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BOARD MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

DEL NORTE REGIONAL TRANSFER STATION
EDUCATION CENTER
111 SOUTH DEL NORTE BOULEVARD
OXNARD, CALIFORNIA

WEDNESDAY, JUNE 19, 2002

9:30 A.M.

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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

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Jose Medina

Michael Papanian

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INDEX

	PAGE
I. Call to Order	1
II. Roll Call and Declaration of Quorum	1
III. Opening Remarks	1
Mr. John Flynn, Chair, Board of Supervisors, County of Ventura	3
Mr. Gerald Kapuscik, Manager, Information and Technology Division	8
Dr. Kay Martin, Deputy Director, County of Ventura Public Works Agency	15
Permits, LEA and Facility Compliance	
69. Consideration of Grant Awards for the Farm and Ranch Solid Waste Cleanup Grant Program FY 2001/2002	22
Motion	24
Vote	24
70. Consideration of the Adoption of Negative Declaration and Proposed Regulations for the Transfer/processing of Putrescible Wastes; or Discussion and Request for Direction on the Noticing Revisions to the Proposed Regulations for an Additional 15-Day Comment Period	25
Motion on 2002-276	26
Vote on 2002-276	27
Motion on 2002-277	27
Vote on 2002-277	27
72. Consideration of the University of California Los Angeles as Contractor for Native American/ Local Enforcement Agency Cross Training on Illegal Waste Dumping Contract	28
Motion	28
Vote	29

INDEX CONTINUED

	PAGE
Waste Prevention and Market Development	
75. Consideration of the Recycling Market Development Revolving Loan Program Application for Chamlian Enterprises, Inc., DBA Chamlian Textiles	30
Motion	31
Vote	32
76. Consideration of the Recycling Market Development Revolving Loan Program Application for Kroecker, Inc.	32
82. Consideration of the OEHHA as Contractor to Conduct Risk Assessment of Vinyl Chloride in Buildings and Building Materials	40
Motion	42
Vote	43
83. Consideration of Revised Scope of Work for the Revised Native American Intergovernmental Greening Project	43
Motion	46
Vote	47
84. Consideration of Humboldt State University as Contractor for the Revised Native American Intergovernmental Greening Project	47
Motion	48
Vote	48
85. Consideration of Scope of Work for the State Agency Buy Recycled Campaign Performance Evaluation	50
Motion	51
Vote	51
86. Consideration of Contractor for the State Agency Buy Recycled Campaign Performance Evaluation	52
Motion	53
Vote	53

INDEX CONTINUED

	PAGE
Public Comment	54
Adjournment	57
Reporter's Certificate	58

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRPERSON MOULTON-PATTERSON: Good morning.

I'd like to call the meeting to order, please.

Welcome back to our June Board meeting.

Mrs. Villa, would you please call the roll.

SECRETARY VILLA: Eaton?

BOARD MEMBER EATON: Here.

SECRETARY VILLA: Jones?

BOARD MEMBER JONES: Here.

SECRETARY VILLA: Medina?

BOARD MEMBER MEDINA: Here.

SECRETARY VILLA: Papanian?

BOARD MEMBER PAPANIAN: Here.

SECRETARY VILLA: Roberti?

Moulton-Patterson?

CHAIRPERSON MOULTON-PATTERSON: Here.

Mr. Eaton, any ex partes?

BOARD MEMBER EATON: No, I'm up to date, Madam

Chair.

CHAIRPERSON MOULTON-PATTERSON: Thank you.

Mr. Jones?

BOARD MEMBER JONES: Just last night, the event hosted by BLT in Oxnard. But it was general discussion, and I don't know all the names of the parties, but --

CHAIRPERSON MOULTON-PATTERSON: Thank you. So

1 you exparteed a number --

2 BOARD MEMBER JONES: -- for everybody --

3 CHAIRPERSON MOULTON-PATTERSON: -- for all of
4 those?

5 BOARD MEMBER JONES: -- for all of those that
6 attended.

7 CHAIRPERSON MOULTON-PATTERSON: Mr. Medina?

8 BOARD MEMBER MEDINA: Other than the ones that
9 Board Member Jones reported, no new ones.

10 CHAIRPERSON MOULTON-PATTERSON: Okay. Mr.
11 Paparian?

12 BOARD MEMBER PAPARIAN: I'm up to date.

13 CHAIRPERSON MOULTON-PATTERSON: Okay. And I'm
14 also up to date.

15 And I would just like to thank the City of
16 Oxnard's recycling specialists, Barbara Wolf; Trish
17 Honegsburg; and event planners, Belinda Bass and Eric
18 Bellaw, for their outstanding work on last night's E-coach
19 cruise. We really enjoyed it. It was very interesting.
20 And thank you so much. This event was sponsored by
21 Republic Services and BLT Enterprises.

22 And I just appreciate, Jay, all of your
23 hospitality and work. It's just been a real wonderful
24 experience for all of us to be here. Thank you so much.

25 And with that, I hear we have some dignitaries

1 here from the Board of Supervisors.

2 And we are going to be starting out with Mr. John
3 Flynn, the Chair of the Board of Supervisors.

4 MR. FLYNN: Thank you very much, Madam Chair and
5 Board Members. It's an honor for me to be here today with
6 you.

7 Isn't this a beautiful facility?

8 CHAIRPERSON MOULTON-PATTERSON: It's great.

9 MR. FLYNN: It's Number 1, and we're very proud
10 of it. And it's a privately operated facility, with the
11 blessing of the city of Oxnard and the county and other
12 cities.

13 On behalf of the Ventura County Board of
14 Supervisors, I'd like to extend a warm welcome to all of
15 you and your fine staff.

16 And I wish to extend my own personal welcome to
17 your decision to hold your meeting here in the city of
18 Oxnard. It's a state-of-the-art facility, as you can see.

19 By the way, you made an excellent choice in being
20 here today, first of all, for obvious reasons. And,
21 second, because of this facility and the great city of
22 Oxnard. But, also, you're in my district. So if the news
23 media asks me any questions, I'm going to answer something
24 like this, that you came to the district that you thought
25 was the most important.

1 (Laughter.)

2 MR. FLYNN: As one of the five elected members of
3 the Ventura County Board of Supervisors, I have the great
4 privilege of representing the fine people of the city of
5 Oxnard. Our city is interesting in that we have --
6 probably close to 80 percent of the population in my
7 district is non-Anglo. And sometimes people ask me,
8 "Well, how did you ever get elected?" Because I've been
9 on the Board 27 years. And I said, "Look, I'm not Anglo.
10 I'm Irish. And we've been fighting those Anglos for
11 centuries."

12 (Laughter.)

13 MR. FLYNN: A lot of people here. City Manager,
14 Ed Sotelo -- I don't know if he's here yet; Jim Nava --
15 Jim is back there; Jay Duncan is here, I know; and Barbara
16 Wolf; And Trish Honigsburg from the Solid Waste Division.
17 It has been my great pleasure to get to know and work with
18 all of them over the years in the interests of promoting
19 resources, responsible behavior among the Oxnard
20 residents' and businesses' source reduction, reuse, and
21 recycling. Our city has been Number 1 in those areas.

22 But beyond their professional commitment to
23 bringing best management practices to the city's
24 integrated waste management program, they're very
25 intelligent human beings, genuine, warm human beings. And

1 one other very important thing, they reflect the great
2 cultural diversity that is this city of Oxnard and my
3 supervisorial district, as I have identified.

4 Right here in Ventura County we have a mix of
5 cultures, experiences, and viewpoints. As you look around
6 this room today, you can see the presence here. But as
7 you looked at the program display board in the foyer as
8 you came into the meeting room today, I hope that you
9 noticed that we've been very able to take the very best of
10 our diverse cultures, experiences, and viewpoints and
11 build a great integrated waste management program that
12 benefits the people and businesses in each of our ten
13 cities and the county of Ventura as a whole.

14 In a few minutes, you'll receive a wonderful
15 presentation on these programs from Dr. Kay Martin.

16 Is she here?

17 Not yet.

18 She's the Deputy Director of Public Works in
19 charge of solid waste.

20 By the way, I hope that we can change that name
21 "solid waste" some day. In fact, I will give a prize to
22 anyone that comes up with a better name than "solid
23 waste." And I hope that Mr. Kapuscik here is going to try
24 to do that.

