STATE OF CALIFORNIA Pete Wilson, Governor

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, California 95826

Jesse Huff, Chairman
Sam Egigian, Member
Paul Relis, Member

Wednesday, June 10, 1992
10:00 a.m.
meeting of the

PERMITTING AND ENFORCEMENT COMMITTEE

of the
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

8800 Cal Center Drive
Sacramento, CA 95826

AGENDA

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

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

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

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STATE OF CALIFORNIA Pete Wilson, Governor

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8800 Cal Center Drive
Sacramento, California 95826

Jesse Huff, Chairman
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Paul Relis, Member

ADDENDUM

Wednesday, June 10, 1992
10:00 a.m.
meeting of the

PERMITTING AND ENFORCEMENT COMMITTEE

of the
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

8800 Cal Center Drive
Sacramento, CA 95826

THE FOLLOWING ITEMS HAVE BEEN ADDED TO THE AGENDA:

20A. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR HIGHGROVE SANITARY LANDFILL, RIVERSIDE COUNTY

20B. DISCUSSION AND CONSIDERATION OF BOARD POLICY IMPLEMENTING PUBLIC RESOURCES CODE SECTION 44009, WHICH REQUIRES THE BOARD TO OBJECT TO THE ISSUANCE OF A SOLID WASTE FACILITY PERMIT IF THE FACILITY WOULD PREVENT OR SUBSTANTIALLY IMPAIR THE ACHIEVEMENT OF THE WASTE DIVERSION REQUIREMENTS MANDATED BY PUBLIC RESOURCES CODE SECTION 41780

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
June 10, 1992

AGENDA ITEM 2

ITEM: Discussion of Issues Relating to the Proposed Regulations for Permitting Waste Tire Facilities

BACKGROUND:

At the May 13, 1992 Permitting and Enforcement Committee Meeting, the Committee authorized staff to notice the proposed non-emergency regulations for public comment. The Committee also directed staff to investigate the impacts, and draft regulatory language for exempting tire dealers, automobile dismantlers, and tire retreaders from the subject regulations.

ANALYSIS:

Staff has investigated exemption/exclusion options for tire retreaders, tire dealers and automobile dismantlers. The options range from a proactive role by the Board,(e.g., granting exemptions for retreaders on a case-by-case basis), to excluding the retreaders, dismantlers and tire dealers entirely from the regulatory process. New regulatory language is shown in redline text, deletions are shown in ~~strikeout~~ text. A brief analysis of the impacts is provided for each option.

I. EXEMPTION FOR AUTOMOBILE DISMANTLERS AND TIRE DEALERS

The Board does not have the statutory authority to exempt dismantlers or tire dealers from the regulatory process. Under Public Resources Code (PRC) §42831, statute gave the Board authority to grant exemptions from the permitting process to tire retreading operations and persons using tires for agricultural purposes. Statute also exempted automobile dismantlers and tire dealers from the registration program (PRC §42810(a)) but failed to exempt them from the permitting process.

Pending legislation (Assembly Bill 2923, Hauser), however, proposes to exclude from the definition of a "minor waste tire facility", a tire dealer or an automobile dismantler, who stores tires on the premises for less than 90 days if not more than 1,500 waste tires are ever accumulated on the premises.

II. EXEMPTION FOR TIRE RETREADERS

Option 1: Exemption for tire retreader under Title 14, California Code of Regulations (14CCR) §18423 (Filing the Application).

Proposed Language: (a) Every operator of a new or existing waste tire facility shall submit to the Board a completed original waste tire facility application, as specified in Article 5 of this Chapter, and two (2) copies, unless:

> (1) The waste tire facility is the business premises of a tire retreading operation where waste tires are not stored on the business premises for more than 90 days, and not more than 3000 waste tires are ever accumulated on the business premises; in which case the operator will submit to the Board a completed original "Application for Exemption from a Waste Tire Facility Permit", form CIWMB XXX, and two (2) copies.

Impact of Proposed Language: This option would not provide a categorical exemption to retreading operations. Instead, exemptions would be granted on a case-by-case basis. Technical standards for safe storage specified in Chapter 3, Article 5.5 of the proposed regulations would be applicable. (See note on following page).

Analysis: This option would require proactive involvement by Board staff. Requests for exemption would be granted only after the Board made a finding that the terms and conditions of the exemption had been met by the applicant. This option would also provide the Board opportunity to ensure compliance with safety standards for storage of waste tires.

The exemption would only be applicable to minor waste tire facilities. Retreading operations with more than 3000 tires (recappable casings + scrap tires) would be subject to permitting requirements; facilities with more than 5000 tires would be required to meet financial assurance requirements for closure and operating liability.

Option 2: Exemption for a tire retreader under 14CCR §18420, Applicability.

Proposed Language: (a) Every facility which stores waste tires shall be considered a waste tire facility. The operator of a waste tire facility shall acquire a waste tire facility permit in accordance with the requirements of this Chapter, unless:

> (1) The waste tire facility is the business premises

> of a tire retreading operation where waste tires are not stored on the business premises for more than 90 days, and not more than 3000 waste tires are ever accumulated on the business premises.

Impacts of Proposed Language: This option would exempt retreaders from the permitting process. Tire storage would be subject to the technical standards for storage. (See note on following page).

Analysis: This option would remove retreading operations from Board review. The retreader would determine if the exemption was applicable to his/her business. The Local Enforcement Agency would be responsible for ensuring compliance with safety standards for storage of waste tires. The Board's involvement in compliance issues would be in response to local authority requests. Consequently, the Board could not ensure that either the exemption conditions or technical standards for safe storage were being met.

Note: Applicability of State Minimum Standards for exempt facilities.

The regulations pertaining to technical standards; addressing site access and security, vector control, fire prevention, and tire storage have been included by amendment to the State Minimum Standards (14 CCR, Chapter 3, Article 5.5). Regulatory language could be added to Article 5.5 exempting the tire retreaders from the technical standards.

Impacts of Proposed Language: The regulation of waste tire storage for exempt facilities would be subject to enforcement of local ordinance.

Analysis: Local ordinances for tire storage may not exist. Many of the fire prevention and storage standards addressed in the subject regulations are based on the 1990 Uniform Fire Code (UFC). Storage standards for tires were not addressed in the UFC until 1990, however, many cities having not yet adopted the most current UFC, operate under previous editions. Furthermore, many unincorporated county areas do not enforce the UFC or NFPA (National Fire Prevention Association) standards. Consequently, in some areas, waste tire storage standards may not be enforced at all.

III. EXCLUSION FOR RETREADERS, DISMANTLERS, AND TIRE DEALERS

Retreaders, dismantlers, and tire dealers could be excluded completely from the regulatory process by redefining the term "waste tire".

Proposed Language: Waste Tire means a tire that is permanently removed from use and that is not suitable for retreading.

Impacts of Proposed Language: This option would exclude retreaders, auto dismantlers, and tire dealers from the regulatory process. Additionally, stockpiles of used tires and retreadable casings would also be excluded from regulation. Technical standards for storage of waste tires would not be applicable.

Analysis: As previously discussed in the May 12, 1992 Memorandum to the Committee, staff does not believe that this definition of waste tire meets the intent of the statute. This interpretation of waste tire could, in fact, go far to unravel the intent of the legislation.

Staff's concern is that many tire piles posing health and safety threats may ultimately fall outside of the Board's regulatory authority. There would be no limit to the number of casings that a stockpiler could store and those casings would go unregulated, even though they may pose the same fire and vector threat as other scrap tires stored at the facility.

Although retreaders contend that retreadable casings should not be considered a waste because they have a value, current market demand for passenger size casings falls far short of the supply of casings. Approximately 90 percent of the retread business in California is devoted to truck tires. Most passenger tires in California are not retreaded. Thus, the tire pile storing retreadable passenger casings would be exempt from regulation even though those casings may never be retreaded.

It would also be difficult for staff to differentiate between scrap tires and retreadable casings at tire facilities. Specifications for retredable casings vary depending on the ultimate market. Without uniform standards for retreadable casings and a large enforcement staff, insuring compliance would not be possible.

IV. ADDITIONS/DELETIONS/CHANGES TO DEFINITIONS

Tire Retreading Operation: "Tire Retreading Operation " means a business location where waste tires are retreaded by scarifying the tire surface to remove the old surface tread and attaching a new tread to make a usable tire.

Tire Retreader: "Tire Retreader" means any person actively engaged in the business of tire retreading.

Major Waste Tire Facility: "Major waste tire facility" means a waste tire facility where, at any time, 5,000 or more ~~waste tire equivalents~~ waste tires are or will be stored. The quantity of waste tires shall be the sum of 1) the number of whole waste tires, and 2) the total weight of altered waste tires in pounds, divided by twenty-five (25) pounds.

Minor Waste Tire Facility: "Minor waste tire facility" means a waste tire facility where, at any time, 500 or more, but less than 5,000, ~~waste tire equivalents~~ waste tires are or will be stored. The quantity of waste tires shall be the sum of 1) the number of whole waste tires, and 2) the total weight of altered waste tires in pounds, divided by twenty-five (25) pounds.

~~Tire Equivalents: "Tire Equivalents" means the total weight of waste tires, in pounds, divided by 25 pounds.~~

Impacts of Proposed Language: Whole waste tires would be counted on a per unit basis, regardless of size. Altered waste tires would be reported on a unit basis, based on weight equivalency to a standard passenger tire.

Analysis: Statute requires that facilities be permitted as major or minor facilities based on the number of tires stored at the facility. Statute also requires major facilities to provide assurance that sufficient funds are set aside to cover the cost of ultimate disposal of the waste tires. Disposal costs are closely related to tire size/weight. Since tires may range in size from a few pounds to over a thousand pounds, tire equivalency was introduced as a standard against which all tires could be compared. This standard would allow the Board to more accurately define waste tire facilities (WTF's) as major and minor, and more equitably assess the financial assurance requirements for major facilities.

While the use of a tire equivalency does provide a safeguard that adequate closure cost mechanisms are in place for facilities storing large tires, the use of the equivalent standard may impose significant financial impacts on small businesses. An extreme example of the potential hardship imposed is the retreading operation that handles off the road (OTR) tires. OTR tires weigh more than 1000 pounds apiece, consequently, having three tires on site would preclude these businesses from consideration for exemption. Five tires on site would require compliance with financial assurance requirements. The other extreme, however, would be the minor waste tire facility with 4999 OTR tires and no requirement to establish a financial mechanism for closure.

STAFF COMMENTS:

This is a discussion item only.

ATTACHMENTS N/A

Submitted By: Tom Micka/Garth Adams **Phone** 255-2443

Approved By: Phillip J. Moralez/Martha Vazquez **Phone** 255-2431

Approved By Legal: _____ **Phone** _____ **Date** 6-2-92

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

PERMITTING AND ENFORCEMENT COMMITTEE

June 10, 1992

AGENDA ITEM 3

ITEM: Discussion and Consideration of Board Policy Implementing Public Resources Code Section 44009, Which Requires The Board to Object to the Issuance of a Solid Waste Facilities Permit If The Facility Would Prevent or Substantially Impair the Achievement of the Waste Diversion Requirements Mandated By Public Resources Code Section 41780.

BACKGROUND:

The Integrated Waste Management Act of 1989 (Act) has refocused the State's solid waste planning from traditional landfilling to an integrated approach of source reduction, resource recovery and landfilling. This redefinition of solid waste management necessitated the creation of a new comprehensive planning process. Previously adopted County Solid Waste Management Plans (CoSWMPs) no longer had any force or effect on or after January 1, 1990. Replacing CoSWMPs are Countywide Integrated Waste Management Plans (CoIWMPs) which focus on all aspects of solid waste management as part of a planning process to divert 25% of the solid waste stream from landfilling and transformation by 1995 and 50% by the year 2000.

The developmental period for a CoIWMP and all of its elements may range between 2-4 years from the date that the CoSWMPs were no longer in effect. The period of time from which the old CoSWMP ceased to exist and the new CoIWMP is approved by the Board is referred to as "The Gap." The Gap period is unique in that no local planning process exists within which to guide facility planning and siting decisions. Recognizing the need to establish a link between local planning and the facility siting and permitting process, the Legislature enacted and the Governor signed into law AB 2296, Cortese (Stats. 1990, Chapter 1617).

The Gap legislation fulfilled two needs:

1. where a proposed facility, or expansion of an existing facility, had not been previously incorporated into a locally approved CoSWMP, a process was established to ensure local consideration of the initial site identification and its description; and,

2. for every solid waste facility permit, the Board could not concur in the issuance of the permit if, based upon substantial evidence in the record, a facility would prevent or substantially impair local achievement of the waste diversion mandates in the Act. This provision created the "link" between the local planning process and the solid waste facilities permitting process.

Since the enactment of AB 2296, Board staff have initiated an evaluation of each proposed solid waste facilities permit. Board staff review each proposed permit to determine if evidence of prevention or impairment exists. This evaluation relies primarily upon information contained in the proposed permit and information provided by local planning officials. As the number of draft Source Reduction and Recycling Elements (SRREs) submitted to the Board for review and comment has increased, additional information has been available to enable staff to comment on the more specific aspects of local waste diversion programs. It is very important to note that the draft SRREs may not have yet been adopted locally at the time of submittal to the Board for review and the information contained in the SRREs could change significantly through the local approval process.

DISCUSSION:

At its April 22, 1992, Permitting and Enforcement Committee, Committee members heard extensive testimony concerning the issue of "prevent or substantially impair" and staff options for implementation. Of particular concern was the range of interpretations on the meaning of "prevent or substantially impair." The Committee chose to defer action on this item in order to seek further clarification of this requirement.

Recent meetings with members of the Legislature have clarified the intent, and the Board's responsibility, in addressing the "prevent or substantially impair" requirement. Specifically, the legislation was intended to focus on circumstances where a substantial portion of the solid waste stream has been committed to a waste management method which does not incorporate waste diversion. The waste stream may be committed either through contracts or other agreements.

Based upon this information and the author's letter to the Journal at the enactment of AB 2296, staff proposes the process described below for the implementation of the "prevent or substantially impair" requirement.

Proposed Process

Prior to the transmittal of a proposed solid waste facilities permit application to the Board for concurrence, the Local Enforcement Agency (LEA) will inquire of the appropriate local entities whether there exists any evidence relative to:

1. Flow control contracts executed by local agencies which require the transformation or disposal of recyclable materials which are needed to meet the statutory waste diversion levels; and,

2. Local government financing arrangements which necessitate the transformation or disposal of substantial quantities of recyclable materials in order to service long-term debt.

The LEA would not be responsible for making a determination of "prevent or substantially impair." Rather, the LEA would identify if evidence exists based upon the two situations described above. It is the responsibility of the Board to evaluate the evidence identified by the LEA and determine whether the proposed facility would "prevent or substantially impair" the achievement of the waste diversion mandates.

Attachments

Prepared By: Caren Trgovcich Caren Trgovcich Phone: 255-2207

Reviewed By: Ralph Chandler _____ Phone: 255-2182

Legal Review: RFC _____ Date/Time 6/2 11h35

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Assembly
California Legislature

DOMINIC L. CORTESE
ASSEMBLYMAN, TWENTY-FOURTH DISTRICT

CHAIRMAN
ASSEMBLY COMMITTEE ON WATER, PARKS AND WILDLIFE

CHAIRMAN:
WATER, PARKS AND WILDLIFE
SUBCOMMITTEE ON STATE-LOCAL RELATIONS
SELECT COMMITTEE ON CALIFORNIA WINE PRODUCTION AND ECONOMY
WINE INDUSTRY TASK FORCE OF NATIONAL CONFERENCE OF STATE LEGISLATURES

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AGRICULTURE
SUBCOMMITTEE ON FAIRS AND EXPOSITIONS
EARTHQUAKE PREPAREDNESS AND NATURAL DISASTERS
ECONOMIC DEVELOPMENT, INTERNATIONAL TRADE, AND TECHNOLOGIES
GOVERNMENTAL ORGANIZATION
HEALTH
SUBCOMMITTEE ON MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES
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SELECT COMMITTEE ON SMALL BUSINESS

JOINT COMMITTEES:
LEGISLATIVE AUDIT
ORGANIZED CRIME AND GANG VIOLENCE
REFUGEE RESETTLEMENT, INTERNATIONAL MIGRATION AND COOPERATIVE DEVELOPMENT
QUINCENTENNIAL

SEISMIC SAFETY COMMISSION

March 11, 1992

RECEIVED
MAR 16

Mr. Jesse R. Huff
Member, California Integrated Waste
Management Board
8800 Cal Center Drive
Sacramento, California 95826

Dear Mr. Huff: Jesse

It is my understanding that your Board is in the process of developing a policy statement relating to the implementation of the "prevent or substantially impair" language contained in my Assembly Bill 2296 of 1990.

It took a full year of extensive negotiations among environmental groups, waste/recycling industry and local government to develop an acceptable planning and permitting process for the "gap" period and I am concerned that this policy statement could negate or significantly compromise that legislative effort.

First, let me clarify that it was <u>not</u> the intent of AB 2296 to <u>require</u> the Board to make a finding relating to "prevention or substantial impairment" of waste diversion goals on each proposed solid waste facility permit. Rather, AB 2296 <u>authorized</u> the Board to "object to a permit" if the Board concurs that substantial evidence has indeed been placed in the record that the issuance of a permit would prevent or substantially impair achievement of waste diversion requirements.

Second, Board members should be aware that there was tremendous concern about the possible interpretation of the term "prevent or substantially impair." These concerns were addressed by a letter I submitted to the Assembly Daily

Journal, with the unanimous consent of the Assembly, clarifying the intent of the authors with respect to the new authority granted to the Board. This letter was reviewed and approved by all parties which were involved in the AB 2296 negotiations.

I urge you to carefully review the enclosed letter. If you determine that a Board policy statement is needed to effectively implement AB 2296, it would be most appropriate to adopt a policy which directs staff to use the formal letter of legislative intent contained in the Assembly Daily Journal as their exclusive guidance in those rare instances where it is necessary to determine if there is substantial evidence that a specific permit may prevent or substantially impair achievement of the AB 939 diversion goals.

I would appreciate being kept fully informed of all Board activities relating to this matter.

Thank you for your consideration.

Sincerely,

DOMINIC L. CORTESE
Assemblyman, 24th District

DLC:pm

enc.

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Assembly
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QUINCENTENNIAL

SEISMIC SAFETY COMMISSION

August 30, 1990

Mr. R. Brian Kidney
Chief Clerk of the Assembly
State Capitol
Sacramento, California 95814

Dear Mr. Kidney:

This letter is intended to clarify the intent of the authors of Assembly Bill 2296 with respect to the authority granted to the California Integrated Waste Management Board by this measure to concur or object to solid waste facility permits which would prevent or substantially impair achievement of the requirements prescribed in Public Resources Code Section 41780.

It is the position of the authors that California's cities and counties must, in cooperation with solid waste enterprises, and other state and regional agencies, assume primary responsibility for the planning, permitting and design of collection, processing, recovery and disposal facilities both to implement state recycling policies and to meet local needs.

Existing state law states that local governments may determine aspects of solid waste handling which are of local concern including, but not limited to, the nature, location and extent of providing solid waste handling service. It is not the intent of AB 2296 to usurp local land use authority or local responsibility for the planning, permitting, or design of solid waste management systems and individual facilities.

Until, however, local governments have adopted and the Board has approved new Countywide Integrated Waste Management Plans, the authors believe that a limited expansion of the Board's authority to concur or object to solid waste facilities permits is necessary to ensure that new or expanded solid waste

facilities do not prevent or substantially impair achievement of new source reduction and recycling requirements.

It is not the intent of AB 2296 to authorize or encourage the Board to arbitrarily overrule local approval of a solid waste facility or to impose special permit conditions on the majority of facilities that will be reviewed by the Board. Rather, AB 2296 should be used judiciously by the Board to intervene in the permitting of a facility which will prevent or substantially impair the ability of a local government to achieve the source reduction and recycling goals requirements prescribed by Assembly Bill 939 (Chapter 1095, Statutes of 1989).

Two examples of projects which clearly warrant careful Board scrutiny and possible intervention are those involving:

1. Flow control contracts executed by local agencies which require the transformation or disposal of recyclable materials which are needed to meet the AB 939 recycling goals; and

2. Local government financing arrangements which necessitate the transformation or disposal of substantial quantities of recyclable materials in order to service long-term debt.

The Board should recognize that the design of individual solid waste facilities requires an intimate knowledge of local political, economic, and environmental conditions. To the extent a proposed project does not prevent or substantially impair the achievement of state-mandated source reduction and recycling rates, it is most appropriately handled at the local level. In addition, the Board must recognize that an individual facility may only represent one portion of a local plan or program designed in response to both the AB 939 recycling requirements and disposal capacity requirements. Thus, an individual facility under consideration by the Board may not be intended to make a significant contribution to recycling or composting rates mandated by AB 939, but may be essential to meeting local disposal needs and on that basis alone should not be deemed by the Board to prevent or substantially impair achievement of the AB 939 recycling requirements.

Finally, it is not the intent of the Legislature, in expanding the responsibility of the Board to concur or object to solid waste facility permits, to include within that expanded responsibility any authority to:

1. require modifications to permits that are not essential for the city or county to meet the recycling requirements prescribed by AB 939; or

2. object to permits for new or expanded disposal capacity unless specific permit conditions, flow control agreements, financing arrangements, or similar agreements have been shown to prevent or substantially impair the ability of the city or county to meet source reduction and recycling requirements; or

3. require the redesign of proposed facilities to meet recycling levels which exceed the rates prescribed by Section 41780 or achievement of the 50% rate prior to the year 2000.

Sincerely,

DOMINIC L. CORTESE
Assemblyman, 24th District

DLC:pm

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee Meeting

June 10, 1992

AGENDA ITEM 4

ITEM: Consideration of Certification and Designation of the San Bernardino County Department of Environmental Health Services as the Local Enforcement Agency for San Bernardino County

BACKGROUND:

The Public Resources Code requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction. Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute. The EPP shall embody the designation and certification requirements and demonstrate that the Local Enforcement Agency (LEA) meets all the requirements for the requested certifications. Public Resources Code (PRC) Section 43204 states: "No enforcement agency may exercise the powers and duties of an enforcement agency until the designation is approved by the board. After August 1, 1992, the board shall not approve a designation unless it finds that the designated enforcement agency is capable of fulfilling its responsibilities under the enforcement program and meets the certification requirements adopted by the board pursuant to PRC Section 43200."

For a local agency to have its designation as an enforcement agency approved by the Board, the enforcement agency must meet the following minimum requirements of statute and regulation:

1. Technical expertise
2. Adequate staff resources
3. Adequate budget resources
4. Adequate training
5. The existence of at least one permitted solid waste facility within the jurisdiction of the local agency.
6. No operational involvement in any of the types of facilities or sites it permits, inspects or enforces.
7. A sole enforcement agency per LEA jurisdiction.

The Board, after approval of the EPP, may issue certifications to the designated enforcement agency per Title 14 California Code of Regulations (14 CCR) Section 18071 for one or more of the following types of duties and responsibilities:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
"B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities
"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities
"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Therefore, to establish an LEA, the Board is required by statutes and regulations to approve the Enforcement Agency's EPP, to issue certification(s), and approve the designation of the Enforcement Agency.

ANALYSIS:

Board staff has received and reviewed the Designation Information Package (DIP) from the San Bernardino County Board of Supervisors requesting approval of their designation of the San Bernardino County Department of Environmental Health Services as the enforcement agency for San Bernardino County. Furthermore, Board staff has received and reviewed the EPP.

The documentation provided in the DIP and EPP meet the general requirements of PRC 43200 - 43219 and 14 CCR 18010 - 18084. Board staff find that the DIP and EPP are complete and acceptable for the Board to consider the approval of the EPP, issuance of the requested certifications, and approval of the designation of the San Bernardino County Department of Environmental Health Services as the Local Enforcement Agency (LEA) for the County of San Bernardino (see attached fact sheet for detailed information).

In reviewing this agency's past performance, Board staff has concerns regarding the agency's permitting and enforcement programs. Because of these concerns Board staff will conduct a performance review within six months to assess their implementation and effectiveness of these programs.

STAFF COMMENTS:

Board staff concur with the proposed EPP, the issuance of the requested certification and approval of the designation.

The Board has the following options:

1. Approve the EPP, issue the requested certification, and approve the designation for the jurisdiction.

2. Approve the EPP, and issue temporary LEA certification and/or designation approval for specific time periods.

3. Disapprove the EPP and/or not issue the requested certification and therefore, disapprove the designation and appoint the Board as the enforcement agency for the jurisdiction.

4. Take no action. This option provides for no enforcement agency designation. The Board would need to perform the enforcement agency duties starting August 2, 1992.

ATTACHMENTS:

1. Designation and Certification Fact Sheet.

2. CIWMB resolution for approval of the EPP, issuance of requested certification and the approval of the designation for San Bernardino County.

Prepared by: Jo Clement\Mary T. Coyle MC Phone 255-2408

Reviewed by: Martha Vazquez M Phone 255-2431

Legal review: RFC Date/Time 5/31/92 11h31

DESIGNATION AND CERTIFICATION

FACT SHEET

San Bernardino County

The following is an abstract of the designation and certification information compiled from the Designation Information Package (DIP) and the Enforcement Program Plan (EPP) from the local governing body(s) and the designated enforcement agency indicated below:

Designating Local Governing Body(s):

San Bernardino County and all its cities

Designated Jurisdiction:

San Bernardino County

Designated Enforcement Agency:

San Bernardino County
Department of Environmental Health Services

Facilities and Sites: Total count ---------- 62*

Vehicles: Total count ---------- 481*

Facility Types:
Landfill(s)---------- 29*
Transfer Station(s)---------- 1*

Site Types:
"Inactive" site(s)---------- 6*
"Closed" site(s)---------- 7*
"Exempt" site(s)---------- 2*
"Illegal site(s)---------- 9*
"Abandoned site(s)---------- 8*

Types of Certification requested:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites

"B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities

"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities

"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Budget Adequacy: (Total Annual Budget)----------$1,639,319.00*

Technical Expertise and Staff Adequacy:

- One (1) Division Chief, Environmental Management Division
- One (1) Supervising Environmental Health Specialist
- Two (2) Environmental Health Specialist III
- Two (2) Environmental Health Specialist II
- Two (2) Environmental Health Specialist I
- Two (2) Environmental Health Specailist Trainee
- One (1) Environmental Specialist IV
- One (1) Environmental Specialist III
- One (1) Environmental Specialist II
- One (1) Health Education Specialist
- One (1) Environmental Technician
- One (1) Secretary I

* as indicated in the Enforcement Program Plan

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION NO. 92-46

June 24, 1992

Resolution approving the Enforcement Program Plan, issuing the requested certification and approving the designation of the County of San Bernardino Department of Environmental Health Services as the Local Enforcement Agency for the County of San Bernardino.

WHEREAS, the California Integrated Waste Management Act of 1989 requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction; and

WHEREAS, regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute; and

WHEREAS, the California Integrated Waste Management Board has received and reviewed the Enforcement Program Plan for the County of San Bernardino; and

WHEREAS, the Enforcement Program Plan of the County of San Bernardino Department of Environmental Health Services requests the Board to approve the Enforcement Program Plan and issue certification types "A","B","C" and "D" to the designated local agency pursuant to Title 14 California Code of Regulations Section 18071; and

WHEREAS, the County of San Bernardino Board of Supervisors and the majority of the City Councils with the majority of the incorporated population of the designated jurisdiction have designated the above local agency and requested Board approval of their designation; and

WHEREAS, the County of San Bernardino Department of Environmental Health Services has adopted its Enforcement Program Plan pursuant to Public Resources Code Section 43209; and

WHEREAS, the Board finds that the above designated enforcement agency has demonstrated, via its Enforcement Program Plan, that it meets the requirements of Public Resources Code Division 30 Part 4, Chapter 2, Article 1 and Title 14 California Code of Regulations Division 7, Chapter 5, Articles 1.0 - 2.2; and

WHEREAS, in reviewing the County of San Bernardino Department of Environmental Health Services' past performance, Board staff has concerns regarding their permitting processing procedures and their taking appropriate enforcement actions where applicable; and

WHEREAS, the County of San Bernardino Department of Environmental Health Services need to demonstrate their capability and experience in implementing their permitting and enforcement programs;

NOW, THEREFORE, BE IT RESOLVED, the California Integrated Waste Management Board pursuant to Public Resources Code Division 30 Part 4, Chapter 2, Article 1 approves the Enforcement Program Plan and designation and issues certification types "A", "B", "C" and "D" to the County of San Bernardino Department of Environmental Health Services as the Local Enforcement Agency for the County of San Bernardino and all its incorporated cities;

BE IT FURTHER RESOLVED, that the Board directs staff to conduct a performance review within six months to assess their implementation and effectiveness of enforcement and permitting programs.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Date:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee Meeting

June 10, 1992

AGENDA ITEM 5

ITEM: Consideration of Certification and Designation of the Tuolumne County Health Department, Environmental Health Division as the Local Enforcement Agency for Tuolumne County

BACKGROUND:

The Public Resources Code requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction. Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute. The EPP shall embody the designation and certification requirements and demonstrate that the Local Enforcement Agency (LEA) meets all the requirements for the requested certifications. Public Resources Code (PRC) Section 43204 states: "No enforcement agency may exercise the powers and duties of an enforcement agency until the designation is approved by the board. After August 1, 1992, the board shall not approve a designation unless it finds that the designated enforcement agency is capable of fulfilling its responsibilities under the enforcement program and meets the certification requirements adopted by the board pursuant to PRC Section 43200."

For a local agency to have its designation as an enforcement agency approved by the Board, the enforcement agency must meet the following minimum requirements of statute and regulation:

1. Technical expertise
2. Adequate staff resources
3. Adequate budget resources
4. Adequate training
5. The existence of at least one permitted solid waste facility within the jurisdiction of the local agency.
6. No operational involvement in any of the types of facilities or sites it permits, inspects or enforces.
7. A sole enforcement agency per LEA jurisdiction.

The Board, after approval of the EPP, may issue certifications to the designated enforcement agency per Title 14 California Code of Regulations (14 CCR) Section 18071 for one or more of the following types of duties and responsibilities:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
"B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities
"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities
"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Therefore, to establish an LEA, the Board is required by statutes and regulations to approve the Enforcement Agency's EPP, to issue certification(s), and approve the designation of the Enforcement Agency.

ANALYSIS:

Board staff has received and reviewed the Designation Information Package (DIP) from the Tuolumne County Board of Supervisors requesting approval of their designation of the Tuolumne County Health Department, Environmental Health Division as the enforcement agency for Tuolumne County. Furthermore, Board staff has received and reviewed the EPP.

The documentation provided in the DIP and EPP meet the general requirements of PRC 43200 - 43219 and 14 CCR 18010 - 18084. Board staff find that the DIP and EPP are complete and acceptable for the Board to consider the approval of the EPP, issuance of the requested certifications, and approval of the designation of the Tuolumne County Health Department, Environmental Health Division as the Local Enforcement Agency (LEA) for the County of Tuolumne (see attached fact sheet for detailed information).

STAFF COMMENTS:

Board staff concur with the proposed EPP, the issuance of the requested certification and approval of the designation.

The Board has the following options:

1. Approve the EPP, issue the requested certification, and approve the designation for the jurisdiction.

2. Approve the EPP, and issue temporary LEA certification and/or designation approval for specific time periods.

3. Disapprove the EPP and/or not issue the requested certification and therefore, disapprove the designation and appoint the Board as the enforcement agency for the jurisdiction.

4. Take no action. This option provides for no enforcement agency designation. The Board would need to perform the enforcement agency duties starting August 2, 1992.

ATTACHMENTS:

1. CIWMB resolution for approval of the EPP, issuance of certification and the approval of the designation for the County of Tuolumne.

Prepared by: Gabe Aboushanab\ Mary T. Coyle MC Phone 255-2408

Reviewed by: Martha Vazquez Phone 255-2431

Legal review: Date/Time 5-27-92 10h45

DESIGNATION AND CERTIFICATION

FACT SHEET

Tuolumne County

The following is an abstract of the designation and certification information compiled from the Designation Information Package (DIP) and the Enforcement Program Plan (EPP) from the local governing body(s) and the designated enforcement agency indicated below:

Designating Local Governing Body(s):

Tuolumne County and all its cities

Designated Jurisdiction:

Tuolumne County

Designated Enforcement Agency:

Tuolumne County Health Department Environmental Health Division

Facilities and Sites: Total count ---------- 49*

Vehicles: Total count ---------- 16*

Facility Types:

Landfill(s)---------- 2*
Transfer Station(s)---------- 2*
Proposed Facility(s)---------- 1*

Site Types:

"Inactive" site(s)---------- 1*
"Closed" site(s)---------- 35*
"Exempt" site(s)---------- 3*
"Illegal site(s)---------- 3*
"Abandoned site(s)---------- 2*

Types of Certification requested:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
"B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities
"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities
"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Budget Adequacy: (Total Annual Budget)----------$117,247.00*

Technical Expertise and Staff Adequacy:

- One Principal Environmental Health Specialist supervised by the Director of Environmental Health.

* as indicated in the Enforcement Program Plan

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION NO. 92-44

June 24, 1992

Resolution approving the Enforcement Program Plan, issuing the requested certifications and approving the designation of the Tuolumne County Health Department Environmental Health Division as the Local Enforcement Agency for the County of Tuolumne.

WHEREAS, the California Integrated Waste Management Act of 1989 requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction; and

WHEREAS, Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute; and

WHEREAS, the California Integrated Waste Management Board has received and reviewed the Enforcement Program Plan for Tuolumne County; and

WHEREAS, the Enforcement Program Plan of the Tuolumne County Health Department Environmental Health Division requests the Board to approve the Enforcement Program Plan and issue certification types "A","B","C" and "D" to the designated local agency pursuant to Title 14 California Code of Regulations Section 18071; and

WHEREAS, the Tuolumne County Board of Supervisors and the majority of the City Councils with the majority of the incorporated population of the designated jurisdiction have designated the above local agency and requested Board approval of their designation; and

WHEREAS, the Tuolumne County Health Department Environmental Health division has adopted its Enforcement Program Plan pursuant to Public Resources Code Section 43209; and

WHEREAS, the Board finds that the above designated enforcement agency has demonstrated, via its Enforcement Program Plan, that it meets the requirements of Public Resources Code Division 30 Part 4, Chapter 2, Article 1 and Title 14 California Code of Regulations Division 7, Chapter 5, Articles 1.0 - 2.2;

NOW, THEREFORE, BE IT RESOLVED, based on the foregoing considerations, the California Integrated Waste Management Board pursuant to Public Resources Code Division 30 Part 4, Chapter 2, Article 1 approves the Enforcement Program Plan and designation and issues certification types "A","B","C" and "D" to the Tuolumne County Health Department Environmental Health Division as the Local Enforcement Agency for Tuolumne County and all its incorporated cities.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Date:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
June 10, 1992

AGENDA ITEM 6

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for the North County Recycling Center, San Diego County

BACKGROUND:

Facility Facts

Name:	North County Recycling Center Facility No. 37-AA-0104
Facility Type:	Recycling Center and Transfer Station
Location:	1601 Questhaven Road, San Marcos
Area:	15.7 acres
Setting:	The facility is located within the boundaries of the County-owned 219-acre San Marcos Landfill along its western boundary. The Zoning Ordinance for the City of San Marcos designates the Facility site and the San Marcos Landfill as "Solid Waste Management Zone."
Operational Status:	New Recycling Center and Transfer Station, construction has not commenced
Owner/Operator:	Mr. Lawrence Gaffin, Project Manager North County Resources Recovery Associates
LEA:	San Diego County Department of Health Services

Proposed Project

The proposed project is for a new recycling center and transfer station that will process a maximum of 3,200 tons per day.

SUMMARY:

Site History The North County Recycling Center is a new recycling center and transfer station. This proposed facility is scheduled to start operation on January 1, 1994.

Project Description This proposed new recycling center and transfer station is located on an approximately 15.7 acre lot leased from the County of San Diego within the boundaries of the San Marcos Landfill.

The facility consists of a Receiving and Processing Building, a Shredded Stream Loading area, a Recycling Center, an Administration Building, a Visitor's Center, an Electrical Building, and a Fire Protection Pump House. The Processing Building will house all the processing equipment, machine shop, spare parts, baler, residue, and shredder enclosures. The Recycling Center will contain a small office, portable scales, recyclable material containers, and an area partitioned for municipal solid waste. The Receiving Building tipping floor has the capacity to store 3,000 tons of solid waste daily.

The proposed facility will be operated for the receipt of processible non-hazardous solid wastes from 7:00 a.m. to 4:30 p.m., Monday through Saturday, except during three legal holidays. The facility is capable of processing an average throughput of 2,560 tons per day of processible waste with a maximum daily peak throughput of 3,200 tons per day and a maximum weekly peak of 14,000 tons. The Recycling Center is open on Sundays from 7:00 a.m. to 4:30 p.m. for non-commercial vehicles only, when separated glass, aluminum, newspaper, and recyclable materials will be received from the public. Non-hazardous solid waste delivered to the Recycling Center by the public on Sundays in non-commercial vehicles will be transported to the tipping floor on the following Monday.

The operations of this proposed facility aim at recovering and recycling up to 25% of the incoming waste consisting of aluminum, corrugated cardboard, newspaper, other mixed paper, film plastic, P.E.T., H.D.P.E., glass, and ferrous metal.

A typical operation cycle at this facility proceeds as follows: Commercial hauler vehicles containing waste check in at the scales on the landfill site access county fee booth building and the waste is weighed. Drivers are then directed to the tipping floor in the Receiving Building, where they unload the waste. Diesel-fueled front-end loaders with oversized buckets move the solid waste into feed hoppers from which the waste moves onto their associated infeed apron conveyors for the transport of the waste to the Processing Building.

There will be installed five refuse processing system lines, each with a maximum daily peak throughput of 40 tons per hour, a maximum continuous capacity of 35 tons per hour, and an expected average throughput of 32 tons per hour. Waste processing will take place for a maximum of 80 hours per processing line each week. The processing lines will be operated on two shifts, from 7:00 a.m. to 3:00 p.m. and 3:00 p.m. to 11:00 p.m. Monday through Saturday. Maintenance on processing equipment will be performed during a third shift, and on weekends, if needed.

At the Processing Building, sizing is accomplished by a coordinated system of an enclosed rotating trommel and horizontal shredders. The trommel is a rotating cylinder, 10.5 feet in inside diameter, about 60 feet long, with a useful screening length of approximately 45 feet, is made up of five screening sections with various hole sizes and is equipped with bag rippers. Two shredders will be installed and in operation to accommodate size reductions.

The fine fraction or process residue consisting of broken glass, grit, dirt, and organics is removed from the initial screening section of the trommel. The medium fraction (passing through three sections) is subjected to a ballistic sorter followed by magnetic separation before being hand sorted for removal of recoverable materials. A magnetic cross-belt separator, located above the conveyor belt, will separate the ferrous metals from the waste stream.

The material passing through the trommel screen is dropped onto an inclined conveyor belt called a bounce and adherence separator. This device is adjustable via belt speed and angle of incline. The adjustments allow for maximum separation of cans, glass, and plastic bottles from the paper and smaller debris so that efficient picking of the products can be performed.

The large size material is removed in the last section of the trommel. This material is also separated into two streams by a bounce and adherence separator. The containers and glass are sent to the conveyor from the mid-sized bounce collection. The mixed paper and cardboard portion is conveyed to a manual picking area for removal and is then baled. The oversized stream and the unrecovered portion from the bounce and adherence separators pass through the center of the trommel and are conveyed to the shredders. Each shredder will have a capacity of 65 tons/hr. and will be equipped with a 1250 hp electric motor.

Material recovery for corrugated cardboard, newspaper, other mixed paper, film plastics, P.E.T., H.D.P.E., and glass is by hand picking from wide lightly loaded conveyors. Employees will

be stationed along these conveyors to insure maximum efficiency in recovery.

Aluminum cans and other non-ferrous metals will be recovered by two eddy-current separators. Recovered aluminum passes by a picker, who removes non-can materials. Rejects from the eddy-current separators are conveyed to the residue conveyor.

Process residue will be loaded directly into transfer trailers and is transported to the San Marcos Landfill by the County.

The Recycling Center This section of the proposed facility will be open for the public on Sundays only, from 7:00 a.m. to 4:30 p.m. to allow the County to purchase pre-sorted glass, aluminum cans, newspapers, and other recyclables. The Recycling Center will also accept refuse in bags, which will be placed in containers and transferred to the Receiving Building.

Environmental Controls Several environmental control measures are proposed to mitigate potential problems of dust, litter, noise, vectors, fire, and waste water. Dust control in the Receiving and Processing Buildings will be accomplished by dust collectors or baghouses as required by the Air Pollution Control District (APCD). Dust control at the processing conveyor transfer points will be accomplished by hoods and ductwork leading to baghouses located adjacent to the Processing Building. The dust collection system at the processing lines is designed to pull air from various pickup points. By creating a negative draft, dust laden air is drawn off by the system followed by baghouse collector and an induced draft fan. Dust control for the two shredders will be accomplished by an intermittent water spray as well as baghouses. The dust control system will meet the exhaust concentration collection efficiencies specified by APCD.

Litter and fugitive dust emission control will be accomplished by keeping the tipping floor and processing areas clean. The roads that lead to the facility will be paved and curbed and will be vacuum swept at least two times a week.

All facility equipment with the exception of the transformer, the loadout operations, roof exhausters and associated dust collectors, and process baghouses are housed either in buildings or in their associated enclosures. Therefore, noise from the facility operations is not expected to create any significant impact to neighbors. In noisy areas inside the facility, personnel will be provided with protective devices. Prior to receipt of Occupancy Permit, facility operators will perform and

submit to the City of San Marcos a detailed noise study of facility operations, identifying sources and attendant noise levels.

Vector control will be accomplished by the timely processing of delivered waste to minimize its storage on the tipping floor beyond normal operating hours. Daily cleanup of spilled material at the processing areas and the institution of general good housekeeping in the receiving and processing areas will eliminate the potential for insect harborage. The services of a pest control contractor will also be utilized, as required, to control and eliminate any potential vector infestations.

Provisions will be made for facility fire protection measures. These include, roof exhausters for six air changes per hour for the Receiving and Processing Buildings and for the Recycling Center, as required by the San Marcos Fire Protection District. Sprinkler systems will also be installed for fire protection of the building and the conveyor system in the Processing Building at each discharge chute along with manual hose stations located throughout the processing area. The shredders will be equipped with explosion vents and a "Halon" system.

Waste water from the facility generated from the floor and equipment washdown and from the sanitary effluent will be piped to a nearby Treatment Plant. In the Processing and Receiving Buildings, sumps with oil separators will be installed. Gravity flow to the Treatment Plant is presently anticipated, however, should the final design dictate otherwise, sump pumps will be installed to effect proper discharge. The waste water will be tested periodically to assure that the chemical loading limits of the Treatment Plant are not exceeded. Rainwater runoff outside of the buildings will be directed to the box culverts.

A Household Hazardous Waste exclusion monitoring and handling program is also proposed as a component of the operations of the facility. Signs will be posted at the facility entrance stipulating the prohibition of disposal of hazardous wastes and trained personnel will inspect deposited wastes to be sure that the wastes are acceptable. If hazardous wastes are discovered at any time during the operation, they will be removed immediately and disposed of appropriately.

The facility will also be equipped with additional safeguards, such as a radiation detector at the entrance door of the Receiving Building for the detection of radioactive wastes and a methane purge system to prevent the migration of landfill gas into the buildings.

The Receiving and Processing Buildings will be equipped with electrically-operated louvers and exhausters designed for three air changes per hour. The control room and the picking stations in the Processing and Administration Buildings and Visitors' Center will be air conditioned.

Resource Recovery The proposed facility operations aim at recovering and recycling up to 25% of the incoming waste. This will consist of aluminum, corrugated cardboard, newspaper, other mixed paper, film plastic, P.E.T., H.D.P.E., glass, and ferrous metals.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on May 1, 1992, the last day the Board may act is June 30, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the permit and supporting documentation, and have found that the proposed permit is acceptable for the Board's consideration of concurrence. In making the determination the following requirements were considered:

1. Conformance with County Plan

   The LEA has certified the facility's Finding of Conformance with the San Diego County Solid Waste Management Plan, dated 1986 (pages III-43, and V-23 through V-26). Board staff agree with said certification.

2. Consistency with General Plan

   The LEA has certified that the City of San Marcos has made the determination that this proposed facility is consistent with, and is designated in, the applicable General Plan by Resolution No. 87-2667 adopted on August 18, 1987.

   By the same resolution, the City of San Marcos made a finding that the operation of the proposed facility is compatible with the surrounding land use. The Solid Waste Management General Plan designation and the Solid Waste Management zone designation allow for the development of a

recycling facility, as required in Public Resources Code (PRC) 50000.5(b)(1)(2). Board staff agree with said certification.

3. California Environmental Quality Act

State law requires preparation and certification of an environmental document whenever a project requires discretionary approval by a public agency. The County of San Diego Department of Public Works prepared an Environmental Impact Report for the project (SCH # 85092527). The project was certified as approved by the lead agency on August 18, 1987, and a Notice of Determination was filed.

A Mitigation Monitoring and Implementation Schedule (MMIS) has been submitted to the Board. Potential Environmental impacts and mitigation measures associated with the project are identified and incorporated in the MMIS (Attachment 4).

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and the Environmental Impact Report is adequate and appropriate for the Board's use in evaluating the project.

4. Consistency with Waste Diversion Requirements

Staff of the Board's Planning and Local Assistance Division make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would impair or impede the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit would neither impede nor significantly impair the County of San Diego from meeting its waste diversion goals. The analysis used in making this determination is included as Attachment 5.

5. Compliance with State Minimum Standards

The LEA has made the determination that the facility's proposed design is acceptable and is in compliance with the State Minimum Standards for Solid Waste Handling and Processing based on their review of the submitted Report of Station Information, Volumes I and II and addenda thereto, dated February 1992. Board staff agree with said determination.

STAFF COMMENTS:

Because a revised Solid Waste Facilities Permit is proposed, the Board must either concur or object with the proposed permit as submitted by the LEA.

Staff recommends that the Board adopt Permit Decision No. 92-45, concurring in the issuance of Solid Waste Facilities Permit No. 37-AA-0104.

ATTACHMENTS:

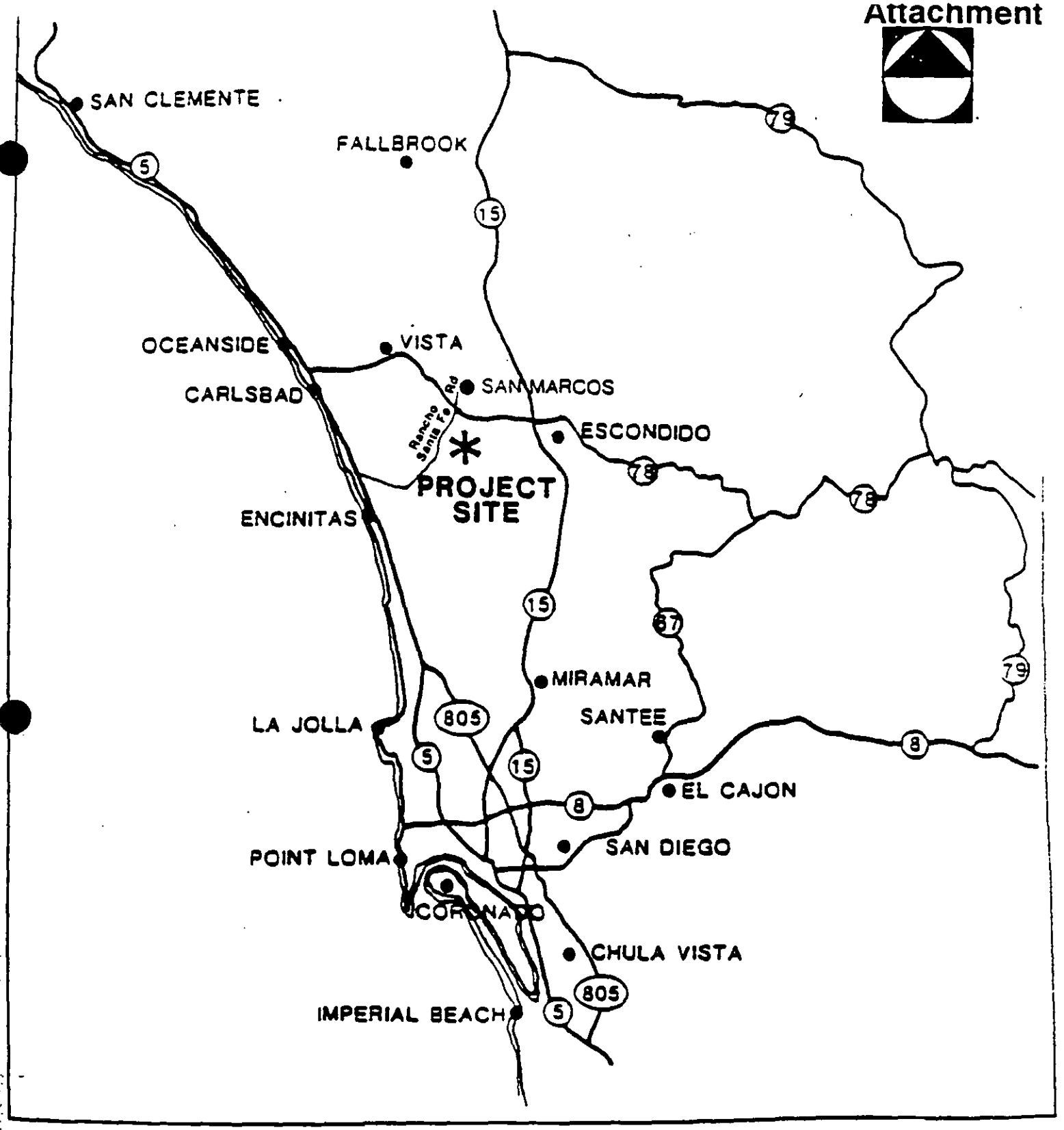
1. Location Map
2. Site Map
3. Permit No. 37-AA-0104
4. Mitigation Monitoring Implementation Schedule
5. AB 2296 Finding of Conformance
6. Permit Decision No. 92-45

Prepared by: Tadese Gebre-Hawariat THH. Phone:255-2438

Reviewed by: Phillip J. Moralez/ Martha Vázquez Phone:255-2454

Legal review: Date/Time 6-2-92

Attachment



REGIONAL LOCATION

NORTH COUNTY RECYCLING CENTER

County of San Diego

Figure 2 - 1

CURVE DATA	
"A"	CURVE "B"
'	320'.00
'34"	37°31'05"
'	209.34

PROPERTY LINE

RETAINING WALL FOR FACILITIES GRADING RETENTION (ON PROPERTY LINE)

S00°05'19"W (1,084.49')

EL. 526.00' EL. 522.50' EL. 514.00' EL. 513.50' EL. 507.00' EL. 507.00'

EL. 511.00'

POTABLE WATER & FIRE PROTECTION WATER TANK

FIRE PROTECTION PUMP HOUSE

ENCLOSURE FOR SHREDDED STREAM LOADING (TYP.)

FUEL STATION

MAINTENANCE SHOP AND PARTS STORAGE

RESIDUE LOADOUT

BALER AREA EL. 511'-00"

EL. 511'-0"

RECYCLING CENTER

RECEIVING BUILDING FLOOR EL. 526'-0"

PROCESSING BUILDING FLOOR EL. 511'-0"

SHREDDER ENCLOSURE (TYP.)

SUBSTATION

REVERSIONARY INTEREST 0.8 ACRES (APPROX.)

OFFICE

FLOOR EL. 526'-0"

BAGHOUSE (TYP.)

ELECTRICAL BUILDING

WIDE BY 8' DEEP LE BOX CULVERTS

. EL. 508.68'

AD WALL

TRANSITION SECTION

N 4,718.00
E 5,319.50

ADMINISTRATION BUILDING

COUNTY DESILTING BASINS

INV. EL. 487.64'

VISITORS CENTER

VIEWING GALLERY

GARDEN GARDEN

Q BOX CULVERTS

RIPRAP

EL. 528.00' SW. EL. 507.39'

EL. 523.72' EL. 518.67' EL. 518.66' EL. 511.46' EL. 510.00' EL. 507.00' EL. 507.00'

S88°57'12"E (978.8')

R.O.W. 60'-0" 30'-0" 30'-0"

N00°05'19"E (1240.00')

E 5,183.518
N 3,895.029

N 338,143.50
E 1,708,163.13

N 4,935.00 (PLANT)
E 5,175.00

PLANT BOUNDARY & PLANT BASE LINE

RETAINING WALL

10' WIDE BY 5' DEEP DOUBLE BOX CULVERTS

S.D.G.E R.O.W. for N.C.R.R.A. 70'

S.D.G.E R.O.W. 150'-0"

County Fee Booth & Truck Scales

N89°58'41"W (556.00')

Attachment 2

SCALE (IN FEET)

40 80 160 320

REVISION APPROVALS	
	MECHANICAL

REV.	DATE	BY	DESCRIPTION
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Thermo Electron Energy Systems
81 WYMAN STREET, BOX 9046, WALTHAM, MASSACHUSETTS 02254-9046

NORTH COUNTY RESOURCE RECOVERY ASSOCIATES

DRAWN BY ECS | 02-19 1992 | NORTH COUNTY RECYCLING

Attachment 3

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE

TYPE OF FACILITY	FACILITY/PERMIT NUMBER
Recycling Center	37-AA-104

NAME AND STREET ADDRESS OF FACILITY	NAME AND MAILING ADDRESS OF OPERATOR
North County Recycling Center 1601 Questhaven Road San Marcos, CA 92069	North County Recycling, Inc. Lawrence Gaffin, Project Manager 1635 S. Rancho Santa Fe Rd., Suite 206 San Marcos, CA 92069

PERMITTING ENFORCEMENT AGENCY	CITY/COUNTY
County of San Diego Department of Health Services	City of San Marcos./County of San Diego

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:

APPROVING OFFICER

Gary Stephany, Deputy Director
NAME/TITLE Environmental Health Services

AGENCY ADDRESS

San Diego County
Department of Health Services
Environmental Health Services
P.O. BOX 85261
San Diego, CA 92186-5261

SEAL

AGENCY USE/COMMENTS

PERMIT RECEIVED BY CWMB	CWMB CONCURRANCE DATE
MAY - 1 1992	
PERMIT REVIEW DUE DATE	**PERMIT ISSUED DATE**

CWMB (Rev. 7/84)

SOLID WASTE FACILITIES PERMIT
NORTH COUNTY RECYCLING CENTER
37-AA-104

FINDINGS

SITE AND FACILITY DESCRIPTION

1. The following describes the site and facility:

   A. This facility is owned by the North County Resource Recovery Associates, a General Partnership between TEC Energy Corporation and San Marcos Resource Recovery, Inc. The facility will be operated by North County Operations Associates, a General Partnership between North County Recycling, Inc. and the Babcock & Wilcox Company. TEC Energy Corporation, San Marcos Resource Recovery, Inc., and North County Recycling, Inc. are wholly owned by Thermo Electron Corporation of Waltham, Massachusetts.

   B. The site address is 1601 Questhaven Road, San Marcos, California, 92069, and is located on an approximately 15.7 acre lot leased from the County of San Diego and located within the boundaries of the San Marcos Landfill. The lot is in an area of the Landfill property where no fill activities have or will occur. The site is south of Questhaven Road and approximately one mile east of Rancho Santa Fe Road. The site is located in Section 33, Township 12 South, Range 3 West, of the San Bernardino Baseline and Meridian. A metes and bounds description is provided in Appendix A of the Report of Station Information (RSI) as Schedule 4 of the Restated Service Agreement (RSA). A map of the facility is provided as Figure 3-3 of the RSI.

   C. The facility consists of a Receiving and Processing Building, a Shredded Stream Loading area, a Recycling Center, an Administration Building, a Visitor's Center, an Electrical Building, and a Fire Protection Pump House. A methane purge system will be installed to prevent migration of landfill gas into the buildings. The Processing Building will house all the processing equipment, machine shop, spare parts enclosure, baler enclosure, residue enclosure, and shredder enclosure. The Recycling Center will contain a small office, portable scales, recyclable

material containers and a municipal solid waste partitioned area. The Receiving Building tipping floor has the capacity to store 3000 tons of solid waste daily.

D. Wastes received are municipal solid waste from residential, commercial, industrial, manufacturing, hotels, department stores, and other similar sources.

E. The facility is capable of processing an average throughput of 2560 tons per day of processible waste with a maximum daily peak throughput of 3200 tons per day and a maximum weekly peak of 14,000 tons. The Receiving Building tipping floor has the capacity to receive for processing 3200 tons per day of processible solid waste a day.

F. Refuse vehicles enter off Questhaven Road to the entrance to San Marcos Landfill. Beyond the scales and entrance to the landfill, the vehicles will turn right onto the Facility's site. The vehicles drive around the south end of the Receiving Building to enter and will be directed to a specific discharge area. After tipping, the trucks shall exit the building at the northwest corner and then turn west to exit the site.

The facility receives acceptable waste (solid waste that does not contain hazardous waste) from 7:00 A.M. to 4:30 P.M., Monday through Saturday, except for three legal holidays. The Recycling Center is open on Sundays from 7:00 A.M. to 4:30 P.M. for non-commercial vehicles only when previously separated glass, aluminum, newspaper, and other recyclable materials will be received from the public. Acceptable waste delivered to the Recycling Center by the public on Sundays in non-commercial vehicles will be transported to the tipping floor on the following Monday.

On Sundays, private vehicles shall proceed to the Recycling Center and, after depositing waste and recyclable materials, will exit the Recycling Center on the north side and turn west to exit the site. The traffic flow pattern is illustrated in Figure 6-1 of the Report of Station Information.

The objectives of the facility are to recover and recycle up to 25% the raw incoming waste by retrieving aluminum, corrugated cardboard, newspaper, other mixed paper, film plastic, other plastics, glass, and ferrous metal. The recyclable materials will be recovered by hand picking from lightly loaded conveyors, baled, loaded into trailer trucks and transported off-site to respective buyers.

The Receiving Building will receive acceptable solid waste transported by the waste haulers and discharged on the tipping floor of the structure. The waste processing system in the Processing Building consist of five lines, rated at a maximum continuous capacity of 35 tons per hour, with a maximum daily peak

throughput of 40 tons per hour. Waste processing will take place a maximum of 80 hours per line each week, in two shifts, 16 hours per day. These lines process loads of residential, commercial and light industrial waste.

Sizing is accomplished by a coordinated system of enclosed trommels and horizontal shredders. The fine fraction or process residue is removed from the initial screening section of the trommels. The medium fraction is subjected to a ballistic sorter followed by magnetic separation before being hand sorted for removal of recyclable materials.

The material passing through the trommel screens is dropped onto an inclined conveyor belt called a bounce and adherence separator. This allows the separation of cans, glass, and plastic bottles from the paper and small debris.

The large size material is removed in the last section of the trommel. This material is also separated by a bounce and adherence separator. Material passing through the center of the trommel (the oversized stream) and the unrecovered fraction from the bounce and adherence separators is conveyed to the shredders. Each of the two shredders has a capacity of 65 tons per hour.

Process residue will be loaded directly into trailers pulled by truck tractors and transported to the Landfill by the County. Processed solid waste (shredded stream) will also be loaded onto transfer trailers for transport to a landfill by the County. Trailer containers, trailer trucks and transfer trucks loaded during hours the Landfill is not open will be kept on-site, south of the shredded stream loadout area, until Landfill operations resume.

G. All wastes received are intended to be acceptable waste; that is solid waste which does not contain hazardous waste. Only waste classified as processible waste (acceptable waste that does not contain non-processible waste) will be processed. Hazardous waste and non-processible waste are considered unacceptable waste. Non-processible wastes are estimated to be about 2 percent of the incoming waste stream. Non-processible waste includes (a) dirt, concrete and other nonburnable construction material and demolition debris; (b) refrigerators, washing machines and similar "white goods"; (c) large items of machinery and equipment, such as motor vehicles and major components thereof, agricultural equipment, trailers and marine vessels; (d) ashes and tires; (e) sewage, septage, liquid waste, offal, animal carcasses or similar material; (f) large concentrations of unprocessible plastic. Hazardous waste, unintentionally or accidentally received, will be handled in a manner approved by the LEA and the CIWMB in accordance with California Code of Regulations, Title 22, as described in section H of this permit.

H. The hazardous waste screening and disposal program is included in Schedule 9

of the Restated Service Agreement (RSA). A load check program by County Personnel will consist of randomly questioning drivers of incoming loads at the landfill gate. Signs will be posted at the entrance of the Receiving Building stipulating that hazardous wastes are unacceptable. There will be regular visual inspections of wastes deposited at the facility by personnel trained in hazardous waste recognition and proper waste handling procedures. If hazardous wastes are discovered during or after processing, NCRRA will arrange for proper method of disposal with an approved, licensed, hazardous waste hauler, as specified in Section 8.09 and Schedule 9 of the RSA. Additional methods may be required upon the request of the LEA or the California Integrated Waste Management Board (CIWMB).

I. Prior to future changes in design or operation in the next five years, the operator will contact the LEA.

2. The following documents describe and condition the design and operation of this facility and are adopted by reference:

A. Report of Station Information, dated February 1992.

B. City of San Marcos Conditional Use Permit No. 126-87 approved on August 18, 1987.

C. City of San Marcos Findings of Project Consistency with applicable General Plan, Resolution No. 87-2667 adopted August 18, 1987.

D. City of San Marcos General Plan Amendments, Zoning Ordinance and Map Amendments, Resolution No. 87-2666, 87-752, 87-753 adopted August 16, 1987.

E. The 1987 Final Environmental Impact Report (State Clearinghouse No. 85-092527), Resolution No. 87-2662, certified August 18, 1987, by the City of San Marcos.

F. The Final Supplemental Environmental Impact Report SCH No. 89041911, certified on September 17, 1991, by the San Diego County Board of Supervisors. The Mitigation Monitoring Program was adopted by the San Diego County Board of Supervisors on September 17, 1991, and is included as Table 1 of the Facts and Findings.

G. California Department of Fish and Game Streambed Alteration Agreement No. 5-549-91, effective December 13, 1991, amended January 8, 1992 and March 13, 1992.

H. United States Army Corp of Engineers Clean Water Act Nationwide Permit No. 26, confirmation letter dated October 20, 1991.

I. San Diego Air Pollution Control District Authority to Construct No. 891015 issued on September 20, 1991.

J. Restated Service Agreement between County of San Diego and North County Resource Recovery Associates, September 17, 1991.

3. The following findings are required pursuant to Public Resource Code Sections 44010, 50000, and 50000.5:

   A. The permit is consistent with the San Diego County Solid Waste Management Plan (CoSWMP) dated 1986, and found on pages III-43, and V-23 through V-26.

   B. This permit is consistent with standards adopted by the CIWMB.

   C. The City of San Marcos has made a determination that this facility is consistent with, and designated in, the applicable General Plan by Resolution No. 87-2667 adopted August 18, 1987.

4. The City of San Marcos has made a written finding that surrounding land use is compatible with the facility operation by Resolution No. 87-2667. The Solid Waste Management General plan designation and the SWM zone designation allow for the development of a recycling facility, as required in PRC 50000.5 (b) (1) (2).

5. The 1987 Final Environmental Impact Report, SCH No. 85-092527, was certified by the San Marcos City Council by Resolution No. 87-2662 on August 18, 1987.

6. The Final Supplemental Environmental Impact Report, SCH No. 89-041911, was certified on September 17, 1991 by the San Diego County Board of Supervisors. The Mitigation Monitoring Program was adopted by the San Diego County Board of Supervisors on September 17, 1991, and is included as Table 1 of the Facts and Findings.

