget Report consisting of the itemized costs of the program. This shall include, but is not limited to, the cost of staffing, used oil contractor fees, the cost of public education, public awareness and/or advertising costs,

and any purchases of equipment or materials. The budget report shall also contain the source(s) of funding, fees collected, as well as the total cost of all used oil collection programs for which the request for a grant is being made.

(4) To apply for a grant as a regional program a signed copy(s) of the written agreement between the governing bodies involved authorizing the grant applicant to act on their behalf shall be included in the grant application.

(5) An approved resolution from each applicant's governing body authorizing submittal of the application and identifying the individual authorized to execute any agreements and contracts to carry out the program.

NOTE: Authority cited: Section 48641, Public Resources Code.  
Reference: Sections 48613, 48690 and 48691, Public Resources Code.

### Section 18659.3 Terms and Conditions of a Grant Agreement.

(a) The grant recipient and the Board shall enter into a written grant agreement which contains a description of the program, as approved, and which identifies and ensures compliance with the terms and conditions specified in this Section.

(b) The grant recipient shall obtain prior written approval from the Board, or its designated representative, for any changes to the grant agreement. All requests shall include a description of the proposed change(s) and the reason(s) for the change(s).

(c) The grant recipient shall submit an annual report to the Board, for the term of the grant agreement, on or before January 1 following receipt of the grant. The report shall include any amendments to the local used oil collection program; a description of the implementation of the program and the extent to which the program was successful in addressing the problem of illegal disposal of used oil; and a description of how the block grant for the previous year was expended if applicable. The report shall also include the following information:

(1) A description of the used oil collection center program and/or curbside collection program;

(2) An account of the number of participants in the program;

(3) The amount of used oil collected as a result of the used oil collection center or curbside collection program(s), whichever is applicable;

(4) A description of the public education efforts; and

(5) A description of measures taken by the local agency to continue the program.

(d) Grant recipients shall comply with all applicable federal, state and local laws, ordinances, regulations and permits. The recipient shall maintain certification of the used oil collection center(s) pursuant to Section 48660 of the Public Resources Code.

(e) If a program includes establishment of a new used oil collection center(s) or a new curbside collection program(s) to meet the block grant eligibility requirements as specified in Section 48691 of the Public Resources Code, up to fifty percent (50%) of the grant amount available to a local agency may be withheld until the new collection center(s) becomes certified or the new curbside collection program becomes operational.

(f) If during the term of the grant a collection center(s) used by a local agency to qualify for a block grant:

(1) Does not have an application(s) for certification on file with the Board; or

(2) The center's application(s) or reapplication(s) is denied; or

(3) The center's certification(s) is canceled;

Then the local agency may be required to return grant funds used for that center(s).

(g) If during the term of the grant a curbside collection program(s) used by a local agency to qualify for a block grant ceases to operate, the local agency may be required to return grant funds used for that program(s).

NOTE: Authority cited: Section 48641, Public Resources Code.  
Reference: Section 48690, Public Resources Code.

#### Section 18659.4 Payment of Grant Funds.

Block grant recipients will be awarded grant funds by September during January of each grant year.

NOTE: Authority cited: Section 48641, Public Resources Code.  
Reference: Section 48690, Public Resources Code.

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

**PLANNING COMMITTEE**

MARCH 2, 1993

AGENDA ITEM # 4

**ITEM:** PRESENTATION OF A FIRST-YEAR PROGRESS REPORT ON THE CALMAX PROGRAM

**BACKGROUND:**

The California Materials Exchange (CALMAX) program began in July 1991, but from the viewpoint of the "customer," CALMAX started with the publication of the first materials exchange catalog (Volume 1, No. 1, January/February 1992).

In its first year, CALMAX has produced both tangible results (112,000 tons diverted) and intangible results (public education and positive Board image). CALMAX addresses five of seven priority issues in the Board's Strategic Plan. The recently reduced program budget, however, will limit its growth. With over a million businesses in California, if properly promoted, CALMAX has the potential to help divert enough waste to meet the first diversion goal of AB 939.