25 He's the Manager of Information and Tech

1 Division, Ventura County Solid Waste Management
2 Department.

3 The Solid Waste Management Department has very --
4 ably represents Ventura County. And we on the Board of
5 Supervisors are very proud of their programs and
6 accomplishments.

7 During the last ten years Ventura County's 11
8 general purpose governments have worked to foster
9 collaborative, practical, and successful cost effective
10 IWM strategies and programs. The presentation that you're
11 about to receive will highlight some of them.

12 Many of the people here today representing the
13 county's 11 jurisdictions are directly responsible for the
14 success of the above programs. And I'd like to take a
15 moment to ask all of the Ventura County and city people
16 here today who have worked so hard to put Oxnard in the
17 county first in these programs to stand up, if you would.

18 (Applause.)

19 MR. FLYNN: It's very important that we give you
20 recognition and that we recognize you in front of this
21 great Board of the Integrated Management and Solid Waste
22 Board here today. Thank you for being here.

23 In closing, welcome again to the county and estoy
24 muy contiento estarko estero. Bien venido, Oxnard.
25 Gracias.

1 Thank you.

2 CHAIRPERSON MOULTON-PATTERSON: Thank you very
3 much.

4 And I would hope that you would -- we had a
5 little buy-recycled package for you and your colleagues on
6 the Board of Supervisors. We also had them for the City
7 Council. I forgot to give them out yesterday. But if you
8 would deliver those for us, we'd really appreciate it.

9 MR. FLYNN: We will.

10 Thank you so much. And have a good meeting
11 today.

12 CHAIRPERSON MOULTON-PATTERSON: Thank you so much
13 for being here.

14 MR. FLYNN: Nice to see all of you. And Jose
15 Medina, I remember him. I wanted to get a wall built
16 here, and he helped out a lot, and that wall is going up.

17 BOARD MEMBER MEDINA: Wonderful.

18 CHAIRPERSON MOULTON-PATTERSON: Thank you.

19 And next we have Gerard Kapu -- I may not be
20 pronouncing it --

21 MR. KAPUSCIK: That's okay. It's Kapuscik.

22 CHAIRPERSON MOULTON-PATTERSON: Kapuscik. Oh,
23 it's easier than I thought.

24 Welcome.

25 (Thereupon an overhead presentation was

1 presented as follows.)

2 MR. KAPUSCIK: Thank you very much, Madam Chair
3 and Members of the Board. It's my pleasure to begin to
4 navigate us this morning through a series of programs that
5 we are very proud of here in Ventura County. You've had
6 some sense of that in the display board out in the foyer.

7 And we're going to go through this, in the
8 interests of time, fairly quickly. And then I'm going to
9 turn over the presentation to Dr. Kay Martin, the Deputy
10 Director of Public Works, Solid Waste Management
11 Department, to talk about some extraordinarily exciting
12 bio-energy and bio-fuels initiatives in Ventura County.

13 --o0o--

14 MR. KAPUSCIK: The display board that you saw
15 outside gave a sense of the kinds of programs. And they
16 are really a diverse mix of approaches and programs.

17 The City of Fillmore's program that they chose to
18 highlight -- and we've asked each of the ten cities to
19 provide those programs for us to highlight -- is the
20 Heritage Valley Recycling Facility. And you can see some
21 of the significant collection volumes and with the
22 participation. And, again, this was thanks to an oil
23 opportunity grant from the Waste Board.

24 The success of this facility was so great that
25 the city and the county are looking at plans for a

1 permanent facility to serve the Heritage Valley.

2 I ask my IT colleague here to give me a hand.

3 See, we're always asking for a handout from the State.

4 --o0o--

5 MR. KAPUSCIK: The City of Moorpark has an
6 extraordinary program in terms of new development,
7 identifying for all its new development waste reduction
8 and recycling plan is a condition of the approval of the
9 development.

10 And they've developed a very convenient form to
11 track the waste diversion activities of the development
12 and to then provide the city write-off and sign-off on
13 those plans and their commercial franchise offer
14 incentives for recycling.

15 Where am I not clicking right.

16 --o0o--

17 MR. KAPUSCIK: The City of Ojai chose to
18 highlight its demonstration garden, which was both U.S.
19 EPA grant funded and has been assisted from the county.
20 And it obviously provides to both the city of Ojai and the
21 unincorporated Ojai Valley valuable experience in draught
22 resistance plants, wildlife habitats, composting, and
23 organic garden.

24 Thank you. I'm going to turn this over to my
25 State colleague, who is obviously more adept to this than

1 I am.

2 --o0o--

3 MR. KAPUSCIK: City of Oxnard, of course you're
4 in an extraordinary facility for your meeting here today.
5 And you have probably a more detailed presentation by the
6 City regarding the types of volumes. It is an
7 extraordinary state-of-the-art facility, and it serves as
8 the anchor for not only a significant number of city
9 programs, but for regional programs including the E-waste
10 program that we just launched in the last 18 months.

11 --o0o--

12 The city of Port Hueneme chose to highlight its
13 Bulker Park Community Recycling Program. Its approach is
14 to involve the neighborhoods in the community in
15 recycling. And they are very pleased with the success
16 that this program has assisted them on.

17 --o0o--

18 The city of San Buenaventura had the distinct
19 honor of holding Ventura County's first ever zero-waste
20 event in September of last year. And as you can see, the
21 performance was considerable. Over 80 percent of the
22 discards generated at that event were ultimately diverted
23 by composting and recycling and reuse, proving that zero
24 waste is possible at these events, at least approaching it
25 significantly.

1 --o0o--

2 MR. KAPUSCIK: City of Santa Paula was -- in
3 cooperation with the county of Ventura, is where we chose
4 to launch our SB 373 Technical Assistance Outreach Program
5 to the county schools. The Department -- actually,
6 predating SB 373, but it certainly helped SB 373 pass --
7 decided that we would make a pledge to all of Ventura
8 County's K through 12 schools. We would join with them in
9 partnership on both the waste reduction business process
10 side, but more importantly we would work with them to
11 develop environmental education opportunities in a service
12 learning concept. And, in particular, we would do that
13 within the context of the diversity of the cultures in
14 Ventura County. And a significant proportion of that,
15 about a third of our population, are hispanic speaking.
16 And so we have targeted that specific outreach as well.

17 --o0o--

18 MR. KAPUSCIK: The city of Simi Valley has a
19 sterling record of dealing with HHW through its monthly
20 collection events. You can see the significant volumes
21 represented over the last nearly ten years. And it has
22 also brought to our attention the substantial amount of
23 this program was funded by your used-oil recycling block
24 grants. And I'm sure they and we thank you for that.

25 --o0o--

1 county of Ventura and the remaining cities come to you --
2 we've had a significant impact on local recycling of
3 construction and demolition through regional inert
4 programs funded by RMDZ initiatives.

5 --o0o--

6 MR. KAPUSCIK: One of our newest programs, an
7 area of importance to you and to the entire State, is
8 E-waste. And we have developed a regional E-waste
9 management strategy that was unanimously endorsed by our
10 AB 939 LTF. And essentially that strategy is a regional
11 grant funding agreement using CIWM fees for facilities in
12 exchange for countywide access for freebie waste drop off
13 for reuse, recycling, and safe ultimate end use.

14 We're very excited about this program. As you
15 see, the outreach is both in English and in Spanish. And
16 it's a very major initiative to locally try to help manage
17 E-waste.

18 Interesting for us, at your Long Beach meeting on
19 E-waste -- apparently this is the approach that NEPSI is
20 looking at, meaning essentially a baseline national
21 services funded by advanced disposal fees for this
22 baseline service. So as we told the NEPSI
23 representatives, we're very glad that you're following the
24 lead of the county of Ventura nationally.

25 --o0o--

1 MR. KAPUSCIK: The last program I want to bring
2 to your attention is the regional building materials reuse
3 program and restore. And again this was funded by a grant
4 from your Waste Board. And on your desk is a little
5 business cardholder, which was one of the elements of our
6 regional promotion campaign. This business cardholder,
7 after we had surveyed contractors and what we could do to
8 help them, and they indicated this would be helpful to
9 them, it was actually mailed directly to 2,500 building
10 contractors in Ventura County. And it obviously allows
11 them to put in their various business cards.

12 But on the left and right sides are handy guides
13 for construction and demolition recycling. And, I'm
14 sorry, in all of them I don't have the HHW guide. But on
15 the left side there was an HHW guide.