CONDITIONS

REQUIREMENTS

1. The design and operation of this facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.

2. The design and operation of this facility must comply with all Federal, State, and local requirements and enactments.

3. Additional information concerning the design and operation of this facility must be furnished upon request of the enforcement agency.

4. The operator shall provide the LEA with a list of personnel responsible for operations at the Facility. This shall include 24-hour emergency contact information.

PROHIBITIONS

The following actions are prohibited at this facility:

1. Acceptance of wastes for which this facility is not approved, including hazardous wastes and the processing of non-processible waste as noted in the Findings section of this permit.

2. Receipt of infectious waste, radioactive waste, or waste-water treatment plant by-products.

3. Allowing or maintaining a rodent harborage, or vermin infestation.

4. Maintaining a public nuisance as determined by the Local Enforcement Agency.

5. Smoking or other ignition sources on the tipping floor, receiving area, processing area, or fuel storage area.

6. Burning or incineration of wastes.

7. Scavenging.

SPECIFICATIONS

1. Any change that would cause the design or operation of the facility not to conform to the terms or conditions of the permit is prohibited; such a change would be considered a significant change and require a permit revision. The enforcement agency, through the permit, may prohibit or condition the handling or disposal of solid wastes to protect the public health and safety, protect, rehabilitate, or enhance the environment, or to mitigate adverse environmental impacts.

2. Mechanical dump vehicles which tip must be separated from hand-loaded vehicles by a distance great enough to prevent injury should the tipping vehicle fall over. A permanent or portable physical barrier with appropriate signs in English and Spanish shall separate

these vehicles.

3. Activity of persons in this Facility, especially on the tipping floor, shall be under constant supervision by the Operator who shall require strict adherence to all Health and Safety Rules. The operator shall take all reasonable and prudent measures necessary to insure the Health, Safety and well-being of each person who uses this Facility.

4. The Operator shall post and maintain legible signs in clearly visible locations stating fees, hours of operation, and the general types of materials which will be accepted and will not be accepted.

5. The Operator shall post and maintain a sign, on the tipping floor, in English and Spanish which advises:

   a. No scavenging

   b. Keep children and pets in cars

   c. Emergency phone number

6. When the San Marcos Landfill discontinues receiving solid waste, the Operator shall remove, weekly, litter and solid waste along the right of way of Questhaven Road between Rancho Santa Fe Road and Elfin Forest Road. Litter shall also be removed from Elfin Forest Road 1/2 mile southeast of Questhaven Road.

7. The facility shall submit an annual report to the enforcement agency reporting the estimated weights or volumes handled during the previous year and listing special occurrences such as fires, injury, property damage, accidents, explosions, incidents involving hazardous waste, flooding, and other unusual occurrences.

8. This facility has a permitted capacity of 3200 tons of processible waste per operating day and shall not receive more than this amount without first obtaining a revision of the permit.

9. The number of vehicles shall not exceed that indicated by the traffic study in the Final Supplemental Environmental Impact Report. Also, the number of Solid Waste bearing vehicles entering the Facility site shall not cause the queuing of Solid Waste bearing vehicles beyond the exit of the Receiving Building on the west side of the Facility site.

10. This permit is not transferable. Any change in the operator of this facility would require application for a revised permit.

PROVISIONS

1. This permit is subject to review by the LEA and may be modified, suspended, or revoked for sufficient cause after a hearing.

2. The operator shall maintain a copy of this permit at the site at all times.

3. In the event of receipt of wastes which could pose a threat to public health and safety, the operator shall immediately cause them to be removed to proper disposal, or if necessary initiate emergency procedures, notifying appropriate emergency response agencies. The LEA shall be notified immediately of the problem and actions taken.

4. Waste received on the tipping floor shall be processed or removed within 48 hours.

5. The Operator shall forward all complaints received regarding the operation of the Facility to the LEA.

SELF-MONITORING

The following items shall be monitored by the Operator. The Operator shall submit an annual report to the Enforcement Agency of the following records:

1. Weight and types of waste received per day and per month.

2. Weight and types of recycled material per week and per month.

3. Number and types of vehicles utilizing the facility per day and per month.

4. Weight or volume of non-processible residue disposed of per day and per month and the name and location of the disposal site receiving the waste.

5. Gas levels observed by monthly monitoring of the methane purge system.

6. Log of special occurrences shall be maintained.

7. Types and quantities of hazardous, infectious, radioactive, or prohibited waste found in incoming waste and the disposition of these materials.

8. Results of the hazardous waste screening program.

TABLE 1
MITIGATION MONITORING PROGRAM SUMMARY
NORTH COUNTY RECYCLING AND ENERGY RECOVERY CENTER (PHASE I)
SUPPLEMENTAL EIR/SCH. NO. 89041911

MITIGATION MEASURE	PROJECT PHASE/ MILESTONE	PARTY RESPONSIBLE FOR IMPLEMENTATION	PARTY RESPONSIBLE FOR MONITORING	COMPLIANCE VERIFICATION		
				Initials	Date	Remarks
Prior to issuance of a building permit, the NCRERC facility shall establish an emergency safety shutdown procedure in the event of severe groundshaking. This procedure shall be reviewed and approved by the County of San Diego Department of Public Works Deputy Director, Solid Waste Division, and the City of San Marcos, Marcos, Director of Development Services.	Prior to Issuance of Building Permit	NCRRA, Project Development Manager County of San Diego, Department of Public Works, Deputy Director, Solid Waste Division City of San Marcos, Director of Development Services	County of San Diego, Director of Public Works			
The County of San Diego shall notify the waste haulers responsible for transporting waste to the San Marcos Landfill property of the City of San Marcos adoption of the seven (7) ton weight limit on Elfin Forest Road.	Prior to Issuance of Occupancy Permit	County of San Diego, Department of Public Works, Deputy Director, Solid Waste Division	County of San Diego, Director of Public Works			
As required by the 1987 Conditional Use Permit, operational protocols shall be established by NCRRA and approved by the County of San Diego. Prior to approval by the County, the City of Carlsbad Traffic Engineer shall be provided with the draft operational protocols for review. These protocols shall minimize queuing of trucks on Questhaven Road.	Prior to Issuance of Occupancy Permit	NCRRA, Project Development Manager County of San Diego, Department of Public Works, Deputy Director, Solid Waste Division	County of San Diego, Director of Public Works			

Attachment 4

TABLE 1 (CONT'D)
MITIGATION MONITORING PROGRAM SUMMARY
NORTH COUNTY RECYCLING AND ENERGY RECOVERY CENTER (PHASE I)
SUPPLEMENTAL EIR/SCH. NO. 89041911

MITIGATION MEASURE	PROJECT PHASE/ MILESTONE	PARTY RESPONSIBLE FOR IMPLEMENTATION	PARTY RESPONSIBLE FOR MONITORING	COMPLIANCE VERIFICATION Initials	Date	Remarks
Prior to issuance of a grading permit for the 0.7-acre addition, the applicant shall submit a revised drainage plan for the 0.7-acre addition for review and approval by the City of San Marcos, Director of Development Services, and County of San Diego, Department of Public Works, Deputy Director, Solid Waste Division that incorporates the following drainage improvements.	Prior to Issuance of Grading Permit and During Grading/ Construction	NCRRA, Project Development Manager County of San Diego, Department of Public Works, Deputy Director, Solid Waste Division City of San Marcos, Director of Development Services	County of San Diego, Director of Public Works			
• A stilling pool, to serve as an energy dissipator, shall be installed at the toe of the western slope of the San Marcos Landfill along the eastern boundary of the project site. The stilling pool shall be equipped with chute blocks and pool blocks in order to expedite the process of energy dissipation. The dimensions of the stilling pool shall be 8 feet wide and 21 feet long.						
• On the western slope of the landfill, a new open channel chute shall replace the existing corrugated metal channel chute to discharge the flow from the landfill.						

TABLE 1 (CONT'D)
MITIGATION MONITORING PROGRAM SUMMARY
NORTH COUNTY RECYCLING AND ENERGY RECOVERY CENTER (PHASE I)
SUPPLEMENTAL EIR/SCH. NO. 89041911

MITIGATION MEASURE	PROJECT PHASE/ MILESTONE	PARTY RESPONSIBLE FOR IMPLEMENTATION	PARTY RESPONSIBLE FOR MONITORING	COMPLIANCE VERIFICATION		
				Initials	Date	Remarks
• The proposed eastern retaining wall height shall be modified and regrading shall occur behind the retaining wall to allow drainage to flow into the proposed stilling pool via lined channels.						
• An energy dissipator, such as rip-rap, shall be provided at the downstream end of the drainage channel into the lower debris basin to reduce the flow velocity to a non-erosion level of 6 feet per second or less.						
• Retaining walls and foundations shall be designed to avoid the french underdrain where feasible. If not feasible, the structures shall be designed to allow the flow to continue through the underdrain system.						

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ATTACHMENTS

ATTACHMENT A
NORTH COUNTY RECYCLING AND ENERGY RECOVERY CENTER (PHASE I)

COUNTY OF SAN DIEGO
MITIGATION MONITORING PROGRAM
REPORTING AND IMPLEMENTATION FORM

DATE: MMP FILE:

Location: Onsite

Offsite
(Give Address)

_____

_____

Project Phase/Milestone:

_____ Final Design

_____ Prior to Initiation of Grading, Construction, and Operation

_____ Grading and Construction

_____ Operation

_____ Closure

_____ Following Closure

Impact Issue(s):

_____ Aesthetics

_____ Air Quality and Health

_____ Biological Resources

_____ Geology and Soils

_____ Hydrology and Drainage

_____ Land Use

_____ Noise

_____ Public Services and Utilities

_____ Transportation and Circulation

Description of Activity:

Applicable Mitigation Measures:

Methods of Implementation:

Disposition:

_____ Mitigation Measure(s) implemented. No further action.

_____ Mitigation Measure(s) not fully implemented. Further action required (explain below, attach additional sheets if necessary).

Completed by: Implementor)	_____ Name	Approved By: (Monitor)	_____ Name
	_____ Company/Agency		_____ Company/Agency
	_____ Title		_____ Title
	_____ Date		_____ Date

ATTACHMENT B
NORTH COUNTY RECYCLING AND ENERGY RECOVERY CENTER (PHASE I)

COUNTY OF SAN DIEGO
MITIGATION MONITORING PROGRAM STATUS REPORT
OUTLINE OF CONTENTS

I. List of County of San Diego Mitigation Measures

II. Results of Monitoring on County of San Diego MMP

- A. Revisions to Monitoring (if applicable)
- B. Revisions to Monitoring Frequency (if applicable)
- C. Other

III. Results of Monitoring on Mitigation

- A. Mitigation Measures Implemented
- B. Mitigation Measures Not Implemented
  1. Action Taken to Remedy Situation
- C. On-going Monitoring of Mitigation Measures
- D. Other

IV. Status of Mitigation Measures Not Monitored (if applicable)

- A. List of County of San Diego Mitigation Measures
- B. Explanation why Mitigation Measure Not Monitored
  1. Not at Phase of Implementation
  2. Not at Stage Where Monitoring is Feasible
  3. Other

V. Monitoring to Occur in Next Reporting Period

- A. List of County of San Diego Mitigation Measures and Monitoring Requirements
- B. List of Monitoring Timetable

State of California

California Environmental Protection Agency

Memorandum

To: Tadese-Gebre-Hawariat
Permits Branch

Date: May 18, 1992

From: John Nuffer
Local Assistance Branch, South Section
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: **Review of Conformance with AB 2296: Permit for North County Recycling, Inc., Facility No. 37-AA-0104**

Project Description: The proposed facility is a materials recovery and processing facility. It is located on 15.7 acres at the San Marcos Landfill. It is capable of recovering up to 25% of the incoming raw waste.

Finding:

Issuance of the permit would not prevent or substantially impair achievement of the County's waste diversion goals.

Consistency with Waste Diversion Requirements: (PRC Section 44009)

1) The facility is identified and described in the County's Source Reduction and Recycling Element (SRRE) on page 4-23 as one of the selected alternatives for achieving the County's waste diversion goals.

2) The County has an agreement with the North County Resource Recovery Authority (NCRRA) for the design, construction and operation of the facility.

3) The facility will be located at the county-operated San Marcos Landfill.

4) The facility is expected to recover up to 25% of the incoming waste.

Conclusions:

The proposed permit will not prevent or impair achievement of the County's waste diversion goals.

If you have any questions or comments, please call me at 255-2310.

California Integrated Waste Management Board
Permit Decision No. 92-45
June 24, 1992

WHEREAS, the County of San Diego Department of Health Services, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a revised Solid Waste Facilities Permit for the North County Recycling Center; and

WHEREAS, Board staff has evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 37-AA-0104.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Compliance Committee
June 10, 1992

AGENDA ITEM 7

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for Bonzi Sanitation Landfill, Stanislaus County.

BACKGROUND:

Facility Facts

Facility Name:	Bonzi Sanitation Landfill Facility No. 50-AA-0003
Facility Type:	Class III Landfill
Location:	2650 West Hatch Road, Modesto
Area:	128 acres
Setting:	Land surrounding the site is zoned agricultural, and rural residential
Operational Status:	Active, permitted to receive 152 tons of waste per day
Property Owner:	Ma-Ru Holding Company, Inc.
Operator:	Mr. Steve Bonzi, Partner, Bonzi Sanitation Landfill, Inc.
LEA:	Stanislaus County Department of Environmental Resources

Proposed Project:

The proposed permit would allow an increase in the tonnage from 152 to 200 tons per day, a 13 acre lateral expansion, and would incorporate the change of operator. Due to Mr. Rudy Bonzi's recent passing, Mr. Steve Bonzi will now be the operator. The permit would also allow the addition of a wood salvaging operation, and a change from receiving nonhazardous solid waste to inert waste only.

SUMMARY:

Site History Bonzi Sanitation Landfill is located in Central Stanislaus County. The facility lies completely within land owned by Ma-Ru Holding Company. The facility was granted its first permit in 1978 to receive 360 cubic yards of residential, industrial, and commercial waste. The peak daily tonnage the facility received in 1991 was 140 tons. The facility is scheduled to close during the year of 2017.

Project Description The facility encompasses 128 acres, of which 115 acres are devoted to landfill operations, with 62 acres already filled and 35 acres remaining to be filled. A 13 acre parcel is used for a ground water remediation pond. Another feature of the remediation project is an air stripping tower, which is under regulation of the local air pollution control district.

There is a scalehouse, lunchroom, watchman's residence, wood chipping and recycling operation on a three acre concrete pad, a 10,000 gallon water storage tank, a pole barn for equipment storage, an office building and a maintenance building. The facility is open 24 hours a day, seven days per week to accept waste from commercial and industrial haulers only. The woodchipping area can receive wood waste from 6:00 a.m. through 9:00 p.m., Monday through Saturday; while the woodchipping operation is limited to 7:00 a.m. through 7:00 p.m.

The facility currently accepts construction/demolition, industrial and agricultural wastes. When WMU III, Cell C, is completely filled only inert waste such as construction and demolition waste will be received. Hazardous waste, liquid waste and special wastes such as asbestos, medical waste, nonhazardous sludge, dead animals, and food processing waste are not accepted.

Vehicles enter the facility from Hatch Road, are weighed at the scalehouse, then proceed to the active face. At the soil apron above the active face, a windrow is created as the refuse is deposited while the truck is driven forward. The windrow is examined for unacceptable and hazardous wastes, and salvageable commodities are manually removed. Refuse is then mechanically moved from the tipping area onto the active face of the current cell. Layers of refuse, two feet or less, are spread with a landfill compactor. The layers are compacted with three to five passes and covered daily with six inches of soil.

Resource Recovery Programs Resource recovery operations consist of removing recoverable materials from the wastestream. The recovered material includes: paper products, wood, metal and

glass. The wood salvaged from the tipping area is transported to the woodchipping operation. The woodchipping operation also accepts source separated wood from the general public. The wood chips are distributed to waste-to-energy facilities.

It is expected that the facility will recover for reuse or recycling approximately 14% of the total volume of materials received.

Compliance History On May 15, 1992 Board staff, in conjunction with the LEA, inspected the facility and found two violations of State Minimum Standards. The following violations of Title 14, California Code of Regulations (CCR) were documented:

Section 17704 - Leachate Control
Section 17705 - Gas Control

On September 22, 1989 the Regional Water Quality Control Board (RWQCB) adopted Cleanup and Abatement Order No 89-185 requiring implementation of a groundwater clean-up plan at the landfill. A groundwater remediation system has been designed and is in operation. The system consist of a series of three extraction wells that capture groundwater from areas under and near the landfill, and then pumped to a treatment system. Once the groundwater is treated it is pumped to a lined retention pond and used as irrigation to a nearby grape vineyard.

Methane gas levels monitored at the western boundary of the facility were in excess of five percent. As this boundary is within 400 feet of a residential development the existence of gas above volatile limits is considered a hazard.

On February 6, 1992 the LEA noted high gas levels at the site during a visit. On February 11, 1992 the LEA directed the operator to verify the results of the February 6 1992 monitoring. If the test results exceeded the five percent at the perimeter of the landfill the operator would design and install an approved gas control system by August 1992. The verification monitoring, which would identify the presence and extent of the problem, began April 23, 1992 and was completed in May 22, 1992. Based on these results the operator will design and implement a gas control system. It is anticipated that the gas control system design will be approved sometime in June 1992 and installed in August 1992.

Environmental Controls A groundwater remediation system and a passive landfill gas monitoring system have been installed. Included in the permitted boundary is a 13 acre parcel which contains a pond used for groundwater remediation, and will be used for retention of storm water run-off from portions of the

closed WMU's. Because of the recent gas problem, the operator will be implementing a gas control system.

Rodent and insect control is practiced as part of normal landfill operations. In addition to prudent landfilling practices, such as the proper placement of daily and intermediate cover a portion of the dirt received at the landfill is deposited at the active face and mixed with the refuse during compaction. A licensed exterminator is contracted to inspect the site twice monthly and identify and correct any rodent or insect problems.

Dust control is minimized by wetting haul roads and the active face at least once a day when the landfill receives loads. Litter control is practiced by hand collection of any litter along the fences and roadways. Problem due to odor are minimal at the site, since highly putresible waste which create objectionable odors commonly associated with landfills are not routinely accepted at the site.

Noise is controlled by the installation of mufflers on operating equipment and periodic inspection of these mufflers. The fire control program at the facility consists of trained personnel and the availability of appropriate equipment. A water truck and earth moving equipment are available on-site. Fire extinguishers are present at the office, the maintenance shop, and on each piece of heavy equipment.

There is a Hazardous Waste Screening Program employed at this facility. Any hazardous waste inadvertently received will be handled in a manner approved by the Local Enforcement Agency (LEA) and the California Integrated Waste Management Board.

ANALYSIS:

<u>Requirements for Concurrence with the Solid Waste Facilities Permit</u> Pursuant to PRC Section 44009, the Board has 60 calendar days to concur or object to the issuance of a Solid Waste Facilities Permit. Since the permit was received on May 4 1992, the last day the Board could act is July 3, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for Board's consideration of concurrence. In making the determination the following items were considered:

1. Conformance with County Plan

The LEA has determined that the facility is in conformance with the latest revision of the Stanislaus County Solid Waste Management Plan dated 1986 as found in the County Board of Supervisor's Resolution adopted and approved on June 3, 1986. Board staff agrees with said finding.

2. Consistency with General Plan

The LEA has found that the facility is in conformance with the Stanislaus County General Plan dated 1987 and is compatible with the surrounding land uses. Conditional Use Permit (CUP) No. 836 which authorized the siting of the landfill was adopted by the County Board of Supervisors as amended on December 16, 1982. The CUP was modified in 1969 by Use Permit No. 1007, which added an equipment building and Use Permit No. 1052 which expanded the landfill area. These use permits were approved on October 2, 1969 and April 2, 1970, respectively.

3. Consistency with Waste Diversion Requirements

Board Planning and Assistance Division staff evaluate proposed permits, pursuant to PRC 44009, to determine if the proposed project would impair or substantially prevent the achievement of waste diversion goals. Based on consideration of available information, staff determined that the issuance of the proposed permit would neither prevent nor substantially impair achievement of mandated waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document. The Stanislaus County Conservation, Development, and Planning Department prepared a Mitigated Negative Declaration (SCH#92012070) for the proposed project. The project was certified as approved by the Lead Agency on August 24, 1991 and a Notice of Determination was filed. The Regional Water Quality Control Board prepared a Negative Declaration (SCH#90020656) for the leachate collection pond associated with this project. The project was certified as approved by the lead agency on August 10, 1990 and a Notice of Determination was filed.

Potential environmental impacts and mitigation measures associated with the project are identified and incorporated in the Mitigation Plan (Attachment 5).

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and the Mitigated Negative Declarations are adequate and appropriate for the Board's use in evaluating the proposed project.

5. Compliance with State Minimum Standards

On May 15, 1992 Board staff, in conjunction with the LEA, conducted an inspection and found the following State Minimum Standards violations: 14 CCR Section 17704, Leachate Control, and 14 CCR Section 17705, Gas Control.

Board staff have determined that there are long term remediation and corrective action work necessary to mitigate the water quality and gas problem associated with the landfill. The RWQCB has found the facility in compliance with the WDRs and the Cleanup and Abatement Order.

The LEA will be present at the June 10, 1992 Committee meeting to discuss the progress made in correcting the violations of State Minimum Standards.

STAFF RECOMMENDATION:

Because a new Solid Waste Facilities Permit is proposed, the Board must either object to or concur with the proposed permit as submitted by the LEA.

Staff recommends that the Board adopt Permit Decision No. 92-50 concurring in the issuance of Solid Waste Facilities Permit No. 50-AA-0003.

ATTACHMENTS:

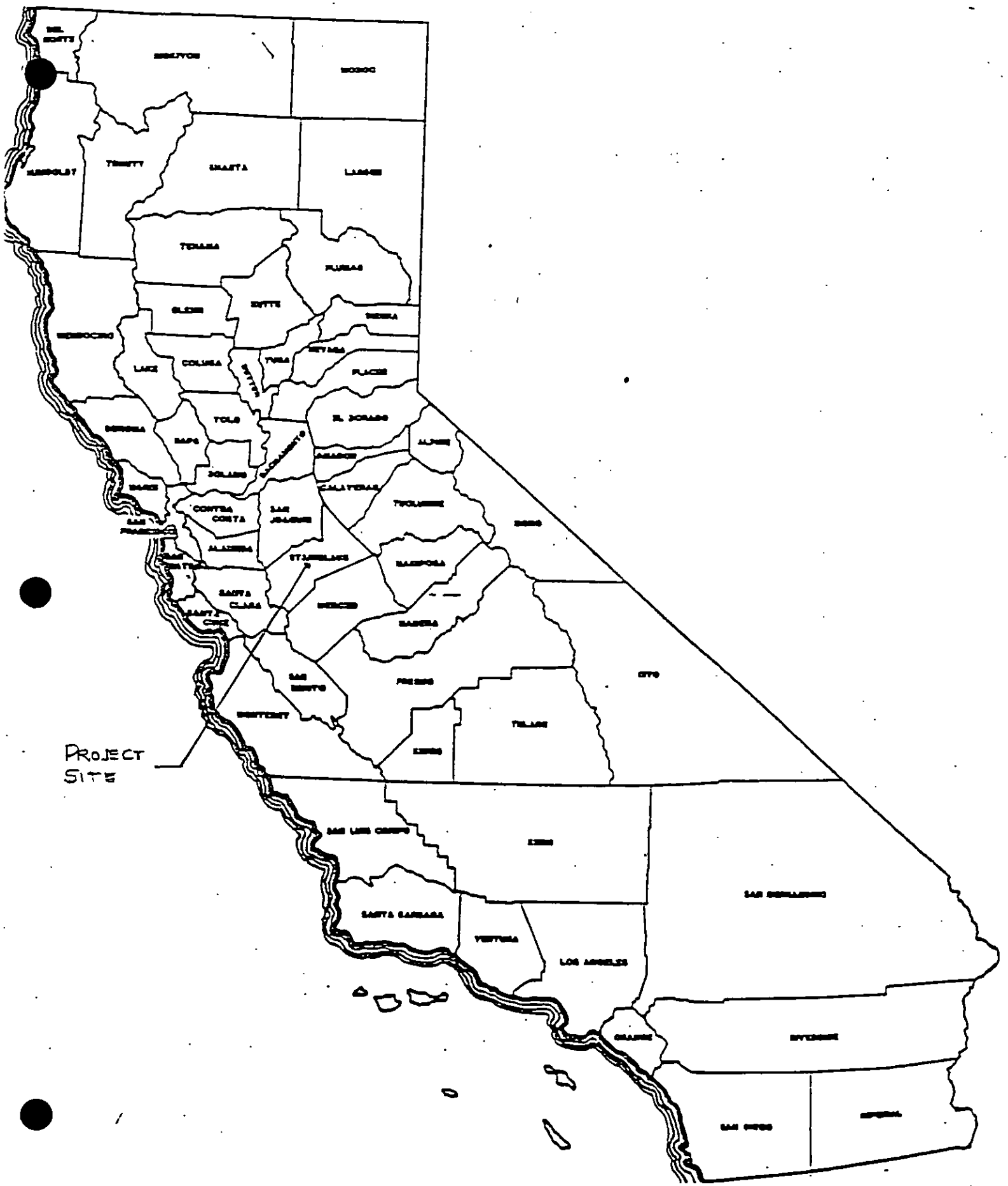
1. Location Map
2. Site Map
3. Permit No. 50-AA-0003
4. Finding of Conformance with AB 2296.
5. Mitigation Plan
6. Resolution No. 92-50

Prepared by: Roger Marchese/Beatrice Cuenca Phone: 255-2587

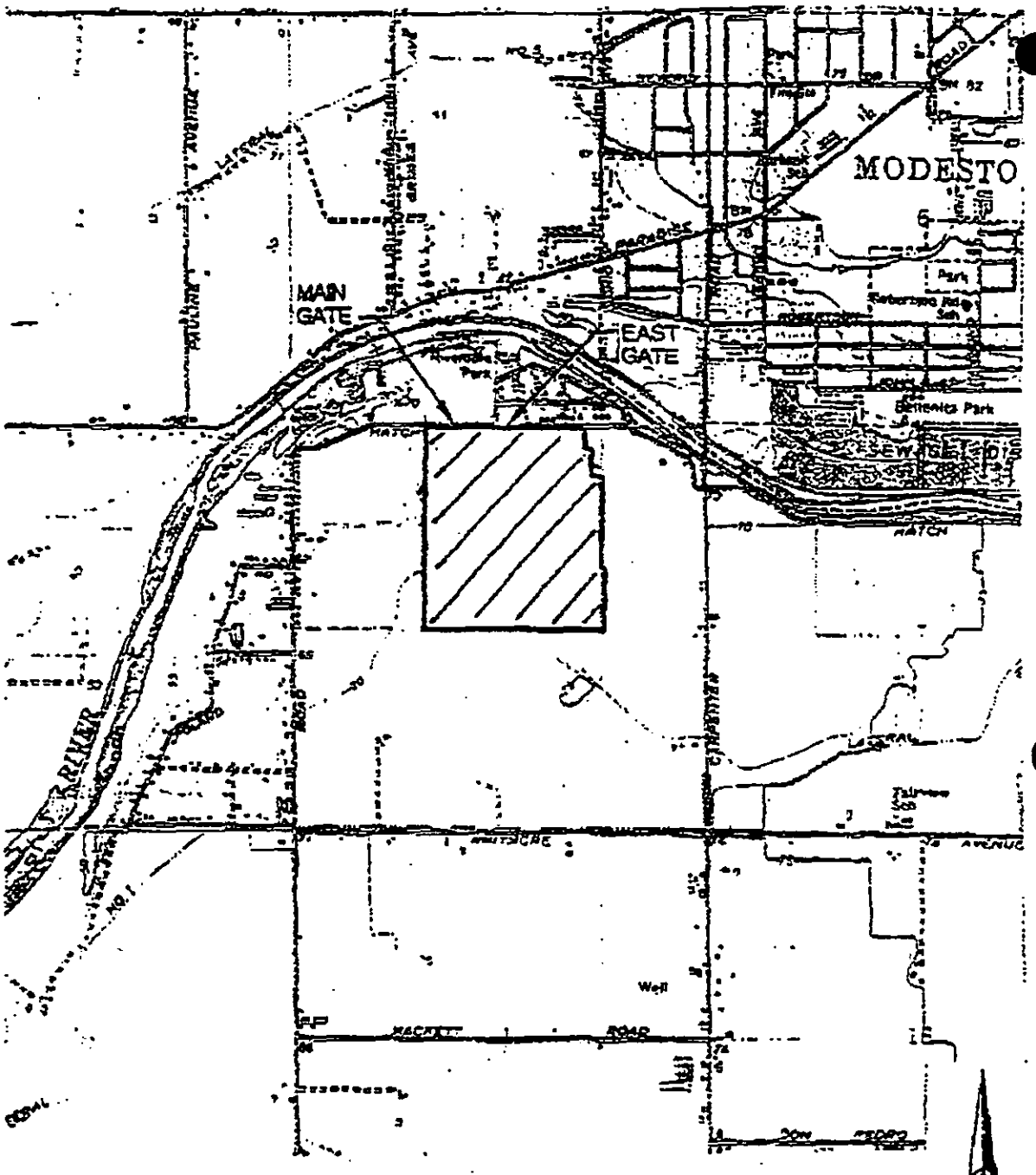
Reviewed by: Phillip J. Moralez/Martha Vazquez Phone: 255-2454

Legal Review: RFC Date/Time: 5/31/92 13h22

ATTACHMENT 1



ATTACHMENT 2



SCALE 1:24,000

EXPLANATION:

PERMITTED LANDFILL BOUNDARY

FIGURE 1

SITE LOCATION MAP

BONZI SANITATION LANDFILL
STANISLAUS COUNTY, CALIFORNIA

DAMES & MOORE

ATTACHMENT 3

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE

TYPE OF FACILITY	FACILITY/PERMIT NUMBER
LANDFILL	50-AA-0003

NAME AND STREET ADDRESS OF FACILITY	NAME AND MAILING ADDRESS OF OPERATOR
BONZI SANITATION LANDFILL 2650 WEST HATCH ROAD MODESTO, CALIFORNIA 95351	STEVE BONZI BONZI SANITATION LANDFILL 2650 WEST HATCH ROAD MODESTO, CALIFORNIA 95351

PERMITTING ENFORCEMENT AGENCY	CITY/COUNTY
STANISLAUS COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES	STANISLAUS COUNTY

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS
APPROVING OFFICER NAME/TITLE	STANISLAUS COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES 1716 MORGAN ROAD MODESTO, CALIFORNIA 95351
SEAL	AGENCY USE/COMMENTS

PERMIT RECEIVED BY CWMB	CWMB CONCURRANCE DATE
MAY - 4 1992	
PERMIT REVIEW DUE DATE	**PERMIT ISSUED DATE**
	64

CWMB (Rev. 7/84)

BONZI SANITATION LANDFILL

SOLID WASTE FACILITY PERMIT

NUMBER 50-AA-0003

FINDINGS

1. A. The owner of the landfill is Ma-Ru Holding Company. Ma-Ru Holding Company is a corporation owned by Mary Bonzi and the estate of Rudy Bonzi. The owner of the parcel containing the retention pond used for the groundwater remediation project and stormwater run-off is Mary Bonzi and the estate of Rudy Bonzi. The operator of the landfill is Steve Bonzi.

   B. The facility is located at 2650 West Hatch Road, Modesto, CA, 95351 (APN 017-41-36, and APN 017-41-11) Section 12, Township 4 South, Range 8 East, Mount Diablo Baseline and Meridian in Stanislaus County). A map of the facility can be found as Attachment A to this Permit. Maps with more details are available in the March 1992, Revised Report of Disposal Site Information (RDSI). There are four waste management units (WMUs). WMUs I and II are completely filled, as are WMU III cells a and b. WMU III cell c is currently being filled. WMU III cells d, e, and f, and WMU IV remain to be filled. The site encompasses 115 acres. Approximately 62 net acres have been filled and 35 net acres remain to be filled.

   In the southwestern corner of the landfill is a 13 acre parcel (APN 017-41-11) which contains the pond used for the groundwater remediation project, and which will be used for retention of stormwater run-off from portions of the closed WMUs.

   C. The facility has a scalehouse, a lunchroom, a watchman's residence, a wood chipping and recycling operation on a three acre concrete pad, a 10,000 gallon water storage tank, a pole barn for equipment storage, an office building and a maintenance building. Environmental monitoring and control systems currently in place at the landfill include an extensive network of groundwater monitoring wells, monitoring wells for landfill gases, and a groundwater remediation system (with an air stripping tower). Remaining site capacity as of March 1992, is approximately 570,000 cubic yards. For details of the capacity calculation, consult the Revised RDSI, March 1992, Appendix D.

D. The landfill is currently accepting wastes classified as nonhazardous solid waste or inert wastes using the criteria set forth in the California Code of Regulations Title 23, Division 3, Chapter 15. The site receives nonhazardous wastes such as:

1. Construction/demolition wastes.
2. Industrial wastes.
3. Agricultural wastes.

When WMU III cell c is completed, there will be changes in the types of wastes received. Only inert wastes as defined by the California Regional Water Quality Control Board (CRWQCB) will be accepted for disposal in cells d, e and f. The operator, in consultation with the CRWQCB, developed the following list of waste types which will be received at the landfill and which meet the CRWQCB definition of inerts:

1. Concrete with rebar.
2. Earth.
3. Rock.
4. Asphalt (cured).
5. Mortar.
6. Tile.
7. Stucco.
8. Composition shingles.
9. Brick.
10. Linoleum.
11. Glass.
12. Aluminum window frames.
13. Gypsum board.
14. Scrap rubber products.
15. Electrical wiring.
16. Duct work.
17. PVC pipe.
18. Vitrified clay pipe.
19. Ductile iron, cast iron pipe.
20. Copper tubing.
21. Plaster.
22. Miscellaneous plastics.
23. Stainless steel fixtures.
24. Lumber products (note: 90-95 percent of the lumber products will be salvaged and removed to the on-site wood recycling operation. No treated lumber will be accepted).
25. Porcelain fixtures such as sinks, toilets, tubs.
26. Carpet.

66

If materials not listed above are inadvertently received, they will be separated at the active face, placed in bins, and removed to an authorized transfer facility or landfill. For further details consult Appendix A of the Revised RDSI, dated March 1992.

Hazardous wastes, liquid wastes, and/or special wastes (asbestos, medical waste, nonhazardous sludges, dead animals, food processing waste and hard-to-handle wastes) will not be accepted at this facility.

E. The permitted tonnage and design capacity is 200 tons of refuse per day. In 1991, the facility received an average of 35 tons per day. In 1991, the peak daily tonnage was 139.8 tons, which was received on September 26, 1991.

A projection of annual tonnage over the next five years is included as Table II, page 3, in the Revised RDSI, dated March 1992. Average annual loading is 30,000 tons.

F. Vehicles enter the facility from Hatch Road. Vehicles are weighed at the scalehouse before proceeding to the active face. At the soil apron above the active face, a windrow is created as the refuse is deposited while the truck is driven forward. The windrow is examined for unacceptable and hazardous wastes, per load checking protocols, and salvageable commodities are manually removed (see Section G of this Permit for a description of salvaging). When the salvage activities are completed, the refuse is mechanically spread from the tipping area onto the active face of the current cell of the area fill. Layers of refuse, two feet or less, are spread with a landfill compactor. The layers are compacted with 3 to 5 passes of the landfill compactor. Wastes are covered daily with a minimum of six inches of cover. After dumping, the vehicles leave the site. Trucks are re-weighed only if the tare weight of the vehicle is not stored in the scalehouse computer. A traffic plan can be found in the Plans section of the revised RDSI dated March 1992.

G. Salvaging consists of manual removal of recoverable materials from construction and demolition debris, and industrial loads, in the tipping area. Materials targeted for removal include, but are not limited to:

1. Paper products.
2. Wood.
3. Metals.
4. Glass.

Other materials may be manually salvaged should markets be developed for these materials. The operator will keep the Local Enforcement Agency (LEA) informed of the salvaging of such other materials.

Metal, glass and paper products are placed in large roll-off bins at the active face. The bins are removed from the active face as needed, but at least weekly.

Wood is diverted to the on-site wood recycling facility. This facility was constructed on a concrete pad on three acres of WMU IV. This facility accepts source separated wood and wood salvaged at the landfill (note: source separated wood is not included in the landfill's 200 tons per day limit because this material is delivered directly to the wood recycling operation through a separate entrance). The wood recycling facility currently chips wood, which is sold as fuel to the biomass incineration industry. Saw dust, produced as a by-product of wood chipping, is sold to the landscaping industry as a soil amendment. Additional details of the wood recycling facility are contained in Appendix B of the Revised RDSI, dated March 1992.

Salvaged and recycled materials will be stored for a period of time and in a manner which will not create health hazards.

As noted above, hazardous wastes are not accepted at this facility. However, if inadvertently received, such wastes will be handled in a manner approved by the LEA and the California Integrated Waste Management Board (CIWMB).

H. Two types of load checking programs will be utilized at Bonzi Sanitation Landfill: the first is the existing hazardous waste exclusion program, and the second is an inert, construction and demolition debris load checking program. The latter will commence with the opening of WMU III cell d. Both programs are described in detail in Appendix A of the Revised RDSI, dated March 1992.

Both of the load checking programs include these elements: employee training, written notification of clients, pre-screening of wastes by drivers, the formation of a waste windrow in the tipping area, manual examination of the loads for hazardous or unacceptable wastes, and protocols for handling such wastes.

Employees are trained to recognize the types of hazardous or special wastes that may be inadvertently included in the loads brought to the facility. Equipment operators and vehicle operators will be given special instructions. All employees will receive regular safety briefings and instructions in protocols for handling unacceptable or hazardous wastes.

A list of emergency contact names and telephone numbers is included as part of the load checking program, and may be found in Appendix A of the Revised RDSI, March 1992.

Incidents of unlawful disposal of hazardous wastes will be reported to the Stanislaus County Department of Environmental Resources (DER), Hazardous Materials Division and/or the Solid Waste Management Division, phone number (209) 525-4150 or 525-4160 (during business hours), or (209) 525-7911 (after business hours). The Fire Department will be called (911), if deemed necessary.

Additional measures may be required upon the request of the LEA or the Board.

I. Anticipated changes in the design or operation of the landfill in the next five years include the following:

1. An increase in tonnage to 200 tons per day.

2. Partial closure of WMUs I, II, and III cells a, b and c, and the installation of approved projects associated with closure, such as a landfill gas control system.

3. Commencing with the opening of WMU III cell d, only inert wastes as defined by CRWQCB will be accepted (see Section D of this Permit).

J. The landfill facility, which is closed to the public, is open up to 24 hours a day, 7 days a week for the receipt, salvaging, and disposal of wastes.

The wood recycling facility is open to the public 6 a.m. to 9 p.m. Monday through Saturday for receipt and shipping of wood waste. The wood chipper may operate between the hours of 7 a.m. and 7 p.m. Hours may be reduced by the operator based on market conditions. The wood recycling facility is closed to the public at least six holidays per year. The wood recycling facility does

not operate on Sunday. For further details see the Appendix B of the Revised RDSI, dated March 1992.

The landfill is projected to reach capacity in the year 2017.

2. The following is a list of agencies and documents that condition the design, operation, and use of this facility.

   A. The Revised Report of Disposal Site Information, March 1992.

   B. The California Regional Water Quality Control Board Waste Discharge Requirements (WDR) 89-043, dated March 31, 1989, and WDR 90-215 and Resolution 214, both dated August 10, 1990.

   C. A Negative Declaration (State Clearinghouse #92012070), prepared by DER on January 15, 1992. The State Clearinghouse received for filing the Negative Declaration on January 23, 1992.

   D. The Mitigation, Monitoring and Implementation Schedule, dated January 30, 1992.

   E. Fire safety compliance letter, dated February 11, 1992.

   F. Stanislaus County Department of Planning and Community Development Use Permit No. 836, as amended December 16, 1982; Use Permit 1007, approved October 2, 1969; Use Permit 1076, approved April 2, 1970; and memorandum, dated February 4, 1992.

   G. Final Closure and Postclosure Maintenance Plan (to be approved by the CIWMB, the RWQCB, and the LEA).

   H. A letter explaining the arrangement between the owners and the operator of the facility, in lieu of a lease, Appendix I, Revised RDSI, March 1992.

   I. San Joaquin Valley Unified Air Pollution Control District has issued an Authority to Construct Number 6-118-01 on August 21, 1990, for the groundwater remediation systems's air stripping component.

3. The Stanislaus County Department of Environmental Resources has made the following findings and certifications pursuant to the Public Resources Code, Sections 44010, 50000 and 50000.5:

A. The Bonzi Sanitation Landfill is identified and described in, and conforms with, the April 1986 Solid Waste Management Plan for Stanislaus County.

B. The proposed Solid Waste Facility Permit is consistent with standards adopted by the CIWMB.

C. The Bonzi Sanitation Landfill is consistent with the Stanislaus County General Plan.

4. The design and operation of the Bonzi Sanitation Landfill is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA.

5. The Stanislaus County Department of Fire Safety has found that the Bonzi Sanitation Landfill is in conformance with applicable codes.

6. The Stanislaus County Department of Planning and Community Development has found that the landfill is compatible with the surrounding zoning and General Plan for the area.

7. A Negative Declaration (ND) (State Clearinghouse #92012070) was prepared by DER on January 15, 1992. The State Clearinghouse received for filing the ND on January 23, 1992. The ND was approved by DER on March 25, 1992. A Notice of Determination was filed with the State Clearinghouse on March 30, 1992, and the Stanislaus County Clerk on March 26, 1992.

CONDITIONS

REQUIREMENTS

1. This facility shall comply with all State Minimum Standards for Solid Waste Handling and Disposal.

2. This facility shall comply with all federal, state, and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to the Public Resources Code, Section 21081.6.

3. Additional information concerning the design and operation of this facility shall be furnished upon written request and within the time frame indicated by the LEA.

4. The operator shall maintain a copy of this Permit at the facility. The Permit must be readily available to facility and LEA personnel.

5. The facility operator shall supply the LEA with copies of all correspondence and reports provided to other regulatory agencies which have jurisdiction over the landfill.

PROHIBITIONS

The following are prohibited at this facility:

1. Scavenging.
2. Disposal of dead animals.
3. Disposal of hazardous waste.
4. Open burning and/or disposal of hot ashes.
5. Disposal of septic tank pumpings or sewage sludge.
6. Disposal of medical waste.
7. Disposal of liquid or food processing waste.
8. Disposal of waste quantities which exceed the handling capacity of the facility, or acceptance of any other waste which the facility is not permitted to handle.
9. Standing water on covered fill areas.

SPECIFICATIONS

1. Any change that would cause the design or operation of the facility not to conform to the terms or conditions of the Permit may be considered a significant change and may require a Permit revision. Except for the changes outlined in Findings 1. I. above, all changes must be approved by the LEA and the CIWMB prior to implementation of such changes.

2. This facility has a maximum permitted capacity of 200 tons per operating day and shall not receive more than this amount without first obtaining a revision of this Permit.

3. A change in facility operator will require a new solid waste facilities Permit.

PROVISIONS

This Permit is subject to review by the LEA, and may be suspended, revoked, or modified at any time for sufficient cause after a hearing.

MONITORING AND REPORTING

1. The operator shall provide the LEA with monthly reports, no later than 15 days after the close of the month, which include:

   a. Tons of waste received for disposal, per day and per month.

   b. Tons of salvaged material removed from the waste stream, per category (metals, paper, wood, etc.), per month.

   c. The dates that the facility was cleaned of litter and the approximate volume of litter collected.

   d. Number of vehicles using the landfill per day and per month.

2. Prompt notification shall be given to the LEA, and a record shall be made in the Special Occurrences Log, upon the occurrence of:

   a. Unscheduled shut-down;

   b. Employee injury;

   c. Delivery or attempted delivery of unpermitted or unacceptable waste; or,

   d. Any special occurrences: fires, structural damage, flooding, etc.

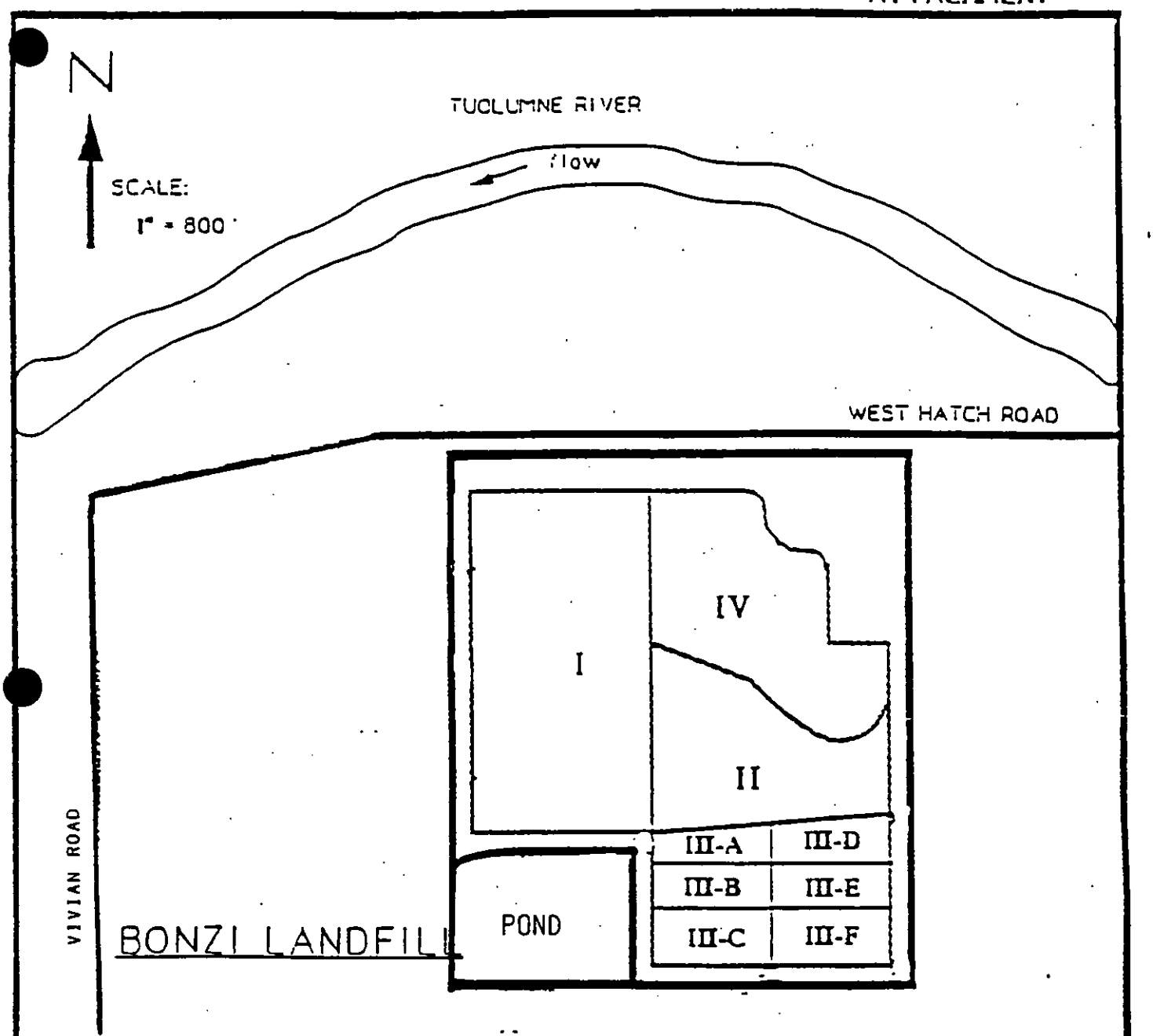
   The Special Occurrences Log will be available for review during inspections by, or at the request of, the LEA.

3. The results of the hazardous waste screening program shall be reported to the LEA on a quarterly basis. Such reports shall be submitted within 15 days following the close of each calendar quarter.

4. Information required to be submitted to agencies having jurisdiction over the facility shall also be submitted to the LEA at the frequencies specified by those agencies.

PERR.305

ATTACHMENT A



BONZI SANITATION LANDFILL
AND MA-RU HOLDING COMPANY
CLASS III LANDFILL,

STANILAUS COUNTY

WASTE MANAGEMENT UNITS II

STATE OF CALIFORNIA

SOLID WASTE FACILITIES PERMIT APPLICATION

CALIFORNIA WASTE MANAGEMENT BOARD

ENFORCEMENT AGENCY: Stanislaus County Dept. of Environmental Resources

COUNTY: Stanislaus

FOR ENFORCEMENT AGENCY USE ONLY

NUMBER (PERMIT NUMBER): 50-AA-0003

DATE RECEIVED: 1/6/92

FILING FEE:

DATE ACCEPTED: 1/6/92

RECEIPT NUMBER:

DATE REJECTED:

CD SWMP REFERENCE PAGE(S):

TYPE OF APPLICATION

- [XX] 1. NEW SOLID WASTE FACILITY PERMIT
- [ ] 2. REVISION OF PERMIT
- [ ] 3. PERMIT REVIEW
- [ ] 4. MODIFICATION OF PERMIT
- [ ] 5. EXEMPTION FROM PERMIT
- [ ] 6. FACILITY CLOSURE
- [ ] 7. AMENDMENT OF APPLICATION

NOTE: This form has been developed for multiple uses. It is the transmittal sheet for documents required to be submitted to the enforcement agency. See instructions on back for completing this application.

I. GENERAL DESCRIPTION OF FACILITY

NAME OF FACILITY: Bonzi Sanitation Landfill

LOCATION OF FACILITY (GIVE ADDRESS OR LOCATION. ALSO INCLUDE LEGAL DESCRIPTION BY SECTION, TOWNSHIP, RANGE, BASE AND MERIDIAN IF SURVEYED OR PROJECTED): 2650 West Hatch Road, Modesto, California 95351

TYPE OF FACILITY

- [XX] LANDFILL
- [ ] TRANSFER STATION
- [ ] RESOURCE RECOVERY FACILITY
- [ ] SUMP
- [ ] COMPOSTING
- [ ] LAND SPREADING

TYPE OF WASTES TO BE RECEIVED

- [XX] AGRICULTURAL
- [XX] CONSTRUCTION/DEMOLITION
- [ ] LIQUIDS (INCLUDES SEPTAGE)
- [ ] ASBESTOS
- [ ] DEAD ANIMALS
- [ ] MIXED MUNICIPAL
- [ ] ASH
- [XX] INDUSTRIAL
- [ ] SEWAGE SLUDGE
- [ ] AUTO SHREDDER
- [ ] INFECTIOUS
- [ ] TIRES
- [ ] WOOD MILL

II. FACILITY INFORMATION

OPERATION: [XX] COMMENCED [ ] WILL COMMENCE

EFFECTIVE DATE: 01-1967

PROPOSED CHANGE (CHECK APPLICABLE BOX(ES)): [ ] DESIGN [XX] OPERATION [ ] NO CHANGE

EFFECTIVE DATE: 1991

AVERAGE ANNUAL LOADING (TPY): 30,000(RWQCB Inert) PEAK DAILY LOADING (TPD): 200 FACILITY SIZE (A): 115± EXPECTED CLOSURE YEAR: 2017

III. OPERATOR INFORMATION

For land disposal, if operator is different from land owner, attach lease or franchise agreement

OWNER OF LAND (NAME): MA-RU Holding Company, Inc.
ADDRESS: 2650 West Hatch Road Modesto, Ca 95351
TELEPHONE NUMBER: (209) 538-1430

FACILITY OPERATOR (NAME): Rudy Bonzi, dba Bonzi Sanitation Landfill
ADDRESS: 2650 West Hatch Road, Modesto, Ca 9535

ADDRESS WHERE LEGAL NOTICE MAY BE SERVED: 2650 West Hatch Road, Modesto, California 95351
TELEPHONE NUMBER: (209) 538-1430

I hereby acknowledge that I have read this application and the Report of Station or Disposal Site Information, and certify that the information given is true and accurate to the best of my knowledge and belief. In operating the solid waste facility, I agree to comply with the conditions of the permit and with federal, state and local enactments.

SIGNATURE (LAND OWNER OR AGENT)	SIGNATURE (FACILITY OPERATOR OR AGENT)
TYPED NAME: Rudy Bonzi, by Roger Ford (Authorized Agent)	TYPED NAME: Mr. Steve Bonzi (Operator)
TITLE: Partner, Bonzi Sanitation Landfill (Operator); President, MA-RU Holding Company, Inc. (Owner)	TITLE: Partner, Bonzi Sanitation Landfill
DATE: 11-20-91	DATE: 11-20-91

IV. LIST OF ATTACHMENTS (CHECK THOSE APPLICABLE)

- [XX] REPORT OF FACILITY INFORMATION (REQUIRED)
- [ ] PERIODIC SITE REVIEW
- [XX] LOCAL USE/PLANNING PERMITS (REQUIRED)
- [ ] ENVIRONMENTAL REVIEW REPORTS
- [ ] WASTE DISCHARGE REQUIREMENTS
- [ ] SWAT
- [ ] CLOSURE PLAN
- [ ] OTHER REGULATORY AGENCY PERMITS
- [ ] OTHER

State of California

California Environmental Protection Agency

Memorandum

To: Phillip J. Moralez
Permits Branch
Permitting and Compliance Division

Date: May 19, 1992

From: Dianne Range
Dianne Range
Local Assistance Branch, North
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: REVIEW FOR CONFORMANCE WITH AB 939 FOR THE BONZI SANITATION LANDFILL (STANISLAUS COUNTY), FACILITY NO. 50-AA-0003

The proposed permit for the Bonzi Sanitation Landfill conforms with AB 2296 as discussed below:

1. PRC Section 44009 (Consistency with Waste Diversion Requirements)

   The Bonzi Sanitation landfill has been operating since 1989 and serves the entire Stanislaus County area. According to Michele Sackman, staff of the Local Task Force (LTF) and Local Enforcement Agency (LEA), this is a specialized facility which receives only those inerts listed on page 2-9 of the permit. The primary purpose of the permit is to change operators, increase the solid waste tonnage to 200 tons per day, add ancillary facilities for wood salvaging, and receive inert wastes. The facility currently receives an average of 35 tons of refuse daily.

   According to Ms. Sackman, the facility will recover for reuse or recycling 7% to 14% of the total volume of materials received. The facility is described on page 8-2 of the October 1991 City of Modesto Source Reduction and Recycling (SRRE). It is also found on page 8-5 of the October 1991 Stanislaus County SRRE. The Modesto SRRE states that these recyclable materials will contribute toward meeting the PRC Section 41780 25% and 50% diversion goals. According to Ms. Sackman, the facility changes will not prevent or substantially impair the achievement of the diversion requirements.

2. PRC Section 50000 (CoSWMP)

   The LEA has certified that the facility is in conformance with the latest revision of the Stanislaus

County Solid Waste Management Plan. The facility is described in the revised April 1986 CoSWMP, page II-1.

3. PRC Section 50000.5 (General Plan)

The Stanislaus County Department of Planning and Community Development determined that this facility is consistent with the Stanislaus County General Plan and compatible with adjacent land uses.

Based upon the information supplied by staff of the LTF and LEA, the Modesto SRRE, and the Stanislaus County SRRE, Board staff concludes that this facility does not impede or impair the achievement of the PRC Section 41780 diversion requirements.

MITIGATION, MONITORING AND IMPLEMENTATION SCHEDULE
BONZI SANITATION LANDFILL
2650 WEST HATCH ROAD
MODESTO, CA 95351

JANUARY 30, 1992

IMPACT	MITIGATION	MONITORING	MONITORING/TRACKING MECHANISM
1. Air Quality	a. To prevent PM10 emissions clay hauling trucks will be tarped in transit.	LEA	a. Vehicle Inspections.
	b. A water truck will be used to control on-site dust during closure construction.		b. At least monthly facility inspections.
2. Water Quality/ Drainage	Construction of minimum effective slopes for closure per CCR Title 14.	LEA	At least monthly facility inspections.
3. Gas Hazard	Gas monitoring system.	LEA	Quarterly reports from operator.

JAN30.MMI

ATTACHMENT 5

California Integrated Waste Management Board
Permit Decision No. 92-50
June 24, 1992

WHEREAS, the County of Stanislaus Department of Environmental Resources, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a new Solid Waste Facilities Permit for the Bonzi Sanitation Landfill; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance the County Solid Waste Management Plan, consistency with the General Plan, and complies with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs to the issuance of Solid Waste Facilities Permit No. 50-AA-0003.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
June 10, 1992

AGENDA ITEM 8

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for Sonoma Transfer Station, Sonoma County.

BACKGROUND:

Facility Facts

Name:	Sonoma Transfer Station, Facility No. 49-AA-0144
Facility Type:	Large Volume Transfer Station
Location:	Stage Gulch Road, Sonoma
Area:	4.96 acres
Setting:	Surrounding land consists of agricultural.
Operational Status:	Active, currently permitted to receive 100 tons of waste per day.
Owner/Operator:	Mr. Edward J. Walker, Director Sonoma County Public Works Department
Contract Operator:	Mr. Steve Ratto, President West Sonoma County Disposal, Inc.
LEA:	Sonoma County Public Health Department

Proposed Project

The proposed permit would allow an increase in the permitted capacity from 100 to 380 tons per day. This permit would also revise the hours of operation to the public from 8:00 a.m. - 5:00 p.m. to 7:00 a.m.- 4:00 p.m., incorporate the recent change of the contract operator, and improvements to the facility.

SUMMARY:

Site History The Sonoma Transfer station is an existing large volume transfer station which began operations with the issuance of it's permit in April 5, 1985. The original contract operator for the site was Redwood Empire Disposal, Inc. On April 1, 1992 West Sonoma County Disposal, Inc. became the new contract operator for the site.

Summary of Permit Consideration Issues Board staff have determined that violations of terms and conditions of the permit and the State Minimum Standards have been documented at this facility prior to Board consideration of the proposed permit. The following violations were documented:

PRC Section 44014(b) - SWFP Terms and Conditions
14 CCR Section 17533 - Vector Control

Upon the issuance of the revised permit, the violation of PRC Section 44014(b) will be remedied. The LEA has indicated, through verbal communication, that the operator is taking the necessary corrective action to address the violation. The status of the State Minimum Standards violation at this facility will be addressed by the LEA during the June 10, 1992 Committee meeting.

Project Description The facility is located on 4.96 acres of agriculturally zoned land. The facility will receive up to 380 tons per day of non-hazardous and inert solid waste from residential, industrial, and commercial sources. Agricultural waste is accepted provided that the waste contains at least 40 percent solids. Agricultural waste include plant material and pruning. Grape pulp and rotting fruit are not accepted. The facility will be opened 7:00 a.m. to 4:00 p.m., seven days per week, except for major holidays.

The method of operation is as follows: Vehicles are stopped at the gatehouse where the cashier determines whether the load is acceptable. If the incoming load contains materials which could be delivered to the recycling area, the driver is so directed. Otherwise, the driver is directed to the tipping flooring. The waste is deposited onto the tipping floor where it is compacted and pushed into a 100-cubic yard refuse trailer parked at the loading bay. The waste is then transported to the Central Disposal Site for disposal.

Future improvements of the site are anticipated. The improvements include: extending the canopy over the two existing bays which are currently uncovered, replacing the cyclone fence with a solid screen, installing scales at the gatehouse.

Environmental Controls The operator proposes to control odors and vectors by ensuring all waste is removed every 24 hours. Because of the recent vector problem, the operator will implement a vector abatement program. Noise is not a problem due to the open space surrounding the facility. Unauthorized access is controlled by locking gates located at the facility entrance and perimeter fencing.

Fire control measures include a fire hydrant located at the tipping floor and a 10,000 gallon holding tank. The tank is maintained at full level by an automatic float device.

Litter is minimized by having the County litter crews regularly police the access roads for litter. There is cyclone fencing around the refuse hoppers and around the sides of the tipping floor.

Dust is controlled by periodic wash down of the tipping floor. Wash down water is collected via a drainage structure and is stored in a waste water collection tank which is pumped out for proper discharge to a regional waste water treatment plant when full.

Hazardous waste is not accepted at the site. Waste is screened at the entry gatehouse. The County of Public Works Department also conducts a load checking program. It involves an inspection team making random visits twice per month to set up a load checking station. Hazardous waste identified is removed by a hazardous waste hauler for proper disposal.

Resource Recovery There is recycling area located directly behind the tipping floor. Materials currently accepted include: newspaper, cardboard, glass, and metal such as aluminum, ferrous scrap, white goods, used automotive batteries, motor oil and tires.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code (PRC), Section 44009, the Board has 60 calendar days to concur or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on May 5, 1992, the last day the Board could act is July 4, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for Board's consideration of concurrence if the LEA can verify that

appropriate measures have been taken to correct the 14 CCR Section 17533 - Vector control violation. In making the determination the following items were considered:

1. Conformance with County Plan

   The LEA has found that the Sonoma Transfer Station is in conformance with the Sonoma County Solid Waste Management Plan as found in the County Board of Supervisor's Resolution No. 75532 which was passed on November 1, 1983. Board staff agree with said finding.

2. Consistency with General Plan

   The LEA has determined that the facility is in conformance with the Sonoma County General Plan and is compatible with surrounding land uses. The facility is publicly owned and operated, and has been found exempt from local land use ordinance. Board staff agree with said finding.

3. Consistency with Waste Diversion Requirements

   Staff of the Board's Planning and Local Assistance Division make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would impair the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit should neither impair nor substantially prevent the County of Sonoma from achieving its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

   State law requires the preparation and certification of an environmental document. The County of Sonoma has prepared an Negative Declaration (ND) for the proposed project. The ND (SCH #90030560) has indicated that there are no significant environmental impacts associated with this project. The Notice of Determination was approved on August 28, 1990.

5. Compliance with State Minimum Standards

   On May 18, 1992 Board staff, in conjunction with the LEA, inspected this facility and documented one violation of State Minimum Standards. Board staff observed three rodents at the site. At the time this item was prepared, compliance staff had not made a determination regarding the correction

of the violation. The LEA has reported, by telephone, that the operator has commenced a vector control program. The LEA will be present at the June 10, 1992 Committee meeting to provide information regarding the compliance status of the facility.

STAFF RECOMMENDATION:

Because a revised Solid Waste Facilities Permit is proposed, the Board must either concur or object with the proposed permit as submitted by the LEA.

Staff recommends that upon certification by the LEA that the State Minimum Standards violation has been corrected the Board adopt Permit Decision No. 92-49 concurring in the issuance of Solid Waste Facilities Permit No. 49-AA-0144.