CALMAX consists primarily of a free bimonthly catalog of materials available and materials wanted, to help businesses find markets for materials they have traditionally discarded. Users save money on disposal fees and the avoided cost of buying more expensive feedstock or equipment. Most items advertised in CALMAX are inexpensive or free.

CALMAX continues to be a highly visible, successful, popular, and dynamic program. It has exceeded the typical start-up results for a materials exchange. While only in its infancy, CALMAX is viewed as a leader and one of the best programs of its kind in the nation. For far less than one percent of the Board's budget, CALMAX provides a needed, valued public service. CALMAX provides a mechanism for waste diversion in the business and industrial community, where the majority of the State's waste is generated, but where relatively few reuse or recycling programs have existed up to now. Numerous California counties and waste management jurisdictions have included CALMAX as a key resource for meeting their AB 939-mandated diversion goals in their SRREs.

**ANALYSIS:**

CALMAX continues to be operated jointly with its contractor, the Local Government Commission (LGC). A contract with the LGC was approved for the second program year, based on the contractor's performance and the need for continuity of CALMAX during this still foundational stage of program development. In keeping with the Board's Strategic Plan (Plan), CALMAX creates a partnership between State and local government and business and industry. The fact that the contractor is a nonprofit organization representing local government strengthens that link in a chain of communication, whereby business diversion of waste through CALMAX is highly-visible and encouraged by local recycling coordinators and waste management programs.

CALMAX addresses five out of the seven priority issues outlined in the Board's Strategic Plan:

**Market Development:** It is a marketplace for recyclable materials. Some companies find feedstock through the CALMAX catalog, e.g., a variety of plastics for reprocessing.

**Waste Prevention:** Many materials traded through CALMAX, once wasted, are now viable resources for exchange.

**Waste Stream Diversion:** CALMAX focuses on materials with a high potential for diversion and provides an actual program to divert materials in business and industry.

**Public Perceptions and Practices:** CALMAX improves public understanding and practice of resource conservation. CALMAX increases public participation in reuse and recycling through materials "trades."

**Partnerships With Local Governments and Industry:** By providing annual statistics to local recycling coordinators on diversion through CALMAX and by working in cooperation with local government to promote the CALMAX program, CIWMB is viewed as cooperative by both local government and industry.

**Growth of Listings:** During the first year, CALMAX catalog listings increased from 526 to 907, up 76 percent from the first catalog.

**Growth in Subscribers:** The mailing list nearly quadrupled, from 1,200 to 5,700 subscribers.

**Successful Exchanges:** (See graphic, Attachment 1 ) Successful exchanges reported to date<sup>1</sup> as a result of listings in the 1992 CALMAX catalogs totalled 111,816 tons diverted.

**Top Five Materials Exchanged (by Number of Exchanges):**  
Paper/cardboard, 17 percent; plastic, also 17 percent; pallets, 11 percent; wood waste, 9 percent; and organics, 6 percent; all other materials, 35 percent.

**Top Five Materials Exchanged (by Amount in Tons):** Wood waste, 91 percent; organics, 4 percent; construction, 3 percent; plastic, 1 percent; and paper/cardboard, less than 1 percent.

**Compared to Other Materials Exchanges:** (See Attachment 2)  
Few of the more than 30 North American materials exchanges have explicit data on diversion, primarily because most materials exchanges are typically understaffed and this kind of follow-up activity is labor intensive. Also a challenge is acquiring information about exchanges in which the sponsoring agency is not directly involved.

CALMAX has obtained diversion profiles from three other materials exchanges: The Ontario (Canada) Waste Exchange (OWE); the Northeast Industrial Waste Exchange (NIWE) in Syracuse, NY; and the Industrial Materials Exchange (IMEX) in Seattle, Wash. Comparative statistics between materials exchanges need to consider the characteristics of each program. Attachment 2 describes each materials exchange program, so that their diversion numbers can be seen according to their similarities and differences from CALMAX. Note that to our knowledge, CALMAX is the only materials exchange in the world exclusively for non-hazardous waste.