16 So contractors told us they just needed to know
17 what to do with this stuff safely and environmentally and
18 conveniently, and we have helped them to do that.

19 Restore management -- I'm sure you're familiar
20 with Habitat For Humanity Restore. And I'll talk about a
21 close-the-loop program. They credited a ten-fold increase
22 in their customers at their building material store. And
23 if you've never been there, I'd suggest you take a trip.
24 And while the tonnage numbers at this point aren't
25 necessarily significant, they are regional, they are

1 growing, and they will become even more so for us.

2 But most importantly, I just want to read to you
3 very briefly from the Executive Director of Habitat For
4 Humanity to the cities and the county about this program.
5 They are crediting, as indicated, a ten-fold increase
6 customers base. And they also this year significantly had
7 the honor of dedicating the 24th house that Habitat For
8 Humanity has built in Ventura County. This was a very
9 special house as it was funded entirely by proceeds from
10 restore sales and donations. So we really are very proud
11 of this program and we hope to take it to the next level.

12 And I think this concludes my portion. And we'll
13 turn over the presentation to Dr. Martin.

14 DR. MARTIN: Well, thank you. And good morning,
15 Board Members.

16 I actually hadn't planned on addressing you this
17 morning. I didn't think I was going to be able to make it
18 here on time. If I had known I was going to be here on
19 time, I would have brought a little PowerPoint
20 presentation, because we do have a couple projects that
21 are going to go into Ventura County that we're really
22 excited about.

23 And this is part of the Board of Supervisors'
24 comprehensive bio-energy and bio-products development
25 policy. And it has many aspects, including procurement as

1 well as the development of facilities.

2 I'll just mention briefly two projects that we're
3 working on in collaboration with a number of different
4 agencies.

5 One, we're collaborating with the Navy, and the
6 Navy is entering into a cooperative research and
7 development agreement with a bio-diesel company, which is
8 currently located in Las Vegas. And they will be
9 producing bio-diesel to the tune of about a million
10 gallons per year over at one of our Navy bases. And the
11 primarily feedstock for the fuel will be used restaurant
12 cooking oil and greases. And so we'll have a recycled
13 feedstock and a bio-fuel facility going into Ventura
14 County. So we're real excited about testing this new fuel
15 in our municipal and school fleets.

16 In addition, and probably closer to home to
17 municipal solid waste, we are coordinating with the new
18 Cal State Channel Islands campus to develop a bio-energy
19 facility on the campus, which we hope will initially go in
20 in a module of about 400 tons per day of agricultural
21 wastes and green wastes, and will eventually replace the
22 existing 28 megawatt natural gas-fired plant which is on
23 campus.

24 And so this is part of our new Cal State Channel
25 Islands policy to develop a totally green campus,

1 beginning with some of the buildings they're going on, but
2 then proceeding to a green energy basis for the campus.

3 This facility I've discussed with some of you a
4 little bit earlier when we were talking about the
5 conversion technology policy at the Board. But basically
6 it's an anaerobic digestion process, and it will produce
7 not only electricity from the methane, but more
8 importantly a very high value soil amendment and high
9 nutrient water for local use on the campus.

10 So hopefully next time you come to Ventura County
11 we can take you out on a tour of the new Cal State Channel
12 Islands campus and you'll be able to see this facility.
13 If you want a peek preview, you can go out to UC Davis
14 because the pilot plant for this company and operation is
15 on the UC Davis campus.

16 Before I leave you, I would like to express one
17 issue of concern; that is, that we have a bill, AB 2770,
18 which we all worked very hard to get in place; and
19 although it may not include all of the provisions that
20 some of us would want or as it turns out all the
21 provisions that your Board would have wanted, it's a
22 start, and we're all excited about that.

23 However, in the last few days some of us have
24 discovered that there are a couple energy bills out there
25 that may undo part of I think what we're trying to put in

1 place, and, that is, incentives for the commercialization
2 of conversion technologies.

3 The two bills that I'm referring to are both
4 share bills, SB 30 and SB 1524. Each contains an
5 amendment to the definition in the Public Utilities Code
6 of in-state renewable electricity generation facility.
7 The net effect of this proposed amendment is to make waste
8 conversion facilities that produce energy ineligible for
9 energy commission funding. In other words, ineligible for
10 R&D monies.

11 So these bills seek to specifically exclude
12 emerging waste conversion technologies from access to
13 renewable energy funding and, thereby, removing an
14 important vehicle and incentive for their
15 commercialization.

16 We feel that it's in direct conflict with the
17 intent of AB 2770 and also with your Board's recently
18 adopted policy to encourage conversion technologies for
19 new beneficial uses of post-recycled waste.

20 And we feel also it's certainly in conflict with
21 the State policy to foster and develop new sources of
22 renewable energy and distributed power options.

23 So I wanted to bring that to your attention as an
24 issue of concern. We would certainly appreciate any
25 support your Board could give in assuring that the current

1 language for the definition of renewable energy facility
2 be maintained. It would certainly, if adopted, impact the
3 ability of our new Cal State Channel Islands project to
4 access Energy Commission funding.

5 Thank you very much. And, again, I look forward
6 to your next visit when we can take you on a tour of some
7 of these facilities.

8 CHAIRPERSON MOULTON-PATTERSON: Thank you, Kay
9 and Gerard. We really appreciate hearing about the county
10 of Ventura. And we're watching the legislation very
11 closely.

12 Okay. Could we have the lights back on.

13 MR. FLYNN: Madam Chair, just one quick thing,
14 because I'll be remiss if I don't tell you this. On your
15 table is a little memento of your visit here. And that is
16 a little note pad with the seals of all of the ten cities
17 and the county of Ventura on recycled content paper with
18 soy ink. And attached to that is what's called a little
19 twiggly. And that is a natural tree bark or agricultural
20 waste, not anything cut from a living tree. And inside it
21 is a lead-free pencil and/or chemical-free ink on the pen.

22 So in that respect we appreciate you being here.
23 And remember us as you jot down the notes, especially on
24 those programs and policies that we want your support on.

25 (Laughter.)

1 CHAIRPERSON MOULTON-PATTERSON: Thank you very
2 much.

3 Okay. We're finishing up on our meeting from
4 yesterday. We're going to be starting with permits, LEA
5 and facility compliance.

6 We could go straight to 69. However, I wanted to
7 mention that Item 68 yesterday was approved on consent for
8 the revised full solid waste facility permit for The Frank
9 R. Bowerman Landfill in Orange County. I know Jan Goss is
10 here.

11 Mr. Jones mentioned you might have a model that
12 you might want to share quickly.

13 And we're glad to see you, Jan.

14 MS. GOSS: Thank you. It's nice to be here.
15 It's nice to see some of my friends.

16 I'd like to have Mike Gencola, who's our slide
17 manager, prepare this.

18 CHAIRPERSON MOULTON-PATTERSON: While you're
19 coming up, Senator Roberti, did you have any ex partes?

20 BOARD MEMBER ROBERTI: Well, from last night I
21 spoke to -- two very well known people now, Kay Martin and
22 Gerard Kapuscik. And Ms. Martin about -- Dr. Martin --
23 excuse me -- about the definition of energy recycling
24 facilities. And I guess Mr. Kapuscik about just waste in
25 general. I think we talked about the E-waste conference.

1 CHAIRPERSON MOULTON-PATTERSON: Thank you,
2 Senator.

3 Can you identify yourself on the mic, please.

4 Thank you.

5 MR. GENCOLA: They don't let me out much.

6 I'm Mike Gencola and I'm the Region Manager for
7 the Bowerman Landfill.

8 And I was up in Sacramento a couple weeks ago and
9 carted that steel case with this model in case there were
10 any questions. I just had to show it today because --
11 since I can't bring you all out to the landfill, I figured
12 I'd bring the model of the landfill to you.

13 CHAIRPERSON MOULTON-PATTERSON: Thank you.

14 MR GENCOLA: It's a representative 3-D model.
15 It's a fairly new technology. The military is using it
16 over in Afghanistan. And we're going to use it to show
17 our landfills and how they fit into the communities.

18 And the item that you spoke about yesterday is
19 this particular area. And it just basically is a good --
20 it's a good showing of why it's important that this item
21 be approved. And it was yesterday, and I'm glad.