ATTACHMENT:

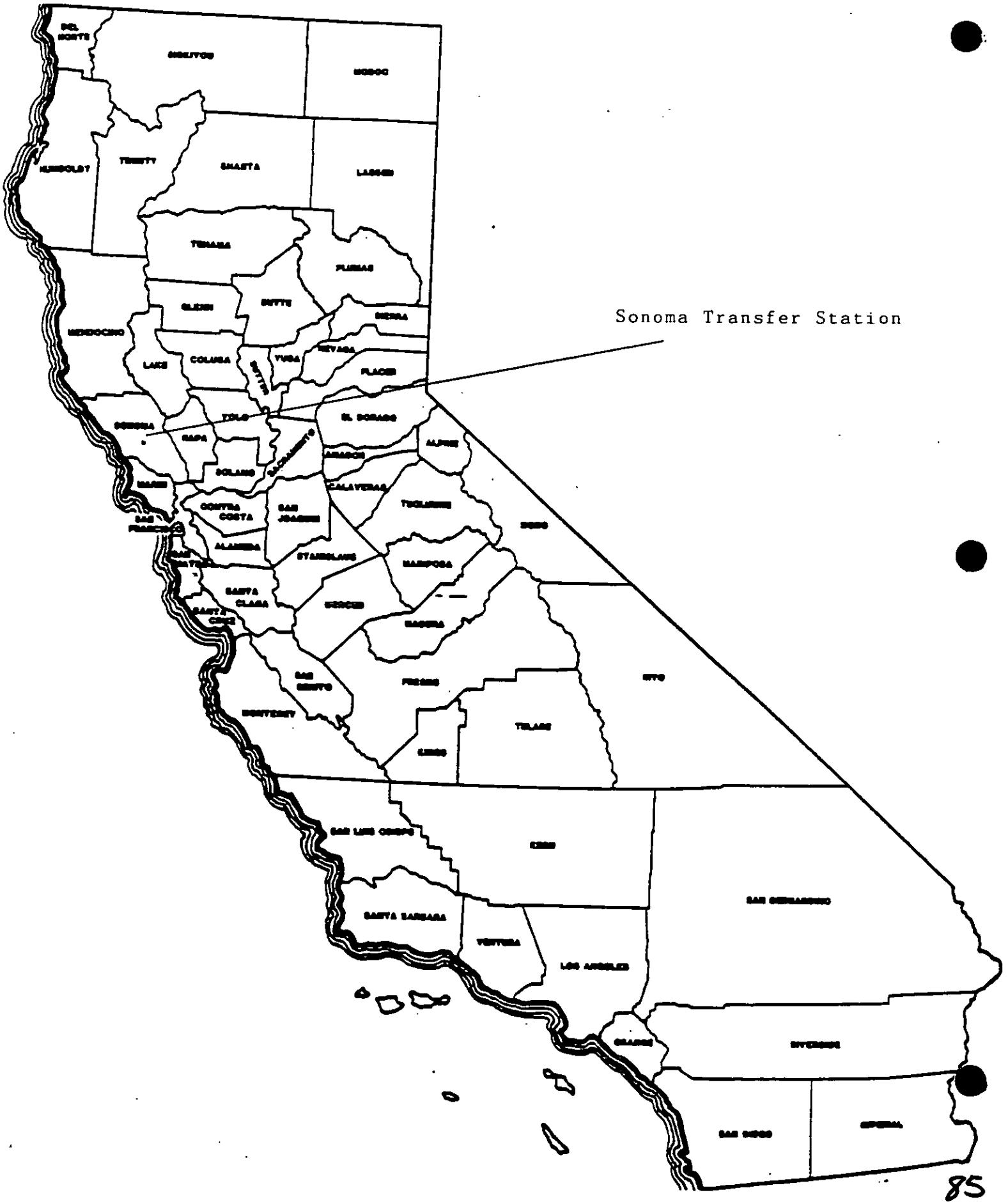
1. Location Map
2. Site Map
3. Permit No. 49-AA-0144
4. AB2296 Confirmation by Local Assistance Branch
5. Notice of Determination
6. Permit Decision No. 92-49

Prepared by: Beatrice Cuenca Phone: 225-2434

Reviewed by: Phillip J. Moralez/ Martha Vázquez Phone: 255-2453

Legal Review: Date/Time: 5/31 11h57

ATTACHMENT 1



ATTACHMENT 2

ATTACHMENT 3

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE	TYPE OF FACILITY: Large Transfer Station	FACILITY/PERMIT NUMBER: 49-AA-0144
NAME AND STREET ADDRESS OF FACILITY: Sonoma Transfer Station, 4376 Stage Gulch Road, Sonoma, CA. 95476	NAME AND MAILING ADDRESS OF OPERATOR: County of Sonoma, Department of Public Works, 575 Administration Drive, Room 117A, Santa Rosa, CA. 95403	
PERMITTING ENFORCEMENT AGENCY: Sonoma County Public Health Department	CITY/COUNTY: Sonoma County	

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS: 1030 Center Drive, Suite A, Santa Rosa, CA. 95403
APPROVING OFFICER: Jack VrMeer, Senior Solid Waste Specialist (NAME/TITLE)	
SEAL	AGENCY USE/COMMENTS
	PERMIT RECEIVED BY CWMB: MAY - 5 1992 / CWMB CONCURRANCE DATE
	PERMIT REVIEW DUE DATE / PERMIT ISSUED DATE

87

Sonoma Transfer Station
49-AA-0144

Findings:

1. Facility design and operation

   A. This is an existing volume transfer station. The facility is owned by the County of Sonoma and operated by the Sonoma County Public Works Department. Waste is removed by a contracted operator, West Sonoma County Disposal Co.

   B. The facility is located at 4376 Stage Gulch Road, Sonoma, CA, and described as lying within the Petaluma Rancho and being a portion of the lands of Rose P. Cabral as recorded in Book 2460, Official Records, Page 47, Sonoma County Records, being more particularly described as follows:

      Commencing at 3/4" iron pipe marking the southwesterly corner of Parcel B as described in deed recorded in book 3650, Official Records, Page 780, Sonoma County Records, and as delineated on the Record of Survey as recorded in Book 275, of Maps, Page 40, Sonoma County Records; thence along the westerly line of said Parcel B, N 48°41'54"W, 543.41 feet to the true point of beginning of the hereinafter described parcel;

      thence N 86°18'13"W, 278.32 feet;
      thence S 69°45'41"W, 309.87 feet to a found 1/2" iron pipe;
      thence N 87°55'23"W, 144.85 feet to a found 1/2" iron pipe;
      thence N 20°14'19"W, 286.00 feet to a found 1/2" iron pipe;
      thence N 22°27'56"E, 220.34 feet;
      thence S 67°37'04"E, 145.00 feet;
      thence N 85°10'54"E, 33.44 feet;
      thence N 22°28'20"E, 25.23 feet;
      thence S 64°19'52"E, 350.92 feet to a found 1/2" iron pipe stamped L.S. 3327'
      thence S 48°38'10"E, 312.73 feet to the true point of beginning.

      Containing 4.96 acres.

      Basis of bearing: Found pipes on westerly line of Parcel B and Parcel V as shown on the Record of Survey as recorded in Book 275 of Maps, Page 40, Sonoma County Records. N 48°41'54"W.

   C. The facility is composed of a transfer facility with four truck bays, a tipping floor of concrete approximately 16,00 square feet. The tipping area is covered fifty percent by roof, and has cyclone fencing on three sides. There is a separate ramp and area of asphalt serving eight 30 yard debris boxes for recycling and two standby debris boxes. There is a portable office, a water storage tank and an approved storage for securing hazardous waste from the load checking program adjacent to the recycle ramp. The facility has a design capacity of 380 tons of refuse per day using four, 100 cubic yard, transfer trailers.

D. The facility receives non-hazardous solid wastes which consist of agricultural wastes, construction and demolition wastes, industrial waste and mixed municipal waste. There are no special wastes received.

E. The facility receives 215 tons per day, average, and 380 tons per day at peak loading. The conversion of weight to volume is 354 pounds per cubic yard or 5.26 cubic yards per ton. The design capacity of the transfer station is 380 tons per day using 4 - 100 cubic yard transfer trailers.

F. The method of operation begins at the entrance gatehouse. Unacceptable wastes are rejected. Vehicles with recyclable materials are directed to the recycle area to place recyclables in 20 yard debris boxes. Vehicles proceed to the tipping apron and unload on the tipping floor. The vehicle then exits the facility.

Wastes on the tipping apron are crushed with a track loader. A rubber tired loader pushes refuse into an open top 100 cubic yard transfer tractor parked at the lower level. Wastes are transported to the Central Disposal Site (49-AA-0001).

G. The facility has eight 20-30 cubic yard debris boxes available to accept recyclable material. Materials collected for recycling include newspapers, cardboard, glass, ferrous metals, white goods, aluminum, and tires. Automotive batteries and motor oil are collected and stored as hazardous wastes, in approved containers, as part of the load checking program. Hazardous wastes shall be handled in a manner approved by the enforcement agency and the board.

H. The hazardous waste screening program consists of a cursory question or glance at the entry gatehouse. The driver is instructed to depart with the material and given approved disposal procedures.

The load checking program is conducted by personnel of the County Public Works Department. Load checking is performed twice monthly at the transfer station. Vehicles are checked at random. Loads are dumped and spread for inspection. Drivers are directed to remove the non-permitted waste from the facility. Suspected hazardous waste discovered on the tipping floor are removed and stored in approved containers. Wastes are lab packed and manifested, under contract, by a hazardous waste hauler. Load checking personnel are trained as required by the Department of Health Services in at least three eight hour training sessions. Signs are posted at the facility entry indicating hazardous wastes are not accepted and list hazardous categories. Incidents of unlawful disposal are reported to the local enforcement agency, (707) 525-6568, and unlawful spills of hazardous waste to the Sonoma County Sheriff's Office, (707) 527-2121.

I. Anticipated changes:

Future improvements to the transfer station building include extending the canopy over the two existing bays which are currently uncovered, replacing cyclone fencing around the loading bays, increasing on-site water storage, and installation of gatehouse scales. The canopy extension will improve site drainage control, by reducing the amount of

rainwater entering the greywater system. In conjunction with extending the canopy, the greywater collection trench will be extended across the same two bays.

The cyclone fencing which encloses the loading bays will be replaced with solid screening. This will eliminate waste materials from accumulating and hanging from the cyclone fencing.

The water tank will be upgraded by either replacing the tank with an enlarged tank or installing a second tank to provide a total holding capacity of 50,000 gallons.

Scales will be installed at the gatehouse. The County is considering changing its fee schedule to a tonnage basis rather than one based on estimating cubic yards. Scales will allow for improved record keeping. Scales may require relocation at the time that the gatehouse is relocated in conjunction with the new recycling area.

J. Hours:

Effective May 1, 1990, the transfer station will be open to the public from 7:00 a.m. to 4:00 p.m. Previously the hours were 8:00 a.m. to 5:00 p.m. This change was made to reduce the quantity of waste remaining on the floor overnight. The facility is open every day of the year except for 6 holidays; New Years Day, Easter Sunday, Fourth of July, Labor Day, Thanksgiving, and Christmas Day.

The contract operator is provided access to the facility from 5:30 a.m. to 6:00 p.m.

2. The following agencies and documents condition the operation and use of the facility:

A. Report of Station Information dated October 1991.

B. The facility is publicly owned and operated and has been found exempt from local land use ordinance.

C. San Francisco Bay Regional Water Quality Control Board Waste Discharge Requirements Exemption, dated April 6, 1984

D. There are no permits required by the Air Pollution Control District.

E. CEQA lead agency is the Sonoma County Department of Public Works

1. Notice of Determination, Neg. Dec., Revision of SWFP, 9-28-90, SCH # 90030560.

2. Notice of Determination, EIR, Construct Transfer Station, 11-1-83, SCH # 83083019.

F. Contractual agreement between the facility operator, Sonoma County Department of Public Works, and the facility contract operator, Empire Waste Management, Inc., dated March 30, 1990. Contract expires April 9, 1995.

3. The following findings and certifications are required pursuant to PRC 44010, 50000 and 50000.5.

   A. The permit is consistent with the County Solid Waste Management Plan (CoSWMP) dated 4-11-86, Pg 4-3.

   B. The permit is consistent with standards adopted by the California Waste Management Board.

   C. The County Planning Department has made a determination that the facility is consistent with, and designated in, the applicable General Plan, dated March 3, 1989, Pg 470.

4. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and disposal as determined by the LEA on April 29. 1992.

5. The local fire protection district has found the facility is in conformance with applicable fire standards as required in PRC 44151.

6. The local governing body has made a written finding that surrounding land use is compatible with facility operation, as required in GC 66796.41 (b) and (c).

7. An environmental determination has been filed with the State Clearinghouse, SCH#90030560, September 28, 1990.

CONDITIONS: Requirements:

1. The facility must comply with State Minimum Standards for Solid Waste Handling and Disposal.

2. The facility must comply with all federal, state, and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to Public Resources Code, Section 21081.6.

3. Additional information must be provided as required by the enforcement agency.

Prohibitions:

Prohibited activities at the facility.

1. Accepting wastes for which the facility is not approved; e.g., hazardous wastes, liquids, infectious wastes, dead animals, waste water treatment sludge.

Specifications:

1. All operational specifications are addressed in existing permits or documents listed under Item 2 of the findings.

2. This permit supersedes the existing permit dated April 5, 1985.

3. Any change that would cause the design or operation of the facility not to conform to the terms or conditions of the permit is considered a significant change and requires a permit revision.

4. The facility has a permitted capacity of 380 tons per operating day and shall not receive more than this amount without first obtaining a revision of the permit.

5. A change in the operator will require a new permit.

Provisions:

This permit is subject to review by the local enforcement agency, and may be modified, suspended, or revoked, for sufficient cause after a hearing.

Self-monitoring

1. Number of vehicles utilizing the site during a specified time period shall be reported to the LEA on a monthly basis.

2. Quantities and types of wastes received shall be reported to the LEA on a monthly basis.

3. Quantities and types of goods recycled and/or salvaged shall be reported to the LEA on a monthly basis.

4. A log of special occurrences, i.e., fires, explosions, accidents, hazardous wastes, etc., shall be maintained and reported to the LEA on a quarterly basis.

5. Results of the hazardous waste screening program shall be reported to the LEA on a quarterly basis.

State of California

Office of Environmental Protection

M e m o r a n d u m

To : Beatrice Cuenca
Permits Branch
Permitting and Compliance Division

Date: May 21, 1992

From : Chau Nguyentat
Local Assistance, North
Planning and Assistance Division

Subject: Review of Conformance with AB 2296 for Sonoma Transfer Station, Facility No. 49-AA-0144.

The proposed permit for Sonoma Transfer Station conforms with AB 2296 as follow:

1. Consistency with Waste Diversion Requirements (PRC Section 44009)

   The Sonoma Transfer Station is an existing transfer station owned by the County of Sonoma and operated by the Sonoma County Public Works Department. The facility currently serves Sonoma City and the unincorporated areas of the County. The primary purpose of this permit is to increase tonnage accepted from 100 to 380 tons per day.

   Types of waste received at this facility consist of agricultural wastes, construction and demolition wastes, industrial waste and municipal waste. The facility includes a recyclable materials drop-off center which accepts newspapers, cardboard, glass, white goods, aluminum, and tires, automotive batteries and motor oil from the general public. According to Ed Hayes of Sonoma County Public Works Department, an average of 2% of solid waste has been recovered per day at the Sonoma Transfer Station, based on 200 tons/day received.

   The facility is identified in the Source Reduction and Recycling Elements for Sonoma County and Sonoma City. These two jurisdictions have detailed diverse recycling programs they will implement to achieve the mandated diversion goals. Current recycling activities include curbside recycling, drop-off and buy-back operations, commercial and industrial recycling programs.

Jack Vrmeer (LEA) and John Sciborski (staff of the Sonoma County Public Works Department) confirmed that the facility change will not prevent or impair the two jurisdictions' ability to achieve the diversion requirements.

2. Conformance with CoSWMP (PRC Section 50000)

   According to the proposed permit, the LEA has certified that the facility is consistent with the Sonoma County Solid Waste Management Plan (CoSWMP), dated 4-11-86, page 4-3.

3. Consistency with the General Plan (PRC Section 50000.5)

   The County Department of Planning has certified on a July 23, 1990 letter that the facility is consistent with the County General Plan.

Based upon the above information, Local Assistance staff concludes that the Sonoma Transfer Station will not prevent or substantially impair Sonoma County's achievement of the waste diversion requirements.

This notice was posted on AUG 1990
and remained posted for a period of thirty days
until 9/28/90

EEVE T. LEWI
BY M. Schow
DEPUTY CLERK

ATTACHMENT 5

NOTICE OF DETERMINATION

TO: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County Clerk
County of Sonoma

FROM: Sonoma County
Department of Public Works
575 Administration Drive
Room 117A
Santa Rosa, CA 95403

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code.

PROJECT TITLE: Revision of Solid Waste Facilities Permit for the Sonoma Transfer Station

SCH. No. 90030560 CONTACT PERSON: Alex Sebastian PHONE: (707) 527-2231

PROJECT LOCATION: Sonoma County, west of the City of Sonoma

PROJECT DESCRIPTION: The project is the revision of the Solid Waste Facilities Permit for the Sonoma Transfer Station. The permit will be revised to reflect the permitted tonnage that the facility can receive on a daily and yearly basis. The tonnage figures included in the existing permit must be increased to keep up with the increase in population in Sonoma County.

Other minor changes to the permit include provisions for (1) expanding the recycling center to a new location on the property, (2) operation of a wood waste tub grinder, and (3) development of a load checking program to exclude household hazardous wastes. No major change in the day-to-day operation of the transfer station is proposed.

This is to advise that the County of Sonoma has approved the above-described project and has made the following determinations:

1. The project will not have a significant effect on the environment.

2. A Negative Declaration was prepared for the project pursuant to the provisions of CEQA.

3. Mitigation measures were not made a condition of the approval of the project.

4. A statement of Overriding Considerations was not adopted for this project.

The environmental documents and record of project approval may be examined at:

575 Administration Drive, Room 117A
Santa Rosa, CA 95403

Date Project was approved August 28, 1990

Date received for filing August 28, 1990

Edward J. Walker
Director of Public Works

California Integrated Waste Management Board
Permit Decision No. 92-49
June 24, 1992

WHEREAS, The County of Sonoma Public Health Department, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a revised Solid Waste Facilities Permit for the Sonoma Transfer Station; and

WHEREAS, Board staff has evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and complies with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 49-AA-0144.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
June 10, 1992

AGENDA ITEM 9

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the Tri-Cities Recycling and Disposal Facility, Alameda County

BACKGROUND:

Facility Facts

Name:	Tri-Cities Recycling and Disposal Facility (formerly Durham Road Landfill), Facility No. 01-AA-0008
Facility Type:	Class III Landfill
Location:	7010 Auto Mall Parkway, Fremont
Area:	378 acres
Setting:	Located on the former Durham Road Landfill, surrounding land use is general industrial, and combined agricultural and flood plain
Operational Status:	Active, currently permitted to receive 500 tons per day
Owner/Operator:	Mr. Tony Galli, General Manager Oakland Scavenger Company
LEA:	Alameda County Department of Environmental Health

Proposed Project

The proposed revised permit would allow an increase in the permitted maximum daily tonnage, from approximately 500 tons per day in the current permit, to 2064 tons per day by the year 1992. The Negative Declaration prepared for this project analyzed a tonnage increase of approximately 3 percent per year through the year 2000. The proposed permit allows the 3% yearly increase in maximum daily tonnage, commencing with 2064 tpd in 1992. The permit also incorporates the recent name change from Durham Road Landfill to Tri-Cities Recycling and Disposal Facility.

SUMMARY:

Site History The Tri-Cities Recycling and Disposal Facility (TCRDF) is an area fill, Class III landfill which accepts nonhazardous solid waste from the cities of Fremont, Newark, and Union City. The facility was originally permitted in 1978. TCRDF is located at the western terminus of Auto Mall Parkway in Fremont, California. The road and the landfill have both recently been renamed. The access road was renamed from Durham Road to Auto Mall Parkway, and the landfill was renamed from Durham Road Landfill to Tri-Cities Recycling and Disposal Facility.

The site is owned and operated by Oakland Scavenger Company, a wholly owned subsidiary of Waste Management of North America, Inc. Landfill operations began in 1967 in the northwestern portion of the site. The 1978 Solid Waste Facilities Permit (SWFP) was revised in 1983 to allow for a lateral expansion of the site. The facility is currently permitted for disposal on 258 of the 378 total acres.

Both the 1978 and the 1983 permits contain a finding that the facility "handles approximately 500 tons per day on a 7 day a week basis." The facility currently accepts approximately 1400 tons per day (tpd) and is consequently operating outside the terms and conditions of the existing 1983 permit. This situation was addressed by a stipulated agreement signed by the LEA and the operator which provides that the maximum daily disposal rate at the landfill shall not exceed 2100 tpd in 1992. The stipulated agreement has been in effect since March 1991.

Project Description The proposed revised permit establishes a maximum daily tonnage of 2064 tpd by the year 1992. The permit provides for a yearly increase in the permitted peak tonnage of approximately 3 percent through the year 2000. The permitted peak daily tonnage in the year 2000 will be 2628 tpd. The annual increase is based on the projections of population and industrial growth in the waste shed analyzed in the 1992 Negative Declaration which was prepared for the project. The increase in permitted maximum daily tonnage is the only significant change addressed by the proposed permit.

Wastes are brought to the facility from the cities of Fremont, Union City, and Newark. Wastes are unloaded near the working face, pushed to the working face, and compacted with heavy equipment. The facility is on performance standards, so the working face must be kept to a size determined by State regulations and the LEA. The wastes are covered with six inches

of daily cover when the working face is moved to a new area or when it is inactive for more than 24 hours.

Environmental Controls Monitoring of groundwater at the site is accomplished through a network of 22 wells. The monitoring program has been prescribed by the Regional Water Quality Control Board in accordance with the revised Chapter 15 regulations. The water table zone is sampled on a quarterly basis.

A collection system has been installed to prevent the off-site migration of landfill decomposition gases. The system includes a series of vertical gas collection wells maintained under vacuum. Each vertical well is tied into the main header system, which conveys the landfill gas to the on-site, high temperature flare located at the east side of the landfill. The flare is permitted by the Bay Area Air Management District and is designed to burn up to 1275 cubic feet of landfill gas per minute.

The site has an operational hazardous waste exclusion program. The program includes regular and random inspections of incoming loads, training of facility personnel in hazardous waste recognition and handling procedures, and signs posted at the entrance. If hazardous waste is identified, it is taken by trained personnel to a hazardous waste storage locker, where it is kept for a maximum of 90 days before it is removed by a qualified hazardous waste hauler.

Noise is controlled by proper maintenance of noise suppression devices on the heavy equipment. Since the site is on performance standards, the LEA inspects the facility weekly to ensure that potential dust, odor and vector problems are mitigated. Dust is controlled by the use of a water truck. Odor is controlled by the continuous application of waste to the working face. Vectors are controlled through trapping and eradication programs. Litter is controlled through the use of litter fences and picking crews.

Resource Recovery The facility is currently salvaging concrete, rubble, and asphalt. The collection vehicles using the site are routed through the Bay Cities Recycling Center before entering the disposal area. Also the three Cities, which exclusively use this facility, have curbside programs.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code (PRC) Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a solid waste facilities permit. Since the proposed

permit was received on May 11, 1992, the last day the Board could act is July 10, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Plan

   The LEA has determined that the facility is found in the Alameda County Solid Waste Management Plan. Board staff agree with said determination.

2. Consistency with General Plan

   The LEA has found that the facility is in conformance with the City of Fremont General Plan. The City of Fremont Planning Commission determined that the surrounding land-use is compatible with the facility's operation and issued a Conditional Use Permit to the site on December 10, 1981. This Conditional Use Permit was revised and approved by the Fremont Planning Commission on April 2, 1992. The LEA has found that approval of the Conditional Use Permit required a prior finding of consistency with the City of Fremont General Plan. Board staff agree with said finding.

3. Consistency with Waste Diversion Requirements

   Staff of the Board's Planning and Local Assistance Division make an assessment, pursuant to PRC Section 44009, to determine if the record contains substantial evidence that the proposed project would impair achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit should neither impair nor substantially prevent the County of Alameda from achieving its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

   State law requires the preparation and certification of an environmental document. The City of Fremont, acting as the lead agency, prepared a Negative Declaration for the

proposed project. The City of Fremont circulated the Negative Declaration through the State Clearinghouse (SCH #92023024) for comment, conducted at least one public hearing on the subject, responded to comments, and adopted the Negative Declaration on April 6, 1992. The City filed a Notice of Determination regarding the certification of the Negative Declaration on May 4, 1992.

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and that the Negative Declaration is adequate and appropriate for the Board's use in evaluating the proposed permit.

5. Compliance With State Minimum Standards

The LEA has determined, based on an evaluation of the project's Report of Disposal Site Information and supporting documentation, and weekly inspections of the site, that the design and operation of the facility are in compliance with State Minimum Standards.

The last State inspection of this facility was conducted on July 8, 1987. Since that time, the facility has received waste tonnages in excess of the 500 tpd specified in the existing permit. To address this violation of the existing permit, the LEA and the operator entered into a stipulated agreement which allowed the acceptance of 2154 tons of waste per day. The stipulated agreement was signed by the operator on June 3, 1991.

Due to the past practice of disposing of friable asbestos containing waste (ACW) at the site, Board staff have not inspected this facility since July of 1987. The proposed permit prohibits the disposal of friable ACW. At the time this item went to print, Board Compliance Branch staff had not yet inspected the facility. A report on the compliance status will be provided to the Permitting and Enforcement Committee.

STAFF RECOMMENDATION:

Because a revised Solid Waste Facilities Permit is being proposed, the Board must either object or concur with the proposed permit as submitted by the LEA.

Staff recommend that the Board adopt Permit Decision No. 92-47 concurring in the issuance of Solid Waste Facilities Permit No. 01-AA-0008.

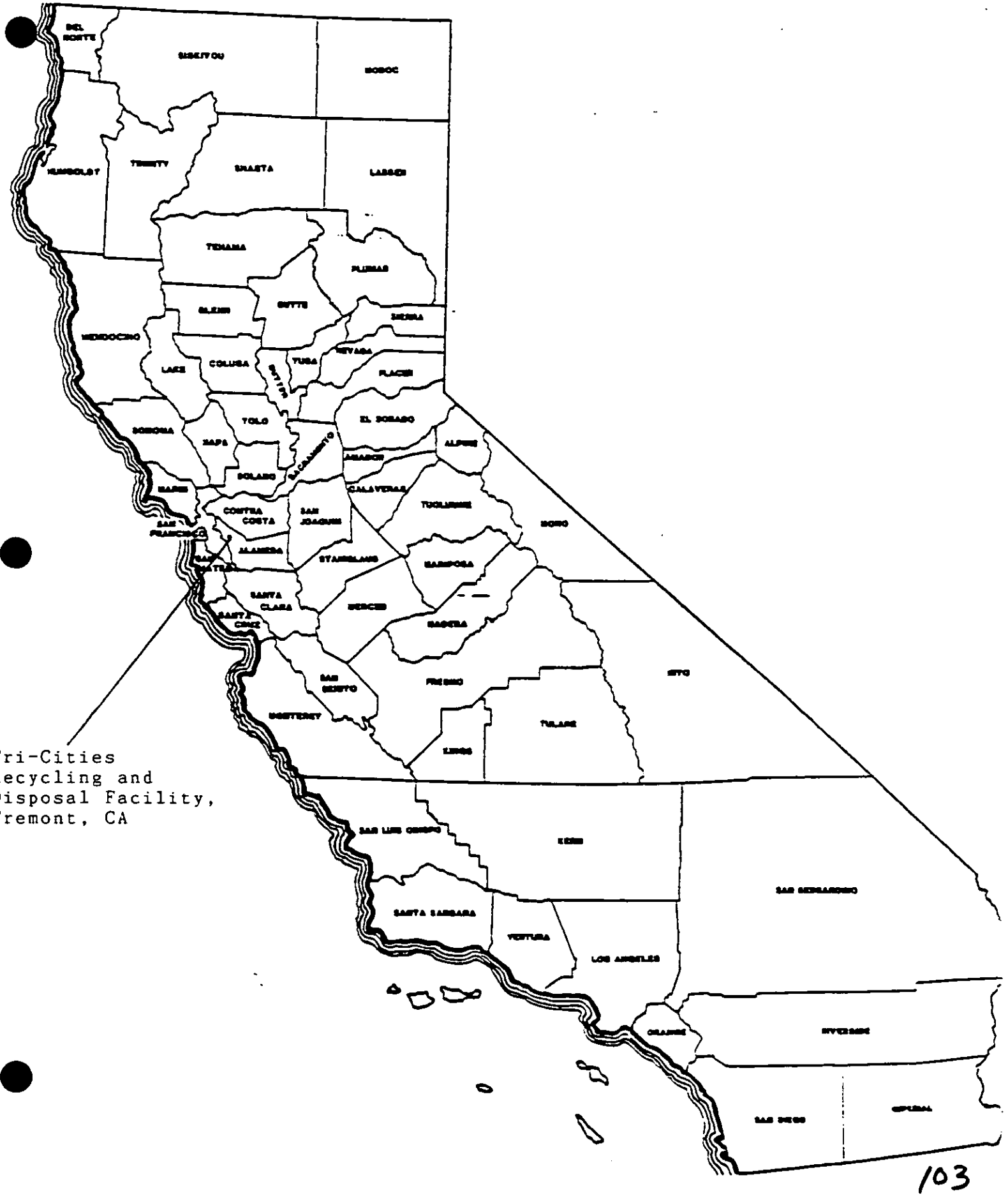
ATTACHMENTS:

1. Location Map
2. Site Map
3. Permit No. 01-AA-0008
4. AB 2296 Conformance
5. Permit Decision No. 92-47

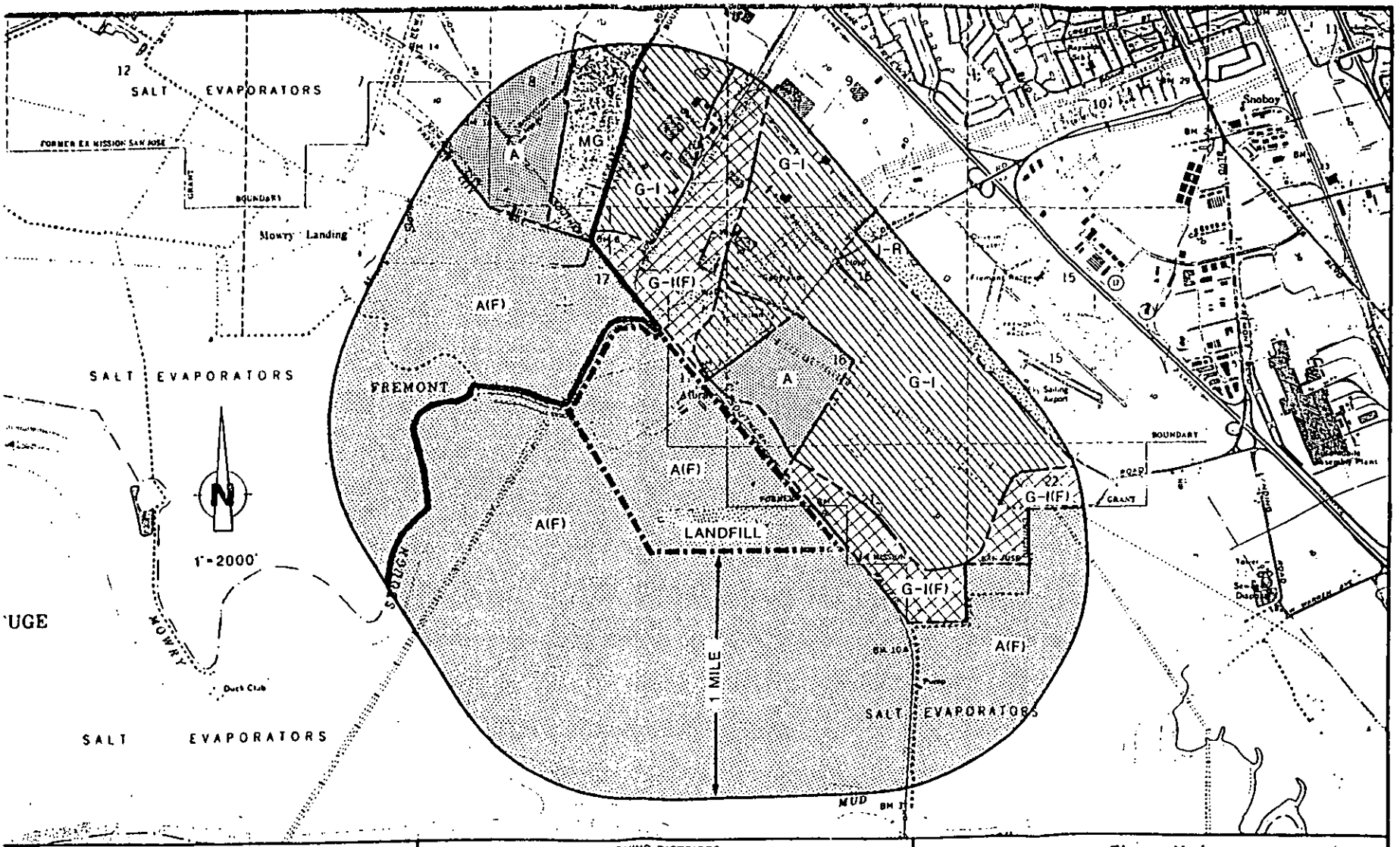
Prepared By: Michael Kuhn/Beatrice Cuenca Phone: 255-2432

Approved By: Phillip J. Moralez/Martha Vazquez Phone: 255-2453

Legal Review: Date/Time:



Tri-Cities Recycling and Disposal Facility, Fremont, CA



RESOURCE MANAGEMENT INTERNATIONAL, INC.

ZONING DISTRICTS

NEWARK	FREMONT
A AGRICULTURAL	A AGRICULTURAL
F FLOOD COMBINING DISTRICT	F FLOOD COMBINING DISTRICT
MG GENERAL INDUSTRIAL	G-I GENERAL INDUSTRIAL
	I-R RESTRICTED INDUSTRIAL

Figure V-1
ZONING MAP

ATTACHMENT 2

104

ATTACHMENT 3

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE

TYPE OF FACILITY	FACILITY/PERMIT NUMBER
Landfill	01-AA-0008

NAME AND STREET ADDRESS OF FACILITY	NAME AND MAILING ADDRESS OF OPERATOR
TRI-CITIES RECYCLING & DISPOSAL FACILITY 7010 Auto Mall Parkway Fremont, CA 94538	TRI-CITIES RECYCLING & DISPOSAL FACILITY 7010 Auto Mall Parkway Fremont, CA 94538

PERMITTING ENFORCEMENT AGENCY	CITY/COUNTY
Office of Solid/Medical Waste Management	Alameda County

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:

Bill Raynolds

APPROVING OFFICER

Bill Raynolds, Program Manager

NAME/TITLE

AGENCY ADDRESS

Alameda County
Department of Environmental Health
Office of Solid/Medical Waste Management
470 - 27th Street, Rm. 324
Oakland, CA 94612
(510) 271-4305

AGENCY USE/COMMENTS

SEAL

PERMIT RECEIVED BY CWMB	CWMB CONCURRANCE DATE
MAY 12 1992	
PERMIT REVIEW DUE DATE	**PERMIT ISSUED DATE**

CWMB (Rev. 7/86)

FINDINGS

1. DESCRIPTION - FACILITY DESIGN AND OPERATION

A. Identification of operator, owner and contractors.

OWNER/OPERATOR:

Tri-Cities Recycling and Disposal Facility, TCRDF, is owned and operated by Oakland Scavenger Company, a wholly owned subsidiary of Waste Management of North America, Inc. The property is owned by Oakland Scavenger Company.

FACILITY ADDRESS:

Tri-Cities Recycling and Disposal Facility (TCRDF)
Oakland Scavenger Company
7010 Auto Mall Parkway
Fremont, CA 94538 (510) 657-2425
Previously: Durham Road Landfill (Changed 11/04/91)

B. Delineation of property:

The site is in the South West quarter of Section 16, the South half of Section 21, the North East quarter of Section 20 and the North West quarter of Section 20; Township 5S, Range 1W in the City of Fremont, Alameda County, California.

See Maps V1 and V2 in the 1992 RFI for a general location and a details of the facility.

The total acreage of the property is 378 acres with 225 acres under permit and waste discharge requirements. The facility is divided into Area I, II and III. Area I, approximately 115 acres, is the only area presently receiving waste.

C. Physical Description

1. List of all stationary equipment, structures, buildings:

See RFI Figure XII-2 for map showing location of stationary equipment, structures and buildings.

2. Design Capacity:

The capacity of the landfill, including Area I, II and III is estimated to be 19,271,000 cubic yards of net refuse. (Includes daily cover). As of September 1991, 8,157,000 cubic yards of space is still available for refuse disposal. (Does not include daily cover).

The estimated capacity will be reached in the year 2007 at a fill rate of 332,000 tons per year with a refuse density of 1300 pounds per cubic yard.

3. Storage Areas:

See RFI Figure XII-2 for map which shows storage areas.

D. List all wastes received.

1. The facility accepts mixed municipal, construction-demolition, commercial and industrial wastes.

2. Special wastes handled at the site include non-friable asbestos, fiberglass, baghouse fines, hydrocarbon contaminated soils, waste water treatment sludge of less than 50% water content and auto shredder wastes.

E. Quantification of wastes received per operating day.

Peak loads to be accepted at the facility have been calculated on the basis of a maximum daily tonnage in 1990 of 1923 tons. The average daily tonnage is approximately 1400 tpd. The load has been projected in the 1992 Negative Declaration on the basis of population and industrial growth in the wasteshed to be 2628 tons in the year 2000. The permitted maximum daily tonnage is to be:

1992 - 2064.0 tpd
1993 - 2134.5 tpd
1994 - 2205.0 tpd
1995 - 2275.5 tpd
1996 - 2346.0 tpd
1997 - 2416.6 tpd
1998 - 2487.0 tpd
1999 - 2557.5 tpd
2000 - 2628.0 tpd

The capacity of the landfill, including Area I, II and III is estimated to be 17,232,000 cubic yards of net refuse. As of September 1991, 8,157,000 cubic yards are still available for refuse disposal.

The estimated capacity will be reached in the year 2007 at a fill rate of 332,000 tons per year with a refuse density of 1300 pounds per cubic yard.

Daily cover and inert material for road base is purchased from a local vendor in the amount of approximately 205,000 tons per year.

F. A descriptive statement of the facility:

Vehicles enter the site from Auto Mall Parkway headed West. Southern Pacific Railroad has tracks with traffic controls about 20 feet from the landfill entrance. Signs with the facility name, hours of operation, days closed, restrictions of residence and acknowledgement that the facility does not accept hazardous materials or liquid waste, are posted on a 6 foot high chain link fence. The entry has a lockable gate. Bay City Recycling Services, a recycling facility located on the property also has identification signs. The entry area has been landscaped with trees and grass. The entrance road is 7 lanes, 5 lanes are inbound and 2 are outbound. A turn lane is provided to the left for entry into the recycling center and a right turn lane is provided for traffic entering the landfill office parking. The office area is composed of eight modular units where managers and clerical staff have offices and also a break room for field personnel. Restrooms are provided with potable water at the handwash sinks.

Continuing from the entrance, a left turn can be made from a turn lane into the recycling area. This facility is fenced off with a six foot high chain link fence and with litter fences. This facility is owned and operated by Bay Cities Recycling Services, a subsidiary of Oakland Scavenger Company, and is not permitted since the facility does not generate more than 15 cubic yards of waste per day. Curbside pick up trucks proceed along a well marked roadway to the top of the drive through. They discharge newspaper off the left side of the road into containers, then proceed across the road to offload glass, aluminum and "tin cans". The road then continues around the loop to the scales and scale house for weighing. The left side of the road at this area has containers for

waste oil which is delivered to a local lubricant recycling company. Behind the scale house is a materials sorting facility with conveyor lines. The road then returns the trucks to the exit lanes after requiring stops in the appropriate places.

The 5 incoming lanes lead to the collection booths. One of the booths is equipped with a scale with computer terminal. The other booths have cash registers to record load size. Mounted above each booth on a 15 foot high flagpole is a video camera and mirror at each station. The mirrors facilitate viewing the loads without risking personnel safety. The video is recorded on tape in the operations office for future identification of any problem loads or vehicles. These booths are opened according to the amount of traffic.

The road to the public area is unpaved but is of good surface in all weather. It is sprayed with water in the dry season. Speed limit signs direct traffic to travel at below 15 mph and arrows clearly mark the flow of traffic direction. The road has a concrete protective barriers to prevent traffic from leaving the road. At the top of the hill, signs direct the user to the right for "untarping" in an area separated from traffic by traffic cones. The users proceed to the working face for public use where two traffic directors direct each vehicle with red flags into offloading position. Load checking is done visually as the customers offload.

Commercial vehicles follow the same procedure to this point but are directed to an area separate from the public area. The operator has provided a flagman at this area also. The flagman in this area has a "bird gun" which is fired randomly to chase away seagulls.

G. Recovery or salvaging.

Hazardous wastes, such as batteries or oil, shall be handled in a manner approved by the Local Enforcement Agency and the Board. (Specific handling regulations are included in Title 22, California Code of Regulations.)

Salvaging of concrete, rubble and asphalt occurs on site. See further description under Specifications.

H. Description of Hazardous Waste Screening.

The following steps shall be taken to prevent the acceptance of hazardous materials:

1. Random inspection of in-coming loads.
2. Regular visual inspection of the wastes deposited at the facility.
3. Training of facility personnel in hazardous waste recognition and proper waste handling procedures.
4. Reporting incidents of unlawful disposal to the Local Enforcement Agency:

   Alameda County Office of Solid/Medical Waste Management
   470 27th Street, Suite 325
   Oakland, CA 94612
   Phone: (510) 271-4303 FAX (510) 271-4522
5. Installation of signs at the various facility entries indicating that no hazardous wastes are accepted.
6. Listing of unacceptable wastes.
7. Additional measures may be required upon the request of the Local Enforcement Agency or the Board.

I. Anticipated changes:

1. A wood waste recovery and diversion system is being considered.
2. Composting of waste water treatment sludge and green waste may be composted with an International Process System or other method.
3. A tire diversion procedure may be initiated.
4. The final elevation of the site is being evaluated.
5. Refuse will be filled into Area II.

J. Other pertinent information:

1. Dates of operation/closed days:

The site is open to the public 7 days a week. It is closed New Year's Day, Easter Sunday, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

2. Hours of operation:

The facility is open from 8:00 am to 5:00 pm for the public and 24 hours per day for Oakland Scavenger Company.

3. Site life:

The anticipated year of closure is 2007.

2. Listing of all agencies and documents which condition the use and operation of the facility:

A. Report of Facility Information:

Report updated March, 1992.

B. Local Agencies:

The facility is operating under a conditional use permit, Number U-66-35-B, adopted April 2, 1992 by the City of Fremont.

C. Regional Water Quality Control Board Waste discharge permit:

San Francisco Bay Region - Order # 90-051, replaces Order #79-21 and 84-7, consists of part A and B, dated April 18,1990.

D. Air Quality permit:

Bay Area Air Quality Management District
Current permit expires: Feb 1, 1993
Plant # 2246, Condition ID #4510 & 1368

E. Lead Agency:

A Negative Declaration from an Initial Sutdy has been processed through CEQA by the City of Fremont. The final date of adoption is April 6, 1992.

F. Lease agreements are not applicable since the site is owned by Oakland Scavenger Company

G. Contractual agreements do not exist since the owner and operator are the same.

H. Special permits

1. San Francisco Bay Conservation and Development Commission Permit Number: M82-105 issued August 2, 1982
2. Alameda County Flood Control and Conservation District Encroachment permit number 06044, dated August 2, 1982

I. US Army Corps of Engineers, San Francisco District

Three projects, included in the RFI pg. 30-1 and 30-2, include the PGE easement, fill area II and a 32 acre area on the North East side of the site.

3. The following findings are required:

A. The permit is consistent with the County Solid Waste Management Plan, dated July 29, 1987.

B. The permit is consistent with standards adopted by the California Integrated Waste Management Board.

C. The City of Fremont has made a determination that the facility is consistent with and designed in, the applicable General Plan.

4. The design and operation of the facility is in compliance with the state minimum standards for solid waste handling and disposal as determined by the Local Enforcement Agency on May 7, 1992.

5. TriCites Recycling and Disposal Facility is located within the City of Fremont and, as required by PRC 44151, must be in compliance with local fire standards. Letters indicating this compliance are included in the Report of Facility Information.

6. On February 28, 1992, a Negative Declaration was presented for comment to the State Clearinghouse and was issued Number SCH#92023024. The City of Fremont was the Lead Agency. This study addressed a Permit revision dealing with increased tonnage.

CONDITIONS

1. The facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.

2. The facility must comply with all federal, state and local requirements and enactments, including all mitigation measures given in any certified environmental documents filed pursuant to Public Resource Code, section 21081.6.

3. Additional information must be provided as required by the local enforcement agency.

4. At the discretion of the enforcement agency, additional landfill gas monitoring probes shall be installed for detection of gas migration. A landfill gas control system has been installed.

PROHIBITIONS

The following activities are prohibited:

1. Accepting wastes defined as hazardous.

2. Accepting any waste requiring special handling that has not been specified in this permit under "special wastes".

3. Accepting large dead animals.

4. Scavenging, except as noted in this permit.

5. Open burning or accepting burning wastes.

7. Accepting infectious or medical waste.

8. Liquid waste or waste water treatment sludge of greater than 50% water content without prior approval of the Regional Water Quality Control Board and the Local Enforcement Agency.

SPECIFICATIONS

Special operation procedures:

1. list of additional operations not specified in permit:

a) Mobile rock crushing is carried out at the site by a permitted contractor. The Bay Area Air Quality Management District permit restricts the operation to two projects in any four year period and requires a limitation of PM10 pollutants. The crushed material is used on site as road bed material and construction material and augments the materials which are brought on site for these purposes.

b) Bay Cities Recycling Services is a recycling facility generating less than 15 cubic yards of waste per day.

2. Any change that would cause the design or operation of the facility not to conform to the terms or conditions of the permit is prohibited; such a change would be considered a significant change and require a permit revision.

3. The facility has a permitted maximum capacity and shall not receive more than this amount without first obtaining a permit revision. The maximum daily tonnage accepted during each calendar year shall be no greater than:

1992 - 2064.0 tpd
1993 - 2134.5 tpd
1994 - 2205.0 tpd
1995 - 2275.5 tpd
1996 - 2346.0 tpd
1997 - 2416.6 tpd
1998 - 2487.0 tpd
1999 - 2557.5 tpd
2000 - 2628.0 tpd

4. Not applicable.

5. A change of operator will require a new permit.

PROVISIONS

1. The permit is subject to review by the LEA and may be modified, suspended or revoked for sufficient cause after a hearing.

2. The operator shall maintain a sign at this facility advising those using this facility of the requirement for covering loads of refuse.

3. The operator is limited to accepting waste from the cities of Fremont, Newark and Union City as specified in the 1992 Conditional Use Permit.

///

CLOSURE/POSTCLOSURE

All documents relating to the preparation of the closure/postclosure maintenance costs shall be retained by the operator and shall be available for the inspection of the Board or the LEA at reasonable times.

The operator shall submit to the LEA copies of a plan for closure of the landfill and a plan for the postclosure maintenance of the landfill for approval by the LEA, Regional Water Quality Board and the CIWMB. These plans shall be submitted not later than the first date after July 1, 1990 that the permit is required to be reviewed. The next permit review is required on the date of this permit approval in 1997.

The operator must show the financial ability to provide for 15 years of postclosure costs.

MONITORING

List of all the required monitoring and the reporting frequency:

1. Daily quantities, in tons, and types of wastes received shall be reported to the LEA on a monthly basis.
2. The number and types of vehicles using the facility per month shall be reported to the LEA on an annual basis. The LEA shall report the information in items #1 and #2 to Fremont, Newark and Union City.
3. Leachate shall be monitored and reported at least semi-annually.
4. Methane gas generation and accumulation shall be monitored and reported at least quarterly.
5. A log of special occurrences shall be maintained and available for inspection by the LEA.
6. Results of the hazardous waste screening program shall be maintained and available for inspection by the LEA.
7. Records of recycled or salvaged materials shall be maintained and available for inspection by the LEA.
8. The updated site fill plan shall be reported to the LEA on an annual basis and shall be available on request.

State of California

California Environmental Protection Agency

Memorandum

To : **Mike Kuhn**
Permits Branch
Permitting and Compliance Division

Date: 5-20-92

From : Michelle Marlowe Lawrence
Michelle Marlowe Lawrence
Planning and Assistance Branch
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: AB 2296 Finding for the Permit Revision for the Tri-Cities Recycling and Disposal Facility, City of Fremont, Alameda County

After review of the documents provided for facility number 01-AA-0008, and the Preliminary Source Reduction and Recycling Elements for the three jurisdictions which use this facility, planning staff have made the following findings:

1) The permit revision is consistent with the waste diversion requirements (PRC 44009);
2) The facility is consistent with the CoSWMP (PRC 50000); and
3) The facility is in conformance with the General plan for the City of Fremont (PRC 50000.5).

Finding of Consistency with waste Diversion Goals (PRC Section 44009):

There are no substantial revisions to operating permit which would prevent or substantially impair the ability to carry out the goals of waste reduction and diversion as required by the Integrated Waste Management Act of 1989 for the city of Fremont or the county of Alameda. The Cities of Fremont, Newark, Union City, and the County of Alameda have detailed the extensive and integrated diversion programs they will implement between now and the year 2000 in the Preliminary Source Reduction and Recycling Elements which were reviewed by Local Assistance staff. The City of Fremont currently claims a diversion level of 17.6%, the City of Union City claims a current diversion level of 15.5%, the City of Newark 17.3%, and the County indicates a current diversion level of 15.9%.

Source Reduction and Recycling Element:

The site was identified in the recently reviewed Preliminary Source Reduction and Recycling Elements (SRREs) for the three cities which use the facility exclusively. All of these cities have curbside programs, and the collection vehicles are routed through the Bay Cities Recycling Center before entering the disposal area. Local Assistance staff note that the proposed permit indicates future plans for additional waste diversion activities such as wood waste recovery, composting of waste water sludge, and tire diversion. The permit application does not include plans for any of these diversion programs, and staff are assuming that the operator will come back to the Board for a revised permit once the decision to implement has been made.

Local Task Force:

Board staff have contacted LTF staff (Waste Management Authority staff) to find out how this facility fits in with Alameda County's overall integrated waste management plans. Staff to the LTF find it necessary to revise the Solid Waste Facilities Permit to bring the permit into compliance with the actual operation of the facility. There are tentative plans to use the facility for expanded resource recovery operations.

Facility Information:

The curbside pick up trucks deliver their loads to the Bay City Recycling Services facility which is adjacent to the disposal facility for resource recovery prior to driving on to the disposal portion of the facility. Bay City Recycling Services also operates a buy-back and drop-off center for self-haul loads at this site. The facility does have plans to develop and implement additional resource recovery programs at the site.

The maximum permitted tons per day is set at 2,064 TPD for the year 1992 with incremental increases for population growth over the next eight years for a maximum of 2,628 in the year 2000. Currently, the permit doesn't indicate a daily maximum, and the permit hasn't accurately reflected the daily tonnage in years. Concurring on the permit revision will bring the permit into compliance.

Conformance with CoSWMP:

PRC Section 50000 requires consistency with the most recently adopted CoSWMP until an approved CIWMP is in place. The revision of this permit is consistent with the County Solid Waste Management Plan as revised in July, 1987. Reference to expansion of this site, and future diversion practices for the site and the cities whose waste stream enters the facility, can be found in pages III-13 through III-45 of the CoSWMP.

Consistency with General Plan:

PRC Section 50000.5 requires consistency with the General Plan of a county or a city, depending on where the facility is being sited. Tri-Cities is in the incorporated City of Fremont, and the Planning Commission certified on April 2, 1992 that the facility operation is consistent with the General Plan.

Summary:

Local assistance staff have therefore determined that revising the permit for the Tri-Cities Recycling and Disposal Facility will not prevent or substantially impair the three cities or Alameda County's ability to achieve the mandated diversion goals of 25 and 50%.

California Integrated Waste Management Board
Permit Decision No. 92-47
June 24, 1992

WHEREAS, the County of Alameda Department of Environmental Health, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a revised Solid Waste Facilities Permit for the Tri-Cities Recycling and Disposal Facility; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 01-AA-0008.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
June 10, 1992

AGENDA ITEM 10

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the Davis Street Transfer Station, Alameda County

BACKGROUND:

Facility Facts

Name:	Davis Street Transfer Station, Facility No. 01-AA-0007
Facility Type:	Large Volume Transfer Station
Location:	2615 Davis Street, San Leandro
Area:	52.45 acres
Setting:	Surrounding land use is general industrial
Operational Status:	Active, currently permitted to receive 3480 tons per day
Owner/Operator:	Mr. Jack Isola, General Manager Oakland Scavenger Company
LEA:	Alameda County Department of Environmental Health

Proposed Project The proposed revised permit allows an increase in the permitted maximum daily tonnage from approximately 3480 tons per day (tpd) in the 1978 permit to 5,000 tpd. There are several infrastructure improvements also addressed by the proposed permit. The improvements include: construction of a disposal operations building and a transportation operations building, establishment of a formal load check area, construction of an additional inbound traffic lane and a new collection booth, expansion of the administrative office, and establishment of a heavy equipment maintenance facility.

SUMMARY:

Site History The Davis Street Transfer Station overlies portions of, and is predominantly adjacent to, the former Davis Street Landfill. Planning for the transfer station began in 1975 in anticipation of the closure of the landfill. The original Solid Waste Facilities Permit (SWFP) for the transfer station was issued on November 6, 1978.

As part of a five-year permit review in 1988, it was determined that the facility was outside the terms and conditions of the SWFP. Additional California Environmental Quality Act (CEQA) review was deemed to be necessary. Additional CEQA review was conducted to address the proposed increase in the permitted maximum daily tonnage from 3480 to 5000 tpd.

Waste generation in the Davis Street Transfer Station wasteshed increased by an annual rate of close to 5 percent during the 1980s. The population growth for the area during that time was only 1.3 percent. The difference between these two rates was due mostly to growth in the commercial and industrial sectors of the economy.

In March of 1991, the LEA and the operator entered into a stipulated agreement that allowed the facility to accept 5000 tons per day during the time required for CEQA review and permit revision.

Project Description The proposed permit allows an increase in the permitted maximum daily tonnage to 5000 tons per day. The tonnage increase is the main reason for the permit revision. The proposed permit also allows several site improvements such as building construction, a new load check area and a traffic lane expansion. Additional resource recovery operations are also proposed. A wood waste haul-away program will transfer up to 100 tons of wood waste per day to the Waste Fiber plant in Hayward. A permanent hazardous waste storage facility will be available on-site to store hazardous wastes separated from the waste stream by the exclusion program.

The proposed permit also describes some anticipated changes. A composting facility is planned for the western boundary of the site. The facility, to be permitted separately, would accept sewage sludge and green waste for co-composting. A sorting line for separating recyclable materials from the waste stream is contemplated for the northwest side of the open tipping area. Neither of these changes is sanctioned by the proposed permit and will require future permit modifications or revisions.

Wastes are brought to the facility by members of the public and by Oakland Scavenger collection vehicles. The commercial vehicles unload inside the covered transfer station building, where their loads are screened for hazardous waste by trained personnel. The public is directed to unload on the tipping floor outside of the building. The loads are checked for hazardous waste and are then pushed into the transfer building where they are compacted. The waste is then pushed to an area at the end of the building where it is loaded in transfer trailers by the use of two grapples. The waste is then transported to Altamont Sanitary Landfill.

All washwater from roll-off box and truck wash operations will be recycled through a fully automatic and continuous wastewater treatment system to remove suspended solids, fats, oils and greases from the process waters. The facility has a discharge permit from the City of San Leandro Water Pollution Control Plant which allows discharge of the transfer station wastewater.

Environmental Controls

The site has an operational hazardous waste exclusion program. If hazardous waste is identified, it is moved by trained personnel to the hazardous waste storage lockers, where it is stored for a maximum of 90 days before it is removed by a qualified hazardous waste hauler.

Due to the proximity of the closed Davis Street Landfill, gas migration control barriers and vents have been installed. The transfer station contains equipment for monitoring methane gas on a periodic basis according to a Methane Monitoring Plan. A methane gas processing station is adjacent to the transfer station in the southwestern corner of the facility property. The gas processing system is owned and operated by a private company unassociated with Oakland Scavenger Company.

Dust is controlled at the site by a sprinkler system. Water used for dust control is absorbed in the refuse. Noise is controlled by proper maintenance of the noise suppression equipment on the heavy machinery. Odor and vectors are controlled by prompt removal of waste from the transfer station. Wastes are removed from the facility within 48 hours. Litter is controlled by crews of litter pickers. Additional measures will be taken by the operator to control these factors if necessary.

Resource Recovery Programs

Extensive resource recovery operations already exist at the site. These include drop-off boxes for glass, aluminum, scrap metal, paper and other recyclables. The drop-off boxes are for use by the public. Additional recycling is planned for the future involving a sorting line. That project will require additional CEQA review and a permit revision, and is not sanctioned by the proposed permit.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code (PRC) Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a solid waste facilities permit. Since the proposed permit was received on May 18, 1992, the last day the Board could act is July 17, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Solid Waste Management Plan

   The LEA has determined that the facility is found in the Alameda County Solid Waste Management Plan. Board staff agree with said determination.

2. Consistency with General Plan

   The LEA has found that the facility is in conformance with the City of San Leandro General Plan. The City Planning Department determined that the surrounding land-use is compatible with the facility's operation and issued a Conditional Use Permit to the site on June 2, 1978. This Conditional Use Permit was revised and approved on March 9, 1992. The LEA has found that approval of the Conditional Use Permit required a prior finding of consistency with the City of Fremont General Plan. Board staff agree with said finding.

3. Consistency with Waste Diversion Requirements

   Staff of the Board's Planning and Local Assistance Division make an assessment, pursuant to PRC Section 44009, to

determine if the record contains substantial evidence that the proposed project would impair achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit should neither impair nor substantially prevent the County of Alameda from achieving its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document. The Alameda County Planning Department prepared a Negative Declaration for the proposed project. The County circulated this Negative Declaration through the State Clearinghouse (SCH #92023068) for comment, conducted at least one public hearing on the subject, responded to comments, and adopted the Negative Declaration on May 4, 1992. A Notice of Determination regarding the certification of the Negative Declaration was filed on May 4, 1992.

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and that the Negative Declaration is adequate and appropriate for the Board's use in evaluating the proposed permit.

5. Compliance With State Minimum Standards

The LEA has determined, based on an evaluation of the project's Report of Station Information and supporting documentation, and inspections of the facility, that the design and operation of the site are in compliance with State Minimum Standards.

On July 16, 1990 Board staff inspected the facility and found two violations: 1) Vector and Bird Control and 2) Non-compliance with the Terms and Conditions of the Permit. The permit violation was issued for receipt of waste in excess of the permitted tonnage specified in the permit. To address the permit violation, the LEA and the operator entered into a stipulated agreement which allowed the handling of 4826 tons of waste per day. The stipulated agreement was signed by the operator on June 3, 1991.

At the time this item went to print, Board Compliance Branch staff had not yet done an inspection of the facility. A State inspection is scheduled for May 28th and 29th. A report on the compliance status will be provided to the Permitting and Enforcement Committee.

STAFF RECOMMENDATION:

Because a revised Solid Waste Facilities Permit is being proposed, the Board must either object or concur with the proposed permit as submitted by the LEA.

Staff recommend that the Board adopt Permit Decision No. 92-48 concurring in the issuance of Solid Waste Facilities Permit No. 01-AA-0007.