Compared to these exchanges, the CALMAX first-year diversion figures were exceeded only by IMEX. IMEX diverted 129,000 tons of materials during its first full year of operation (1990); CALMAX diverted 111,816 tons in 1992, 87 percent of the IMEX first-year total.

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<sup>1</sup>Exchanges reported through February 10, 1993. Participants who have not yet reported a successful exchange are contacted after their listing has appeared in two editions of the catalog. This allows adequate time for matches to take place; however, it means complete diversion numbers for listings in the 1992 catalogs may not be available until March 1993.

NIWE diverted 6,428 tons during its first year (1987). CALMAX diverted more than 17 times this total in the first 12 months (six catalogs). In its fifth and peak year to date (1990), NIWE diverted 24,879 tons. In its first year, CALMAX diverted more than four times this amount.

OWE diverted 492 tons during its first fiscal year (87/88). CALMAX diversion during 1992 was more than 227 times this amount. In its third and peak year to date, OWE diverted 30,624 tons. CALMAX diverted between three and four times this amount during Year One.

**Examples of Types of Exchanges and Savings to CALMAX Users:**

Savings are as varied as the numerous types of exchanges. They involve both disposal costs saved and avoided costs for products that would otherwise have to be purchased if they weren't obtained through CALMAX:

- \$28,000 in lumber to a community youth group from the entertainment industry to build a multipurpose addition;
- \$600 between businesses for used pallets (100 @ \$6 saved per pallet);
- \$900 in fertilizer to a contractor who processed manure from a horse ranch for a private golf green project;
- \$400,000 between businesses in a 50,000 ton wood waste exchange (@ \$8/ton saved); and
- \$120,000 from a 24,000 ton compost exchange between businesses (@ \$5/ton saved).

**Match of the Catalog/Match of the Year:** CALMAX has honored six exchanges as Match of the Catalog to illustrate the many, varied ways CALMAX can be used to promote good waste management in the order of priority *reduce, reuse, then recycle*. To encourage users, the Match also highlights savings realized through CALMAX. Publicity through the feature often leads to more exchanges, more savings, and even additional business.

The Match of the Year will soon be chosen from the first six Matches of the Catalog. The winner will be recognized with a plaque or trophy, made from recycled materials, and a press event, to honor the recipient as a green business and to promote the CALMAX program.

**Telephone Calls and Catalog Requests:** Calls to CIWMB and LGC staff for CALMAX information average 25 per day, with increased traffic after major press coverage. Due to the 50 percent reduction in contract dollars, fewer catalogs are being printed and sample catalogs are no longer being mailed to key industries to solicit participation. Catalogs are directed to the complete mailing list, then an average of 2,000 more are printed to distribute at conferences, meetings, promotional events, and to fulfill individual requests.

**Publicity:** CALMAX continues to get favorable press. Attachment 3 contains samples of three of the most recently published articles, in *Bear Tracks*, the Department of Commerce newsletter (Winter '92-'93); *California County* (Jan/Feb '93); and the *Manteca Bulletin*, 12/27/92.

**User Feedback:** "This is one of the best things the Board has ever done" is the most common expression heard about CALMAX. To evaluate our service, a Calmax User Survey appears in the Jan/Feb 1993 catalog. Results will be summarized in a subsequent catalog.

**Co-Sponsors:** CALMAX now has 44 official sponsors, including the City of Los Angeles, Associated General Contractors of California, and the California Chamber of Commerce.

Many sponsors have sent letters to local businesses with CALMAX brochures, tipping the balance toward participation from their business community with their endorsement.