22 But I just wanted to show that.

23 CHAIRPERSON MOULTON-PATTERSON: Okay. No, I
24 appreciate you showing that. We're all very visual. And
25 I certainly will have a chance to come by because it's

1 near my home. And I believe Mr. Jones is going down to
2 see it. But thanks for sharing that and thanks for coming
3 up.

4 MR. GENCOLA: Thank you.

5 CHAIRPERSON MOULTON-PATTERSON: Okay. That
6 brings us to Item 69, which was a Committee consensus. So
7 if you can give a very brief report, Ms. Nauman, we'd
8 appreciate it.

9 DEPUTY DIRECTOR NAUMAN: Yes. I'm Julie Nauman
10 with the Permitting and Enforcement Division. There were
11 only a couple of questions during the Committee's
12 discussion of this. So at this point, I'll just ask Wes
13 to just give you kind of thumbnail sketch of each of the
14 four project sites that we're asking you to approve today.

15 MR. MINDERMANN: Thank you. Good morning, Madam
16 Chair and Members of the Board.

17 This item is for consideration of four grants
18 under the Farm and Ranch Cleanup and Abatement Grant
19 Program.

20 The first grant is the Humboldt County Department
21 of Human and Health Services, Division of Environmental
22 Health. It's a \$15,793 grant request for cleanup. It's
23 two agricultural properties within the county.

24 The second grant is to the Siskiyou County
25 Planning Department, a \$7,570 request to clean up one

1 rural residential and agricultural property in the county.

2 The third grant is the San Diego Solid Waste
3 Local Enforcement Agency, \$37,915 request to clean up four
4 properties within the Tijuana River Valley. These
5 projects also lie within the Border Zone.

6 The fourth and final grant request is from the
7 Yolo County Public Works Department, a \$50,000 request to
8 clean up illegal disposal sites on rural rights-of-way
9 within the county. One unique aspect of this proposal is
10 it also involves the purchasing of surveillance equipment
11 to aid the enforcement on illegal dumping within the
12 county.

13 That concluded my presentation.

14 Board staff's recommendation is to adopt the
15 resolution, approve the grants.

16 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

17 Any questions?

18 Mr. Paparian wanted to make a comment.

19 BOARD MEMBER PAPARIAN: I wanted to give a brief
20 Committee report, but I'll do that after this item.

21 CHAIRPERSON MOULTON-PATTERSON: Well, I'm so
22 sorry.

23 BOARD MEMBER PAPARIAN: For your information,
24 this item was one of the items that the Committee wished
25 to place on fiscal consensus. So if there is no

1 questions, I'll go ahead and move the Resolution 2002-293.

2 BOARD MEMBER MEDINA: Second.

3 CHAIRPERSON MOULTON-PATTERSON: Okay. We have a
4 motion by Mr. Paparian, seconded by Mr. Medina, to approve
5 Resolution 2002-293.

6 Please call the roll.

7 SECRETARY VILLA: Eaton?

8 BOARD MEMBER EATON: Aye.

9 SECRETARY VILLA: Jones?

10 BOARD MEMBER JONES: Aye.

11 SECRETARY VILLA: Medina?

12 BOARD MEMBER MEDINA: Aye.

13 SECRETARY VILLA: Paparian?

14 BOARD MEMBER PAPARIAN: Aye.

15 SECRETARY VILLA: Roberti?

16 BOARD MEMBER ROBERTI: Aye.

17 SECRETARY VILLA: Moulton-Patterson?

18 CHAIRPERSON MOULTON-PATTERSON: Aye.

19 And now, Mr. Paparian, as Chair of the P&E
20 Committee, did you wish to make some additional comments?

21 I'm sorry I forgot to call on you.

22 BOARD MEMBER PAPARIAN: Yes, just briefly. We
23 have two more items to deal with in the Committee One of
24 them was another fiscal consensus item. And then the
25 final one has to do with some regs.

1 But the main thing I wanted to mention, to let
2 everybody know about is that we are planning to start
3 having some little mini-workshops at our Committee
4 meetings starting in July, covering issues of interest
5 that fall within the purview of the Permitting and
6 Enforcement Committee.

7 In July we're going to hear about issues of
8 concern to local enforcement agencies. We're going to
9 have a panel of folks from local enforcement agencies,
10 hopefully very openly express whatever is on their mind.

11 In future months we're hoping to get into issues
12 such as a review of the Geocentech Landfill Study, or at
13 least an update on that; load checking programs and
14 related radioactive waste issues; LEA enforcement issues;
15 and Mr. Jones suggested and we'll plan on looking into
16 CEQA and its relationship to the local board
17 responsibilities.

18 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
19 Papanian.

20 Okay. That brings us to Item 70.

21 Ms. Nauman.

22 DEPUTY DIRECTOR NAUMAN: Thank you.

23 Item 70 is consideration of the adoption of
24 negative declaration and proposed regulations for the
25 transfer/processing of putrescible wastes. We bring this

1 item forward to you, the final action on this regulation
2 package that we began some time ago. We finished the last
3 15-day comment period. We received no substantive
4 comments during that time. The Committee reviewed the
5 package and kind of concurred at the Committee level what
6 it meant. But we needed to bring it forward to you so we
7 could have a roll call vote, particularly on the negative
8 declaration. So staff is recommending approval.

9 CHAIRPERSON MOULTON-PATTERSON: Any questions?

10 Mr. Jones.

11 BOARD MEMBER JONES: Thanks, Madam Chair.

12 I'll move adoption of Resolution 2002-277,
13 consideration of the adoption of negative declaration and
14 proposed regulations for the transfer/processing
15 putrescible wastes and the proposed regulations.

16 BOARD MEMBER MEDINA: Second.

17 CHAIRPERSON MOULTON-PATTERSON: Okay. Do we need
18 to do 276 first, or can we --

19 BOARD MEMBER JONES: Oh, I'm sorry.

20 DEPUTY DIRECTOR NAUMAN: Yes, I'd do 276 first.

21 BOARD MEMBER JONES? Okay. I'll move 2002-276.

22 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

23 BOARD MEMBER MEDINA: Second that.

24 CHAIRPERSON MOULTON-PATTERSON: We have a motion
25 by Mr. Jones, seconded by Mr. Medina, to approve

1 Resolution 2002-276.

2 Please call the roll.

3 SECRETARY VILLA: Eaton?

4 BOARD MEMBER EATON: Aye.

5 SECRETARY VILLA: Jones?

6 BOARD MEMBER JONES: Aye.

7 SECRETARY VILLA: Medina?

8 BOARD MEMBER MEDINA: Aye.

9 SECRETARY VILLA: Papanian?

10 BOARD MEMBER PAPANIAN: Aye.

11 SECRETARY VILLA: Roberti?

12 BOARD MEMBER ROBERTI: Aye.

13 SECRETARY VILLA: Moulton-Patterson?

14 CHAIRPERSON MOULTON-PATTERSON: Aye.

15 Okay, Mr. Jones.

16 BOARD MEMBER JONES: I'll move adoption of
17 2002-277.

18 BOARD MEMBER MEDINA: Second.

19 CHAIRPERSON MOULTON-PATTERSON: Okay. Motion by
20 Mr. Jones, seconded by Mr. Papanian, to approve resolution
21 2002-277. Please substitute the previous roll call,
22 without objection.

23 BOARD MEMBER MEDINA: It was me that seconded
24 that.

25 CHAIRPERSON MOULTON-PATTERSON: Oh. What did I

1 say?

2 Sorry.

3 Mr. Medina seconded that. Thank you.

4 Okay. Item 71 was approved on consent. That
5 brings us to item 72, which was on committee consensus.

6 And I'll turn it over to Ms. Nauman.

7 DEPUTY DIRECTOR NAUMAN: Item 72 is the continued
8 Item 71, which is the scope of work. And 72 is the
9 consideration of a interagency agreement with the
10 University of California at Los Angeles for the Native
11 American/Local Enforcement Agency cross training on
12 illegal waste dumping. And this was from this fiscal
13 year's Reallocation Contract Concept 79. And again the
14 Chair said the scope was approved on consent.

