





APPEARANCES

MR. ROBERT FRAZEE, CHAIRMAN  
MR. JOHN AMODIO, MEMBER  
MR. STEVEN R. JONES, MEMBER

STAFF PRESENT

MR. RALPH CHANDLER, EXECUTIVE DIRECTOR  
MR. KEITH SMITH, DEPUTY DIRECTOR  
MR. ELLIOT BLOCK, LEGAL COUNSEL  
MS. LORI LOPEZ, COMMITTEE SECRETARY



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1 SACRAMENTO, CALIFORNIA; TUESDAY, MAY 26, 1998

2 1:30 P.M.

3  
4 CHAIRMAN FRAZEE: MEETING WILL COME TO ORDER,  
5 PLEASE. THIS IS THE MAY 26TH MEETING OF THE PERMITTING  
6 AND ENFORCEMENT COMMITTEE OF THE INTEGRATED WASTE  
7 MANAGEMENT BOARD. IF THE SECRETARY WILL CALL THE ROLL,  
8 PLEASE.

9 THE SECRETARY: BOARD MEMBER JONES.

10 MEMBER JONES: HERE.

11 THE SECRETARY: CHAIRMAN FRAZEE.

12 CHAIRMAN FRAZEE: HERE.

13 THE SECRETARY: BOARD MEMBER AMODIO, ABSENT.

14 CHAIRMAN FRAZEE: QUORUM IS PRESENT. WE HAVE  
15 ANY EX PARTE?

16 MEMBER JONES: I JUST SAID HELLO TO MY FRIEND  
17 MR. RICHARDSON FROM COMMUNITY RECYCLING, CROWN; AND  
18 THEN I'VE GOT TWO EX PARTES THAT I JUST RECEIVED,  
19 HAVEN'T EVEN HAD A CHANCE TO READ, ONE FROM NORCAL  
20 WASTE SYSTEMS ON THE PERMIT -- ON THE TRANSFER STATION  
21 REGS AND ONE FROM CHUCK WHITE FROM WASTE MANAGEMENT.  
22 HAVEN'T HAD A CHANCE TO READ EITHER ONE OF THEM.

23 CHAIRMAN FRAZEE: I HAVE SEVERAL EX PARTE  
24 COMMUNICATIONS. FIRST ONE FROM CALIFORNIA WASTE  
25 RECOVERY SYSTEMS; SECOND, MONTEREY CITY DISPOSAL



1 SERVICE; THIRD, THE WINE INSTITUTE; FOURTH, THE  
2 PINNACLE MARKETING GROUP, WASTE MANAGEMENT, AND THE  
3 AFOREMENTIONED LETTER FROM LARRY SWEETSER FROM NORCAL.  
4 AND THOSE ARE ALL ALSO ON THE ITEM 6, THE TRANSFER  
5 STATION REGS, AND THOSE WILL ALL BE ENTERED INTO THE  
6 RECORD.

7 MEMBER JONES: MR. CHAIRMAN, THESE ARE THE  
8 ONES THAT JUST CAME OUT. WHEN I GET THOSE, THEN  
9 INCLUDE MINE.

10 CHAIRMAN FRAZEE: THEY'LL ALL BE IN THE  
11 RECORD. OKAY.

12 BY WAY OF ANNOUNCEMENTS, THE USUAL  
13 PROCEDURE FOR SPEAKERS APPLIES. THERE ARE SPEAKER  
14 SLIPS ON THE BACK TABLE. IF YOU WISH TO SPEAK ON AN  
15 ITEM, IF YOU WOULD FILL OUT ONE OF THOSE AND BRING IT  
16 FORWARD TO THE COMMITTEE SECRETARY SO THAT WE CAN CALL  
17 UPON YOU AT THE APPROPRIATE TIME.

18 NOW, FIRST OF ALL, THE REPORT FROM THE  
19 DEPUTY DIRECTOR.

20 MS. RICE: THANK YOU. AND GOOD AFTERNOON, MR.  
21 CHAIRMAN AND BOARD MEMBER JONES. A VERY BRIEF REPORT  
22 THIS AFTERNOON IN LIGHT OF THE AGENDA AND THE HOUR.  
23 THREE BRIEF ITEMS. FIRST OF ALL, I WANTED TO PROVIDE A  
24 BRIEF UPDATE ON ONE OF THE ACTIVITIES OUR CALIFORNIA-  
25 MEXICO BORDER ISSUES COORDINATOR HAS BEEN WORKING ON



1 WITH CAL-EPA AND OTHER CALIFORNIA AND MEXICAN  
2 ENVIRONMENTAL AGENCIES.

3 PAULINO LUNA, AS YOU MAY KNOW, IS THE  
4 BOARD'S STAFF PERSON FOR CALIFORNIA-MEXICO BORDER  
5 ISSUES. AT THE REQUEST OF CAL-EPA AND MEXICAN  
6 ENVIRONMENTAL AGENCIES, HE'S BEEN GATHERING INFORMATION  
7 ON A LARGE TIRE PILE ON THE OTHER SIDE OF THE BORDER,  
8 EL SERRO CENTINELA.

9 FOR A LITTLE BIT OF BACKGROUND, THIS PILE  
10 LIES ABOUT 2 MILES SOUTH OF THE U.S./MEXICO BORDER NEAR  
11 MEXICALI. THERE ARE AN ESTIMATED THREE TO SIX MILLION  
12 TIRES THERE, ALTHOUGH A CHARACTERIZATION HAS NEVER  
13 REALLY BEEN DONE, OVER AN APPROXIMATELY 50-ACRE AREA.  
14 SO THEY'RE PRETTY SPREAD OUT. AND OBVIOUSLY A FIRE OR  
15 OTHER THREAT THERE WOULD POSE A SIGNIFICANT THREAT TO  
16 NEARBY MEXICALI.

17 RIGHT NOW WE ARE, AT THE REQUEST OF THE  
18 STATE OF BAJA, CALIFORNIA, DEPARTMENT OF ECOLOGY,  
19 INVOLVED IN PROVIDING SOME TECHNICAL ASSISTANCE TO THEM  
20 IN EFFORTS TO CHARACTERIZE THIS WASTE TIRE PILE.  
21 BECAUSE OF OUR EXPERIENCE IN THAT AREA, THEY PUT THAT  
22 REQUEST IN TO CAL-EPA FOR OUR ASSISTANCE. WE HAVE BEEN  
23 WORKING WITH THE DEPARTMENT OF ECOLOGY COMPILING  
24 TOPOGRAPHICAL MAPS, AERIAL PHOTOS, ETC.

25 AND AS YOU MIGHT IMAGINE, THERE'S NOT YET



1 ANY FORM OF AGREEMENT IN PLACE FOR HOW TO ADDRESS THESE  
2 BI-NATIONAL ISSUES, WHETHER IT'S ILLEGAL WASTE TIRE  
3 PILES OR ANY OTHER. BUT AT THIS POINT WE ARE WORKING  
4 CLOSELY WITH CAL-EPA AND U.S. EPA REGION IX STAFF ON  
5 ASSISTING MEXICO IN TERMS OF TECHNICAL ASSISTANCE WITH  
6 THIS PILE AND OTHERS.

7 THIS WORK MAY AT SOME POINT CULMINATE IN  
8 THE DRAFTING OF A GRANT APPLICATION TO THE FEDERAL  
9 GOVERNMENT FOR FUNDING THAT THIS COUNTRY MAY BE  
10 INTERESTED IN PROVIDING TO ASSIST WITH THIS ISSUE, AS  
11 CLEARLY, THE VAST MAJORITY OF THESE TIRES EMANATED FROM  
12 THE UNITED STATES. I ASSUME THAT'S WHY WE'RE LOOKING  
13 AT IT IN COLLABORATION WITH THE MEXICAN GOVERNMENT. AS  
14 ANY INFORMATION DEVELOPS ON A GRANT APPLICATION, I WILL  
15 GET THAT TO BOARD MEMBERS' OFFICE. AT THIS POINT WE'RE  
16 SIMPLY PROVIDING TECHNICAL ASSISTANCE TO THEM.

17 THE SECOND ISSUE WAS A BRIEF UPDATE ON  
18 THE CITY OF SAN DIEGO LEA PROGRAM. AS YOU KNOW, YOU  
19 GRANTED TEMPORARY CERTIFICATION TO THE CITY LAST  
20 NOVEMBER, AND WE'VE BEEN REPORTING MONTHLY ON NEWS OR  
21 EVENTS IN THAT REGARD. AS YOU MAY HAVE HEARD, THE CITY  
22 RECENTLY FINISHED INTERVIEWING FOR THE LEA PROGRAM  
23 MANAGER POSITION AND HAVE RECENTLY MADE A SELECTION OF  
24 PAUL MANAJSAN, WHO IS THE CITY OF VERNON LEA, AND I  
25 ASSUME WILL SHORTLY BE MOVING OVER TO THE CITY OF SAN



1 DIEGO. AND I ALSO UNDERSTAND THAT THE REMAINING STAFF  
2 FOR THE LEA PROGRAM ARE TO BE HIRED BY JULY.

3 AS OF THIS DATE, OUR INFORMATION IS THAT  
4 ALL INSPECTIONS AND ENFORCEMENT ACTIVITIES ARE BEING  
5 CONDUCTED APPROPRIATELY BY THE CITY LEA. MOST  
6 RECENTLY, THE CITY ISSUED A STIPULATED ORDER IN APRIL  
7 AS A RESULT OF PERMIT ACTIONS NEEDED AT A MULCHING  
8 COMPOSTING OPERATION OF THE CITY'S ENVIRONMENTAL  
9 SERVICES DEPARTMENT. ALSO IN THE AUDIENCE, SYLVIA  
10 CASTILLO IS PRESENT FROM THE CITY LEA IF YOU HAVE ANY  
11 SPECIFIC QUESTIONS ABOUT THE LEA PROGRAM.

12 THE LAST ITEM I HAVE TODAY IS JUST A  
13 BRIEF UPDATE ON TITLE 27 TRAINING. THIS IS THE  
14 TRAINING ON THE REGULATIONS TO IMPLEMENT AB 1220, AND  
15 IS A LONG AWAITED TRAINING THAT WE'VE BEEN WORKING ON  
16 CLOSELY IN PARTNERSHIP WITH THE STATE WATER RESOURCES  
17 CONTROL BOARD TO JOINTLY PROVIDE TRAINING IN JUNE AND  
18 JULY WITH A TARGET AUDIENCE OF REGIONAL BOARD STAFF,  
19 BOARD STAFF, AND LEA'S. THAT'S THE TARGET AUDIENCE.  
20 AND TRAINING VENUES ARE SCHEDULED FOR RIVERSIDE,  
21 MONTEREY PARK, REDDING, SANTA ROSA, PALM DESERT,  
22 FRESNO, ALAMEDA, AND SACRAMENTO BEGINNING NEXT WEEK, I  
23 BELIEVE, IN JUNE AND MOVING INTO THE FIRST WEEK IN  
24 JULY.

25 ALSO, WE HOPE TO HAVE THE ANNOUNCEMENT



1 FOR THE SECOND ANNUAL LEA WASTE BOARD CONFERENCE IN  
2 AUGUST, AND SO THE ANNOUNCEMENT OF THAT CONFERENCE  
3 SHOULD BE AVAILABLE NEXT WEEK. AND I UNDERSTAND WE'VE  
4 BEEN WORKING WITH BOARD MEMBER FRAZEE'S OFFICE AND  
5 JONATHAN CLAY TO ORGANIZE BOARD MEMBER AND ADVISOR  
6 INVOLVEMENT AND INPUT INTO THAT CONFERENCE PROGRAM. SO  
7 THOSE ARE THE THREE BRIEF ITEMS THAT I HAVE.

8 MEMBER JONES: JUST ONE QUICK QUESTION. ON  
9 THE TEMPORARY CERTIFICATION WE GAVE TO SAN DIEGO, NOW  
10 THAT THEY'VE HIRED SOMEBODY PERMANENT AND THEY'RE  
11 LOOKING AT HIRING PERMANENT PEOPLE, WILL THAT COME BACK  
12 TO US IN THE FORM OF A -- I MEAN WILL WE SEE THE  
13 DOCUMENT THAT INCLUDES THE NEW PEOPLE?

14 MS. RICE: IF I RECALL FROM THE TEMPORARY  
15 CERTIFICATION, THERE WAS A TIME FRAME IN THERE FOR THE  
16 HIRING OF PERMANENT STAFF, SO I'LL HAVE TO REVISIT THAT  
17 AND THEN CALENDAR WHATEVER IS APPROPRIATE TO BRING BACK  
18 TO YOU.

19 MEMBER JONES: YEAH, BECAUSE I'VE HEARD THAT  
20 THEY'RE DOING FINE. IT'S JUST INSPECTIONS ARE ALWAYS  
21 WITH DIFFERENT PEOPLE, AND THAT TAKES TIME, AND, YOU  
22 KNOW, THAT'S PART OF LIFE.

23 MS. RICE: AND SO VERY SHORTLY IT SOUNDS LIKE  
24 THERE WILL BE QUITE A BIT MORE CONTINUITY IN THAT AREA.  
25 AND SYLVIA MAY KNOW THE EXACT TIME FRAME OR SHARON. I



1 DIDN'T SEE YOU, SHARON.

2 MS. CASTILLO: HIRING THE PERMANENT?

3 MEMBER JONES: WHEN DO YOU THINK ON THE  
4 PERMANENT PLACEMENTS?

5 MS. CASTILLO: IT'S ANTICIPATED THAT THIS  
6 FRIDAY THE ANNOUNCEMENTS WILL BE OPEN FOR THE POSITIONS  
7 OF THE INSPECTOR AND THE CIVIL ENGINEER. ONCE -- I  
8 BELIEVE THERE'S A THREE-WEEK OPENING FOR THAT. A LIST  
9 WILL BE GENERATED, AND I BELIEVE IT WOULD BE SCHEDULED  
10 THE FIRST OR SECOND WEEK OF JULY FOR THE INTERVIEWS.  
11 SO DEPENDING ON WHEN THE OFFER FOR THE SELECTED PERSON  
12 IS ABLE TO START, SO I WOULD SAY BY THE END OF JULY, WE  
13 SHOULD HAVE A FULL STAFF ON BOARD.

14 BUT I DID WANT TO MAKE NOTE THAT PAUL,  
15 WHO WE'RE VERY EAGER TO HAVE ON BOARD, HE HAS BEEN WITH  
16 THE CITY OF SAN DIEGO IN THE TRANSITION SINCE NOVEMBER  
17 AND IS ONE OF THE MOONLIGHTERS AS YOU REFERRED TO IN  
18 THE PAST.

19 MEMBER JONES: I'LL KEEP REFERRING TO THEM AS  
20 MOONLIGHTERS UNTIL YOU GET PERMANENT STAFF.

21 MS. CASTILLO: PAUL WILL ACTUALLY BE STARTING  
22 ON THE 15TH OF JUNE.

23 CHAIRMAN FRAZEE: THANK YOU. NOW READY TO  
24 MOVE INTO THE REGULAR AGENDA. WE HAVE ONE CONSENT  
25 CALENDAR ITEM, AND THAT'S THE CONSIDERATION OF A



1 REVISED SOLID WASTE FACILITY PERMIT FOR COMMUNITY  
2 RECYCLING AND RESOURCE RECOVERY IN LOS ANGELES COUNTY.

3 MEMBER JONES: MR. CHAIRMAN, I'D LIKE TO MOVE  
4 THE CONSENT CALENDAR.

5 CHAIRMAN FRAZEE: WE HAVE A MOTION AND SECOND  
6 ON THE ADOPTION OF THE CONSENT CALENDAR. IF THE  
7 SECRETARY WILL CALL THE ROLL, PLEASE.

8 THE SECRETARY: BOARD MEMBER JONES.

9 MEMBER JONES: YES.

10 THE SECRETARY: CHAIRMAN FRAZEE.

11 CHAIRMAN FRAZEE: AYE. MOTION IS CARRIED.  
12 THE CONSENT CALENDAR IS ADOPTED.

13 NOW WE ARE READY FOR ITEM 3, WHICH IS THE  
14 CONSIDERATION OF A REVISED SOLID WASTE FACILITY PERMIT  
15 FOR FALLBROOK RECYCLING AND TRANSFER FACILITY IN SAN  
16 DIEGO COUNTY.

17 MS. RICE: THANK YOU, MR. CHAIRMAN AND  
18 MEMBERS. TADESE GEBRE-HAWARIAT WITH THE DIVISION WILL  
19 MAKE THE PRESENTATION ASSISTED BY REBECCA LAFRENIERE  
20 WITH THE LOCAL ENFORCEMENT AGENCY.

21 MR. GEBRE-HAWARIAT: GOOD AFTERNOON. THE  
22 PROPOSED PERMIT IS TO ALLOW THE FOLLOWING: AN INCREASE  
23 IN THE MAXIMUM DAILY TONNAGE FROM 175 TO 300 TONS, AN  
24 INCREASE IN THE DAILY LEVEL OF TRAFFIC AT THE FACILITY  
25 FROM 115 TO 134 VEHICLES PER DAY.



1 THE FALLBROOK RECYCLING AND TRANSFER  
2 FACILITY IS OWNED BY EDCO DISPOSAL CORPORATION. THE  
3 FACILITY IS OPERATED BY THE FALLBROOK REFUSE SERVICES,  
4 WHICH IS A SUBSIDIARY OF EDCO. MR. STEVE SOUTH IS THE  
5 CHIEF OPERATING OFFICER.

6 BOARD STAFF AND THE LEA HAVE DETERMINED  
7 THAT ALL OF THE REQUIREMENTS FOR THE PROPOSED REVISED  
8 PERMIT HAVE BEEN MET; THAT SINCE THE BOARD APPROVED THE  
9 INTEGRATED WASTE MANAGEMENT PLAN FOR THE COUNTY OF SAN  
10 DIEGO IN JUNE OF 1997, THE TRANSFER STATION IS NOT  
11 REQUIRED TO COMPLY WITH THE PUBLIC RESOURCES CODE  
12 SECTION 50001 UNDER THE PROVISIONS OF PRC SECTION  
13 50001(B); AND THAT THE PROPOSED DESIGN AND OPERATION OF  
14 THE FACILITY AS DESCRIBED IN THE EXISTING REPORT OF  
15 STATION INFORMATION OR RSI AND AMENDMENTS THERETO WOULD  
16 ALLOW FOR FACILITY OPERATION IN COMPLIANCE WITH THE  
17 STATE MINIMUM STANDARDS FOR SOLID WASTE PROCESSING AND  
18 HANDLING; AND THAT CEQA HAS BEEN COMPLIED WITH.

19 IN CONCLUSION, STAFF RECOMMEND THAT THE  
20 BOARD ADOPT SOLID WASTE FACILITY PERMIT DECISION NO.  
21 98-157, CONCURRING WITH THE ISSUANCE OF SOLID WASTE  
22 FACILITY PERMIT NO. 37-AA-0923. AND THIS CONCLUDES  
23 STAFF PRESENTATION.

24 CHAIRMAN FRAZEE: QUESTIONS ON THIS ONE? I  
25 MIGHT COMMENT THAT I HAVE VISITED THIS SITE ACTUALLY



1 BEFORE IT WAS PERMITTED ORIGINALLY AND THEN SINCE IT'S  
2 BEEN CONSTRUCTED, AND IT'S AN EXAMPLE OF HOW A WASTE  
3 FACILITY SITE CAN BE CONSTRUCTED IN A FAIRLY URBAN AREA  
4 WITHIN A BLOCK OR TWO OF A SHOPPING CENTER AND  
5 RESIDENCES ACROSS THE STREET WITH LITTLE OR NO  
6 OPPOSITION AND WITHOUT ANY REAL OUTSTANDING PROBLEMS.  
7 SO IT'S A GOOD ONE.

8 MEMBER JONES: MR. CHAIRMAN, I'D LIKE TO MOVE  
9 ADOPTION OF RESOLUTION 98-157, CONSIDERATION OF THE  
10 REVISED FACILITY PERMIT FOR FALLBROOK RECYCLING AND  
11 TRANSFER FACILITY.

12 CHAIRMAN FRAZEE: AND I WILL SECOND. WE HAVE  
13 A MOTION AND SECOND ON THE ADOPTION OF RESOLUTION  
14 98-157. WITHOUT OBJECTION, WE'LL SUBSTITUTE PRIOR ROLL  
15 CALL. AND THAT ONE, WITHOUT OBJECTION, WE'LL RECOMMEND  
16 FOR CONSENT.

17 OKAY. THE NEXT ONE IS THE CONSIDERATION  
18 OF THE REVISED SOLID WASTE FACILITY PERMIT FOR FOXEN  
19 CANYON SANITARY LANDFILL IN SANTA BARBARA COUNTY. CAN  
20 WE HAVE THE STAFF REPORT, PLEASE, ON THIS ONE.

21 MS. RICE: THANK YOU, MR. CHAIRMAN. VANCE  
22 TRACY WILL MAKE THE STAFF PRESENTATION ASSISTED BY LISA  
23 SLOANE WITH THE LOCAL ENFORCEMENT AGENCY.

24 MR. TRACY: THIS ITEM IS CONSIDERATION OF THE  
25 FOXEN CANYON SANITARY LANDFILL AND A REVISED PERMIT FOR



1 THE FACILITY. FACILITY IS LOCATED IN SANTA YNEZ VALLEY  
2 AND HANDLES THE SANTA YNEZ VALLEY WASTESHED. IT'S AN  
3 EXISTING FACILITY. PROJECTED MAXIMUM WILL BE 212 TONS  
4 PER DAY IS WHAT THE PERMIT WOULD ALLOW AND EXPANSION OF  
5 THE SITE FROM 18 ACRES TO 37.5. NOW, IT WILL NOT  
6 INCREASE THE MAXIMUM HEIGHT OF THE FILL, NOR WILL IT  
7 INCREASE THE FOOTPRINT. IT WILL ALSO CHANGE THE YEAR  
8 OF CLOSURE FROM 1995, WHICH IS OBVIOUSLY PAST US, TO  
9 THE YEAR 2006 APPROXIMATELY.