ATTACHMENTS:

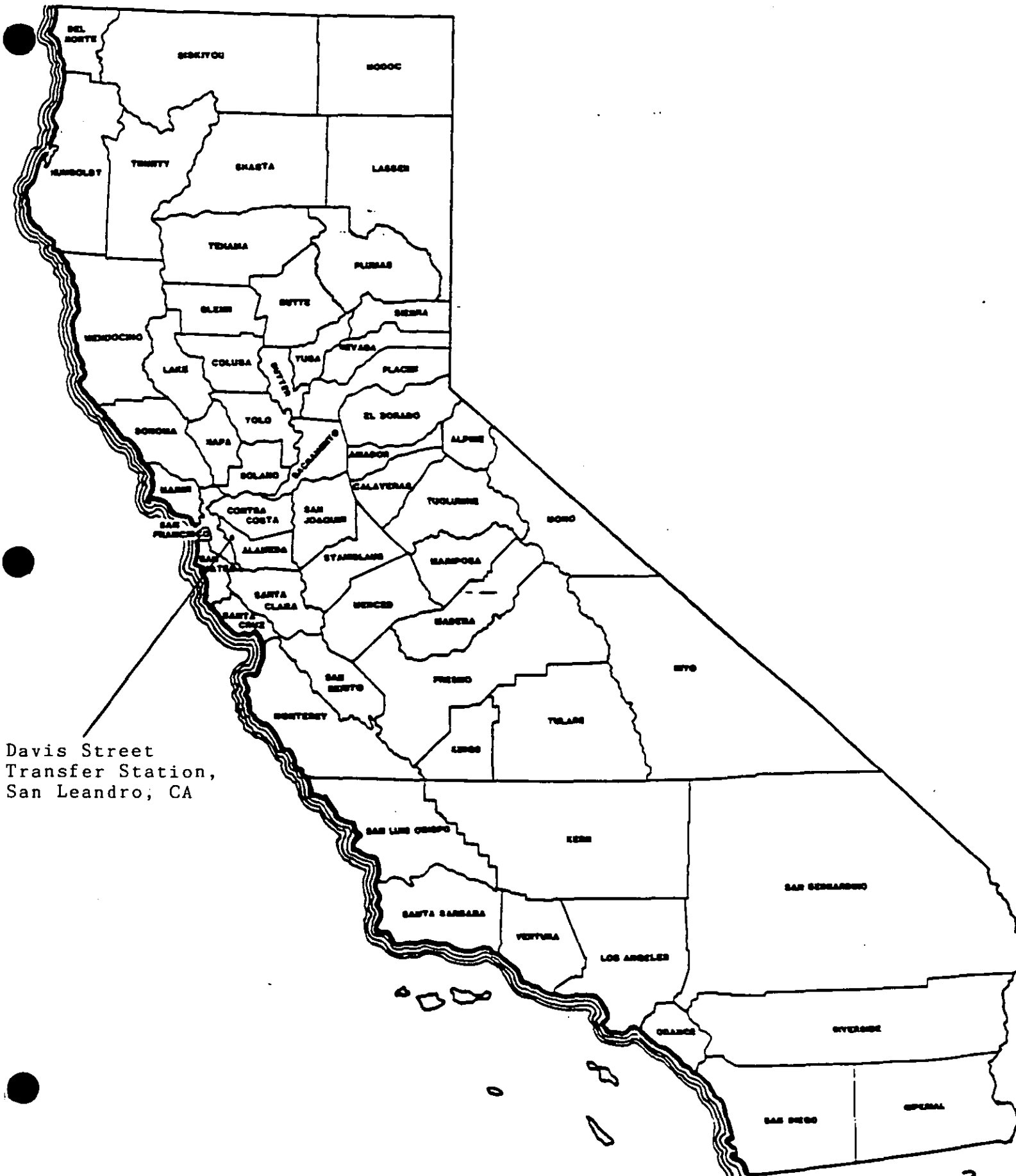
1. Location Map
2. Site Map
3. Permit No. 01-AA-0007
4. AB 2296 Conformance
5. Permit Decision No. 92-48

Prepared By: Michael Kuhn/Beatrice Cuenca BC Phone: 255-2432

Approved By: Phillip J. Moralez/Martha Vazquez Phone: 255-2453

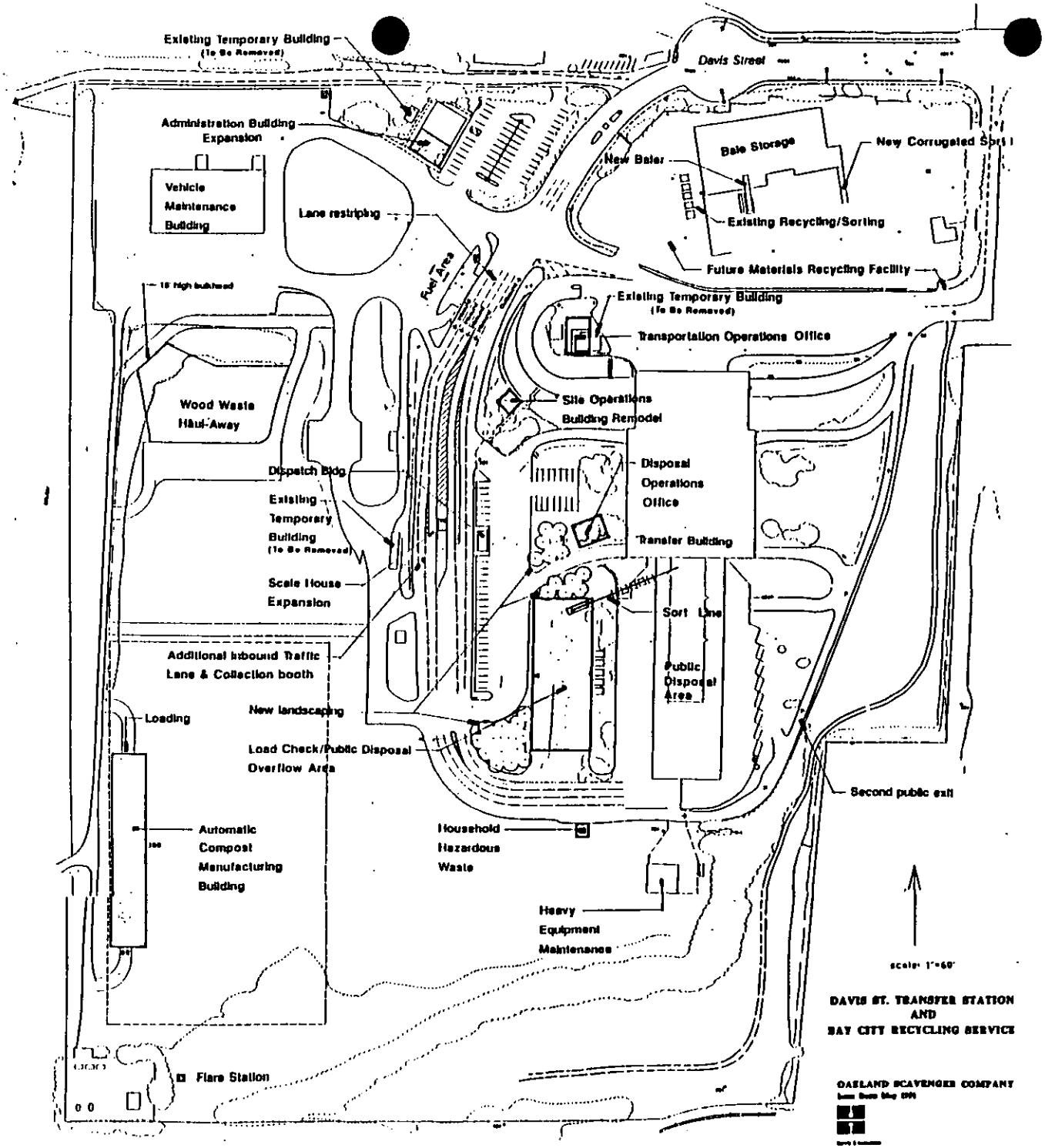
Legal Review: RFC Date/Time: 5/31/92 11:54

ATTACHMENT 1



Davis Street
Transfer Station,
San Leandro, CA

ATTACHMENT 2



Master Plan

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OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE

TYPE OF FACILITY	FACILITY/PERMIT NUMBER
Transfer Station	01-AA-0007

NAME AND STREET ADDRESS OF FACILITY	NAME AND MAILING ADDRESS OF OPERATOR
DAVIS STREET TRANSFER STATION 2615 Davis Street San Leandro, CA 94577	DAVIS STREET TRANSFER STATION 2615 Davis Street San Leandro, CA 94577

PERMITTING ENFORCEMENT AGENCY	CITY/COUNTY
Office of Solid/Medical Waste Management	Alameda County

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:

Bill Raynolds

APPROVING OFFICER

Bill Raynolds, Program Manager

NAME/TITLE

AGENCY ADDRESS

Alameda County
Department of Environmental Health
Office of Solid/Medical Waste Management
470 - 27th Street, Rm. 324
Oakland, CA 94612
(510) 271-4303

AGENCY USE/COMMENTS

SEAL

PERMIT RECEIVED BY CWMB	CWMB CONCURRANCE DATE
MAY 22 1992	
PERMIT REVIEW DUE DATE	**PERMIT ISSUED DATE**

CWMB (Rev. 7/84)

FINDINGS

1. DESCRIPTION - FACILITY DESIGN AND OPERATION

A. Identification of operator, owner and contractors.

Solid Waste Information System Number: 01-AA-0007

Owner: Oakland Scavenger Company
200 Embarcadero, Suite 300
Oakland, CA 94606

Operator: Oakland Scavenger Company
Davis Street Transfer Station
2615 Davis Street
San Leandro, CA 94577

B. Delineation of property:

1. The site is located at the western terminus of Davis Street in the City of San Leandro. For a complete legal description of the site refer to appendix P of the 1992 RFI.

2. A general location map is found on Figure 1 in the 1992 RFI.

3. A detailed map showing the surrounding property owners is located on Figure 2 in the 1992 RFI. Details of onsite roads and structures are shown in Appendix A, "Master Plan".

4. The total permitted acreage of the site is 52.45 acres. The entire property is being used in the transfer station operation.

C. Physical Description

1. List of all stationary equipment, structures and buildings:

See RFI "Master Plan" in Appendix A for a detailed map showing structure, buildings and stationary equipment.

2. Design capacity:

The facility was designed for a maximum capacity of 624 tons per hour. The daily maximum design rate is 9600 tons per day. In peak hours the facility can move approximately 600 tons per hour for limited time periods.

The ability to transfer material is dependent on the number of transfer trucks and the weight of their loads. The vehicles are limited to 80,000 pounds on the road and are capable of hauling approximately 50,000 pounds of waste. The maximum load size is approximately 140 cubic yards.

3. Storage areas:

See the 1992 RFI Master Plan in Appendix A for a map of the location of storage areas on site.

D. List of all wastes received:

1. The transfer station receives waste from the west-central Alameda County wasteshed. The waste includes green waste, construction demolition and mixed municipal waste.

2. The facility does not accept special wastes defined in Title 14, sections 17561 - 17564, without special permission from the Local Enforcement Agency, (LEA) or the California Integrated Waste Management Board, (CIWMB).

E. Quantification of wastes

The facility is permitted to transport a maximum of 5000 tons per day from the facility. This amount has been considered in the 1992 Initial Study resulting in a Mitigated Negative Declaration. There is an anticipated reduction of waste due to requirements of the County Integrated Waste Management Plan which is projected to reduce the waste stream slightly more than increasing population will increase the waste stream. Refer to Table 4 on page III-5 in the RFI.

The facility is subject to volume variations related to seasonal activity and changes in economic cycles. Summer is higher volume than winter. The average daily tonnage, assuming a 360 day operating year, was 2455, 2692, 2670 tons per day for 1991, 1990 and 1989 respectively.

F. A descriptive statement of the facility:

Traffic enters the Transfer Station westbound from Davis Street. The entrance is marked by a sign which identifies the facility and states the hours of operation. There is a lockable gate attached to a 6 foot high chain link fence which surrounds the property. There is a stop sign at a cross road. Traffic with waste continues straight through the intersection, traffic headed for the administration office or the maintenance shop turns right and traffic headed for the transportation office turns left.

After crossing the intersection, a gentle right turn can be made to enter a service area. On the left side is a truck wash and a water reclamation system where water from washing route trucks is recycled and reused. There is a field office located in a trailer next to the wash rack.

There are 5 lanes of incoming traffic. Each is stopped at a toll booth where attendants check loads and measure the volume of the vehicles. Computer terminals are available at each booth and relay information to the administration office. Load checks are done visually and with video cameras at each booth. Video recorders are located in the center booth.

Waste haulers continue on a circular drive to the tipping area. A flagman directs public vehicles to the west side of the tipping floor where another attendant directs offloading and traffic flow. The lower, public area has oil recycling containers and several other collection containers for metals and tires located on the east side of the tipping floor. Commercial traffic is directed to the east side of the tipping area and is also monitored by station employees. Company trucks travel into the transfer building either by turning left after passing through the toll booth scales or by staying right of the public traffic and continuing on to the east side of the building.

Waste is pushed from the tipping floor in the open area on the south side of the floor toward the north end of the building by bulldozers and loaders. The north end of the building has a two lane drive through area for transfer trucks. The trucks are loaded from above by the compacting bulldozers and by two "Barco" cranes.

The loads are weighed by axle on scales with displays located in a visible place for the crane operators. After being loaded to their maximum weight, the transfer trucks leave the facility in the outbound lane which passes near the recycling center and onto Davis Street. They travel to Altamont Landfill, approximately 33 miles from the transfer station, to offload wastes.

There is an extensive pickup box repair facility on site. Many boxes are stored in the northwest portion of the station awaiting repair and repainting. The boxes are first washed at a rack where water is recycled, welding if needed and refitted with needed parts and then painted in a spray booth. Next to the box repair is a mechanical repair shop where trucks are maintained and repaired.

South of the maintenance area is the wood reclamation storage area. Wood is salvaged from the tipping area and brought to this spot until enough material to fill a truck is collected. When enough volume is accumulated, the material is hauled to a local wood recycling operation. South of the box storage area a paint drying area has been set up and next to this is a storage area for hazardous materials. The hazardous materials area is fenced with a six foot high chain link fence and is signed as a danger area. A new maintenance shed is being constructed further along the side road passing by the paint drying area and the hazardous materials storage area.

On the southwest corner of the property there is a gas collection system which is collecting the gas from Davis Street Landfill. This facility is separate from the transfer station. Bay Cities Recycling Services operates a Materials Recycling Facility in the northeast section of the station which is also a separate business.

G. Recovery or salvaging.

Hazardous wastes, such as batteries or oil, shall be handled in a manner approved by the Local Enforcement Agency and the California Integrated Waste Management Board. (Specific handling regulations are included in Title 22, California Code of Regulations.)

Salvaging of tires, wood waste, corrugated cardboard and metal occurs on site. See further description in Specifications.

H. Description of Hazardous Waste Screening:

The following steps shall be taken to prevent the acceptance of hazardous materials:

1. Random inspection of in-coming loads.
2. Regular visual inspection of the wastes deposited at the facility.
3. Training of facility personnel in hazardous waste recognition and proper waste handling procedures.
4. Reporting incidents of unlawful disposal to the Local Enforcement Agency:

   Alameda County Office of Solid/Medical Waste Management
   470 27th Street, suite 325
   Oakland, CA 94612
   Phone: (510) 271-4303 FAX (510) 271-4522
5. Installation of signs at the various facility entries

indicating that no hazardous wastes are accepted.

6. Providing a list of unacceptable wastes.

7. Additional measures may be required upon the request of the Local Enforcement Agency or the CIWMB.

I. Anticipated changes:

Several projects, listed on the Master Plan figure in the 1992 RFI, are anticipated for the improvement of the operation of the transfer station:

1. Wood waste haul away site is scheduled to have a cement pad built and a bulkhead next to the roadway and will allow maximum use of the area.

2. A composting facility is planned for on the western boundary of the site near the gas reclamation plant.

3. Administration offices will be housed in an expanded building in the same location as the present building.

4. A temporary building is presently housing transportation operations and is scheduled to be replaced by a permanent building in the same current location.

5. A new disposal operations building is presently under construction near the transfer building.

6. A new load check/public disposal overflow area is to be built on the west side of the tipping floor.

7. The scale house and toll booth area is being remodelled and upgraded.

8. A sort line for separating materials is contemplated for the northwest side of the open tipping area.

9. A site operations building near the exit of the transfer building will be remodelled.

10. New landscaping is considered in several areas throughout the facility.

J. Other pertinent information:

1. Dates of operation/closed days:

The site is open to the public 7 days per week. It is closed to all business on Christmas Day, New Years Day, Easter Sunday, Labor Day and Thanksgiving Day.

2. Hours of operation:

The site is open to the public from 7:00 am to 5:00 pm and 24 hours per day to Oakland Scavenger vehicles 7 days per week.

2. <u>Listing of all agencies and documents</u> which condition the use and operation of the facility.

A. Report of Facility Information: An updated Report of Facility Information has been completed and circulated in March, 1992.

B. Local Agencies: The facility is operating under a conditional use permit number CU-76-16, issued by the City of San Leandro on June 2, 1978 and modified on March 9, 1992.

C. Regional Water Quality: Davis Street Transfer Station has applied, through a notice of intent, to the State Water Resources Control Board for a storm water discharge permit. (March 12, 1992)

D. Air Quality: The Bay Area Air Quality Management

District has issued permits to plant #2773 for:

1. A latex paint drying operation. (March 6, 1992).
2. Main waste storage pit. (May 1, 1993)
3. Outdoor public disposal area. May 1, 1993)
4. Paint spray booth. (May 1, 1993)
5. Gasoline service station. (May 1, 1993)

For more detail, see Appendix H in RFI.

E. Lead Agency EIR: The Office of Solid/Medical Waste Management of Alameda County and the Alameda County Planning Department have completed an Initial Study according to the California Environmental Quality Act requirements. The study resulted in a Mitigated Negative Declaration adopted on May 4, 1992.

F. Lease agreement: Oakland Scavenger Company is the property owner and the operator and therefore no lease agreement is in place.

G. Contractual agreement: Oakland Scavenger Company is the property owner and the operator and therefore no contract agreement is in place.

H. Special permits:

1. The City of San Leandro Water Pollution Control Plant has issued permit number 3-10 to the transfer station for the discharge of industrial waste water. (April 22, 1990).

2. Bay Conservation and Development Commission has issued permit number M79-99 for the repair of a levee and the construction of a storm drain. (December 18, 1979)

3. The following findings are required:

A. The permit is consistent with the County Solid Waste Management Plan, dated July 29, 1987.

B. The permit is consistent with standards adopted by the California Integrated Waste Management Board.

C. The Alameda County Planning Department has made a determination that the facility is consistent with and designed in, the applicable General Plan.

4. The design and operation of the facility is in compliance with the state minimum standards for solid waste handling and disposal as determined by the Local Enforcement Agency on April 3, 1992. (refer to Inspection Report, April 3, 1992)

5. Davis Street Transfer Station is located within the City of San Leandro and, as required by PRC 44151, must be in compliance with local fire standards. Letters indicating this compliance are included in the Report of Facility Information.

6. The City of San Leandro has made a written finding that surrounding land use is compatible with the facility operation.

7. On February 20, 1992 an Initial Study was presented for comment to the State Clearinghouse and was issued SCH #92023068. The Alameda County Planning Department prepared the Negative Declaration filed with the County Clerk on May 4, 1992, for the LEA, Alameda County Office of Solid/Medical Waste Management, the Lead Agency. This study addressed a Permit revision dealing with increased tonnage.

CONDITIONS

1. The facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.

2. The facility must comply with all federal, state and local requirements and enactments, including all mitigation measures given in any certified environmental documents filed pursuant to Public Resource Code, section 21081.6.

3. Any additional information must be provided as required by the Local Enforcement Agency.

4. At the discretion of the Local Enforcement Agency, additional landfill gas monitoring probes shall be installed for detection of gas migration. (A landfill gas control system has been installed since the facility was built on the Davis Street Landfill.)

PROHIBITIONS

The following activities are prohibited:

1. Accepting wastes defined as hazardous.
2. Accepting large dead animals.
3. Scavenging, except as noted in this permit.
4. Accepting burning wastes or open burning.
5. Accepting infectious or medical waste.
6. Accepting Liquid waste or waste water treatment sludge of greater than 50% water content without prior approval of the Regional Water Quality Control Board and the Local Enforcement Agency.

SPECIFICATIONS

The transfer station is involved with several recycling projects, excluding the Bay Cities Recycling center:

1. Tire recovery is accomplished by removing tires from the waste stream. Station employees pull tires out of the tipping area and from the loads as they offload and store them in a container for pick up by a local tire recycling facility.

2. Wood waste and green waste is collected out of the incoming waste and carried to a storage area on site. When a sufficient amount has been collected, the material is hauled to a local wood to fuel facility located in Hayward.

3. Metal, such as rebar, wire and construction type material are recycled by pulling the material out of the waste stream and recycling it through a local metal recycler. Aluminum, tin and copper are also sorted in smaller containers near the tipping area.

4. A latex paint drying operation is used to remove latex paint from the waste stream. Paint is pulled from the waste stream by the load check personnel and recorded, then sent to the drying area where it is spread on a tarp and allowed to dry.

PROVISIONS

1. Any change that would cause the design or operation of the facility not to conform to the terms or conditions of the permit is prohibited; such a change would be considered a significant change and require a permit revision.

2. The facility has a maximum permitted capacity of 5000 tons per day and shall not receive more than this amount without first obtaining a permit revision.

3. A change of operator shall require a new permit.

4. The permit is subject to review by the LEA and may be modified, suspended or revoked for sufficient cause after a hearing.

MONITORING

List of all the required monitoring and the reporting frequency:

1. All buildings at the facility must be monitored for explosive gases on a monthly basis.

2. Tonnages must be recorded on a daily basis and reported to the LEA on a monthly basis.

3. A log of special occurrences shall be maintained and available for inspection by the LEA.

4. Results of the hazardous waste screening program shall be maintained and available for inspection by the LEA.

5. Records of recycled or salvaged materials shall be maintained and available for inspection by the LEA.

6. An approved operations schedule for the removal of solid waste from the tipping floor and storage pit shall be submitted to the LEA.

State of California

California Environmental Protection Agency

Memorandum

To : Mike Kuhn
Permits Branch
Permitting and Compliance Division

Date: 5-20-92

From : Michelle M. Lawrence
Michelle Marlowe Lawrence
Planning and Assistance Branch
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: AB 2296 Finding for the Davis Street Transfer Station, Alameda County

After review of the documents provided for this facility, and the Preliminary Source Reduction and Recycling Elements for the jurisdictions which use this facility, planning staff have made the following findings:

1) The permit revision is consistent with the waste diversion requirements (PRC 44009);
2) The facility is consistent with the CoSWMP (PRC 50000); and
3) The facility is in conformance with the General plan for the City of San Leandro (PRC 50000.5).

Finding of Consistency with waste Diversion Goals (PRC Section 44009):

There are no substantial revisions to the operating permit which would prevent or substantially impair the ability to carry out the goals of waste reduction and diversion as required by the Integrated Waste Management Act of 1989 for the city of San Leandro or the county of Alameda. The waste received at this facility is from the west-central cities of Alameda County, all of which have identified this facility as a site of present and planned diversion activities in the Preliminary Source Reduction and Recycling Elements which were reviewed by Local Assistance staff. The City of San Leandro, where the Davis Street Transfer Station is located, currently claims a diversion level of 22.4%. This figure includes the diversion of inerts.

Source Reduction and Recycling Element:

The site was identified in the recently reviewed Preliminary Source Reduction and Recycling Elements (SRREs) for the cities which use the facility. The SRREs indicate present and planned diversion activities involving this site. The site may become a regional composting facility prior to 1995 according to many of the SRREs. The proposed permit indicates future plans for additional waste diversion activities such as composting, which is consistent with the SRREs of the cities which make up the wasteshed for this facility. The permit application does not include plans for this diversion program, and staff are assuming that the operator will come back to the Board for a revised permit once the decision to implement has been made. The SRREs indicate implementation in 1995.

Local Task Force:

Board staff have contacted LTF staff (Waste Management Authority staff) to find out how this facility fits in with Alameda County's overall integrated waste management plans. Staff to the LTF find it necessary to revise the Solid Waste Facilities Permit to bring the permit into compliance with the actual operation of the facility. There are tentative plans to use the facility for expanded resource recovery operations.

Facility Information:

The pick up trucks deliver their loads to the tipping area of the facility where wood, green waste, metals, tires, paint and other household hazardous wastes are removed from the waste stream. These materials are collected and stored on site for transfer to reuse or recycling facilities. The remaining waste is packed into transfer trailers for disposal at Altamont Landfill.

Bay City Recycling Services also operates a buy-back and drop-off center for self-haul loads at this site. The facility operator does have plans to develop and implement additional resource recovery programs at the site.

The maximum permitted tons per day is set at 5,000 TPD for the year. The permit hasn't accurately reflected the daily tonnage in years, so this is not a request for increased tonnage, but rather bringing the permit into compliance with the actual daily operations.

Conformance with CoSWMP:

PRC Section 50000 requires consistency with the most recently adopted CoSWMP until an approved CIWMP is in place. The revision of this permit is consistent with the County Solid Waste Management Plan as revised in July, 1987. Reference to expansion of this site can be found on page III-35 of the CoSWMP.

Consistency with General Plan:

PRC Section 50000.5 requires consistency with the General Plan of a county or a city, depending on where the facility is being sited. Davis Street Transfer Station is in the incorporated City of San Leandro, and the Planning Department certified on May 4, 1992 that the facility operation is consistent with the General Plan.

Summary:

Local assistance staff have therefore determined that revising the permit for the Davis Street Transfer Station will not prevent or substantially impair the cities or Alameda County's ability to achieve the mandated diversion goals of 25 and 50%.

California Integrated Waste Management Board
Permit Decision No. 92-48
June 24 1992

WHEREAS, the County of Alameda Department of Environmental Health, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a revised Solid Waste Facilities Permit for the Davis Street Transfer Station; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 01-AA-0007.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
June 10, 1992

AGENDA ITEM 15

ITEM: Consideration of Concurrence in a Revised Solid Waste Facilities Permit for B & J Drop Box Sanitary Landfill, Solano County.

BACKGROUND:

Facility Facts

Name:	B & J Drop Box Sanitary Landfill, Facility No. 48-AA-0002.
Facility Type:	Class III Landfill.
Location:	6426 Hay Road, Vacaville.
Area:	161 acres.
Setting:	Surrounding land is utilized for cattle and sheep grazing. There are no structures within 1000 feet of the facility. The facility is located 6 miles southeast of Vacaville and 8 miles northeast of Travis Air Base.
Operational Status:	Active Landfill, permitted to accept 700 tons per day.
Owner:	Vaca-fill (owned B&J Drop Box Corporation and Vista Del Mar), a Subsidiary of Norcal Waste Systems, Inc. Contact-Archie Humphrey, Vice President-General Manager.
Operator:	Tri-County Company through contract with B&J Corporation. Contact-Archie Humphrey, Vice President-General Manager.
LEA:	Solano County Department of Environmental Management.

Proposed Project:

The proposed revised permit would allow the landfill to operate under Performance Standards as specified in Title 14, California

Code of Regulations (CCR), Section 17683. The proposed permit would also allow a site expansion into a new module not covered by the existing permit. The designs for the Module have also changed and are not covered by the existing permit.

SUMMARY:

Site History The B&J Drop Box Sanitary Landfill is an existing facility that began operations in 1964 as an excavate-and-burn facility. In 1973, the operator stopped burning refuse and began to use the excavate-and-fill method. The issuance of the current permit was concurred by the Board in 1983, and was subsequently issued by Solano County in 1984. At that time, the facility was permitted for 1500 TPD, 1400 TPD from the City and County of San Francisco, and 100 TPD from portions of Solano County. Importation of wastes from the City and County of San Francisco never occurred.

When the operator began to use the excavate-and-fill method, in Module 1, the excavations encountered ground water. Attempts were made to correct this problem, and, in 1989, the Central Valley Regional Water Quality Control Board (RWQCB) issued the operator an order to cease discharge of waste into Module 1. The order and compliance schedule were issued in Waste Discharge Requirements No. 89-178. Part of the RWQCB's compliance schedule was the submittal of the design plans for Module 2. Those plans have now been approved by the RWQCB.

The facility has historically received friable asbestos which is covered by the existing permit. In the past, asbestos has been co-mingled with non-hazardous wastes. The operator proposes to restrict the asbestos disposal to identified portions of the landfill. The designation of these areas would enable the operator to control the access to, and allow the identification of the asbestos disposal areas.

The facility is located in an area zoned for agriculture. The surrounding area is utilized for sheep and cattle grazing. The facility is operated by the B&J Corporation; B&J Drop Box Corporation owns 90% of Vaca-fill, which owns the 161 acre site. The other 10% of Vaca-fill is owned by Vista Del Mar. Landfill operations are performed by Tri-county Development Company through contract with B&J Corporation. The site is located in an isolated area of Solano county, 6 miles southeast of Vacaville. Outside the boundaries of the facility, there are no structures within 1000 feet.

Project Description The facility is located in an 161 acre site, of which, 142 are intended for landfill purposes.

The facility is permitted as a Class III landfill. The permitted capacity is 700 tons per day of non-hazardous waste, street refuse, dewatered sludge, and construction and demolition wastes, including friable asbestos. However, the permit specifies that the receipt, handling and disposal of asbestos is not regulated by the SWFP.

This facility is open to the general public seven days per week from 8:00 a.m. to 4:30 p.m. The facility is closed on four holidays. Normal site operations occur from 5:00 a.m. to 10:00 p.m. during daylight savings time and from 7:00 a.m. to 7:00 p.m. during the rest of the year.

The landfill is divided into three modules. The only area that has been filled with waste is Module 1, which covers 60 acres. With this permit, the operator plans to begin operations in Module 2, which consists of 90 acres. It is intended that Module 3, will eventually be filled between Modules 1 and 2. A description of the site has been provided as Attachment 2.

The majority of waste arrives at the site by compactor trucks or debris boxes from cities and unincorporated areas of Solano County. Vehicles enter through gate house and are directed to the disposal areas by signs. All-weather access roads lead to the unloading area. In dry weather, the unloading area is located at the working face. During wet weather, vehicles are directed to unload on a centrally located elevated pad. Waste is then pushed by trucks to the working face. The proposed project is to dispose of waste in Module 2, for which the plans have already been approved by the RWQCB. In Module 2, the operator will use the area-fill method.

The working face for the refuse will be separate from the asbestos area. Asbestos will be placed in the western portion of Module 1 in a mono-fill system. Upon arrival, the asbestos will be disposed in an area restricted to the public. The asbestos will be disposed in an isolated area, thus enabling the operator to know exactly where the asbestos disposal area is located. The operator will line the western portion of Module 1 and fill with asbestos to bring up to grade level. After which, intermediate cover will be placed and fenced until final closure. When the western portion of Module 1 is filled with the asbestos (2-3 years), the operator will then begin to mono-fill the asbestos in the southwest corner of Module 2, which will be fenced upon filling. In Module 2 the working face will be separate from the asbestos area.

The operator will also begin operations under Performance Standards, as specified under Section 17683, Title 14, CCR, in

lieu of applying daily cover. Under Performance Standards, the working face will be 150 feet by 70 feet during dry weather conditions, and 125 feet by 70 feet during the wet weather conditions. The calculations for the size of the working face during dry and wet weather conditions are below those specified in regulation, meaning that, the working face will be smaller than the allowed working face under daily cover requirements. The operator intends to import soil for daily cover as needed, for intermediate cover, roads, and miscellaneous use.

The facility has instituted a hazardous waste screening program. The employees are provided with training in the recognition and handling of hazardous waste. If it is inadvertently accepted the Health Department will be notified for proper disposal.

Environmental Controls Under Performance Standards, Section 17683, Title 14, CCR, the LEA inspects the facility weekly to ensure that potential dust, odor and vectors problems are mitigated. Dust is minimized by grading and watering access roads, haul roads, and areas where dust is likely to be formed. There will also be planting and maintaining vegetative cover on completed fill slopes. Odor is mitigated by maintaining a small working face. Litter is controlled by placing litter control fences in the immediate vicinity of the working face.

Noise is controlled by proper maintenance of equipment. Noise from the site's operation does not represent a problem due to the rural location of the facility. The nearest residence is approximately one-half mile to the west of the site. The employees are provided with hearing protection devices.

Birds are controlled by placing a monofilament net above the working face. Insects and rodents are prevented by proper site grading to eliminate ponding of water, prompt placement of intermediate cover.

Landfill equipment and vehicles are provided with fire extinguishers. Any fire occurring accidently on the landfill will be extinguished primarily by landfill personnel using soil cover stockpiles and, when necessary, a water truck.

The modules will be constructed with a blanket-type leachate collection and removal system (LCRS). The LCRS will include a series of pipes located along the base of the landfill. Leachate will be collected in a surface impoundment on site and removal for proper disposal at a waste water treatment site. Leachate generated from Modules 2 and 3 will be prevented from entering Module 1 by physically separating the modules by the placement of a slurry wall.

Lateral migration of methane gas produced by decomposition of refuse is controlled by perimeter constructed clay barriers.

Resource Recovery Programs The facility includes a public recyclable materials drop-off center which accepts newspaper, aluminum, cardboard, glass, plastic, wood wastes, and tires. In addition, the facility stockpiles white goods, mattresses and metal which are sold to brokers for further processing.

ANALYSIS:

Requirements for concurrence with the Solid Waste Facilities Permit. Pursuant to Public Resources Code (PRC), Section 44009, the Board has 60 calendar days to concur or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on May 19, 1992, the last day the Board could act is July 18, 1992.

The LEA has submitted a proposed permit to the Board. Staff has reviewed the proposed permit and supporting documentation, including the proposal for the disposal of asbestos, and has found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Concurrence with County Plan

   The LEA has determined that the facility is in conformance with the Solano County Solid Waste Management Plan, amended September 1989. Board staff agrees with said finding.

2. Consistency with General Plan

   The LEA has found that the facility is in conformance with the Solano County General Plan adopted on December 19, 1980. Board staff agrees with the said finding.

3. Consistency with Waste Diversion Requirements

   Staff of the Planning and Local Assistance Division made an assessment, pursuant to PRC Section 44009, to determine if the proposed project would impair achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit should neither impair or substantially prevent the County of Solano from achieving its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document. The Solano County Department of environmental Management prepared a Negative Declaration (ND), SCH #91083038, for the proposed project. As required by CEQA, the ND identified the project's potential significant and/or adverse environmental impacts and provided mitigation measures that would reduce those impacts to a less than significant levels. Board's staff reviewed the ND and provided comments to the County on September 11, 1991. The County prepared and submitted an adequate response to comments. The project was adopted as approved by the Lead Agency and a Notice of Determination (NOD) was filed on November 7, 1991.

Potential environmental impacts and mitigation measures associated with the project are identified and included as Attachment 5.

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and that the ND is adequate and appropriate for the Board's use in evaluating the proposed permit.

5. Compliance with State Minimum Standards

In March 1992, the LEA determined that the facility's design and operation are in compliance with State Minimum Standards for Solid Waste Handling and Disposal.

Board staff conducted an inspection on January 19, 1989, and will be reinspecting the site prior to the Board meeting. At which time, the findings of the inspection report will be presented.

STAFF RECOMMENDATION

Because a revised Solid Waste Facilities Permit has been proposed, the Board must either concur or object with the proposed permit as submitted by the LEA.

Staff recommends that the Board adopt Permit Decision No. 92-53 concurring in the issuance of Solid Waste Facilities Permit No. 48-AA-0002.

ATTACHMENTS:

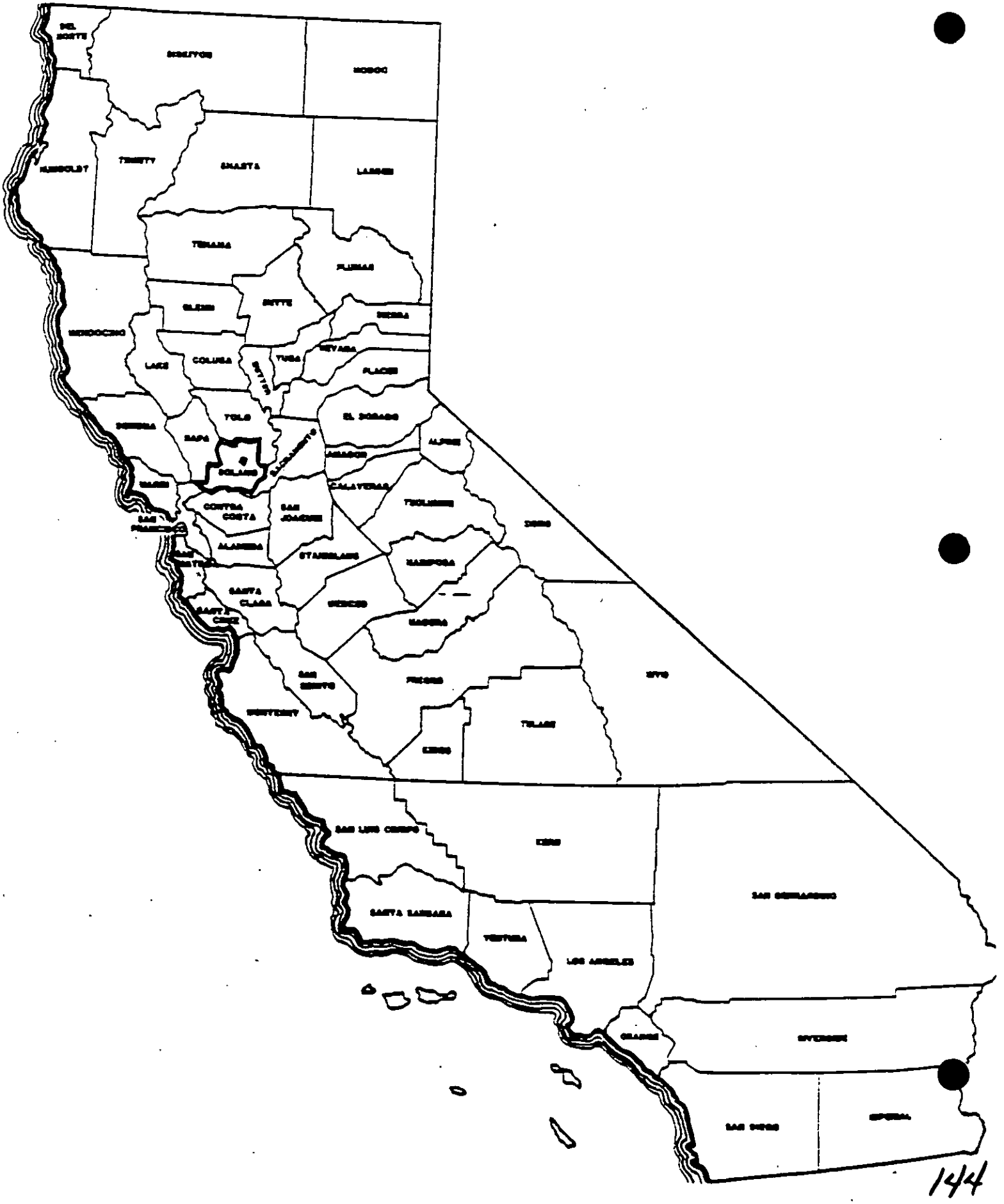
1. Location Map
2. Site Location
3. Permit No. 48-AA-0002
4. Findings of Conformance with AB2296
5. Mitigation Measures
6. Notice of Determination
7. Permit Decision No. 92-53

Prepared By: Amalia Fernandez / Beatrice Cuenca Phone: 255-2578

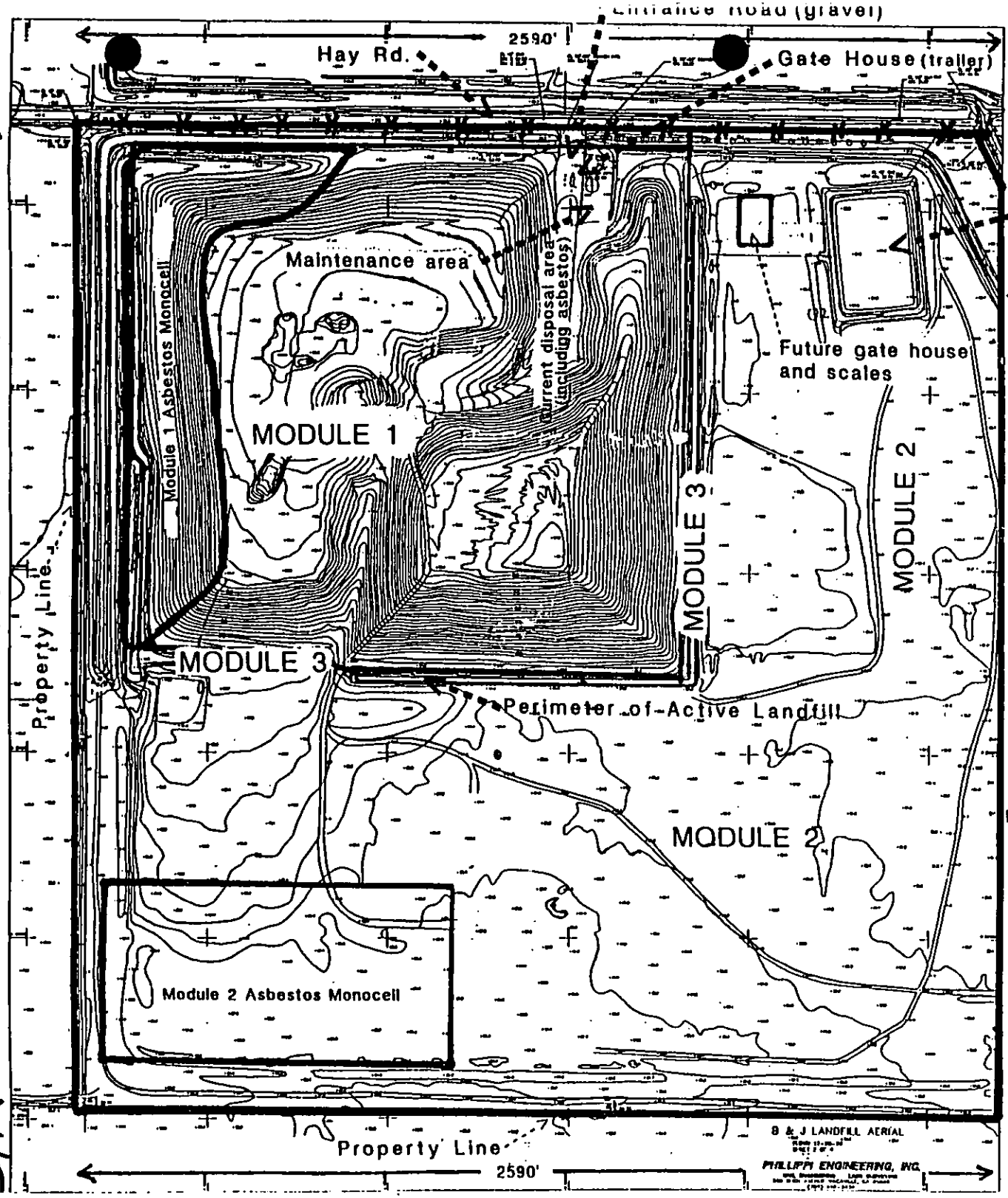
Approved By: Phillip J. Moralez / Martha Vazquez Phone: 255-2453

Legal Review: RFC Date/Time: 5/31/92 12h08

ATTACHMENT 1



ATTACHMENT 2



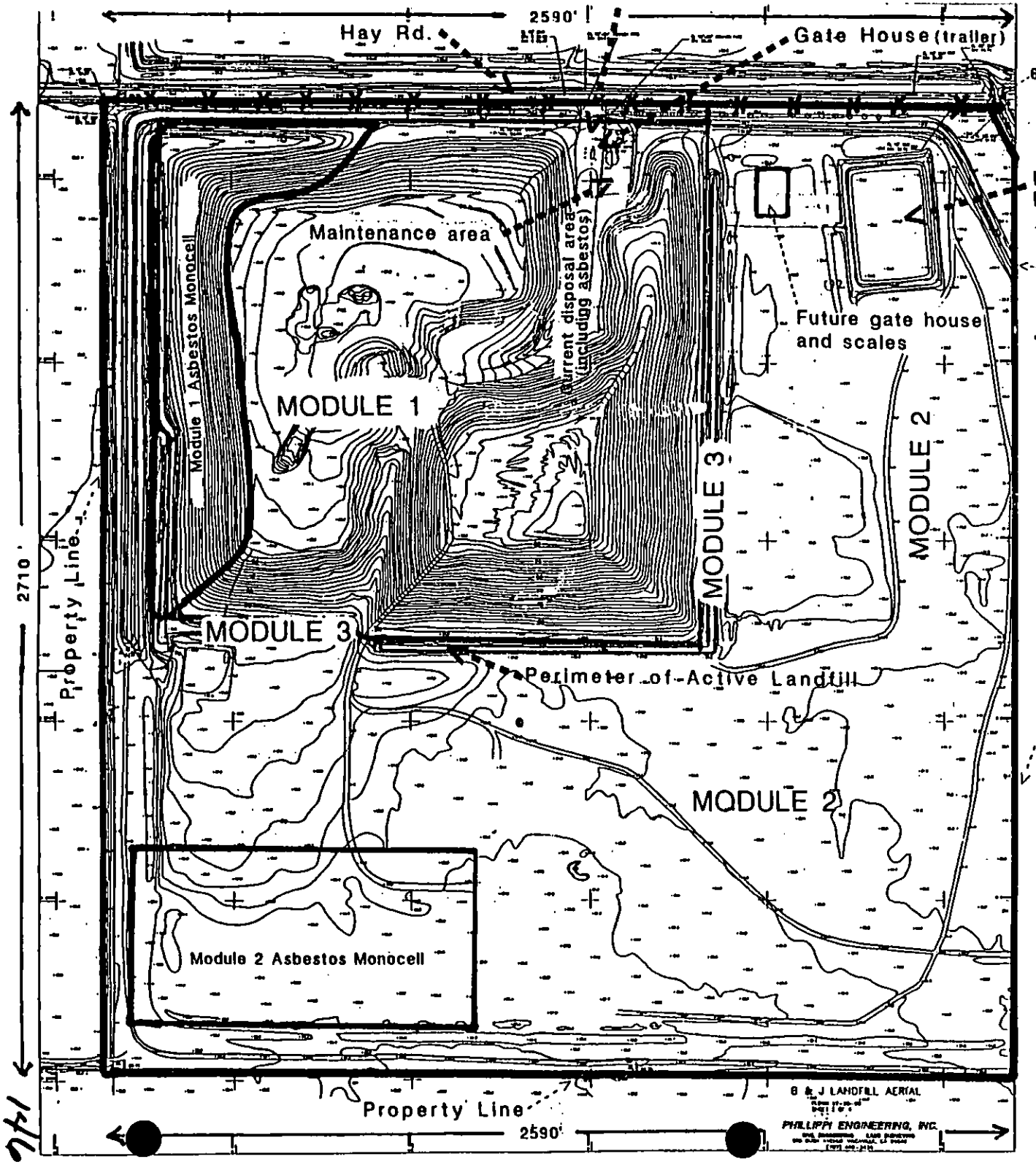
Approximate
Scale: 1 in. = 400 ft.

Notes:
- Perimeter of asbestos disposal areas will be fenced off.
- Power lines run parallel to Hay Rd. and along access road.
- Septic tank and leach field are located directly east of gate house (see ⦶)

B&J DROP BOX, INC.

Site Plan of the B&J Drop Bo
Sanitary Landfill
A.P. No. 42-020-28
(161 acres)

831 Davis St. Vacaville, CA 95687



Approximate
Scale: 1 in. = 400 ft.

Notes:
Perimeter of asbestos disposal areas will be fenced off.
Power lines run parallel to Hay Rd. and along access road.
Septic tank and leach field are locate directly east of gate house (see ⦶)

B&J DROP BOX, INC.

Site Plan of the B&J Drop B Sanitary Landfill
A.P. No. 42-020-28
(161 acres)

831 Davis St. Va[illegible]lle, CA 95687
(707) 44[illegible]945

146

Department of
Environmental Management
601 TEXAS STREET
FAIRFIELD, CALIFORNIA • 94533

Malla

ATTACHMENT 3

RECEIVED
MAY 19 1992
By_____

May 18, 1992

Amalia Fernandez
CA Integrated Waste Management Board
Permitting and Compliance Division
880 Cal Center Drive
Sacramento, CA 95826-3268

RE: SUBMITTAL OF FINAL REVISED SOLID WASTE FACILITIES PERMIT FOR B&J DROP BOX SANITARY LANDFILL NO. 48-AA-002

Dear Ms. Fernandez:

Please find enclosed the final revised solid waste facilities permit for the B&J Drop Box Sanitary Landfill. Should you have any questions regarding this matter, please contact me at (707) 421-6770.

Sincerely,

Clifford K. Covey, R.E.H.S., C.H.M.M.
Program Manager

Miles J. Perez, R.E.H.S.
Senior Environmental Health Specialist

CKC/MJP/mjp

FACILITY FILE CARBON COPY
ORIGINAL TO FILE # Proposed Permit my drawer
SUBMITTED BY MEA DATE 5-19-92
COPY TO BC/AF
COPY TO JB/TU/BH
COPY TO 48-AA-0002
" " AC

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE	TYPE OF FACILITY Class III Solid Waste Landfill	FACILITY/PERMIT NUMBER 48-AA-0002
NAME AND STREET ADDRESS OF FACILITY B&J Drop Box Sanitary Landfill 6426 Hay Road Vacaville, CA 95687	NAME AND MAILING ADDRESS OF OPERATOR Archie Humphrey B&J Drop Box Corporation 831 Davis Street Vacaville, CA 95687	
PERMITTING ENFORCEMENT AGENCY Solano Co. Dept. of Environmental Mgmt.	CITY/COUNTY Fairfield/Solano County	

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS 601 Texas Street Fairfield, CA 94533 (707) 421-6770	
APPROVING OFFICER Clifford K. Covey, R.E.H.S. - Program Manager NAME/TITLE		
SEAL	AGENCY USE/COMMENTS	
	PERMIT RECEIVED BY CWMB MAY 19 1992.	CWMB CONCURRANCE DATE
	PERMIT REVIEW DUE DATE	PERMIT ISSUED DATE

CWMB (Rev. 7/84)

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B&J DROP BOX SOLID WASTE FACILITIES PERMIT NO. 48-AA-0002

A. FINDINGS

1. Summary of Proposed Operations

a. The B & J Drop Box Sanitary Landfill is operated by the B & J Drop Box Corporation. B & J Drop Box Corporation owns 90% of Vaca-Fill, which owns the 161-acre site. The other 10% of Vaca-Fill is owned by Vista Del Mar. Landfill operations have been performed by Tri-County Development Company through contract with B&J Drop Box, Inc.

b. This facility is a 161-acre Class III sanitary landfill which lies within the Sacramento Valley plain. The site is located at 6426 Hay Road, 1/2 mile west of Rio-Dixon Road (HWY 113), and 8 miles southeast of Vacaville in Solano County. Disposal activities are proposed for approximately 142 acres of the 161-acre facility. Presently, approximately 50 acres located in the northwest section of the site are being used for solid waste disposal. Natural elevations for the site range from approximately 20 feet above mean sea level (MSL) to about 30 feet above MSL, with slight, gentle-sloping relief. Land filling has created elevations of approximately 80 feet MSL in the northwest section of the permitted area. The gated entrance to the site is located directly off Hay Road. The entrance road is 65 feet wide and asphalt-paved to the gate house, about 65 feet from Hay Road. Surrounding land within 1,000 feet of the site boundary has no residences, and is currently used for limited agriculture and sheep and cattle grazing. [Refer to Figure 1, Section 2 of the Supportivie Information Document (SID) and Figures 1 & 2 of the Report of Disposal Site Information (RDSI)].

c. A paved drop-off center for recyclable materials is located just east of the gate house. The area is surrounded by a 9-foot high fence to control off-site litter migration and to block its view from the main road. A newly-located maintenance workshop for landfill equipment is also located in this area.

A 10,000 gallon diesel tank surrounded by a containment berm with a capacity of 14,000 ± gallons is stored on-site to supply fuel for equipment.

A centrally located elevated pad with an all-weather surface is used during wet weather conditions when access to the working face is difficult.

d. This facility receives inert waste and nonhazardous solid waste as defined in the California Code of Regulations Title 23, Division 3, Chapter 15, Sections 2524 and 2523.

Inert waste does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.

Non-hazardous solid wastes consist of all putrescible and nonputrescible solid, semi-solid wastes, including garbage, refuse, demolition debris, appliances, abandoned vehicles, dewatered sewage and water treatment sludge. Examples include the following:

1) Municipal Solid Wastes which include:

   (a) Garbage, as defined by Section 17225.30, Division 7, Title 14 California Code of Regulations is waste that attends or results from handling, preparation, storage, processing or serving of food or food products.

   (b) Rubbish, such as paper, cardboard, metal, cans, yard clippings, glass, etc.

   (c) Tires

2) Street Refuse, such as sweepings, dirt, leaves, catch basin cleanings, litter, yard clippings, glass, paper, wood and metals.

3) Construction and Demolition Materials, such as paper, cardboard, wood, metal, glass, rubber products, roofing paper, wallboard, and wallpaper.

4) Municipal Waste Water and Water Treatment Solids, such as solids from screens and grit chambers and dewatered sludge.

5) Agricultural Wastes which include:

   (a) Plant residues from the production of crops such as tree prunings, discarded crop materials, roots, stumps and trimmings.

   (b) Animal manure

   (c) Empty triple-rinsed pesticide containers.

6) Asbestos-containing wastes are also received at this facility. Asbestos-containing materials are placed into the western section of Module 1 and Module Sections 2.1 - 2.4. This waste is covered with soil immediately upon receipt. Asbestos-containing materials may not be commingled or co-disposed with other types of waste. This permit does not regulate the receipt, handling, or disposal of asbestos-containing material at the site.

e. The California Integrated Waste Management Board (CIWMB) has traditionally used the term "special wastes" to refer to wastes requiring special collection, treatment, handling, and/or disposal techniques, or permit changes, for disposal. The following special wastes are received at the site:

1) Dead Animals and portions thereof. Dead animals are handled in a sanitary manner during disposal and are immediately covered with six inches of soil.

2) The operator proposes to accept as permitted by Titles 14 and 23, California Code of Regulations (CCR), approximately 8,000 cubic yards of dried sewage sludge from the City of Vacaville's Easterly Waste water Treatment Plant. Section 2523 of Title 23 CCR states that dewatered sewage or water treatment sludge may be discharged at a Class III landfill under the following conditions, unless the California Department of Health Services determines that the waste must be managed as hazardous waste:

1. The landfill is equipped with a leachate collection and removal system;

2. The sludge contains at least 20 percent solids if primary sludge, or at least 15 percent solids if secondary sludge; mixtures of primary and secondary sludge, or water treatment sludge: and

3. A minimum solids-to-liquid ratio of 5:1 by weight shall be maintained to ensure that the co-disposal will not exceed the initial moisture-holding capacity of the nonhazardous solid waste. The actual ratio required by the Regional Water Quality Control Board shall be based on site-specific conditions.

The operator proposes to accept additional loads of dried sewage sludge in the future provided that the waste meets applicable standards as required by Titles 14 and 23 of the California Code of Regulations and all other applicable laws or regulations. Acceptance of sewage sludge will also be restricted to the waste tonnage limits set forth in Condition B(3)(d) of this permit.

f. Hazardous wastes are not accepted for disposal at this facility. The site was previously permitted to accept infectious wastes. Previous regulations allowed the disposal of infectious wastes so long as the wastes were handled and disposed of in accordance with Section 66855, Article 13, Chapter 30 of Title 22 of the California Code of Regulations. On September 30, 1990, the California Medical Waste Management Act was signed into law and became effective on April 1, 1991. This redefined infectious wastes as medical wastes and required the treatment of all medical wastes before disposal at any landfill.

g. This facility currently receives an average of approximately 240 tons of waste per day (based on a 7-day work week) from the City of Vacaville, the City of Dixon and nearby unincorporated areas of the County. The most recent in-place density studies have indicated a compaction density of 1,200 pounds per cubic yard for the municipal solid waste received at this site.

Assuming a 3 percent annual population growth rate and a 20% contingency factor, the operator estimates an increase in the daily average over the next 5 years to 280 tons per day with a peak day of 700 tons. A contingency factor is being used due to the unpredictability of continued population growth and the impact of waste source reduction and recycling legislation for the service area.

Total site capacity is approximately 7,300,000 cubic yards of refuse, with approximately 6,000,000 cubic yards of waste fill space still available. The site has a life expectancy of approximately 22 years, assuming a compaction figure of 1,200 pounds per cubic yard, a population growth rate of 3% per year, and a 20% contingency. Without the contingency approximately 32 years of capacity remain.

h. Waste haulers enter the site through a gated access off Hay Road, at which time the gatekeeper collects any necessary disposal fees and waste stream information. Haulers with cardboard, aluminum, newspaper, glass, plastic or waste oil immediately use the drop-off center east of the gate house. Those haulers with recyclable metals, wood, mattresses, concrete or asphalt are directed to the appropriate unloading area by the gatekeeper or the working face spotter. All other waste haulers continue to the site working face.

The facility currently utilizes the area fill method of landfilling during the initial operation in unfilled areas. The area fill method of land filling is also utilized over existing refuse fill. Wastes arrive by compactor trucks, debris boxes, or by private vehicle.

All- weather access roads lead to the active unloading area. During dry weather season the unloading area is located at the working face, and during wet weather the active unloading area is a centrally located, all-weather pad from which a bulldozer pushes the refuse to the work face.

At the active working face, the refuse is spread into 2-foot lifts and a landfill compactor makes 3-5 passes to adequately compact the waste. The maximum size of the working face is 150 feet by 70 feet during dry weather conditions and 125 feet by 70 feet during wet weather conditions (as permitted under Performance Standards, Sections 17683(e)(2) & 17683(e)(3), Title 14 of the California Code of Regulations).

The refuse is covered with six (6) inches of on-site soil at the end of the work day. Twelve (12) inches of intermediate cover are placed over refuse areas which will not be receiving waste within the next 180 days.

i. The operator proposes a salvaging program consisting of the voluntary drop-off of recyclable materials by residents at the drop-off center by the gate house, and the stockpiling of certain other recyclables near the working face. The specific recyclable materials to be stored at the drop-off center are cardboard, aluminum, newsprint, glass, plastic and waste oil.

Waste oil will be stored on-site in a double-walled tank before being picked up by an oil recycler. The maximum volume stored will be 500 gallons for a period not to exceed 90 days. Waste oil is handled in a manner which is approved by the Local Enforcement Agency (LEA).

Asphalt and concrete will be stockpiled in appropriate areas for later use in the construction of all-weather access roads and tipping pads. Wood, metal (white goods), and mattresses will also be stockpiled in appropriate areas. These recyclables would be sold to a broker who would then haul them off site for further processing.

j. This facility has implemented an approved load checking program to prevent and discourage the unauthorized disposal of prohibited wastes, including designated waste, liquid waste, hazardous waste, and all other prohibited wastes as determined by the responsible regulatory agencies. Incoming loads of wastes are screened and randomly selected for inspection as specified in the facility's Report of Disposal Site Information.

In addition, loads from customers with businesses that generate large amounts of prohibited wastes, loads from customers who have a history of placing prohibited wastes with nonhazardous waste loads, and any other suspicious loads will be inspected. Hazardous wastes which are found are stored in storage containers. These storage containers incorporate safety features such as secondary containment, security, ventilation, and fire resistant construction and provide for storage of prohibited wastes while awaiting return to a known generator or abandoned wastes with no known generator. Incompatible wastes are segregated and placed in separate storage bays divided by double metal walls for acids, bases, and flammables.

Site personnel receive training on the identification and proper handling of prohibited wastes. Training in waste recognition is done in Spanish for Spanish-speaking employees on an as-needed basis.

The results of the inspections will be documented and provided to the Environmental Health Division of the Solano County Department of Environmental Management, the California Integrated Waste Management Board, and the California Regional Water Quality Control Board on a quarterly basis. In addition, the facility maintains a sign, posted at the landfill entrance, which indicates that the disposal of hazardous wastes is not allowed. Additional measures may be required by the LEA or the CIWMB.

k. The facility has been designed in accordance with the 1982 Design, Construction and Operations report with 4 major exceptions:

1) The original design proposed the incremental construction of a low permeable (soil) underground cut-off wall constructed around the perimeter of the landfill, with the wall on the northern boundary constructed using a bentonite slurry. However, pursuant to the 1984 Waste Discharge Requirements issued by the CVRWQCB, the cutoff wall was constructed as one unit in 1984/85. In addition, the entire wall was constructed using bentonite slurry rather than just the portion along the northern boundary.

2) The plan proposed a leachate collection and removal system using a series of pipes placed along the base of the landfill, following a dendritic design. As development occurred, a gravel drainage blanket design with pipes was used instead of the dendritic design.

3) The fill sequencing presented in the 1982 report was developed anticipating the disposal of 520,000 tons per year of municipal solid waste from the City and County of San Francisco. This refuse has not been disposed of as planned. Hence, the fill sequencing has been much slower.

4) Because of reduced filling rates, the perimeter dewatering trenches along the northern and western perimeter have not been filled with refuse and converted to leachate collection and removal drains. This extended use of these dewatering trenches has prevented portions of the landfill from being brought to final grade as specified in the 1982 plan.

5) In 1987, a surface impoundment was constructed east of Module 1 in the northern Section of Module 2 in accordance with WDR Order #84-020. The basin was constructed to manage leachate collected on site. The Central Valley Regional Water Quality Control Board has determined that this surface impoundment does not comply with current requirements and must be retrofitted or removed.

1. The following operations have occurred, or are proposed to occur, within the next 5 years:

   1) Increased Tonnage from within Solano County -

      Since 1984, the amount of Solano County Waste received at the site has increased from 100 TPD to a range of 240-600 TPD. Although the site was permitted to accept up to 1,500 TPD, this increase was granted in 1984 to accommodate the proposed import of approximately 1,400 tons per day of waste from the City and County of San Francisco. It has since been determined that this importation will not occur.

   2) Increased Number of Personnel -

      The site currently staffs 15 full-time employees and 1 part-time employee to manage the wastes generated from within the Solano County service area, rather than the previously expected 4-11 employees.

   3) Increased Amount of Equipment -

      The 1983 Environmental Assessment Report stated that the amount of equipment would increase from 4 to 7 with the proposed project to accept waste from San Francisco. The most recently updated RDSI indicates that the site uses 11 pieces of equipment to manage current operations.

   4) Disposal of Sewage Sludge -

      The operator proposes to dispose of sewage sludge as permitted by Titles 14, and 23 of the California Code of Regulations.

   5) Change in Waste Salvaging/Recycling -

      The facility includes a recyclable material drop-off center which was certified by the California Department of Conservation. Reference to the type of wastes salvaged was found in the 1977 RDSI which only states that "occasional salvaging of cardboard is practiced." In addition to cardboard, the facility is now recycling newspaper, aluminum, cardboard, glass, plastic, metals, wood wastes, tires, and waste oil.

6) Change in Compaction Density -

In previous reports the compaction density listed for land filled wastes was 1,000 lbs/cubic yard. Recent compaction studies indicate that a density of 1,200 lbs/cubic yard is more accurate.

7) Increase in Traffic Volume -

The 1983 Environmental Assessment Report analyzed the impact of the importation of waste from San Francisco on roadways to and around the site. Mitigation measures incorporated into the Conditional Land Use Permit were to be fulfilled prior to the receipt of San Francisco waste. However, as this waste was never received, none of the mitigation measures were completed.

The most recent RDSI states that approximately 75 private vehicles and 70 collection vehicles enter the site each day from the cities of Vacaville, Dixon, and the unincorporated areas of the County. Additional traffic would result from the importation of soils for cover material as described later in this document. The number of truck loads for soil importation will not exceed 50 in any given day.

8) Change in Site Classification -

Due to changes in Title 23 California Code of Regulations administered by the CVRWQCB, the site classification has changed from II-2 to III.

9) Design and Operation -

The operator has proposed to change the design and operation of this facility to accommodate the requirements set forth in the 1989 Waste Discharge Requirements (WDR 89-178) issued by the CVRWQCB.

The following requirements set forth in the WDR's require this facility to implement changes in the site's design:

(a) Per Section 2530, Chapter 15, Division 3 of Title 23 of the California Code of Regulations, landfills shall be operated in a manner which ensures that wastes will be a minimum of 5 feet above the highest anticipated elevation of underlying ground water. An exemption to this regulation may be

granted provided an engineered alternative which meets the requirements of Section 2510 of Title 23 is approved by the California Regional Water Quality Control Board.

Regardless of the design and operation used to ensure compliance with Chapter 15 of Title 23, high ground water conditions at the site preclude substantial excavation in any future waste management units. The inability to excavate results in a loss of landfill capacity and significantly reduces the amount of on-site soil available for cover.

(b) Module 1 does not meet the current requirements of Chapter 15, Title 23 of the California Code of Regulations. By August 1, 1992, the operator will be discharging to Module 2. After this date the disposal of inert wastes will be permitted to be deposited in Module 1 in order to bring the module to final grade and provide proper drainage.

(c) Final cover requirements for waste management units have been changed from 3 feet to 4 feet.

(d) Future Modules are to be constructed with a liner and a blanket-type leachate collection and removal system.

(e) Leachate generated from the proposed Modules 2 and 3 is to be prevented from entering Module 1. This requires the physical separation of Module 1 from the other Modules.

(f) The existing surface impoundment must be retrofitted by 1994 to current standards, or closed in accordance with applicable requirements.

10) Additional Changes -

The most recently updated Report of Disposal Site Information and the Periodic Site Review identify the additional proposed changes:

(a) A new design and development schedule has been prepared for Modules 1, 2 and 3 which are located on the permitted 161-acre site.

(b) As the proposed borrow area is not yet permitted and due to the inability of the site to continue excavating on the 161-acre site, the amount of soil available for land filling activities has been significantly reduced. The operator is proposing the following activities:

i) Operate the site using performance standard monitoring pursuant to Section 17683 of Title 14, in lieu of applying 6 inches of soil for daily cover. Performance standard monitoring will be conducted by the LEA on a weekly basis following the criteria specified in Section 17683, Title 14 of the California Code of Regulations.

ii) Import soil for intermediate cover, roads, and miscellaneous use while reserving the limited amount of low permeability on-site soils for use as landfill base liner and final cover.

m. This facility is open to the general public seven days per week from 8:00 A.M. to 4:30 P.M., 361 days per year. It is closed on four holidays. Normal site operations occur from 5:00 A.M. to 10:00 P.M. during daylight savings time and from 6:00 A.M. to 7:00 P.M. during the rest of the year. Due to the nature of certain businesses generating solid waste (e.g., packing plants, construction companies), waste disposal services will at times be provided beyond the standard hours stated, provided customers give advance notice to operator so that arrangements can be made.

2. <u>Agencies and Documents which Condition the Operation and Use of the Facility</u>:

a. B&J Drop Box Corporation/Tri-County Development Company <u>Report of Disposal Site Information</u>, as revised July 12, 1991, and amended on April 28, 1992.

b. Solano County Board of Supervisors, <u>General Plan</u>, Land Use and Circulation Element adopted December 19, 1980.

c. Solano County Department of Environmental Management, Periodic Site Review, January, 1990, prepared for B&J Drop Box Sanitary Landfill and Tri-County Development Company.

d. Solano County Planning Commission, Use Permit No. U-83-16, as revised and approved November 7, 1991.

e. Solano County Board of Supervisors, Solid Waste Management Plan, revised, September, 1989.

f. California Regional Water Quality Control Board, Central Valley Region, Waste Discharge Requirements and Monitoring and Reporting Program Order No. 89-178.

g. Mosquito Abatement District Letter to Solano County Environmental Health Planning Division dated June 3, 1991, regarding the potential for mosquito protection at sites where discarded tires are allowed to accumulate.

h. Dixon Fire District letter to Department of Environmental Management, dated August 8, 1990, addressing fire prevention concerns and conditions for continued operations at B & J Drop Box Sanitary Landfill.

i. Sedimentation, Drainage, and Erosion Control Plan for B&J Landfill, Department of Transportation, approved February 25, 1992.

j. Environmental Assessment for an Amended Use Permit for the B&J Drop Box Landfill, Nichols and Berman, Environmental Planning and Resource Management, April, 1983.

k. Solano County Department of Environmental Management Mitigated Negative Declaration for the B&J Drop Box Sanitary Landfill Project, August 13, 1991, State Clearing House Number 91083038.