15 We need your vote on that interagency agreement.

16 CHAIRPERSON MOULTON-PATTERSON: Okay.

17 BOARD MEMBER MEDINA: I'd like to move this,
18 Madam Chair.

19 CHAIRPERSON MOULTON-PATTERSON: Mr. Medina.

20 BOARD MEMBER MEDINA: I'd like to move Resolution
21 2002-283, approval of the University of California at Los
22 Angeles as contractor for Native American/Local
23 Enforcement Agency Cross Training on Illegal Waste Dumping
24 Contract, Fiscal Year 2001-2002 reallocation, Contract
25 Concept 79.

1 CHAIRPERSON MOULTON-PATTERSON: I'll second that.

2 So we have a motion by Mr. Medina, seconded by
3 Moulton-Patterson to approve Resolution 2002-283.

4 Please call the roll.

5 SECRETARY VILLA: Eaton?

6 BOARD MEMBER EATON: Aye.

7 SECRETARY VILLA: Jones?

8 BOARD MEMBER JONES: Aye.

9 SECRETARY VILLA: Medina?

10 BOARD MEMBER MEDINA: Aye.

11 SECRETARY VILLA: Papanian?

12 BOARD MEMBER PAPANIAN: Aye.

13 SECRETARY VILLA: Roberti?

14 BOARD MEMBER ROBERTI: Aye.

15 SECRETARY VILLA: Moulton-Patterson?

16 CHAIRPERSON MOULTON-PATTERSON: Aye.

17 Okay. That brings us to Waste Prevention and
18 Market Development. And while they're coming up, I'll
19 call on Mr. Jones, who is the Chair of that Committee.

20 BOARD MEMBER JONES: Thanks, Madam Chair.

21 We heard 13 items from this section of our
22 Committee meeting. One item was pulled. One of the loan
23 applications was pulled.

24 We did have a discussion, Item 79 and 80, that
25 was just held in Committee, but it was the results of the

1 Rigid Plastic Packaging Container Compliance Certificate,
2 which is 1,000 companies that we audited. And those
3 results, while it was an incredible amount of work for our
4 staff, I think that the benefit was definitely there. And
5 we did have one company that -- in fact, I don't know if
6 it fits on consent or not. But --

7 DEPUTY DIRECTOR WOHL: Yeah, it was on Pennzoil.

8 BOARD MEMBER JONES: Pennzoil was -- had been on
9 a compliance order. They're now at 25.4 percent recycled
10 content nationwide as a result of our efforts. So I think
11 that this works and I think it would be -- we'd need to
12 stay on this course with this.

13 And with that, I will turn it over to Patty Wohl,
14 or back to the Chair.

15 CHAIRPERSON MOULTON-PATTERSON: Thanks, Mr.
16 Jones.

17 Ms. Wohl.

18 DEPUTY DIRECTOR WOHL: Sure. Today -- Patty
19 Wohl, Waste Prevention and Market Development Division.
20 We'll be considering two loans totaling \$2.9 million. If
21 these loans are fully funded, there remains approximately
22 \$5 million in the RMDZ subaccount.

23 Agenda Item 75 is consideration of the recycling
24 Market Development Revolving Loan Program Application for
25 Chamlian Enterprises, Inc., dba Chamlian Textiles.

1 This received Committee consensus. It is for \$2
2 million to purchase equipment and machinery.

3 The business is located in Fresno. They take
4 textile materials and then turn it into carpet padding,
5 insulation, mattresses, that type of thing.

6 So Jim La Tanner is here if you have any
7 additional questions.

8 CHAIRPERSON MOULTON-PATTERSON: Thank you.

9 BOARD MEMBER MEDINA: No questions. I'd like to
10 move.

11 BOARD MEMBER JONES: Just one question for
12 clarification.

13 The Loan Committee -- we approved this in consent
14 based on the results of the Loan Committee; Loan Committee
15 approved and sent it out without any changes?

16 DEPUTY DIRECTOR WOHL: Correct.

17 BOARD MEMBER JONES: Okay.

18 CHAIRPERSON MOULTON-PATTERSON: Thank you.

19 Mr. Medina.

20 BOARD MEMBER MEDINA: Yes, Madam Chair. I'd like
21 to move Resolution 2002-348, consideration of the
22 Recycling Market Development Revolving Loan Program
23 Application for Chamlian Enterprises, Inc., doing business
24 as Chamlian Textiles.

25 BOARD MEMBER JONES: Second.

1 CHAIRPERSON MOULTON-PATTERSON: Okay. Motion by
2 Mr. Paparian -- Mr. Medina -- I'm going to have a block
3 now -- seconded by Mr. Jones, to approve Resolution
4 2002-348.

5 Please call the roll.

6 SECRETARY VILLA: Eaton?

7 BOARD MEMBER EATON: Aye.

8 SECRETARY VILLA: Jones?

9 BOARD MEMBER JONES: Aye.

10 SECRETARY VILLA: Medina?

11 BOARD MEMBER MEDINA: Aye.

12 SECRETARY VILLA: Paparian?

13 BOARD MEMBER PAPARIAN: Aye.

14 SECRETARY VILLA: Roberti?

15 BOARD MEMBER ROBERTI: Aye.

16 SECRETARY VILLA: Moulton-Patterson?

17 CHAIRPERSON MOULTON-PATTERSON: Aye.

18 Seventy-six, also on Committee consensus?

19 DEPUTY DIRECTOR WOHL: Correct.

20 Consideration of the recycling Market Development
21 Revolving Loan Program application for Kroeker, Inc. It
22 received Committee consensus and the Loan Committee
23 approved it. It's in the amount of \$950,000 to purchase a
24 rock crushing plant located in Fresno. They basically
25 recycle concrete into road base.

1 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.
2 Mr. Medina.

3 BOARD MEMBER MEDINA: Yes, Madam Chair. If
4 there's no questions at this time --

5 CHAIRPERSON MOULTON-PATTERSON: Oh, just --
6 excuse me. We do have a speaker card that was just handed
7 to me.

8 Don Bowen.

9 MR. BOWEN: Ladies and gentlemen of the Board,
10 I'm not very comfortable here. I belong on the other side
11 of the wall, not on this side. But I'm the only one with
12 the acknowledge and stuff to bring this matter to you.

13 In Kroeker, Inc's applicant they said that they
14 are obeying all Federal, State laws, rules and
15 regulations, including the Environmental Quality Act.

16 I have prepared an outline and highlighted some
17 things. They say that their yard is a 27-acre site. But
18 actually only 8.29 acres of that is -- has a conditional
19 use permit and the required other environmental impact
20 stuff. That would be page one of the thing I gave you.

21 Page 2 is just a further outline that the 4.28
22 acres of the property is for recycling. The rest of the
23 land is vacant.

24 He is now operating on 27 acres. The place where
25 he plans on putting the crusher is a place he just bought.

1 On the third page of the -- excuse me -- these
2 are all papers from the county of Fresno that Kroeker had
3 given them for their conditional use permit and
4 everything.

5 It says -- on the third page it says that all the
6 recycled material will be stockpiled for a short time,
7 usually two to three months at the most. Some of that
8 material has been sitting there for over three years,
9 which I'll explain later.

10 And the fourth page is just an outline of where
11 he's -- his recycling permit is only good for the area
12 right behind his shop. It's not good -- the place where
13 he is setting up the crusher is in the vacant -- it says
14 vacant ground right here.

15 Okay. There are several other issues involved in
16 this.

17 The Environmental Impact Report and the
18 conditional use permit were both together, and they're
19 only for that four acres.

20 Okay. Switching over to the -- several pages,
21 the Regional Water Quality Board letter. Basically, what
22 happened was Kroeker, Inc., was doing a job at Calcott,
23 Inc. He hauled some place between -- and this is only an
24 estimate -- of 500 and 1,000 truckloads of contaminated
25 material back to his Chestnut Avenue yard. This material

1 has high contents of lead. And the reports -- two of the
2 reports from the Water Resources Board are following that.

3 The thing that caught my -- the thing that
4 bothers me is that material was hauled from a site that
5 was known to be contaminated with TCE. No tests on that
6 material have ever been done. Despite what I've asked
7 for no test for TCE has ever been done on that material
8 where Kroeker's yard is. There's a clear paper trail
9 where it came from and where -- and it's still -- that
10 material has been sitting there for over three years.

11 Going on to the next page, which is from the U.S.
12 Navy. What happened there was that Kroeker, Inc., and a
13 demolition -- or asbestos abatement company, basically
14 what they did was they went in and removed floor tile out
15 of 240 something housing units. Then instead of removing
16 the asbestos-containing mastic, they went in and sprayed
17 all of the concrete with gray paint to cover it up so it
18 looked like concrete. They hauled it to a recycling site.