10 IN REVIEWING THE SUBMITTED DOCUMENTATION,  
11 THE LEA AND BOARD STAFF HAVE DETERMINED THAT THE PERMIT  
12 IS CONSISTENT WITH COSWMP, IT COMPLIES WITH THE CLOSURE  
13 FUNDING REQUIREMENTS, ALL THOSE THINGS ARE TAKEN CARE  
14 OF, CEQA HAS BEEN COMPLIED WITH, AND THE PROPOSED  
15 PERMIT IS CONSISTENT WITH THE STATE MINIMUM STANDARDS.

16 STAFF HAS REVIEWED THE PROPOSED PERMIT  
17 FOR DOCUMENTATION AND FOUND THEM TO BE ACCEPTABLE. AND  
18 IN CONCLUSION, WE RECOMMEND THAT BOARD ADOPT THE SOLID  
19 WASTE FACILITY PERMIT DECISION 98-158.

20 NOW, THERE HAS BEEN IN THE PAST PROBLEMS  
21 WITH LANDFILL GAS, BUT THOSE, AGAIN, ARE BEING  
22 ADEQUATELY ADDRESSED RIGHT NOW. THERE'S A GAS  
23 EXTRACTION SYSTEM OPERATING NOW, AND THE LATEST LEA  
24 MONTHLY INSPECTION REPORT DOCUMENTS A READING IN  
25 LANDFILL GAS AT THE PERMITTED BOUNDARY OF LESS THAN 5



1 PERCENT. SO GAS IS BEING ADDRESSED THERE. AND ONCE  
2 THE FACILITY IS SHOWN TO HAVE THREE CONSECUTIVE MONTHS  
3 OF LESS THAN 5 PERCENT GAS, THEN IT WILL BE REMOVED  
4 FROM THE INVENTORY WHICH IT IS CURRENTLY ON.

5 CHAIRMAN FRAZEE: DID YOU HAVE ANY FURTHER  
6 COMMENTS?

7 MS. SLOANE: I'M LISA SLOANE WITH THE LOCAL  
8 ENFORCEMENT AGENCY. IF YOU HAVE ANY QUESTIONS, I'M  
9 HERE FOR ANSWERS TO QUESTIONS.

10 CHAIRMAN FRAZEE: QUESTIONS?

11 MEMBER JONES: MR. CHAIRMAN, JUST A COUPLE.  
12 IT WAS NOTED THAT THERE WAS SOME COVER ISSUES. HAVE  
13 THEY BEEN ADDRESSED? IS THIS SOMETHING THAT HAPPENS  
14 ONCE IN A WHILE OR IS IT AN ONGOING PROBLEM?

15 MS. SLOANE: THAT'S CORRECT. IT HAPPENS ONCE  
16 IN A GREAT WHILE, BUT THE RECENT INSPECTION SHOWED THAT  
17 THEY DID ADEQUATELY COVER, AND THAT'S THE USUAL  
18 SITUATION.

19 MEMBER JONES: THAT'S NORMAL. OKAY. THAT'S  
20 FINE.

21 MR. TRACY: THE OPERATOR IS HERE, AVAILABLE TO  
22 ANSWER ANY QUESTIONS THAT YOU MAY HAVE CONCERNING THE  
23 LANDFILL GAS SYSTEM AND ANY OTHER ISSUES.

24 MEMBER JONES: JUST ONE OTHER QUESTION. ON  
25 THE CLOSURE-POSTCLOSURE FUNDING MECHANISM, HAD IT BEEN



1 CALCULATED ON WHAT IS CURRENTLY BEING DONE; OR WHEN YOU  
2 WERE FIGURING OUT, DID YOU FIGURE EXPANSION INTO THAT  
3 AS FAR AS THE LEVEL OF FUNDING FOR CLOSURE-POSTCLOSURE?

4 MR. TRACY: I BELIEVE THE LEA OR THE OPERATOR  
5 COULD ANSWER THAT BETTER THAN I COULD, BUT MY  
6 UNDERSTANDING IS --

7 MEMBER JONES: THAT IT'S IN COMPLIANCE. I  
8 DON'T HAVE A PROBLEM WITH THAT. I JUST WONDERED IF IT  
9 WAS OVER THE 37 ACRES OR 18 AND A QUARTER, AND THEN YOU  
10 GO TO THE 18 AND A HALF LATER. IT'S NOT AN ISSUE FOR  
11 ME. YOUR STAFF SAID IT'S FULLY FUNDED. THAT'S FINE.  
12 IT WAS JUST POINT OF INFORMATION.

13 MR. DIER: MR. CHAIRMAN, IF I MAY, THIS IS NOT  
14 AN EXPANSION. IT'S -- THE FOOTPRINT ISN'T EXPANDING,  
15 SO THERE'S NO --

16 MEMBER JONES: ALWAYS BEEN AT 34?

17 MR. DIER: NO. IT'S THE 18 AND A HALF, AND  
18 IT'S STAYING AT THAT. THEY'RE JUST INCORPORATING  
19 ADDITIONAL ACREAGE INTO THE FACILITY. BUT THE  
20 FOOTPRINT ITSELF IS NOT CHANGING. AND CLOSURE FUNDING  
21 WOULD BE FOR WHAT EXISTS TODAY EVEN IF THEY WERE  
22 EXPANDING, BUT THAT'S NOT THE CASE HERE.

23 MR. TRACY: ONE COMMENT THERE. THE ADDITIONAL  
24 ACREAGE WILL BE USED IN THE FUTURE FOR A TRANSFER  
25 STATION THAT WILL HANDLE THE WASTE THERE ONCE THE SITE



1 NO LONGER ACCEPTS WASTE AND CLOSES, AND THAT WILL BE A  
2 SEPARATE PERMIT IN THE FUTURE.

3 CHAIRMAN FRAZEE: IF THERE'S NOTHING ELSE, A  
4 MOTION IS IN ORDER.

5 MEMBER JONES: MR. CHAIRMAN, I WILL MAKE A  
6 MOTION THAT WE ADOPT RESOLUTION 98-158, REVISED  
7 FACILITY PERMIT FOR THE FOXEN CANYON LANDFILL.

8 CHAIRMAN FRAZEE: AND I WILL SECOND. IF  
9 THERE'S NO OBJECTION, WE'LL SUBSTITUTE ROLL CALL AND  
10 RECOMMEND FOR THE CONSENT TO THE FULL BOARD. THANK  
11 YOU.

12 NOW WE HAVE CONSIDERATION OF AN UPDATE TO  
13 THE SCHEDULE FOR PLACEMENT OF OPERATIONS AND FACILITIES  
14 INTO REGULATORY TIERS AND DEVELOPMENT OF MINIMUM  
15 STANDARDS.

16 MS. RICE: THANK YOU. BOB HOLMES WILL MAKE  
17 THIS PRESENTATION.

18 MR. HOLMES: GOOD AFTERNOON, MR. CHAIRMAN, MR.  
19 JONES. WE HAVE BEFORE YOU THE FOURTH ITERATION OF THE  
20 TIER SCHEDULE. WE STARTED IN JANUARY OF '95 AND  
21 UPDATED IT ANNUALLY EACH YEAR, AND SO YOU HAVE YOUR '98  
22 VERSION IN FRONT OF YOU.

23 THERE ARE THREE KEY ISSUES THAT I'D LIKE  
24 TO GO OVER WITH YOU SHORTLY. NO. 1 IS WITH THE  
25 BIOSOLIDS PACKAGE THAT WE HAVE SCHEDULED. WANTED TO



1 POINT YOUR ATTENTION TO THE INVOLVEMENT OF TWO OTHER  
2 STATE AGENCIES, THE STATE WATER RESOURCES CONTROL BOARD  
3 AND THE DEPARTMENT OF FOOD AND AGRICULTURE, WHO ARE  
4 ENTERING IN ON THE BIOSOLIDS ISSUE AND HAVE INFORMED US  
5 THAT THEY HAVE PLANS, EACH OF THEM HAVE PLANS TO DRAFT  
6 REGULATIONS IN THE AREA.

7 AND SO WHAT WE WOULD LIKE TO DO IS  
8 ANALYZE THAT SITUATION, SEE WHAT THEY'RE GOING TO  
9 COVER, AND SEE WHAT ELSE MIGHT BE LEFT FOR THIS BOARD  
10 TO COVER WITH REGARD TO REGULATION OR ANY OTHER TYPE OF  
11 OVERSIGHT THAT MIGHT BE NECESSARY. SO WE HAVE PROPOSED  
12 TO COME BACK TO YOU NEXT MONTH WITH AN ITEM SPECIFIC TO  
13 BIOSOLIDS THAT WILL PUT ALL THAT DOWN IN WRITING TO  
14 YOU, AND WE CAN HAVE SOME DISCUSSION ABOUT THAT AND  
15 HOPEFULLY HAVE SOME REPRESENTATIVES FROM THOSE AGENCIES  
16 HERE AS WELL TO ANSWER QUESTIONS IF NECESSARY.

17 THE SECOND ISSUE HAS TO DO WITH  
18 LANDFILLS. LANDFILLS HAVE BEEN ON THE SCHEDULE DOWN  
19 TOWARD THE BOTTOM. AS YOU SEE, WE'RE GETTING TOWARDS  
20 THE BOTTOM. AND IT'S STAFF PROPOSAL AT THIS TIME TO  
21 DEFER TAKING LANDFILLS THROUGH THE PROCESS BECAUSE WE  
22 FEEL THAT, AS WE HAVE MOVED THROUGH WITH OTHER  
23 MATERIALS AND WASTE TYPES, WE'VE TAKEN -- WE HAVE  
24 ADDRESSED THE LANDFILL ISSUES. FOR EXAMPLE, WITH  
25 CONTAMINATED SOIL, WE HAVE MONOFILLS. WITH ASH, WE



1 HAVE MONOFILLS. AND FOR C&D, WE HAVE PROPOSED TO SLOT  
2 MONOFILLS FOR THOSE OPERATIONS. SO WE FEEL WE'VE KIND  
3 OF ADDRESSED THE ISSUE AS WE'VE MOVED THROUGH, AND IT'S  
4 NOT NECESSARY THEN TO TAKE LANDFILLS BY THEMSELVES  
5 THROUGH THE PROCESS.

6 THE THIRD ISSUE IS THE COMBINATION OF THE  
7 WASTE-DERIVED MATERIAL TYPES FOR LIQUIDS, OTHER  
8 SLUDGES, AND MUDS. AND WE JUST THOUGHT IT MADE SENSE  
9 TO COMBINE THOSE INTO ONE PACKAGE. THEY HAVE SIMILAR  
10 PHYSICAL AND CHEMICAL CHARACTERISTICS; AND SIMILAR TO  
11 BIOSOLIDS, IF YOU SEE ON YOUR ATTACHMENT 1, WHICH IS  
12 THE CALENDAR, THE SHADING DIDN'T COME THROUGH QUITE SO  
13 WELL ON THE PRINTING. BUT WHAT WE'RE PROPOSING IS  
14 ANYTHING AFTER THE FIRST STEP -- THE FIRST STEP IS TO  
15 DETERMINE WHETHER OR NOT WE NEED TO DO REGULATIONS.  
16 AND IF SO, WE'LL CONTINUE ON WITH THE REST OF THE  
17 SCHEDULE. IF IT'S DECIDED THAT WE DON'T NEED IT, THERE  
18 MAY BE SOME THINGS WE CAN DO OUTSIDE THE REGULATORY  
19 FRAMEWORK TO ADDRESS THE ISSUE. WE'LL JUST STOP THERE  
20 AND DO THOSE.

21 SO THAT CONCLUDES MY PRESENTATION. STAFF  
22 RECOMMENDATION IS TO ADOPT THE SCHEDULE AS YOU SEE IT.

23 CHAIRMAN FRAZEE: OKAY.

24 MEMBER JONES: I JUST HAVE A QUESTION ON THE  
25 BIOSOLIDS. I'M ASSUMING AG IS GOING TO TALK ABOUT LAND



1 APPLICATION TO FARMLAND. WATER BOARD IS GOING TO TALK  
2 ABOUT APPLICATIONS EVERYWHERE, INCLUDING LANDFILLS.  
3 AND ARE WE INVOLVED IN THAT DISCUSSION AT ALL? ARE WE  
4 AT THE TABLE?

5 MR. HOLMES: THE ANSWER TO YOUR SECOND  
6 QUESTION IS, YES, WE'RE AT THE TABLE WITH BOTH THE  
7 WATER BOARD AND DEPARTMENT OF FOOD AND AGRICULTURE.  
8 YOU MAY ALSO NOTE, AND I'VE PUT THE TITLE FOR IT  
9 ALREADY IN JUNE. THERE SHOULD BE A MEMORANDUM OF  
10 UNDERSTANDING COMING THROUGH WITH -- WHICH WILL INCLUDE  
11 DEPARTMENT OF TOXIC SUBSTANCES CONTROL, STATE WATER  
12 BOARD, FOOD AND AG, AND OURSELVES. SO THERE WILL BE A  
13 MEMORANDUM OF UNDERSTANDING THAT PUTS US AT THE TABLE.

14 WE HAVE BEEN INVOLVED WITH BOTH THOSE  
15 AGENCIES TO THIS POINT. AND OUR UNDERSTANDING AS WELL,  
16 THE STATE WATER BOARD IS ALSO LOOKING AT A LAND  
17 APPLICATION FOCUS. WE THINK THAT THE LANDFILL PART OF  
18 THINGS IS COVERED FAIRLY WELL ALREADY. SO IT'S NOT --  
19 WE'RE NOT QUITE SURE WHAT FOOD AND AG IS GOING TO DO  
20 ABOVE AND BEYOND THEM. OF COURSE, THEY'RE LOOKING AT  
21 THE FERTILIZER AND SOIL AMENDMENTS AND PACKAGING AND  
22 LABELING REQUIREMENTS, NOT SO MUCH ON THE OPERATIONAL  
23 CONTROLS.

24 MEMBER JONES: THANKS. YOU NEED A MOTION?

25 CHAIRMAN FRAZEE: YES, WE DO.



1 MEMBER JONES: I'LL MAKE A MOTION THAT WE  
2 ADOPT RESOLUTION 98-155, THE UPDATED SCHEDULE FOR  
3 PLACEMENT OF OPERATIONS INTO THE TIERS.

4 CHAIRMAN FRAZEE: WE HAVE A MOTION AND SECOND  
5 ON RESOLUTION 98-155. IF THERE'S NO OBJECTION, WE'LL  
6 SUBSTITUTE ROLL CALL, AND THIS ITEM DOES GO TO THE  
7 BOARD, DOES IT?

8 MR. HOLMES: TYPICALLY DOES GO TO THE FULL  
9 BOARD.

10 CHAIRMAN FRAZEE: CONSENT OKAY? NO OBJECTION,  
11 WE'LL RECOMMEND CONSENT TO THE FULL BOARD.

12 NOW WE'RE GOING TO SKIP OVER ITEM 6  
13 TEMPORARILY AND CATCH ITEM 7, WHICH IS THE  
14 CONSIDERATION OF NEW SITES FOR THE SOLID WASTE DISPOSAL  
15 AND CODISPOSAL SITE CLEANUP PROGRAM. CAUGHT YOU OFF  
16 GUARD THERE, MARGE.

17 MS. RICE: THANK YOU. MARGE ROUCH WILL MAKE  
18 THIS PRESENTATION.

19 MS. ROUCH: THANK YOU. GOOD AFTERNOON,  
20 CHAIRMAN FRAZEE AND BOARD MEMBER JONES. THIS ITEM IS  
21 TO BRING YOU THREE PROJECTS TO BE FUNDED BY THE 2136  
22 PROGRAM.

23 THE FIRST PROJECT IS AN LEA GRANT TO  
24 CLEAN UP FOUR ILLEGAL DISPOSAL SITES IN SONOMA COUNTY.  
25 AND THE SECOND ITEM -- SECOND PROJECT IS TO INCREASE



1 FUNDING FOR THE LYNCH DISPOSAL SITE IN CONTRA COSTA  
2 COUNTY. AS YOU KNOW, THE SITE WAS SEVERELY DAMAGED BY  
3 EL NINO THIS WINTER. AND THE MONEY WE ALREADY HAD  
4 APPROVED WILL BE INADEQUATE, SO WE DO NEED MORE  
5 FUNDING. AND THIS IS THE PROJECT THAT YOU APPROVED IN  
6 APRIL OF LAST YEAR.

7 AND THE THIRD ITEM IS HILLTOP DRIVE IN  
8 SHASTA COUNTY. THIS PROJECT IS A BURN DUMP REMEDIATION  
9 TO CONSOLIDATE AND CAP BURN ASH AND IMPROVE SURFACE  
10 DRAINAGE AT THE SITE, ELIMINATING SURFACE WATER FROM  
11 FLOWING OVER THE BURN ASH AND INTO THE SACRAMENTO  
12 RIVER. THERE ARE TWO PEOPLE HERE IN THE AUDIENCE IF  
13 YOU HAVE ANY QUESTIONS. MR. JEFF LEWEN IS HERE FROM  
14 SONOMA COUNTY, AND I BELIEVE THAT MISS SUE THOMPSON  
15 FROM THE REDDING REDEVELOPMENT AGENCY WOULD LIKE TO  
16 SPEAK. SO IF YOU HAVE ANY QUESTIONS OF MYSELF OR THEM,  
17 WE'D BE HAPPY TO ANSWER THEM.

18 CHAIRMAN FRAZEE: DID YOU HAVE ANY ON SONOMA?  
19 THEN THE REPRESENTATIVE FROM THE REDDING REDEVELOPMENT  
20 AGENCY, YOU WISH TO ADDRESS THE COMMITTEE?

21 MS. THOMPSON: THANK YOU VERY MUCH, MR.  
22 CHAIRMAN AND COMMITTEE MEMBER. ON BEHALF OF THE  
23 REDDING REDEVELOPMENT AGENCY, I WOULD LIKE TO THANK YOU  
24 VERY MUCH FOR CONSIDERING THE AGENCY'S REQUEST TO FUND  
25 THE REMEDIATION OF THE HILLTOP DRIVE BURN DUMP. THIS



1 IS A FAIRLY LARGE BURN DUMP THAT IS SITUATED WITHIN THE  
2 CITY OF REDDING. IT'S ON THE BLUFFS OVERLOOKING THE  
3 SACRAMENTO RIVER AND LOCATED IN A RESIDENTIAL AREA.

4 THE CITY AND THE REDEVELOPMENT AGENCY  
5 HAVE BEEN LOOKING AT LONG-TERM SOLUTIONS FOR THIS SITE  
6 FOR APPROXIMATELY A YEAR AND A HALF SINCE THE SITE WAS  
7 BROUGHT TO OUR ATTENTION. THE REDEVELOPMENT AGENCY  
8 OWNS A FAIRLY SUBSTANTIAL PORTION OF THE BURN DUMP  
9 SITE, AND THERE ARE SOME BURN ASH DEPOSITS ON  
10 PROPERTIES OWNED BY SEVERAL OTHER PROPERTY OWNERS IN  
11 THE AREA AS WELL.

12 ONE OF THE THINGS THAT THE CITY WOULD  
13 LIKE TO SEE IS THEY WOULD LIKE TO SEE THIS SITE  
14 REMEDIATED SO THAT THE LAND COULD BE FUNCTIONALLY USED  
15 AGAIN. THE CITY IS PROPOSING TO EXTEND ITS SACRAMENTO  
16 RIVER TRAIL, WHICH RIGHT NOW IS APPROXIMATELY 8 MILES  
17 IN LENGTH ON BOTH THE NORTH AND THE SOUTH SIDES OF THE  
18 SACRAMENTO RIVER. IT ENDS RIGHT NOW BELOW THE HILLTOP  
19 DRIVE BURN SITE. AND THE PROPOSAL IS TO EXTEND IT UP  
20 THROUGH THE BURN DUMP SITE TO CONNECT WITH THE  
21 RESIDENTIAL AREAS ON HILLTOP DRIVE ABOVE.

22 SO AGAIN, I WOULD LIKE TO THANK YOU VERY  
23 MUCH FOR CONSIDERING OUR REQUEST. AND IF YOU HAVE ANY  
24 QUESTIONS OF ME, I WOULD BE MORE THAN TO HAPPY TO TRY  
25 TO ANSWER THOSE.



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CHAIRMAN FRAZEE: ANY QUESTIONS?

MEMBER JONES: MR. CHAIRMAN, WHO OWNED THIS  
PIECE OF PROPERTY WHEN IT WAS A BURN DUMP? WAS IT THE  
CITY OF REDDING?

MS. THOMPSON: NO, IT WAS NOT. AS A MATTER OF  
FACT, IT WAS OUTSIDE THE CITY AT THAT TIME. IT WAS  
UNDER PRIVATE OWNERSHIP AND IT WAS LEASED TO A HOG  
FARMER. THE HOG FARMER CONTRACTED WITH VARIOUS  
ENTITIES AND HAULED RESTAURANT SWILL TO THAT SITE. THE  
WET REFUSE WAS CONSUMED BY THE PIGS AND THE REST WAS  
BURNED.

MEMBER JONES: THEN IT SAYS THAT YOUR AGENCY  
IS COORDINATING EFFORTS BY THE CITY AND THE  
FOUNDATION. NOW, IS IT YOUR AGENCY THAT'S COMMITTED 25  
PERCENT OF THE COST OF REMEDIATION?

MS. THOMPSON: YES, IT IS. I SHOULD MENTION  
THAT THE CITY HAS ALSO COMMITTED 150,000 ADDITIONAL  
DOLLARS FOR TRAIL EXTENSION. THAT'S NOT CONSIDERED AS  
PART OF THIS PROJECT AND SO, THEREFORE, IS NOT INCLUDED  
IN YOUR PACKET.

CHAIRMAN FRAZEE: OKAY. THANK YOU. READY FOR  
THIS ONE?