**STAFF COMMENTS:**

**Diversion Potential:** At 111,813 tons diverted in 65 exchanges, the average exchange through CALMAX is currently 1,720 tons. Because a small number of exchanges accounted for much of the total, the average may lower as participation increases. However, it is worth noting that IMEX in Seattle, whose diversion numbers are the closest to CALMAX, averaged over 2000 tons per exchange over the past three years.

California has over a million businesses. In the unlikely event the diversion rate were to dip as low as 100 tons per exchange, CALMAX could divert 23 percent of the State's 45 million tons landfilled annually, if only 10 percent of its businesses made one exchange per year through the program. The diversion rate is likely to remain much higher, and with adequate resources, 10 percent participation is an achievable goal.

**Board Support and Feedback.** Continued commitment to CALMAX is needed to ensure development of this important program. (Staff welcomes feedback and future direction from the Board, based on this update.)

**Future Expansion:**

**Impact of Budget Reduction:** Although additional staff and contract dollars were sought for the 1993/94 budget year, the CALMAX contract was decreased 50 percent due to the current budget shortfall. These new staff members and contract dollars would have provided needed resources to expand the program, including increasing catalog publication and mailing costs. To continue its success, CALMAX requires ongoing promotion. With fewer resources, a slower growth rate is anticipated. Hopefully, "word of mouth" alone will keep participation from declining.

Staff is attempting to find ways to do more with less such as decentralized promotion of the program by all Board members and staff at appropriate business-related conferences and meetings, when the CALMAX coordinator is not already on the agenda.

**USEPA Grant Application:** Every materials exchange needs constant publicity to succeed. Limited resources are common to most programs nationwide. Staff has requested a grant from the USEPA to host the 1993 National Conference of Materials Exchange Coordinators. The proposed program would feature professionals in marketing to help participants learn the best methods for promoting materials exchange. As part of the grant, CALMAX would receive funds to take the best ideas from this forum and implement them as a pilot project. A report of the results ultimately would be shared with all Conference participants.

**National Materials Exchange Network:** In October 1992, CALMAX began a one-year trial on the National Materials Exchange Network. As one of 26 programs nationwide that make up the National Exchange, CALMAX can expect added potential for high-volume trading as a part of this easy-to-use, on-line system. This service is provided at no cost through a USEPA grant.

**Intangible results:** Staffs of older, more established materials exchange programs state repeatedly: The intangible results (public education, a positive public image) are just as important as the tangible ones (tons diverted). Board staff have recently reported more than one instance where respected members of the business community have given unsolicited testimonials about CALMAX at public meetings and events. In light of this important aspect, CALMAX plans continued coordination of efforts

with the Public Affairs and Education Office. Because most waste is generated by business and industry, CALMAX needs to be a viable part of the Board's campaign to educate the public about waste stream diversion.

**ATTACHMENTS:**

1. MATERIALS EXCHANGED TO DATE THROUGH CALMAX
- 2A. PROFILES OF MATERIALS EXCHANGE PROGRAMS  
(Program: Ontario Waste Exchange - OWE)
- 2B. PROFILES OF MATERIALS EXCHANGE PROGRAMS  
(Program: Industrial Materials Exchange - IMEX)
- 3A. SAMPLES OF RECENTLY PUBLISHED ARTICLES ON CALMAX  
(Department of Commerce \*Bear Tracks\* Newsletter - Winter 92/93)
- 3B. SAMPLES OF RECENTLY PUBLISHED ARTICLES ON CALMAX  
(California County Jan/Feb 1993)

Prepared by: Joyce Mason <sup>JM</sup> Phone 255-2405

Reviewed by: <sup>MJF</sup> Mindy Fox / Mitch Delmage <sup>MD</sup> Phone 255-2385