19 CHAIRPERSON MOULTON-PATTERSON: Mr. Bowen, may I
20 just interrupt for one moment? And then I'll give you
21 time to go on.

22 Do you represent -- on your speaker form it
23 didn't say. Are you here as a private citizen? Do you
24 represent a company? Are you involved in a company?

25 MR. BOWEN: My son owns a demolition company that

1 is in direct competition with Kroeker.

2 But also I would like the Board to realize -- and
3 I can provide them with material -- that I've been trying
4 to get the asbestos issue -- to keep asbestos from going
5 through wood chippers since 1992. This was when Kroeker
6 was just -- I hadn't even heard of Kroeker then. And I
7 can provide you with both documents from the -- that I've
8 sent to EPA and everything. That isn't a big problem.

9 Anyway, the Navy -- Kroeker and the contractor
10 were hauling -- they were going to haul about 400,000
11 square feet of asbestos-contaminated crusher. They hauled
12 200,000 square feet to the crusher. I went and got the
13 authorities. The authorities stopped them.

14 Okay. At that same job site, there's also --
15 like with the San Joaquin Valley Unified Air Pollution
16 Control District, I'm the one that made the complaint.
17 And on that they said our investigation verified that the
18 allegation was valid.

19 One of the other problems in that job was -- on
20 the next page after that, which is this one here -- the
21 stucco on those buildings -- the stucco on the buildings,
22 there's 247 units, which amount to about 500,000 square
23 feet of stucco on those buildings. That stucco was hauled
24 to Kroeker's yard. It contains less than one percent of
25 asbestos, but it is still regulated by the State of

1 California and by CalOSHA.

2 The problem that I have with Fresno -- with the
3 rules and regulations is that -- that enforcement agency
4 for asbestos is San Joaquin Valley Unified Air Pollution
5 Control, they only enforce NESHAPs, which is one percent
6 and friable. The nonfriable and the material less than
7 one percent, they won't enforce it. And the more
8 documents will.

9 Okay. This is a Title 8, which states that in
10 California that asbestos-containing material means
11 manufacturing construction material which is more than one
12 tenth of one percent, which is less than what the federal
13 regulations are.

14 Excuse me. I'm nervous as -- anyway.

15 Also, in demolition we are required -- PACM,
16 which is presumed asbestos containing material.

17 And two pages later, presumed lead-based paint
18 material. That is material that is presumed to contain
19 either lead or asbestos. And it has to be tested before
20 it is handled or processed.

21 The next page is a letter that I mailed to the
22 California Integrated Waste Management Board in 1999, with
23 some of the same allegations on there and the supporting
24 documents behind there.

25 The next I think about ten pages are all -- like

1 I say, one of the other problems -- excuse me. I know I'm
2 going fast and I'm not -- I'm scared.

3 CHAIRPERSON MOULTON-PATTERSON: Okay. Mr. Bowen,
4 we really appreciate you coming. And we want to take this
5 into consideration.

6 I think the appropriate thing would be to have
7 you meet with staff and perhaps Mr. Jones, who is Chair of
8 this Committee. And I would like to ask that this be
9 continued.

10 MR. BOWEN: Okay. That would make me a lot --
11 I'm not a public person.

12 CHAIRPERSON MOULTON-PATTERSON: We appreciate
13 very much you coming. And we certainly want to get to the
14 bottom of this, but we need time to analyze it.

15 MR. BOWEN: You do. And a lot of the material
16 you need time -- either I'm sitting up here making a
17 complete fool of myself in front of you or Kroeker has not
18 been really truthful on his application. One of the two
19 has to be, either I'm lying or he's lying.

20 CHAIRPERSON MOULTON-PATTERSON: We will certainly
21 investigate it.

22 Did you have a question, Mr. Paparian?

23 BOARD MEMBER PAPARIAN: I just wanted to add --
24 and I want to make sure our legal counsel takes a look at
25 this and gets her advice as to whether there's anything of

1 concern here.

2 CHAIRPERSON MOULTON-PATTERSON: Definitely, yes.

3 MR. BOWEN: Oh, also I haven't got to the good
4 part about the CalOSHA letters to me about Kroeker or the
5 EPA about recycling asbestos. That's in the back.

6 CHAIRPERSON MOULTON-PATTERSON: Well, we will
7 give you all the time you need to go over it with our
8 legal staff and our program staff.

9 So thank you very much for coming.

10 MR. BOWEN: Okay. When will that be? I'm not
11 familiar with the process here.

12 CHAIRPERSON MOULTON-PATTERSON: I'll let them set
13 it up. And somebody can talk with you and set up a
14 meeting.

15 Mr. Jones:

16 BOARD MEMBER JONES: Madam Chair, I think it's
17 appropriate that we hold this over. And maybe not
18 necessarily for a month until we get to the bottom of this
19 stuff, to figure out if these allegations -- you know,
20 where we really sit with that. Because clearly we don't
21 want to go down that road.

22 I think you need to hang around for a little bit.
23 And at the break we'll set something up with legal counsel
24 and our staff. And I think there's P&E folks here. And
25 we'll at least get what you've given us, and then figure

1 out a course of action.

2 Thanks.

3 MR. BOWEN: I'm going to go get a drink of water
4 and then I'll be sitting back there.

5 Thank you, gentlemen; thank you, ladies.

6 CHAIRPERSON MOULTON-PATTERSON: Okay. That
7 brings us to Item 82, which was also on Committee
8 consensus.

9 DEPUTY DIRECTOR WOHL: The scope of work was
10 approved on consent yesterday.

11 And Agenda Item 82 is a consideration of the
12 Office of Environmental Health Hazard Assessment as a
13 contractor to conduct a risk assessment of vinyl chloride
14 in buildings and building materials.

15 This received Committee consensus of 4-0. It's
16 in the amount of \$38,655.

17 I believe you have a speaker on this, too.

18 CHAIRPERSON MOULTON-PATTERSON: Yes, we do.

19 Any questions before I call on Mr. George Larson
20 representing American Plastics Council.

21 MR. LARSON: Thank you, Madam Chair, Members.

22 In the interests of time, of course, I'll be as
23 brief as I can.

24 I accept my responsibility for not having gotten
25 Agenda Item 81 requested to be pulled off consent. But

1 I'm comfortable that I can make my comments in the context
2 of Agenda Item 82, which is your consideration of
3 selection of a contractor to perform the scope of work in
4 Agenda Item 81.

5 Quickly, there is -- there are some points that
6 are confusing and raise some issues of confusion in the
7 scope of work as to what exactly it's trying to do.

8 I work for some folks who get real nervous when
9 words like "growing concerns" and "polarization" get
10 incorporated into a scope of work. So there's some
11 interest here to have a high level of participation and
12 biparticipation through this handout as an initial
13 overture. There is a considerable amount of information
14 that would be of use to the contractor, OEHHA, if that is
15 the action of the Board today, that would assist them in
16 the conduct of this study to analyze vinyl chloride and
17 polyvinyl chloride.

18 I'd like to raise the issue of equivalency in
19 terms of selecting one material for a case study for risk
20 assessment and life cycle analysis in the absence of
21 analyzing similar materials might lead to the deselection
22 based upon unfair consideration of one material and not
23 evaluating other materials.

24 So if not within the scope of this work, I would
25 hope that the Board would level the playing field, as it

1 were, taking information that would come out of this study
2 and do comparative studies of other materials that would
3 perform in the same function.

4 And, finally, the open process is the issue of
5 most interest. We would be interested -- and this would
6 be American Plastics Council, American Chemical Council,
7 Vinyl Institute, other industry organizations, be
8 interested in participating in making our direct inputs
9 through some formal means, be it an advisory committee or
10 working group or however you would wish to have that
11 contract with OEHHA structured.

12 So I appreciate the opportunity. And I apologize
13 for not having brought this to your attention yesterday so
14 that I could have testified on Agenda Item 81.

15 CHAIRPERSON MOULTON-PATTERSON: Thank you very
16 much, Mr. Larson.

17 Any questions?

18 BOARD MEMBER MEDINA: I'd like to move Resolution
19 2002-353, consideration of the Office of Environmental
20 Health Hazard Assessment (OEHHA) as contractor to conduct
21 a risk assessment of vinyl chloride in buildings and
22 building materials, Fiscal Year 2001-2002, Contract
23 Concept Number 74.