MEMBER JONES: YEAH, I GUESS. I GUESS I'LL  
MOVE RESOLUTION 98-154.

CHAIRMAN FRAZEE: AND I WILL SECOND. WE HAVE



1 A MOTION AND SECOND ON THE ADOPTION OF RESOLUTION  
2 98-154. WE'LL SUBSTITUTE ROLL CALL ON THAT ONE. ANY  
3 OBJECTION TO THE CONSENT ON THAT?

4 MEMBER JONES: THAT'S FINE.

5 CHAIRMAN FRAZEE: WE'LL RECOMMEND CONSENT.  
6 WHILE YOU'RE HERE, SHALL WE TAKE ITEM 8? I THINK WE'LL  
7 GO VERY QUICKLY ALSO.

8 MS. ROUCH: ITEM 8 IS FOR -- IS A STATUS  
9 REPORT TO THE BOARD -- TO THE COMMITTEE MEMBERS,  
10 RATHER, FOR -- REGARDING THE 2136 PROGRAM. AND AS YOU  
11 HAVE SEEN IN THE ITEM, WE GIVE YOU A TABLE WITH SOME  
12 FIGURES OF HOW MANY PROJECTS THE BOARD HAS APPROVED AND  
13 FINANCIALLY WHICH YEARS THEY'VE PAID FOR THEM AND THAT  
14 SORT OF THING.

15 I THINK THE MOST IMPORTANT ITEM -- MOST  
16 IMPORTANT ATTACHMENT TO THIS ITEM IS ATTACHMENT 2 THAT  
17 LISTS ALL THE PROJECTS AND THE STATUS OF THOSE  
18 PROJECTS. AS YOU HAVE UNDOUBTEDLY SEEN, THAT 60 OF THE  
19 84 SITES ARE COMPLETED, AND WE DO GIVE YOU A LITTLE BIT  
20 OF INFORMATION OF HOW MUCH TONNAGE WAS REMOVED, IF IT  
21 WAS AN ILLEGAL DISPOSAL SITE, AND HOW MUCH WAS  
22 RECYCLED.

23 THERE IS A MAP THAT SHOWS THE COUNTIES  
24 THAT WE HAVE WORKED IN, WHICH I THINK THE MAP IS MORE  
25 BLACK, INDICATING THAT WE HAVE WORKED IN THE COUNTY,



1 THAN WHITE. WE'RE PRETTY PROUD OF THAT. AND THEN  
2 THERE'S AN EXAMPLE OF A LETTER WHERE WE HAVE REQUESTED  
3 HELP FROM THE LEA'S TO UPDATE OUR SITE LIST. AND IF  
4 YOU HAVE ANY QUESTIONS ABOUT THIS ITEM, I'D BE HAPPY TO  
5 ANSWER THEM.

6 CHAIRMAN FRAZEE: THE LIST OF 84 SITES, ARE  
7 THOSE WHICH ARE EITHER IN PROGRESS OR HAVE BEEN  
8 COMPLETED?

9 MS. ROUCH: YES. YOU HAVE APPROVED THE 84,  
10 AND 60 OF THEM HAVE BEEN COMPLETED, THREE HAVE BEEN  
11 ELIMINATED AT VARIOUS TIMES FOR DIFFERENT REASONS IN  
12 THE PAST, AND THE REST OF THEM ARE BEING WORKED ON OR  
13 WAITING FOR THE RAIN TO STOP.

14 CHAIRMAN FRAZEE: QUESTIONS?

15 MEMBER JONES: NO, MR. CHAIRMAN.

16 CHAIRMAN FRAZEE: DOES THIS ITEM GO ON THE  
17 BOARD REPORT OR JUST FOR THIS COMMITTEE? OKAY.  
18 THERE'S NO REQUIRED. OKAY. THANK YOU. THIS  
19 INFORMATION WILL BE INCLUDED IN NOTIFICATION TO OTHER  
20 BOARD MEMBERS, THOUGH?

21 MS. RICE: WE BRIEFED ALL THE MEMBERS AND  
22 PROVIDED THE BACKGROUND MATERIAL THAT YOUR OFFICE  
23 RECEIVED THE MORE DETAILED LIST OF ALL SITES, WHICH IS  
24 ALSO COPIES AVAILABLE IN THE BACK OF THE ROOM FOR THE  
25 PUBLIC AS WELL.



1 CHAIRMAN FRAZEE: OKAY. THANK YOU.

2 NOW WE ARE READY FOR ITEM 6. THIS IS THE  
3 CONSIDERATION OF REVISION TO THE PROPOSED TRANSFER  
4 PROCESSING OPERATIONS AND FACILITIES REGULATION AND  
5 APPROVAL TO NOTICE A 15-DAY COMMENT PERIOD FOR THOSE  
6 REVISIONS.

7 MS. RICE: THANK YOU. ALLISON REYNOLDS HAS A  
8 STAFF PRESENTATION, AND SUE HAPERSBERGER IS HERE TO  
9 ASSIST.

10 MS. REYNOLDS: GOOD AFTERNOON, CHAIRMAN FRAZEE  
11 AND COMMITTEE MEMBER JONES. THE PURPOSE OF THIS ITEM  
12 IS TO CONSIDER INFORMATION AND DIRECT STAFF IN  
13 MODIFYING THE PROPOSED REGULATIONS FOR A 15-DAY COMMENT  
14 PERIOD.

15 AT THE NOVEMBER 1997 COMMITTEE MEETING,  
16 THE COMMITTEE DIRECTED STAFF TO CIRCULATE THE PROPOSED  
17 REGULATIONS FOR A 45-DAY COMMENT PERIOD. THE COMMENT  
18 PERIOD BEGAN ON JANUARY 30TH AND CONCLUDED ON MARCH  
19 16TH. A PUBLIC HEARING WAS HELD DURING THE MARCH 19TH  
20 COMMITTEE MEETING. THE STAFF ANALYZED NUMEROUS  
21 COMMENTS FROM THE 30 LETTERS RECEIVED DURING THE  
22 COMMENT AND MADE CHANGES TO THE DRAFT REGULATIONS.

23 SOME OF THE MORE SIGNIFICANT COMMENTS  
24 CENTERED AROUND LANGUAGE CHANGES TO THE STATE MINIMUM  
25 STANDARDS, THE DEFINITION OF SEPARATED FOR REUSE,



1 ENFORCEABILITY OF STANDARDS AND OVERLAP ISSUES WITH THE  
2 DEPARTMENT OF OCCUPATIONAL SAFETY AND HEALTH. OTHER  
3 ISSUES INCLUDED SALVAGING AT LIMITED VOLUME TRANSFER  
4 OPERATIONS AND EXCLUSION FOR RECYCLING OPERATORS THAT  
5 GENERATE LESS THAN 15 CUBIC YARDS OF RESIDUAL MATERIAL,  
6 COMMINGLED MEDICAL WASTE, THE OPERATING RECORD, ODOR,  
7 LOADCHECKING, PARKING, AND THE DIRECT TRANSFER  
8 OPERATION, WHICH I WILL DESCRIBE IN MORE DETAIL  
9 SHORTLY.

10 SINCE THE LAST COMMITTEE MEETING ON THIS  
11 REGULATIONS PACKAGE, STAFF COMMUNICATED WITH WORK  
12 GROUPS CONSISTING OF BOARD STAFF, LEA'S, AND INDUSTRY  
13 REPRESENTATIVES TO DISCUSS SIGNIFICANT ISSUES. STAFF  
14 SENT AN UPDATED DRAFT VERSION OF THE REGULATIONS TO  
15 WORK GROUP MEMBERS FOR AN UPDATE ON CHANGES MADE AFTER  
16 THE 45-DAY COMMENT PERIOD, AND STAFF AGAIN MADE CHANGES  
17 TO THE DRAFT REGULATIONS BASED ON WORK GROUP INPUT.

18 ONE OF THE MORE SIGNIFICANT ISSUES TODAY  
19 IS THE DIRECT TRANSFER OPERATION. THIS IS AN OPERATION  
20 THAT TRANSFERS WASTE FROM ONE REFUSE TRUCK TO ANOTHER  
21 FROM THE LICENSED WASTE HAULER. THERE IS ONLY ONE SUCH  
22 OPERATION IN THE STATE AT THIS TIME, AND IT IS LOCATED  
23 IN THE CITY OF HAWTHORNE IN THE COUNTY OF LOS ANGELES.

24 STAFF VISITED THIS OPERATION AND  
25 CONFERRED WITH THE LOCAL ENFORCEMENT AGENCY TO



1 DETERMINE THE APPROPRIATE LEVEL OF REGULATORY OVERSIGHT  
2 FOR THIS OPERATION. STAFF DETERMINED THAT THE  
3 OPERATION SHOULD BE PLACED IN THE ENFORCEMENT AGENCY  
4 NOTIFICATION TIER BASED ON THE MITIGATION FACTORS OF  
5 THE GENERIC METHODOLOGY. COPIES OF THIS DOCUMENT ARE  
6 AVAILABLE FROM STAFF UPON REQUEST.

7 PLACEMENT IN THE ENFORCEMENT AGENCY  
8 NOTIFICATION TIER REQUIRES THAT THE OPERATION BE  
9 SUBJECT TO STATE MINIMUM STANDARDS. THE DIRECT  
10 TRANSFER OPERATION IS MOST LIKE A WASTE HAULING YARD,  
11 WHICH IS IN EXCLUDED TIER EXCEPT THERE IS TRANSFER OF  
12 WASTE FROM ONE VEHICLE TO ANOTHER. A DIRECT TRANSFER  
13 OPERATION IS NOT OPEN TO THE PUBLIC, IS LOCATED AT A  
14 DULY LICENSED SOLID WASTE HAULING OPERATOR'S BUSINESS,  
15 ONLY TRANSFERS WASTE FROM VEHICLES OWNED OR LEASED BY  
16 THE SAME OPERATOR, DOES NOT HANDLE, SEPARATE, OR  
17 OTHERWISE PROCESS THE SOLID WASTE, AND DOES NOT STORE  
18 THE WASTE AT THE FACILITY FOR MORE THAN ANY EIGHT-HOUR  
19 PERIOD.

20 SINCE STAFF VISITED THE SITE, THE COUNTY  
21 OF LOS ANGELES LEA HAS ADVISED THE BOARD OF THEIR  
22 CONCERN WITH THE LACK OF A LOADCHECKING PROGRAM OR SIZE  
23 RESTRICTION. ROB BERNHEIMER IS PRESENT ON BEHALF OF  
24 H&C DISPOSAL TO DISCUSS THIS ISSUE IN FURTHER DETAIL.

25 ELLIOT BLOCK IS ILL TODAY, SO I WILL NOW



1 COVER ELLIOT BLOCK'S PORTION OF THE PRESENTATION UNLESS  
2 THE COMMITTEE HAS QUESTIONS ON THE MATERIAL I HAVE  
3 COVERED.

4 CHAIRMAN FRAZEE: I THINK WE'RE GOING TO HAVE  
5 QUESTIONS, BUT LET'S GO ON WITH THE PRESENTATION.

6 MS. REYNOLDS: REGARDING REVISIONS TO  
7 RECYCLING PROVISIONS, AS DIRECTED BY THE COMMITTEE,  
8 STAFF WORKED WITH A GROUP OF INTERESTED RECYCLERS AND  
9 WASTE INDUSTRY REPRESENTATIVES TO REVISE AND REORGANIZE  
10 THE RECYCLING DEFINITIONS IN THE REGULATIONS. THESE  
11 EFFORTS RESULTED IN THE PROPOSED REVISIONS THAT ARE  
12 INCLUDED IN ADDENDUM NO. 1 IN YOUR PACKET. THESE  
13 PROPOSED REVISIONS HAVE BEEN INCORPORATED INTO THE  
14 LATEST VERSION OF THE REGULATIONS BEFORE YOU, BUT THEY  
15 HAVE BEEN SEPARATELY SHOWN IN ADDENDUM NO. 1 SO THAT  
16 THE PROPOSED CHANGES WOULD BE MORE APPARENT.

17 THAT'S NEW SECTION 17402.5 AND IT'S PAGE  
18 11 IN THE DRAFT REGULATIONS. THIS SECTION CONTAINS A  
19 NEW OPENING SUBSECTION TO SET FORTH THE SCOPE AND  
20 PURPOSE OF THE SECTION, REVISED DEFINITIONS FOR  
21 SEPARATED FOR REUSE AND SIMILAR DEFINITIONS, CLARIFYING  
22 CHANGES TO THE DEFINITIONS AS SPECIFIC ACTIVITIES AND  
23 THEIR APPLICABILITY, REVISED LANGUAGE FOR THE TWO-PART  
24 TEST AND ITS CALCULATION, ENFORCEMENT LANGUAGE, AND  
25 CLARIFYING LANGUAGE REGARDING THE APPLICABILITY OF THE



1 GRACE PERIOD.

2                   BASED UPON DISCUSSION WITH THE WORK  
3 GROUP, STAFF BELIEVES THAT THESE REVISIONS HAVE MET THE  
4 INTERESTS OF ALL PARTIES INVOLVED.

5                   REGARDING DIVISION OF OCCUPATIONAL SAFETY  
6 AND HEALTH, DOSH, OVERLAP REGULATIONS, AS DIRECTED BY  
7 THE COMMITTEE, STAFF WORKED WITH A GROUP OF INTERESTED  
8 LEA'S, REPRESENTATIVES OF DOSH, AND WASTE INDUSTRY  
9 REPRESENTATIVES TO REVISE 13 SPECIFIED REGULATIONS  
10 WHICH HAVE BEEN IDENTIFIED AS HAVING POTENTIAL OVERLAP  
11 BETWEEN THE BOARD AND DOSH.

12                   THESE EFFORTS RESULTED IN THE PROPOSED  
13 REVISIONS THAT ARE INCLUDED IN ADDENDUM NO. 2 OF YOUR  
14 PACKET. THESE PROPOSED REVISIONS HAVE BEEN  
15 INCORPORATED INTO THE LATEST VERSION OF THE  
16 REGULATIONS, BUT THEY HAVE BEEN SHOWN SEPARATELY IN  
17 ADDENDUM NO. 2 SO THE PROPOSED CHANGES WOULD BE MORE  
18 APPARENT.

19                   DURING THE 45-DAY COMMENT PERIOD AND IN  
20 DEALING WITH THE WORK GROUP, BOARD STAFF RECEIVED A  
21 WIDE VARIETY OF COMMENTS ON THESE SECTIONS. THOSE  
22 COMMENTS RANGE FROM DELETING ALL OR MOST OF THEM TO  
23 KEEPING THEM IN THEIR CURRENT FORM TO ADDING ADDITIONAL  
24 RESPONSIBILITIES. EXCEPT WHERE THERE WAS AN ISSUE OF  
25 CLARITY, BOARD STAFF HAVE LIMITED THESE REVISIONS TO



1 ELIMINATING OVERLAP WITH DOSH.

2           GENERALLY THE REVISIONS DO THE FOLLOWING:  
3 DELETE MANDATORY REFERRAL PROVISIONS, DELETE DEFINITION  
4 AND STANDARD FOR HIGH NOISE AREA, REVISE LANGUAGE IN A  
5 NUMBER OF SECTIONS TO FOCUS ON PUBLIC HEALTH AND SAFETY  
6 AND THE ENVIRONMENT, CLARIFY THAT THE EA ISN'T  
7 ENFORCING THE IIPP, ADDED A PROVISION TO ALLOW THE EA  
8 TO VERIFY COMPLIANCE WITH OTHER AGENCY REQUIREMENTS ON  
9 SPECIFIED ISSUES DURING DESIGN REVIEW.

10           STAFF HAS SPOKEN WITH DOSH, AND THEY ARE  
11 SATISFIED THAT THE REVISIONS HAVE REMOVED ALL OVERLAP  
12 BETWEEN THE BOARD AND DOSH.

13           THE WORK GROUP HAS NOT PROVIDED FINAL  
14 COMMENTS YET; HOWEVER, GIVEN THE LACK OF CONSENSUS  
15 AMONG THAT GROUP, STAFF BELIEVES THAT THE MOST  
16 EFFICIENT WAY TO MOVE FORWARD WITH THESE REGULATIONS  
17 WOULD BE TO SEND THEM OUT FOR A 15-DAY COMMENT PERIOD.

18           AND FINALLY, REGARDING AN ADDITIONAL  
19 CHANGE TO NEW PROPOSED EXCLUSION, BOARD STAFF ARE  
20 RECOMMENDING THE ADDITIONAL EXCLUSION IN SECTION  
21 17403.1, WHICH IS PAGE 17 OF THE REGULATIONS, FOR THE  
22 STORAGE AND HANDLING OF SPECIFIED WASTE TYPES WHICH ARE  
23 ALREADY OTHERWISE MORE STRICTLY CONTROLLED THAN THEY  
24 WOULD BE UNDER BOARD REGULATION. THESE APPEAR IN NEW  
25 SUBSECTION (A)(6) AND INCLUDE SHIPPED WASTE,



1 CONFISCATED CONTROLLED SUBSTANCES, AGRICULTURAL WASTE  
2 WITH POSSIBLE PET CONTAMINATION, DEAD ANIMALS WITH  
3 POSSIBLE INFECTIOUS DISEASES, AND U.S. CURRENCY SLATED  
4 TO BE DESTROYED.

5 STAFF WOULD ALSO LIKE TO MAKE A COUPLE OF  
6 ADDITIONAL CHANGES TO THE SUBSECTION. ADD THE WORDS  
7 "AND HANDLING" AFTER STORAGE AND ADD ONE MORE CATCHALL  
8 CATEGORY, (A)(6)(F), WHICH WOULD PROVIDE AS FOLLOWS:  
9 AS DETERMINED BY THE EA UNDER DISCRETE WASTESTREAMS  
10 THAT ARE ALREADY SUBJECT TO STRICTER HANDLING  
11 REQUIREMENTS UNDER FEDERAL OR STATE LAW.

12 STAFF HAS PROVIDED A MAY 26, '98, VERSION  
13 OF THE DRAFT REGULATIONS TO THE COMMITTEE, WHICH WOULD  
14 BE THE VERSION TO RELEASE FOR THE 15-DAY COMMENT  
15 PERIOD. COPIES OF THE DOCUMENT ARE AVAILABLE IN THE  
16 BACK OF THE ROOM. STAFF WILL ALSO MAKE A CLARIFYING  
17 CHANGE TO THE TRANSFER PROCESSING OPERATION OF  
18 FACILITY, DEFINITION NO. 30 ON PAGE 10 OF THE  
19 REGULATIONS (A)(1) AND (3)(A)(2) BY REPLACING "AND"  
20 WITH "OR."

21 THIS CONCLUDES MY PRESENTATION. ARE  
22 THERE ANY QUESTIONS OF STAFF REGARDING THE MATERIAL  
23 I'VE COVERED?

24 CHAIRMAN FRAZEE: LET ME JUST START WITH ONE  
25 HERE. UNDER 17403.16 AND THEN YOU ADDED (F) AS



1 DETERMINED BY THE LEA AND SO ON AND SO FORTH. IS THAT  
2 INCLUSIVE OF THE THINGS ABOVE IT IN (A) THROUGH (E)?  
3 DOES THAT -- HOW DOES THAT RELATE TO THE OTHER ITEMS  
4 THAT ARE ALREADY OR IS IT A SEPARATE CATEGORY?

5 MS. REYNOLDS: IT BELONGS UNDER 6, I BELIEVE.

6 CHAIRMAN FRAZEE: SIX. BUT 6 YOU INDICATED A  
7 NEW LETTER F.

8 MS. REYNOLDS: SO THAT WOULD BE LARGE LETTER F  
9 UNDER 6.

10 CHAIRMAN FRAZEE: BUT MAYBE I'M NOT PHRASING  
11 IT CORRECTLY. IS IT SOMETHING THAT STANDS ALONE, OR  
12 DOES IT COVER ITEMS (A) THROUGH (E)?

13 MS. REYNOLDS: I'M SORRY. IT'S AN ADDITIONAL.

14 CHAIRMAN FRAZEE: IT'S AN ADDITIONAL. READ  
15 THE ENTIRE LANGUAGE, AS DETERMINED BY THE LEA AND --

16 MS. REYNOLDS: OTHER DISCRETE WASTESTREAMS  
17 THAT ARE ALREADY SUBJECT TO STRICTER HANDLING  
18 REQUIREMENTS UNDER FEDERAL OR STATE LAW.

19 CHAIRMAN FRAZEE: SO THAT'S IN ADDITION TO  
20 THESE OTHER.

21 MS. RICE: SO IT'S KIND OF A BROADER CATCHALL  
22 IN CASE THERE ARE OTHER WASTESTREAMS WHERE THE LEA  
23 DETERMINES THAT THEY'RE ALREADY HANDLED TO A STRICTER  
24 LEVEL BY ANOTHER STATE OR FEDERAL AGENCY.

25 CHAIRMAN FRAZEE: THERE WAS AN ISSUE RAISED BY



1 THE WINE INSTITUTE IN THEIR LETTER, AND I SEE THERE'S  
2 SOMEONE HERE. SO I'LL LET THEM PRESENT THAT RATHER  
3 THAN GOING INTO IT AT THIS TIME. DO YOU HAVE ANY --

4 MEMBER JONES: YEAH, I'VE GOT A COUPLE, MR.  
5 CHAIRMAN. I KNOW WE'RE GOING TO GET A LOT OF  
6 DISCUSSION ABOUT THE DIRECT TRANSFER STUFF. BUT I'D  
7 LIKE TO GET AN IDEA OF THE LOGIC OF WE HAVE A  
8 NOTIFICATION TIER THAT SAYS 60 CUBIC YARDS OR LESS.  
9 AND WE HAVE A TRAILER THAT'S GOING TO BE 140 TO 160  
10 YARDS OR SAY 120 TO 160 YARDS. IF -- I MEAN I JUST  
11 DON'T SEE ANY DIFFERENCE FROM LOADING A TRUCK FROM THE  
12 REAR OR LOADING A TRUCK FROM THE TOP. AND I'M JUST  
13 WONDERING IF WE WANT TO ELIMINATE ALL TRANSFER STATION  
14 REQUESTS THROUGHOUT THE STATE FROM NOW IF YOU PUT IT IN  
15 A HAULING YARD OR WHAT THE INTENT IS BECAUSE IF -- YOU  
16 KNOW, THE FACT THAT THIS IS A NEW MECHANISM THAT OPENS  
17 IN THE BACK, THE FIRST TWO TRUCKS THAT GO INTO THAT ARE  
18 NOT GOING TO HAVE A PROBLEM WITH SPILLAGE. BUT I'D  
19 LIKE YOU TO TELL ME HOW, WHEN THAT GARBAGE HAS BEEN  
20 WALKED TO THE FRONT AND YOU GO TO OPEN THE HOPPER OF  
21 THE THIRD TRUCK, WHERE YOU THINK THAT GARBAGE IS GOING  
22 TO GO. OR DO YOU THINK THEY'RE NOT GOING TO FILL THEM  
23 TO TAKE THEM TO A TRANSFER STATION OR TAKE THEM TO A  
24 LANDFILL BECAUSE THEY WILL FILL THEM.