3. Conformance with State Minimum Standards

a. The existing and proposed operations of this facility are in conformance with the State Minimum Standards for Solid Waste Handling and Disposal established by the California Integrated Waste Management Board as determined by the Local Enforcement Agency (LEA) and confirmed during the inspection of March 6, 1992.

4. Conformance with Solano County Fire Standards

a. The existing and proposed operations of this facility are in conformance with the Public Resources Code Section 4371 et. seq. As required by the Dixon Fire District a firebreak 20 feet wide is to be maintained around all property lines; a "no smoking" policy is to be continued; and the landfill is to install a 2 1/2

inch fire fill connection to the 10,000 gallon water tank in order to continue operations.

5. Conformance with County Solid Waste Plan

a. This permit is consistent with the latest version of the Solano County Solid Waste Management Plan, revised August 1988 and amended in September 1989, with special reference to pages II-15 to II-16.

6. Conformance with County General Plan and Land Use

a. This facility is designated as a solid waste site in the Land Use and Circulation Element of the County General Plan and is compatible with the land use designation for the area, Extensive Agriculture. The permitted landfill was found to be in conformance with the General Plan, particularly noting traffic circulation and population densities and distributions.

b. The expansion of landfill operations as currently proposed is in conformance with the General Plan land use designation. No change in land use or site expansion into areas not presently designated for this use is being considered in this permit. An additional 320 acres adjacent to the project site has been purchased by the landfill owner and could be used for potential future site expansion upon revision of this solid waste facility permit.

B. CONDITIONS

1. Requirements

a. This facility shall comply with State Minimum Standards for Solid Waste Handling and Disposal set forth in the California Public Resources Code and Title 14 of the California Code of Regulations as established by the California Integrated Waste Management Board and administered locally by the Solano County Department of Environmental Management, the local enforcement agency (LEA).

b. This facility shall comply with all federal, state, and local requirements and enactments, including all mitigation measures listed in the attached Solano County Conditional Use Permit U-83-16, as amended, and those given in any certified environmental document filed pursuant to the California Public Resources Code, Section 21081.6.

c. Any additional information regarding the design, construction or operation of the facility shall be provided by the operator at the request of the LEA.

d. At the discretion of the enforcement agency, additional landfill gas monitoring probes shall be installed for detection of gas migration. If needed, a landfill gas control system shall be installed.

e. This facility must comply with the Solano County Solid Waste Management Plan and any future amendments or revisions to this plan.

2. Prohibitions

The following activities or operations are prohibited at this facility:

a. Accepting and disposing of hazardous wastes or medical wastes. Hazardous wastes are defined in Article 2, Chapter 6.5, Section 25117 of the Health and Safety Code.

b. Scavenging.

c. Open burning.

d. Disposal in areas not specified in, and out of conformance with, the facility's most recently revised Report of Disposal Site Information.

e. The allowance of standing water on covered fill areas.

f. Additional prohibitions may be required upon notice from the California Integrated Waste Management Board or the Local Enforcement Agency.

3. Specifications

a. Any change which causes the design or operation of this facility not to conform to the terms and conditions of this permit is considered a significant change and requires a permit revision.

b. Any handling or disposal of solid wastes which fails to adequately protect the environment or public health and safety may be prohibited by this permit in order to mitigate adverse environmental and public health impacts.

c. Per Section 17603 CCR a modified solid waste facilities permit will be required should there be a change in owner. Upon transfer of the title to the facility to another person, the new owner shall be notified by the previous owner of the existence of these standards and of the conditions assigned to assure compliance.

A new solid waste facilities permit will be required should there be a change in operator for the facility per Section 44001 of the Public Resources Code.

d. This facility has a permitted capacity to receive an average of 280 tons of solid waste (including special wastes) per operating day, averaged over a 7-day week. The maximum amount of solid waste accepted shall not exceed 700 tons per day. The facility shall not receive more than these amounts without first obtaining a revision to this Solid Waste Facility Permit.

e. This facility is permitted to accept 700 cubic yards per month of dried sewage sludge for disposal as refuse fill as permitted by Titles 14 and 23 of the California Code of Regulations.

For all new sources of sludge, a waste handling protocol shall be submitted to the LEA and other responsible agencies for review and approval prior to acceptance of wastes.

Acceptance of dried sewage sludge wastes in amounts which exceed this quantity must first be authorized by the LEA and all other responsible agencies. In no case shall the amount received exceed those limits set forth in Condition B(3)(d) of this permit.

f. The following types and quantities of recyclable wastes define the maximum amounts permitted to be stored at the drop-off center, with a maximum storage time of 90 days:

1) Cardboard - 500 cubic yards or 80 tons compacted.

2) Aluminum - 50 cubic yards or 4 tons crushed.

3) Newsprint - 1,400 cubic yards or 250 tons compacted.

4) Glass - 60 cubic yards or 9 tons.

5) Plastic - 60 cubic yards or 1.5 tons compacted.

6) Waste oil - 500 gallons.

g. Specific measures to mitigate potentially adverse environmental impacts of this facility will be implemented as outlined in the documents listed in Item #2 of the FINDINGS section of this permit. Mitigation measures will address concerns that include, but are not limited to, the following considerations: height and visibility; importation of soils for waste cover material; surface and groundwater quality protection; seismicity; protection of any permeable soil and rock zones encountered; flora and fauna; odor; vermin and litter; hazardous materials and wastes; traffic; dust; flooding; noise; air quality; energy; public facilities and services; and public access.

h. This solid waste facility permit 48-AA-0002 issued to B&J Drop Box Sanitary Landfill supersedes the permit originally issued on December 8, 1983.

4. PROVISIONS

a. To assist in the implementation of the County Integrated Waste Management Plan Recycling Component and to achieve the State-mandated 25% diversion of solid wastes by 1995, and 50% by 2000, this facility shall:

1) Properly maintain the drop-off center for controlled salvaging of recyclable materials. The site shall be kept in an orderly fashion and made accessible to the public during hours of operation.

2) The operator will retain the right of refusal of any material which is not considered reusable or recyclable because of economics or the inability to properly handle these materials, unless otherwise specified by the LEA.

3) A current list of acceptable recyclable materials shall be published and posted at the facility. This list is subject to revision by the LEA.

4) All stockpiled materials on site shall be stored in an orderly fashion and maintained so as not to create a nuisance. The maximum storage time and quantities for these materials shall not be exceeded.

5) Scales shall be installed for the facility by June 1, 1992, in order to accurately record weights of waste stream components in compliance with AB 939 regulations.

6) Until the scales are installed as required above, data on waste stream types, sources, and weights will be collected manually.

b. Records shall be maintained according to the Self-Monitoring Section of this permit. Additional monitoring may be required as specified by the LEA.

c. Sewage sludge waste shall be handled and disposed in accordance with Section 17743 of Title 14 and Section 2523 of Title 23 of the California Code of Regulations.

d. As specified in Section 17638 of Title 14 of the California Code of Regulations, the operator shall maintain a Special Occurrence Log of the following information: fires, sudden and unusual settlement, injury and property damage accidents, explosions, discharge of hazardous or other wastes not permitted, flooding, and any other unusual occurrences. This log shall be kept on site and at all times made available upon the request by the LEA or the CIWMB.

e. The operator shall submit to the Local Enforcement Agency copies of all reports and information required or requested by any agency listed under Item #2 of the FINDINGS section of this permit.

f. An Operations Manual shall be maintained on site at all times and shall contain, at minimum, the following information:

1) Copies of all permits, approvals, and conditions which govern the site.

2) A copy of the most recently revised Report of Disposal Site Information.

3) A list of all emergency response contact agencies and phone numbers.

4) A copy of all documentation relating to the management of hazardous wastes.

5) A copy of the Solano County Hazardous Materials Release Response Plan and Inventory.

g. The facility operator or duly authorized agent shall be present at the site at all times when waste is accepted and shall be responsible for the control of operations and for keeping specified records pursuant to the requirements of the LEA.

h. A bottled drinking water supply and adequate toilet facilities connecting to a septic tank and leachline system shall be properly maintained at all times for employee use.

i. An adequate water supply for dust control and fire suppression must be available at all times during the operation of this facility. The water supply must be acceptable to the local fire jurisdiction and the LEA.

j. The operator shall submit the most current list of responsible personnel for the design, construction, and operation of this facility to the LEA. The list shall include emergency phone numbers, home phone numbers, and addresses for the following persons: the landfill manager, site engineer, operations manager, security guards and/or duty supervisors. The list shall be updated upon any changes.

k. The operator shall at all times provide adequate staffing to deal effectively and promptly with matters of operation at the site, as determined by the LEA.

l. At all times there shall be an adequate number and type of operable vehicles used for the compaction and placement of wastes and earth at this facility. Information as to the location of backup equipment shall be readily available at the site.

m. The operator shall inspect at random in-coming waste loads to determine if hazardous wastes have been illegally deposited in the waste load, as described in the RDSI Load Checking Program for B&J Sanitary Landfill. The site personnel shall observe all appropriate safety precautions.

   Small quantities of common household hazardous wastes shall be handled in accordance with the most updated version of the B&J Load Checking Program. Upon discovery of household hazardous wastes which are found in quantities or of types which cannot be safely and adequately handled by the site personnel and equipment, and upon discovery of all other hazardous wastes, the operator shall immediately notify the LEA and enter the special occurrence in the Special Occurrence Log.

Records shall be kept of all Load Checking Program inspections. As part of the Load Checking Program, an updated list of names and telephone numbers of all emergency personnel and other pertinent contacts shall be maintained on site at all times. Hazardous waste may be stored on site for a maximum of 90 days, as permitted by the California Environmental Protection Agency.

n. At any time, the Local Enforcement Agency shall be provided access to inspect the waste load from any vehicle entering the site.

o. The tire shredding operation shall be conducted in accordance with the provisions in the Report of Disposal Site Information and those set forth by the Solano County Mosquito Abatement District (SCMAD). The maximum permitted quantity of tires that will be stockpiled at any time is 100, with a maximum storage time of 90 days.

p. The wood waste recovery operation shall be conducted as described in the Report of Disposal Site Information. At no time shall a volume greater than 500 cubic yards be stockpiled on site. In addition, the wood pile shall be contained by a berm, so that any water which comes into contact with the pile shall be managed as leachate. The maximum storage time for wood wastes shall be one year.

q. Concrete and asphalt recovery shall be conducted as described in the RDSI. At no time shall greater than 15,000 cubic yards be stockpiled. Use of these materials in the construction of all-weather roads shall take place within one year of stockpiling.

r. Metal (white goods) waste recovery shall be conducted as described in the Report of Disposal Site Information. At no time shall greater than 2,500 cubic yards be stored on site. The maximum storage time for metal wastes shall be one year.

s. Disposal of dewatered sewage or water treatment sludge shall be conducted in accordance with the Report of Disposal Site Information and regulations described in Title 23, Section 2523 and Title 14, Section 17742 of the California Code of Regulations.

t. Landfilling shall occur as described in the most updated and approved version of the Report of Disposal Site Information (RDSI) and in conformance with provisions described in WDR Order No. 89-178 and as

approved by the California Regional Water Quality Control Board. Continued placement of waste requires an engineered alternative which conforms to the requirements as set forth in Section 2510, Chapter 15, Title 23, since a 5-foot separation between the waste material and the maximum anticipated ground water cannot reasonably be maintained throughout the site.

u. Facility personnel shall wear the specified work gear consisting of a uniform and leather boots. Adequate hearing protection devices shall be provided to all personnel operating or working around equipment.

v. The following performance standards shall be maintained by the operator and verified by the LEA as prescribed by Section 17683, Title 14 of the California Code of Regulations:

1) Vector populations shall be controlled such that the threshold values outlined in Section 17683(a)(1) of Title 14 are not exceeded. Specific vectors to be controlled include flies, domestic rats, field rodents, mosquitoes, wasps and cockroaches.

2) The operator shall not cause, let, permit, suffer, or allow the emission of any odorous substance which causes the ambient air at or beyond the facility's property boundary to be odorous and to remain odorous subsequent to its dilution with 4 parts odor-free air.

3) Burning material, or any solid waste at a temperature likely to cause fire, shall not be deposited in the fill. Said material shall be handled according to Section 17683(c) of Title 14.

4) Litter shall not be allowed to migrate off-site.

5) Moisture infiltration shall be minimized by totally covering all refuse which is left exposed at the end of the working day with either refuse received during the next working day or six (6) inches of compacted soil suitable for the purpose.

w. Should the operator be unable to maintain performance standards, the operator shall cease the use of performance standards, and resume the use of daily soil cover as prescribed in Section 17682, Title 14 of the California Code of Regulations.

x. Adequate lighting shall be provided for all work done after day light hours at the site. This would include the installation of liners, occasional after-hours tipping, and work done at the drop-off center for recyclables.

y. All projects requiring night lighting shall first be reviewed and approved by the LEA, Airport Land Use Commission, and Travis Air Force Base.

z. Fencing and landscaping at the site shall be adequately maintained, as determined by the LEA, to reduce unsightliness.

aa. The maximum size of the working face shall not exceed an area of 150 feet by 75 feet during dry weather conditions or 125 feet by 75 feet during wet weather conditions as permitted under Performance Standards, Sections 17683(e)(2) and 17683(e)(3). A smaller sized working face may be required as deemed necessary by the LEA. A temporary increase in the size of the working face, as allowed by the LEA, shall be permitted only as necessary for the initial installation of the HDPE liner, provided that all performance standards can be maintained during this period.

bb. Tires stockpiled on-site shall be shredded or cut within 10 days or more frequently should mosquito larvae be found during inspections by the Mosquito Abatement District.

cc. The operator shall submit a Winter Operations Plan by September 15 of each year. The plan shall describe in detail all site preparations (e.g. soil stockpile amounts and locations, all-weather pad construction, etc.) and operational changes planned to facilitate landfill operations during wet-weather conditions. The plan shall be reviewed and approved by the LEA before implementation.

dd. This permit is subject to review by the LEA, and may be modified, suspended, or revoked, for sufficient cause after a hearing. Operation of the facility in violation of any of the conditions in this permit shall be considered sufficient cause for suspension or revocation of this Permit in accordance with the process outlined in the California Public Resources Code, Section 45000, et. seq.

ee. This permit will be valid only if the facility has a valid Solano County Conditional Land Use Permit.

5. CLOSURE/POSTCLOSURE MAINTENANCE

a. The operator shall submit to the LEA copies of a plan for the closure of the landfill and a plan for the postclosure maintenance of the landfill for approval by the LEA, the California Regional Water Quality Control Board, and the CIWMB. These plans shall be submitted no later than the next date on which the Solid Waste Facilities Permit is required to be reviewed.

b. All documentation relating to the preparation of the closure and postclosure maintenance costs shall be retained by the operator and shall be available for inspection by the CIWMB or the LEA at reasonable times.

   Application for the five-year permit review is due to the LEA 120 days prior to the due date for completion of the review. The plan shall be included as part of the application for review.

c. The closure plans shall demonstrate financial assurance obtained by multiplying the annual cost of maintenance and monitoring anticipated during the postclosure period by fifteen (15) years.

d. The closure plans will include a calculation of cost estimates for closure and postclosure maintenance for a period of not less than 30 years after closure.

6. SELF-MONITORING PROGRAM

The following items shall be monitored by the operator of this facility or his agent, and records shall be kept and sent to the Local Enforcement Agency quarterly. All quantities of wastes shall be reported in both tons and cubic yards:

a. Quantity of solid wastes received at the site per day, per week, and per month.

b. Quantities and types of wastes recycled or reused each month.

c. Quantity of tires received and shredded monthly.

d. Quantities and types of special wastes received (e.g. dried sewage sludge).

e. Log of special occurrences or incidents of dust, noise, odor, fire, vectors, illegal disposal of unacceptable materials, etc.

f. Any other information as specified by the Local Enforcement Agency on a regular or periodic basis.

g. Results of water sampling pursuant to the most recent Waste Discharge Requirements, which may include analyses from monitoring wells and from Alamo Creek.

h. The following information shall be submitted to the Local Enforcement Agency and the California Integrated Waste Management Board on January 31, of each year:

   1) An updated list of emergency contacts and telephone numbers.

   2) An updated list of personnel and their job duties, and equipment on site.

i. On January 31 of each year, the operator shall submit to the Local Enforcement Agency, the California Waste Management Board, and the Solano County Planning Commission, an annual compliance report documenting compliance with all conditions contained in Solano County Use Permit U-83-16. The annual compliance report shall also include:

   1) The quantities and locations of asbestos waste disposed.

   2) An estimate of the total area and volume of the site filled.

j. The operator shall submit copies of all correspondence between representatives of the facility and regulating agencies relating to the design, construction, and operation of B&J Landfill.

ATTACHMENT 4

State of California

Office of Environmental Protection

Memorandum

To : Phillip J. Moralez
Permits Branch

Date: May 12, 1992

From : Dianne Range
Dianne Range
Local Assistance, North

Subject: Review of Conformance with AB 2296 for B&J Drop Box Sanitary Landfill, Facility No. 48-AA-0002.

The proposed permit for B&J Drop Box Sanitary Landfill conforms with AB 2296 as follow:

1. PRC Section 44009 (Consistency with Waste Diversion Requirements)

   The B&J Drop Box Sanitary Landfill is a small Class III Sanitary Landfill and currently services the City of Vacaville, the City of Dixon, and nearby unincorporated areas of the County. The primary purpose of this permit is to allow operations under Performance Standards. Types of waste received include inert waste, municipal solid wastes, street refuse, dead animals, construction and demolition, and agricultural wastes. The facility is identified in the Source Reduction and Recycling Elements (SRREs) of City of Vacaville (Page VII-1), City of Dixon (Page VII-1), and Solano County (Page VII-1).

   The facility includes a public recyclable materials drop-off center which accepts newspaper, aluminum, cardboard, glass, plastic, wood wastes, and tires. According to Archie Humphrey, the landfill operator, the facility recovers for reuse or recycling (from the drop-off center) less than 1% of the total volume of materials received.

   As confirmed by Eric Shields (Vacaville Planning Department), Janet Koster (Dixon Planning Department), Karen Wyeth (Solano County Planning Department), and Harry Engelbright (LTF staff), the current small amount of materials being recovered at this facility will not prevent or impair the above three jurisdictions' achievement of AB 939 diversion goals.

2. PRC Section 50000 (CoSWMP)

According to the proposed permit, the LEA has certified that the facility is in conformance with the latest version of the Solano County Solid Waste Management Plan (CoSWMP), revised August 1988 and amended in September 1989. The facility is described on pages II-15 and II-16.

3. PRC Section 50000.5 (General Plan)

This facility is consistent with the Solano County General Plan, according to the attached Resolution No. 84-41, dated February 21, 1984.

4. Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly? ___ ____ X

IV. Discussion of items indicated in I, II and III above. (Include mitigation measures and alternatives designed to reduce significant effects, causing them to no longer be significant.)

Item No.

General

IV. A.2. Waste Discharge Requirements (WDR) Order No. 89-178 for B & J Landfill contain provisions that effectively prevent the use of on-site soils for cover. As a result the applicant has proposed the use of performance standards and the importation of soil for daily and interim cover. Performance standards, pursuant to Title 14, Section 17683, CCR, verify whether the following conditions are being met: control of vectors, odors, fire, litter and moisture infiltration. Instead of having daily cover soil of six inches to control these factors, the operator covers the fill (solid waste) with fresh fill. If a filled area will not be covered within 24 hours, then daily soil cover will need to be placed over the fill material. Soil cover is also used for areas that will not be covered with fill for 180 days or more. This is called interim cover and consists of one foot of clean fill.

The precedent being set is the use of performance standards for the first time at this site. The applicant will be coming in within the next year with another permit application to cover the 'Master Plan' of the site. This Master Plan will include expansion of the facility and operations to a larger permitted footprint, increased yearly tonnage and new facilities. All future permitted activities will also include the use of performance standards. In order to monitor compliance with state regulations, the County will need to increase staff monitoring and enforcement activities at the site. This is a fiscal rather than an environmental impact.

The use of performance standards as contained in the project description and as regulated by the Local Enforcement Agency (LEA) avoid and prevent any significant impacts.

Mitigation: The County, acting as the Local Enforcement Agency (LEA), shall monitor and enforce the use of performance standards by the operator. The operator shall reimburse the County for all costs associated with monitoring and enforcement activities occurring at the site including the use of performance standards. Billing for this activity will occur on a quarterly/monthly

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basis.

Verification: In the annual compliance report the operator shall indicate an annual total paid to reimburse the County for the LEA functions of permitting, monitoring and enforcement.

A.5. The topography in the area of the B & J Landfill is primarily flat with a change in elevation of five to ten feet over an entire section (640 acres). The existing fill received to date at the landfill has created a 'hill' approximately 50 feet above the existing elevation. The final elevation of the site after closure will be close to 110 feet.

Landfill operations in the future with the Master Plan extension could be more visible to the public as they drive along Highway 113 or Hay Road.

The project description and the mitigations that follow reduce potential impacts to a level of insignificance.

Mitigation: The operator shall ensure:

1) that all filled areas with interim cover and soil stockpiles are vegetated as needed;

2) that litter is promptly picked up both on and off site;

3) that operations and facilities are contained on-site in specified areas and do not give the appearance sprawling haphazardly within the site;

4) that fencing and landscaping along the perimeter are adequately maintained;

5) that with final closure the site is revegetated with natural grasses and that final closure slopes simulate a natural-appearing landform (knoll).

Verification:

1) the operator shall obtain a Sedimentation, Drainage, and Erosion Control Plan from the Department of Transportation prior to issuance of the revised use permit. This plan shall include revegetation plans. In the Annual Compliance Report, the operator shall describe any seeding activities that have occurred during the year.

2) the annual compliance report shall indicate the number of employees used on a quarterly basis for litter pickup.

3) the site will be available for inspection by County staff and other responsible agencies. The County will be informed when materials stockpiles are created or moved

by the operator.

4) the operator shall inspect and maintain fencing and landscaping and note any repairs in the annual compliance report. The site is available for inspection by the County staff and other responsible agencies.

5) the Final Closure Plan submitted to the County will include the use of native species of grasses and perennials and the grading of the closed facility into a natural-appearing landform.

B. 1. Land

The parcel on which the landfill is located is within Compatibility Zone A of the Travis Air Force Base Land Use Plan. The western half of the site is within the FAA Construction Referral Zone (100:1) and the Approach Departure Clearance Surface (50:1). The CNEL contours on the parcel range from 80 to 70.

The operator has submitted a permit application to the Airport Land Use Commission for review of the project. A letter has been sent to Travis Air Force Base informing them of the landfill's use of night lighting and requesting a review of the lighting.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of indignificance.

<u>Mitigation:</u> The project shall be reviewed by the Airport Land Use Commission and the night lighting by Travis Air Force Base for consistency.

<u>Verification:</u> Prior to issuance of the permit, the operator shall have obtained a finding of consistency from the Airport Land Use Commission and a letter from Travis Air Force Base commenting on the appropriateness of night lighting. If either the ALUC or Travis Air Force Base requests a modification to the proposed project, the operator shall proceed to comply with the request.

B.3. As mentioned previously, the original elevations on the parcel vary only ten feet. A hill is being gradually constructed as more fill and cover material is added. When final closure of the landfill occurs the hill will be 108' high and will have perimeter slopes that vary from 3:1 to 5:1 to provide visual relief. The surface of the knoll (or plateau) will be sloped at a 3% minimum to provide positive drainage following differential settlement of the underlying refuse.

Pre-excavation contours of the site, other than those on the 7 1/2 Dozier USGS quad map, have not been found by the applicant. The project description and the mitigations that follow avoid or reduce potential impacts

to a level of insignificance.

Mitigation: The project incorporates grading and design requirements in the Final Grading Plan by varying the slopes to simulate a natural appearing landform. This will also be incorporated into the Final Closure Plan.

Verification: No verification required.

C. Air

1,2,3 During construction of the modules for the wastes and during on-going operations, air quality may be impacted by an increase in dust blowing on and off-site.

Odors may also contribute to an adverse impact on air quality.

The landfill operator accepts two special wastes (asbestos, sewage sludge) currently. Infectious wastes are no longer accepted.

An Air Solid Waste Assessment Test (ASWAT) report is included in Section 5.3 of the Supportive Information Document (SID). The field work was completed during September and October of 1988 and submitted to the Yolo-Solano Air Pollution Control District. The report's objectives were to: 1) characterize the gas stream within the landfill, 2) determine whether specified VOC contaminants are present in ambient air at the site boundaries, 3) determine whether subsurface gas is migrating off-site. The ASWAT report stated that VOC concentrations were generally similar in upwind and downwind ambient air, but no interpretation of data was included in the ASWAT report. The RDSI states that the report would appear to suggest that the landfill operations does not impact air quality significantly. The measurements of ambient air quality from the ASWAT do comply with occupational exposure criteria presented in Title 8, CCR.

During activities that may expose workers to higher concentrations of landfill gas, health and safety plans will be prepared and enforced by the operator. There are no structures in the immediate area of the site.

The project description contains the following activities to decrease dust, odor, and other airborne contaminants:

1. Grading and watering the haul roads. Equipment to be used for watering is a 5500 gallon capacity water truck.

2. Application of a fine water spray on soil-cover work areas when conditions might cause the formation of fugitive dust.

3. Timely placement of daily and interim soil cover over the refuse fill and asbestos waste.

4. Application of water or planting of temporary vegetative cover on interim soil covers when conditions might cause recurrent problems with fugitive dust and erosion.

5. Planting and maintaining vegetative cover on completed fill slopes and the interim cover to be placed on Module 1.

6. Odors controlled by placement of interim soil cover of 1 foot and final cover including at least 1 foot of low permeable clay soils.

7. Performance standards state that the operator shall cover the previous day's refuse with fresh to avoid exposure of older, decaying refuse.

8. Title 14 sets procedures for monitoring odors under performance standards. If odor problem arise, daily soil cover shall resume.

9. The Supportive Information Document (SID) in Section 2.28 contains a copy of the Asbestos Acceptance Procedure Manual dated August 1989 for the acceptance and disposal of asbestos.

10. No direct contact with the asbestos waste occurs during handling and disposal of the asbestos waste.

11. Asbestos-approved respirators are available for the use of landfill personnel.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigation:

1. The operator shall comply with Title 14 procedures regarding performance standards. The site shall be available for inspection by County staff and staff from other responsible agencies.

2. In regard to special wastes not addressed in this RDSI or for new sources of sludge, a waste handling protocol shall be submitted to the LEA and other responsible agencies for review and approval prior to acceptance of the wastes.

3. The operator shall submit a health and safety plan for review and approval by the LEA and other responsible agencies prior to undertaking activities that may expose workers to landfill

gases.

Verification:

1. Regular inspections throughout the year by County staff and staff from other responsible agencies.

2. Approval by LEA and other responsible agencies of waste handling protocols and their inclusion in the RDSI.

3. Approval by LEA and other responsible agencies of a landfill gas health and safety plan and inclusion in the RDSI.

D. 1, 2, 3, 4, 5, 6. Water

The 162 acre site is located within a 100 year flood zone. Predominant drainage patterns in the surrounding area are toward the southeast. There are no on-site surface waters other than a surface impoundment. Alamo Creek crosses the northeast corner of the site and has been improved to carry runoff from a 10 year frequency storm.

A flood protection levee will be constructed around the site to about 6 feet above the surrounding terrain to prevent flood waters from a 100 year flood from entering the site. The design specifications are included in the 1982 Design Construction and Operations Report in the SID, Section 2.2.9 and details of the perimeter levee constructed to date are in the Construction Certification Report in SID, Section 4.0.

The alteration of the topography on the site will result in both increases in the amount and rate of surface runoff. A permanent drainage system has been constructed along the site's northwestern and northern perimeter. The drainage system consists of a ditch which drains storm runoff from the northern end of the site and tributary flow from adjacent lands along Hay Road. Corrugated metal pipes have been installed to pass the water flow beneath the site entrance road. The ditch discharges in a dispensed flow to a broad natural drainage swale along the east boundary of the site. The system is designed to convey a 10 year storm event and to withstand a 100 year storm event.

The WDR 89-178 orders state that Alamo Creek shall be sampled quarterly both up and down stream of the site. Further, surface drainage from tributary areas and internal site drainage from surface or subsurface sources shall not contact or percolate through wastes. Annually, but no later than October 15, any necessary erosion control measures shall be implemented, and any necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed to prevent erosion or flooding of the facility and to

prevent surface drainage from contacting or percolating through wastes.

The operator has submitted a drainage study to RWQCB, #2 as a requirement of WDR 89-178 delineating updated design features.

During construction of landfill modules, runoff precipitation and groundwater infiltration are collected in ditches at the toe of the excavation, drained to sumps, pumped into the perimeter drainage system, and allowed to flow onto the adjacent properties, or pumped to adjacent properties to the west of the site. Temporary berms and ditches deflect runoff around active fill areas.

Any run-off or groundwater contaminated by landfill operations is collected and disposed of by evaporation in the leachate evaporation pond (surface impoundment), or reapplied to the landfill surface for dust control to the extent allowed by laws and regulations. WDR orders prevent the entrance of leachate from Modules 2 and 3 in Module 1.

During the wet season a minimum 1 foot of low permeability cover shall be maintained over all but the active disposal area according to the WDR orders.

A perimeter cutoff barrier wall of low-permeability soils with a bentonite additive has been installed around the entire site to provide maximum protection of the ground water from the waste materials. For Module 1 a dewatering trench is used along the toe as described in a previous paragraph. The trench will be converted into a ground water extraction system prior to placement of refuse over the trench. At this time, in compliance with WDR 89-178 orders, a synthetic liner with a leachate monitoring and control system will be installed over remaining unfilled areas of Module 1 to maintain a dry subgrade for construction and operation, to provide separation between ground water and refuse, and to enable leachate monitoring and removal.

Module 2 will incorporate provisions for vertical separation between underlying ground water and the proposed refuse fill and a base liner system with leachate collection and removal facilities.

Currently leachate is pumped from the leachate collection trench on the eastern and southern side of Module 1 to the clay-lined surface impoundment in the northeast quarter of the site. The WDR 89-178 orders state that this surface impoundment does not comply with existing requirements for a minimum separation of 5 feet between wastes and ground water. The orders state it shall be closed by October 1, 1994 with a closure or retrofit plan due by April 1, 1993 to the RWQCB, #2. The landfill is now producing 1.8 million gallons of leachate per year.

The operator will continue using the surface impoundment until closed or retrofitted, or may discharge leachate to the Vacaville sewage treatment plant, or by transportation to a hazardous waste disposal facility. The surface impoundment has been monitored by perimeter ground water monitoring wells and is also contained by the perimeter slurry wall.

If leachate is sent to the Vacaville Sanitary District for treatment it would occur during the wet season when too much water was in the surface impoundment and/or after closure of the surface impoundment. Currently 4000 - 5000 gallons a day is produced which could be accomodated in one tanker vehicle. With the filling of Module 2 and 3 it is estimated that 15,000 gallons of leachate would be produced or 4 - 5 tanker trucks per day. The treatment facility is located off Fry Road approximately five miles from the Landfill.

Leachate produced from recycled material storage piles will be managed by: 1) the short storage periods; 2) in a covered building at the drop-off center; 3) or by the construction of berms around the stockpiles during wet weather.

A ground water monitoring well system and monitoring program in compliance with WDR 89-178 orders exists on the site. A one-time Solid Waste Assessment Test (SWAT) was completed in 1987 for groundwater, and a LMCS and Deep Ground Water Monitoring Plan has been approved by RWQCB, #2 and has been implemented. Ground and surface waters are sampled and analyzed quarterly including unambiguous indicators.

The project description, including the permits that regulate the design and operation of the site, and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

<u>Mitigation:</u>

1. The operator shall allow the County staff and other responsible agencies to inspect the site and have access to data and reports for through monitoring and enforcement of all permits.

2. The operator shall continue to comply with WDR 89-178 orders, specifically those that relate to the management of leachate, leachate monitoring and ground water elevations within Module 1. (#25, 26, 27, 34)

3. The operator shall diligently work to meet deadlines contained in all permits and orders for the site, including the submittal of quarterly and annual reports, closure or retrofitting of the surface impoundment, and closure of Module 1. Closure of Module 1 shall proceed in accordance

with WDR 89-178 orders or any modifications to the orders that may occur.

4. The operator shall use the utmost care and diligence to insure that all aspects of the design, construction and operation of the site in regards to the containment of surface runoff, ground water, and leachate, and the protection of ground water quality in and off the site is monitored and maintained in a thorough manner.

5. The County shall hire a certified engineer specializing in liner design to evaluate and verify the plans and actual construction of liners in accordance with Title 14. The operator shall reimburse the County for these costs.

<u>Verification:</u>

1. The annual compliance report prepared by the operator shall contain a yearly summary of all quarterly or annual reports required by the permits and orders.

2. The annual compliance report shall contain a section discussing compliance efforts completed in regard to WDR 89-178 orders during the year.

3. The operator shall send copies of submissions for any changes in design or operation of the facility contained in WDR 89-178 or SWFP 48-AA-0002 to the County for inclusion in the RDSI or SID. The annual compliance report shall summarize any changes in design and/or operations that have occured during the year.

4. The annual compliance report shall summarize construction activities and operations during the past year.

5. The engineer's final report to the County shall be included in the annual compliance report.

E. 3. 4. Animal Life

The Environmental Assessment prepared in February 1983 by Nichols & Berman contains information about animal life. It is hereby incorporated in its entirety by reference.

The grass cover, seasonally wet depressions, drainage ditches on the site, and Alamo Creek all provide habitat for wildlife species known to frequent the area. Few species are observed at any given time due to the proximity of existing landfill activities. Further acreage will be disturbed when Module 2 is prepared.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of

insignificance.

Mitigation:

1. Wildlife and plant habitat disruption shall be minimized by the excavation and filling only of a portion of the landfill at a time. Filled areas and soil stockpiles shall be revegetated according to the parameters set in the Sedimentation Drainage and Erosion Control Plan that will be approved by the County Department of Transportation.

2. Any topsoils secured on or off site shall be stored separately from subsoils for use in the preparation of final cover.

3. A revegetation plan shall be prepared for the site for final closure that includes the use of native grasses, a monitoring program, and a grazing management plan if grazing is contemplated.

Verification:

1. Approval of the Sedimentation Drainage and Erosion Control Plan by the Department of Transportation prior to issuance of permit.

   A summary of revegetation efforts made during the year shall be included in the annual compliance report.

2. The operator shall inform the County LEA on a quarterly basis regarding the location of soil stockpiles. If they will remain intact longer than one year, such as topsoil, their location should be noted in the annual compliance report.

3. When the final closure plan is due to the State, the County shall receive a copy for review and recommendation to the State.

F. 2. Plant Life

The Environmental Assessment prepared in February 1983 by Nichols & Berman contains information about plant life. It is hereby in its entirety in corporated by reference. The vegetative cover of the unfilled protions of the site consist of approximately 90% introduced annual grasses and associated weed species characteristic of disturbed Central Valley grassland habitats. The entire site is highly disturbed by past plowing, discing, grading activities and surface disposal of cannery slidge waste.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigations:

See Mitigations for animal life.

Verification:

See Verifications for Animal Life.

G. Agriculture

The site will take 162 acres out of grazing on an incremental basis as the site is developed. Final closure of the site contemplates the return of the area to an agricultural or open space use. As portions of the landfill are brought to final design grades the final soil cover will be placed and vegetated on an incremental basis also. The landfill will be sealed with a minimum of a 4 foot thick final cover containing a 1 foot layer of low permeable soil placed between the foundation and the vegetative soil layers. The final cover minimizes the infiltration of rain water into the landfill and allows native vegetation to be established on the surface.

There are no plans to construct any facilities on filled areas, plant deep-rooted vegetation, or allow any use other than non-irrigated agricultural activities.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigation:

See Mitigations for animal life.

Verification:

See Verifications for animal life.

H. Noise, Light and Glare

2. The project will use lights only on the following occasions:

a. Lights may be used at the public drop-off center if it becomes necessary to work after dark to process peak loads of reclyclables. This is an occasional, not a common, event.

b. The landfill base preparation work for Module 2 may occur at night. The placement of the gravel leachate collection and removal system (LCRS) over the 60-mil geomembrane is most effectively carried out when temperatures are low. The HDPE liner has a high coefficient of thermal expansion and wrinkles are likely to form during a hot day.

Wrinkles can be folded over with the placement of gravel, creating a potential stress point in the liner. Lights would be used for this purpose from 10:00 p.m. to sunrise for 1 to 2 months during the summer, while a portion of Module 2 is being prepared. Portable lights will be used for this purpose.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigation:

1. The operator shall inform Travis Air Force Base of their intended use of lights and the type of lighting plants to be used.

2. Lighting shall be focused and/or shielded so that lighting is confined to the work area.

3. The operator shall notify County staff and residents within 1/2 mile of the site prior to use of portable units for preparation of Module 2.

4. The operator shall have a portable light with generator available on the site at all times for emergency use.

Verification:

1. Prior to issuance of the permit, the operator shall submit correspondence from Travis Air Force Base indicating that lighting at the landfill is acceptable to Travis.

2. The site shall be available for inspection by County staff.

3. No verification required.

4. Prior to issuance of the permit, the operator shall have the emergency lighting source on site. The site shall be available for inspection by County staff.

I. Human Health, Safety

1. The site is located 2 1/2 miles east of the Midland Fault Zone. There are no significant structures planned for the site and most work occurs outside. Up to 15 people may be working at the site at any given time.

The site is not within a high or extreme grass fire zone. There is a possibility of trucks containing solid wastes catching on fire due to unauthorized and/or illegal dumping of flammable and hazardous materials. Hazardous materials are prohibited from being received at the site,

with the exception of asbestos.

Portable fire extinguishers are located in all structures, equipment and vehicles. Personnel are trained periodically in controlling fires. Any fire occuring on site will be extinguished primarily by landfill personnel using on-site soil stockpiles and the water truck, if necessary. Site personnel shall notify the appropriate agencies.

Flammable recyclables, such as wood, tires, and paper will be subject to the same operational safety plan.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigation:

1. The site, including structures, equipment and vehicles, shall be inspected by the Dixon Fire District as deemed necessary by the District and kept in compliance with the Fire District regulations.

2. Flammable recyclables such as wood, tires, and paper shall be isolated from other materials, contained by a berm, and/or have a short on-site storage time.

3. Any fire incidents shall be reported to the County LEA within 24 hours.

Verification:

1&2 Prior to issuance of the permits, the operator shall file with the County a copy of a letter from the Dixon Fire District stating that the site is in compliance with District regulations. This shall include the additional provisions requested by the Fire District in their August 1990 letter.

3. A summary of any fire incidents shall be included in the annual compliance report.

2. With the exception of asbestos which is classified as both a special and hazardous waste, the site does not accept hazardous materials for disposal. The operator submitted a Load Checking Plan in February 1990. A screening program is in place that randomly inspects at least five loads per week from all generator sources at the working face. "Suspicious" loads are all checked and the load checker is on-site while the facility is open. The load checking reports are submitted quarterly to the LEA. There is a hazardous materials storage

container that has been permitted by the State Department of Health Services for the temporary storage of hazardous wastes for no longer than one year. It is used for storing hazardous wastes that are pulled during load checks.

The operator has submitted a Hazardous Materials Business Plan to the Department of Environmental Management, Hazardous Materials Division. It includes an emergency response plan for fires, spills and leaks, earthquakes (SID, Section 2.2.8).

Mitigation:

1. The operator shall have a load checking plan approved by the County LEA and the RWQCB, #2. It shall be included in the RDSI or SID.

2. The operator shall have an approved Hazardous Materials Business Plan permit from the Hazardous Materials Division. It shall be included in the RDSI or SID.

3. The operator shall diligently operate in compliance with the above two permits.

4. In the annual compliance report the operator shall summarize any hazardous materials incidents and amounts of collected hazardous materials by volume and/or weight for the year and include a copy of each of the quarterly reports for the load checking program.

Verification:

1. Prior to issuance of the permit, the operator shall have an approved load checking plan by the LEA and RWQBC, #2.

2. Prior to issuance of the permit the operator shall have a Hazardous Materials Businesss Plan permit issued by the County.

3. The site shall be available for inspection by County staff and other responsible agencies.

4. No verification necessary.

3. The storage of tires could potentially result in mosquito breeding. The operator has contacted the Solano County Mosquito Abatement District (SCMAD) and has included actions in the project description as prescribed by SCMAD to lessen mosquito breeding. They include:

   a. Tires will be stockpiled for a minimum of 90 days and limited to less than 100 on-site at any time.

b. The District (SCMAD) will perform random inspections during the wet season (November-April).

c. If mosquito larvae are found during SCMAD inspections, the tires will be shredded or cut within 10 days.

d. If problems persist, the frequency of shredding or cutting will increase.

No infectious waste are accepted at the landfill in accordance with State law.

Asbestos waste are transported separately from municipal waste and appropriately labeled and handled. The SID contains an Asbestos Waste Handling Plan in Section 2.2.8.

Mitigation:

1. The operator shall have an approved Asbestos Waste handling plan included in the RDSI or SID.

2. The asbestos waste fill area shall have daily cover applied on days when asbestos waste is disposed.

3. The operator shall comply with procedures and guidelines from the Solano County Mosquito Abatement District.

Verification:

1. The County LEA has approved the Asbestos Waste Handling Plan and it is included in the SID.

2. The site shall be available for inspection by County staff and other responsible agencies.

3. Prior to issuance of the permit, the operator shall submit a letter to the County conveying SCMAD's acceptance of the operator's tire handling procedures. The site shall be available for inspection by SCMAD staff and other responsible agencies.

4. With the use of performance standards (covering of wastes with 'fresh' wastes), there is the potential for increased litter. The site at certain times of the year can be extremely windy. The operator is constructing more portable fences to be used near the working face. These fences are 20' x 10' x 9 1/2' in dimension and are designed to be readily moved. A 6 foot high chain-link fence along the northern edge of the site prevents litter from blowing onto Hay Road and adjacent properties to the north. A work crew of two in the wet season and four in the dry season pick up litter along the working face,

site perimeter fences, the entire site, and adjacent properties.

Mitigation:

1. The maximum size of the working face shall be limited to 200' x 75'.

2. It is understood by the operator that litter control, by means of fencing, crews, adjustment of the size of the working face and use of some soil cover shall be accomplished in consultation with the County LEA's monitoring of their implementation of performance standards.

3. If litter can not be controlled by one or a combination of the above means, the County LEA shall order the landfill operator to resume use of daily cover for a specified period of time.

Verification:

1. In the annual compliance report the operator shall summarize actions taken during the year to achieve compliance with performance standards.

2. Any resumption of daily cover based on litter control shall be summarized in the annual compliance report.

K. Transportation, Circulation

1, 3, 5. With the change in the WDR 89-178 orders, the operator has been effectively prevented from using on site soils for daily and interim cover. The proposed importation of soil for daily and interim cover, roads, and miscellaneous uses will reserve the limited quantity of on-site fine-grained soils for the landfills low-permeability base liner and final cover.

The soil delivery rates will vary considerably. A large quantity of acceptable soil may be available from a project for which all excavations must be performed within 1 or 2 months. The operator connot predict when soil delivery will occur, so average daily or monthly trips cannot be estimated accurately. However, the number of trucks will not exceed 50 in any one day (100 one-way trips).

Two proposed sources of soil will be the SID project along Putah South Canal and a quarry near American Canyon Landfill in Napa County. Trucks from the SID project will take Midway to Leisure Town to Fry to Lewis to Hay Road. This approximates the collection routes used to collect refuse in the unincorporated County.

Trucks from the quarry in Napa will use one of two routes:

1. I-80 to Highway 12, west on Highway 12 to Highway 113, north on Highway 113 to Hay Road, west on Hay to site.

2. I-80 to Midway, east on Midway to Highway 113, south on Highway 113 to Hay, west on Hay Road.

The soil on the trucks will be covered with tarps; the trucks carry approximately 20 tons of soil.

Tanker trucks hauling leachate to the City of Vacaville waste water treatment plants would use the following route: Hay to Lewis to Fry to facility access road. Current use, if needed, would be one tanker truck per day; the maximum use over permit life would be four to five trucks per day. This adds 2 at current use and 8 to 10 ADT for maximum use.

Access to the site is controlled by a fence and lockable entrance gates. To date, no turning lanes or other special access provisions have been required by the County Department of Transportation. The entrance is asphalt paved and is 65 feet wide at the gates with 129 feet of stacking distance from the gatehouse to the edge of the pavement on Hay Road. It is important to have adequate stacking distance as the gatekeeper will be required with the issuance of the use permit to begin collecting data on wastestream types, source, and weights in compliance with AB939 regulations. The operator will be adding scales in June 1992, but from issuance til June 1992 this data will be collected manually.

The tonnage of waste received at the site will be set at a maximum of 280 ADT per seven day week with a peak of 700 tons.

Based on a weekly average, approximately 75 private vehicles (self haul) and 70 refuse collection vehicles (compactor and debris box trucks) enter the site each day from the Cities of Vacaville and Dixon, and the unincorporated areas of the County. This is based on vehicle counts at the gatehouse. That approximates 140 one-way trips for self haul and 150 one-way trips for collection vehicles for a total of 290 one-way trips average per day. With the peak soil trips, the total for the landfill would be 390 one-way trips per day.

The Department of Transportation completed a traffic survey at the site in November 1990, that is included with the SID Section 1.2.2 and attached to the Part II of this Initial Study.

Mitigations:

1. The operator shall comply with all directives issued by the County Department of Transportation as they pertain to this site and its affect on all aspects of transportation.

2. A road condition survey prior to issuance of the use permit and annually thereafter will be conducted by the County Department of Transportation staff. The Department of Transportation proposes an annual fee for the importation of soil. The fee is estimated to be $2800.00 per year per mile of County Road used. This fee will be indexed and adjusted yearly in accordance with the prevailing costs as shown by the Engineering News Record - Construction Cost Index. The fee will be due partly on the date of issuance of the proposed use permit.

Verification:

1-2 Prior to issuance of the use permit, the operator shall ensure that all requirements are in place and approved by the Solano County Department of Transportation. Evidence of compliance shall be given to the Department of Environmental Management for verification. Any work completed or fees paid shall be included in the annual compliance report.

L. Public Services, Utilities

1. d. As discussed previously the project would increase public service requirements for the County LEA in monitoring and enforcing performance standards. This is a fiscal rather than an environmental impact. The County LEA through the Department of Environmental Management will bill the operator for the expenses involved in permitting, monitoring and enforcing the landfill site.

V. COORDINATION:

1. Agencies having jurisdiction by law (Section 15366).

Solano County Department of Environmental Management; Environmental Health Services Division (LEA); Solano Mosquito Abatement District; California Department of Health Services; California Department of Fish and Game

2. Responsible agencies (Section 15381).

California Integrated Waste Management Board; Regional Water Quality Control Board - Central Valley; Yolo-Solano Air Pollution District; Solano County Cities

VI. ENVIRONMENTAL EVALUATION AND RECOMMENDATION:

The project description contained in the Report of Disposal Site Information (July 1991), and the Supportive Information Document, and the mitigations included in the Part II of the Initial Study avoid or reduce to a level of insignificance any adverse impacts on the environment. It is recommended that a mitigated Negative Declaration with a 30 day review period be required.

VII. PREPARATION OF PART II OF INITIAL STUDY:

Prepared by: Cynthia Copeland Date: July 31, 1991

Title: Senior Planner

VIII. ENVIRONMENTAL REVIEW COMMITTEE DETERMINATION:

Disposition: ____ Categorical Exemption, Class ____

_X_ Negative Declaration required

____ EIR required

____ Referred back to submitting agency for additional information

____ Other action

This disposition constitutes the official action of the Committee pursuant to Article III.B of the Solano County EIR Guidelines.

ERC Secretary

Aug 13, 1991

Date

Copies of this initial study are available at the Solano County Department of Environmental Management.

ccu8316r.rpt
CJC/pj

ATTACHMENT 6

Notice of Determination

Appendix H

To: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County Clerk
County of Solano

From: (Public Agency) Solano County
Department of Environmental Management
601 Texas Street, Fairfield, Ca. 94533
(Address)

Filed in the Office of the County Clerk of Solano County, State of California.
this day of: November 12, 1991
VIRGINIA RYAN, County Clerk
By Claudia Martin
Deputy

Subject:
Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Minor Revision to Use Permit No. U-83-16 of B & J Drop Box, Inc.
Project Title

91083038	Karen Wyeth	(707) 421-6765
State Clearinghouse Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

South side of Hay Road, ½ mile west of State Route 113 in Solano County
Project Location (include county)

Project Description:
Amendment to existing landfill operations on a 161 acre site to include the use of performance standards, the importation of soil for daily and interim cover, and the redesign of Module 2 to be in compliance with current state standards as specified in Waste Discharge Requirements Order No. WDR-89-18.

This is to advise that the Solano County Planning Commission (☒ Lead Agency ☐ Responsible Agency) has approved the above described project on November 7, 1991 (Date) and has made the following determinations regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
5. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:
Solano County Environmental Management, 601 Texas Street, Fairfield, Ca. 94533

Karen A Wyeth	November 12, 1991	Senior Planner
Signature (Public Agency)	*Date*	*Title*

Date received for filing at OPR:

Revised October 1989

ATTACHMENT 7

California Integrated Waste Management Board

Permit Decision No. 92-53

WHEREAS, the Solano County Department of Environmental Health, acting as the Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a new Solid Waste Facilities Permit for the B & J Drop Box Sanitary Landfill; and

WHEREAS, Board staff has evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for this proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 48-AA-0002.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
June 10, 1992

AGENDA ITEM 16

ITEM: Consideration of Approval for Distribution of the Final Version of the Permit Desk Manual to Local Enforcement Agencies, Waste Management Facility Operators, and Consultants

BACKGROUND:

Chronology

- On June 19, 1991, the Board awarded a contract for the rewrite of the 1989 edition of the Permit Desk Manual.
- On October 1, 1991, the contractor provided Board staff with the first draft of the Manual. Staff reviewed the draft and provided the contractor with comments.
- On January 24, 1992, the contractor provided Board staff with a second draft of the Manual. Copies of the second draft were distributed to Board Advisors, staff, and to the Members of the Enforcement Advisory Council (EAC). The intent of the distribution was to solicit comments from all recipients of the draft manual during the EAC meeting on February 21, 1992.
- During the EAC meeting on February 21, 1992, the matter of the Permit Desk Manual was discussed and comments were received from several members. The members also voted in support of the adoption of the Manual by the Board during its March, 1992 meeting.
- At its March 11, 1992 meeting, the Permitting and Enforcement Committee deferred action on the Permit Desk Manual to allow for additional comment and input by LEAs.
- The contract was augmented by $14,678 to allow for the incorporation of the additional LEA comments and input, as well as three workshops, where Board staff and the contractor will train LEAs on the use of the Manual.
- Comments from a total of eleven (11) LEA jurisdictions were received and considered during the re-write of the Manual.
- Board staff is currently working with the contractor to finalize scheduling for the three workshops, tentatively planned for Riverside, Sacramento, and Redding during the early parts of the month of August 1992.

DISCUSSION:

The Permit Desk Manual is one of the many tools the Board uses to communicate and transmit new statutory and regulatory mandates and policies to the Local Enforcement Agencies (LEAs) and operators of solid waste facilities. By issuing the Permit Desk Manual to the LEAs and operators, the Board contributes to their education and thus, to the efficiency and the effectiveness of the LEAs and operators in the execution of their duties in the review and preparation of solid waste facilities permits and supporting documentation. Existing and future solid waste facilities operators use the Manual as guidance in the preparation of Solid Waste Facilities Permit applications.

The Board, during the June 19, 1991 meeting, awarded a contract for $35,322 to Bryan A. Stirrat & Associates for the rewrite of the 1989 edition of the Permit Desk Manual. The contract was signed by the Chairman of the Board on June 20, 1991 and by Mr.Bryan A. Stirrat, of Bryan A. Stirrat & Associates, on June 25, 1991. The contract work for the rewrite of the Permit Desk Manual commenced on August 1, 1991 and has progressed well. Board staff have met with the contractor several times since the commencement of the work to discuss the form and content of the Manual and the various other aspects of the contract. Copies of the first draft of the Manual were submitted to Board staff for review and comments on October 1, 1991. Staff reviewed the draft and comments were forwarded to the contractor on October 31 and November 6, 1991.

Copies of the second draft of the Manual were provided by the contractor on January 24, 2992. These copies were reproduced and distributed to Board Advisors, staff, and to all members of the EAC for review and comments. The matter of the Permit Desk Manual was discussed during the EAC meeting of February 21, 1992. At the meeting, comments were received from several of the members and the members voted in support of the Board adopting the Manual during its March 1992 meeting.

At its March 11, 1992 meeting, the Permitting and Enforcement Committee deferred action on the Permit Desk Manual to allow for additional comments and input by the LEAs.

On April 21,1992 the contract was augmented by $14,678, bringing the total cost of the entire contract to $50,000. The contract augmentation is to allow for the incorporation of the additional LEA comments and input and for three workshops, where Board staff and the contractor will train the LEAs on the use of the Manual.

The workshops are tentatively scheduled to be held in Riverside, Sacramento, and Redding during the early parts of the month of August 1992.

The Desk Manual contains detailed information on the following topics:

1. Permitting A Solid Waste Facility
2. Solid Waste Facilities Permit Applications
3. Reports of Facility Information
4. Periodic Site Review
5. Review of Permits
6. Information To Be Contained In A Solid Waste Facilities Permit
7. Exclusions and Exemptions
8. Title 14, California Code of Regulations
9. California Integrated Waste Management Statutes

Because of the increasing complexity of the solid waste facilities permitting process, LEAs, Operators, and consultants are looking forward to the completion and Board adoption for distribution of the revised Permit Desk Manual with great anticipation.

STAFF RECOMMENDATION:

Adopt and approve the distribution of the Permit Desk Manual.

Prepared by: Tadese Gebre-Hawariat TGH Phone: 255-2438

Reviewed by: Phillip PJM J. Moralez/Martha Vazquez Phone: 255-2619

Legal review: RFC Date/Time: 5-27-92 10h40

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee

June 10, 1992

AGENDA ITEM # 17

ITEM: Consideration of Proposed Amendments to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.5, Sections 18281, 18283 and 18292

BACKGROUND:

Existing regulations provide the following financial mechanisms to operators of solid waste landfills to demonstrate financial responsibility for closure and postclosure maintenance costs.

- Trust Fund
- Letter of Credit
- Government Securities (public entities only)
- Surety Bond
- Enterprise Fund (public entities only)
- Pledge of Revenue (public entities for postclosure maintenance only)
- Financial Means Test (private entities for postclosure maintenance only)
- Corporate Guarantee (private entities for postclosure maintenance only)

ANALYSIS:

Board staff and representatives from the federal government developed the proposed amendments, which provide an additional financial assurance mechanism for federal entities who operate solid waste landfills. These amendments (Attachment 1) are being presented to the Committee for approval to be publicly noticed.

Just as other government and private entities have available to them, mechanisms which are unique to their organizational structure, so the federal government has requested that a mechanism allowing a certification process be added for use by federal entities who operate solid waste landfills. The addition of the federal certification process allows more flexibility to the federal government in complying with the requirements of 14 CCR Article 3.5.

The federal certification documentation includes the following information:

1) A commitment by the federal entity to make a timely request for the funds needed to complete the closure and postclosure maintenance activities described in the most recently approved final closure and postclosure maintenance plans;

2) Copies of the initial closure and postclosure maintenance cost estimates, as well as any amendments to those estimates; and

3) A commitment by the federal entity not to restructure the closure and postclosure funding in a manner that would interfere with timely completion of closure or postclosure maintenance activities.

The federal government, by virtue of the Office of Management and Budget (OMB) Circular A-106, is committed to complying with all state and federal environmental laws. The OMB Circular A-106, which is incorporated by reference in the regulations, sets forth funding requirements, management information, and compliance guidelines for federal entities involved in environmental activities.

STAFF COMMENTS:

Board staff determined that, based on the unique financial structure and needs of the federal government, the proposed amendment to the regulations is appropriate.

ATTACHMENT:

1. Proposed Amendments to 14 CCR sections 18281, 18283, and 18292

Prepared By: Diana Thomas/Garth C. Adams Phone 255-2440

Approved By: Martha Vazquez Phone 255-2454

Approved by Legal: RFC Date 5/31/92 Time 11h 37

May 28, 1992

PROPOSED AMENDMENTS TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, DIVISION 7, CHAPTER 5, ARTICLE 3.5 FINANCIAL RESPONSIBILITY FOR CLOSURE AND POSTCLOSURE MAINTENANCE OF A SOLID WASTE LANDFILL

Existing sections affected:

Section Title	Section Number
Definitions	18281
Acceptable Mechanisms and Combinations of Mechanisms	18283

New section:

Federal Certification	18292

Note: A Section 100 change will be filed with the Office of Administrative Law to make the following changes:

(1) renumber existing section 18281 subsections (g) through (x) to read (h) through (y);

(2) renumber existing section 18283 subsection (g) to read (h);

(3) renumber existing sections 18292 through 18297 to read 18293 through 18298;

(4) correct any reference in the regulations to renumbered sections; and

(5) correct Government Code references in sections with changes.

NOTE: New text shown in underline and deleted text shown in ~~strikeout~~.

Section 18281. Definitions.

(g) "Federal entity" means the United States Government, or any department, agency, or instrumentality thereof.

~~(g)~~(h) "Financial means test" means the financial assurance mechanism specified in Section 18289, of this Article, by which an operator demonstrates its ability to pay future postclosure maintenance costs by satisfying a prescribed set of financial criteria.

~~(h)~~(i) "Financial reporting year" means the twelve-month period for which financial statements that are used to support the financial means test are prepared.

~~(i)~~(j) "Government securities" means financial obligations meeting the requirements of Section 18286, of this Article, that are issued by a federal, state, or local government, including general obligation bonds, revenue bonds, and certificates of participation.

~~(j)~~(k) "Guarantee" means a contract meeting the requirements of Section 18291, of this Article, by which a guarantor promises that, if the operator fails to perform postclosure maintenance, the guarantor will perform postclosure maintenance or will establish and fund a trust fund in the name of the operator to pay for such activities.

~~(k)~~(l) "Letter of credit" means a contract meeting the requirements of Section 18287, of this Article, by which the issuing institution promises to extend credit on behalf of an operator to the Board or the local enforcement agency upon the presentation of the mechanism in accordance with its terms.

~~(l)~~(m) "Liabilities" means probable future sacrifices of economic benefits arising from present obligations to transfer assets or provide services to other entities in the future, as a result of past transactions or events.

~~(m)~~(n) "Net working capital" means current assets minus current liabilities.

~~(n)~~(o) "Net worth" means total assets minus total liabilities and is equivalent to owner's equity.

~~(o)~~(p) "Operating" means currently active or the period of site activity from the first receipt of waste until the final receipt of waste consistent with the normal pattern of operation in the solid waste facilities permit.

~~(p)~~(q) "Parent corporation" means a corporation that owns directly or through its subsidiaries at least 50 percent of the voting stock of a corporation that operates a solid waste landfill.

~~(q)~~(r) "Pledge of revenue" means a financial assurance mechanism meeting the requirements of Section 18290, of this Article, by which a government unit promises to make specific, identified future revenue available to pay future postclosure maintenance costs.

~~(r)~~(s) "Permitted capacity filled during the past year" means the portion of a solid waste landfill's total permitted capacity that was filled during the following period:

(1) From the effective date of this Article until 60 days prior to any anniversary date of the establishment of a trust fund or an enterprise fund that occurs within one year after the effective date; and

(2) From 60 days before any other anniversary date of the establishment of a trust fund or an enterprise fund to 60 days before the subsequent anniversary date.

~~(s)~~(t) "Provider of financial assurance" means an entity, other than an operator, that provides financial assurance to an operator of a solid waste landfill, including a trustee, an institution issuing a letter of credit, a surety company, a guarantor, or an institution providing a financial assurance mechanism used in conjunction with an enterprise fund, government securities, or pledge of revenue.

~~(t)~~(u) "Substantial business relationship" means a business relationship that arises form a pattern of recent or ongoing business transactions, in addition to the issuance of a guarantee under Section 18291 of this Article.

~~(u)~~(v) "Surety bond" means a contract meeting the requirements of Section 18288, of this Article, by which a surety company promises that, if the operator fails to perform required closure and/or postclosure maintenance, the surety company will be liable for the operator's responsibilities as specified by the bond.

~~(v)~~(w) "Tangible net worth" means the tangible assets that remain after deducting liabilities; such assets do not include intangibles such as goodwill and rights to patents or royalties.

~~(w)~~(x) "Total permitted capacity" means the capacity approved by the landfill's permit, including any changes in capacity approved by a new permit or a permit modification; but excluding any capacity filled prior to August 18, 1989.

~~(x)~~(y) "Trust fund" means a contract meeting the requirements of Section 18284, of this Article, by which the operator transfers assets to a trustee to hold on behalf of the Board or its designee to pay closure and/or postclosure maintenance costs.

NOTE: Authority Cited: Section 40502, Public Resources Code~~, and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

Section 18283. Acceptable Mechanisms and Combinations of Mechanisms.

(a) Subject to the limitations of subsections (b) through ~~(f)~~(g), an operator shall use any one or any combination of the mechanisms specified in sections 18284 through 1829~~1~~2, of this Article, to demonstrate financial responsibility for one or more solid waste landfills.

(g) The Federal Certification mechanism provided in section 18292 of this Article shall only be used by federal entities.

~~(g)~~(h) A government agency may act as a provider of financial assurance for a solid waste landfill by using a pledge of revenue to demonstrate financial responsibility for postclosure maintenance on behalf of the operator, if either:

(1) the agency owns the solid waste landfill; or

(2) the agency is the rate setting authority and has control of the waste stream in the jurisdiction where the solid waste landfill is located.

NOTE: Authority Cited: Section 40502, Public Resources Code, ~~and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

Section 18287. Letter of Credit.

(a) The institution issuing a letter of credit shall have the authority to issue letters of credit and its letter-of-credit operations shall be regulated and examined by a federal or state agency.

(b) The letter of credit shall be worded and completed as specified by CWMB Form 101 (6/89) which is incorporated by reference.

(c) The letter of credit shall be accompanied by a letter from the operator identifying the number, issuing institution, and date of issuance of the letter of credit and the name, address, solid waste information system number, and amount of funds assured by the letter of credit for closure and/or postclosure maintenance for each solid waste landfill.

(d) The letter of credit shall be irrevocable and shall be issued for a period of at least one year, except as noted in subsection (2).

(1) The letter of credit shall provide that the expiration date will be automatically extended for a period of at least one year, unless the issuing institution provides notice of termination as specified in Section 182~~93~~4(a) of this Article.

(2) If an operator fails to demonstrate alternate coverage within 60 days after receiving of a notice of termination, the Board may allow an issuing institution to extend the term of a letter of credit for a period of time shorter than one year.

(e) The issuing institution shall become liable under the terms of the letter of credit if the Board determines that the operator has failed to perform closure or postclosure maintenance as guaranteed by the mechanism.