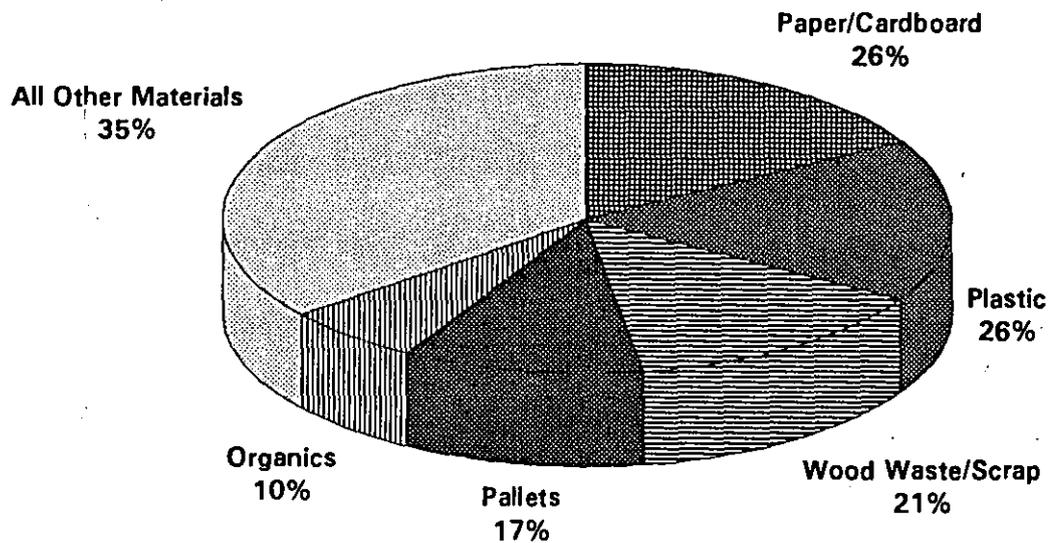
### MATERIALS EXCHANGED TO DATE THROUGH CALMAX

(By Number Of Exchanges)

#### Materials Listed

##### In CALMAX:

- CONSTRUCTION
- CONTAINERS
- DURABLES  
(furniture, appliances,  
machinery, etc.)
- ELECTRONIC
- GLASS
- METAL
- ORGANICS
- PAINT/WAX
- PALLETS
- PAPER
- PLASTIC
- RUBBER
- TEXTILE
- WOOD
- MISCELLANEOUS



111,816 Total Tons Exchanged

65 exchanges

## Profiles of Materials Exchange Programs

### Program: Ontario Waste Exchange (OWE)

<u>Sponsor</u>	<u>Type<sup>1</sup></u>	<u>Serves</u>	<u>Materials</u>	<u>Published</u>
Ontario Waste Mgt. Corp & Ontario Ministry of Env't.	Active	Ontario, Canada <sup>2</sup>	Hazardous & non-hazardous	6 x/year

<u>Average Listings</u>	<u>First Year</u>	<u>Tons Diverted</u>	<u>Last Year<sup>3</sup></u>	<u>Tons Diverted</u>
2500	87-88	492	90-91	22,704

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### Program: Northeast Industrial Waste Exchange (NIWE)

<u>Sponsor</u>	<u>Type</u>	<u>Serves</u>	<u>Materials</u>	<u>Published</u>
6 States: MD, NY, OH, PA, RI, VT	Passive	sponsor States <sup>4</sup>	Hazardous & non-hazardous	quarterly

<u>Average Listings</u>	<u>First Year</u>	<u>Tons Diverted</u>	<u>Last Year</u>	<u>Tons Diverted</u>
233	87	6,428	90	24,879

1. In an active exchange, program staff directly attempt to match participants with materials wanted or available. Passive exchanges only provide listings, usually printed in catalog format. Businesses contact each other with no direct intervention from the sponsoring agency.

2. \$70 catalog membership fee, listings free.