25 I JUST DON'T -- I MEAN I'M HAVING A REAL



1 PROBLEM WITH REGULATIONS THAT SAY 60 CUBIC YARDS, AND  
2 THEN WE'RE GOING TO GIVE A BLANKET EXEMPTION. AND I  
3 WOULD WONDER IF -- WHAT A LICENSED HAULER IS BECAUSE  
4 ONE OF THE CRITERIA TO DO THIS IS TO BE A LICENSED  
5 HAULER, BUT THERE IS NO LICENSING MECHANISM IN THE  
6 STATE OF CALIFORNIA TO LICENSE A HAULER. YOU CAN GO  
7 DOWN IN SOME CITIES AND PAY \$15 FOR BUSINESS TAX AND  
8 YOU ARE A HAULER. AND IS THAT THE LIMIT? I MEAN IS  
9 THAT ALL WE NEED TO SEE TO BE ABLE TO LET SOMEBODY  
10 OPERATE A TRANSFER STATION BECAUSE THEY HAVE A SPECIAL  
11 KIND OF TRAILER.

12 AND I DON'T THINK THAT'S YOUR INTENT AND  
13 I'M NOT TRYING TO BELITTLE OR DO ANYTHING, BUT, YOU  
14 KNOW, I THINK THINGS THAT YOU PUT IN HERE MAKE SENSE,  
15 BUT IN SOME CITIES AND COUNTIES, THERE ARE NO LICENSED  
16 HAULERS. YOU PAY \$15 FOR A BUSINESS LICENSE AND THAT'S  
17 ALL YOU PAY.

18 NOW, COULD A HAULER THAT HAS YARDS UP AND  
19 DOWN THE STATE OF CALIFORNIA CHOOSE TO BUY THIS LINE OF  
20 TRAILERS AND PUT THEM INTO EVERY FACILITY THAT HE OWNS  
21 OR SHE OWNS OR IT OWNS AND NOT OPERATE AN ENTIRE SYSTEM  
22 OF TRANSFER STATIONS WITHOUT EVER HAVING TO GO THROUGH  
23 ANYTHING EXCEPT BUY THOSE TRAILERS? WHAT I READ IS THE  
24 ANSWER IS, YEAH, THEY COULD DO THAT. AND WE WOULD HAVE  
25 ABSOLUTELY NO OVERSIGHT. THERE WOULD BE NO HEALTH AND



1 SAFETY OVERSIGHT AT ALL INVOLVED IN A WHOLE NEW METHOD  
2 OF TRANSFER STATIONS THROUGHOUT THE STATE OF  
3 CALIFORNIA.

4 I WOULD PROPOSE TO ELIMINATE DIRECT  
5 TRANSFER OPERATIONS COMPLETELY AND LET THAT TRAILER  
6 FALL IN THE REGISTRATION TIER. PRETTY SIMPLE. I MEAN  
7 THAT'S -- ONLY BECAUSE THERE ARE NO LICENSED. I MEAN  
8 THERE'S JUST SOME PROBLEMS THERE, AND IT'S CONTRARY TO  
9 OUR 60 CUBIC YARDS, BUT IT FALLS INTO OUR MEDIUM  
10 VOLUME.

11 I HAD A COUPLE OTHER. I KNOW WE GOT A  
12 LOT OF SPEAKERS. I JUST HAVE -- THE 15 YARDS THAT I  
13 HEARD IN THE DESCRIPTION, I THOUGHT WE ELIMINATED --  
14 ARE WE TALKING 15 YARDS FOR MULTIPLE FAMILY USES, OR  
15 ARE WE GOING TO END UP WITH THAT WHOLE ARGUMENT AGAIN?  
16 I HEARD IT AND I DIDN'T CATCH IT. I'VE BEEN OUT OF  
17 TOWN, SO I APOLOGIZE.

18 MS. HAPBERSBERGER: FIFTEEN CUBIC YARD  
19 EXCLUSION?

20 MEMBER JONES: YEAH.

21 MS. HAPBERSBERGER: WE HAD A REQUEST FROM THE  
22 RURAL LEA'S THAT HAVE RECYCLING OPERATIONS IN THEIR  
23 COUNTIES THAT ARE VERY SMALL AND GENERATE LESS THAN 15  
24 CUBIC YARDS A DAY. AND THEY REQUESTED THAT THESE BE  
25 EXCLUDED FROM THE 10-PERCENT RULE BECAUSE THEY'RE SO



1 SMALL AND INNOCUOUS IN THEIR JURISDICTIONS, THAT THEY  
2 DON'T FEEL THAT THERE SHOULD BE ANY REQUIREMENT. THEY  
3 DON'T HAVE A PROBLEM IF IT'S 20 PERCENT OR 25 PERCENT.

4 MEMBER JONES: I SEE WHAT YOU ARE SAYING. I  
5 THOUGHT WE WERE GOING TO OPEN UP -- I DON'T KNOW IF  
6 I --

7 MS. HAPERSBERGER: AND IT'S SIMILAR LANGUAGE  
8 TO AN EXCLUSION THAT USED TO BE IN REGULATION THAT WAS  
9 REMOVED BY THE LIMITED VOLUME TRANSFER STATION REGS.

10 MEMBER JONES: AGAIN, I'M GLAD TO SEE THE  
11 LANGUAGE ON SEPARATED FOR REUSE AND SOURCE -- AND THE  
12 OTHER ONE. I THINK EVERYBODY FINALLY CONCURRED ON THAT  
13 ONE. THAT WAS A TOUGH ONE.

14 AND THEN JUST ONE -- COUPLE OF THINGS ON  
15 YOUR PAGE 23, LINES 27, UNDER CLEANING, SAYS ALL  
16 OPERATIONS AND FACILITIES SHALL BE CLEANED EACH  
17 OPERATING DAY OF ALL LOOSE MATERIAL AND LITTER. ISN'T  
18 THAT NORMALLY A LOCAL CONDITION THAT THEY CAN DO? I  
19 DON'T THINK I HAVE A PROBLEM WITH IT, BUT WHO'S GOING  
20 TO ENFORCE IT? USUALLY THEY SAY AS NEEDED OR AT LEAST  
21 ONCE A DAY OR AS NEEDED BECAUSE IT HAS TO BE ONCE, BUT  
22 IT COULD BE MORE OFTEN DEPENDING UPON THE CONDITIONS,  
23 AND ARE WE BOXING OURSELVES?

24 MS. REYNOLDS: STAFF DID MAKE THAT CHANGE  
25 BASED ON COMMENTS RECEIVED.



1 MEMBER JONES: OKAY. JUST SEEMS KIND OF  
2 STRANGE.

3 AND THEN ON B, ON 35 WHERE IT SAYS THE  
4 ENTRANCE AND EXIT SHALL BE CLEANED TO PREVENT TRACKING,  
5 WE'RE TALKING THE PERIMETER OF THE PROPERTY OR OF THE  
6 STRUCTURES?

7 MS. HAPBERSBERGER: PROPERTY LINE.

8 MEMBER JONES: AND THEN MY FAVORITE IS WHERE  
9 WE'RE TALKING ABOUT PREVENTING LITTER. AND IT'S BEEN  
10 WRITTEN IN A WAY THAT IT MAY WORK, BUT I DON'T KNOW HOW  
11 TO PREVENT WIND, SO I DON'T KNOW HOW TO PREVENT LITTER.  
12 LITTER SHALL BE PREVENTED FROM MIGRATING OFF SITE TO  
13 THE EXTENT POSSIBLE. THAT'S A PRETTY RELATIVE TERM,  
14 EXTENT POSSIBLE.

15 SOMEBODY COULD SAY BUILD A WALL OR  
16 ENCLOSE THE FACILITY, AND THAT IS WHAT THAT PERSON MAY  
17 THINK WOULD BE THE WAY THAT YOU WOULD MITIGATE THAT. I  
18 DON'T KNOW THAT WE CAN PREVENT LITTER, BUT WE CERTAINLY  
19 CAN CONTROL LITTER. AND I THROW THAT OUT THERE BECAUSE  
20 I JUST DON'T KNOW HOW WE CAN PREVENT IT. I MEAN YOU  
21 KNOW. AND THOSE ARE ALWAYS THE KINDS OF THINGS USED TO  
22 DRIVE ME NUTS, JUST SO YOU KNOW. THOSE ARE THE ONES  
23 THAT ALWAYS KILLED ME.

24 GOING BACK A LITTLE BIT ON DUST CONTROL  
25 ON PAGE 24, EXCESSIVE DUST, AND I AGREE THAT WE HAVE TO



1 LIMIT DUST. BUT IT SAYS ON LINE 19, SAYS THE OPERATOR  
2 SHALL MINIMIZE THE HANDLING OF WASTE DURING PROCESSING  
3 TO PREVENT THE CREATION OF EXCESSIVE DUST. MEASURES TO  
4 CONTROL DUST INCLUDE, BUT AREN'T LIMITED TO, REDUCED  
5 PROCESSING, MISTING, OR VENTILATION CONTROL.

6 WHEN WE SAY VENTILATION CONTROL, ARE WE  
7 SAYING MECHANICAL CONTROL, OR A CONTROL SYSTEM THAT  
8 GETS THE JOB DONE, WHICH COULD MEAN DOORS AND ROOF  
9 LEVERS AND CONTROLLING THINGS LIKE THAT? IS THAT WHAT  
10 IT MEANS?

11 MS. HAPBERSBERGER: THAT'S THE WAY I WOULD  
12 INTERPRET IT.

13 MS. RICE: THE LANGUAGE DOESN'T SPECIFY, SO IT  
14 WOULD APPEAR TO BE OPEN EITHER WAY.

15 MEMBER JONES: IT'S NOT GOING TO TELL SOMEBODY  
16 THAT THEY CAN GO IN AND SAY YOU'VE GOT DUST, PUT IN A  
17 50,000 OR \$100,000 HVAC SYSTEM. THIS WILL NOT ALLOW  
18 THAT, WILL IT?

19 MS. HAPBERSBERGER: NO.

20 MEMBER JONES: OKAY. AND THEN I'M GOING TO  
21 STOP HERE PRETTY QUICK. ON PAGE 26, LINE 21, DON'T  
22 MISINTERPRET WHAT I'M SAYING HERE, BUT I JUST WANT TO  
23 KNOW -- I'D LIKE YOU TO DEFINE FOR ME IN A STATE OF  
24 GOOD REPAIR BECAUSE SOME PEOPLE INTERPRET OLD TO MEAN,  
25 YOU KNOW, THAT IT'S NOT STATE OF THE ART. IT IS



1 ANOTHER ONE OF THE SUBJECTIVE TERMS THAT ARE OPEN FOR  
2 INTERPRETATION. AND, YOU KNOW, LOT OF PEOPLE THINK  
3 THAT IF IT'S OLD, IT NEEDS TO BE REPLACED. AND THAT  
4 WOULD BE ONE THAT I THINK WE NEED TO JUST DEFINE A  
5 LITTLE BIT CLOSER. JUST COME UP -- YOU KNOW, IT NEEDS  
6 TO BE IN GOOD REPAIR. IT NEEDS TO BE FUNCTIONING AND  
7 SAFE.

8 BUT TO SAY IN A STATE OF GOOD REPAIR, TO  
9 SOME LEA'S THAT I'VE DEALT WITH, WOULD MEAN IT'S TOO  
10 OLD, REPLACE IT, PUT IN A NEW ONE. AND I DON'T THINK  
11 THAT'S WHERE WE WANT TO GO. I KNOW THAT'S NOT WHERE WE  
12 WANT TO GO. WE MAY NEED TO LOOK AT THAT.

13 AND I'LL WAIT ON THE REST. MY OTHERS ARE  
14 NOISE AND NUISANCE CONTROL. ANOTHER PREVENT. I DON'T  
15 KNOW HOW YOU PREVENT THE CREATION OF A NUISANCE BECAUSE  
16 PEOPLE CAN INTERPRET NUISANCE TO BE SOMETHING THAT'S  
17 THREE BLOCKS AWAY. SO THANK YOU, MR. CHAIRMAN.

18 CHAIRMAN FRAZEE: LET ME JUST ON DIRECT  
19 TRANSFER OPERATION, BECAUSE CHUCK WHITE, I DON'T THINK  
20 HE IS HERE, AND HE HAS RAISED AN INTERESTING ISSUE WITH  
21 THE WAY THE REGULATIONS ARE DRAFTED, THEY COULD ALLOW  
22 THE TRANSFER FROM TRUCKS TO RAIL CARS AS AN EXCLUSION  
23 ALSO. AND HE'S RAISED THAT AS AN ISSUE. WHERE IS THAT  
24 IN THE --

25 MS. REYNOLDS: PAGE 3.



1 CHAIRMAN FRAZEE: PAGE 3.

2 MS. RICE: IT'S CERTAINLY WORTH LOOKING AT,  
3 BUT THERE APPEAR TO BE A NUMBER OF PROVISIONS IN HERE  
4 THAT WERE DESIGNED FOR OTHER PURPOSES. I CAN CERTAINLY  
5 UNDERSTAND THE QUESTION. YOU TALK ABOUT VEHICLES,  
6 TRANSPORTED IN VEHICLES OWNED OR LEASED BY THE SAME  
7 OPERATOR. I DON'T KNOW IF THE WASTE HAULER AND THE  
8 RAIL WOULD LIKELY BE THE SAME OPERATOR, NOT TO ARGUE  
9 THAT THE POINT IS NOT VALID, JUST CLEARLY THAT WAS NOT  
10 THE INTENTION IN DRAFTING THIS PROVISION. COULD  
11 CERTAINLY BE DONE OTHER WAYS.

12 AND IS LOCATED ON THE PREMISES OF A DULY  
13 LICENSED HAULING OPERATOR. I DON'T KNOW IF A RAIL YARD  
14 WOULD QUALIFY FOR THAT.

15 MEMBER JONES: DO A SPUR. BRING IT INTO YOUR  
16 OWN YARD.

17 CHAIRMAN FRAZEE: THE ONLY ONE THAT I'M  
18 FAMILIAR WITH IS NAPA, AND THE CARS -- I THINK  
19 CONTAINERS ARE OWNED BY THE COMPANY, AND IT'S LOCATED  
20 ON THEIR PREMISES. AND IT IS A DULY LICENSED FACILITY  
21 OTHERWISE. SOMETHING TO LOOK AT.

22 OKAY. I THINK WE'RE READY FOR THE LIST  
23 OF SPEAKERS. FIRST OF ALL, DANIEL REID, THE SANTA  
24 BARBARA COUNTY LEA.

25 MR. REID: GOOD AFTERNOON, CHAIRMAN FRAZEE,



1 MEMBER JONES. MY NAME IS DANIEL REID. I'M THE PROGRAM  
2 MANAGER FOR THE LEA PROGRAM FOR SANTA BARBARA COUNTY.  
3 I'M HERE TO EXPRESS OUR CONCERNS WITH THE PROPOSED  
4 CHANGES TO THE TRANSFER STATION REGULATIONS.

5 THE SITUATION, AS WE VIEW IT, IS THAT THE  
6 CURRENT FORM OF THE PROPOSED REGULATIONS HAS BEEN  
7 REVISED TO ELIMINATE ALL WORKER HEALTH, SAFETY, AND  
8 ODOR OVERSIGHT. THE PROPOSED TRANSFER REGULATIONS DO  
9 NOT FALL UNDER THE AUTHORITY OF THE SOLID WASTE  
10 DISPOSAL REGULATORY REFORM ACT OF 1993.

11 THIS ACT APPLIES ONLY TO DISPOSAL SITES  
12 AND FACILITIES. HOWEVER, IN FOLLOWING WITH THE INTENT  
13 OF THE ACT, WE AGREE THAT OVERLAP SHOULD BE REMOVED AS  
14 LONG AS STATE MINIMUM STANDARDS ARE NOT REDUCED. SANTA  
15 BARBARA COUNTY ENVIRONMENTAL HEALTH SERVICES AS THE LEA  
16 IS ORGANIZED UNDER THE HEALTHCARE SERVICES DEPARTMENT.  
17 AS SUCH, OUR MISSION AND FOCUS IS PUBLIC HEALTH.

18 WE UNDERSTAND THAT DOSH HAS A GENERAL  
19 MANDATE TO ENFORCE OSHA STANDARDS, BUT IS THE LEA WHO  
20 IS ROUTINELY ON SITE. THE ENFORCEMENT OF TITLE 8 HAS  
21 HISTORICALLY BEEN A COMPLAINT DRIVEN PROCESS IN  
22 REACTION TO SEVERE HEALTH AND SAFETY PROBLEMS.  
23 WHEREAS, IN CONTRAST, LEA ENFORCEMENT IS PREVENTIVE  
24 SINCE WE ROUTINELY OBSERVE THE SITE.

25 PLEASE CONSIDER THE NUMBER OF INJURIES



1 AND/OR DEATHS THAT HAVE BEEN PREVENTED BECAUSE A  
2 WATCHFUL LEA REQUIRED AN OPERATOR TO WEAR A SAFETY VEST  
3 OR FIX AN UNSAFE PIECE OF EQUIPMENT.

4 SECTION 43101(C)(2) OF THE SOLID WASTE  
5 DISPOSAL REGULATORY REFORM ACT STATES THAT THE CIWMB  
6 AND THE LEA'S SHALL REGULATE ALL OTHER ASPECTS OF THE  
7 SOLID WASTE DISPOSAL WITHIN THE SCOPE OF THE  
8 APPROPRIATE REGULATORY AUTHORITY. TITLE 27, SECTIONS  
9 20550 TO 20610, CLEARLY GAVE THE LEA'S AUTHORITY TO  
10 REGULATE HEALTH AND SAFETY ISSUES AT DISPOSAL SITES.

11 SECTION 43101(D) CURRENTLY REQUIRES THAT  
12 ANY REVISIONS TO THESE REGULATIONS INSURE THAT STATE  
13 MINIMUM STANDARDS ARE NOT REDUCED. WE FEEL THAT THE  
14 PROPOSAL TRANSFER STATION REGULATIONS WOULD  
15 SIGNIFICANTLY REDUCE THE LEA ROLE AND OUR ABILITY TO  
16 ASSURE A SAFE AND HEALTHY ENVIRONMENT AT THESE SITES.

17 AS A REMEDY, WE UNDERSTAND THAT THERE ARE  
18 MANY DIFFERENCES ON THIS ISSUE. WE KNOW THESE DRAFT  
19 REGULATIONS HAVE BEEN A SOURCE OF GREAT FRUSTRATION,  
20 AND BOARD STAFF ARE TO BE COMMENDED FOR THEIR TIRELESS  
21 AND CREATIVE EFFORTS IN ATTEMPTING TO MEDIATE THE  
22 DIFFERING VIEWPOINTS. SANTA BARBARA COUNTY  
23 ENVIRONMENTAL HEALTH SERVICES REQUESTS THAT THE  
24 REGULATION FINALIZATION PROCESS BE DELAYED AND THAT A  
25 PARTNERSHIP 2000-TYPE WORK GROUP BE RECONVENED.



1                   THIS WORK GROUP SHOULD CONSIST OF SEVERAL  
2 LEA'S, BOARD STAFF, AND DOSH REPRESENTATIVE. IF THE  
3 PROPOSED REGULATION IS RATIFIED IN ITS PRESENT FORM,  
4 THEN WE REQUEST THAT AN MOU BE COMPLETED WITH DOSH.  
5 THIS MOU SHOULD BE DEVELOPED BY A JOINT LEA WORK  
6 GROUP.

7                   WE BELIEVE OUR REQUEST TO DELAY THE  
8 FINALIZATION OF THESE REGULATIONS AND TO CONTINUE  
9 IMPLEMENTING THE PARTNERSHIP 2000 CONCEPTS IS THE MOST  
10 PRUDENT APPROACH. THANK YOU.

11                  CHAIRMAN FRAZEE: THANK YOU. ANY RESPONSE  
12 FROM STAFF ON THAT PARTICULAR SUBJECT? I WAS UNDER THE  
13 IMPRESSION THAT WE HAD BEEN THROUGH THAT ENTIRE AREA  
14 AND COVERED IT PRETTY WELL.

15                  MS. HAPERSBERGER: BASICALLY WE FOLLOWED  
16 THE DIRECTIONS OF THE COMMITTEE LAST TIME TO ELIMINATE  
17 OVERLAP, AND I BELIEVE THE WORK ON THE MOU HAS NOT BEEN  
18 INITIATED YET. WE WERE CONCENTRATING ON THE REGS  
19 THEMSELVES. STAFF WOULD HAVE NO PROBLEM IN FOLLOWING  
20 THAT DIRECTION.