24 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
25 Medina.

1 BOARD MEMBER JONES: Second.

2 BOARD MEMBER MEDINA: In the amount of \$38,655.

3 CHAIRPERSON MOULTON-PATTERSON: Okay. We have a
4 motion by Mr. Medina, seconded by Mr. Jones, to approve
5 Resolution 2002-353.

6 Please call the roll.

7 SECRETARY VILLA: Eaton?

8 BOARD MEMBER EATON: Aye.

9 SECRETARY VILLA: Jones?

10 BOARD MEMBER JONES: Aye.

11 SECRETARY VILLA: Medina?

12 BOARD MEMBER MEDINA: Aye.

13 SECRETARY VILLA: Papanian?

14 BOARD MEMBER PAPANIAN: Aye.

15 SECRETARY VILLA: Roberti?

16 Moulton-Patterson?

17 CHAIRPERSON MOULTON-PATTERSON: Aye.

18 Okay. We have Item Number 83 --

19 DEPUTY DIRECTOR WOHL: Yes, Agenda Item 83 and 84
20 are the scope of work and the award for the revised Native
21 American Intergovernmental Greening Project. And Bill Orr
22 will present it.

23 MR. ORR: Good morning, Madam Chair, Board
24 Members.

25 This item requests the Board consider and approve

1 the revised scope of work for the Native American
2 Intergovernmental Greening Program.

3 The original scope of work was approved last
4 June, and subsequently two requests for a proposal were
5 cancelled due to unsuccessful bids.

6 Staff has reviewed input from a variety of
7 experts in the Native American field -- universities,
8 college, and consultants -- basically found that the scope
9 of work was too rigorous for the available funding.

10 Input was generally that the cost of the overall
11 scope of work should have been \$150,000 to \$250,000.

12 Therefore, staff was based with a choice between
13 developing a tribal network or developing resource
14 materials to be distributed through existing tribal
15 networks.

16 And we felt that it was a better option to
17 actually develop the materials that could be -- that could
18 then be distributed rather than to develop a network and
19 then have nothing to deliver to them.

20 So we basically refocused the efforts of the
21 scope of work to emphasize the development of a resource
22 kit, and have eliminated a series of workshops to help to
23 scope that kit and then deliver it as a final work
24 product.

25 We also eliminated four on-site waste assessments

1 that were part of the original scope of work. And we've
2 added the development of a list of sustainable
3 building/construction projects that have occurred on
4 tribal lands for at least \$250,000 or greater.

5 The kit itself will be a combination of existing
6 resources and additional ones that would be developed in a
7 unified package, that would be customized both similar to
8 our business waste reduction kits or our office paper
9 waste reduction kits.

10 And they would be unveiled through the active
11 participation by the contractor with Board staff at the
12 annual EPA Region 9 Environmental Conference.

13 So with that, staff would recommend that the
14 Board approve Option 1, approving the revised scope of
15 work for the Native American Intergovernmental Greening
16 Project, and adopt Resolution 2002-354.

17 CHAIRPERSON MOULTON-PATTERSON: Thank you.

18 Mr. Medina.

19 BOARD MEMBER MEDINA: Yes. Thank you, Madam
20 Chair.

21 In response to a newspaper article that appeared
22 in the Riverside News that stated that the tribes were
23 going to do a little over \$2 million worth of
24 construction -- of new construction in 2002, it seemed
25 like a perfect opportunity to capture the new market. And

1 so at that time we introduced a concept to go after that
2 market in the amount of \$125,000. The Board funded
3 \$70,000, and so we redrew the scope of work we worked --
4 the scope of work. And so we have an excellent
5 opportunity here to go after that market. And so I would
6 like to support Resolution 2002-354.

7 CHAIRPERSON MOULTON-PATTERSON: Any other
8 questions?

9 Do you want to make a motion?

10 BOARD MEMBER MEDINA: Yes. I'd like to move
11 Resolution 2002-354, consideration of a revised scope of
12 work for the Native American Intergovernmental Greening
13 Project, Fiscal Year 2000-2001, Contract Concept 66.

14 CHAIRPERSON MOULTON-PATTERSON: I'll second it.

15 Okay. We have a motion by Mr. Medina, seconded
16 by Moulton-Patterson, to approve Resolution 2002-354.

17 Please call the roll.

18 SECRETARY VILLA: Eaton?

19 BOARD MEMBER EATON: Madam Chair, on advice of my
20 counsel, I will be abstaining from voting on Item 83 and
21 84.

22 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
23 Eaton.

24 SECRETARY VILLA: Jones?

25 BOARD MEMBER JONES: Aye.

1 SECRETARY VILLA: Medina?

2 BOARD MEMBER MEDINA: Aye.

3 SECRETARY VILLA: Papanian?

4 BOARD MEMBER PAPANIAN: Aye.

5 SECRETARY VILLA: Roberti?

6 Moulton-Patterson?

7 CHAIRPERSON MOULTON-PATTERSON: Aye.

8 Okay, 84.

9 MR. ORR: Thank you, Madam Chair.

10 This item requests the Board consider and approve
11 Humboldt State University as the contractor for the Native
12 American Intergovernmental Greening Project.

13 The particular center is the Center for Indian
14 Community Development. They have a variety of experience
15 with existing tribal networks, including the development
16 of a teachers' guide for environmental protection. Also,
17 they have worked with the Bureau of Indian Affairs and
18 numerous indian organizations to conduct statewide
19 hearings for tribes on educational issues. They've worked
20 with EPA Region 9 and the Hoopa Valley Tribe to organize
21 the Tribal Environmental Conference. And they're
22 currently working to conduct an evaluation of American
23 Indian early childhood education programs throughout
24 California.

25 So we believe that they have the ability to do

1 the scope of work and represent the existing tribal
2 networks that will be helpful in the successful completion
3 of this project. And staff recommends that the Board
4 approve Option 1, approving Humboldt State University as
5 the contractor and adopt Resolution 2002-355.

6 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

7 Mr. Medina.

8 BOARD MEMBER MEDINA: Yes, Madam Chair. Humboldt
9 State has a great Native American Program that I'm
10 confident can deliver on this contract. And I'd like to
11 move Resolution 2002-355, approving Humboldt State
12 University as a contractor for the Native American
13 Intergovernmental Greening Project, Fiscal Year 2000-2001,
14 Contract Concept Number 66.

15 CHAIRPERSON MOULTON-PATTERSON: Okay. Thank you.

16 BOARD MEMBER JONES: Second.

17 CHAIRPERSON MOULTON-PATTERSON: We have a motion
18 by Mr. Medina, seconded by Mr. Jones, to approve
19 Resolution 2002-355.

20 Substitute the previous roll call?

21 Oh, well, should we call up -- we'll note --

22 BOARD MEMBER EATON: That's for Senator
23 Roberti -- I said that I would --

24 CHAIRPERSON MOULTON-PATTERSON: Oh, that's right.

25 We'll call the roll.

1 BOARD MEMBER ROBERTI: Add me to the roll, thank
2 you.

3 CHAIRPERSON MOULTON-PATTERSON: Yes. We'll open
4 back up 354.

5 Would you like to cast a vote on that?

6 BOARD MEMBER ROBERTI: Aye.

7 CHAIRPERSON MOULTON-PATTERSON: Okay. Now we'll
8 go and call the roll for 2002-355.

9 SECRETARY VILLA: Eaton?

10 BOARD MEMBER EATON: Abstain.

11 SECRETARY VILLA: Jones?

12 BOARD MEMBER JONES: Aye.

13 SECRETARY VILLA: Medina?

14 BOARD MEMBER MEDINA: Aye.

15 SECRETARY VILLA: Papanian?

16 BOARD MEMBER PAPANIAN: Aye.

17 SECRETARY VILLA: Roberti?

18 BOARD MEMBER ROBERTI: Aye.

19 SECRETARY VILLA: Moulton-Patterson?

20 CHAIRPERSON MOULTON-PATTERSON: Aye.

21 Okay. Number 85.

22 DEPUTY DIRECTOR WOHL: Again 85 and 86 are tied;
23 85 is the consideration of the scope of work for the State
24 Agency Buy-Recycled Campaign Performance Evaluation.