NOTE: Authority Cited: Section 40502, Public Resources Code, ~~and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

Section 18292. Federal Certification.

(a) A federal entity which is responsible for closure or postclosure maintenance of one or more solid waste landfills located in California may, in lieu of using the other financial mechanisms provided in this Article, provide a Federal Certification for each landfill, in accordance with this section.

(b) Each Federal Certification shall include the following:

(1) A commitment by the federal entity to make a timely request for the funds needed to complete the closure and postclosure maintenance activities described in the most recently approved final closure and postclosure maintenance plans in accordance with Executive Order 12088 and OMB Circular A-106, which are incorporated herein by reference, or any pertinent amendments to those requirements;

(2) Copies of the initial closure and postclosure maintenance cost estimates and any amendments thereto, prepared pursuant to sections 18263 and 18266, respectively of this Article; and

(3) A commitment by the federal entity not to restructure the closure and postclosure funding in a manner that would interfere with timely completion of closure or postclosure maintenance activities.

(c) Should Congress fail to appropriate the necessary funding for closure and postclosure maintenance of a site, the federal entity shall advise the Board and the local enforcement agency within 90 days of such failure, and shall provide to the Board, documentation of all measures it will undertake to ensure that closure and postclosure activities are completed in accordance with the most recently approved closure and postclosure maintenance plans.

(d) Nothing in this section shall be deemed to require any federal entity, or employees, agents, or representative thereof, to violate the federal Anti-Deficiency Act, 31 U.S.C. § 1341.

(e) Each federal entity owning or operating a solid waste landfill in California on or after January 1, 1989, and choosing to provide financial assurance by using the Federal Certification, shall file the necessary documents with the Board and the local enforcement agency not later than 120 days after the effective date of these amendments or, for new facilities, at the time of application for a solid waste facilities permit.

(f) A federal entity may choose to act as a provider of financial assurance for closure or postclosure maintenance on behalf of private or other entities operating solid waste landfills, if either:

(1) The landfill is located on federal land; or

(2) The operator operates or manages the landfill pursuant to a contract with the federal entity or an applicable subcontract.

NOTE: Authority Cited: Section 40502, Public Resources Code. Reference: Sections 43500 through 43610, Public Resources Code.

Section 182~~92~~3. Substitution of Mechanisms by Operator.

(a) An operator may substitute any alternate financial assurance mechanism(s) acceptable to the Board as specified in this Article, provided that at all times the operator maintains an effective mechanism or a combination of effective mechanisms that satisfies the requirements of section 18283 of this Article.

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(b) After obtaining alternate financial assurance, an operator may request that the Board terminate or authorize the termination of a financial assurance mechanism. The operator shall submit such a request in writing with evidence of alternate financial assurance.

(c) Following approval by the Board, the operator may cancel a financial assurance mechanism by giving notice to the provider of financial assurance.

NOTE: Authority Cited: Section 40502, Public Resources Code,. ~~and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code~~. Sections 43500 through 43610, Public Resources Code.

Section 1829~~3~~4. Cancellation or Nonrenewal by a Provider of Financial Assurance.

(a) Except as otherwise provided, a provider of financial assurance may cancel or fail to renew a financial assurance mechanism by sending a notice of termination by registered or certified mail to the operator, the Board, and the local enforcement agency.

(b) Termination of a letter of credit, a surety bond, or a guarantee shall not occur until 120 days after the date on which the operator, the Board, and the local enforcement agency have all received the notice of termination, as evidenced by the return receipts.

(c) If a provider of financial assurance cancels or fails to renew a mechanism for reasons other than its bankruptcy or incapacity, the operator shall obtain alternate coverage within 60 days after receiving the notice of termination. If the operator fails to obtain alternate coverage within the 60 days,m the operator shall notify the Board and the local enforcement agency of such failure.

NOTE: Authority Cited: Section 40502, Public Resources Code,. ~~and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code~~. Sections 43500 through 43610, Public Resources Code.

Section 1829~~4~~5. Bankruptcy or Other Incapacity of Operator or provider of Financial Assurance.

(a) Within 10 days after commencement of a voluntary or involuntary proceeding under the Bankruptcy Code, 11 U.S.C., Sections 101-1330, naming an operator as debtor, the operator shall notify the Board and the local enforcement agency by registered or certified mail of such commencement and submit the appropriate evidence listed in Section 1829~~6~~7(b), of this Article, documenting current financial responsibility.

(b) Within 10 days after commencement of a voluntary or involuntary proceeding under the Bankruptcy Code, 11 U.S.C., Sections 101-1330, naming a provider of financial assurance as debtor, such provider shall notify the operator, the Board, and the local enforcement agency by registered or certified mail of such commencement.

(c) An operator will be deemed to be without the required financial assurance in the event of bankruptcy or other incapacity of its provider of financial assurance or in the event of suspension or revocation of the authority of the provider of financial assurance to issue a mechanism. If such an event occurs, the operator shall demonstrate alternate financial assurance as specified in this Article within 60 days after receiving notice of the event. If the operator fails to obtain alternate coverage within the 60 days, the operator shall notify the Board and the local enforcement agency of such failure.

NOTE: Authority Cited: Section 40502, Public Resources Code~~,~~. ~~and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

Section 182~~95~~6. Depository Trust Fund.

(a) The Board may require an operator using a letter of credit, a surety bond, or, as applicable, a financial assurance mechanism used in conjunction with an enterprise fund or with government securities, to establish a depository trust fund meeting the requirements of subsection (c) if:

(1) The operator fails to demonstrate alternate financial assurance within 60 days after receiving notice of cancellation of the mechanism; or

(2) The operator fails to perform closure or postclosure maintenance in accordance with the applicable approved closure or postclosure plan and permit requirements when required to do so by the Board or the local enforcement agency and, in the case of a performance bond, the surety company fails to perform such activities on behalf of the operator.

(b) The Board may require an institution issuing a letter of credit, a surety company, or, as applicable, a provider of a financial assurance mechanism used in conjunction with an enterprise fund or government securities to:

(1) Establish a depository trust fund meeting the requirements of subsection (c) if the operator fails to establish a depository trust fund as required by subsection (a); and

(2) Place into the depository trust fund an amount of funds, stipulated by the Board, up to the limit of funds provided by the financial assurance mechanism.

(c) The depository trust fund shall meet the requirements of Section 18284(a) and (b) of this Article.

(d) The Board may draw on the depository trust fund as specified by the trust agreement.

(e) If, at any time, the value of the depository trust fund is greater than the required amount of coverage minus the amount of coverage demonstrated by other mechanisms, the provider of financial assurance that established the depository trust fund may request in writing that the Board authorize the release of the excess funds. No later than 60 days after receiving such a request, the Board will review the request and, if any excess funds are verified, will instruct the trustee to release the funds.

NOTE: Authority Cited: Section 40502, Public Resources Code~~,~~. ~~and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

Section 182~~96~~7. Record Keeping and Reporting.

(a) An operator shall maintain evidence of all financial assurance mechanisms used to demonstrate financial responsibility until the operator is released from the requirements of this Article under Section 182~~97~~8. This evidence shall be maintained at the solid waste landfill, whenever possible. When no office is located at the landfill, the evidence shall be maintained at

an alternate, designated location that is approved by the Board and accessible to the operator.

(b) The operator shall maintain the following types of evidence:

(1) Each operator shall maintain the original or a copy of each assurance mechanism used to provide financial responsibility under this Article and documentation of the estimated total permitted capacity of the solid waste landfill.

(2) An operator using a trust fund or an enterprise fund with a buildup period specified by Section 18282(b), of this Article, shall maintain documentation of the remaining capacity filled during the past year foe each landfill covered by the fund for each year of the buildup period.

(3) An operator using a trust fund or an enterprise fund with a schedule of payments specified under Section 18282(d), of this Article, shall maintain documentation of the schedule.

(4) An operator using an enterprise fund shall maintain a copy of the following:

(A) All official resolutions, forms, letters, or other pertinent documents generated to establish the fund;

(B) The annual financial statements of the fund; and

(C) With respect to the financial assurance mechanism into which enterprise fund revenue is deposited:

(i) The mechanism, which shall identify the solid waste landfills and the current closure and/or postclosure costs estimate(s) covered by the mechanism;

(ii) A letter from an authorized officer of the institution maintaining the mechanism identifying the amount of coverage provided by the mechanism as of the date of its establishment and each anniversary date of establishment; and

(iii) Documentation that the mechanism meets the requirements of Section 18285(b) of this Article.

(5) An operator using government securities shall maintain a copy of the following:

(A) All official resolutions, forms, letters, or other pertinent documents generated to issue the securities;

(B) The terms of issuance of the securities; and

(C) With respect to the financial assurance mechanism into which proceeds from the issuance are deposited, the information listed in subsection (4) (C) (i), (ii), and (iii).

(6) An operator using a pledge of revenue shall do both of the following:

(A) Maintain a copy of the following:

(i) All official resolutions, forms, letters, and other pertinent documentation generated to authorize the pledge of revenue;

(ii) The agreement between the Board and the operator or provider of financial assurance as specified in Section 18290(b) of this Article; and
(iii) Documentation that the pledged revenue will be available in a timely manner to pay postclosure maintenance costs.

(B) Submit to the local enforcement agency and the Board, at least annually in conjunction with the adjustment of cost estimates pursuant to Title 14, CCR, Section 18272(d), a demonstration that the pledge is still in effect.

(7) An operator using a financial means test or a guarantee shall maintain a copy of the information specified in Section 18289(e) of this Article.

(8) An operator using a guarantee shall maintain documentation of the guarantor's qualifications for providing a guarantee under Section 18291(a) of this Article.

(c) An operator shall submit current evidence of financial responsibility, as described in subsection (b), to the Board and the local enforcement agency:

(1) Whenever a financial assurance mechanism is established or amended. In the case of a letter of credit, surety bond, financial test, or guarantee, such documentation shall include the original mechanism or amendment;

(2) With the submission of a closure or a postclosure plan required by Chapter 5, Article 3.4, Section 18255 or the amendment of a cost estimate in a closure or postclosure plan as required by Chapter 5, Article 3.4, Section 18272;

(3) If the operator fails to obtain alternate coverage as required by this Article, within 60 days after the operator receives notice of:

(A) Commencement of a voluntary or involuntary proceeding under the Bankruptcy Code, 11 U.S.C., Sections 101-1330, naming a provider of financial assurance as a debtor,

(B) Suspension or revocation of the authority of a provider of financial assurance to issue a financial assurance mechanism,

(C) Failure of a guarantor to meet the requirements of the financial means test, or

(D) Other incapacity of a provider of financial assurance; or

(4) If the operator fails to increase the balance of a trust fund or an enterprise fund in accordance with the buildup specified by Section 18282(b), of this Article, or with the schedule of payments specified by Section 18282(d) of this Article.

NOTE: Authority Cited: Section 40502, Public Resources Code, ~~and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

Section 182~~97~~8. Release of an Operator from the Requirements.

(a) After receiving and approving certification of closure from an operator as specified by Chapter 5, Article 3.4, Section 18275, the Board shall notify the operator in writing that it is no longer required to maintain financial assurance for closure of the particular solid waste landfill pursuant to this Article.

(b) When the Board determines that an operator has completed postclosure maintenance in accordance with the applicable postclosure plan and permit requirements, the Board shall notify the operator in writing that it is no longer required to maintain financial assurance for postclosure maintenance of the particular solid waste landfill pursuant to this Article.

(c) When operational control of a solid waste landfill is transferred, the existing operator shall remain subject to the requirements of this Article until the Board issues a permit to the new operator.

(d) When the Board releases an operator that is using a trust fund or a similar financial assurance mechanism in conjunction with an enterprise fund or government securities from the requirements of this Article, the Board shall authorize the termination of the trust fund or the similar mechanism.

NOTE: Authority Cited: Section 40502, Public Resources Code~~,~~. ~~and 66796.22(d), Government Code~~. Reference: ~~Section 66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

presidential documents

[3195-01-M]

Title 3—The President

Executive Order 12088 October 13, 1978

Federal Compliance With Pollution Control Standards

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 22 of the Toxic Substances Control Act (15 U.S.C. 2621), Section 313 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1323), Section 1447 of the Public Health Service Act, as amended by the Safe Drinking Water Act (42 U.S.C. 300j-6), Section 118 of the Clean Air Act, as amended (42 U.S.C. 7418(b)), Section 4 of the Noise Control Act of 1972 (42 U.S.C. 4903), Section 6001 of the Solid Waste Disposal Act, as amended (42 U.S.C. 6961), and Section 301 of Title 3 of the United States Code, and to ensure Federal compliance with applicable pollution control standards, it is hereby ordered as follows:

1-1. *Applicability of Pollution Control Standards.*

1-101. The head of each Executive agency is responsible for ensuring that all necessary actions are taken for the prevention, control, and abatement of environmental pollution with respect to Federal facilities and activities under the control of the agency.

1-102. The head of each Executive agency is responsible for compliance with applicable pollution control standards, including those established pursuant to, but not limited to, the following:

(a) Toxic Substances Control Act (15 U.S.C. 2601 *et seq.*).

(b) Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 *et seq.*).

(c) Public Health Service Act, as amended by the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*).

(d) Clean Air Act, as amended (42 U.S.C. 7401 *et seq.*).

(e) Noise Control Act of 1972 (42 U.S.C. 4901 *et seq.*).

(f) Solid Waste Disposal Act, as amended (42 U.S.C. 6901 *et seq.*).

(g) Radiation guidance pursuant to Section 274(h) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2021(h); see also, the Radiation Protection Guidance to Federal Agencies for Diagnostic X Rays approved by the President on January 26, 1978 and published at page 4377 of the FEDERAL REGISTER on February 1, 1978).

(h) Marine Protection, Research, and Sanctuaries Act of 1972, as amended (33 U.S.C. 1401, 1402, 1411-1421, 1441-1444 and 16 U.S.C. 1431-1434).

(i) Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 *et seq.*).

1-103. "Applicable pollution control standards" means the same substantive, procedural, and other requirements that would apply to a private person.

1-2. *Agency Coordination.*

1-201. Each Executive agency shall cooperate with the Administrator of the Environmental Protection Agency, hereinafter referred to as the Adminis-

trator, and State, interstate, and local agencies in the prevention, control, and abatement of environmental pollution.

1-202. Each Executive agency shall consult with the Administrator and with State, interstate, and local agencies concerning the best techniques and methods available for the prevention, control, and abatement of environmental pollution.

1-3. *Technical Advice and Oversight.*

1-301. The Administrator shall provide technical advice and assistance to Executive agencies in order to ensure their cost effective and timely compliance with applicable pollution control standards.

1-302. The administrator shall conduct such reviews and inspections as may be necessary to monitor compliance with applicable pollution control standards by Federal facilities and activities.

1-4. *Pollution Control Plan.*

1-401. Each Executive agency shall submit to the Director of the Office of Management and Budget, through the Administrator, an annual plan for the control of environmental pollution. The plan shall provide for any necessary improvement in the design, construction, management, operation, and maintenance of Federal facilities and activities, and shall include annual cost estimates. The Administrator shall establish guidelines for developing such plans.

1-402. In preparing its plan, each Executive agency shall ensure that the plan provides for compliance with all applicable pollution control standards.

1-403. The plan shall be submitted in accordance with any other instructions that the Director of the Office of Management and Budget may issue.

1-5. *Funding.*

1-501. The head of each Executive agency shall ensure that sufficient funds for compliance with applicable pollution control standards are requested in the agency budget.

1-502. The head of each Executive agency shall ensure that funds appropriated and apportioned for the prevention, control and abatement of environmental pollution are not used for any other purpose unless permitted by law and specifically approved by the Office of Management and Budget.

1-6. *Compliance With Pollution Controls.*

1-601. Whenever the Administrator or the appropriate State, interstate, or local agency notifies an Executive agency that it is in violation of an applicable pollution control standard (see Section 1-102 of this Order), the Executive agency shall promptly consult with the notifying agency and provide for its approval a plan to achieve and maintain compliance with the applicable pollution control standard. This plan shall include an implementation schedule for coming into compliance as soon as practicable.

1-602. The Administrator shall make every effort to resolve conflicts regarding such violation between Executive agencies and, on request of any party, such conflicts between an Executive agency and a State, interstate, or a local agency. If the Administrator cannot resolve a conflict, the Administrator shall request the Director of the Office of Management and Budget to resolve the conflict.

1-603. The Director of the Office of Management and Budget shall consider unresolved conflicts at the request of the Administrator. The Director shall seek the Administrator's technological judgment and determination with regard to the applicability of statutes and regulations.

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1-604. These conflict resolution procedures are in addition to, not in lieu of, other procedures, including sanctions, for the enforcement of applicable pollution control standards.

1-605. Except as expressly provided by a Presidential exemption under this Order, nothing in this Order, nor any action or inaction under this Order, shall be construed to revise or modify any applicable pollution control standard.

1-7. *Limitation on Exemptions.*

1-701. Exemptions from applicable pollution control standards may only be granted under statutes cited in Section 1-102(a) through 1-102(f) if the President makes the required appropriate statutory determination: that such exemption is necessary (a) in the interest of national security, or (b) in the paramount interest of the United States.

1-702. The head of an Executive agency may, from time to time, recommend to the President through the Director of the Office of Management and Budget, that an activity or facility, or uses thereof, be exempt from an applicable pollution control standard.

1-703. The Administrator shall advise the President, through the Director of the Office of Management and Budget, whether he agrees or disagrees with a recommendation for exemption and his reasons therefor.

1-704. The Director of the Office of Management and Budget must advise the President within sixty days of receipt of the Administrator's views.

1-8. *General Provisions.*

1-801. The head of each Executive agency that is responsible for the construction or operation of Federal facilities outside the United States shall ensure that such construction or operation complies with the environmental pollution control standards of general applicability in the host country or jurisdiction.

1-802. Executive Order No. 11752 of December 17, 1973, is revoked.

Jimmy Carter

THE WHITE HOUSE,
October 13, 1978.

[FR Doc. 78-29406 Filed 10-13-78; 3:40 pm]

EDITORIAL NOTE: The President's statement of Oct. 13, 1978, on signing Executive Order 12088 and his memorandum for the heads of departments and agencies, dated Oct. 13, 1978, on Federal compliance with pollution control standards are printed in the Weekly Compilation of Presidential Documents (vol. 14, no. 41).

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

December 31, 1974 CIRCULAR NO. A-106

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Reporting Requirements in Connection With the Prevention, Control, and Abatement of Environmental Pollution at Existing Federal Facilities

1. Purpose. This Circular provides procedures to be followed by Federal agencies in carrying out the provision of Section 3(a)(3) of Executive Order No. 11752 of December 17, 1973, pertaining to the control of environmental pollution from existing Federal facilities.

2. Rescission. This Circular, supercedes and rescinds Office of Management and Budget (OMB) Circulars No. A-78 and A-81 dated May 18, 1970.

3. Definitions.

a. The term "Federal agencies" means the departments, agencies, establishments, and instrumentalities of the executive branch.

b. The term "facilities" means the buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the Federal Government.

c. The term "project" means an action to achieve needed corrective measures relative to identified environmental pollution sources within a Federal facility.

d. The term "cost" means the amount of funds required for putting in place the necessary environmental protection measures. These costs include the capital costs of structure and equipment, irrespective of the appropriation chargeable, but not the annual maintenance and operating costs.

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EXHIBIT
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e. The term "lease-construction" means construction of a facility by a private entrepreneur to meet requirements of a Federal agency in consideration of a commitment by the agency to lease the facility at a specified price for a specified time period.

f. The term "Director" means the Director of the Office of Management and Budget.

g. The term "Administrator" means the Administrator of the Environmental Protection Agency.

4. Standards. All facilities are to conform to the requirements specified in Section 4 of the Order. Those requirements are as follows:

a. Federal, State, interstate, and local air quality standards and emission limitations adopted in accordance with or effective under the provisions of the Clean Air Act, as amended.

b. Federal, State, interstate, and local water quality standards and effluent limitations respecting the discharge or runoff of pollutants adopted in accordance with or effective under the provisions of the Federal Water Pollution Control Act, as amended.

c. Federal regulations and guidelines respecting dumping of material into ocean waters adopted in accordance with the Marine Protection, Research, and Sanctuaries Act of 1972, and the Federal Water Pollution Control Act, as amended.

d. Guidelines for solid waste recovery, collection, storage, separation, and disposal systems issued by the Administrator pursuant to the Solid Waste Disposal Act, as amended.

e. Federal noise emission standards for products adopted in accordance with provisions of the Noise Control Act of 1972 and State, interstate, and local standards for control and abatement of environmental noise.

f. Federal guidance on radiation and generally applicable environmental radiation standards promulgated or recommended by the Administrator and adopted in accordance with the Atomic Energy Act, as amended (42 U.S.C. 2011), and

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rules, regulations, requirements, and guidelines on discharges of radioactivity as prescribed by the Atomic Energy Commission.

g. Federal regulations and guidelines respecting manufacture, transportation, purchase, use, storage, and disposal of pesticides promulgated pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by the Federal Environmental Pesticide Control Act of 1972.

5. Agency Responsibilities. Pursuant to their responsibilities under the Order, Federal agencies:

a. Should cooperate with State, interstate, and local pollution control agencies and with other Federal agencies in the evaluation of their pollution control needs.

b. May seek the assistance of the Administrator to determine the standards and the appropriate implementation schedules applicable to particular facilities.

6. Pollution Control Plans.

a. Federal agencies must develop plans to assure that their facilities meet the standards listed in paragraph 4 of this Circular.

b. Such plans are to cover existing facilities as defined in paragraph 3b of this Circular. "Lease-construction" is an example of a type of facility covered under this provision, but facilities used under ordinary leases are not covered. Remedial measures required for buildings and equipment owned by non-Federal lessees on Federal land are not to be reported under this Circular unless the responsible Federal agency attests that they are constructed and operated for a Federal purpose. In cases where lease agreements with non-Federal lessees obligate the Federal Government to provide pollution control measures, remedial measures are to be reported under this Circular.

c. The agency plan should include all projects involving "costs," as defined in paragraph 3d of this Circular, which are necessary to bring existing facilities into compliance with applicable standards. Funds required for studies, management and monitoring associated with the definition and development of corrective measures and

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necessary equipment to assure compliance with standards should also be included in the plan.

d. In determining the most cost-effective remedial measures necessary for a particular facility to meet the standards, agencies should take into account such factors as: the future use of the facility; the best practicable technology available; the need for control system reserve capacity; the various alternative methods of control including process change; and the use of joint or regional pollution control facilities.

e. Agency plans should include the milestones for the design, construction, and completion of projects which, when submitted to the Director, will represent an agency commitment to comply with applicable standards considering the Federal budgetary process and assuming that the requested funds will be appropriated by the Congress and allocated to the agency as planned.

f. Facilities may be exempted from applicable standards in the interest of national security or in extraordinary cases in which it is in the paramount interest of the United States. Such exemptions must be made in accordance with the provisions of Section 5 of the Order.

7. Reports.

a. Agency plans are to be reported in accordance with procedures prescribed by the Administrator. Such procedures will provide for submission of pertinent details of each individual project and a summary status report of the overall plan.

b. The reports will be submitted semiannually on December 31 and June 30 to the Director thru the Administrator. After review of the reports, the Administrator will forward the agency's reports to the Director.

c. By September 30 of each year the Administrator will also forward to the Director an evaluation of each agency's report.

8. Communications with the Administrator. Communications with the Administrator should be directed to the Environmental Protection Agency, attention: Office of

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Federal Activities, 401 M Street, S.W., Washington, D.C. 20460, phone 755-0790 (code 138).

9. Communications with the Director. Questions regarding the implementation of this Circular should be addressed to the Office of Management and Budget, Washington, D.C. 20503, phone 395-6827 (code 103).

ROY L. ASH
DIRECTOR

(No. A-106)

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee

June 10, 1992

AGENDA ITEM # 18

ITEM: Consideration of Proposed Amendments to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.3, sections 18232 and 18240

BACKGROUND:

On April 29, 1992, the Board adopted an emergency regulation package to amend the "Financial Responsibility for Operating Liability Claims" regulations. The amendments are limited to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.3, sections 18232 and 18240 (attachment 1).

On May 12, 1992, the emergency regulations were delivered to the Office of Administrative Law for review and approval.

On May 19, 1992, the emergency regulations were filed with the Secretary of State.

ANALYSIS:

At this time, the final rulemaking process can be undertaken by the Board, whereby the emergency regulations can be replaced by final regulations.

STAFF COMMENTS:

At the Committee's direction, the amendments to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.3, sections 18232 and 18240 will be "noticed" through the Office of Administrative Law.

ATTACHMENTS:

1. Proposed amendments to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.3, sections 18232 and 18240, as prepared for public notice.

Prepared By: Garth C. Adams/Richard Castle Phone 255-2446
Approved By: Martha Vazquez/Phil Mohalez Phone 255-2453
Approved by Legal: RFC Date 5/26/92 Time 1555

PROPOSED AMENDMENTS TO: Attachment 1

Title 14: Natural Resources
Division 7: California Integrated Waste Management Board
Chapter 5: Enforcement of Solid Waste Minimum Standards and Administration of Solid Waste Facilities Program
Article 3.3: Financial Responsibility for Operating Liability Claims

Additions are identified with redline.
Deletions are identified with strikeout "-"

Section 18232. Amount of Required Coverage.

(a) An operator of one or more solid waste disposal facilities shall demonstrate financial responsibility for compensating third parties for bodily injury and property damage caused by accidental occurrences in at least the amount of:

(1) One million dollars ($1,000,000) per occurrence; and

(2) One million dollars ($1,000,000) annual aggregate for 1 facility.

(~~2~~3) Two million dollars ($2,000,000) annual aggregate for ~~up to~~ 2 facilities.

(~~3~~4) Three million dollars ($3,000,000) annual aggregate for 3 facilities.

(~~4~~5) Four million dollars ($4,000,000) annual aggregate for 4 facilities.

(~~5~~6) Five million dollars ($5,000,000) annual aggregate for 5 or more facilities, which is the maximum coverage required.

(b) The required amounts of coverage shall be exclusive of legal defense costs, deductibles and self-insured retentions.

(c) The required amounts of coverage shall apply exclusively to an operator's facility or facilities located in the State of California.

(d) An operator may use one or more mechanisms to provide proof of financial assurance.

(e) If a trust fund or government securities is depleted to compensate third parties for bodily injuries and/or property damages caused by accidental occurrences, the operator shall, within one year of the depletion, demonstrate financial responsibility for the full amount of coverage required by section

(a) by replenishing the depleted mechanism(s) and/or acquiring additional financial assurance mechanism(s).

(f) If an environmental liability fund is depleted to compensate third parties for bodily injuries and/or property damages caused by an accidental occurrence, the operator shall, within one year of the depletion, demonstrate financial responsibility for the full amount of coverage required by section 18240(d) of this Article, as if no depletion had occurred.

NOTE: Authority cited: Section 40502 and 43040, Public Resources Code. Reference: Section 43040, Public Resources Code.

Section 18240. Insurance and Environmental Fund.

(a) To be eligible to use this mechanism to demonstrate financial responsibility for compensating third parties for bodily injury and property damage, the operator shall fulfill the requirements of sections (a) through (e) of this section no later than one day after the effective date of this Article.

(b) The operator shall submit a signed certification to the Board on form CIWMB 137 (11/91), which is incorporated by reference; and

(c) The operator shall submit certification of coverage to demonstrate the establishment and maintenance of comprehensive general liability insurance coverage with limits in at least the amounts specified in section 18232 of this Article. This insurance must conform to the requirements of sections 18236(a) through (d) and/or 18237(a) of this Article; and

(d) The operator shall demonstrate the establishment of an environmental liability fund, which shall be fully funded, as described, within 5 years of the effective date of this Article. This means that the operator shall make the initial payment as described in section 18240(d)(3) by July 2, 1992 and subsequent payments as described in section 18240(d)(4) on July 1st of the following years: 1993, 1994, 1995, 1996, and 1997.

(1) The environmental liability fund shall have a trustee that is authorized to act as a trustee and whose trust operations are regulated and examined by a federal or state agency.

(2) The environmental liability fund shall be established by using form CIWMB 138 (11/91), which is incorporated by reference.

(3) The funding of the environmental liability fund shall be initiated with a payment of ~~$400,000~~ $200,000 or a payment that is at least equal to the applicable aggregate liability coverage amount specified in section 18232 of this Article divided by 5, which is the maximum number of years in the pay-in period.

(4) On each anniversary date of the effective date of this Article, the minimum payment shall be determined by this formula:

$$\text{Minimum Payment} = \frac{AC - CV}{Y + 1}$$

where AC is the aggregate coverage required, CV is the current value of the trust fund and Y is the number of years remaining in the pay-in period.

(5) The operator may accelerate payments into the environmental liability fund. However, the value of the environmental liability fund shall be maintained at no less than the value that the environmental fund would have, if payments were made as specified in sections (3) and (4) of this section.

(6) If the value of the environmental liability fund becomes greater than the total amount of the applicable aggregate liability coverage, the operator may request in writing that the Board authorize the release of the excess funds. The Board shall review the request within 90 days of receipt of the request. If any excess funds are verified, the Board shall instruct the trustee to release the funds.

(e) The operator may substitute any alternate financial assurance mechanism(s), as identified in section 18241 of this Article, for the Insurance and Environmental Fund mechanism.

NOTE: Authority cited: Section 40502 and 43040, Public Resources Code. Reference: Section 43040, Public Resources Code.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
June 10, 1992

AGENDA ITEM 19

ITEM: Status of Berry Street Mall Landfill Closure Project, Placer County

BACKGROUND:

Public Resources Code (PRC) Sections 45402 and 45403 authorizes the California Integrated Waste Management Board (Board) to enter into contracts for the preparation and implementation of closure and postclosure maintenance plans and corrective actions.

To fully implement the Corrective Action Program, architect-engineer contract regulations were written, as mandated by Section 4526 of the Government Code, and were adopted in December 1991. This allowed the Board to award a $1,500,000 engineering services contract to Bryan A. Stirrat & Associates (BAS) on January 1, 1992, and a $2,500,000 environmental services contract to The Mark Group, Engineers and Geologists, Inc. (The Mark Group) on February 1, 1992.

Once the above mentioned requirements were in place, the Board began to effectively implement the Corrective Action Program. The first solid waste disposal site to be "cleaned up" by the Board is the Berry Street Mall Landfill located in the city of Roseville, Placer County. This site has not been in compliance with various permits and requirements issued by the Board, the Regional Water Quality Control Board (Water Board), and the Air Resources Board (Air Board) for several years. The last Notice and Order, No. 91-02, was issued to the owner, Berry Street Mall, Inc., and to the operator, William Finger, in November 1991. This Notice and Order directed Mr. Finger to stop allowing traffic on the landfill, to stop accepting concrete slurry or rock at the landfill, and to erect an eight-foot high fence around the site. This Notice and Order, like the previous ones issued by the Board, was not acquiesced. As a result, the Board exercised its authority to take corrective action at the site in December 1991.

ANALYSIS:

The Board's main objective in taking a corrective action is to protect the public from any potential environmental hazards and to correct those hazards in the safest and most cost-efficient way. In the case of Berry Street Mall Landfill, corrective action includes protection of the public from a subsurface fire and the suffocation of that fire. It also includes closure of the facility under Title 14 regulations and possible remediation if air or ground water is determined to be contaminated. A very significant factor which has dictated the schedule of this project is that staff has been directed to encumber this fiscal year's funds on this project. In order to accomplish that, the construction contract will have to be awarded before June 30, 1992. This requires almost all of the elements of the project to

be fast tracked. The following is a status summary of the various components of the Berry Street Mall Landfill closure project.

Fire Extinguishment

Once the Board exercised its authority over the site, a fence was immediately erected to protect the public and equipment from the danger of an underground fire that had been periodically observed for several years. The Board then contracted with The Mark Group to investigate the subsurface fire and extinguish it should it be determined to still be burning. The Mark Group has completed this investigation. The fire has been detected in the western quadrant of the landfill. Significant subsidence of the ground has occurred in this area due to the fire which has probably been burning for twenty or more years. The Mark Group is preparing a work plan to outline the procedures they will follow to extinguish the fire and the schedule and expenses associated with the procedures. Work will begin immediately after approval of this work plan and issuance of a work order from Board staff. A Class 8 exemption under CEQA was filed with the Governor's Office of Planning and Research. A Class 8 exemption pertains to State agencies undertaking remedial actions.

Closure Design

The Board also secured the services of BAS to prepare closure and postclosure maintenance plans for the site. These plans have been completed and are now being officially reviewed, as a part of the approval process, by staff from the Board's Closure and Remediation Branch, the Central Valley Regional Water Quality Control Board, and the Placer County Health Department [Local Enforcement Agency (LEA)]. These agencies have all agreed to complete their review by June 18, 1992. Final approval of the plans is expected June 19, 1992.

CEQA

The Board is the lead agency in the CEQA process. The landfill is a Class III landfill with no known hazardous waste or air or groundwater contamination. A Negative Declaration for the closure and postclosure maintenance plans was prepared and submitted to the State Clearinghouse on May 22, 1992. A shortened review period has been requested of other responsible agencies and granted. Assuming that no delays occur in the CEQA process, a public hearing, as required by CEQA, will be held at the next Board meeting, June 24, 1992. The Board will be requested to consider adoption of the Negative Declaration at this meeting.

Permitting

As with any landfill closure, the closure of Berry Street Mall Landfill must be permitted by the Board. Although the Board is actually implementing the closure plan, Board staff feel that the

procedures required of other operators should by followed. Therefore, a Revision to Reflect Closure will be requested after the closure and postclosure maintenance plans have been approved and the Negative Declaration has been adopted. If the Board decides to adopt the Negative Declaration and approve the award of the construction contract, construction can begin immediately. Board staff will seek concurrence of the Permit Revision to Reflect Closure from the Board at the July 29, 1992, Board meeting. Construction will begin before the permit revision is granted because the construction is remedial and is being performed for the protection of public health and the environment.

Construction

The work order which directs BAS to design and prepare the closure and postclosure maintenance plans also directs them to prepare technical plans and specifications for the construction contractor to implement the closure. These plans were made available to prequalified bidders on June 5, 1992. The list of prequalified bidders was approved by the Board on May 28, 1992. The bids for the Berry Street Mall Construction Closure are due to the Board on June 22, 1992. The bid opening is scheduled and publicly noticed for June 23, 1992, in the Public Information Office conference room. Board staff will select the low bidder and submit the contract to the Board at the June 24, 1992, Board meeting for consideration of approval. Closure construction will begin, as mentioned above, before the Solid Waste Disposal Permit to Reflect Closure is obtained. This is permissable because the construction is remedial.

STAFF COMMENTS:

Nothing is requested of the Committee members at this time. Due to the critical timing of this project, this agenda item was presented to the Committee for the purpose of informing the members of the progress of the Berry Street Mall Landfill Closure. As agreed during the May 13, 1992, Permitting and Enforcement Committee meeting, staff will seek approval of the contract award and adoption of the Negative Declaration directly from the Board on June 24, 1992.

Prepared by: Terri Rieken/Marge Rouch Phone: 255-2488/255-2487

Reviewed by: M. Wochnick/M. Vazquez Phone: 255-2480/255-2431

Legal review: _____ Date: 6-2-92 Time: _____

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
Permitting & Enforcement Committee

June 10, 1992

Agenda Item 20

ITEM: Consideration of Proposed Action by the Los Angeles Regional Water Quality Control Board & the Legislature Regarding Siting and Expansion of Landfills in Sand and Gravel Mining Pits

BACKGROUND:

Previously, "Mountjoy legislation" (Chapter 1476, Statutes of 1988, AB 3804) banned the established or lateral expansion of solid waste landfills in sand and gravel pits in river beds throughout the state of California.

The Mountjoy legislation provided for "exemptions" to the ban on a case-by-case basis.

Chapter 736, Statues of 1989, (AB 1092, Tanner) eliminated the possibility for such an exemption in the San Gabriel River Basin.

A proposed policy of the Los Angeles Regional Water Quality Control Board (LARWQCB) would eliminate the possibility for an exemption within the jurisdiction of the LARWQCB which includes the Los Angeles basin. This, in effect, would ban the future use of sand of and gravel pits as landfills.

Proposed legislation (SB 2882, Tanner) would have done the same for the entire state, but was withdrawn by the author.

The LARWQCB first announced their proposed policy in a memorandum to "all interested parties" dated October 31, 1991.

The Board's Permitting and Enforcement Committee discussed the issue briefly at its early April meeting during an open discussion session. Subsequently, members of the two boards met and discussed the issue. There was a more formal discussion of the issue at the Committee's meeting of May 13, 1992.

The LARWQCB had intended to consider the policy at their meeting of April 20, 1992, but continued the item due to a lack of a quorum. A special meeting of the LARWQCB to consider the proposed policy is to be convened on June 22, 1992.

ANALYSIS:

The ban from sand and gravel pits applies only to solid waste landfills, i.e. those typically receiving municipal solid waste.

The ban would apply not only to siting of new landfills, but also to lateral expansions that did not have all operating permits prior to January 1, 1989.

Previous bans were from modern river beds where sand and gravel had been mined. The current policy would apply to any mining pit, even in ancient river beds.

The ban does not apply to landfilling of "inert" wastes in these sand and gravel pits. The term "inert" is somewhat loosely defined, and may be subject to interpretation. Construction and demolition wastes as well as contaminated soils are seen by some as inert wastes, but not by all.

Federal mine reclamation law requires the aggregates industry to put their mines back into productive land use upon completion of mining. Productive land use could mean a trout pond or sports stadium, but generally, the mine pits are brought up to grade by backfilling with construction and demolition wastes.

The CIWMB regulates inert waste landfilling through the Solid Waste Facilities Permit. Generally, regional water boards do not issue Waste Discharge Requirements to inert waste fills; the LARWQCB is an exception.

Facilities that may be directly affected by the LARWQCB policy include:

1. **Azusa Landfill**

Operational Status: Permitted, active

Tonnage: Permitted for 6,500 tpd.
Received 67 tpd. (average), 198 tpd. maximum

- Stopped accepting decomposable wastes as of 2-21-91
- On 2-24-91 State Water Resource Control Board issued Wastes Discharge Order No. 91-09 allowing disposal of inert wastes only.
- LEA is seeking to have operator submit an application for permit review.

Azusa has received its permit to expand from both the LARWQBC and the CIWMB prior to 1989. However, current litigation may "reset" the time clock to the current date, subjecting them to the ban.

2. **Bradley Landfill**

Operational Status: Permitted, active

Tonnage: Permitted for 7,000 tpd.
Receiving 1,500 tpd.

Types of Waste: residential, commercial industrial, and demolition

Bradley received approval to landfill in a large footprint back in the 1960's but has not yet completed its lateral expansion. Bradley most likely would be allowed to expand for that reason, but this could be challenged.

3. **Livingston-Graham Landfill**

Operational Status: Exempt, active

Tonnage: 15,000 cubic yards per month, at 5 days per week, about 3,000 cubic yards per day.

Types of Waste: Earth, rock, gravel, sand, & concrete
Asphalt paving fragments
Brick, clay & clay products
Glass
Plaster and plaster board

4. **CAL-MAT Landfill**

Operational Status: Exempted, active

Tonnage: about 500 tpd. (from WDR Order No. 82-72)
500 loads per month (as per LEA on 5-4-92)

Types of Waste: Earth, rock, gravel, concrete, glass, brick, broken asphalt, and inert aggregate mining waste.

There are at least 90 other "inert waste" landfills in Souther California, the Bay Area, and San Joaquin Valley that operate in sand and gravel pits and that may be affected by such a policy as is being considered by the LARWQCB. Neither the CIWMB no the State

Water Board have completed a state wide inventory of these kinds of facilities. It is unclear to staff to what extent the state's disposal capacity could possibly be affected by legislative or administrative bans on landfilling is sand and gravel mining pits.

STAFF COMMENTS:

Administrative bans on landfilling in generic areas of the state may impair the Board's objective to ensure 15 years of disposal capacity in the state. The effect may be felt more acutely in the Los Angeles Basin where there is already a shortage of such capacity.

Staff needs more time to analyze the effect of the proposal ban on the Board's objectives. A comprehensive inventory of facilities that may be affected, conducted in cooperation with the State Water Resources Control Board, would allow the staff to report definitively on the matter.

Attachments:

1) Los Angeles Regional Water Quality Control Board's Public Notice of, "Consideration of a Resolution that will Amend the Water Quality Control Plans to Prohibit New, or Lateral Expansion of Existing, Nonhazardous Solid Waste Landfills in Sand and Gravel Mining Pits." Includes LARWQCB's Resolution and Issue Paper.

Prepared By: Bernie Vlach Phone 255-2460

Approved By: Martha Vázquez Phone 255-2431

Approved by Legal: RC Date 6/1/92 Time 15h12

STATE OF CALIFORNIA PETE WILSON, Governor

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
LOS ANGELES REGION
101 CENTRE PLAZA DRIVE
MONTEREY PARK, CA 91754-2156
(213) 266-7500

May 6, 1992

TO: ALL INTERESTED PARTIES

SUBJECT CONSIDERATION OF A RESOLUTION THAT WILL AMEND THE WATER QUALITY CONTROL PLANS TO PROHIBIT NEW, OR LATERAL EXPANSION OF EXISTING, NONHAZARDOUS SOLID WASTE LANDFILLS IN SAND AND GRAVEL MINING PITS

At the April 20, 1992, public hearing, the Los Angeles Regional Board elected to continue to a future meeting the public hearing to consider adoption of a Resolution that will amend the Water Quality Control Plans to prohibit new, or lateral expansion of existing, nonhazardous solid waste landfills in sand and gravel mining pits throughout the Los Angeles Region.

A special Regional Board meeting to hear this issue will be held on June 22, 1992, in Glendale, California.

DATE:	June 22, 1992
TIME:	9:30 A.M.- 2:00 P.M.
LOCATION:	CITY COUNCIL CHAMBERS GLENDALE CITY HALL 613 EAST BROADWAY GLENDALE, CALIFORNIA

Public parking is available at the parking structure North of the City Hall, through the entrance on Wilson Avenue.

The staff reports, references, all comments received to date, previous resolutions, and all related environmental documents may be reviewed at the Los Angeles Regional Board office (phone: 213-266-7500) by appointment scheduled between the hours of 8:30 a.m. and 5:00 p.m., Monday through Friday.

For further information, please contact Blythe Ponek-Bacharowski at (213) 266-7580.

DENNIS DASKER
Supervising Water Resource
Control Engineer

cc: Mailing list

State of California
California Regional Water Quality Control Board, Los Angeles Region

RESOLUTION No. 91-XXX

**AMENDMENT TO THE WATER QUALITY CONTROL PLANS
TO PROHIBIT
NEW OR LATERAL EXPANSION OF EXISTING
NONHAZARDOUS SOLID WASTE LANDFILLS IN SAND AND GRAVEL MINING PITS
WITHIN THE LOS ANGELES REGION**

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region finds:

1. The California Water Code (Sections 13243 and 13260) provides that the discharge of waste from nonhazardous solid waste landfills which could affect the quality of the waters of the State is subject to regulation or prohibition by the appropriate Regional Water Quality Control Board.

2. The pits remaining from sand and gravel mining operations in alluvial valley areas overlying ground water basins within the Los Angeles Region have been utilized in the past for the disposal of inert and nonhazardous solid waste.

3. In Resolution No. 55-1, adopted January 27, 1955, the Regional Board established objectives for the disposal of solid wastes for the protection of ground water and found that "...these ground water basins are great natural resources of inestimable value..." The Regional Board also found that "...damage to ground water is long-lasting if not permanent in nature, and for this reason risks of pollution must not be tolerated where the quality of ground water is at stake; therefore, it is essential that the ground water basins be protected against conditions that might impair their uses as a source of water supply..."

4. The State Water Resources Control Board's *Sources of Drinking Water Policy*, adopted May 19, 1988, which this Regional Board incorporated into its Water Quality Control Plans (Basin Plans) on March 27, 1989, provides that all surface and ground waters of the State are considered suitable, or potentially suitable, for municipal or domestic water supply unless specifically exempted.

5. The requirements for permitting new, or lateral expansion of existing, nonhazardous solid waste landfills in ground water basins must be based on preventing or minimizing discharges which could degrade the quality of waters of the State.

DRAFT

11. Sand and gravel mining pits are normally underlain by materials with very high permeabilities and transmissivities and which provide a direct conduit for any landfill-derived pollutants which pass through the engineered protective systems to enter the local ground water.

12. The San Gabriel ground water basin is a valuable resource, as are the other ground water basins within the Los Angeles Region. The Regional Board believes that equal protection must be provided for all ground water basins within the Los Angeles Region.

13. California Water Code Section 13240 authorizes the Regional Board to periodically review and revise its Water Quality Control Plans to assure that they reasonably protect Beneficial Uses.

14. The Basin Planning process has been certified as a functional equivalent under the California Environmental Quality Act, pursuant to Section 15251(g), Title 14, California Code of Regulations.

The Regional Board has notified interested parties of its intent to adopt the tentative Resolution, and has provided them with an opportunity to submit their written views and recommendations.

The Regional Board in a public hearing heard and considered all comments pertinent to the tentative Resolution.

THEREFORE BE IT RESOLVED THAT:

1. The Water Quality Control Plans for the Santa Clara River Basin (4A) and the Los Angeles River Basin (4B) are hereby amended by adding the following:

   "1. The pits remaining from sand and gravel mining operations are situated in alluvium of high permeability which allows for the rapid migration of ground water and pollutants. Many of these pits are found within the Los Angeles Region. These sites are unacceptable for conversion to nonhazardous solid waste landfills, where leachate containing hazardous constituents may be generated and released to ground water, and may affect the beneficial uses.

TENTATIVE

2. Public Resources Code Section 40060 (revised by the Mountjoy and Tanner Assembly Bills of 1988 and 1989, respectively) prohibits the use of sand and gravel mining pits as sites for new nonhazardous solid waste landfills or lateral expansions of existing nonhazardous solid waste landfills. The statute authorizes a Regional Board to grant a variance to the prohibition under specified conditions. However, the statute specifies that no variance will be granted to sand and gravel pit sites within the Main San Gabriel Ground Water Basin.

3. The Regional Board believes that all ground water basins of the Los Angeles Region are valuable resources and must be provided with equal protection.

4. New nonhazardous solid waste landfills or lateral expansions of existing nonhazardous solid waste landfills, in sand and gravel mining pits situated within the Los Angeles Region, are hereby prohibited.

5. No variance to this prohibition will be granted."

2. The Executive Officer is directed to forward a copy of this Resolution to the State Water Resources Control Board, as required by Water Code Section 13245, and to all other parties who request a copy.

I, Robert P. Ghirelli, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on December 2, 1991.

ROBERT P. GHIRELLI, D.Env.
Executive Officer

TENTATIVE

ISSUE: **SHOULD THIS REGIONAL BOARD ADOPT A RESOLUTION TO AMEND THE WATER QUALITY CONTROL PLANS TO PROHIBIT NEW OR LATERAL EXPANSION OF EXISTING, NONHAZARDOUS SOLID WASTE LANDFILLS IN SAND AND GRAVEL MINING PITS?**

1.0 EXECUTIVE SUMMARY

The Los Angeles Region includes most of coastal Los Angeles and Ventura Counties. Located within this Region are many unique ground water basins which are vitally important for their many beneficial uses and large recharge capacities. The capacities are due, in part, to a highly-permeable aquifer consisting of unconsolidated silts, sands, and gravels. These same silts, sands, and gravels have been mined using open-pit quarry techniques, resulting in very large, open pits. These pits are economically attractive sites for conversion to nonhazardous solid waste landfill sites even though they are lined with alluvium of high permeability which allows for the rapid migration of ground water and pollutants. Leachate, which may contain hazardous constituents, may be generated from the nonhazardous solid waste landfills, and may affect the beneficial uses of ground water. Ground water quality can be impacted even with the installation of engineered protective systems such as synthetic flexible membrane and clay liner systems and gas and leachate collection systems, which are all subject to failure.

The Public Resources Code Section 40060 (revised by the Mountjoy and Tanner Assembly Bills of 1988 and 1989, respectively) prohibits the use of sand and gravel mining pits as sites for new nonhazardous solid waste landfills or lateral expansions of existing nonhazardous waste landfills. The statute authorizes a Regional Board to grant a variance to the prohibition under specified conditions. However, the statute specifies that no variance will be granted to sand and gravel pit sites within the Main San Gabriel Ground Water Basin.

It is the Regional Board's statutory responsibility, pursuant to the California Water Code, to formulate and adopt long-range plans and policies with respect to equally protecting all of the ground water basins in the Los Angeles Region from potential pollution sources. This issue paper presents potential measures that will lead to this accomplishment. Approaches to the problem of permitting nonhazardous solid waste landfills in sand and gravel mining pits range from "do nothing" to a complete prohibition in the Los Angeles Region.

Staff has reviewed the options and recommends that the Regional Board adopt a resolution to amend the Water Quality Control Plans to prohibit new or lateral expansion of existing, nonhazardous solid waste landfills in sand and gravel mining pits throughout the Los Angeles Region.

2.0 INTRODUCTION

2.1 Background:

As early as the 1950's, this Regional Board recognized the vulnerability of ground water basins within Los Angeles and Ventura Counties. This prompted the adoption of several Resolutions (Nos. 52-2, 53-4 and 55-1) which outlined objectives for the prevention and control of water pollution with respect to land disposal of solid wastes in the Los Angeles Region. With the adoption of these Resolutions, the Regional Board conveyed to the public the idea that the beneficial uses and capacity of certain ground water basins are so outstanding, that special care must be taken in locating landfills which accept nonhazardous solid waste.

In 1980, Chapter 15, Title 23 of the California Code of Regulations (at that time, Subchapter 15, Title 23 of the California Administrative Code) was adopted which specified siting criteria, construction specifications, and closure and post-closure maintenance of landfills in California. Chapter 15 prescribes the minimum standards for nonhazardous solid waste landfills and for the installation of engineered protective systems, but specifies that the "Regional Boards may impose more stringent requirements to accommodate regional and site-specific conditions."

Resolution No. 88-63 of the State Water Resources Control Board, which was also adopted by the Los Angeles Regional Board to amend the Water Quality Control Plans, provides that all surface and ground waters of the State are considered suitable, or potentially suitable, for municipal or domestic water supply unless specifically exempted. Many surface waters that receive runoff from landfills and many ground waters vulnerable to landfill pollutants, may be suitable, or potentially suitable, as sources of drinking water, and must be protected.

Examples of unique and valuable ground water basins which must be protected are the San Gabriel Valley and San Fernando Valley basins, together encompassing 370 square miles and serving over two million users. Beneficial uses include municipal and domestic supply, industrial service and process supply, agricultural supply, and freshwater replenishment.

The huge storage capacities of these ground water basins, in part, are due to the large thickness and high permeability of unconsolidated silts, sands, and gravels which make up their aquifer systems. Numerous excavation pits are located in the San Gabriel Valley and San Fernando Valley ground water basins and are used or have been used for mining these aggregates

6. Decomposition of nonhazardous solid waste in landfills may produce leachate which may contain volatile organic compounds, oil and grease, surfactants, phosphates, dissolved solids, heavy metals, and organic acids. Gases, such as vinyl chloride, may be generated as a result of this decomposition and may combine with the leachate or other liquids within the landfill. Discharges of such liquids and/or gases from landfills to ground water could adversely affect the quality of the underlying and adjacent ground water basins.

7. Engineered protective systems in landfills, such as synthetic flexible membrane and clay liner systems and gas and leachate collection systems, are designed to prevent nonhazardous solid waste landfills from polluting the waters of the State. This is accomplished by retarding the migration of pollutants out of the landfill.

8. Nonhazardous solid waste landfills are operated to minimize the entry of liquids into the landfill.

9. Engineered protective systems and the limited amount of liquids within the nonhazardous solid waste landfill reduce the amount of pollutants leaving the landfill. The regulatory strategy of the State Water Resources Control Board in Chapter 15, Division 3, Title 23, California Code of Regulations "Discharges of Waste to Land" is to "...provide adequate separation between nonhazardous solid waste and waters of the State" to "...ensure no impairment of beneficial uses of surface and ground water beneath or adjacent to the landfill."

10. Public Resources Code Section 40060 (revised by the Mountjoy and Tanner Assembly Bills of 1988 and 1989, respectively) prohibits the use of sand and gravel mining pits as sites for new nonhazardous solid waste landfills or lateral expansions of existing nonhazardous solid waste landfills. The statute authorizes a Regional Board to grant a variance to the prohibition under specified conditions. In considering a variance, the Regional Board must evaluate site characteristics, permeability and transmissivity of the underlying soils, depth to ground water, the proposed engineered protective systems, such as a liner system and leachate and gas collection systems. However, the statute specifies that the Regional Board shall not grant a variance to place a new landfill, or laterally expand an existing landfill, in sand and gravel mining pits located in the Main San Gabriel Ground Water Basin.

TENTATIVE

for building materials. Many of the sand and gravel mining pits are used for recharge of the ground water where hydraulic conductivities of the alluvium may reach 100 meters/day. Historically, ground water in the areas of recharge was often encountered at or very near ground level. If the basins were recharged to full capacity today, most of the sand and gravel mining pits would contain pools of ground water.

Pollutants, as well as ground water, can move in solution and by vapor transport through the unconsolidated alluvial materials lining these sand and gravel mining pits, and can severely impact the quality of ground water. Decomposition of nonhazardous solid waste in landfills produces leachate which may contain volatile organic compounds, oil and grease, surfactants, phosphates, dissolved solids, heavy metals and organic acids. Gases such as vinyl chloride may be generated as a result of this decomposition, and may combine with the leachate or other liquids within the landfill. Discharge of such liquids and/or gases from landfills to ground water could adversely affect the quality of the underlying and adjacent ground water basins.

The sand and gravel mining pits also, unfortunately, are appealing sites for commercial exploitation as solid waste disposal sites. Recent legislation, Assembly Bill No. 3804 (Mountjoy, 1988) and Assembly Bill No. 1092 (Tanner, 1989) prohibit the use of such pits as sites for nonhazardous solid waste landfills or expansions of existing landfills. The Mountjoy Bill authorizes the Regional Board to grant a variance to that prohibition under specified conditions. When considering a variance, the Regional Board must evaluate site characteristics, permeability and transmissivity of the underlying soils, depth to ground water, and proposed engineered protective systems such as synthetic flexible membrane and clay liner systems, and leachate and gas collection systems. The Tanner Bill specifies that no variance will be given under any conditions to place landfills, or expansions of existing landfills, in aggregate mining pits located in the San Gabriel ground water basin.

The engineered protective systems are designed to prevent the discharge of gas and leachate from nonhazardous solid waste landfills to ground waters. These systems function ideally in conjunction with natural protective siting characteristics such as low-permeability subsoil.

From a technical perspective, Regional Board staff feel that installation of engineered protective systems, in the absence of appropriate siting conditions for a nonhazardous solid

waste landfill, may not guarantee the absolute long-term protection of ground water quality. Engineered landfill liner systems of less than 10^{-6} cm/sec (0.3 meters/day) permeability are required by Chapter 15, Title 23, of the California Code of Regulations when natural siting features are not considered protective. Liner systems of this permeability will only "slow" the movement of fluids migrating from the landfill, if present, to less than 1 foot per year. Migration of fluids across the engineered barrier is a function of time, and in forty to fifty years may represent a significant source of pollution. Numerous instances of liner system failure due to physical, biological and chemical attack have been documented (EPA 600 2-88 052, 1988). Also, critical to the success of any liner system are proper installation and applied quality control/quality assurance; all of these are subject to human error.

The Tanner Assembly Bill realizes the threat to ground water quality from nonhazardous solid waste landfills located in sand and gravel in the Main San Gabriel Ground Water Basin. This Regional Board realizes that all ground water basins within the Los Angeles Region are valuable resources, and that all should be provided equal protection of their beneficial uses.

2.2 Problem:

Over 4 million users rely on ground water in the Los Angeles Region. Ground water quality is already severely impaired in the San Gabriel and San Fernando Valley Basins by solvent pollution due to heavy industrial use in these areas over the past thirty years. Cleanup activities under Federal Superfund with EPA oversight have already begun. Further degradation to these ground water basins or impairment of their beneficial uses, or of any ground water basin in the Los Angeles Region, is unacceptable.

The placement of nonhazardous solid waste landfills in sand and gravel mining pits, or lateral expansion of existing landfills in sand and gravel mining pits may result in further degradation of the ground water quality, or impairment of their many beneficial uses. The addition of engineered protective systems will not eliminate all risks to ground water. The Regional Board will have to determine what is an acceptable risk.

3.0 **POLICY OPTIONS/ALTERNATIVE COURSES OF ACTION:**

The following alternatives are two practical courses of action:

---

1. Do nothing.

Impact--Continued ground water degradation and impairment of the beneficial uses.

The Tanner Bill prohibits nonhazardous solid waste landfills from being sited in sand and gravel mining pits in the San Gabriel Ground Water Basin, but allows variances for expansions of existing, or new nonhazardous solid waste landfills in San Fernando Valley and other ground water basins.

Advantages: Easy.

Disadvantages: Unequal protection of ground water basins within the Los Angeles Region. Possible future degradation to ground water and impairment of beneficial uses to the San Fernando Valley and other ground water basins in the Los Angeles Region.

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2. Prohibit, under any condition, new, or lateral expansion of existing, nonhazardous solid waste landfills in sand and gravel mining pits over any ground water basin located within the Los Angeles Region.

Impact--Equal protection of groundwater from further degradation or impairment of beneficial uses as a result of the prohibition.

Advantages: Eliminates any variances proposed by landfill operators; thus, prevents potential contamination due to landfill discharge to ground water basins. It eliminates Regional Board time and money spent on the issue.

Disadvantages: Exacerbates the problem of declining space for nonhazardous solid waste landfills in the Los Angeles Region.

4.0 STAFF RECOMMENDATIONS

Staff recommends that the Los Angeles Regional Board adopt a resolution supporting Alternative 2, which will amend the Water Quality Control Plans to prohibit new, or lateral expansion of any existing, nonhazardous solid waste landfills in sand and gravel mining pits throughout the Los Angeles Region.

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Department of
Environmental Management
601 TEXAS STREET
FAIRFIELD, CALIFORNIA • 94533

Phil:
FYI
B&J's Asbestos

June 8, 1992

Phillipe J. Moralez
Permitting Division Manager
CA Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

RE: DISPOSAL OF ASBESTOS WASTES AT B&J DROP BOX SANITARY LANDFILL
PERMIT NO. 48-00-0002

Dear Mr. Moralez:

This letter is to inform you that the B&J Drop Box Company has instituted changes regarding the disposal of asbestos wastes at the sanitary landfill. B&J Drop Box Company is submitting an addendum to the most recently revised Report of Disposal Site Information (RDSI) to reflect the changes which are as follows:

1) The co-disposal of asbestos-containing wastes and municipal solid wastes was discontinued on June 6, 1992.

2) Future disposal of asbestos-containing wastes will be done in monofills located along the western edge of Module 1 and the southwestern corner of Module 2. The attached map illustrates the locations of these future monofills.

3) Asbestos wastes shall be appropriately laced in the monofills and a 4-6 inch layer of cover material shall immediately be applied prior to compaction of the wastes.

4) A track loader is designated for the sole use of asbestos waste disposal. Any equipment which may be employed should the track loader become temporarily out of service shall be inspected and cleaned before its continued use in landfill operations other than asbestos waste disposal.

PLANNING / ZONING (707) 421-6765 BUILDING INSPECTION 421-6780 ENVIRONMENTAL HEALTH 421-6770

This Department has reviewed these changes and concurs with them for the purposed of minimizing the hazards associated with the disposal of asbestos-containing wastes. Furthermore, B&J Drop Box has been informed by this Department of our concurrence and that the changes are considered incorporated into B&J Drop Box Sanitary Landfill's asbestos waste handling protocol. Therefore, asbestos wastes will no longer be co-disposed with municipal solid waste and will be disposed of in monofills in discrete areas.

Should you have any questions regarding this matter, please contact me at (707) 421-6770.

Sincerely,

Clifford K. Covey, R.E.H.S., C.H.M.M.
Program Manager

Miles J. Perez

Miles J. Perez, R.E.H.S.
Senior Environmental Health Specialist

CKC/MJP/mjp

cc: Martha Vázquez - Permitting & Compliance Division, CIWMB
John Bell - Compliance Branch, CIWMB
Amalia Fernández - Permitting Branch, CIWMB
Mike Caprio - Norcal Waste Systems, Inc.
Larry Sweetzer - Norcal Waste Systems, Inc.
Archie Humphrey - B&J Drop Box, Inc.

moralz1.ltr

B & J Drop Box

831 DAVIS STREET • VACAVILLE, CALIFORNIA 95687

June 6, 1992

Mr. Miles Perez
Solano County Dept. of Env. Mgmt.
601 Texas Street
Fairfield, CA 94533

RE: Addendum to June 1991 Report of Disposal Site Information for the B&J Drop Box Sanitary Landfill in Solano County, CA (Facility # 48-AA-0002).

Dear Mr. Perez:

Per our recent discussion, B&J Drop Box Company is hereby submitting an addendum to the June 1991 Report of Disposal Site Information (RDSI) for the B&J Drop Box Sanitary Landfill in Solano County, CA. The addendum is focused upon issues surrounding the disposal of asbestos wastes at the landfill and provides for operational changes that should address concerns voiced by the California Integrated Waste Management Board (CIWMB).

Specific components of the addendum are as follows:

* As of June 6, 1992 asbestos containing wastes will be disposed of in discrete areas of the landfill and co-disposal of asbestos containing wastes and municipal solid wastes will be discontinued. The discrete areas where asbestos disposal will take place (monocells) are located along the western perimeter of Module 1 and the south western corner of Module 2. These areas are shown in the attached drawing.

* The placement of asbestos containing wastes within the monocells will be carried out in a manner that minimizes the contact between landfill equipment and the asbestos wastes. This includes the placement of the asbestos wastes in the appropriate area of the disposal cell and applying a 4-6 inch layer of cover material prior to compaction of the wastes. A track loader will be designated for use in the operation of the asbestos waste monocells. During periods when the track loader is unavailable (ie. maintenance, repair, etc.) equipment utilized in other facets of the landfill's operation will be employed. This equipment will be inspected and

appropriately cleaned (such as rinsing, if necessary) prior to its utilization in other areas of the landfill.

Should you concur with the proposed changes to the landfill operations that have been outlined above, the CIWMB has requested that you draft a letter to them which incorporates the following:

* A statement that asbestos will no longer be co-disposed with municipal solid wastes.

* Acknowledgement of what the B&J Landfill has proposed in this letter and a statement of your concurrence.

* A statement to the effect that the asbestos will be disposed of in a discreet area and a delineation of where these areas are on some form of graphic (it would be most convenient to utilize the one I have included in this transmittal).

Please contact me at (415) 330-1125 if you have any questions or comments regarding the enclosed information.