21                  MS. RICE: SO I BELIEVE THIS IS ACCURATE, SUE,  
22 THAT THERE HAS NOT BEEN A CONSENSUS AMONG THE WORKING  
23 GROUP ON THE OUTCOME ON THIS ISSUE, WHICH IS WHY STAFF  
24 ARE BRINGING IT TO YOU WITH BASICALLY A STAFF  
25 RECOMMENDATION ON THE RIGHT PLACE TO DRAW THE LINE AND



1 WRITE THE STANDARDS, BUT THERE ARE LEA'S WITH DIFFERING  
2 VIEWS ON THE MATTER, SOME WANTING MORE STANDARDS, SOME  
3 WANTING LESS. SO THERE WAS NOT A CONSENSUS THAT WE  
4 COULD DERIVE FROM THE WORKING GROUP, HENCE THE  
5 SUGGESTION OF THE SPEAKER OF MORE WORK TO TRY TO ARRIVE  
6 AT THAT CONSENSUS. WE'RE NOT THERE.

7 MEMBER JONES: WAS HE INVOLVED IN THE WORKING  
8 GROUP, THIS LEA?

9 MR. REID: I'M SORRY. I DIDN'T ANTICIPATE  
10 THERE WOULD BE QUESTIONS ON THIS. BUT OUR SANTA  
11 BARBARA COUNTY HAS BEEN PROVIDING COMMENTS AND SO  
12 FORTH, WRITTEN COMMENTS AND SO FORTH, ALL THROUGHOUT  
13 THE PROCESS. WE JUST FELT THAT IT WASN'T QUITE AT THE  
14 POINT WHERE IT SHOULD BE MOVING FORWARD AT THIS POINT.

15 MEMBER JONES: DOROTHY, THE LEA'S HAVE BEEN  
16 INVOLVED IN THIS, AS I UNDERSTAND, IN ALL THESE WORK  
17 GROUPS, THOUGH, RIGHT?

18 MS. RICE: CORRECT. THERE WAS A WORKING GROUP  
19 ON THIS. THE REASON WE'RE STUMBLING A LITTLE BIT IS  
20 THAT ELLIOT WAS THE LEAD STAFF PERSON, CONVENING THAT  
21 WORKING GROUP, PRIMARILY VIA E-MAIL, IS MY  
22 UNDERSTANDING, WHERE HE WAS GETTING DRAFTS OUT TO  
23 LEA'S, GETTING COMMENT BACK, AND WORKING WITH IT. AND  
24 MY UNDERSTANDING IS THE CULMINATION OF HIS WORK BEFORE  
25 THIS COMMITTEE IS CONSENSUS WAS NOT THERE. SO HE



1 BROUGHT FORWARD --

2 MEMBER JONES: WITH THE LEA'S.

3 MS. RICE: -- HIS BEST RECOMMENDATION ON WHAT  
4 TO DO WITH THE LANGUAGE.

5 MEMBER JONES: OKAY.

6 CHAIRMAN FRAZEE: OKAY. NOW BETH ALBIANI  
7 REPRESENTING THE WINE INSTITUTE.

8 MS. ALBIANI: THANK YOU. THE WINE INSTITUTE,  
9 WHICH REPRESENTS VINTNERS AND VINTNER FARMERS IN  
10 CALIFORNIA, APPRECIATES THE HELP WE HAD WITH STAFF.  
11 BUT WE ARE CONCERNED ABOUT THE TERMS THAT WERE USED TO  
12 EXCLUDE US, AS WE UNDERSTAND THAT WAS THE GOAL OF THE  
13 BOARD IN THIS, AND WE WOULD LIKE TO ENCOURAGE THE USE  
14 OF THE WORDS "AGRICULTURAL COMMODITIES" AS DEFINED IN  
15 THE REGULATIONS, SECTION 17852(E), AND "AGRICULTURAL  
16 MATERIAL COMPOSTING OPERATIONS" AS DEFINED IN SECTION  
17 17852(F).

18 THESE ARE DEFINED DEFINITIONS AND WILL  
19 TAKE AWAY ANY -- I DON'T KNOW THE RIGHT WORD HERE --  
20 ANY VAGUENESS USED IN THE WORDS "COMPOST," WHICH IS  
21 HARD TO FIND A DEFINITION FOR. "COMPOST AND COMPOST  
22 FEEDSTOCK," WHICH HAS NO DEFINITION THAT WE COULD FIND,  
23 AND "AGRICULTURAL WASTE WITH POSSIBLE PEST  
24 CONTAMINATION," WHICH WE FELT WAS A VERY LIMITING  
25 TERM.



1 CHAIRMAN FRAZEE: ANY COMMENT? THE  
2 AGRICULTURAL WASTE WITH POSSIBLE PEST CONTAMINATION WAS  
3 INCLUDED TO ACCOMMODATE FACILITIES WHERE FRUIT IS  
4 SEIZED AT AIRPORTS AND THAT SORT OF THING. WAS THAT  
5 NOT THE REASON FOR THAT IN THAT PARTICULAR CLASS OF  
6 DISPOSAL FACILITIES?

7 MS. REYNOLDS: THE WORDING, I BELIEVE, THAT  
8 SHE'S REFERENCING, PAGE 14, (5)(I).

9 MS. ALBIANI: COMPOST IS REFERENCED IN SECTION  
10 17400(A), AND COMPOST AND COMPOST FEEDSTOCK IS 17402.5  
11 (D)(5)(I). AND I THINK IT'S JUST FINDING THE RIGHT  
12 TERM TO USE. I THINK WE HAVE THE SAME GOAL.

13 MS. REYNOLDS: I DID DISCUSS THIS ISSUE WITH  
14 ELLIOT BLOCK, AND HE DID THINK THAT COMPOST AND COMPOST  
15 FEEDSTOCK WOULD COVER THE CONCERNS OF THE WINE  
16 INSTITUTE AND DID NOT RECOMMEND CHANGING THE  
17 TERMINOLOGY.

18 CHAIRMAN FRAZEE: AND THE OTHER ONE, THE  
19 AGRICULTURAL WASTE WITH POSSIBLE PEST CONTAMINATION,  
20 I'M NOT SURE I UNDERSTAND YOUR CONCERN ON THAT.

21 MS. ALBIANI: AS IT SEEMS -- IT'S AN UNDEFINED  
22 TERM. AND TO SAY WITH POSSIBLE CONTAMINATION, WHAT IF  
23 IT DOESN'T HAVE PEST CONTAMINATION? I MEAN IT KIND OF  
24 OPENS IT UP TO A FEW DIFFERENT -- IT MAKES IT SAY WITH  
25 POSSIBLE PEST CONTAMINATION, BUT IT DOESN'T GIVE IT A



1 DEFINITION. AND WHAT WE'RE LOOKING FOR IS SOMETHING  
2 CLEAR-CUT THAT EXCLUDES OUR OPERATIONS. AND THOSE HAVE  
3 BEEN DEFINED EASILY IN THE COMPOST REGULATIONS. SO  
4 WE'D LIKE TO PULL A TERM THAT YOU GUYS HAVE ALREADY  
5 APPROVED THAT THE BOARD HAS FOUND FIT BEFORE.

6 CHAIRMAN FRAZEE: OKAY.

7 MS. REYNOLDS: AGAIN, THAT WAS A MATTER THAT  
8 ELLIOT BLOCK WAS WORKING ON.

9 MS. ALBIANI: IF YOU WANT TO TAKE THIS INTO  
10 CONSIDERATION? DOES EVERYONE HAVE A COPY OF IT?

11 CHAIRMAN FRAZEE: OKAY. THANK YOU. NOW,  
12 LARRY SWEETSER REPRESENTING NORCAL WASTE SYSTEMS.

13 MR. SWEETSER: GOOD AFTERNOON, CHAIRMAN  
14 FRAZEE, MEMBER JONES. MY NAME IS LARRY SWEETSER,  
15 DIRECTOR OF REGULATORY AFFAIRS FOR NORCAL WASTE SYSTEMS  
16 HERE ONE MORE TIME ON THESE PACKAGES.

17 ONE LITTLE CORRECTION TO MS. REYNOLDS'  
18 TESTIMONY. THERE WAS 29 LETTERS AND ONE BINDER.

19 LAST WEEK I THINK WE HAD ONE OF THE MOST  
20 PRODUCTIVE MEETINGS IN THESE DISCUSSIONS IN YEARS IN  
21 TERMS OF ADDRESSING SOME OF THE REAL MAJOR STICKY  
22 ISSUES IN TERMS OF DEFINITIONS AND THE TWO-PART TEST.  
23 I THINK WE FINALLY HAD THE MEETING THAT WE NEEDED TO  
24 UNDERSTAND WHAT THE IMPLEMENTATION WAS OF THE TEST AND  
25 ALSO HOW IT APPLIES TO THE REALITIES THAT WE OPERATE



1 UNDER AND ALSO AS FAR AS EXCLUDING CERTAIN ACTIVITIES  
2 OF SHAM RECYCLERS. SO I THINK THAT WORKED OUT PRETTY  
3 WELL.

4 SO MR. BLOCK DID A VERY GOOD JOB ON THAT,  
5 AND TOO BAD HE'S NOT HERE TO HEAR THIS. BUT IT WAS  
6 VERY GOOD, THE FORMAT WAS VERY GOOD, THE STRUCTURE WAS  
7 VERY GOOD, AND WE DID GET A LOT ACCOMPLISHED IN THAT  
8 PART.

9 THERE STILL ARE A NUMBER OF OPERATIONAL  
10 ISSUES AND DEFINITIONAL ISSUES THAT WE'RE CONCERNED  
11 ABOUT AND STILL MAINTAIN OUR OPPOSE POSITION BASED ON  
12 THOSE. AND MOST OF IT IS PRIMARILY ON THE PROCEDURAL  
13 ASPECT RIGHT NOW IN TERMS OF IF YOU GO FORWARD WITH THE  
14 15-DAY COMMENT. AS WE UNDERSTAND IT, A NUMBER OF THE  
15 ITEMS THAT WE HAD COMMENTED ON THAT HADN'T BEEN  
16 ADDRESSED, GIVEN THAT A NUMBER OF THEM WERE, SOME OF  
17 THE ONES THAT WERE NOT ADDRESSED IN THIS PACKAGE, WE  
18 WOULD BE PRECLUDED ON FROM REVISING IN THE NEXT STAGE.  
19 AND SOME OF THOSE ARE IMPORTANT ENOUGH TO AN OPERATION  
20 TO MAINTAIN THAT OPPOSE POSITION.

21 SO IF THERE'S A WAY TO ACCOMMODATE SOME  
22 OF THOSE CHANGES UNDER THIS TIME FRAME, WE'D BE GLAD TO  
23 SEE THAT. BUT RIGHT NOW, AS WE UNDERSTAND IT, THAT'S  
24 THE WAY THE PROCEDURE WORKS. THEREFORE, WE'D HAVE TO  
25 MAINTAIN OUR CONCERN ON A NUMBER OF THOSE PROVISIONS.



1 FIRST OFF, THE DIRECT TRANSFER IS A  
2 CONCERN TO US ALSO. A LOT OF THE EXEMPTIONS AND  
3 CONCERNS THAT WE EXPRESSED A NUMBER OF YEARS AGO ON  
4 SEALED CONTAINERS STILL EXIST FOR THIS ACTIVITY. IT  
5 SEEMS TO ALSO ALLOW A NUMBER OF WAYS TO CIRCUMVENT,  
6 SOME OF WHICH YOU MENTION. ANOTHER ONE I CAN THINK OF  
7 IS TO SIMPLY TAKE EVEN A SMALL OR MEDIUM VOLUME  
8 TRANSFER STATION AND HOOK UP SOME SORT OF SHOOT TO GO  
9 FROM EITHER A PICKUP TRUCK OR GARBAGE TRUCK AND  
10 DISCHARGE THAT INTO ANOTHER COVERED CONTAINER.  
11 THEREFORE, YOU MAINTAIN THE COVERED ASPECTS BECAUSE  
12 TARPS ARE ALLOWED UNDER THE DEFINITION OF COVERED, AND  
13 YOU COULD BECOME IN THAT TIER AS A DIRECT TRANSFER WITH  
14 THAT KIND OF ACTIVITY. SO IT WOULD BE A WAY TO  
15 CIRCUMVENT THAT.

16 I HAVE NO DOUBT THAT THE EXISTING  
17 FACILITY THAT STAFF SAW ON THAT DAY OPERATES PRETTY  
18 WELL, BUT I'M CONCERNED ABOUT LONG-TERM IMPLICATIONS  
19 AND EXPANDING THAT KIND OF LATITUDE IN THESE TIERS.  
20 AND I SEE NO REASON NOT TO PUT THOSE IN THE SAME TIER  
21 AS THE REST OF THE TRANSFER PROCESSING.

22 SECONDLY, I THINK THIS ONE IS MORE OF A  
23 HOLDOVER FROM THE DISCUSSIONS WE HAD BECAUSE WE DIDN'T  
24 TALK ABOUT THIS, BUT UNDER THE APPLICATIONS OF THE  
25 TWO-PART TEST AND THOSE SECTIONS THAT ARE DOUBLE



1 UNDERLINED ADDRESS THIS ISSUE, BUT IT'S NOT ADDRESSED  
2 IN THE DEFINITION OF TRANSFER PROCESSING IN THAT A  
3 NUMBER OF THOSE ACTIVITIES ARE STILL CATEGORICALLY  
4 EXCLUDED. AND THOSE WOULD BE PAGE 10 OF MY COPY ON  
5 LINE 11. IT STILL LISTS TRANSFER PROCESSING INCLUDING  
6 THESE ACTIVITIES, AND THEN FURTHER DOWN IT SAYS DO NOT  
7 INCLUDE THE FOLLOWING.

8 AND WE CAME UP WITH SOME VERY GOOD  
9 LANGUAGE THAT WAS USED ELSEWHERE UNDER RECYCLING CENTER  
10 UNDER THE SECTION THERE THAT SHOULD APPLY HERE ALSO. I  
11 THINK THAT WAS INTENDED. WE JUST DIDN'T GET THAT FAR  
12 IN THE PROCESS OF THE CHANGE. SO PROVIDED WE MAKE THAT  
13 CONSISTENCY, THAT WOULD HELP WITH WHAT WE'RE DOING.

14 AND ON THOSE RECYCLING CENTER PROVISIONS,  
15 THE 402.2, A NUMBER OF THOSE ACTIVITIES OR STANDARDS  
16 WOULD ALSO SEEM TO APPLY TO BEYOND JUST RECYCLING PER  
17 SE AS FAR AS THE LEA AUTHORITY NO. 6, WHICH IS ON PAGE  
18 14, LINE 25, AND A NUMBER OF THOSE OTHER PROVISIONS.  
19 SO MAYBE THERE'S A WAY STAFF CAN LOOK AT THAT AND MAKE  
20 SURE THAT JUST BECAUSE SOMEONE SAYS THEY'RE NOT A  
21 RECYCLING CENTER, ONE OF THE OTHER PROVISIONS THAT THE  
22 LEA'S HAVE WOULD ALSO APPLY.

23 RIGHT NOW THE ONLY APPLICATION ON THE  
24 TWO-PART TEST IS IN THIS SECTION ON RECYCLING CENTER.  
25 SO THAT'S THE TEST ON WHETHER YOU DETERMINE YOU'RE



1 RECYCLING OR NOT. SOME OF THOSE THINGS, SUCH AS 6(B),  
2 IF THE EA HAS REASON TO BELIEVE THAT A BUSINESS IS  
3 CONCEALING ACCEPTANCE, THAT MAY APPLY BEYOND JUST  
4 STRAIGHT RECYCLING CENTER TERMINOLOGY. IT MAY STILL  
5 WORK IN HERE, JUST DOESN'T SEEM TO FLOW AS WELL IN HERE  
6 FOR ME ON THAT.

7 THE NEXT PART DEALS FURTHER ON PAGE 15 ON  
8 LINE 16 IN TERMS OF OPERATIONS. RIGHT NOW WE HAVE THE  
9 ABILITY IN HERE, AND THAT WORKS, FOR ACTIVITIES THAT  
10 ARE DEEMED TO BE OPERATIONS TO HAVE ONE MONTH GRACE  
11 PERIOD IN ORDER TO COME IN COMPLIANCE. THAT'S FINE.  
12 YOU HAVE THE ABILITY TO DO THAT. THE PROBLEM UNDER NO.  
13 8 IS THAT IT GIVES SOME LEEWAY FOR OPERATIONS THAT ARE  
14 DEEMED TO BE FACILITIES. IT GIVES THEM FROM THE DATE  
15 OF THE EFFECTIVE DATE OF THESE REGULATIONS. THAT MAY  
16 BE NICE TO PROVIDE THAT KIND OF LATITUDE, BUT STATUTE  
17 STILL SAYS THAT ONCE IT'S KNOWN THAT THAT IS A FACILITY  
18 HANDLING SOLID WASTE WITHOUT A PERMIT, THEY MUST  
19 IMMEDIATELY CEASE. CAN'T BE FROM THE EFFECTIVE DATE OF  
20 THE REGULATION. IT WOULD HAVE TO BE FROM WHEN IT'S  
21 IMMEDIATELY KNOWN THAT THAT IS HANDLING SOLID WASTE.  
22 AND THAT'S WHAT'S IN STATUTE NOW.

23 THE NEXT ITEM DEALT WITH EXCLUDED  
24 OPERATIONS. I THINK A NUMBER OF OTHER EXAMPLES THAT WE  
25 CAME UP WITH WOULD FIT UNDER STAFF'S NEW DEFINITION. I



1 DON'T HAVE A COPY OF THAT LANGUAGE. ONE THAT IT  
2 STRIKES ME WOULD NOT FIT IN THERE, AND THIS ACTIVITY  
3 I'M FAMILIAR WITH, AND OTHER ENTITIES DO IT AS WELL, IS  
4 CERTIFIED DESTRUCTION OF MICROFICHE. WHEN YOU DO  
5 CERTIFIED DESTRUCTION OF PAPER DOCUMENTS, THOSE WOULD  
6 BE OUTSIDE THE BOARD'S AUTHORITY BECAUSE USUALLY THAT  
7 MATERIAL IS SENT OFF FOR RECYCLING, THE PAPER SHREDS  
8 ARE. BUT SOMETHING LIKE MICROFICHE OR MICROFILM  
9 WOULDN'T HAVE A READY MARKET OUT THERE, AND THAT  
10 MATERIAL WOULD BE SENT ON FOR DISPOSAL.

11 AS I READ THIS SECTION, IT WOULD NOT  
12 ALLOW THAT ACTIVITY UNDER EXCLUDED OPERATION. WE'D  
13 ACTUALLY FIT UNDER A REGULAR TIER, AND THAT GOES ON IN  
14 A NUMBER OF LOCATIONS. SO I'D LIKE TO SEE SOMETHING  
15 LIKE THAT ADDED IN THERE.

16 THE NEXT ONE DEALT WITH THE DOCUMENTATION  
17 ASPECTS, AND THAT'S ON PAGE 22, LINE 31, IN TERMS -- I  
18 THINK I KNOW WHAT THE INTENT IS HERE, AND I THINK IT'S  
19 ACCOMPLISHED, BUT IT'S PRETTY HARD FOR US AS AN  
20 OPERATOR TO DEMONSTRATE THAT WE HAVE COMPLIED WITH  
21 CERTAIN STANDARDS IN THE DESIGN OF AN OPERATION. THERE  
22 IS USUALLY NO PAPER THAT WE CAN SHOW SAYING WE'VE  
23 DEMONSTRATED COMPLIANCE WITH THOSE STANDARDS OF ODOR  
24 CONTROL, HEALTH AND SAFETY, OR SANITARY FACILITIES.  
25 USUALLY THAT'S ON A BLUEPRINT. USUALLY IT'S IN A



1 DESCRIPTION OF OPERATION ON WHAT WE INTEND TO DO. WE  
2 CAN'T DEMONSTRATE COMPLIANCE WITH THOSE STANDARDS  
3 MERELY BY A REVIEW OF THE DESIGN.

4 I THINK THAT CAN BE -- THE EASIEST WAY TO  
5 FIX THAT IS JUST TO REFERENCE THAT IN THE REVIEW OF  
6 DESIGN WE HAVE TO INCORPORATE FEATURES. I THINK THAT'S  
7 AN EASY FIX.

8 ANOTHER ONE DEALS WITH ONE OF MY FAVORITE  
9 TOPICS OF LOADCHECKING IN THAT THE MAIN OBJECTIVE OF  
10 LOADCHECKING IS TO CREATE A PAPER TRAIL SHOWING THAT  
11 WE'VE DONE OUR BEST EFFORTS AT PREVENTING HAZARDOUS  
12 WASTE AND OTHER PROHIBITED WASTES FROM BEING COLLECTED  
13 AT THE SITE. IN MANY OF OUR LOCATIONS WE CREATE FILE  
14 BOXES FULL OF DOCUMENTS ON A MONTHLY BASIS JUST TO  
15 DEMONSTRATE THAT FOR THE RECORD THAT WE'VE DONE THE  
16 PROGRAM.

17 TO HAVE AN ENTIRE FILE OF THOSE RECORDS  
18 AT A REMOTE SITE CAN BE A PROBLEM TO US, NOT ONLY  
19 SOMETIMES THERE'S NO PLACE SECURE ENOUGH TO HOLD IT ON  
20 SITES THAT ARE ONLY OPEN A COUPLE OF DAYS A WEEK, THE  
21 WEATHER, THE WIND, OTHER THINGS COULD CORRODE THOSE  
22 RECORDS TO AN UNUSABLE STATE. SO WE'VE TYPICALLY HAD  
23 THE MAIN BULK OF THOSE RECORDS AT AN ALTERNATIVE  
24 LOCATION, AND THAT WOULD ALLOW US THE ABILITY TO HAVE  
25 THOSE RECORDS SAFE AND SECURE. THEY'RE STILL OPEN FOR



1 INSPECTION, BUT THEY WOULDN'T REQUIRE THAT WE KEEP THEM  
2 ON SITE AS PART OF THE OPERATING RECORD.

3 THAT ALSO APPLIES TO TRAINING RECORDS.  
4 AND BOTH OSHA AND TOXICS ALSO HAVE PROVISIONS FOR  
5 OFF-SITE STORAGE OF TRAINING RECORDS THAT CAN BE USED  
6 AND SIMILARLY ECHOED IN HERE AS WELL.