25 And Bill Orr will be presenting.

1 MR. ORR: Thank you.

2 As Patty mentioned, 85 requests the consideration
3 and approval of the scope of work for the State Agency
4 Buy-Recycled Campaign Performance Evaluation.

5 The scope of work sets forth three main areas of
6 evaluation to be reviewed. The first one is to evaluate
7 the overall effectiveness of the State Agency Buy-recycled
8 Campaign.

9 The second is to evaluate the overall team
10 effectiveness of the Department of General Services and
11 the California Integrated Waste Management Board in
12 implementing the State Agency Buy-recycled Campaign.

13 And the third is to conduct an internal review of
14 the State Agency Buy-recycled Campaign and its
15 effectiveness within the California Integrated Waste
16 Management Board.

17 Staff recommends that the Board approve Option 1
18 and adopt Resolution Number 2002-356.

19 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
20 Orr.

21 Any questions?

22 BOARD MEMBER JONES: Madam Chair?

23 CHAIRPERSON MOULTON-PATTERSON: Just as you said
24 that, Mr. Medina said he'd like to move it.

25 Mr. Medina.

1 BOARD MEMBER MEDINA: Yeah, Madam Chair, I'd like
2 to move Resolution 2002-356, approval of the scope of work
3 for the State Agency Buy-recycled Campaign Performance
4 Evaluation, Contract Concept Number 80.

5 BOARD MEMBER JONES: I'll second it.

6 MOULTON-PATTERSON: Okay. We have a motion by
7 Mr. Medina, seconded by Mr. Jones, to approve Resolution
8 2002-356.

9 Please call the roll.

10 SECRETARY VILLA: Eaton?

11 BOARD MEMBER EATON: Aye.

12 SECRETARY VILLA: Jones?

13 BOARD MEMBER JONES: Aye.

14 SECRETARY VILLA: Medina?

15 BOARD MEMBER MEDINA: Aye.

16 SECRETARY VILLA: Papanian?

17 BOARD MEMBER PAPANIAN: Aye.

18 SECRETARY VILLA: Roberti?

19 BOARD MEMBER ROBERTI: Aye.

20 SECRETARY VILLA: Moulton-Patterson?

21 CHAIRPERSON MOULTON-PATTERSON: Aye.

22 Okay. Item 86.

23 MR. ORR: Yes. This item requests that the Board
24 consider and approve a contractor for the State Agency
25 Buy-Recycled Performance Evaluation.

1 This particular contract where vendors were
2 selected through the California multiple awards system
3 vendors.

4 Three vendors were asked to review the scope of
5 work for the possibility of doing the evaluation. Two of
6 them replied.

7 The one that is recommended for approval by the
8 Board is Green Seal. A contractor profile was distributed
9 last week subsequent to the Committee meeting when we made
10 sure that the process that was outlined in the Governor's
11 new requirements relative to sole-source and CMAS bidding
12 were followed.

13 Green Seal is an internationally recognized
14 organization for their work in eco-labeling, product
15 certification, guidance and technical assistance. Their
16 sole work is to identify and promote environmentally
17 preferable products and services, including recycled
18 content.

19 Their operational partners include Environmental
20 Problem Solving Enterprises of California, the University
21 of Tennessee, Eco's Consulting in Oregon, and Healthy
22 Housekeeping Solutions in Indiana.

23 Board staff recommends that the Board approve
24 Option 1 and adopt Resolution 2002-357, approving Green
25 Seal as the contractor for this particular contract and

1 revising the agenda to reflect Green Seal in that
2 resolution.

3 CHAIRPERSON MOULTON-PATTERSON: Thank you.
4 Mr. Medina.

5 BOARD MEMBER MEDINA: Madam Chair, I'd like to
6 move Resolution 2002-357, consideration -- or approval of
7 contractor for the State Agency Buy-recycled Campaign
8 Performance Evaluation, Fiscal Year 2001-2002, Contract
9 Concept Number 80.

10 BOARD MEMBER JONES: Second.

11 CHAIRPERSON MOULTON-PATTERSON: I have a motion
12 by Mr. Medina, seconded by Mr. Jones, to approve
13 Resolution 2002-357.

14 Without objection, substitute the previous roll
15 call.

16 Okay. That brings us to the end of our agenda.

17 We have one public comment, and then the Board
18 will be going into closed session for personnel purposes.

19 CHIEF COUNSEL TOBIAS: And pending litigation.

20 CHAIRPERSON MOULTON-PATTERSON: And pending
21 litigation. Mr. Mohajer -- Mike Mohajer.

22 MR. MOHAJER: Good morning, Madam Chair, Members
23 of the Board. Welcome to southern California, even though
24 it took me three hours to come over here for about 70
25 miles.

1 But having said that, I was going to mention a
2 couple -- three words on Item 74. And unfortunately now
3 with this Committee meeting, I'm not able to make it to
4 Sacramento all the time.

5 So having said that, with your understanding, I
6 would like to, even though I was told that it was held in
7 the Committee, looking at this staff report to identify
8 the landfill disposal capacity, I did not see any
9 reference to using information that is provided in each
10 county, countywide siting element. And very specifically
11 the purpose of the countywide siting element is to
12 identify the available disposal capacity in each county
13 and how each jurisdiction would add to the disposal need.
14 So that was not mentioned and this item would be
15 considered by the Committee level. I would like that to
16 be included.

17 Also, one important issue is that many
18 jurisdictions especially in Los Angeles County what I
19 represent since most of landfills are in the
20 unincorporated areas, we have a very specific requirement
21 as a part of the land use permit, which we specify that
22 allow permitted tonnage, which is not based on the design
23 of the facility. And one example that you can look at,
24 the Sunshine Canyon, for example, has a design capacity of
25 250 million tons. But currently the only permitted

1 capacity that the landfill has is only for 16.9 million
2 tons.

3 So it is critical as you look at the landfill
4 disposal capacity, you consider what you mean by permitted
5 capacity, the volume, how much daily cover that goes in
6 there. And, you know, when you were before the Senate
7 Select Committee in El Monte, Larry presented the capacity
8 as identified by the Waste Board, which was somewhat
9 different than what I identified for the L.A. County.

10 So it's a great need to coordinate, and I did not
11 see that in Item 74. So I would appreciate it, and I
12 offer my services if I can.

13 So that was one item.

14 The second item, I'm going to follow up on what
15 Dr. Martin said. And our concern with SB 1524 and SB 530,
16 which is really in conflict with the policy that your
17 Board adopted last April promoting renewable energy in
18 conversion technology and you're looking for your effort
19 to see if that language can be put back to what it was.

20 And the last item today is -- I wasn't over
21 there. I don't know. But it is the last day for Heidi.
22 And I just want to thank her for -- on behalf of the
23 county her excellent service. She's been just beautiful.
24 And I would -- certainly personally will miss her a lot.

25 Thank you very much.

1 CHAIRPERSON MOULTON-PATTERSON: Thank you. And
2 we certainly expressed those same thoughts about Heidi
3 yesterday. But she's staying on as a volunteer, Mr.
4 Mohajer.

5 Mr. Paparian, did you wish to say anything?

6 BOARD MEMBER PAPARIAN: Yeah, just briefly.

7 We may all be volunteers after July 1st.

8 In terms of the landfill capacity issue, there's
9 probably a dozen different ways you could legitimately
10 calculate landfill capacity. And staff, I think, Mr.
11 Mohajer, are going to work diligently in incorporating the
12 various information that's available, but trying to come
13 up with something that's consistent throughout the State.
14 After the first time that this comes out, I'm sure there
15 will be a lot of give and take about what it should look
16 like the second time. So I think your comments are
17 welcome now and they'll be welcome after we come up with
18 the first report on this.

19 CHAIRPERSON MOULTON-PATTERSON: Thank you, Mr.
20 Paparian.

21 Thank you to staff, and to the public and the
22 Board members for a good meeting. And we will take a
23 five-minute break. Our closed session is over in this
24 room, I think. Mr. Simpson's over there or Deborah to
25 lead us over there.

1 So let's take five minutes and then regroup.

2 (Thereupon the California Integrated

3 Waste Management Board meeting adjourned

4 at 10:40 a.m.)

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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board
7 meeting was reported in shorthand by me, James F. Peters,
8 a Certified Shorthand Reporter of the State of California,
9 and thereafter transcribed into typewriting.

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

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 3rd day of July, 2002.

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JAMES F. PETERS, CSR, RPR

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