3. Last year for which statistics are available.

4. Sponsoring states are charged a \$75 catalog fee. Companies in all other states pay \$150 per listing.

## Profiles of Materials Exchange Programs

### Program: Industrial Materials Exchange (IMEX)<sup>1</sup>

<u>Sponsor</u>	<u>Type</u>	<u>Serves</u>	<u>Materials</u>	<u>Published</u>
King Co. Dept. of Public Health, Seattle, WA	Passive	Seattle and beyond <sup>2</sup>	Hazardous & non- hazardous	6 x/year
<u>Average Listing</u>	<u>First Year</u>	<u>Tons Diverted</u>	<u>Last Year</u>	<u>Tons Diverted</u>
350	90	129,000	92	160,000

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### Program: California Materials Exchange (CALMAX)

<u>Sponsor</u>	<u>Type</u>	<u>Serves</u>	<u>Materials</u>	<u>Published</u>
CIWMB	Passive	State of Calif. <sup>3</sup>	Nonhaz- ardous only	6 x/year
<u>Average Listings</u>	<u>First Year</u>	<u>Tons Diverted</u>	<u>Last Year</u>	<u>Tons Diverted</u>
700	92	112,000	n/a	n/a

- 
1. CALMAX was modelled after IMEX.
  2. Catalog and listings are free.
  3. Same as above.

## SAMPLES of Recently Published Articles on CALMAX

Manteca Bulletin  
12/27/92



**Katherine  
Holmes**

Resource Conservation Coordinator

### State operates recycling effort

I want to let all of you business people and community organizations know about a wonderful recycling and reuse program the State operates called the California Materials Exchange Program (CALMAX). The program basically consists of a catalog that is published every other month. The CALMAX catalog is designed to help business find markets for materials they have traditionally discarded. CALMAX operates on the premise that one person's garbage is another person's treasure.

There are three main sections in the CALMAX catalog. First there is an "available materials section" which lists still-useful items that business are willing to donate or sell to other business and community organizations who want certain materials. To make the matchups easier, CALMAX also has a "regional listing" section which lists both available and wanted materials by geographic region. San Joaquin County is included in the catalog's Sacramento Valley region.

THE MOST RECENT ISSUE of CALMAX contains 636 material listings. Wanted and available materials are grouped into the following categories: construction, containers, durables (furniture, appliances, machinery...), electronic, glass, metal, organics, paint/wax, pallets, paper, plastic, rubber, textile, wood, and miscellaneous. These categories enable interested businesses to easily find what they need among the numerous listings.

As I perused this month's catalog, I noticed some of the interesting materials available this month. Items such as used solar collectors, 55 gallon metal drums, desks, used sprinkler heads, mushroom compost, industrial paint, hardwood pallets, books, foam packaging materials, and audio tapes are available, many for free or at a greatly reduced price. On the flip side, there were also listings for wanted materials such as nursery containers, electronic components, school books, scrap plastic, tire casings and copper wire.

#### CALMAX BENEFITS CALIFORNIA

businesses, community organizations and local government in many ways. Businesses can save money by reducing disposal costs and perhaps selling materials that were once thrown away. Economic development is promoted by helping start-up businesses find free or inexpensive materials. Community groups will also benefit from the access to many materials they otherwise might not have been able to afford. Finally, the CALMAX program helps our environment out because it conserves natural resources as well as landfill space.

One Manteca community group has already benefited immensely from the CALMAX program. The Manteca Boys and Girls Club used the CALMAX catalog to identify and contact two organizations which recycle sets from movies and television, Re-Sets and Materials for the Arts. These organizations then arranged the donation of the set from the last Freddie Krueger movie and \$28,000 worth of building materials from the set of the movie "Hero". The Manteca Boys and Girls Club used these materials to build a haunted house for the annual Manteca Pumpkin Fair and to build a multi-purpose room addition to the club.

IF YOUR BUSINESS OR organization is interested in listing materials in the CALMAX catalog or signing up to receive the bi-monthly catalog, please call (916) 255-2369. There is no charge for either listing materials or receiving CALMAX catalogs.