7 THE NEXT ONE IS SORT OF A MINOR POINT,  
8 BUT IT WAS RAISED BY ANOTHER OPERATOR THAT I KNOW, SO  
9 I'LL ADD IT IN HERE FOR HIM, WAS THE PROTECTION OF THE  
10 USERS ON PAGE 28. I KNOW WHAT THE INTENT IS THERE, AND  
11 WE ABIDE BY THAT INTENT TO TRY TO MINIMIZE CONTACT OF  
12 PERSONNEL OR THE PUBLIC WITH THE SOLID WASTE, BUT A  
13 LITERAL INTERPRETATION OF THAT COULD ALSO IMPLY THAT WE  
14 HAVE TO MINIMIZE THE PUBLIC'S CONTACT WITH THEIR OWN  
15 WASTE AS FAR AS UNLOADING. SO I THINK IT'S A SIMPLE  
16 FIX TO ADDRESS THAT, BUT THAT WAS ONE OF THOSE THAT WAS  
17 ADDRESSED BEFORE.

18 THE DUST AND NOISE PROVISIONS, I THINK,  
19 HAVE ADDRESSED A LOT OF THE CONCERN WE HAD. I THINK  
20 THAT HELPS TO HAVE IT IN THERE. IT'S NOT AS EXPLICIT  
21 AS WOULD BE HELPFUL BECAUSE MR. JONES AND I HAVE HAD  
22 THESE DISCUSSIONS IN MANY ARENAS AS FAR AS WHO REQUIRES  
23 WHO TO DO WHAT SORT OF MEASURES. IT IS INCUMBENT ON US  
24 AS AN OPERATOR TO COMPLY WITH THE STANDARD AND PROPOSE  
25 MEASURES THAT WORK. IT'S NOT INCUMBENT ON AN LEA TO



1 TELL US HOW TO DO THAT. IF WE DON'T DO IT, BY ALL  
2 MEANS, WE'RE SUBJECT TO CITATION OR VIOLATION OF SORTS,  
3 BUT IT'S NOT AS CLEAR IN THERE AS IT COULD BE, BUT THIS  
4 HAS GONE A LONG WAY TO ADDRESSING THE CONCERN THAT WE  
5 HAD BEFORE.

6 COUPLE OTHER ITEMS -- THOSE WERE THE  
7 MAJOR ONES -- IS THE DEFINITION OF THE OPERATING AREA,  
8 WHICH IS 40216 ON PAGE 6. THERE ARE MANY OCCASIONS  
9 WHEN AN OPERATOR OF A TRANSFER STATION WILL ALSO HAVE  
10 SEPARATE OPERATIONS LIKE A COLLECTION COMPANY NEXT DOOR  
11 TO THAT OPERATION. USUALLY IT'S SEPARATED BY A FENCE  
12 OR OTHER BARRIER. AND WE'D HAD A NUMBER OF OCCASIONS  
13 WHERE IT'S BEEN CALLED INTO QUESTION WHERE THE  
14 PERMITTED BOUNDARY OF THAT ACTIVITY IS. SOMETIMES  
15 THEY'LL SHARE OFFICE SPACE, THEY'LL SHARE MAINTENANCE  
16 FACILITIES AS A COLLECTION COMPANY. THE QUESTION HAS  
17 BEEN RAISED THAT SOME OF THE ASPECTS OF OUR WASTE  
18 HAULING YARD ARE BOXES WE BROUGHT BACK OF MATERIAL  
19 THAT'S ALREADY BEEN SEPARATED FOR REUSE. THERE'S BEEN  
20 ATTEMPTS TO TRY AND CAPTURE THAT MATERIAL INTO OUR  
21 PERMANENT BOUNDARY. SO IT WOULD HELP TO HAVE THIS  
22 DISTINCTION OF JUST WHAT'S IN THE PERMANENT BOUNDARY.

23 THE OTHER ONE ON PAGE 7 DEALS WITH THE  
24 DEFINITION OF PROCESSING. WE'VE INCORPORATED VERBATIM  
25 WHAT THE STATUTE HAS, AND THAT HELPS. THE NEW SENTENCE



1 ABOUT RECYCLING IS MORE SPECIFICALLY DEFINED.  
2 ACTUALLY, I THINK, IT WOULD BE MORE APPROPRIATE TO  
3 REFER TO RECYCLING CENTER BECAUSE THAT'S WHAT THAT  
4 SECTION IS, SO THE ACTIVITIES OF A RECYCLING CENTER IS  
5 MORE CLEARLY DEFINED ELSEWHERE.

6 THE DEFINITION OF STORAGE ALSO WAS AN  
7 ASPECT WE COMMENTED ON BEFORE. SOME OF THE PROVISIONS  
8 OF STORAGE IN TERMS OF QUANTIFIERS OR QUALIFIERS ARE  
9 ADDRESSED UNDER THE SALVAGING AND SCAVENGING PROVISIONS  
10 LATER. DEFINITION OF STORAGE IS ON PAGE 10. THE  
11 CONCERN THERE IS THAT MATERIAL THAT IS STORED, IT WOULD  
12 HELP TO HAVE IN THE DEFINITION SO IT WOULD APPLY TO  
13 BEYOND SALVAGE AND SCAVENGE MATERIAL. IT WOULD ALSO  
14 APPLY TO MATERIAL THAT'S ALREADY BEEN SEPARATED FOR USE  
15 THAT'S STORED ON A PERMANENT FACILITY. IT WOULD APPLY  
16 TO OTHER THINGS, EVEN ON THE WASTE HAULING YARD, AND  
17 THAT LANGUAGE UNDER SALVAGING AND SCAVENGING ADDRESSES  
18 STORING SO THAT YOU PREVENT HARBORAGE OF VECTORS AND  
19 ODORS AND OTHER THINGS.

20 THAT LANGUAGE IS ON THE PREVIOUS PAGE, ON  
21 THE BOTTOM -- ACTUALLY UNDER THE OPERATING STANDARDS, I  
22 GUESS, BUT THERE'S LANGUAGE IN THERE UNDER SALVAGING  
23 AND OPERATING STANDARDS THAT ADDRESSES WHAT ASPECTS  
24 SHOULD BE PART OF THE DEFINITION OF STORE.

25 COUPLE OTHER COMMENTS IN THERE. PROBABLY



1 THE BIGGEST ONE LEFT WOULD BE THE LITTER CONTROL ISSUE.  
2 THIS IS A LOT BETTER LANGUAGE THAN HAD BEEN ADDRESSED  
3 BEFORE. IT STILL PROBABLY ISN'T QUITE THERE FOR  
4 APPLICATION TO WHAT WE'RE LOOKING AT IN TERMS OF AREAS  
5 WHERE WE HAVE HIGH WINDS. IT'S ALWAYS MORE IMPORTANT  
6 WHEN LITTER HAPPENS IS OUR RESPONSE. IF WE'RE NOT OUT  
7 THERE SUFFICIENTLY IN TIME TO RESPOND TO A LITTER  
8 ISSUE, THAT'S WHEN ENFORCEMENT SHOULD KICK IN AS  
9 OPPOSED TO THE FACT THAT WE HAD 80-MILE-AN-HOUR WINDS  
10 AND LITTER HAPPENED. WE HAVE THAT AGREEMENT WITH A  
11 NUMBER OF OUR LEA'S. IT WORKS FINE NOW AND EVEN IN  
12 CERTAIN SITUATIONS WHEN THE WIND IS HIGH ENOUGH, WE  
13 WILL ACTUALLY CLOSE THE SITE. THOSE ARE ALL  
14 APPROPRIATE MEASURES THAT WE'VE INCORPORATED TO ADDRESS  
15 AND MINIMIZE LITTER.

16 THERE'S A FEW OTHERS IN THERE THAT I  
17 PROVIDED IN SOME OF THE WRITTEN COMMENTS. THAT'S THE  
18 MAJORITY OF THE COMMENTS WE FOUND IN THIS DRAFT SO FAR.  
19 WE HOPE YOU CAN INCLUDE THESE AS PART OF THE CURRENT  
20 PACKAGE EVEN THOUGH SOME OF THESE WERE NOT REVISED AND  
21 WOULD NOT BE ALLOWABLE COMMENTS UNDER THE 15-DAY NOTICE  
22 IF YOU GO FORWARD WITH THAT. I THINK THEY'RE IMPORTANT  
23 ENOUGH. I HEAR ABOUT THESE THINGS FROM OUR OPERATORS  
24 AND OUR GENERAL MANAGERS ALL THE TIME AS FAR AS THINGS  
25 THEY WOULD LIKE TO SEE REFLECTED IN THESE REGULATIONS.



1 SO I HOPE YOU CAN INCLUDE THOSE IN THERE. WE'RE  
2 GETTING A LOT CLOSER.

3 GIVEN THE AMOUNT OF CHANGES IN HERE, WE  
4 THINK IT'S MORE APPROPRIATE TO GO BACK FOR THE ENTIRE  
5 PACKAGE SO THAT WE INCORPORATE THESE OTHER CHANGES AS  
6 PART OF ANOTHER 45-DAY COMMENT PERIOD ON THE ENTIRE  
7 PACKAGE RATHER THAN JUST A 15-DAY COMMENT PERIOD.  
8 THERE'S BEEN ENOUGH CHANGES AND ENOUGH DISCUSSION, AND  
9 I KNOW WE'VE BEEN AT THIS FOR A NUMBER OF YEARS, BUT I  
10 HATE TO RUSH TO THIS -- CONCLUDING THESE PACKAGES  
11 BEFORE THEY'RE READY. WITH THAT, THANK YOU VERY MUCH.

12 CHAIRMAN FRAZEE: OKAY. THANK YOU.

13 QUESTIONS?

14 MEMBER JONES: I HAVE A QUESTION OF OUR LEGAL  
15 STAFF. I HAD ASKED ELLIOT IN MY BRIEFING FOR SOME KIND  
16 OF ANALYSIS OF, YOU KNOW, IF THIS GOES OUT FOR 15 DAYS,  
17 WHAT CAN HAPPEN? IF IT'S 30 OR 45, WHAT CAN HAPPEN?  
18 AND HE'S NOT HERE TODAY.

19 MS. TOBIAS: WE HAVE A POWERPOINT. ACTUALLY  
20 ALLISON CAN PUT IT UP AND WE CAN KIND OF WALK YOU  
21 THROUGH IT.

22 MEMBER JONES: THAT'S OKAY. I DIDN'T KNOW.  
23 YOU CAN ANSWER IT LATER IF YOU WANT. IT'S UP TO THE  
24 CHAIRMAN. I JUST WANTED TO --

25 CHAIRMAN FRAZEE: I THINK IT MIGHT BE WORTH



1 GETTING OVER THAT POINT RIGHT NOW SO WE CAN UNDERSTAND  
2 WHERE WE'RE GOING.

3 MS. REYNOLDS: NOW, THIS IS THE BASIC  
4 ADMINISTRATIVE PROCEDURES ACT PROCEDURE. WHEN THERE'S  
5 A 45-DAY COMMENT PERIOD, THERE'S TO BE A PUBLIC  
6 HEARING. THEN A 15-DAY COMMENT PERIOD FOR SUBSTANTIAL,  
7 BUT SUFFICIENTLY RELATED CHANGES. AND NO LIMIT ON THE  
8 NUMBER OF 15-DAY PERIODS, BUT THE REGULATION PACKAGE  
9 MUST BE SUBMITTED TO THE OFFICE OF ADMINISTRATIVE LAW  
10 WITHIN ONE YEAR OF INITIAL NOTICE, AND THAT INITIAL  
11 NOTICE STARTED ON JANUARY 30TH OF THIS YEAR.

12 FOR EACH COMMENT PERIOD, THE  
13 ADMINISTRATIVE PROCEDURES ACT ONLY REQUIRES AN AGENCY  
14 TO RESPOND IN THE RULEMAKING FILE TO COMMENTS ON  
15 CHANGES NOTED IN THAT COMMENT PERIOD, BUT AN AGENCY CAN  
16 DECIDE TO BROADEN THE SCOPE OF COMMENTS THAT IT WILL  
17 ACCEPT, AND THE 15-DAY COMMENT PERIOD IS A MINIMUM AN  
18 AGENCY CAN LENGTHEN THAT TIME. AND THAT'S ALL.

19 CHAIRMAN FRAZEE: SO WE CAN ACCOMMODATE -- WAS  
20 THAT SUBSTANTIAL -- SUBSTANTIAL BUT SUFFICIENTLY  
21 RELATED CHANGES?

22 MS. TOBIAS: WHICH IS FAIRLY BROAD. AND LET  
23 ME JUST GIVE YOU A SENSE OF WHAT THE LAW SAYS ABOUT  
24 THAT. BASICALLY IT SAYS IF A REASONABLE MEMBER OF THE  
25 DIRECTLY AFFECTED PUBLIC COULD HAVE DETERMINED FROM THE



1 NOTICE THAT THESE CHANGES TO THE REGULATION COULD HAVE  
2 RESULTED AND IT'S SUFFICIENTLY RELATED, I'D SAY THAT'S  
3 FAIRLY BROAD IN THE SENSE THAT YOU HAVE THE REGULATED  
4 COMMUNITY ON NOTICE THAT THESE REGS ARE MOVING  
5 THROUGH.

6 I THINK AT THIS POINT IT MIGHT BE HELPFUL  
7 TO NOTE PERHAPS THE OBVIOUS, AND THAT IS THAT AT THIS  
8 POINT, WE'RE TAKING COMMENTS AND BASICALLY HEARING WHAT  
9 SOME OF THE ISSUES ARE. WHAT -- YOU KNOW, RATHER THAN  
10 A NEW NOTICE PERIOD, WHAT YOU MAY WANT TO DO IS  
11 BASICALLY HOLD IT IN COMMITTEE FOR THE NEXT MONTH. I  
12 THINK THE NEXT P&E MEETING IS ON JUNE 22D. AND THEN  
13 THAT WOULD GIVE STAFF TIME TO BASICALLY WORK ON THESE  
14 COMMENTS THAT HAVE COME UP DURING THAT TIME. SO RATHER  
15 THAN GO THROUGH ANOTHER NOTICED TIME PERIOD, JUST HOLD  
16 IT, ALLOW STAFF TO BASICALLY WORK WITH IT WITH ANY OF  
17 THE COMMENTERS, AND THEN BRING IT BACK TO NEXT P&E  
18 COMMITTEE MEETING.

19 CHAIRMAN FRAZEE: ARE WE FREE TO OFFER ANY  
20 SPECIFIC DIRECTION?

21 MS. TOBIAS: SURE. YEAH. I THINK IT WOULD  
22 ACTUALLY BE HELPFUL TO STAFF TO GET SOME GUIDANCE FROM  
23 YOU ON PERHAPS HOW YOU'D LIKE THE INFORMATION TO COME  
24 BACK OR THE DIRECTION THAT YOU WANT TAKEN AT THIS  
25 POINT. I DON'T THINK YOU NECESSARILY WOULD WANT TO GO



1 OUT TO ANOTHER NOTICED REVIEW AT THIS TIME BECAUSE ALL  
2 THAT WOULD DO IS GENERATE NEW COMMENTS WHEN, IN FACT,  
3 WHAT WE REALLY PROBABLY NEED TO DO, IF THIS IS WHERE  
4 YOU WANT TO GO, THAT WE NEED TO RESPOND TO THESE  
5 COMMENTS.

6 CHAIRMAN FRAZEE: OKAY. NOW LET'S GO TO MARK  
7 LEARY REPRESENTING BFI.

8 MR. LEARY: GOOD AFTERNOON, MEMBERS OF THE  
9 COMMITTEE. MARK LEARY FROM BROWNING-FERRIS  
10 INDUSTRIES. I TOO, LIKE THE PREVIOUS SPEAKERS, WOULD  
11 LIKE TO APPLAUD THE EFFORT OF THE STAFF, PARTICULARLY  
12 THAT OF ALLISON AND ELLIOT'S. THEY'VE DONE A REAL  
13 TERRIFIC JOB IN BRINGING THIS THING INTO FOCUS AND  
14 ALLOWING US NEARLY TO COME TO CONSENSUS.

15 I'D JUST LIKE TO PIGGYBACK ON A COMMENT  
16 FIRST MADE BY BOARD MEMBER JONES ABOUT THIS DIRECT  
17 TRANSFER OPERATIONS. I SHARE HIS CONCERN AND WOULD  
18 SUGGEST THAT REGISTRATION MIGHT BE THE PROPER PLACE FOR  
19 THOSE KIND OF OPERATIONS TO GO. ALTHOUGH I DON'T  
20 NECESSARILY FEEL STRONGLY ABOUT IT, GIVEN THE WAY THIS  
21 THING LOOKS LIKE IT'S GOING, MAYBE ANOTHER MONTH OF  
22 INFORMAL DISCUSSION, WE COULD PROBABLY IRON THAT OUT AS  
23 WELL AS THE OTHER COMMENTS AND PUT THIS THING TO BED IN  
24 JUNE.

25 I KNOW THERE'S A NUMBER OF US THAT WOULD



1 LIKE TO SEE IT HAPPEN SOONER THAN THAT. WE'VE BEEN  
2 DOWN THIS ROAD AWHILE, BUT I GUESS ANOTHER MONTH IS NOT  
3 ASKING TOO MUCH. THANK YOU VERY MUCH.

4 CHAIRMAN FRAZEE: OKAY. THANK YOU. NOW KAREN  
5 JARRELL REPRESENTING JEFFERSON SMURFIT.

6 MS. JARRELL: KAREN JARRELL WITH JEFFERSON  
7 SMURFIT CORPORATION AND SMURFIT RECYCLING COMPANY.  
8 WE'VE LOOKED OVER AND MET AND LOOKED OVER AND MET AND  
9 LOOKED OVER AND MET AND TALKED TO PEOPLE. AND QUITE  
10 FRANKLY, WE'RE HAPPY WITH THE REGULATIONS AS THEY ARE  
11 RIGHT NOW IN THIS PACKAGE. SO WE WANT TO SAY THAT  
12 FIRST OF ALL EXCEPT FOR MAYBE ONE MINOR LITTLE CHANGE.  
13 AND THIS ACTUALLY WAS BROUGHT TO MY ATTENTION -- I'LL  
14 GIVE CREDIT WHERE CREDIT IS DUE -- BY TIM FLANAGAN OF  
15 ESRI FIRST, BUT I GET TO SAY IT.

16 THAT IS IN THE DEFINITION OF PROCESSING,  
17 THE VERY -- IT'S ON PAGE 7 -- THE VERY LAST SENTENCE  
18 SAYS RECYCLING IS MORE SPECIFICALLY DEFINED IN SECTION  
19 17402.5(D) OF THIS ARTICLE. IT'S NOT RECYCLING THAT IS  
20 DEFINED; IT'S RECYCLING CENTERS, SO WE NEED TO ADD IN.  
21 MAYBE IT JUST GOT DROPPED OUT.

22 CHAIRMAN FRAZEE: I THINK SOMEONE ELSE NOTED  
23 THAT.

24 MS. JARRELL: OTHERWISE WE WOULD LIKE TO SEE  
25 IT GO OUT. THANK YOU.



1 CHAIRMAN FRAZEE: OKAY. THANK YOU. NOW TIM  
2 FLANAGAN REPRESENTING ESRI.

3 MR. FLANAGAN: CHAIRMAN FRAZEE, MEMBER JONES,  
4 TIM FLANAGAN WITH THE INSTITUTE OF SCRAP RECYCLING  
5 INDUSTRIES. I WANT TO SAY DITTO ON THAT LAST COMMENT.

6 ONE OTHER THING I'D LIKE TO POINT OUT IS  
7 THAT UNDER THE SECTION THAT DEFINES REUSE SALVAGE  
8 OPERATION, THE WORD "DISCARDED" IS USED. I THINK  
9 THAT'S INAPPROPRIATE THERE. THAT'S ACTUALLY BECOME  
10 SORT OF A TERM OF ART AFTER THE RANCHO MIRAGE CASE.  
11 AND WHAT THIS IS REALLY DEFINING ARE MATERIALS THAT  
12 HAVE, AS IT SAYS IN HERE, OTHER MATERIALS BEFORE THEY  
13 ENTER THE WASTESTREAM. DISCARDED UNDER THAT CASE MEANT  
14 THAT THEY DID, IN FACT, ENTER THE WASTESTREAM. SO WE  
15 ASK THAT THAT WORD "DISCARDED" BE REMOVED.

16 I'VE GOT PAGE 14. THIS WAS SENT OVER  
17 THE -- I THINK IT'S PROBABLY -- WHAT'S THE OFFICIAL  
18 PAGE? DOES ONE OF THE STAFF MEMBERS HAVE THAT? REUSE  
19 SALVAGE OPERATION.

20 MS. TOBIAS: PAGE 13.

21 MR. FLANAGAN: PAGE 13. IT SHOULD JUST SAY --  
22 THE SECOND LINE OF THAT MEANS A PERSON OR BUSINESS  
23 ENTITY WHICH STERILIZES, DISMANTLES, REBUILDS, OR  
24 RENOVATES NONPUTRESCIBLE BLAH, BLAH, BLAH. THAT  
25 DISCARDED SHOULD BE TAKEN OUT. BECAUSE IF IT'S



1 DISCARDED, UNDER THE WASTE MANAGEMENT CASE, IT WOULD  
2 BE, IN FACT, PART OF THE WASTESTREAM AT THAT POINT.  
3 JUST SORT OF DOESN'T MAKE ANY SENSE.

4 OTHERWISE WE TOO WANT TO COMPLIMENT  
5 STAFF. A LOT OF TIME HAS BEEN SPENT. THEY HAVE  
6 BROUGHT ALL THE PARTIES TOGETHER INTO SOME VERY TOUGH  
7 AGREEMENTS, BUT AGREEMENTS NONETHELESS. WE SUPPORT  
8 THIS PACKAGE. WE WOULD LIKE TO SEE IT GO OUT.