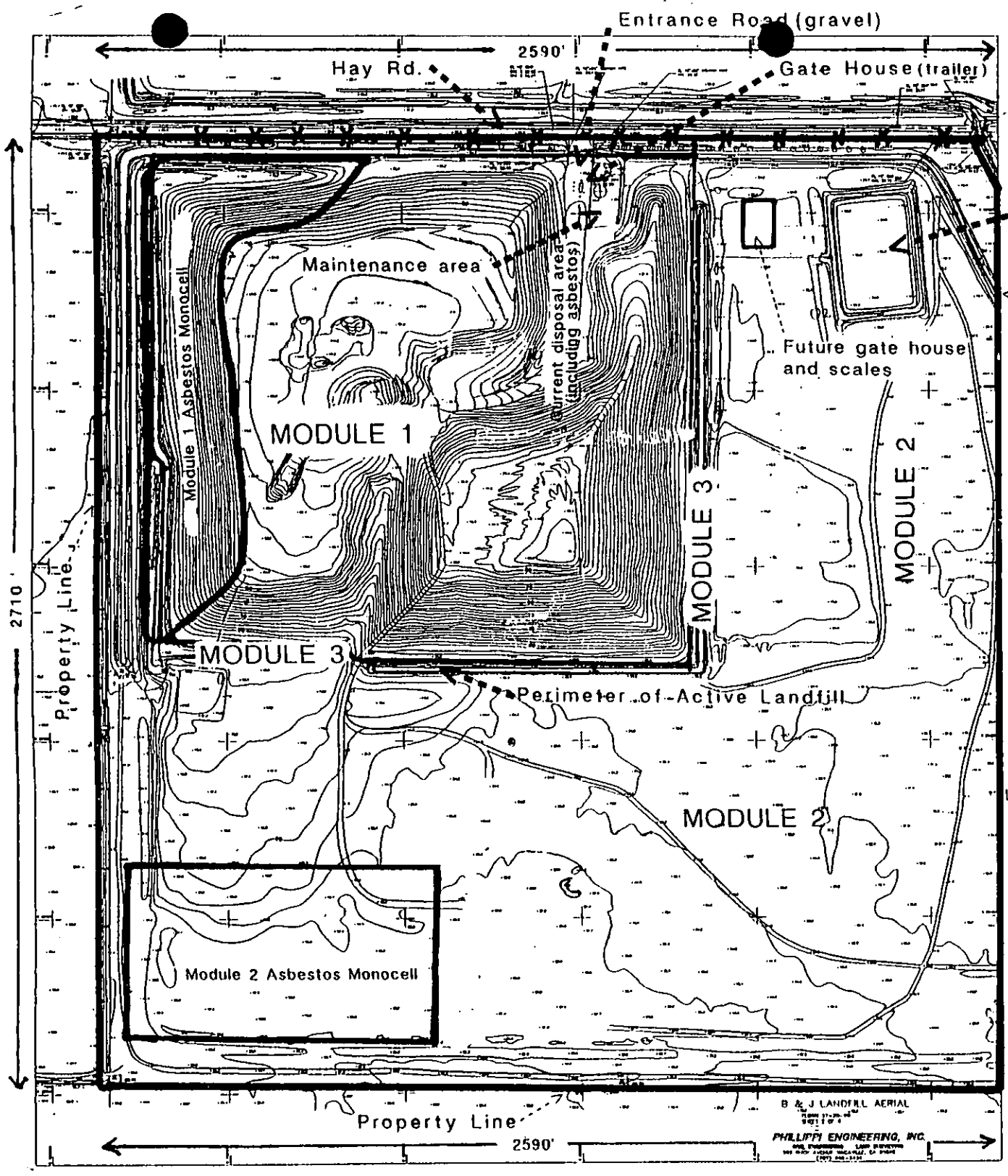
Sincerely,

Michael Caprio

Michael Caprio
Regional Landfill Manager

MAC:mac
enclosures

cc: Larry Sweetser, Norcal Waste Systems, Inc.



Approximate
Scale: 1 in. = 400 ft.

Notes:
Perimeter of asbestos disposal areas will be fenced off.
Power lines run parallel to Hay Rd. and along access road.
Septic tank and leach field are located directly east of gate house (see ⊕)

B&J DROP BOX, INC.

Site Plan of the B&J Drop Box Sanitary Landfill
A.P. No. 42-020-28
(161 acres)

831 Davis St. Vacaville, CA 95687
(707) 448-2945

STATE OF CALIFORNIA Pete Wilson, Governor

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, California 95826

Michael Frost, Chairman
Wesley Chesbro, Vice Chairman
Sam Egigian, Board Member
Jesse Huff, Board Member
Kathy Neal, Board Member
Paul Relis, Board Member

Wednesday, June 24, 1992
meeting of the

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Sacramento, California

REGULAR MONTHLY BUSINESS MEETING

Wednesday, June 24, 1992
10:00 a.m.

8800 Cal Center Drive
Sacramento, CA 95826

AGENDA

Note:
- Agenda items may be taken out of order.
- Persons interested in addressing the Board must fill out a speaker request form and present it to the Board's Administrative Assistant on the date of the meeting.
- If written comments are submitted, please provide 20 two-sided copies.

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

To comply with legal requirements, this Notice and Agenda may be published and mailed prior to a Committee Meeting where determinations are made regarding which items go to the Board for action. Some of the items listed below, therefore, may, upon recommendation of a Committee, be pulled from consideration by the full Board.

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Berry St.

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C = consent (partial list)

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM 3A

ITEM: Consideration of Contracts and Interagency Agreements

BACKGROUND:

Staff is proposing the award of a final series of contracts, interagency agreements and amendments utilizing FY 1991-92 funds. Some of these are contracts and interagency agreements whose concepts were approved at the Board's January or February, 1992 meetings. Several "housekeeping" contracts, interagency agreements and amendments are proposed for Board approval to ensure that they are executed in a timely fashion so that there are no interruptions of vital services. Finally, thirteen contract amendments and interagency agreements were proposed by the Administration Committee at its June 8, 1992 meeting to utilize remaining FY 1991-92 contract funds. Staff is presenting those agreements and amendments for approval.

ANALYSIS:

Action is needed by the Board at its June 24, 1992 meeting to award the following contracts, interagency agreements and amendments by the end of FY 1991-92:

A. AGREEMENTS WITH CONCEPTUAL APPROVAL

Items 1 through 12 were approved in concept by the Board at its January 15th meeting and are now presented for award to the contractors/agencies recommended by staff.

1. Telecommunications Feasibility Study

Hesse Stobbe & Associates

Subcontractors: Mcdonald Computer Services
J. D. Franz Research
AEL Computer

Amount Authorized: $50,000
Award Amount: **$46,192**
Participation: MBE: 16.37% WBE: 7.52% DVBE: 3.02%

JUN 23 1992

2. Waste Tire Market Development and Recycling Conference

The Local Government Commission
Subcontractors: Eugene Tseng
Tom's Printing
Sir Speedy
American Mail
Graphic Side
ACCI

Amount Authorized: $50,000
Award Amount: **$34,728**
Participation: MBE: 21% WBE: 11.8% DVBE: 3.2%

3. Home Composting Video

The Video Ranch
Subcontractors: Firstake Productions

Amount Authorized: $80,000
Award Amount: **$46,750**
Participation: MBE: 22% WBE: 49% DVBE: Good Faith Efforts

4. Market Development Technical Assistance

California Futures, Inc.
Subcontractors: Community Environmental Council
Arthur D. Littel Company
Local Government Commission
Resource Management Association
Calif. Resource Recovery Association
SDV/ACCI
Escudero & Associates
Castle Peak Engineering

Amount Authorized: $100,000
Award Amount: **$100,000**
Participation: MBE: 15% WBE: 5% DVBE: 3%

Committee Action: Market Development: Approve

5. Bond Finance Assistance

Constance Hornig
Amount Authorized: $100,000
Award Amount: **$100,000**
Participation: MBE: 100% WBE: Good Faith DVBE: Good Faith

Committee Action: Market Development: Approve

INTERAGENCY AGREEMENTS

6. U.S. EPA Ash Study

US Environmental Protection Agency
Amount: **$36,000**
Division: Research & Technology Development

7. 1992 Newsprint Certifications

Dept. of General Services/Office Information Services
Amount: **$45,000** (Amount Authorized $20,000)
Division: Planning & Assistance

8. Health Risk Assessment (OEHHA)

Office of Environmental Health Hazard Assessment
Amount: **$300,000**
Division: Research & Technology Development

9. Market Development Zone Assistance

Amount: **$300,000:**

a. **CSU - Hayward**
   Amount: **$110,000**
   Division: Planning & Assistance

b. **National Development Council**
   Amount: **$190,000**
   Division: Planning & Assistance

10. Tires as Fuel Supplement Study

Air Resources Board
Amount: **$160,000**
Division: Research & Technical Development

11. Workload Standards Development

Department of Finance
Amount: **$60,000**
Division: Administration & Finance

12. Refuse-Derived Fuel Demonstration Study

Air Resources Board
Amount: **$45,000**
Division: Research & Technical Development

B. CONSENT AGENDA FOR AMENDMENTS AND AGREEMENTS TO BE DELEGATED TO THE EXECUTIVE DIRECTOR

The following are a series of contracts needed to secure vital services and minor amendments to existing contracts needed to support various CIWMB programs.

1. Amendment Two to IWM-C066

Department of Parks and Recreation
Amount: **$ -0-**
Division: Planning and Assistance
Purpose: Extend contract to June 30, 1993. Need extension of time because of the present weather conditions and recent personnel departures which created vacancies in heavy equipment operator staffing.

2. Amendment Three to IWM-C086

Trustees of the California State University
Amount: **$5,000**
Division: Public Information and Education
Purpose: Cover costs of filming Ralph Chandler and James Strock in Sacramento rather than San Diego as originally planned. Amendment covers additional costs of filming location change.

3. Amendment Two to IWM-C1002

Teale Data Center
Amount: **$70,000**
Division: Administration & Finance, EDP
Purpose: Provide data processing services including Professional Office (PROFS) System and PINS and to acquire a graphic artist system.

Committee Action: Legislation and Public Affairs - APPROVE

4. Amendment One to IWM-C1039

R. W. Beck & Associates
Amount: **$29,000**
Division: Planning & Assistance
Purpose: Provide analysis of objectives, resources and strategies that will enhance the state's waste diversion activities. Assist the Board in analyzing design and impacts of a strategic plan on California which is a very complex and to a large degree an unexplored issue.

5. Amendment Two to IWM-C1039

R. W. Beck & Associates
Amount: **$26,063**
Division: Planning and Assistance
Purpose: Provide additional services related to the development of the Board's strategic plan. Contractor will attend additional meetings with the Board and its staff not identified in the first amendment.

6. Amendment to IWM-C1034, PC Rental

GE/Rental Lease
Amount: **$53,000**
Division: Administration and Finance - EDP
Purpose: Rental of computers. Augmentation is needed to continue rental of computers until the LAN now being procured is installed.

7. Amendment Three to IWM-C079, Permit Desk Manual

Bryan A. Stirrat & Associates
Amount: **$14,678**
Division: Permitting and Compliance
Purpose: To include changes resulting from the incorporation of comments from the Local Enforcement Agencies into the Permit Desk Manual and the scheduling of three workshops following Board approval of the Manual.

8. Amendment Two to IWM-C085

The National Development Council
Amount: **$24,000**
Division: Planning & Assistance
Purpose: Provide six cities with technical analysis of issues related to local request for proposals on

recycling contracts and market relationships.

9. Amendment Five to IWM-C018

Budget Rents Furniture
Amount: **$4,106.67**
Division: Business Services
Purpose: Extends furniture rental agreement for the Board's Southern California Office. Rental furniture is needed until order from Prison Industries is filled.

10. EDP Services

Department of General Services/Office of Information Systems
Amount: **$49,000**
Division: Administration & Finance, EDP Branch
Purpose: Provide consulting services related to applications development and maintenance, business modeling, application project oversight, and other IWMB application support needs.

11. Access to On-line Personnel Services System

State Personnel Board
Amount: **$2,500** (FY 1992-93 Funds)
Division: Administration & Finance, Personnel Branch
Purpose: Renews agreement for access to Personnel Board's on-line examination and certification system. Allows access to Personnel Board's automated system for purpose of processing examinations and/or establishing and maintaining civil service eligible lists. This is a renewal of on-going agreement to provide access throughout FY 1992-93.

12. EDP Services

Health & Welfare Agency Data Center
Amount: **$50,000** ($10,000 from FY1991-92 funds and $40,000 from FY 1992/93 funds)
Division: Administration & Finance, EDP Branch
Purpose: Provide data processing services for CALSTARS.

13. Legislation Tracking (IWM-C2006)

Legis-Slate
Amount: **$14,900** (FY 1992-93 Funds)
Division: Legislative Affairs
Purpose: Provide access to online Congressional information service. Access to an automated federal legislation tracking service will assist the Board in administering an effective waste management legislative program. The need for such a capability was discussed before the February, 1992 Legislation and Public Affairs Committee meeting. Action is needed to award a contract so that access will commence on July 1, 1992.

Item 14 pertains to a contract to provide court reporting services for the Board. The current contract for reporting services with Barristers' Court Reporting Service expires on June 30, 1992. An Invitation for Bids was released to choose a new reporting service provider. Staff is recommending the award of this contract to the lowest qualified bidder to provide these services through June 30, 1993.

14. Certified Shorthand Reporting Services

Peters Shorthand Reporting Corporation
Subcontractors: Prime Time Productions
D & D Enterprises
Olga Regaldo Robb
Maria Elena Lara
Award Amount: **$40,000** (FY 1992-93 Funds)
Participation: MBE: 15% WBE: 5% DVBE: 3%

C. POTENTIAL YEAR-END INTERAGENCY AGREEMENTS AND AMENDMENTS PROPOSED BY THE ADMINISTRATION COMMITTEE

The following contract amendments and interagency agreements were proposed by the Administration Committee at its June 8, 1992 meeting to utilize remaining FY 1991-92 contract funds.

The following are proposed agreements and amendments where staff has identified agencies and or firms willing and able to perform the services required and has developed a work description satisfactory to both Board staff and the agency proposed to do the work.

1. Amendment to Contract IWM-C1009

DDB Needham Worldwide, Inc.
Amount: Augment by **$450,000** for new total of $1,950,000.
Division: Public Information/Education

2. Consolidation of Landfill Permitting and Inspection Requirements of the SWRCB, ARB, DTSC, and the CIWMB

Department of Finance
Amount: **$150,000**
Division: Permitting and Compliance
Purpose:

To examine and identify the areas of overlapping regulation of solid waste facilities. This examination will cover permitting, financial assurances, enforcement and any other areas under the regulatory purview of the primary state health, safety and environmental protection agencies including the State Water Resources Control Board, Air Resources Board, Department of Toxic Substances Control, and the California Integrated Waste Management Board. This examination will also result in recommendations concerning the elimination of duplicate regulations, enforcement activities and permitting requirements. This evaluation will focus on minimizing the burdens placed on solid waste facility operators in order to comply with various state regulatory requirements.

3. Model Annual Report

Department of Finance
Amount: $100,000
Division: Planning and Assistance
Purpose:

The purpose of this project is to provide guidance to jurisdictions which are preparing annual reviews of the progress of their diversion programs. Having a Model Annual Review to guide them, the jurisdictions would require less time of Board staff. The model format would enable jurisdictions to produce more uniform reports which would then allow better use of staff time when extracting useful data and would allow Board staff to complete the reviews of the many CIWMPs in a more timely manner.

4. Waste-to-Energy Economic Analysis

Department of Finance
Amount: **$100,000**
Division: Research and Technology Development
Purpose:
Assess economics of WTE technologies (both mass-burn and refuse derived fuel) as part of the IWM hierarchy after 1995. Examine energy rate forecasts, waste recycling and disposal costs, environmental regulations, and siting issues, particularly with respect to rural communities. Benefits include the understanding of the role WTE can play in the IWM hierarchy, what conditions should exist for WTE to be effective, and which communities might profit from using it.

5. Economic Analysis of Statewide Funding Alternatives

Department of Finance
Amount: **$100,000**
Division: Strategic Planning and Policy Development
Purpose:
This will be a technical assistance service contract to assist in evaluating alternative funding mechanisms for state integrated waste management programs. The contract will not only focus on ADF implementation, but will allow for further analysis of other alternatives in the event that an ADF system is not feasible. The scope of work will be broad enough to allow for analysis of other innovative mechanisms such as environmental labeling-related systems. The primary benefit will be to provide access to expert advise concerning funding mechanisms and issues associated with implementation. This contract will allow for comprehensive examination of many alternatives. In addition, this contract could support other policy development issues, including economic analysis of environmental labeling systems and of specific market development or source reduction alternatives.

6. EDP Risk Analysis and Operational Recovery Plan

Department of Finance
Amount: **$ 30,000**
Division: Administration & Finance, EDP Branch
Purpose: All state agencies are mandated to have an EDP Operational Recovery Plan. In conjunction with this mandate, an EDP risk analysis should be conducted.

7. Audits of Oil Recycling Enhancement Program

Department of Finance
Amount: **$ 200,000**
Division: Administration & Finance, Financial Assistance Branch
Purpose: This project provides an auditing program that will ensure the financial and operational integrity of the Used Oil Program. Due to the October '92 Used Oil Program start up date, there will not be a need for the auditing services until January 1993.

8. Internal Financial Control Review

Department of Finance
Amount: **$ 60,000**
Division: Administration & Finance, Financial Assistance Branch
Purpose: The contractor will work with CIWMB staff to review the Board's financial programs and functions and will provide an evaluation and recommendations for an internal control and audit program.

9. Landfill Education

Trustees of C.S.U.S.
Amount: **$100,000**
Division: Public Affairs and Education
Purpose: To provide a public awareness program to educate the public on the need for landfill capacity and to assure them that landfills are developed and operated in accordance with state health and safety standards.

10. Augment Interagency Agreement with CSU Trustees

CSU Trustees
Amount: **$200,000**
Division: Public Affairs and Education
Purpose: To supplement the graphic support that CSU has provided to our Public Affairs Office and other media activities. Extend contract to June 30, 1993 to allow more time for CSU to provide services to CIWMB.

11. Metallic Discards

Geosyntec Consultants
Amount: **$ 100,000** (augmentation of existing contract IWM-C082)
Division: Research and Technology Development
Purpose: The contractor shall assess the current disposal and recovery programs of metallic discards in California and prepare a report to the CIWMB.

12. Co-sponsorship of Business and the Environment Conference

Amount: **$ 10,000**
Division: Public Affairs and Education

13. Participation in Pilot Program with Oakland East Bay Conservation Corps.

Amount: **$ 10,000**
Division: Public Affairs and Education

The following interagency agreement is proposed at this time in order to provide services in support of the Board's Market Development Revolving Loan fund. The need to make this arrangement arose too late to allow for formal committee review and approval and for execution of the agreement during FY 1991-92. An informal review and approval process by the advisors to the chairman and members of the Market Development Committee has been completed and thus this agreement is being presented for Board approval.

14. Market Development Revolving Loan Fund Administrative Support

Department of Economic Opportunity
Amount: **$ 5,000,000** (Market Development Revolving Loan Fund)
Division: Planning & Assistance
Purpose:

1. To transfer FY 1991-92 loan funds ($5,000,000) to the Department of Economic Opportunity (DEO) for a 10 month period. DEO will provide second underwriting reviews, execute loan agreements, disburse loan funds, provide loan management services and will assist with the development of loan review procedures and will review up to 50 loans underwritten by Board staff. DEO will charge 2 points per loan made or $50,000, whichever is greater with the total cost to the Board not to exceed $100,000.

D. REPORT ON THE STATUS OF MOU WITH DEPARTMENT OF TOXIC SUBSTANCES CONTROL RELATING TO THE OVERSIGHT OF THE LANDFILLING OF ASBESTOS

An oral presentation will be made.

Prepared by	: Dennis Meyers	Phone 255-2265
Reviewed by	: Bob Del Agostino	Phone 255-2259
Legal Review	: R	Date/Time 6-23 1103

Page

15. CONSIDERATION OF AB 4 (GOVERNMENT PROCUREMENT) REPORT TO THE LEGISLATURE (MARKET DEVELOPMENT COMMITTEE) 167

16. CONSIDERATION OF ADOPTION OF RECYCLING MARKET DEVELOPMENT ZONE DESIGNATIONS FOR 1992 (MARKET DEVELOPMENT COMMITTEE) 244

17. CONSIDERATION OF STATE LEGISLATION - AB 2494 (SHER); AB 2824 (SPEIER); AB 3001 (CORTESE); ~~AB 3348~~ (EASTIN); ~~AB 3470~~ (O'CONNELL); ~~AB 3689~~ (GOTCH); SB 1596 (MADDY); ~~SB 1703~~ (JOHNSTON) (LEGISLATION & PUBLIC AFFAIRS COMMITTEE) 254

18. CONSIDERATION OF FEDERAL LEGISLATION (LEGISLATION & PUBLIC AFFAIRS COMMITTEE) 274

19. DISCUSSION AND CONSIDERATION OF BOARD STAFF'S PROPOSAL TO STRENGTHEN THE INTEGRATED WASTE MANAGEMENT ACT OF 1989, PRESENTATION OF A SUMMARY OF PUBLIC COMMENTS RECEIVED, AND STAFF'S RESPONSE TO COMMENTS RECEIVED (INTEGRATED WASTE MANAGEMENT PLANNING COMMITTEE)

pulled

20. OPEN DISCUSSION

21. ADJOURNMENT

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

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

Joanne Vorhies
(916) 255-2156

Contracts
- std
- Ralph can sign, contracts,
- Jues
Berry st. Mall

C = consent (partial list)

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

JUNE 24, 1992

AGENDA ITEM 3B

ITEM: Consideration of Contracts (Approval to Award Contract for Closure Construction at Berry Street Mall Landfill, Placer County)

COMMITTEE ACTION:

This item was presented to the Permitting and Enforcement Committee on June 10, 1992 as an information item only, because the bid opening will not occur until June 23, 1992.

BACKGROUND:

Public Resources Code (PRC) Sections 45402 and 45403 authorizes the California Integrated Waste Management Board (Board) to enter into contracts for the preparation and implementation of closure and postclosure maintenance plans and corrective actions.

To fully implement the Corrective Action Program, architect-engineer contract regulations were written, as mandated by Section 4526 of the Government Code, and were adopted in December 1991. This allowed the Board to award a $1,500,000 engineering services contract to Bryan A. Stirrat & Associates (BAS) on January 1, 1992, and a $2,500,000 environmental services contract to The Mark Group, Engineers and Geologists, Inc. (The Mark Group) on February 1, 1992.

Once the above mentioned requirements were in place, the Board began to effectively implement the Corrective Action Program. The first solid waste disposal site to be "cleaned up" by the Board is the Berry Street Mall Landfill located in the city of Roseville, Placer County. This site has not been in compliance with various permits and requirements issued by the Board, the Regional Water Quality Control Board (Water Board), and the Air Resources Board (Air Board) for several years. The last Notice and Order, No. 91-02, was issued to the owner, Berry Street Mall, Inc., and to the operator, William Finger, in November 1991. This Notice and Order directed Mr. Finger to stop allowing traffic on the landfill, to stop accepting concrete slurry or rock at the landfill, and to erect an eight-foot high fence around the site. This Notice and Order, like the previous ones issued by the Board, was not acquiesced. As a result, the Board exercised its authority to take corrective action at the site in December 1992.

Once the Board exercised its authority over the site, a fence was immediately erected to protect the public and equipment from the danger of an underground fire that had been periodically observed for several years. The Board then contracted with The Mark Group

to investigate the subsurface fire and extinguish it should it be determined to still be burning. A Class 8 Exemption under CEQA guidelines Section 15308, which authorizes a regulatory agency to implement measures to protect the environment was filed with the Governor's Office of Planning Research. The Mark Group has conducted the subsurface fire investigation in addition to characterizing the site's standing water and underlying soil. The Mark Group has extinguished the fire and has monitored subsurface temperatures and carbon monoxide levels to confirm the extinguishment. They have also covered any potential entry routes for oxygen to prevent further danger of fire. This includes the removal of a vent pipe located near the transfer station.

The Board also secured the services of BAS to prepare closure and postclosure maintenance plans for the site. The closure and post-closure maintenance plans, and the associated Negative Declaration, have been reviewed by the Placer County Department of Environmental Health (LEA), the Central Valley Regional Water Quality Control Board, and Board staff and has been approved by the Board's Executive Director. A Negative Declaration for the Closure/Post-Closure plans was prepared and circulated through the State Clearinghouse and appropriately noticed in the Sacramento Bee. Staff has responded to the comments and the Board's Executive Director has approved the Negative Declaration. The work order which directs BAS to prepare the closure plans also directs them to prepare a detailed set of technical specifications and construction plans based on the approved final closure plan. The technical specifications and construction plans were distributed to prequalified contractors who wish to bid on the construction work on June 5, 1992. The bids are due back to Board staff and will be publicly opened at 10:00 am, June 23, 1992.

ANALYSIS:

The motivation for the agressive scheduling of this project is the fact that the Board directed staff to spend 1991 - 1992 fiscal funds. Since the bid opening for the closure construction contract is scheduled for June 23, 1992, and the contract must be awarded by June 30, 1992, staff received approval from the Permitting and Enforcement Committee to present an information item to them and proceed directly to the Board for contract award approval. At the time of this writing, the identity of the low bidder for the construction services for the closure of Berry Street Mall Landfill is unknown. Board staff expect to provide the name of the company, and the amount of the bid, at the June 24, 1992 Board meeting.

STAFF COMMENTS:

Staff recommends the Board members approve the award of the construction services contract to the contractor whose name has been supplied to the Board by staff at this June 24, 1992 Board Meeting.

ATTACHMENTS:

1. Resolution Number 92-55

TaR 6-17-92

Prepared by: Terri Rieken/Marge Rouch Phone: 255-2488/255-2487

Reviewed by: M. Wochnick/M. Vazquez Phone: 255-2480/255-2431

Legal review: RFC Date: 6-17-92 Time: 11h15

- Dep on ants from todays Bid opening
- Brans. cost $2.2 mil.
- The remainder of correction Action fund $ 800,000 will be spent from this years fund, the rest from next years.
- The remainder ant not known until 6/30/92

California Integrated Waste Management Board
Resolution 92-55
June 24, 1992

WHEREAS, the California Integrated Waste Management Board has the authority to contract for the preparation of closure and post-closure maintenance plans and for corrective actions according to Public Resources Code Division 30, Part 5, Article 4, Sections 45402 and 45403.

BE IT RESOLVED, that the Board hereby directs the Executive Director to execute the Closure Construction Contract for the Berry Street Mall Landfill. The total amount of this contract will not exceed $ _____.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

Agenda Item 4

ITEM: Consideration of Discretionary Grant Awards for the Household Hazardous Waste Grant Program

COMMITTEE ACTION:

At the June 3, 1992 meeting of the Policy, Research and Technical Assistance Committee, the committee voted to accept Board staff's recommendation to approve Resolution No. 92-66 and, forward to the Board for its consideration and approval, the staff recommendations for discretionary grant awards as set forth in Attachment A, page 5. This item was recommended to be placed on the consent calendar.

BACKGROUND:

Public Resources Code Sections 46400 and 46401 provide that the Board may award grants to cities, counties, and local agencies that have responsibility for waste management for local programs in order to help prevent the disposal of household hazardous waste at solid waste landfills. As a result, the Board established its Household Hazardous Waste (HHW) Grant Program.

The HHW Grant Program provides for the award of approximately $4 million annually in grant funds. The program funds two types of grants: non-discretionary and discretionary. Non-discretionary grants are awards to reimburse jurisdictions for HHW programs implemented in the fiscal year prior to the grant application period and are awarded each year before the discretionary grants. Discretionary grants are awarded on a competitive basis for proposed or implemented programs, including an additional reimbursement for programs that had received non-discretionary grants the same year.

At its January 15, 1992 meeting, the Board awarded 58 non-discretionary grants for a total of $3,661,171. The total amount available for discretionary grants this grant year is $338,829.

ANALYSIS:

Grant Application Period

The discretionary grant application period commenced December 2, 1991 and ended February 28, 1992. During this time, 54 applications were submitted to the Board, representing a total funding request of $3,614,989.

Grant Application Review

Staff reviewed each application for completeness. An application was considered complete if it contained an application cover sheet and a grant proposal that incorporated the 13 elements set forth in 14 CCR 18553.1. The following section contains a detailed description of each element upon which applications were evaluated.

Grant Evaluation Criteria

Staff evaluated all applications on a competitive basis in accordance with the 13 grant elements contained in regulation. Applications were evaluated in terms of how well they met each of the criteria outlined in the 13 elements described below, as well as, in relation to all others submitted for discretionary grants. However, in those cases where an applicant demonstrated that an element did not apply to their program, staff considered only those pertinent elements.

The following 13 grant elements provide the basis for evaluating each application:

1. **The HHW disposal problem, including the amount of HHW generated in the program area.** In this element the applicant is to demonstrate a need for grant funding based on their identified HHW disposal problem. This is accomplished by quantifying the percentage of HHW found in the solid waste stream. The submittal of the HHW Element is required to be part of the application. For this grant year, however, staff accepted several alternatives as adequate documentation. They include a reference to a Waste Generation Study in a jurisdiction similar in population size to the applicant's; a comparison of the amount and types of HHW the jurisdiction collected during previous and current program; or the section of the County Hazardous Waste Management Plan that addresses the collection, treatment, and recycling of HHW.

2. **The program goals or objectives and specific measures to mitigate the HHW disposal problem.** In this element the applicant is required to demonstrate that the program is consistent with the purposes of the HHW grant program. Applicants are expected to specifically describe what is to be accomplished in the grant period. The goals should be realistic and consistent with the HHW program. Further, objectives are not only to be stated clearly and completely but also quantified. In this way, staff can determine how the success of the program will be measured and can evaluate how well the program meets the needs of the area served.

3. **The tasks necessary to complete the proposed program and the implementation schedule for the proposed tasks.** The tasks and detailed implementation schedule are essential to a program's successful implementation. Staff reviewed this element to determine if the proposed tasks were defined clearly and ordered logically, and if the work statement was realistic within the proposed time frame.

4. **The geographic area of the program.** In this element the applicant is required to identify the specific area(s) that will be served by the program and any areas that overlap with other jurisdictions' existing or proposed programs. This element is to ensure that grant funding will impact the area of the applicant's jurisdiction with the HHW disposal problem. Further, it enables staff to ensure that there is no overlap in service areas for the same types of programs, thereby avoiding duplication of services by two or more distinct jurisdictions.

5. **Budget report.** In this element the applicant is required to provide the total costs associated with the proposed program. This is accomplished by providing a detailed breakdown of major line items within the budget and by substantiating the funding requested. Staff reviews this element to determine if the budget is realistic for the work proposed to be undertaken and that the program will be conducted in the most cost-effective manner.

6. **The funding sources other than funds which would come from the Account.** In this element the applicant is required to describe the local agency funds committed to the program including the amount, funding sources, any constraints or restrictions on funds from other sources, and the length of funding commitment. Applicants are asked to indicate whether the project could be completed with available and requested funding and, if not, to identify strategies to obtain additional funding. The applicants are also asked to identify if they have actively sought other funding, donations, or volunteer time.

7. **Verification of insurance coverage.** Insurance coverage is required for HHW program implementation pursuant to 22 CCR 66264.147 (formerly section 67027). Applicants are required to demonstrate that they have adequate insurance coverage. In the case where applicants contract with hazardous waste management firms for HHW collection events, confirmation that these firms carry adequate insurance coverage is required.

8. **Verification of any necessary variances or permits and provision of EPA generator identification number.** In this element the applicant is asked to provide documentation that their HHW program has received or will receive the required permits or approvals from the appropriate regulatory agencies. This is to ensure that the proposed program meets all regulatory requirements.

9. **Recycling and/or reuse efforts.** In this element the applicant is required to demonstrate that they will use every available option and opportunity to recycle and reuse in order to divert HHW from landfill disposal. This includes providing a description of both actual or proposed uses for the HHW collection, and a description of those programs designed to implement the recycling or reuse efforts.

10. **Public education and awareness efforts.** In this element the applicant is required to address the ways the program will meet the needs of the program service area and to identify targeted audiences. The applicant is also required to address how the program will educate and inform the public about HHW and the potential problem it presents, as well as what program efforts are intended to be implemented to achieve this goal.

11. **Cooperative efforts between local government agencies and interested citizen associations and groups.** In this element the applicant demonstrates that the program will coordinate with other jurisdictions to meet the needs of a large segment of the population or geographical area. In this way, it can be determined if a jurisdiction reduced program costs and provided more opportunities for recycling and other diversion methods than would have been possible if the jurisdiction acted alone.

12. **Methods to evaluate success of program.** Evaluating the success of a HHW program is important in determining if any operational changes in the program are necessary. In this element, the program's objectives are compared to the actual program outcome.

13. **Resumes of management personnel.** In this element the applicant is asked to provide evidence that program personnel have the required experience or knowledge to deal with the potential dangers involved in collecting HHW and the skills to successfully implement a program.

Grant Award Selection Process

There are two regulatory parameters for selecting grant awards. The first is that those applicants that had not received a non-

discretionary grant award this grant year be given a high funding priority (14 CCR 18534.1). The second is that a discretionary grant award shall not exceed $120,000 for any individual grant (14 CCR 18532).

Of the 54 applications received, 40 did not receive a non-discretionary grant award during grant year 1991-92. These applicants were placed in the high priority funding category. The remaining 14 applicants who had received non-discretionary grant awards during grant year 1991-92 were placed in the low priority funding category.

The following is a description of the application review process that staff used in arriving at recommendations for discretionary grant awards.

Funding Categories

First, each application in the high priority category was reviewed by staff in terms of how well it addressed the 13 grant elements. Staff then evaluated these applications in relation to all others submitted in this category. In those cases where minor details of an applicant's submittal were unclear, staff may have contacted applicants for clarification. Because of the limited amount of funding available this year, staff also called applicants to inquire as to whether a program could be operated with less than the full amount of funding requested. This resulted in staff either recommending the application for grant funding or eliminating the application from further consideration.

Low priority applications were reviewed in the same manner as those in the high priority funding category. However, as a result of limited funding, staff focused only on those applications that represented opportunities for technological innovation and that offered the greatest potential for addressing unmet statewide needs relative to HHW program development.

Application Selection

Staff arrived at funding recommendations by following the steps in the order listed below:

1) Categorizing the application as a high or low funding priority;
2) Determining if the application was complete;
3) Evaluating whether the application met the review criteria set forth in 14 CCR 18533.1;
4) Identifying applications in the low priority funding category that demonstrated special merit.

Due to the limited amount of funds available, staff identified some programs for partial funding as provided by 14 CCR 18533.1. In doing so, staff took into account the funding priorities identified by the applicants and confirmed with them that their ability to implement the program would not be adversely affected by receiving only partial funding.

In the course of reviewing applications, staff identified 14 of the 40 applications in the high funding priority category for full or partial grant funding. These 14 applications account for grant awards totaling $338,829. Since only $338,829 is available for discretionary grants, no funding remains to fund lower priority applications.

Reasons for Grant Award Denial

During the application review period, staff made note of the categories in which applicants most frequently did not provide adequate responses. These are as follows:

- Significant sections of the application were deficient. This made evaluating the proposal problematic. Also included in this category, were applicants whose proposals were in the conceptual or formative stages of development and those who were unable to provide sufficient details on how the program was to be carried out.

- Program goals/objectives or implementation schedules were either lacking, not clearly defined, or not developed in sufficient detail.

- Applications submitted which were similar in nature to or duplicated the services of other programs in the same geographic area. Also, applications submitted that duplicated those that the Board previously funded in which program implementation has yet to occur.

- The budget was unrealistic or not cost-effective. Funding estimates for services, products, and materials were not adequately substantiated or justified. Also, no contingency plans or planning for cost overruns were considered.

- Technical constraints were identified that would adversely affect the chance of a program's success. Examples include: selection of equipment and/or services not based on the applicant's specific need; unrealistic contingency plans to dispose of or store non-recyclable wastes; no consideration or investigation of disposal options for certain HHW; and lack of funding commitments to continue the program after implementation.

Staff Recommendations for Discretionary Grant Awards

Staff recommendations are described in Attachment A, page 5. Attachment A also lists all applicants according to funding priority and includes a program description, the amount of funding requested, recommended funding, and a comment section.

Based on the review of all grant applications in accordance with the program regulations, staff recommends funding 14 applications in the high priority funding category which will total $338,829.

STAFF COMMENTS:

#1 The Board could approve Resolution No. 92-66 and accept staff recommendations for discretionary grant awards as set forth in Attachment A, page 5.

#2 The Board could direct staff to reconsider the proposed discretionary grant awards based upon specified changes in the grant evaluation criteria.

RECOMMENDATION:

Board staff recommends Option #1.

ATTACHMENTS:

A. Discretionary Grant Application List
B. Resolution No. 92-66

Prepared by:	Janet Page	Phone:	255-2561
Reviewed by:	Fernando Berton F.B.	Phone:	255-2348
Reviewed by:	William R. Orr	Phone:	255-2348
Reviewed by:	Don Dier, Jr., P.E.	Phone:	255-2319
Legal Review:	RFC	Date/Time:	6-5-1454

Attachment A
Revised 5/14/92

HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM
DISCRETIONARY GRANT APPLICATIONS
GRANT YEAR 1991/92

APPLICANT	PROGRAM DESCRIPTION	EXISTING PROGRAM Yes/No	NON-DIS AWARD Yes/No	FUNDS REQUESTED	FUNDS RECOMMENDED	COMMENT
ALAMEDA COUNTY						
Fremont	Tri-city Recycle Day - ABOP	Y	Y	$ 58,465		6
AMADOR COUNTY						
Amador County, EHD	HHW Storage Structure/ABOP Collection Event	Y	Y	$ 40,970		6
BUTTE COUNTY						
Oroville	Permanent HHW Facility	N	N	$ 61,864	$57,388	
CALAVERAS COUNTY						
Calaveras County	Mobile BOP Collection Program	Y	N	$ 43,500	$43,500	
CONTRA COSTA COUNTY						
Martinez	Public Education	Y	N	$ 10,559	$ 7,681	
EL DORADO COUNTY						
El Dorado Co. - East Slope	10/5/91 HHW Collection Event	Y	N	$ 66,775		1
El Dorado Co. - West Slope	10/6/91 HHW Collection Event	Y	N	$ 32,370		1
El Dorado Co. - East Slope	5/9/92 HHW Collection Event	Y	N	$ 66,775		1
El Dorado Co. - West Slope	5/10/92 HHW Collection Event	Y	N	$ 32.370		1
LOS ANGELES COUNTY						
Baldwin Park	4 One-day Collection Events/Public Ed.	Y	N	$120,000		1, 2
Glendale, Envi. Mgmt.	HHW Collection Events/Public Education	Y	Y	$639,907		6

1/ Information incomplete or insufficient to fully evaluate
2/ Program goals/objectives or implementation schedule not clearly defined or completely developed
3/ Duplication of services or overlap in service areas
4/ Budget not realistic or cost effective
5/ Technical constraints that would adversely affect likelihood of success\
6/ Lower funding priority

9

APPLICANT	PROGRAM DESCRIPTION	EXISTING PROGRAM Yes/No	NON-DIS AWARD Yes/No	FUNDS REQUESTED	FUNDS RECOMMENDED	COMMENT
La Canada Flintridge	Public Education	N	N	$ 9,800		1
Lancaster	One-day HHW Collection Event	Y	Y	$ 62,972		6
Lynwood	Collection Event/Public Education	Y	N	$ 56,768		4, 3
Pomona	Curbside Oil Pickup Program/Public Ed.	Y	N	$ 92,440		1, 2
Santa Clarita	Used Oil/Oil Filter/Paint Recycling	N	N	$ 59,994	$25,156	
West Hollywood	Voucher Program for Drop Off/Public Ed.	N	N	$120,000		2, 4
MENDOCINO COUNTY						
Mendocino SWMA	Collection Events/Public Education	Y	N	$120,000		1, 2
MERCED COUNTY						
Merced County	Permanent Facility/Vehicle/Public Ed.	Y	N	$ 38,700		1, 3
MONO COUNTY						
Mono County/Mammoth Lakes	3 HHW BOP Collection Sites	N	N	$ 64,100	$64,100	
MONTEREY COUNTY						
Monterey Co. Health Dept.	Oil Collection/Recycling/Public Education	Y	N	$ 19,200		1, 2
NAPA COUNTY						
Napa County	HHW Collection/Public Education	Y	N	$108,260		1
NEVADA COUNTY						
Nevada County	Permanent Facility	Y	Y	$120,000		6
ORANGE COUNTY						
Costa Mesa Sanitary District	Public Education	N	N	$ 72,255		1
Irvine	Collection Event	Y	Y	$111,688		6
Tustin	Public Education	N	Y	$ 10,300		3
PLACER COUNTY						
Placer County DEH	Collection Event	Y	N	$ 75,000		1, 4

1/ Information incomplete or insufficient to fully evaluate
2/ Program goals/objectives or implementation schedule not clearly defined or completely developed
3/ Duplication of services or overlap in service areas
4/ Budget not realistic or cost effective
5/ Technical constraints that would adversely affect likelihood of success\
6/ Lower funding priority

APPLICANT	PROGRAM DESCRIPTION	EXISTING PROGRAM Yes/No	NON-DIS AWARD Yes/No	FUNDS REQUESTED	FUNDS RECOMMENDED	COMMENT
RIVERSIDE COUNTY						
Riverside City	Three 2-Day Collection Events	N	N	$ 23,581		1, 4
SACRAMENTO COUNTY						
Sacramento City	Public Education	Y	Y	$ 8,732		6
SAN BERNARDINO COUNTY						
Barstow, Fire Protect. Dist.	Maintenance Worker for HHW Collection Site	Y	Y	$ 4,410		6
Big Bear Lake	Permanent HHW Facility/Public Education	N	N	$ 19,822	$17,259	
Chino	Curbside Oil/Oil Filter Collection Program	Y	N	$ 37,300	$21,300	
Fontana	Improve Permanent HHW Facility/Public Ed.	Y	N	$ 20,385	$ 5,956	
Hesperia	Public Education/Permanent Facility	Y	Y	$ 47,000		6
Rialto	Permanent HHW Collection Facility/ Public Ed.	N	N	$ 17,893	$16,093	
Twentynine Palms	Permanent HHW Collection Facility	N	N	$ 20,000		1, 2, 5
SAN DIEGO COUNTY						
Chula Vista	Public Education	Y	N	$ 39,493	$25,050	
Escondido	7 ABOP Events	Y	N	$ 53,500		1, 4
SAN JOAQUIN COUNTY						
San Joaquin County DPW	HHW Recycling Program	N	N	$ 29,406		1
SAN LUIS OBISPO COUNTY						
San Luis Obispo County	Conduct 2 Events	Y	N	$119,960		1
SAN MATEO COUNTY						
San Mateo County	HHW Public Education Program	Y	Y	$ 43,828		6
San Bruno	Permanent Site/Education/Hotline	Y	N	$ 60,854		1, 2
SANTA BARBARA COUNTY						
Santa Barbara County	Public Education	Y	Y	$ 69,000		6
Santa Maria	Hotline/Random Load Check/ Public Education	Y	N	$ 18,169		1

1/ Information incomplete or insufficient to fully evaluate
2/ Program goals/objectives or implementation schedule not clearly defined or completely developed
3/ Duplication of services or overlap in service areas
4/ Budget not realistic or cost effective
5/ Technical constraints that would adversely affect likelihood of success\
6/ Lower funding priority

APPLICANT	PROGRAM DESCRIPTION	EXISTING PROGRAM Yes/No	NON-DIS AWARD Yes/No	FUNDS REQUESTED	FUNDS RECOMMENDED	COMMENT
SANTA CLARA COUNTY						
Santa Clara County	Waste Screening Manual/Exchange Center	Y	N	$124,300		1
SHASTA COUNTY						
Shasta County	One-day Collection Event	Y	N	$ 18,900		1
SONOMA COUNTY						
Sonoma County, Jt. Pwr. Agency	HHW Public Education/Hotline/Automotive	Y	N	$120,000		1
Cloverdale	Automotive HHW Collection/Recycling Collection Event	Y	N	$ 23,473		2
STANISLAUS COUNTY						
Stanislaus County	Mobile HHW Collection Program	Y	Y	$ 36,953		6
TULARE COUNTY						
Tulare County	2 One-day Collection Events	Y	Y	$ 75,000		6
TUOLUMNE COUNTY						
Tuolumne County	Permanent Recyclable HHW Facilities	Y	N	$ 86,800	$24,766	
VENTURA COUNTY						
Simi Valley/Thousand Oaks/ Ventura County	Mobile HHW Collection Program/Public Ed	N	N	$120,000	$ 7,800	
YOLO COUNTY						
West Sacramento	2 Permanent Facilities for Oil & Batteries/ Public Education	Y	N	$ 43,410	$21,705	
Woodland	4/27/91 Collection Event	Y	N	$ 7,960	$ 1,075	
	Collection Event/Public Education	Y	N	$ 9,828		1

1/ Information incomplete or insufficient to fully evaluate
2/ Program goals/objectives or implementation schedule not clearly defined or completely developed
3/ Duplication of services or overlap in service areas
4/ Budget not realistic or cost effective
5/ Technical constraints that would adversely affect likelihood of success\
6/ Lower funding priority

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STAFF RECOMMENDATIONS

HOUSEHOLD HAZARDOUS WASTE GRANT PROGRAM
DISCRETIONARY GRANT APPLICATIONS
GRANT YEAR 1991/92

APPLICANT	PROGRAM DESCRIPTION	REQUESTED FUNDING	RECOMMENDED FUNDING	CUMULATIVE TOTAL
Discretionary Grant Applicant Requesting Reimbursement for FY 1990/91 HHW Program				
1. Woodland	4/27/91 Collection Event	$ 7,960	$ 1,075	$ 1,075
Proposed Programs from Applicants Who Have Not Received a Non-Discretionary Grant (High Funding Priority)				
2. Oroville	Permanent HHW Facility	$ 61,864	$57,388	$ 58,463
3. Calaveras County	Mobile BOP Collection Program	$ 43,500	$43,500	$101,963
4. Martinez	Public Education	$ 10,559	$ 7,681	$109,644
5. Santa Clarita	Used Oil/Oil Filter	$ 59,994	$25,156	$134,800
6. Mono County/Mammoth Lakes	3 HHW BOP Collection Sites	$ 64,100	$64,100	$198,900
7. Big Bear Lake	Permanent HHW Facility/Public Ed.	$ 19,822	$17,259	$216,159
8. Chino	Curbside Oil/Oil Filter Collection	$ 37,300	$21,300	$237,459
9. Fontana	Improve Permanent HHW Facility	$ 20,385	$ 5,956	$243,415
10. Rialto	Permanent HHW Collection Facility/ Public Ed.	$ 17,893	$16,093	$259,508
11. Chula Vista	Public Education	$ 39,493	$25,050	$284,558
12. Tuolumne County	Permanent Recyclable HHW Facilities	$ 86,800	$24,766	$309,324
13. Simi Valley/Thousand Oaks/ Ventura County	Mobile HHW Collection Program/Public Ed.	$120,000	$ 7,800	$317,124
14. West Sacramento	2 Permanent Facilities for Oil & Batteries/ Public Education	$ 43,410	$21,705	$338,829

ATTACHMENT B

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION 92-66
APPROVAL OF DISCRETIONARY GRANTS

WHEREAS, Public Resources Code Section 46401 requires the Board to award grants to cities, counties, and local agencies with responsibility for waste management for local programs that help prevent the disposal of hazardous waste, including household hazardous waste at solid waste facilities; and

WHEREAS, the Board complied with Public Resources Code Section 46208 by adopting regulations specifying procedures for the issuing of grants for the Solid Waste Disposal Site Cleanup and Maintenance Account; and

WHEREAS, Board staff solicited applications for Discretionary Grants from December 2, 1991 through February 28, 1992; and

WHEREAS, 54 applications were received before the February 28, 1992 deadline; and

WHEREAS, Board staff reviewed the applications to determine their conformance with the regulations in Title 14, California Code of Regulations (14 CCR), Division 7, Chapter 7, Articles 1, 1.1, 2, and 2.1; and

WHEREAS, Board staff has determined 14 applications are eligible for grant funding;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby awards the following 14 Discretionary Grants in the following amounts:

1.	City of Oroville	$57,388
2.	County of Calaveras	43,500
3.	City of Martinez	7,681
4.	City of Santa Clarita	25,156
5.	County of Mono and City of Mammoth Lakes	64,100
6.	City of Big Bear Lake	17,259
7.	City of Chino	21,300
8.	City of Fontana	5,956
9.	City of Rialto	16,093
10.	City of Chula Vista	25,050
11.	County of Tuolumne	24,766
12.	County of Ventura, Cities of Simi Valley and Thousand Oaks	7,800
13.	City of West Sacramento	21,705
14.	City of Woodland	1,075
	TOTAL	**$338,829**

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held June 24, 1992.

dated:

Ralph E. Chandler
Executive Director

EXECUTIVE SUMMARY

The California Integrated Waste Management Board commissioned Ernst & Young to perform this study on household battery waste management. Senate Bill 1813 and Assembly Bill 3530, both passed during the 1990 Regular Session of the Legislature, authorized the Board to conduct a study on the disposal and potential recyclability of batteries typically generated as household waste. This report provides results of the legislatively mandated study.

Below is presented a synopsis of this study. Section VI of the report summarizes study findings and recommended household battery waste management strategies.

Overview of California's Household Battery Waste Management Problem

Millions of household batteries are purchased annually in California with sales of these batteries projected to increase nearly fifty percent over just the next eight years (by the year 2000). Most consumers of household batteries are not aware of the fact that all the household batteries they dispose of as part of their municipal household solid waste are presently legally considered hazardous waste in the State of California. Any material legally considered hazardous waste is supposed to be properly disposed in a hazardous waste disposal facility. California is thus presently in the position whereby all household batteries are required to be disposed in a hazardous waste disposal facility, but in fact, almost all household batteries are currently illegally disposed in municipal landfills.

Historically, mercury and cadmium have been the two toxic metals of concern in household batteries. However, the new generation of household batteries ("mercury free" alkaline and carbon-zinc) would not legally be considered hazardous waste by California's regulations concerning mercury content. This is due to the efforts of the battery industry over the past several years in nearly eliminating mercury from these battery types. However, California's present regulations would still classify these two common household battery types to be hazardous waste due to their zinc content. California is the only state in the United States which would consider these two common household battery types to be hazardous waste due to their zinc content.

The State of California presently appears to inappropriately regulate household batteries. On the one hand, all household batteries, at least on paper, are legally considered hazardous waste. On the other hand, almost all household batteries are knowingly disposed as municipal solid waste. Partly because California has defacto categorized all household batteries as hazardous waste, the State has undermined its ability to effectively regulate those household batteries which should be truly managed as hazardous waste. Thus, California has the most stringent regulations concerning household battery waste management, but, in fact, little is being effectively done because of existing laws that conflict, a lack of education and enforcement, and the prohibitive economics of collection and disposal for all household battery types.

This study suggests that California may be over-regulating alkaline and carbon-zinc batteries, which comprise approximately 80 percent of all household battery sales in the State, while effectively under-regulating nickel-cadmium batteries, which comprise approximately 13 percent of household battery sales (and is expected to increase over time). If the State's current regulations concerning alkaline and carbon-zinc batteries were effectively enforced, the hazardous waste facility disposal costs alone could easily amount to $20 million, or more, a year. Few sources would argue that nickel-cadmium batteries should not be classified and effectively enforced as hazardous waste due to their cadmium content. The State of California needs to bring its regulation and management of household batteries as hazardous waste back into a more realistic and cost-effective balance.

Definition of Household Batteries

Household batteries are defined as alkaline, carbon-zinc, mercuric oxide, silver oxide, zinc air, and lithium primary (non-rechargeable) batteries; and nickel-cadmium secondary (rechargeable) batteries. Household batteries also have been referred to as "consumer batteries", "dry cell batteries" , or "small household batteries". Many household batteries are utilized in commercial, industrial, and institutional settings, and are not just limited to "household" applications. Household batteries do not include lead-acid automobile batteries.

Uses and Applications of Household Batteries

Portable power offered by household batteries has become an increasingly important component of everyday life. Sales of household batteries are projected to increase nearly 50 percent in California between 1992 and the year 2000. Major factors in this growth include a large increase in per capita consumption, and changes in market share, product mix, and consumer market trends.

Alkaline batteries will continue to be the dominant type of household battery, accounting for an estimated 68 percent of household batteries sold in the year 2000. Nickel-cadmium batteries are expected to receive an increasing share of the household battery market, accounting for 17 percent of the market by the year 2000.

Many consumers do not recognize how many batteries they use during everyday activities. The vast majority of nickel-cadmium batteries are sealed inside consumer products. In many cases, consumers may not even realize that their products contain a nickel-cadmium battery. Also, in many cases, nickel-cadmium batteries are not easily removable from battery-operated devices. These are all major impediments to the proper disposal of nickel-cadmium batteries as household hazardous waste.

The Hazardous Nature of Household Batteries

Household batteries make up only approximately 0.005 percent, by weight, of California's municipal solid waste. Concern over household batteries is not with the

volume of waste they comprise, but with the amount, and toxicity, of their heavy metal components. Household batteries contain metals which are known to have adverse effects on human health and the environment.

Mercury, cadmium, and lead are the three toxic metals which are of primary national concern in municipal solid waste. Mercury is found in most types of primary household batteries. Cadmium is a major component of secondary household batteries. Lead-acid batteries are not considered a household battery, hence lead is a toxic metal which is not of concern with respect to household batteries.

Historically, household batteries have contained significant levels of mercury and cadmium. However, the level of mercury may be less of a concern than in the past, owing to the efforts of the battery industry in nearly eliminating mercury from the most common types of household batteries. For example, mercury content in alkaline batteries has decreased from approximately 1 percent in the early 1980's to less than 0.025 percent currently. Starting in 1992, several U.S. battery manufacturers began producing mercury-free alkaline batteries.

Cadmium, on the other hand, is a growing concern because nickel-cadmium batteries represent an increasing share of the household battery market, and nickel-cadmium batteries represent the single largest source of cadmium in municipal solid waste. Primary, or non-rechargeable, batteries contribute more than eight percent of the total mercury found in municipal solid waste, whereas rechargeable nickel-cadmium batteries contribute more than fifty percent of the total cadmium found in municipal solid waste.

Household Batteries of Concern in the Waste Stream

Household batteries as an item targeted for special waste management are currently receiving attention from local, state, and federal environmental agencies. Presently, in California, all household batteries are legally considered household hazardous waste.

Within California, most household batteries, in spite of their legal hazardous waste status, are presently disposed of with other municipal solid waste in a sanitary landfill. A small percentage of household batteries are segregated and brought to a household hazardous waste collection program. Most hazardous waste collection programs take the used household batteries to a hazardous waste disposal facility.

The term "battery recycling" is a misnomer. Collected batteries are not directly remanufactured into new batteries or other products. Battery recycling refers to metal reclamation processes which entail the extraction of one, or more, of the metals contained in batteries. In the United States there presently are limited opportunities for the reclamation of metals from household batteries. For example, there is only one facility in the United States that will reprocess both mercuric oxide and silver oxide button cell batteries. Also, there is only one domestic United States processor of nickel-cadmium batteries. There are no reclamation facilities for alkaline, carbon-zinc, zinc air, or lithium batteries.

Considerable uncertainty exists in defining appropriate household battery waste management strategies. Reasons for this uncertainty include the following:

- Health and environmental effects from toxic metals in household batteries are uncertain
- Mercury content has been reduced in the most common primary household battery types
- Federal and State of California regulations concerning household batteries are inconsistent and not definitive
- Participation rates in collection programs for household batteries are low
- Reclamation opportunities for metals contained in household batteries are limited because of economic feasibility
- Hazardous household battery waste collection and disposal is expensive for local governments
- Collection and separation processes for household batteries may pose hazards due to concentrating the waste.

While current laws and regulations in California designate all household batteries as hazardous waste, nickel-cadmium batteries may currently pose the greatest risks due to their high levels of cadmium. For purposes of relative comparison, the amount of cadmium in a single nickel-cadmium battery is roughly equivalent to the amount of mercury in over 400 low-mercury alkaline batteries of the same size. Nickel-cadmium batteries should clearly be targeted for diversion from the municipal solid waste stream and properly disposed as hazardous waste.

Mercuric oxide button cells and to a lesser extent, other button cells, also should be cause for concern due to their mercury levels. Finally, low-mercury and mercury free alkaline and carbon zinc battery types are starting to be recognized as a relatively small risk when present in the municipal solid waste stream.

Actual health and environmental impacts from the disposal of household batteries are not well known. The contribution of mercury and cadmium in the environment resulting from household battery disposal is uncertain, and depends on the type and number of batteries disposed, the method of disposal, and characteristics of the specific disposal processes.

The solid waste management system is intricate, and household batteries in mixed municipal solid waste can travel many different pathways, and be subjected to several different processes before their final disposal. It is yet to be conclusively determined how the amount of metals contained in household batteries contribute to the level of these metals found in the environment, or in municipal solid waste.

With enactment of AB 939, and subsequent amendments to the California Integrated Solid Waste Management Act, there has been increased interest in the development and implementation of source reduction, curbside collection of recyclable materials, household hazardous waste collection, material recovery facilities, and composting facilities to meet the State mandated waste diversion goals. As a result, the potential battery pathways in municipal solid waste have become even more complex.

Special health and safety concerns arise when household batteries are included in municipal solid waste destined for incinerators or compost operations. In these instances, there is greater opportunity for the metals of concern to escape into the environment, either through incinerator ash and air emissions, or elevated metal content in compost.

The magnitude of the potential hazards associated with battery incineration or composting is still unclear. California presently has only three operating municipal solid waste mass burn incinerators. However, California has approximately 40 operating composting facilities, with over 200 additional composting projects now being planned.

Within California, nickel, silver, and zinc also are regulated toxic metals. The level of zinc metal alone in most types of primary household batteries could cause them to be considered hazardous household waste in California, even though they might not otherwise be classified hazardous due to their mercury content. Only in California are alkaline and carbon-zinc batteries legally considered hazardous waste due to zinc content, because no other states are known to have established a standard for zinc. Also, household batteries contribute only approximately two percent of the total zinc contributed by all other uses. Zinc is found in all sectors of the economy, with products containing zinc used for construction, transportation, and machinery purposes.

Recommended Household Battery Waste Management Strategies for California

The California Integrated Waste Management Board now has the opportunity to take initiative regarding household battery waste management. The recommendations summarized below respond to problems discussed in this report and place the Board in a leadership role concerning the management of household battery waste. The recommendations include legislation aimed at content limitations, product labelling, product bans, and making secondary batteries more easily removeable from products. Because the Board is responsible for solid waste and household hazardous waste management statewide, facilitating a dialogue with the Department of Toxic Substance Control and the Battery Industry regarding the zinc regulation as applied to household batteries is consistent with the Board's mission of effective and safe management of solid waste and household hazardous waste.

Five major recommendations concerning household battery waste management are made for further consideration by the California Integrated Waste Management Board. These recommendations will require a more active future role on the part of the State to assist in the management of hazardous household batteries. These recommendations are as follows:

1. **Develop Specific Legislation for Household Battery Regulation**, including:

   - Mercury content limitations for alkaline and carbon-zinc batteries
   - Standardized product labelling requirements for nickel-cadmium batteries
   - Targeted battery product ban for mercuric oxide button cells
   - Specifications that nickel-cadmium batteries be easily removeable from battery-operated products.

Specific provisions for recommended household battery legislation are shown on the opposite page.

It should be noted that subsequent to completion of this report, in early April, 1992, Senate Bill 2579 was introduced into the United States Senate. This bill provides very similar provisions to the legislative recommendations of this report. The recommendations of this report were formed independently of any knowledge of the recommendations contained in U.S. Senate Bill 2579. The status of this federal bill passing is unknown at this time. If this bill becomes federal law, the Board may want to reevaluate the need to pass its own State legislation. If the federal bill does not pass, California should take a leadership position with its own State household battery legislation.

2. **Facilitate Dialogue With the Department of Toxic Substances Control and the Battery Industry Regarding California's Hazardous Waste Regulations As Applied to Zinc in Household Batteries**

Only in California are alkaline and carbon-zinc batteries legally considered hazardous due to zinc content, since no other states are known to have established a standard for zinc. The California Integrated Waste Management Board needs to facilitate discussions with the Battery Industry and the Department of Toxic Substances Control concerning this issue. Staff from the California Environmental Protection Agency may also want to help coordinate the discussions between the two State entities and the Battery Industry.

The Battery Industry may want to present documentation and evidence to the State showing results of Waste Extraction Tests on various stages of actual household battery decomposition. The Battery Industry may argue to modify existing California regulations to provide a zinc toxic substances exemption specifically for just household batteries. The importance of this recommendation is due to the exorbitant costs of collection and disposal of hazardous household batteries. Because the overwhelming proportion of household batteries collected by household battery waste management programs could potentially be alkaline and carbon-zinc batteries, this recommendation could greatly increase the cost-effectiveness of future household battery collection and disposal programs.

Recommended Household Battery Legislation

Battery Type	General Provision	Specific Provision
Alkaline	Mercury Content Limitation	Limit mercury content in alkaline batteries to 0.025 percent, by weight, by July 1993
Alkaline	Mercury Content Limitation	Limit mercury content in alkaline batteries to 0.0001 percent, by weight, by January 1996
Carbon-Zinc	Mercury Content Limitation	Limit mercury content in carbon-zinc batteries to 0.0001 percent, by weight, by July 1993
All Button Cells	Product Labelling	Require button cell batteries and packaging to identify the type of battery and need for proper disposal by July 1993
Mercuric Oxide	Product Ban	Ban sale of mercuric oxide button cell batteries by January 1996
Nickel-Cadmium	Product Labelling	Require nickel-cadmium batteries and packaging to identify the type of battery and need for proper disposal by July 1993
Nickel-Cadmium	Product Labelling	Require battery-operated products using nickel-cadmium batteries and packaging to identify battery type used and the need for proper disposal by July 1993
Nickel-Cadmium	Batteries Removable from Products	Require that all battery-operated products using nickel-cadmium batteries to be manufactured so that the batteries are easily removeable by the consumer

3. Review and Revise Existing California Regulations Which Affect Household Batteries

In addition to more stringent criteria for defining hazardous waste, California does not categorically exempt household hazardous waste from the hazardous waste designation, unlike the federal government. Also, in California small quantity generators are not exempted from requirements of the regulations. As a result, the same restrictions placed on hazardous wastes generally also apply to household batteries in California. However, there is a State transportation exemption for small quantity battery transport and an exemption on transport requirements if the batteries are sent to a metal reclamation facility.

All of the above California regulations should be reviewed by the State with regard to household batteries to determine if there should be some additional special waivers for household batteries. Existing State hazardous waste regulations should not act as an impediment to local governments and private businesses who need to collect, store, and transport household batteries for proper hazardous waste disposal.

Existing regulations may need to be able to allow a broadening in the number of participants in household hazardous waste programs to include more businesses and manufacturers. Also, local governments should not be constrained to having separate hazardous household battery waste events just because there may be no proven and available recycling technology for the majority of household batteries.

4. Develop and Implement a Statewide Education Program for Hazardous Household Batteries

Any household battery which is designated as household hazardous waste should be separated from the municipal solid waste stream. A large number of California consumers do not realize that household batteries are presently considered hazardous waste. Because consumers do not generally know this, the effectiveness of household hazardous waste collection programs are seriously undermined. The public's willingness to separate out batteries depends on the perceived health and environmental risks associated with each battery type.

The State of California presently considers all household batteries as legally hazardous. On the other hand, the Department of Toxic Substances Control currently publishes a brochure which states that primary household batteries should be replaced by the "non-hazardous alternative" of secondary batteries. As the result of some confusion on the hazardous nature of household batteries, consumers may be receiving conflicting signals.

The State should develop and implement a statewide education program on the various types of household batteries, and the special requirements for disposal. The education program should include the following areas:

- Description of the various types of household batteries

- The varying contribution of toxic metals in different battery types
- Proper disposal of button cells and nickel-cadmium batteries.

The State needs to help relay a consistent message to California consumers regarding the collection and disposal of household batteries. If consumers are advised to collect certain household batteries, there needs to be provided a proper form of disposal. Consumers should not be advised to collect any household batteries which are not considered hazardous waste. It should also be noted that with any narrowing of hazardous battery designations, there will be a greater need to educate the public on differing battery types. This can only be accomplished with a standardized consumer product labelling system.