*Katherine Holmes is the City of Manteca's Resource Conservation Coordinator. If you have any questions about recycling or resource conservation, you can write to her at 1001 W. Center St.*

Department of Commerce  
"Bear Tracks" Newsletter  
Winter 92/93

### California Materials Exchange turns disposal costs into profits

Good news for all businesses concerned about reducing waste. CALMAX, the California Materials Exchange, provides a free service for finding new uses for excess, scrap and throw away materials. The program—operated jointly by the California Integrated Waste Management Board and the Local Government Commission, and cosponsored by the California Department of Commerce—promises to help keep materials out of landfills and save money by reducing disposal costs.

Participation is easy. CALMAX publishes a bi-monthly Materials Listings Catalog that lists materials both available and wanted throughout California and beyond. There is no cost to place a listing or to receive the catalog. Like classified advertising, each material listing contains a contact name and number for the person who has or wants that material. Exchanges and transfers of the materials are then worked out between the interested parties.

To place a listing in the Materials Listings Catalog, or to get on the mailing list, simply call the California Integrated Waste Management Board at 1-800-553-2962 or 1-916-255-2369.

CALMAX also can help local governments in seeking new methods of waste reduction to extend the life of their landfills, and in promoting resource conservation among their communities.

For more information about CALMAX, call the Board at the numbers listed above. ☐

## SAMPLES of Recently Published Articles on CALMAX

California County  
Jan/Feb 1993

### Waste Management

Another Way to Meet AB 939 Requirements

# CALMAX: California's Waste Not Want Ads



**A** COUNTY RECYCLING COORDINATOR RECENTLY got a call from a local businesswoman explaining that her company had a large supply of pallets in good condition. Interested in reducing her company's garbage bill and improving its environmental image, the woman wanted to find someone who could reuse the pallets so she would not have to throw them away.

The recycling coordinator referred the company to CALMAX — the California Materials Exchange. The businesswoman placed a listing for the pallets with CALMAX and soon found a nearby company that was pleased to find a free source of them.

Too good to be true? Guess again. The

By Joyce Mason

*CALMAX has been established by the California Integrated Waste Management Board to help local governments and businesses meet AB 939's waste diversion requirements of 25 percent by 1995 and 50 percent by 2000.*

California Integrated Waste Management Board has established CALMAX to help local governments and businesses divert materials that used to get thrown away. Since businesses generate significant percentages of the waste originating in many communities, it is essential that local gov-

ernments work with them to achieve waste diversion mandates.

CALMAX publishes a bimonthly Materials Listings Catalog which advertises materials both available and wanted across California and beyond. This catalog is free, and listings are placed at no cost to the listing party. Each material listing contains the contact name and number for the person who has or wants the material. Exchanges are then negotiated between the interested parties.

Economic development officials will also be interested in the potential for new businesses that the CALMAX catalog represents. The catalog is full of materials that start-up businesses can use to manufacture new products. The 15 categories of materials include construction, containers, electronic, glass, rubber, textile and wood.

During 1992, the CALMAX catalog facilitated the exchange of more than 6,000 tons of materials ranging from books to plastic to construction materials to asphalt to horse manure. CALMAX is providing a summary sheet indicating the total tons of waste diversion originating from each county so counties can track the success of their promotional programs.

Bulk quantities of the CALMAX catalog are available at no charge to local governments. There are many ways that counties can use CALMAX as a waste diversion tool, including:

- Elected officials can send a cover letter and CALMAX catalog to local businesses as a way of initiating a public-private partnership for solid waste management.

- Recycling coordinators can organize materials reuse workshops, publicize success stories or CALMAX presentations at local meetings of business groups and chambers of commerce.

The Local Government Commission, which operates CALMAX under contract with the waste board, has a free guide that describes local government options for using CALMAX. To obtain a copy, contact Tony Eulo at 916/448-1198. For additional information on CALMAX, call the waste board in Sacramento at 916/255-2369. □

*Joyce Mason is the California Integrated Waste Management Board's CALMAX Coordinator.*