9 CHAIRMAN FRAZEE: OKAY. THANK YOU. NOW  
10 ROBERT BERNHEIMER, REPRESENTING H & C DISPOSAL  
11 COMPANY.

12 MR. BERNHEIMER: GOOD AFTERNOON, CHAIRMAN  
13 FRAZEE, BOARD MEMBER JONES. ROB BERNHEIMER WITH  
14 FERGUSON & BERNHEIMER, REPRESENTING H & C DISPOSAL  
15 COMPANY. I ONLY HAVE ONE TINY SMALL LITTLE ISSUE TO  
16 TALK ABOUT HERE TODAY, THE DIRECT TRANSFER OPERATIONS.  
17 I CERTAINLY APPRECIATED THE WORK STAFF DID IN COMING  
18 AND INVESTIGATING THE FACILITY THAT I REPRESENT. AND  
19 TRYING TO HONE IN ON A DEFINITION, DOESN'T LOOK LIKE  
20 WE'RE THERE YET, ACCORDING TO SOME OF THE COMMENTS  
21 ABOUT HOW WE CAN CABIN THIS TO WHERE IT NEEDS TO GO.

22 BOARD MEMBER JONES, I CERTAINLY  
23 APPRECIATED YOUR INSIGHT AND COMMENTS ON WHAT SOME OF  
24 THE POTENTIAL PROBLEMS ARE, AND MAYBE WE NEED TO REWORK  
25 THAT A LITTLE BIT.



1                   WHEN I FIRST TALKED TO STAFF ABOUT THIS,  
2 I DIDN'T KNOW WHAT NECESSARILY THE APPROPRIATE LEVEL OF  
3 REGULATIONS WAS. WHEN THEY CAME AND LOOKED AT IT AND  
4 THEY RAN THE INFORMATION THROUGH THE METHODOLOGY THAT  
5 WAS DEVELOPED SOME YEARS AGO, THEY CAME UP WITH EA  
6 NOTIFICATION. NOW, WHETHER IT'S -- EA NOTIFICATION IS  
7 THE APPROPRIATE TIER OR REGISTRATION IS THE APPROPRIATE  
8 TIER, I THINK IT PROBABLY FITS WITHIN ONE OF THOSE TWO,  
9 BUT I DON'T THINK WE CAN THROW THE DEFINITION OUT TO  
10 GET TO REGISTRATION. I THINK WE STILL NEED TO KEEP  
11 WITHIN SOME SORT OF FRAMEWORK.

12                   MAYBE ONE WAY WE CAN FURTHER LIMIT IT IS  
13 JUST TO PUT THAT THERE'S NO MORE THAN 60 TONS AT ONE  
14 TIME AT ANY FACILITY BECAUSE WE'RE NOT TRYING TO ALLOW  
15 SOMEBODY TO COME AND TAKE OTHER PEOPLE'S WASTES. WE'RE  
16 NOT TRYING TO ALLOW SOMEBODY TO COME UP WITH A CREATIVE  
17 WAY TO DUMP IT THROUGH A SHOOT BECAUSE I DON'T THINK  
18 THAT WOULD BE DIRECT. THAT BY NATURE WOULD BE AN  
19 INDIRECT METHOD OF TRANSFERRING IT FROM ONE TO ANOTHER.

20                   SO I THINK THAT THE CONCEPT OF NARROWING  
21 IT -- ALSO THERE WAS SOME CONCERNS ABOUT A DULY  
22 LICENSED SOLID WASTE OPERATOR. WELL, THAT LANGUAGE, I  
23 THINK -- I DON'T WANT TO READ INTO STAFF'S MIND -- BUT  
24 THAT CAME WITHIN THE WASTE HAULING YARD DEFINITION,  
25 WHICH IS IN THE EXCLUDED TIER. AND THAT HAS IN IT ON



1 THE PREMISES OF A DULY LICENSED WASTE HAULER. AND I  
2 THINK THEY PROBABLY USED THAT SAME LANGUAGE WHEN THEY  
3 WERE COMING UP WITH THIS. SO I THINK THERE WAS SOME  
4 LOGIC TO THAT, BUT MAYBE IF THIS DOES GET KICKED AROUND  
5 FOR ANOTHER 30 DAYS SO THIS DEFINITION CAN GET WORKED A  
6 LITTLE MORE, MAYBE IT NEEDS TO COME BACK AT  
7 REGISTRATION. CERTAINLY SOME OF THE COMMENTS THAT I'VE  
8 TALKED TO, PEOPLE IN THE AUDIENCE, HAVE SAID IT MAY  
9 MAKE SOME SENSE TO THAT.

10 ONE OF THE OTHER THOUGHTS THAT WAS OUT  
11 THERE WAS THAT PUT IN THERE AT REGISTRATION; AND IF  
12 OVER THE COURSE OF TIME, THE LEA'S ARE FINDING THAT  
13 THEY'RE REALLY WASTING THEIR TIME REQUIRING SOME OF THE  
14 REQUIREMENTS THAT ARE NEEDED FOR EA NOTIFICATION, THAT  
15 IT COULD BE BROUGHT BACK BEFORE THE BOARD AT A FUTURE  
16 DATE AND LOWERED TO AN EA NOTIFICATION LEVEL IF THAT  
17 WAS APPROPRIATE. WE'D CERTAINLY BE OPEN TO THAT. BUT  
18 I THINK WE WOULDN'T IN ANY EVENT WANT TO SEE THAT  
19 DEFINITION JUST GET THROWN OUT AT THIS POINT BECAUSE I  
20 THINK IT WILL SERVE A PURPOSE. AND I THINK, AS STAFF  
21 HAS SEEN WITH A NUMBER OF PEOPLE COMING DOWN AND  
22 LOOKING AT IT, IT REALLY IS A PRETTY CLEAN WAY AND  
23 LIMITED WAY FOR A WASTE HAULER TO OPERATE.

24 SO AT THIS TIME, IF YOU HAVE ANY FURTHER  
25 QUESTIONS, I'D BE HAPPY TO ANSWER THOSE. I DID HAVE A



1 VIDEO, BUT IT SEEMED CLEAR TO ME THAT EVERYBODY  
2 UNDERSTANDS WHAT THIS IS ALL ABOUT. IF ANYBODY THINKS  
3 IT'S BENEFICIAL, IT'S ONLY A COUPLE MINUTES, BUT I  
4 DON'T WANT TO WASTE PEOPLE'S TIME.

5 CHAIRMAN FRAZEE: OKAY.

6 MR. BERNHEIMER: THANK YOU.

7 CHAIRMAN FRAZEE: NOW RICK BEST, REPRESENTING  
8 CAW.

9 MR. BEST: THANK YOU, COMMITTEE CHAIRMAN AND  
10 BOARD MEMBERS. RICK BEST WITH CALIFORNIANS AGAINST  
11 WASTE. AND LIKE THE PREVIOUS SPEAKERS, I CERTAINLY  
12 WANT TO APPLAUD THE STAFF FOR THEIR WORK. I THINK  
13 WE'VE RESOLVED MOST OF THE MAJOR ISSUES, AND WE'RE  
14 PLEASED WITH THE REGULATIONS AS THEY ARE BEFORE THE  
15 BOARD TODAY.

16 THREE ISSUES THAT I DO WANT TO BRING UP  
17 OR ADDRESS. AND FIRST WAS THE DISCUSSIONS THAT HAVE  
18 BEEN MADE WITH REGARDS TO THE DIRECT TRANSFER. WE TOO  
19 HAVE SOME CONCERNS WITH REGARDS TO THE WAY THE CURRENT  
20 DEFINITION IS STRUCTURED SEEMING TO BE OPEN IN TERMS OF  
21 WITHOUT ANY LIMIT TO -- WITH REGARDS TO SIZE. I MEAN  
22 CERTAINLY A DIRECT TRANSFER OPERATION, WHICH IS VERY  
23 SMALL, HAS A MUCH DIFFERENT IMPACT THAN ONE THAT  
24 POTENTIALLY HAS SEVERAL TRUCKS GOING THROUGH IT AT ANY  
25 ONE TIME. SO WE'RE CONCERNED WITH HOW THE LANGUAGE IS



1 AND WOULD LIKE TO SEE IT FLUSHED OUT A LITTLE MORE AND  
2 PERHAPS A DISTINCTION BEING MADE BETWEEN THE SIZE OR  
3 LIMIT PLACED ON THE SIZE OF FACILITY THAT APPLIES IN  
4 THE NOTIFICATION TIER.

5 SECOND QUESTION I HAVE IS WITH REGARDS TO  
6 I HEARD REFERENCE TO RURAL LEA'S ASKING FOR SOME SORT  
7 OF 15 CUBIC YARD. I HAVEN'T HEARD ANY CLARITY IN TERMS  
8 OF WHAT THAT MEANS. WE WOULD CERTAINLY HAVE A GREAT  
9 DEAL OF CONCERN IF IT MEANS THAT THIS WOULD PROVIDE A  
10 COMPLETE EXEMPTION FOR A TRANSFER STATION WHICH IS  
11 BELOW 15 CUBIC YARDS. SO I'M NOT SURE EXACTLY WHAT WAS  
12 MEANT BY THAT PROPOSED LANGUAGE, BUT I'D CERTAINLY LIKE  
13 SOME CLARITY ON THAT.

14 AND THEN THE LAST THING IS JUST WANT TO  
15 REITERATE THE COMMENT THAT WAS MADE BY GENTLEMAN FROM  
16 ESRI WITH REGARDS TO REMOVING THE WORD "DISCARDED" FROM  
17 THE REUSED DEFINITION. I DON'T THINK IT NEEDS TO BE  
18 THERE, AND IT CERTAINLY CAUSES SOME CONFUSION. SO  
19 THOSE ARE OUR THREE COMMENTS.

20 CHAIRMAN FRAZEE: OKAY. THANK YOU.

21 MR. BEST: COULD I GET SOME CLARITY?

22 CHAIRMAN FRAZEE: ON THE 15-YARD ISSUE.

23 MS. HAPPERSBERGER: THAT WAS FOR A FACILITY  
24 THAT TAKES SEPARATED FOR REUSE MATERIAL, NOT A TRANSFER  
25 STATION. BUT THEY WERE NOT CONCERNED WITH THE AMOUNT



1 OF RESIDUAL BECAUSE THEY WERE INNOCUOUS AND SMALL, AND  
2 THEY WANTED TO HAVE AN EXCLUSION IF THEY HAD LESS THAN  
3 15 CUBIC YARDS OF RESIDUAL PER DAY REGARDLESS OF THE  
4 TWO-PART TEST. IT WOULD BASICALLY BE A THREE-PART  
5 TEST.

6 MS. RICE: IS THE LANGUAGE IN THE REGULATION,  
7 THE DRAFT BEFORE THE MEMBERS TO LOOK AT?

8 MEMBER JONES: IT'S TO PROMOTE RECYCLING. I  
9 GUESS WE HAVE TO DO LIKE THE TWO-PART TEST AND MAKE  
10 SURE THEY'VE GOT A SOLID WASTE FACILITY SOMEWHERE IN  
11 THE COUNTY AS OPPOSED TO A BIN NEXT TO THE SOURCE  
12 SEPARATED BIN.

13 MS. RICE: WE'LL SEEK TO LOCATE THE LANGUAGE  
14 AND PROVIDE THAT CLARITY.

15 CHAIRMAN FRAZEE: OKAY. AND EVAN EDGAR  
16 REPRESENTING CRRC. CAN I JUST READ YOUR COMMENTS?

17 MR. EDGAR: MY NAME IS EVAN EDGAR OF EDGAR  
18 ASSOCIATES, REPRESENTING THE CALIFORNIA REFUSE REMOVAL  
19 COUNCIL. I REPRESENT OVER 50 MRF'S AND 50 TRANSFER  
20 STATIONS STATEWIDE. WE'VE BEEN ON THIS TRAIL SINCE  
21 1991, AND SINCE 1995 WE HAD A POLICY ON PODS ON THE 10  
22 PERCENT THAT WE THOUGHT THAT WE COULD ALL LIVE WITH AND  
23 WE WANTED TO MOVE FORWARD ON THAT.

24 SO THE LAST TWO AND A HALF YEARS THERE'S  
25 BEEN A LEVEL OF FRUSTRATION OUT THERE IN A LOT OF THE



1 LEA COMMUNITY ABOUT THE LACK OF ENFORCEMENT. THEY FEEL  
2 THEY CANNOT ENFORCE THE 1995 POLICY BECAUSE THEY DON'T  
3 HAVE ADOPTED REGULATIONS. THIS IS VERY TRUE. AND OVER  
4 THE LAST FEW YEARS, WE'VE TALKED TO THE LEA'S ABOUT  
5 NEEDING A PACKAGE IN ORDER TO MOVE FORWARD WITH  
6 ENFORCEMENT TO GET ENFORCEMENT EQUITY.

7 I WANTED TO SUPPORT THIS PACKAGE TO MOVE  
8 IT FORWARD, BUT I CANNOT SUPPORT IT TODAY AND RECOMMEND  
9 TO HOLD IN COMMITTEE MAINLY BECAUSE OF DIRECT TRANSFER.  
10 I THINK THAT WE'VE DONE A LOT OF GOOD WORK WITH MR.  
11 BLOCK AND THE COMMUNITY HERE WITH REGARDS TO GETTING  
12 THE TWO-PART TEST AND THE 10 PERCENT DONE QUITE WELL.  
13 I THINK WE'VE MADE A LOT OF HEADWAY THERE.

14 UNFORTUNATELY OVER THESE WORKSHOPS OVER THE LAST THREE  
15 MONTHS, THIS CONCEPT WAS NOT DISCUSSED NEITHER IN  
16 WRITTEN FORM NOR IN THE TWO WORKSHOPS THAT MR. BLOCK  
17 HELD.

18 SO IT'S KIND OF LIKE A NEW CONCEPT HERE  
19 THAT HAS A LOT OF POLICY IMPLICATIONS. AND THE BIGGEST  
20 POLICY IMPLICATION HERE IS THAT IT GOES AGAINST  
21 STATUTE. DURING THE 1995 DEBATES, AS YOU WELL  
22 REMEMBER, MR. FRAZEE, I USED PRC CODE 40200(B)(3).  
23 BASICALLY IT SAYS THAT ANY TRANSFER STATION INCLUDES  
24 THOSE FACILITIES THAT UTILIZE AND RECEIVE SOLID WASTE,  
25 TEMPORARILY STORE, OR TRANSFER FROM A SMALLER VEHICLE



1 TO A LARGER VEHICLE. IF YOU SAW THE VIDEO, THAT'S WHAT  
2 YOU WOULD SEE. WITH THE PERMIT, BASICALLY THE ONLY  
3 ONES THAT ARE EXEMPTED FROM A PERMIT IS UNDER (B)(3)  
4 THAT SAYS, THE OPERATIONS, PREMISES, OF A DULY LICENSED  
5 SOLID WASTE HANDLING OPERATOR WHO RECEIVES, STORES,  
6 TRANSFERS, OR OTHERWISE PROCESSES WASTE AS AN ACTIVITY  
7 INCIDENTAL TO THE CONDUCT OF REFUSE COLLECTION AND  
8 DISPOSAL BUSINESS IN ACCORDANCE WITH THE REGULATIONS  
9 ADOPTED PURSUANT TO SECTION 43009, WHICH BASICALLY SAYS  
10 THAT IF YOU HAVE LESS THAN 90 CUBIC YARDS OVER 72  
11 HOURS, YOU ARE EXCLUDED.

12 WHAT WE'VE COME TO OVER THE LAST YEAR AND  
13 A HALF WAS THE 60 CUBIC YARDS. I BELIEVE THAT 60 CUBIC  
14 YARDS WOULD BE DEEMED INCIDENTAL. ANYTHING BEYOND 60  
15 CUBIC YARDS, I THINK, IT'S UNCAPPED. IT'S NO LONGER  
16 INCIDENTAL. IT'S A BUSINESS. WHERE OUR FEAR IS WITHIN  
17 THE SOLID WASTE INDUSTRY, WE HAVE A LOT OF PRIVATE  
18 INDEPENDENT RECYCLING FACILITIES. AND IN THIS WORLD OF  
19 MEGA LANDFILLS THAT ARE CROPPING UP THROUGHOUT THE  
20 COUNTRYSIDE AND THE CALIFORNIA MARKETPLACE OF OVER A  
21 BILLION TONS AT FOUR MEGA LANDFILLS, WE'RE AFRAID THAT  
22 SOME OF THESE TRANSFER STATIONS ON WHEELS OR BY  
23 TRANSFER STATION BY RAIL WOULD END UP IN THESE MEGA  
24 LANDFILLS, AND WE LOSE OUT ON AN OPPORTUNITY WITHIN AB  
25 939 TO PROCESS THAT WASTE THROUGH OUR LOCAL RECYCLING



1 FACILITIES.

2 I THINK THAT'S A REAL POLICY DISCUSSION.  
3 I THINK THAT NEEDS TO COME BACK TO THE BOARD AND MAYBE  
4 IN THE POLICY COMMITTEE ABOUT CAPACITY IN TONS, ABOUT  
5 MEGA LANDFILLS. IT'S A WHOLE NOTHER POLICY DISCUSSION.  
6 PLUS IN 1995 I BROUGHT THAT CONCEPT UP. I BROUGHT UP  
7 LOADCHECKING, AND THE CONCEPT OF PODS, YOU CANNOT DO  
8 ANY LOADCHECKING.

9 THE WASHOE COUNTY IN THE STATE OF NEVADA,  
10 THEY DO NOT ACCEPT ANY WASTE FROM CALIFORNIA THAT HAS  
11 NOT GONE THROUGH A LOADCHECKING VIA A CALIFORNIA  
12 TRANSFER STATION. SO THIS HAS THE SAME IMPLICATIONS  
13 THAT SOME LANDFILLS DO NOT ACCEPT THE WASTE THAT HAS  
14 NOT GONE THROUGH A TRANSFER STATION IN CALIFORNIA.  
15 THIS WOULD BASICALLY BYPASS ANY OPPORTUNITY FOR  
16 LOADCHECKING.

17 SO WE HAVE BROAD POLICY DISCUSSIONS  
18 AROUND THIS ISSUE BESIDES THE PUBLIC HEALTH AND SAFETY  
19 THAT WE NEED TO ADDRESS AS WELL. BUT IT'S NOT  
20 INCIDENTAL, ANYTHING GREATER THAN 60 CUBIC YARDS. I  
21 HIGHLY RECOMMEND WE HOLD THIS IN COMMITTEE AND HAVE A  
22 GOOD POLICY DISCUSSION ABOUT IT. AND I SUPPORT THE  
23 COMMENTS OF LARRY SWEETSER OF NORCAL. HE HAD A VERY  
24 DETAILED REVIEW, AND WE SUPPORT HIS COMMENTS AS WELL.  
25 THANK YOU.



1 CHAIRMAN FRAZEE: EVAN, ON THE LOADCHECKING  
2 ISSUE, WHAT ABOUT TRUCKS THAT GO DIRECTLY TO THE  
3 LANDFILL? ISN'T LOADCHECKING DONE AT THE LANDFILL?

4 MR. EDGAR: CORRECT. IN MANY CASES THEY ARE,  
5 BUT IN THE STATE OF NEVADA, THEY DO NOT LOADCHECK AT  
6 THE LANDFILL FOR WASTE TRANSFERRED OUT OF STATE. SO  
7 THAT'S MORE OF AN INTERSTATE POLICY QUESTION OF WASTE  
8 GOING OUT OF STATE WHEN WASHOE COUNTY DOESN'T ALLOW  
9 WASTE TO COME TO THE LANDFILL THAT HAS NOT GONE THROUGH  
10 A LOADCHECKING IN CALIFORNIA.

11 CHAIRMAN FRAZEE: THAT ONLY APPLIES TO THAT  
12 SINGLE FACILITY. THAT'S NOT TYPICAL --

13 MR. EDGAR: THAT'S CORRECT, SIR.

14 CHAIRMAN FRAZEE: GOOD. THAT COMPLETES OUR  
15 LIST OF THOSE WHO WISH TO SPEAK.

16 I THINK THE SUGGESTION OF COUNSEL, THAT  
17 WE GIVE THIS ANOTHER 30 DAYS, KEEP IT IN COMMITTEE IS  
18 WORTHWHILE. THERE ARE A NUMBER OF ISSUES. THIS DIRECT  
19 TRANSFER IS PROBABLY THE KEY ONE FOR ME. I THINK THAT  
20 NEEDS WORK ONE WAY OR ANOTHER. I WON'T DRAW ANY  
21 CONCLUSIONS ON THAT. THERE MAY BE SOME WAY TO  
22 ACCOMMODATE IT, BUT IT WOULD HAVE TO BE UNDER VERY  
23 STRICT AND CONTROLLED CONDITIONS.

24 ANOTHER ISSUE IS THE WHOLE LITTER CONTROL  
25 AND THE MINIMIZE SUGGESTION THAT LARRY SWEETSER BROUGHT



1 OUT. AND I THINK THAT ONE NEEDS TO BE LOOKED AT.

2 AND THEN THE CONFLICT BETWEEN LEA'S OVER  
3 THE DOSH -- THAT'S A NEW ACRONYM FOR ME TODAY --  
4 DEPARTMENT OF OCCUPATIONAL HEALTH AND SAFETY. OSHA  
5 WITH A D. THAT'S WHAT THREW ME. ANYWAY, THE WHOLE  
6 ISSUE OF OUR INTERFACE WITH OSHA IS STILL ONE THAT  
7 NEEDS SOME WORK, I THINK.

8 MS. TOBIAS: I DID TALK WITH MR. BLOCK ON THAT  
9 OSHA ISSUE, AND HE SAID THAT HE REALLY DIDN'T GET THE  
10 RESPONSE FROM THE LEA'S THAT HE HAD EXPECTED, THAT HE  
11 HAD BEEN GIVEN A NUMBER OF NAMES FROM CCDEH AND OTHER  
12 PEOPLE IN TERMS OF CONTACTING THEM AND REALLY DIDN'T  
13 GET MUCH RESPONSE ON THAT. SO I DON'T MEAN THAT TO  
14 MEAN THAT WE WON'T BASICALLY LOOK AT THAT, BUT I THINK  
15 WHAT HE BASICALLY DID WAS TOOK IT FROM THERE AND  
16 EXPECTED IF THEY -- IF THERE WAS SOME OBJECTION TO IT,  
17 OR IT BE HANDLED A DIFFERENT WAY, THAT EITHER THE  
18 COMMITTEE COULD GIVE THAT DIRECTION OR THE COMMUNITY,  
19 REGULATED COMMUNITY, COULD COME BACK, OR THE LEA'S WHO  
20 HAVEN'T COMMENTED, BUT COULD COME BACK AND COMMENT AT  
21 THIS TIME. SO WE WILL NEED TO BASICALLY, I GUESS, DIG  
22 A LITTLE BIT MORE ON THAT ONE TO GET SOME RESPONSE.

23 MEMBER JONES: WELL, I'VE GOT A COUPLE THAT I  
24 THINK WE CAN CLEAR UP -- I HOPE WE CAN CLEAR UP PRETTY  
25 EASY. ON THE COMMENTS ON PAGE 7, WHERE WE TALK ABOUT



1 RECYCLING CENTERS, I THINK THAT WAS IDENTIFIED BY LINES  
2 5. THAT WILL BE TAKEN CARE OF. THAT'S NOT AN ISSUE.

3 AND THEN DISCARDS, TO ELIMINATE DISCARDS,  
4 THAT'S A SLAM DUNK.

5 AND THEN ON THE LITTER THING THAT MR.  
6 FRAZEE BROUGHT UP, ANY WAY TO -- YOU KNOW, MINIMIZE AND  
7 CONTROL, BUT TO PREVENT IS NOT ATTAINABLE, YOU KNOW.  
8 AND I THINK IF WE JUST -- YOU KNOW, EVERYBODY HAS AN  
9 OBLIGATION TO CONTROL. I MEAN THEY HAVE TO, BUT I  
10 THINK THAT WORD "PREVENT," YOU CAN'T PREVENT THE WIND,  
11 YOU KNOW.

12 I WAS GLAD TO HEAR THE REPRESENTATIVE  
13 FROM H & C OR H & H TALK ABOUT THE REGISTRATION TIER  
14 BECAUSE I THINK THAT, FOR THE DIRECT LOADING, BECAUSE I  
15 THINK THAT AT LEAST MIRRORS OUR REGULATIONS AS FAR AS  
16 YARDAGES AND TONNAGES GO. BUT MAYBE IN THE NEXT 30  
17 DAYS WE CAN TALK A LITTLE BIT ABOUT -- WE CAN KEEP  
18 TALKING TO PEOPLE ABOUT IT, BUT DIRECT UNLOADING,  
19 BECAUSE THIS IS A NEW TYPE OF TRUCK AND THE BACK END  
20 OPENS UP, IT'S SLICK, THERE'S NO DOUBT ABOUT IT, BUT  
21 DROPPING DOWN FROM 14 FEET ABOVE THE TRUCK THROUGH THE  
22 TOP IS DIRECT UNLOADING. IT IS THE EXACT SAME PROCESS.  
23 SO, YOU KNOW, I JUST DON'T WANT TO CREATE THIS WHOLE  
24 INFRASTRUCTURE OF UNPERMITTED TRANSFER STATIONS.

25 BUT IF THERE WAS SOME LANGUAGE THAT TIED



1 IT TO THE NUMBER OF TRUCKS OR -- WELL, IF IT'S  
2 REGISTRATION, IT DOESN'T MATTER. YOU CAN GO UP TO A  
3 HUNDRED TONS A DAY OR ANYTHING OVER. IT'S FROM 60  
4 YARDS TO A HUNDRED, RIGHT. SO THE REGISTRATION SHOULD  
5 BE ABLE TO TAKE CARE OF MOST OF THOSE ISSUES, AND IT'S  
6 JUST A PLAN OF OPERATION. AND THEN -- I THINK  
7 THAT'S -- I THINK THAT'S ALL I HAVE. SO REALLY WE'RE  
8 PRETTY CLOSE.

9 AND I TOO WANT TO THANK STAFF. I MEAN  
10 YOU GUYS HAVE DONE A GOOD JOB. IT'S BEEN TOUGH. I  
11 THINK THE LAST TIME OUT I THANKED EVERYBODY IN THE  
12 AUDIENCE BECAUSE IT WAS LIKE EVERYBODY WAS STARTING TO  
13 GET CLOSER TOGETHER ON THIS ISSUE AND THAT WAS GOOD.  
14 SO IT HAS BEEN A PRETTY GOOD PROCESS.

15 CHAIRMAN FRAZEE: OKAY. SO I THINK WE NEED A  
16 MOTION TO HOLD IT IN COMMITTEE OR JUST BY AGREEMENT.

17 MS. TOBIAS: WELL, YOU NEED A MOTION TO MOVE  
18 TO THE BOARD OR DO SOMETHING ELSE. IF YOU JUST WANT TO  
19 KEEP IT IN COMMITTEE --

20 MS. RICE: THIS WAS NOT A BOARD ITEM. WE  
21 HADN'T CALENDARED IT FOR THE BOARD.

22 MS. TOBIAS: YOU MIGHT WANT TO MAKE A MOTION  
23 THEN JUST TO HOLD IT IN COMMITTEE, THEN STAFF WILL  
24 RETURN WITH SOME RESOLUTION TO THE COMMENTS IN THE JUNE  
25 22D MEETING.



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CHAIRMAN FRAZEE: OKAY. WE HAVE A MOTION.

MEMBER JONES: I'LL SECOND YOUR MOTION.

CHAIRMAN FRAZEE: I'LL MOVE THAT THIS ITEM BE HELD IN COMMITTEE FOR -- AND BROUGHT BACK FOR THE JUNE 22D MEETING. WE HAVE A MOTION AND A SECOND. SUBSTITUTE ROLL CALL IF THERE'S NO OBJECTION TO THAT. OKAY.

THEN WE HAVE ITEM 9 IS THE PRESENTATION OF RESULTS FROM FISCAL YEAR 1996-97 GRANT AWARDS FOR THE PILOT LOCAL ENFORCEMENT AGENCY WASTE TIRE ENFORCEMENT GRANT PROGRAM.

MS. RICE: THANK YOU. KEITH CAMBRIDGE HAS WAITED PATIENTLY. NOW HE HAS THIS UPDATE ITEM.

MR. CAMBRIDGE: GOOD AFTERNOON, MR. CHAIRMAN, BOARD MEMBER JONES. IN NOVEMBER 1996 THE BOARD ADOPTED RESOLUTION 96-523 ALLOCATING \$200,000 OF CALIFORNIA TIRE RECYCLING MANAGEMENT FUND TO ESTABLISH A PILOT LOCAL ENFORCEMENT AGENCY WASTE TIRE ENFORCEMENT GRANT PROGRAM FOR THE FISCAL YEAR 1996-1997. WITH THIS APPROVED FUNDING, BOARD STAFF DETERMINED THAT \$100,000 WOULD BE EQUALLY DISTRIBUTED TO TWO LEA'S TO CONDUCT AN INSPECTION AND COMPLIANCE PROGRAM FOR WASTE TIRE FACILITIES WITHIN THEIR RESPECTIVE JURISDICTIONS.

UNDER THIS PROGRAM, IT WAS THE RESPONSIBILITY OF THE LEA TO CONDUCT INSPECTIONS



1 OF THOSE FACILITIES THAT ACCEPTED OR STORED MORE THAN  
2 500 WASTE TIRES IN ONE LOCATION. THE INTENT OF THIS  
3 PILOT PROGRAM WAS TO DEVELOP AND IMPLEMENT AN EFFECTIVE  
4 INSPECTION AND COMPLIANCE PROGRAM AT THE LEA LEVEL THAT  
5 WOULD PROVIDE GUIDANCE TO THE FACILITY OPERATORS AND,  
6 IF NECESSARY, TAKE THE INITIAL ENFORCEMENT ACTION TO  
7 REMEDIATE THREATS TO THE PUBLIC HEALTH OR SAFETY OR THE  
8 ENVIRONMENT.

9 DURING THIS INSPECTION PROCESS, THE LEA  
10 WOULD TAKE THE FOLLOWING ACTIONS. AFTER CONDUCTING AN  
11 INSPECTION TO DETERMINE NONCOMPLIANCE, A LITTER  
12 VIOLATION WOULD BE ISSUED BY THE LEA TO OPERATORS  
13 ADVISING THEM OF THE OUTSTANDING VIOLATIONS AND  
14 REQUIRING A CORRECTIVE ACTION PLAN ON HOW THE OPERATOR  
15 WOULD COMPLY WITH THE APPLICABLE STANDARDS OR REMOVE  
16 THE WASTE TIRES. IF THIS PLAN NOT SUBMITTED TO THE  
17 LEA, A WARNING LETTER WOULD THEN BE ISSUED TO THE  
18 OPERATOR ALLOWING ADDITIONAL FEW WEEKS FOR THE PLAN TO  
19 BE SUBMITTED. IF THE LEA STILL DID NOT RECEIVE THIS  
20 PLAN, THE LEA WOULD THEN REFER THE OPERATOR TO THE  
21 BOARD STAFF FOR APPROPRIATE ENFORCEMENT ACTION.

22 IT WAS DECIDED ALSO BY BOARD STAFF THAT  
23 OTHER \$100,000 WOULD BE DISTRIBUTED TO AT LEAST THREE  
24 LEA'S TO CONDUCT A SURVEILLANCE PROGRAM OF THE TIRE  
25 DEALERS AND AUTO DISMANTLERS WITHIN THEIR RESPECTIVE



1 JURISDICTIONS. THE LEA'S WOULD RECEIVE UP TO \$30,000  
2 FOR EACH SURVEILLANCE PROGRAM.

3 UNDER THIS PROGRAM, IT WOULD BE THE  
4 RESPONSIBILITY OF THE LEA TO CONDUCT A WASTE TIRE  
5 FACILITY SURVEY OF THOSE FACILITIES THAT ACCEPT OR  
6 STORE MORE THAN 500 WASTE TIRES AT ONE LOCATION. THE  
7 INTENT OF THE PILOT PROGRAM WAS TO DEVELOP AN EXTENSIVE  
8 LIST OF THOSE WASTE TIRE FACILITIES THAT FELL UNDER THE  
9 BOARD JURISDICTION. AT THIS LEVEL THE LEA WOULD  
10 PROVIDE INFORMATION TO BOARD STAFF FOR FURTHER  
11 FOLLOW-UP. IN ADDITION, INFORMATION PAMPHLETS PROVIDED  
12 BY BOARD STAFF DETAILING APPLICABLE WASTE TIRE STORAGE  
13 STANDARDS AND WASTE TIRE MANIFESTING REQUIREMENTS WERE  
14 DISTRIBUTED TO ALL THOSE LEA JURISDICTIONS FOR THE  
15 DISSEMINATION TO THE WASTE TIRE GENERATORS.

16 STAFF DISTRIBUTED A NOTICE OF FUNDING  
17 AVAILABILITY TO 14 LEA JURISDICTIONS, WHICH BOARD STAFF  
18 HAVE CLOSELY WORKED WITH IN WASTE TIRE RELATED ISSUES.  
19 APPLICATIONS WERE RECEIVED REPRESENTING FOUR LEA  
20 JURISDICTIONS WITH A TOTAL REQUESTED AMOUNT OF  
21 \$110,031.

22 THESE FOUR APPLICANT COUNTIES, TULARE  
23 COUNTY AND RIVERSIDE COUNTY APPLIED FOR THE INSPECTION  
24 AND COMPLIANCE PROGRAM. THE OTHER TWO APPLICANTS,  
25 IMPERIAL COUNTY AND YUBA-SUTTER COUNTY, APPLIED FOR THE



1 SURVEILLANCE PROGRAM.

2 THE RESULTS OF THESE ENFORCEMENT GRANTS  
3 WERE AS FOLLOWS: TULARE COUNTY LEA CONDUCTED 111 WASTE  
4 TIRE FACILITY SURVEYS. OF THESE 111 SURVEYS, SIX WERE  
5 FOUND TO BE IN VIOLATION OF PERMITTING AND STORAGE  
6 REQUIREMENTS, 23 OPERATORS UTILIZED UNREGISTERED  
7 HAULERS, AND 23 OPERATORS HAD WASTE TIRE MANIFESTING  
8 VIOLATIONS. IN ADDITION TO THE SURVEYS CONDUCTED BY  
9 THIS LEA, SIX LETTERS OF VIOLATION WERE ISSUED AND  
10 APPROXIMATELY 1325 WASTE TIRES WERE REMOVED AS A RESULT  
11 OF THEIR DIRECT ENFORCEMENT ACTION.

12 RIVERSIDE COUNTY LEA MAILED OUT 447  
13 QUESTIONNAIRES TO POTENTIAL WASTE TIRE OPERATORS WITHIN  
14 THEIR JURISDICTION. OF THIS NUMBER 250 WASTE TIRE  
15 OPERATORS COMPLETED THE FORM AND MAILED IT BACK TO THE  
16 LEA. THIRTY OPERATORS SENT BACK THIS FORM WITHOUT  
17 IDENTIFYING THEMSELVES. 125 OPERATORS DID NOT RESPOND  
18 TO THE FORM, AND 42 OPERATORS WERE IDENTIFIED AS BEING  
19 OUT OF BUSINESS.

20 AFTER REVIEWING THESE MAILERS, THE LEA  
21 THEN CONDUCTED 40 SITE VISITS. THESE VISITS REVEALED  
22 THAT FOUR OPERATORS WERE FOUND TO BE IN VIOLATION OF  
23 PERMITTING AND STORAGE REQUIREMENTS, 34 OPERATORS HAD  
24 UTILIZED UNREGISTERED WASTE TIRE HAULERS, AND 159  
25 OPERATORS HAD WASTE TIRE MANIFESTING VIOLATIONS.



1 IN ADDITION TO THESE SURVEYS, FOUR  
2 LETTERS OF VIOLATION WERE ISSUED AND APPROXIMATELY  
3 4,000 WASTE TIRES WERE REMOVED AS A DIRECT RESULT OF  
4 THE ENFORCEMENT ACTION BY THE LEA. DUE TO UNFORESEEN  
5 CIRCUMSTANCES, HOWEVER, THE LEA FOR RIVERSIDE COUNTY  
6 WAS UNABLE TO MEET THE GRANT REQUIREMENTS AND HAVE  
7 AGREED WITH BOARD STAFF TO CONTINUE THEIR WASTE TIRE  
8 ENFORCEMENT PROGRAM THROUGH MAY 1999.

9 THE LAST TWO, IMPERIAL COUNTY LEA MAILED  
10 OUT 106 QUESTIONNAIRES TO WASTE TIRE GENERATORS,  
11 CONDUCTED PHYSICAL SURVEYS OF THESE SITES. OF THESE  
12 106, THREE OPERATORS WERE FOUND TO BE IN VIOLATION OF  
13 PERMITTING AND STORAGE REQUIREMENTS, 55 OPERATORS  
14 UTILIZED UNREGISTERED HAULERS, AND 68 OPERATORS HAD  
15 WASTE TIRE MANIFESTING VIOLATIONS. THIS INFORMATION  
16 WAS GIVEN TO THE BOARD STAFF FOR FURTHER FOLLOW-UP.

17 AND LASTLY, THE YUBA-SUTTER COUNTY LEA  
18 CONDUCTED 58 WASTE TIRE SURVEYS. OF THESE 58 SURVEYS,  
19 ONE OPERATOR WAS FOUND TO BE IN VIOLATION OF PERMITTING  
20 AND STORAGE REQUIREMENTS, AND TWO OPERATORS HAD WASTE  
21 TIRE MANIFESTING VIOLATIONS. AGAIN, THAT INFORMATION  
22 WAS GIVEN TO THE BOARD STAFF FOR FURTHER FOLLOW-UP.

23 IN SUMMARY, THESE FOUR LEA JURISDICTIONS  
24 HAVE CONDUCTED 525 SITE SURVEYS, DOCUMENTED THAT 14  
25 SITE OPERATORS WERE IN VIOLATION OF WASTE TIRE STORAGE



1 STANDARDS, DOCUMENTED THAT 112 OPERATORS WERE NOT  
2 UTILIZING WASTE TIRE HAULERS, AND THAT 252 OPERATORS  
3 WERE NOT ADEQUATELY COMPLETING THE REQUIRED PART ON THE  
4 WASTE TIRE MANIFEST. IN ADDITION, TULARE AND RIVERSIDE  
5 COUNTIES ISSUED TEN LETTERS OF VIOLATION AND WERE  
6 RESPONSIBLE FOR THE REMOVAL OF OVER 5,000 WASTE TIRES  
7 FROM THEIR JURISDICTION.

8 INFORMATION BACK FROM THE LEA'S HAVE  
9 SHOWN THAT SOME OPERATORS WERE AMAZED TO SEE SOMEONE  
10 ACTUALLY CHECKING THEIR FACILITY FOR COMPLIANCE WITH  
11 THE WASTE TIRE REGULATIONS. IT IS STAFF'S BELIEF THAT  
12 THE CONTINUED PHYSICAL APPEARANCE OF A REGULATORY  
13 AGENCY, WHETHER IT BE THE BOARD STAFF OR LOCAL  
14 ENFORCEMENT AGENCY, IS THE ONLY WAY COMPLIANCE MAY EVER  
15 BE MET.

16 IN CONCLUSION, THE RESULTS FROM THE WASTE  
17 TIRE ENFORCEMENT GRANTS FOR FISCAL YEAR 1996-1997 HAVE  
18 SHOWN A NEED FOR CONTINUED ASSISTANCE FROM THE LEA AND  
19 LOCAL REGULATORY AGENCY JURISDICTIONS CONCERNING THE  
20 STORAGE AND PROPER HANDLING OF WASTE TIRES THROUGHOUT  
21 THE STATE OF CALIFORNIA. THE BOARD HAS GRANTED  
22 ADDITIONAL MONEY, MORE THAN \$400,000, FOR THE 1997-1998  
23 FISCAL YEAR TO ENCOURAGE LOCAL AGENCY PARTICIPATION.  
24 THIS YEAR TEN REGULATORY AGENCIES HAVE APPLIED FOR  
25 THESE GRANT MONIES.



1 REPRESENTATIVES FROM RIVERSIDE, TULARE,  
2 AND YUBA-SUTTER COUNTIES ARE HERE SHOULD YOU HAVE ANY  
3 QUESTIONS CONCERNING THEIR PROGRAM FINDINGS. AND THIS  
4 CONCLUDES MY PRESENTATION ON THE 1996 GRANT AWARDS FOR  
5 THE PILOT PROGRAM FOR LOCAL ENFORCEMENT AGENCIES. ANY  
6 QUESTIONS?

7 CHAIRMAN FRAZEE: QUESTIONS?

8 MEMBER JONES: I HATE TO MAKE HIM COME THIS  
9 FAR, BUT NO. I GUESS THEY'RE HAPPY WITH THE PROGRAM.  
10 UNLESS THEY HAVE SOMETHING THEY WANT TO SAY.

11 CHAIRMAN FRAZEE: LET'S HEAR FROM MEMBERS OF  
12 THE PUBLIC.

13 MR. MOISE: GOOD AFTERNOON, MR. CHAIRMAN AND  
14 COMMITTEE MEMBER FRAZEE. I'M STEVE MOISE, RIVERSIDE  
15 COUNTY LEA. I'D LIKE TO THANK -- ON BEHALF OF THE LEA,  
16 I'D LIKE TO THANK THE BOARD FOR THEIR SUPPORT IN THIS  
17 PROGRAM. AND WITH PARTICULAR THANKS TO COMMITTEE STAFF  
18 WHO WORKED WITH US THIS PAST YEAR AND BEFORE THAT IN  
19 PUTTING OUR PROGRAM TOGETHER.

20 WANTED TO SAY JUST FOR THE RECORD THAT  
21 OUR UNFORESEEN PROGRAM PROBLEM MAINLY TURNED OUT TO BE  
22 A LACK OF STAFF. WE ANTICIPATED HIRING ADDITIONAL  
23 STAFF AND JUST WITHIN OUR OWN COUNTY STRUCTURE, THAT  
24 HASN'T COME TO PASS.

25 AND WHAT HAPPENED IS THAT THERE ARE A



1 NUMBER OF FACILITY FIELD INSPECTIONS WE WERE UNABLE TO  
2 MAKE. WE NOW HAVE CONDUCTED APPROXIMATELY 20 PERCENT,  
3 CONSIDERABLY MORE THAN CAME OUT IN THE REPORT. AN  
4 ADDITIONAL HUNDRED FOR THAT MATTER. BUT WE'RE  
5 CONTINUING TO WORK CLOSELY WITH STAFF AND AGAIN  
6 APPRECIATE YOUR SUPPORT IN THIS MATTER.

7 CHAIRMAN FRAZEE: THANK YOU. ANYONE ELSE? IF  
8 NOT, THAT COMPLETES THAT ITEM, AND THAT REQUIRES NO  
9 ACTION ON THE PART OF THE BOARD. AND THAT COMPLETES  
10 OUR AGENDA FOR TODAY UNLESS THERE'S ANY PUBLIC  
11 COMMENT. HEARING NONE, WE WILL STAND ADJOURNED.

12  
13 (END OF PROCEEDINGS AT 3:30 P.M.)  
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## *Reporter's Certificate*

\* \* \* \* \*

I, Beth C. Drain hereby certify:

that on the 26th day of  
May, 1998, I did report in  
shorthand the testimony of the foregoing  
proceedings;

that on the conclusion of the above entitled  
matter, I did transcribe my shorthand notes into  
typewriting;

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

Beth C. Drain  
Certified Shorthand Reporter  
Certificate No. 7152