5. Further Develop Hazardous Household Battery Collection and Disposal Strategies

The present method of collection available for household batteries is through household hazardous waste collection programs. Two problems are encountered here. The first is that many California cities and counties still have not implemented programs for the collection of household hazardous waste. The second is that most current household hazardous waste programs do not even solicit household batteries, even though they do usually solicit automobile batteries. The cost involved in collecting household batteries is very expensive. The costs of collection and disposal of household batteries as hazardous waste may presently cost on the order of up to $4,000 a ton in California. Collection programs operating outside California have demonstrated that return-to-retailer and curbside collection of household batteries also may be effective collection mechanisms. The State needs to encourage some alternative collection programs for household batteries.

Existing household hazardous waste programs sponsored by city and county governments should be the present primary mechanism for hazardous household battery collection. These battery collection programs should focus on the required collection and hazardous disposal of nickel-cadmium and button cell batteries. However, if additional battery collection efforts are considered necessary (for example if a community has an incineration or compost operation) then collection programs should extend to retail outlets and curbside collection programs.

As the State develops regulations for expanded compost operations as part of AB 939 diversion requirements, it should give special consideration to the treatment of household batteries. The presence of batteries presents some problems for compost materials, especially in mixed-waste compost projects. The Board has to address the issue of having special requirements for collecting household batteries from mixed waste that is destined to a compost operation. Every attempt should be made to sort whole nickel-cadmium batteries out of this mixed waste stream and ensure that these batteries are not shredded.

The ultimate decision on what type of household batteries to collect may affect decisions on how best to collect batteries. Return to retailer collection may be highly suited for button cell batteries and even nickel-cadmium batteries where consumers are looking for a specific type and size replacement battery.

Consideration should be given to identifying ways to facilitate the collection and disposal or reclamation of nickel-cadmium batteries, particularly for applicable product manufacturers and battery manufacturers. The State may ultimately want to encourage that battery collection programs be set up by manufacturers.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM 5

ITEM: Consideration of Approval of the Household Battery Waste Management Study.

COMMITTEE ACTION:

The Policy, Research and Technical Assistance Committee (Committee), at its June 3, 1992 meeting, approved the Household Battery Waste Management Study and forwarded the Study to the Board for its approval and subsequent submittal to the Legislature.

BACKGROUND:

Assembly Bill 3530 (Margolin, Chapter 1631, Statutes of 1990) required the Board to conduct a study on the disposal and potential recyclability of household batteries. Ernst & Young is the consultant who won the contract to conduct the study. The contract for the study was approved by the Department of General Services on November 22, 1991. Board staff discussed the final draft of the Household Battery Waste Management Study with the Committee at its May 6, 1992 meeting. Two issues of concern were expressed by members of the Committee. Specifically, the issues dealt with needing a statement of what the problem was and how the Study could be used to further the mission of the Board. The Committee Chairman directed staff to work with the Board Advisors on the issues that were discussed at the May 6, 1992 meeting. Staff met with the Board Advisors, as instructed, and at the June 3, 1992 Committee meeting, staff outlined the problems regarding household battery waste management and indicated that the Executive Summary would be re-drafted to incorporate these problem statements.

ANALYSIS:

This report provides an analysis of the disposal and potential recyclability of batteries which are typically generated as household waste. Specific objectives of the study included the following:

1. Review the extent to which the disposal of household batteries in municipal landfills, incinerators, and compost operations may pose potential hazards to human health and the environment.

2. Evaluate the potential recyclability of household batteries, including a review of collection systems and metal reclamation technologies.

3. Identify potential hazards created by the collection, sorting, transportation, and storage of household batteries, or resulting from the recycling and materials recovery processes for household batteries.

4. Analyze existing household battery collection and alternative waste battery management programs, including education programs, source reduction, collection programs for used household batteries, and disposal and recycling options.

5. Determine whether existing legislation and regulation encourages or impedes efforts to effectively manage household batteries.

6. Recommend household battery waste management strategies and policy options for consideration by the Board and the Legislature.

The report contains six sections as follows:

Executive Summary

I. Introduction
II. Classification and Sales of Household Batteries
III. Hazardous Nature of Household Batteries
IV. Household Battery Waste Management Practices and Economics
V. Existing Household Battery Waste Management Programs
VI. Summary of Study Findings and Recommended Household Battery Waste Management Strategies

Appendices

STAFF COMMENTS:

Board staff did meet with the Board Advisors to see how issues discussed at the May 6, 1992 Committee meeting could be incorporated into the Household Battery Waste Management Study. Board staff is of the opinion that outstanding issues have been adequately discussed and incorporated into the Study and recommends the Board approve the Study and forward it to the Legislature as required by Public Resources Code Section 15012.

Prepared by: Fernando Berton F.B. Phone 255-2348

Reviewed By: William R. Orr WRO Phone 255-2301

Approved By: Don Dier, Jr. DD Phone 255-2319

Legal review: RFC Date/Time 6-5-92 14h53

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM 6

ITEM: Consideration of Certification and Designation of the San Bernardino County Department of Environmental Health Services as the Local Enforcement Agency for San Bernardino County

COMMITTEE ACTION:

The Permitting and Enforcement Committee considered this item during the June 10, 1992 meeting. The Committee voted unanimously and placed the item on the consent calendar to approve the designation and the Enforcement Program Plan, and to issue certification(s) as requested.

BACKGROUND:

The Public Resources Code (PRC) requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction. Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute. The EPP shall embody the designation and certification requirements and demonstrate that the Local Enforcement Agency (LEA) meets all the requirements for the requested certifications. PRC Section 43204 states: "No enforcement agency may exercise the powers and duties of an enforcement agency until the designation is approved by the board. After August 1, 1992, the board shall not approve a designation unless it finds that the designated enforcement agency is capable of fulfilling its responsibilities under the enforcement program and meets the certification requirements adopted by the board pursuant to PRC Section 43200."
For a local agency to have its designation as an enforcement agency approved by the Board, the enforcement agency must meet the following minimum requirements of statute and regulation:

1. Technical expertise
2. Adequate staff resources
3. Adequate budget resources
4. Adequate training
5. The existence of at least one permitted solid waste facility within the jurisdiction of the local agency.
6. No operational involvement in any of the types of facilities or sites it permits, inspects or enforces.
7. A sole enforcement agency per LEA jurisdiction.

The Board, after approval of the EPP, may issue certifications to the designated enforcement agency per Title 14 California Code of Regulations (14 CCR) Section 18071 for one or more of the following types of duties and responsibilities:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
"B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities
"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities
"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Therefore, to establish an LEA, the Board is required by statutes and regulations to approve the Enforcement Agency's EPP, to issue certification(s), and approve the designation of the Enforcement Agency.

ANALYSIS:

Board staff has received and reviewed the Designation Information Package (DIP) from the San Bernardino County Board of Supervisors requesting approval of their designation of the San Bernardino County Department of Environmental Health Services as the enforcement agency for San Bernardino County. Furthermore, Board staff has received and reviewed the EPP.

The documentation provided in the DIP and EPP meet the general requirements of PRC 43200 - 43219 and 14 CCR 18010 - 18084. Board staff find that the DIP and EPP are complete and acceptable for the Board to consider the approval of the EPP, issuance of the requested certifications, and approval of the designation of the San Bernardino County Department of Environmental Health Services as the Local Enforcement Agency (LEA) for the County of San Bernardino (see attached fact sheet for detailed information).

In reviewing this agency's past performance, Board staff has concerns regarding the agency's permitting and enforcement programs. Because of these concerns Board staff will conduct a performance review within six months to assess their implementation and effectiveness of these programs.

STAFF COMMENTS:

Board staff concur with the proposed EPP, the issuance of the requested certification and approval of the designation.

The Board has the following options:

1. Approve the EPP, issue the requested certification, and approve the designation for the jurisdiction.

2. Approve the EPP, and issue temporary LEA certification and/or designation approval for specific time periods.

3. Disapprove the EPP and/or not issue the requested certification and therefore, disapprove the designation and appoint the Board as the enforcement agency for the jurisdiction.

4. Take no action. This option provides for no enforcement agency designation. The Board would need to perform the enforcement agency duties starting August 2, 1992.

ATTACHMENTS:

1. Designation and Certification Fact Sheet.

2. CIWMB resolution for approval of the EPP, issuance of requested certification and the approval of the designation for San Bernardino County.

Prepared by: Jo Clement\Mary T. Coyle mtc Phone 255-2408

Reviewed by: Martha Vazquez MV Phone 255-2431

Legal review: RFC Date/Time 6-16 1240

DESIGNATION AND CERTIFICATION

FACT SHEET

San Bernardino County

The following is an abstract of the designation and certification information compiled from the Designation Information Package (DIP) and the Enforcement Program Plan (EPP) from the local governing body(s) and the designated enforcement agency indicated below:

Designating Local Governing Body(s):

San Bernardino County and all its cities

Designated Jurisdiction:

San Bernardino County

Designated Enforcement Agency:

San Bernardino County
Department of Environmental Health Services

Facilities and Sites: Total count ---------- 62*

Vehicles: Total count ---------- 481*

Facility Types:
Landfill(s)---------- 29*
Transfer Station(s)---------- 1*

Site Types:
"Inactive" site(s)---------- 6*
"Closed" site(s)---------- 7*
"Exempt" site(s)---------- 2*
"Illegal site(s)---------- 9*
"Abandoned site(s)---------- 8*

Types of Certification requested:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
"B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities
"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities
"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Budget Adequacy: (Total Annual Budget)----------$1,639,319.00*

Technical Expertise and Staff Adequacy:

- One (1) Division Chief, Environmental Management Division
- One (1) Supervising Environmental Health Specialist
- Two (2) Environmental Health Specialist III
- Two (2) Environmental Health Specialist II
- Two (2) Environmental Health Specialist I
- Two (2) Environmental Health Specailist Trainee
- One (1) Environmental Specialist IV
- One (1) Environmental Specialist III
- One (1) Environmental Specialist II
- One (1) Health Education Specialist
- One (1) Environmental Technician
- One (1) Secretary I

* as indicated in the Enforcement Program Plan

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION NO. 92-46

June 24, 1992

Resolution approving the Enforcement Program Plan, issuing the requested certification and approving the designation of the County of San Bernardino Department of Environmental Health Services as the Local Enforcement Agency for the County of San Bernardino.

WHEREAS, the California Integrated Waste Management Act of 1989 requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction; and

WHEREAS, regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute; and

WHEREAS, the California Integrated Waste Management Board has received and reviewed the Enforcement Program Plan for the County of San Bernardino; and

WHEREAS, the Enforcement Program Plan of the County of San Bernardino Department of Environmental Health Services requests the Board to approve the Enforcement Program Plan and issue certification types "A","B","C" and "D" to the designated local agency pursuant to Title 14 California Code of Regulations Section 18071; and

WHEREAS, the County of San Bernardino Board of Supervisors and the majority of the City Councils with the majority of the incorporated population of the designated jurisdiction have designated the above local agency and requested Board approval of their designation; and

WHEREAS, the County of San Bernardino Department of Environmental Health Services has adopted its Enforcement Program Plan pursuant to Public Resources Code Section 43209; and

WHEREAS, the Board finds that the above designated enforcement agency has demonstrated, via its Enforcement Program Plan, that it meets the requirements of Public Resources Code Division 30 Part 4, Chapter 2, Article 1 and Title 14 California Code of Regulations Division 7, Chapter 5, Articles 1.0 - 2.2; and

WHEREAS, in reviewing the County of San Bernardino Department of Environmental Health Services' past performance, Board staff has concerns regarding their permitting processing procedures and their taking appropriate enforcement actions where applicable; and

WHEREAS, the County of San Bernardino Department of Environmental Health Services need to demonstrate their capability and experience in implementing their permitting and enforcement programs;

NOW, THEREFORE, BE IT RESOLVED, the California Integrated Waste Management Board pursuant to Public Resources Code Division 30 Part 4, Chapter 2, Article 1 approves the Enforcement Program Plan and designation and issues certification types "A", "B", "C" and "D" to the County of San Bernardino Department of Environmental Health Services as the Local Enforcement Agency for the County of San Bernardino and all its incorporated cities;

BE IT FURTHER RESOLVED, that the Board directs staff to conduct a performance review within six months to assess their implementation and effectiveness of enforcement and permitting programs.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Date:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM # 7

ITEM: Consideration of Certification and Designation of the Tuolumne County Health Department Environmental Health Division as the Local Enforcement Agency for Tuolumne County.

COMMITTEE ACTION:

The Permitting and Enforcement Committee considered this item during the June 10, 1992 meeting. The Committee voted unanimously and placed the item on the consent calendar to approve the designation and the Enforcement Program Plan, and to issue certification(s) as requested.

BACKGROUND:

The Public Resources Code (PRC) requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction. Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute. The EPP shall embody the designation and certification requirements and demonstrate that the Local Enforcement Agency (LEA) meets all the requirements for the requested certifications. PRC Section 43204 states: "No enforcement agency may exercise the powers and duties of an enforcement agency until the designation is approved by the board. After August 1, 1992, the board shall not approve a designation unless it finds that the designated enforcement agency is capable of fulling its responsibilities under the enforcement program and meets the certification requirements adopted by the board pursuant to PRC Section 43200."

For a local agency to have its designation as an enforcement agency approved by the Board, the enforcement agency must meet the following minimum requirements of statute and regulation:

1. Technical expertise
2. Adequate staff resources
3. Adequate budget resources
4. Adequate training
5. The existence of at least one permitted solid waste facility within the jurisdiction of the local agency.
6. No operational involvement in any of the types of facilities or sites it permits, inspects or enforces.
7. A sole enforcement agency per LEA jurisdiction.

The Board, after approval of the EPP, may issue certifications to

the designated enforcement agency per Title 14 California Code of Regulations (14 CCR) Section 18071 for one or more of the following types of duties and responsibilities:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
"B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities
"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities
"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Therefore, to establish an LEA, the Board is required by statutes and regulations to approve the Enforcement Agency's EPP, to issue certification(s), and approve the designation of the Enforcement Agency.

ANALYSIS:

Board staff has received and reviewed the Designation Information Package (DIP) from the Tuolumne County Board of Supervisors requesting approval of their designation of the Tuolumne County Health Department Environmental Health Division as the enforcement agency for Tuolumne County. Furthermore, Board staff has received and reviewed the EPP.

The documentation provided in the DIP and EPP meet the general requirements of PRC 43200 - 43219 and 14 CCR 18010 - 18084. Board staff find that the DIP and EPP are complete and acceptable for the Board to consider the approval of the EPP, issuance of the requested certifications, and approval of the designation of the Tuolumne County Health Department Environmental Health Division as the LEA for the County of Tuolumne (see attached fact sheet for detailed information).

STAFF COMMENTS:

Board staff concur with the proposed EPP, the issuance of the requested certifications and approval of the designation.

The Board has the following options:

1. Approve the EPP, issue the requested certifications, and approve the designation for the jurisdiction.

2. Approve the EPP, and issue temporary LEA certifications and/or designation approval for specific time periods.

3. Disapprove the EPP and/or not issue the requested certifications and therefore, disapprove the designation and appoint the Board as the enforcement agency for the jurisdiction.

4. Take no action. This option provides for no enforcement agency designation. The Board would need to perform the enforcement agency duties starting August 2, 1992.

ATTACHMENTS:

1. Designation and Certification Fact Sheet.

2. CIWMB resolution for approval of the designation and the EPP, and issuance of certifications for the Tuolumne County Health Department Environmental Health Division as the Local Enforcement Agency for Tuolumne County.

Prepared by: Gabe Aboushanab\ Mary T. Coyle mtc Phone 255-2408

Reviewed by: Martha Vázquez MV Phone 255-2431

Legal review: RFC Date/Time 6.16. 1240

DESIGNATION AND CERTIFICATION

FACT SHEET

Tuolumne County

The following is an abstract of the designation and certification information compiled from the Designation Information Package (DIP) and the Enforcement Program Plan (EPP) from the local governing body(s) and the designated enforcement agency indicated below:

Designating Local Governing Body(s):

Tuolumne County and all its cities

Designated Jurisdiction:

Tuolumne County

Designated Enforcement Agency:

Tuolumne County Health Department Environmental Health Division

Facilities and Sites: Total count ---------- 49*

Vehicles: Total count ---------- 16*

Facility Types:

Landfill(s)---------- 2*
Transfer Station(s)---------- 2*
Proposed Facility(s)---------- 1*

Site Types:

"Inactive" site(s)---------- 1*
"Closed" site(s)---------- 35*
"Exempt" site(s)---------- 3*
"Illegal site(s)---------- 3*
"Abandoned site(s)---------- 2*

Types of Certification requested:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
"B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities
"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities
"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Budget Adequacy: (Total Annual Budget)----------$117,247.00*

Technical Expertise and Staff Adequacy:

- One Principal Environmental Health Specialist supervised by the Director of Environmental Health.

* as indicated in the Enforcement Program Plan

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION NO. 92-44

June 24, 1992

Resolution approving the Enforcement Program Plan, issuing the requested certifications and approving the designation of the Tuolumne County Health Department Environmental Health Division as the Local Enforcement Agency for the County of Tuolumne.

WHEREAS, the California Integrated Waste Management Act of 1989 requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction; and

WHEREAS, Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute; and

WHEREAS, the California Integrated Waste Management Board has received and reviewed the Enforcement Program Plan for Tuolumne County; and

WHEREAS, the Enforcement Program Plan of the Tuolumne County Health Department Environmental Health Division requests the Board to approve the Enforcement Program Plan and issue certification types "A","B","C" and "D" to the designated local agency pursuant to Title 14 California Code of Regulations Section 18071; and

WHEREAS, the Tuolumne County Board of Supervisors and the majority of the City Councils with the majority of the incorporated population of the designated jurisdiction have designated the above local agency and requested Board approval of their designation; and

WHEREAS, the Tuolumne County Health Department Environmental Health division has adopted its Enforcement Program Plan pursuant to Public Resources Code Section 43209; and

WHEREAS, the Board finds that the above designated enforcement agency has demonstrated, via its Enforcement Program Plan, that it meets the requirements of Public Resources Code Division 30 Part 4, Chapter 2, Article 1 and Title 14 California Code of Regulations Division 7, Chapter 5, Articles 1.0 - 2.2;

NOW, THEREFORE, BE IT RESOLVED, based on the foregoing considerations, the California Integrated Waste Management Board pursuant to Public Resources Code Division 30 Part 4, Chapter 2, Article 1 approves the Enforcement Program Plan and designation and issues certification types "A","B","C" and "D" to the Tuolumne County Health Department Environmental Health Division as the Local Enforcement Agency for Tuolumne County and all its incorporated cities.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Date:

Ralph E. Chandler
Executive Director

ITEM 8 WAS RECOMMENDED TO THE BOARD'S CONSENT AGENDA
BY THE PERMITTING AND ENFORCEMENT COMMITTEE
AT ITS 6/10/92 MEETING.

BOARD MEMBERS ARE USING THE STAFF REPORT FOR THIS ITEM
FROM THE PERMITTING AND ENFORCEMENT COMMITTEE PACKET
IN AN EFFORT TO CONTRIBUTE TO SOURCE REDUCTION.

IF YOU DID NOT RECEIVE THE 6/10/92 PERMITTING
AND ENFORCEMENT COMMITTEE PACKET AND NEED
THE STAFF REPORT FOR THIS ITEM,
CONTACT ~~PAT CHARTRAND~~ AT (916) 255-2156.
Joanne Vorkies

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM 9

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for Bonzi Sanitation Landfill, Stanislaus County.

COMMITTEE ACTION: On June 10, 1992 the Permitting and Enforcement Committee voted unanimously in favor of concurrence in the issuance of this new Solid Waste Facilities Permit. This item was not placed on the consent calendar due to two outstanding violations of State Minimum Standards.

BACKGROUND:

Facility Facts

Facility Name:	Bonzi Sanitation Landfill Facility No. 50-AA-0003
Facility Type:	Class III Landfill
Location:	2650 West Hatch Road, Modesto
Area:	128 acres
Setting:	Land surrounding the site is zoned agricultural, and rural residential
Operational Status:	Active, permitted to receive 152 tons of waste per day
Property Owner:	Ma-Ru Holding Company, Inc.
Operator:	Mr. Steve Bonzi, Partner, Bonzi Sanitation Landfill, Inc.
LEA:	Stanislaus County Department of Environmental Resources

Proposed Project:

The proposed permit would allow an increase in the tonnage from 152 to 200 tons per day, a 13 acre lateral expansion, and would incorporate the change of operator. Due to Mr. Rudy Bonzi's

recent passing, Mr. Steve Bonzi will now be the operator. The permit would also allow the addition of a wood salvaging operation, and a change from receiving nonhazardous solid waste to inert waste only.

SUMMARY:

Site History Bonzi Sanitation Landfill is located in Central Stanislaus County. The facility lies completely within land owned by Ma-Ru Holding Company. The facility was granted its first permit in 1978 to receive 360 cubic yards of residential, industrial, and commercial waste. The peak daily tonnage the facility received in 1991 was 140 tons. The facility is scheduled to close during the year of 2017.

1954 SWFP to rec. 150 TPD

Project Description The facility encompasses 128 acres, of which 115 acres are devoted to landfill operations, with 62 acres already filled and 35 acres remaining to be filled. A 13 acre parcel is used for a ground water remediation pond. Another feature of the remediation project is an air stripping tower, which is under regulation of the local air pollution control district.

There is a scalehouse, lunchroom, watchman's residence, wood chipping and recycling operation on a three acre concrete pad, a 10,000 gallon water storage tank, a pole barn for equipment storage, an office building and a maintenance building. The facility is open 24 hours a day, seven days per week to accept waste from commercial and industrial haulers only. The woodchipping area can receive wood waste from 6:00 a.m. through 9:00 p.m., Monday through Saturday; while the woodchipping operation is limited to 7:00 a.m. through 7:00 p.m.

The facility currently accepts construction/demolition, industrial and agricultural wastes. When WMU III, Cell C, is completely filled only inert waste such as construction and demolition waste will be received. Hazardous waste, liquid waste and special wastes such as asbestos, medical waste, nonhazardous sludge, dead animals, and food processing waste are not accepted.

Vehicles enter the facility from Hatch Road, are weighed at the scalehouse, then proceed to the active face. At the soil apron above the active face, a windrow is created as the refuse is deposited while the truck is driven forward. The windrow is examined for unacceptable and hazardous wastes, and salvageable commodities are manually removed. Refuse is then mechanically moved from the tipping area onto the active face of the current cell. Layers of refuse, two feet or less, are spread with a

landfill compactor. The layers are compacted with three to five passes and covered daily with six inches of soil.

Resource Recovery Programs Resource recovery operations consist of removing recoverable materials from the wastestream. The recovered material includes: paper products, wood, metal and glass. The wood salvaged from the tipping area is transported to the woodchipping operation. The woodchipping operation also accepts source separated wood from the general public. The wood chips are distributed to waste-to-energy facilities.

It is expected that the facility will recover for reuse or recycling approximately 14% of the total volume of materials received.

Compliance History On May 15, 1992 Board staff, in conjunction with the LEA, inspected the facility and found two violations of State Minimum Standards. The following violations of Title 14, California Code of Regulations (CCR) were documented:

Section 17704 - Leachate Control
Section 17705 - Gas Control

On September 22, 1989 the Regional Water Quality Control Board (RWQCB) adopted Cleanup and Abatement Order No 89-185 requiring implementation of a groundwater clean-up plan at the landfill. A groundwater remediation system has been designed and is in operation. The system consist of a series of three extraction wells that capture groundwater from areas under and near the landfill, and then pumped to a treatment system. Once the groundwater is treated it is pumped to a lined retention pond and used as irrigation to a nearby grape vineyard.

Methane gas levels monitored at the western boundary of the facility were in excess of five percent. As this boundary is within 400 feet of a residential development the existence of gas above volatile limits is considered a hazard.

On February 6, 1992 the LEA noted high gas levels at the site during a visit. On February 11, 1992 the LEA directed the operator to verify the results of the February 6 1992 monitoring. If the test results exceeded the five percent at the perimeter of the landfill the operator would design and install an approved gas control system by August 1992. The verification monitoring, which would identify the presence and extent of the problem, began April 23, 1992 and was completed in May 22, 1992. Based on these results the operator will design and implement a gas control system. It is anticipated that the gas control system design will be approved sometime in June 1992 and installed in August 1992.

Environmental Controls A groundwater remediation system and a passive landfill gas monitoring system have been installed. Included in the permitted boundary is a 13 acre parcel which contains a pond used for groundwater remediation, and will be used for retention of storm water run-off from portions of the closed WMU's. Because of the recent gas problem, the operator will be implementing a gas control system.

Rodent and insect control is practiced as part of normal landfill operations. In addition to prudent landfilling practices, such as the proper placement of daily and intermediate cover a portion of the dirt received at the landfill is deposited at the active face and mixed with the refuse during compaction. A licensed

exterminator is contracted to inspect the site twice monthly and identify and correct any rodent or insect problems.

Dust control is minimized by wetting haul roads and the active face at least once a day when the landfill receives loads. Litter control is practiced by hand collection of any litter along the fences and roadways. Problem due to odor are minimal at the site, since highly putresible waste which create objectionable odors commonly associated with landfills are not routinely accepted at the site.

Noise is controlled by the installation of mufflers on operating equipment and periodic inspection of these mufflers. The fire control program at the facility consists of trained personnel and the availability of appropriate equipment. A water truck and earth moving equipment are available on-site. Fire extinguishers are present at the office, the maintenance shop, and on each piece of heavy equipment.

There is a Hazardous Waste Screening Program employed at this facility. Any hazardous waste inadvertently received will be handled in a manner approved by the Local Enforcement Agency (LEA) and the California Integrated Waste Management Board.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to PRC Section 44009, the Board has 60 calendar days to concur or object to the issuance of a Solid Waste Facilities Permit. Since the permit was received on May 4 1992, the last day the Board could act is July 3, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for Board's

consideration of concurrence. In making the determination the following items were considered:

1. Conformance with County Plan

   The LEA has determined that the facility is in conformance with the latest revision of the Stanislaus County Solid Waste Management Plan dated 1986 as found in the County Board of Supervisor's Resolution adopted and approved on June 3, 1986. Board staff agrees with said finding.

2. Consistency with General Plan

   The LEA has found that the facility is in conformance with the Stanislaus County General Plan dated 1987 and is compatible with the surrounding land uses. Conditional Use Permit (CUP) No. 836 which authorized the siting of the landfill was adopted by the County Board of Supervisors as amended on December 16, 1982. The CUP was modified in 1969 by Use Permit No. 1007, which added an equipment building and Use Permit No. 1052 which expanded the landfill area. These use permits were approved on October 2, 1969 and April 2, 1970, respectively.

3. Consistency with Waste Diversion Requirements

   Board Planning and Assistance Division staff evaluate proposed permits, pursuant to PRC 44009, to determine if the proposed project would impair or substantially prevent the achievement of waste diversion goals. Based on consideration of available information, staff determined that the issuance of the proposed permit would neither prevent nor substantially impair achievement of mandated waste diversion goals.

4. California Environmental Quality Act (CEQA)

   State law requires the preparation and certification of an environmental document. The Stanislaus County Conservation, Development, and Planning Department prepared a Mitigated Negative Declaration (SCH#92012070) for the proposed project. The project was certified as approved by the Lead Agency on August 24, 1991 and a Notice of Determination was filed. The Regional Water Quality Control Board prepared a Negative Declaration (SCH#90020656) for the leachate collection pond associated with this project. The project was certified as approved by the lead agency on August 10, 1990 and a Notice of Determination was filed.

Potential environmental impacts and mitigation measures associated with the project are identified and incorporated in the Mitigation Plan.

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and the Mitigated Negative Declarations are adequate and appropriate for the Board's use in evaluating the proposed project.

5. Compliance with State Minimum Standards

On May 15, 1992 Board staff, in conjunction with the LEA, conducted an inspection and found the following State Minimum Standards violations: 14 CCR Section 17704, Leachate Control, and 14 CCR Section 17705, Gas Control.

Board staff have determined that there are long term remediation and corrective action work necessary to mitigate the water quality and gas problem associated with the landfill. The RWQCB has found the facility in compliance with the WDRs and the Cleanup and Abatement Order.

The LEA will be present at the Board meeting to discuss the progress made in correcting the violations of State Minimum Standards.

STAFF RECOMMENDATION:

Because a new Solid Waste Facilities Permit is proposed, the Board must either object to or concur with the proposed permit as submitted by the LEA.

Staff recommends that the Board adopt Permit Decision No. 92-50 concurring in the issuance of Solid Waste Facilities Permit No. 50-AA-0003.

ATTACHMENTS:

Additional attachments were provided as part of the Permitting and Enforcement Committee agenda packet.

1. Proposed Permit

Prepared by: Roger Marchese/Beatrice Cuenca Phone: 255-2587

Reviewed by: Phillip J. Moralez/Martha Vázquez Phone: 255-2454

Legal Review: RFC Date/Time: 6/12 13h35

ATTACHMENT 1

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE

TYPE OF FACILITY	FACILITY/PERMIT NUMBER
LANDFILL	50-AA-0003

NAME AND STREET ADDRESS OF FACILITY	NAME AND MAILING ADDRESS OF OPERATOR
BONZI SANITATION LANDFILL 2650 WEST HATCH ROAD MODESTO, CALIFORNIA 95351	STEVE BONZI BONZI SANITATION LANDFILL 2650 WEST HATCH ROAD MODESTO, CALIFORNIA 95351
PERMITTING ENFORCEMENT AGENCY STANISLAUS COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES	CITY/COUNTY STANISLAUS COUNTY

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS
APPROVING OFFICER NAME/TITLE	STANISLAUS COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES 1716 MORGAN ROAD MODESTO, CALIFORNIA 95351
SEAL	AGENCY USE/COMMENTS

PERMIT RECEIVED BY CWMB	CWMB CONCURRANCE DATE
MAY 20 1992	
PERMIT REVIEW DUE DATE	PERMIT ISSUED DATE

CWMB (Rev. 7/84)

BONZI SANITATION LANDFILL

SOLID WASTE FACILITY PERMIT
NUMBER 50-AA-0003

FINDINGS

1. A. The owner of the landfill is Ma-Ru Holding Company. Ma-Ru Holding Company is a corporation owned by Mary Bonzi and the estate of Rudy Bonzi. The owner of the parcel containing the retention pond used for the groundwater remediation project and stormwater run-off is Mary Bonzi and the estate of Rudy Bonzi. The operator of the landfill is Steve Bonzi.

B. The facility is located at 2650 West Hatch Road, Modesto, CA, 95351 (APN 017-41-36, and APN 017-41-11) Section 12, Township 4 South, Range 8 East, Mount Diablo Baseline and Meridian in Stanislaus County). A map of the facility can be found as Attachment A to this Permit. Maps with more details are available in the March 1992, Revised Report of Disposal Site Information (RDSI). There are four waste management units (WMUs). WMUs I and II are completely filled, as are WMU III cells a and b. WMU III cell c is currently being filled. WMU III cells d, e, and f, and WMU IV remain to be filled. The site encompasses 128 acres of which 13 acres comprise the site for the groundwater remediation system pond, and 115 acres comprise the existing landfill proper. Approximately 62 net acres have been filled and 35 net acres remain to be filled.

In the southwestern corner of the landfill is a 13 acre parcel (APN 017-41-11) which contains the pond used for the groundwater remediation project, and which will be used for retention of stormwater run-off from portions of the closed WMUs.

C. The facility has a scalehouse, a lunchroom, a watchman's residence, a wood chipping and recycling operation on a three acre concrete pad, a 10,000 gallon water storage tank, a pole barn for equipment storage, an office building and a maintenance building. Environmental monitoring and control systems currently in place at the landfill include an extensive network of groundwater monitoring wells, monitoring wells for landfill gases, and a groundwater remediation system (with an air stripping tower). Remaining site capacity as of March 1992, is approximately 570,000 cubic yards. For details of the capacity calculation, consult the Revised RDSI, March 1992, Appendix D.

D. The landfill is currently accepting wastes classified as nonhazardous solid waste or inert wastes using the criteria set forth in the California Code of Regulations Title 23, Division 3, Chapter 15. The site receives nonhazardous wastes such as:

1. Construction/demolition wastes.
2. Industrial wastes.
3. Agricultural wastes.

When WMU III cell c is completed, there will be changes in the types of wastes received. Only inert wastes as defined by the California Regional Water Quality Control Board (CRWQCB) will be accepted for disposal in cells d, e and f. The operator, in consultation with the CRWQCB, developed the following list of waste types which will be received at the landfill and which meet the CRWQCB definition of inerts:

1. Concrete with rebar.
2. Earth.
3. Rock.
4. Asphalt (cured).
5. Mortar.
6. Tile.
7. Stucco.
8. Composition shingles.
9. Brick.
10. Linoleum.
11. Glass.
12. Aluminum window frames.
13. Gypsum board.
14. Scrap rubber products.
15. Electrical wiring.
16. Duct work.
17. PVC pipe.
18. Vitrified clay pipe.
19. Ductile iron, cast iron pipe.
20. Copper tubing.
21. Plaster.
22. Miscellaneous plastics.
23. Stainless steel fixtures.
24. Lumber products (note: 90-95 percent of the lumber products will be salvaged and removed to the on-site wood recycling operation. No treated lumber will be accepted).
25. Porcelain fixtures such as sinks, toilets, tubs.
26. Carpet.

If materials not listed above are inadvertently received, they will be separated at the active face, placed in bins, and removed to an authorized transfer facility or landfill. For further details consult Appendix A of the Revised RDSI, dated March 1992.

Hazardous wastes, liquid wastes, and/or special wastes (asbestos, medical waste, nonhazardous sludges, dead animals, food processing waste and hard-to-handle wastes) will not be accepted at this facility.

E. The permitted tonnage and design capacity is 200 tons of refuse per day. In 1991, the facility received an average of 35 tons per day. In 1991, the peak daily tonnage was 139.8 tons, which was received on September 26, 1991.

A projection of annual tonnage over the next five years is included as Table II, page 3, in the Revised RDSI, dated March 1992. Average annual loading is 30,000 tons.

F. Vehicles enter the facility from Hatch Road. Vehicles are weighed at the scalehouse before proceeding to the active face. At the soil apron above the active face, a windrow is created as the refuse is deposited while the truck is driven forward. The windrow is examined for unacceptable and hazardous wastes, per load checking protocols, and salvageable commodities are manually removed (see Section G of this Permit for a description of salvaging). When the salvage activities are completed, the refuse is mechanically spread from the tipping area onto the active face of the current cell of the area fill. Layers of refuse, two feet or less, are spread with a landfill compactor. The layers are compacted with 3 to 5 passes of the landfill compactor. Wastes are covered daily with a minimum of six inches of cover. After dumping, the vehicles leave the site. Trucks are re-weighed only if the tare weight of the vehicle is not stored in the scalehouse computer. A traffic plan can be found in the Plans section of the revised RDSI dated March 1992.

G. Salvaging consists of manual removal of recoverable materials from construction and demolition debris, and industrial loads, in the tipping area. Materials targeted for removal include, but are not limited to:

1. Paper products.
2. Wood.
3. Metals.
4. Glass.

Other materials may be manually salvaged should markets be developed for these materials. The operator will keep the Local Enforcement Agency (LEA) informed of the salvaging of such other materials.

Metal, glass and paper products are placed in large roll-off bins at the active face. The bins are removed from the active face as needed, but at least weekly.

Wood is diverted to the on-site wood recycling facility. This facility was constructed on a concrete pad on three acres of WMU IV. This facility accepts source separated wood and wood salvaged at the landfill (note: source separated wood is not included in the landfill's 200 tons per day limit because this material is delivered directly to the wood recycling operation through a separate entrance). The wood recycling facility currently chips wood, which is sold as fuel to the biomass incineration industry. Saw dust, produced as a by-product of wood chipping, is sold to the landscaping industry as a soil amendment. Additional details of the wood recycling facility are contained in Appendix B of the Revised RDSI, dated March 1992.

Salvaged and recycled materials will be stored for a period of time and in a manner which will not create health hazards.

As noted above, hazardous wastes are not accepted at this facility. However, if inadvertently received, such wastes will be handled in a manner approved by the LEA and the California Integrated Waste Management Board (CIWMB).

H. Two types of load checking programs will be utilized at Bonzi Sanitation Landfill: the first is the existing hazardous waste exclusion program, and the second is an inert, construction and demolition debris load checking program. The latter will commence with the opening of WMU III cell d. Both programs are described in detail in Appendix A of the Revised RDSI, dated March 1992.

Both of the load checking programs include these elements: employee training, written notification of clients, pre-screening of wastes by drivers, the formation of a waste windrow in the tipping area, manual examination of the loads for hazardous or unacceptable wastes, and protocols for handling such wastes.

Employees are trained to recognize the types of hazardous or special wastes that may be inadvertently included in the loads brought to the facility. Equipment operators and vehicle operators will be given special instructions. All employees will receive regular safety briefings and instructions in protocols for handling unacceptable or hazardous wastes.

A list of emergency contact names and telephone numbers is included as part of the load checking program, and may be found in Appendix A of the Revised RDSI, March 1992.

Incidents of unlawful disposal of hazardous wastes will be reported to the Stanislaus County Department of Environmental Resources (DER), Hazardous Materials Division and/or the Solid Waste Management Division, phone number (209) 525-4150 or 525-4160 (during business hours), or (209) 525-7911 (after business hours). The Fire Department will be called (911), if deemed necessary.

Additional measures may be required upon the request of the LEA or the Board.

I. Anticipated changes in the design or operation of the landfill in the next five years include the following:

1. An increase in tonnage to 200 tons per day.

2. Partial closure of WMUs I, II, and III cells a, b and c, and the installation of approved projects associated with closure, such as a landfill gas control system.

3. Commencing with the opening of WMU III cell d, only inert wastes as defined by CRWQCB will be accepted (see Section D of this Permit).

J. The landfill facility, which is closed to the public, is open up to 24 hours a day, 7 days a week for the receipt, salvaging, and disposal of wastes.

The wood recycling facility is open to the public 6 a.m. to 9 p.m. Monday through Saturday for receipt and shipping of wood waste. The wood chipper may operate between the hours of 7 a.m. and 7 p.m. Hours may be reduced by the operator based on market conditions. The wood recycling facility is closed to the public at least six holidays per year. The wood recycling facility does

not operate on Sunday. For further details see the Appendix B of the Revised RDSI, dated March 1992.

The landfill is projected to reach capacity in the year 2017.

2. The following is a list of agencies and documents that condition the design, operation, and use of this facility.

   A. The Revised Report of Disposal Site Information, March 1992.

   B. The California Regional Water Quality Control Board Waste Discharge Requirements (WDR) 89-043, dated March 31, 1989, and WDR 90-215 and Resolution 214, both dated August 10, 1990.

   C. A Negative Declaration (State Clearinghouse #92012070), prepared by DER on January 15, 1992. The State Clearinghouse received for filing the Negative Declaration on January 23, 1992.

   D. The Mitigation, Monitoring and Implementation Schedule, dated January 30, 1992.

   E. Fire safety compliance letter, dated February 11, 1992.

   F. Stanislaus County Department of Planning and Community Development Use Permit No. 836, as amended December 16, 1982; Use Permit 1007, approved October 2, 1969; Use Permit 1076, approved April 2, 1970; and memorandum, dated February 4, 1992.

   G. Final Closure and Postclosure Maintenance Plan (to be approved by the CIWMB, the RWQCB, and the LEA).

   H. A letter explaining the arrangement between the owners and the operator of the facility, in lieu of a lease, Appendix I, Revised RDSI, March 1992.

   I. San Joaquin Valley Unified Air Pollution Control District has issued an Authority to Construct Number 6-118-01 on August 21, 1990, for the groundwater remediation systems's air stripping component.

3. The Stanislaus County Department of Environmental Resources has made the following findings and certifications pursuant to the Public Resources Code, Sections 44010, 50000 and 50000.5:

A. The Bonzi Sanitation Landfill is identified and described in, and conforms with, the April 1986 Solid Waste Management Plan for Stanislaus County.

B. The proposed Solid Waste Facility Permit is consistent with standards adopted by the CIWMB.

C. The Bonzi Sanitation Landfill is consistent with the Stanislaus County General Plan.

4. The design and operation of the Bonzi Sanitation Landfill is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA.

5. The Stanislaus County Department of Fire Safety has found that the Bonzi Sanitation Landfill is in conformance with applicable codes.

6. The Stanislaus County Department of Planning and Community Development has found that the landfill is compatible with the surrounding zoning and General Plan for the area.

7. A Negative Declaration (ND) (State Clearinghouse #92012070) was prepared by DER on January 15, 1992. The State Clearinghouse received for filing the ND on January 23, 1992. The ND was approved by DER on March 25, 1992. A Notice of Determination was filed with the State Clearinghouse on March 30, 1992, and the Stanislaus County Clerk on March 26, 1992.

CONDITIONS

REQUIREMENTS

1. This facility shall comply with all State Minimum Standards for Solid Waste Handling and Disposal.

2. This facility shall comply with all federal, state, and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to the Public Resources Code, Section 21081.6.

3. Additional information concerning the design and operation of this facility shall be furnished upon written request and within the time frame indicated by the LEA.

4. The operator shall maintain a copy of this Permit at the facility. The Permit must be readily available to facility and LEA personnel.

5. The facility operator shall supply the LEA with copies of all correspondence and reports provided to other regulatory agencies which have jurisdiction over the landfill.

PROHIBITIONS

The following are prohibited at this facility:

1. Scavenging.
2. Disposal of dead animals.
3. Disposal of hazardous waste.
4. Open burning and/or disposal of hot ashes.
5. Disposal of septic tank pumpings or sewage sludge.
6. Disposal of medical waste.
7. Disposal of liquid or food processing waste.
8. Disposal of waste quantities which exceed the handling capacity of the facility, or acceptance of any other waste which the facility is not permitted to handle.
9. Standing water on covered fill areas.

SPECIFICATIONS

1. Any change that would cause the design or operation of the facility not to conform to the terms or conditions of the Permit may be considered a significant change and may require a Permit revision. Except for the changes outlined in Findings 1. I. above, all changes must be approved by the LEA and the CIWMB prior to implementation of such changes.

2. This facility has a maximum permitted capacity of 200 tons per operating day and shall not receive more than this amount without first obtaining a revision of this Permit.

3. A change in facility operator will require a new solid waste facilities Permit.

PROVISIONS

This Permit is subject to review by the LEA, and may be suspended, revoked, or modified at any time for sufficient cause after a hearing.

MONITORING AND REPORTING

1. The operator shall provide the LEA with monthly reports, no later than 15 days after the close of the month, which include:

   a. Tons of waste received for disposal, per day and per month.

   b. Tons of salvaged material removed from the waste stream, per category (metals, paper, wood, etc.), per month.

   c. The dates that the facility was cleaned of litter and the approximate volume of litter collected.

   d. Number of vehicles using the landfill per day and per month.

2. Prompt notification shall be given to the LEA, and a record shall be made in the Special Occurrences Log, upon the occurrence of:

   a. Unscheduled shut-down;

   b. Employee injury;

   c. Delivery or attempted delivery of unpermitted or unacceptable waste; or,

   d. Any special occurrences: fires, structural damage, flooding, etc.

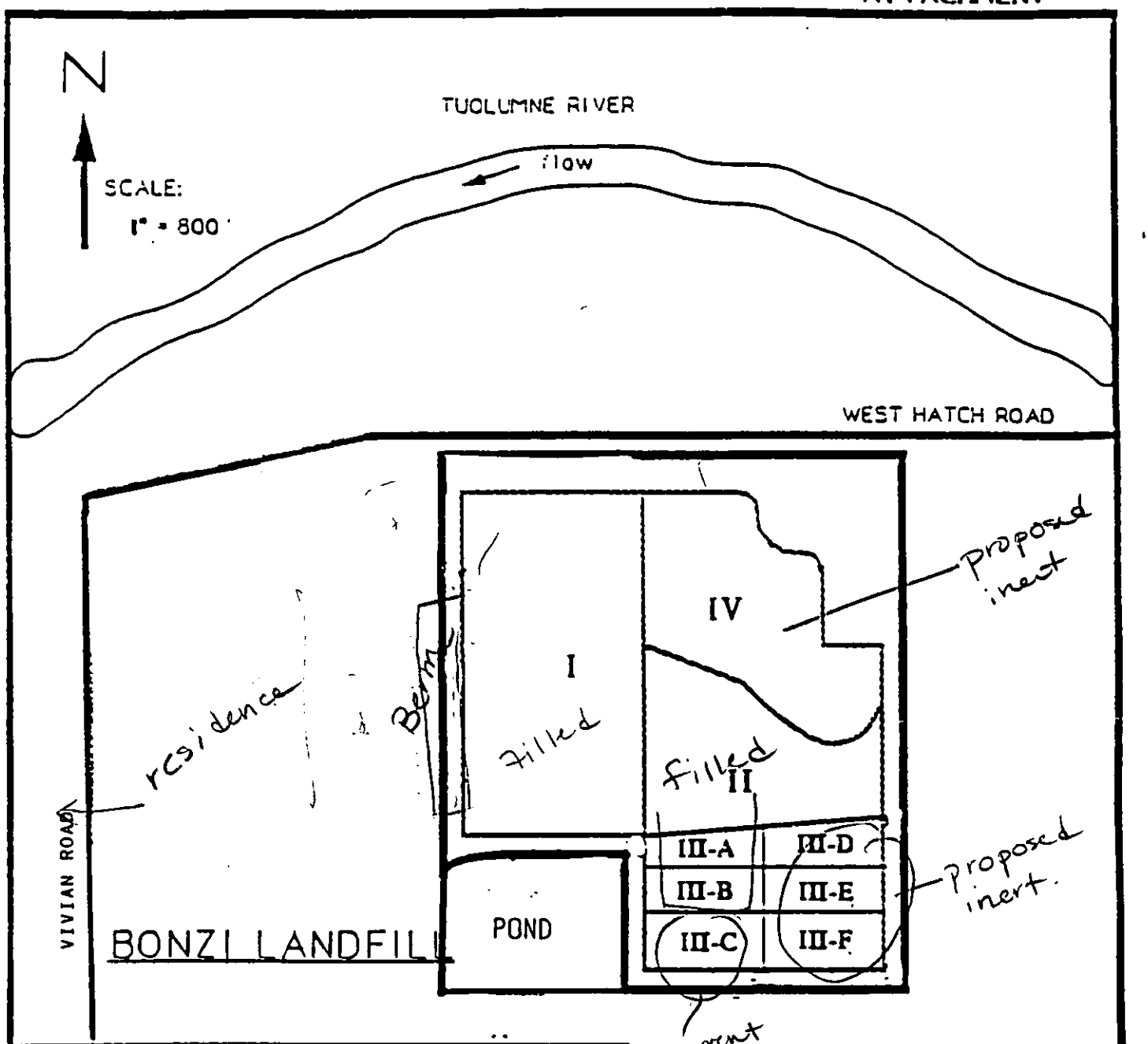
   The Special Occurrences Log will be available for review during inspections by, or at the request of, the LEA.

3. The results of the hazardous waste screening program shall be reported to the LEA on a quarterly basis. Such reports shall be submitted within 15 days following the close of each calendar quarter.

4. Information required to be submitted to agencies having jurisdiction over the facility shall also be submitted to the LEA at the frequencies specified by those agencies.

PERM.DOC

ATTACHMENT A



BONZI SANITATION LANDFILL
AND MA-RU HOLDING COMPANY
CLASS III LANDFILL,

STANILAUS COUNTY

WASTE MANAGEMENT UNITS II

MITIGATION, MONITORING AND IMPLEMENTATION SCHEDULE
BONZI SANITATION LANDFILL
2650 WEST HATCH ROAD
MODESTO, CA 95351

JANUARY 30, 1992

IMPACT	MITIGATION	MONITORING	MONITORING/TRACKING MECHANISM
1. Air Quality	a. To prevent PM10 emissions clay hauling trucks will be tarped in transit.	LEA	a. Vehicle Inspections.
	b. A water truck will be used to control on-site dust during closure construction.		b. At least monthly facility inspections.
2. Water Quality/ Drainage	Construction of minimum effective slopes for closure per CCR Title 14.	LEA	At least monthly facility inspections.
3. Gas Hazard	Gas monitoring system.	LEA	Quarterly reports from operator.

JAN30.MMI

ITEM 10 WAS RECOMMENDED TO THE BOARD'S CONSENT AGENDA
BY THE PERMITTING AND ENFORCEMENT COMMITTEE
AT ITS 6/10/92 MEETING.

BOARD MEMBERS ARE USING THE STAFF REPORT FOR THIS ITEM
FROM THE PERMITTING AND ENFORCEMENT COMMITTEE PACKET
IN AN EFFORT TO CONTRIBUTE TO SOURCE REDUCTION.

IF YOU DID NOT RECEIVE THE 6/10/92 PERMITTING
AND ENFORCEMENT COMMITTEE PACKET AND NEED
THE STAFF REPORT FOR THIS ITEM,
CONTACT ~~PAT CHARTRAND~~ AT (916) 255-2156.
Joanne Vorhies

ITEM 11 WAS RECOMMENDED TO THE BOARD'S CONSENT AGENDA
BY THE PERMITTING AND ENFORCEMENT COMMITTEE
AT ITS 6/10/92 MEETING.

BOARD MEMBERS ARE USING THE STAFF REPORT FOR THIS ITEM
FROM THE PERMITTING AND ENFORCEMENT COMMITTEE PACKET
IN AN EFFORT TO CONTRIBUTE TO SOURCE REDUCTION.

IF YOU DID NOT RECEIVE THE 6/10/92 PERMITTING
AND ENFORCEMENT COMMITTEE PACKET AND NEED
THE STAFF REPORT FOR THIS ITEM,
CONTACT ~~PAT CHARTRAND~~ AT (916) 255-2156.
Joanne Vorkies

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM 12

ITEM: Consideration of Concurrence in a Revised Solid Waste Facilities Permit for B & J Drop Box Sanitary Landfill, Solano County.

COMMITTEE ACTION: The Permitting and Enforcement Committee voted unanimously in favor of forwarding this permit to the Board with no recommendation pending the findings of Board staff inspection.

BACKGROUND:

Facility Facts

Name:	B & J Drop Box Sanitary Landfill, Facility No. 48-AA-0002.
Facility Type:	Class III Landfill
Location:	6426 Hay Road, Vacaville.
Area:	161 acres.
Setting:	Surrounding land is utilized for cattle and sheep grazing. There are no structures within 1000 feet of the facility. The facility is located 6 miles southeast of Vacaville and 8 miles northeast of Travis Air Base.
Operational Status:	Active Landfill, permitted to accept 700 tons per day.
Owner:	Vaca-fill (owned B & J Drop Box Corporation and Vista Del Mar), a Subsidiary of Norcal Waste Systems, Inc. Contact-Archie Humphrey, Vice President-General Manager.
Operator:	Tri-County Company through contract with B & J Corporation. Contact-Archie Humphrey, Vice President-General Manager.
LEA:	Solano County Department of Environmental Management.

Proposed Project:

The proposed revised permit would allow the landfill to operate under Performance Standards as specified in Title 14, California Code of Regulations (CCR), Section 17683. The proposed permit would also allow a site expansion into a new module not covered by the existing permit. The designs for the Module have also changed and are not covered by the existing permit.

SUMMARY:

Site History The B & J Drop Box Sanitary Landfill is an existing facility that began operations in 1964 as an excavate-and-burn facility. In 1973, the operator stopped burning refuse and began to use the excavate-and-fill method. The issuance of the current permit was concurred by the Board in 1983, and was subsequently issued by Solano County in 1984. At that time, the facility was permitted for 1500 TPD, 1400 TPD from the City and County of San Francisco, and 100 TPD from portions of Solano County. Importation of wastes from the City and County of San Francisco never occurred.

When the operator began to use the excavate-and-fill method, in Module 1, the excavations encountered ground water. Attempts were made to correct this problem, and, in 1989, the Central Valley Regional Water Quality Control Board (RWQCB) issued the operator an order to cease discharge of waste into Module 1. The order and compliance schedule were issued in Waste Discharge Requirements No. 89-178. Part of the RWQCB's compliance schedule was the submittal of the design plans for Module 2. Those plans have now been approved by the RWQCB.

The facility has historically received friable asbestos which is covered by the existing permit. In the past, asbestos has been co-mingled with non-hazardous wastes. The operator proposes to restrict the asbestos disposal to identified portions of the landfill. The designation of these areas would enable the operator to control the access to, and allow the identification of the asbestos disposal areas.

The facility is located in an area zoned for agriculture. The surrounding area is utilized for sheep and cattle grazing. The facility is operated by the B & J Corporation; B & J Drop Box Corporation owns 90% of Vaca-fill, which owns the 161 acre site. The other 10% of Vaca-fill is owned by Vista Del Mar. Landfill operations are performed by Tri-County Development company through contract with B & J Corporation. The site is located in an isolated area of Solano County, 6 miles southeast of Vacaville. Outside the boundaries of the facility, there are no structures within 1000 feet.

Project Description The facility is located in an 161 acre site, of which, 142 are intended for landfill purposes.

The facility is permitted as a Class III landfill. The permitted capacity is 700 tons per day of non-hazardous waste, street refuse, dewatered sludge, and construction and demolition wastes, including friable asbestos. However, the permit specifies that the receipt, handling and disposal of asbestos is not regulated by the SWFP.

This facility is open to the general public seven days per week from 8:00 a.m. to 4:30 p.m. The facility is closed on four holidays. Normal site operations occur from 5:00 a.m. to 10:00 p.m. during daylight savings time and from 7:00 a.m. to 7:00 p.m. during the rest of the year.

The landfill is divided into three modules. The only area that has been filled with waste is Module 1, which covers 60 acres. With this permit, the operator plans to begin operations in Module 2, which consists of 90 acres. It is intended that Module 3, will eventually be filled between Modules 1 and 2. A description of the site has been provided as Attachment 2.

The majority of waste arrives at the site by compactor trucks or debris boxes from cities and unincorporated areas of Solano County. Vehicles enter through a gate house and are directed to the disposal areas by signs. All-weather access roads lead to the unloading area. In dry weather, the unloading area is located at the working face. During wet weather, vehicles are directed to unload on a centrally located elevated pad. Waste is then pushed by trucks to the working face. The proposed project is to dispose of waste in Module 2, for which the plans have already been approved by the RWQCB. In Module 2, the operator will use the area-fill method.

The working face for the refuse will be separate from the asbestos area. Asbestos will be placed in the western portion of Module 1 in a mono-fill system. Upon arrival, the asbestos will be disposed in an area restricted to the public. The asbestos will be disposed in an isolated area, thus enabling the operator to know exactly where the asbestos disposal area is located. The operator will line the western portion of Module 1 and fill with asbestos to bring up to grade level. After which, intermediate cover will be placed and fenced until final closure. When the western portion of Module 1 is filled with the asbestos (2-3 years), the operator will then begin to mono-fill the asbestos in the southwest corner of Module 2, which will be fenced upon filling. In Module 2 the working face will be separate from the asbestos area.

The operator will also begin operations under Performance Standards, as specified under Section 17683, Title 14, CCR, in lieu of applying daily cover. Under Performance Standards, the working face will be 150 feet by 70 feet during dry weather conditions, and 125 feet by 70 feet during the wet weather conditions. The calculations for the size of the working face during dry and wet weather conditions are below those specified in regulation, meaning that, the working face will be smaller than the allowed working face under daily cover requirements. The operator intends to import soil for daily cover as needed, for intermediate cover, roads, and miscellaneous use.

The facility has instituted a hazardous waste screening program. The employees are provided with training in the recognition and handling of hazardous waste. If it is inadvertently accepted the Health Department will be notified for proper disposal.

Environmental Controls Under Performance Standards, Section 17683, Title 14, CCR, the LEA inspects the facility weekly to ensure that potential dust, odor and vector problems are mitigated. Dust is minimized by grading and watering access roads, haul roads, and areas where dust is likely to be formed. There will also be planting and maintaining vegetative cover on completed fill slopes. Odor is mitigated by maintaining a small working face. Litter is controlled by placing litter control fences in the immediate vicinity of the working face.

Noise is controlled by proper maintenance of equipment. Noise from the site's operation does not represent a problem due to the rural location of the facility. The nearest residence is approximately one-half mile to the west of the site. The employees are provided with hearing protection devices.

Birds are controlled by placing a monofilament net above the working face. Insects and rodents are prevented by proper site grading to eliminate ponding of water, and prompt placement of intermediate cover.

Landfill equipment and vehicles are provided with fire extinguishers. Any fire occurring accidently on the landfill will be extinguished primarily by landfill personnel using soil cover stockpiles and, when necessary, a water truck.

The modules will be constructed with a blanket-type leachate collection and removal system (LCRS). The LCRS will include a series of pipes located along the base of the landfill. Leachate will be collected in a surface impoundment on site and removal for proper disposal at a waste water treatment site. Leachate generated from Modules 2 and 3 will be prevented from entering

Module 1 by physically separating the modules by the placement of a slurry wall.

Lateral migration of methane gas produced by decomposition of refuse is controlled by perimeter constructed clay barriers.

Resource Recovery Programs The facility includes a public recyclable materials drop-off center which accepts newspaper, aluminum, cardboard, glass, plastic, wood wastes, and tires. In addition, the facility stockpiles white goods, mattresses and metal which are sold to brokers for further processing.

ANALYSIS:

Requirements for concurrence with the Solid Waste Facilities Permit. Pursuant to Public Resources Code (PRC), Section 44009, the Board has 60 calendar days to concur or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on May 19, 1992, the last day the Board could act is July 18, 1992.

The LEA has submitted a proposed permit to the Board. Staff has reviewed the proposed permit and supporting documentation, including the proposal for the disposal of asbestos, and has found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Concurrence with County Plan

   The LEA has determined that the facility is in conformance with the Solano County Solid Waste Management Plan, amended September 1989. Board staff agrees with said finding.

2. Consistency with General Plan

   The LEA has found that the facility is in conformance with the Solano County General Plan adopted on December 19, 1980. Board staff agrees with the said finding.

3. Consistency with Waste Diversion Requirements

   Staff of the Planning and Local Assistance Division made an assessment, pursuant to PRC Section 44009, to determine if the proposed project would impair achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit should neither impair or substantially prevent the County of Solano from achieving its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document. The Solano County Department of environmental Management prepared a Negative Declaration (ND), SCH #91083038, for the proposed project. As required by CEQA, the ND identified the project's potential significant and/or adverse environmental impacts and provided mitigation measures that would reduce those impacts to a less than significant levels. Board's staff reviewed the ND and provided comments to the County on September 11, 1991. The County prepared and submitted an adequate response to comments. The project was adopted as approved by the Lead Agency and a Notice of Determination (NOD) was filed on November 7, 1991.

Potential environmental impacts and mitigation measures associated with the project are identified and included as Attachment 5.

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and that the ND is adequate and appropriate for the Board's use in evaluating the proposed permit.

5. Conformance with State Minimum Standards

In March 1992, the LEA determined that the facility's design and operation are in compliance with State Minimum Standards for Solid Waste Handling and Disposal.

At the time this item was prepared, Board staff had not completed the inspection of the facility. The findings of the inspection will be presented at the meeting.

STAFF RECOMMENDATION

Because a revised Solid Waste Facilities Permit has been proposed, the Board must either concur or object with the proposed permit as submitted by the LEA.

Staff recommends that the Board adopt Permit Decision No. 92-53 concurring in the issuance of Solid Waste Facilities Permit No. 48-AA-0002.

ATTACHMENTS:

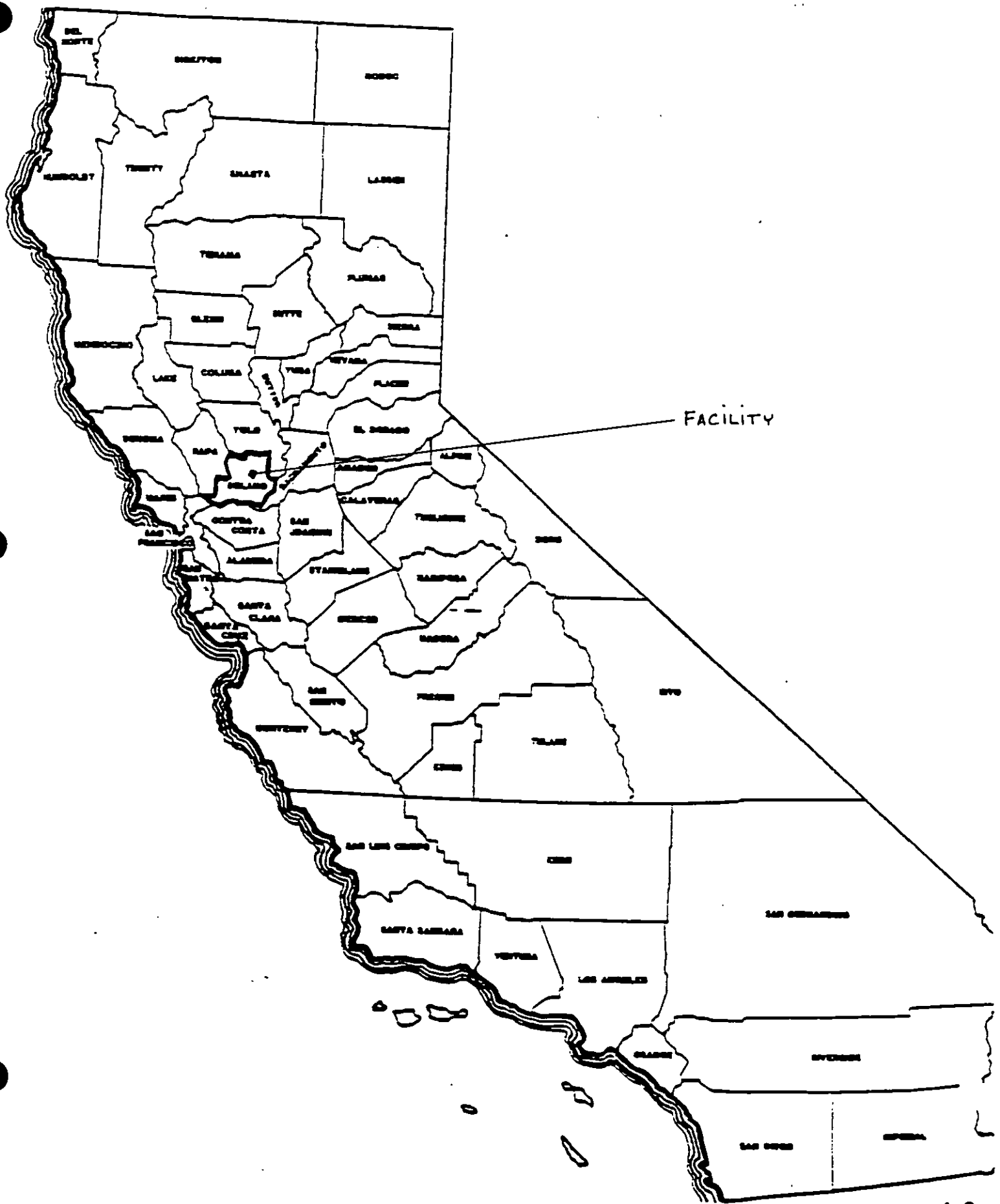
1. Location Map
2. Site Location
3. Permit No. 48-AA-0002
4. Findings of Conformance with AB2296
5. Mitigation Measures
6. Notice of Determination
7. Permit Decision No. 92-53

Prepared by: Amalia Fernandez / Beatrice Cuenca Phone: 255-2578

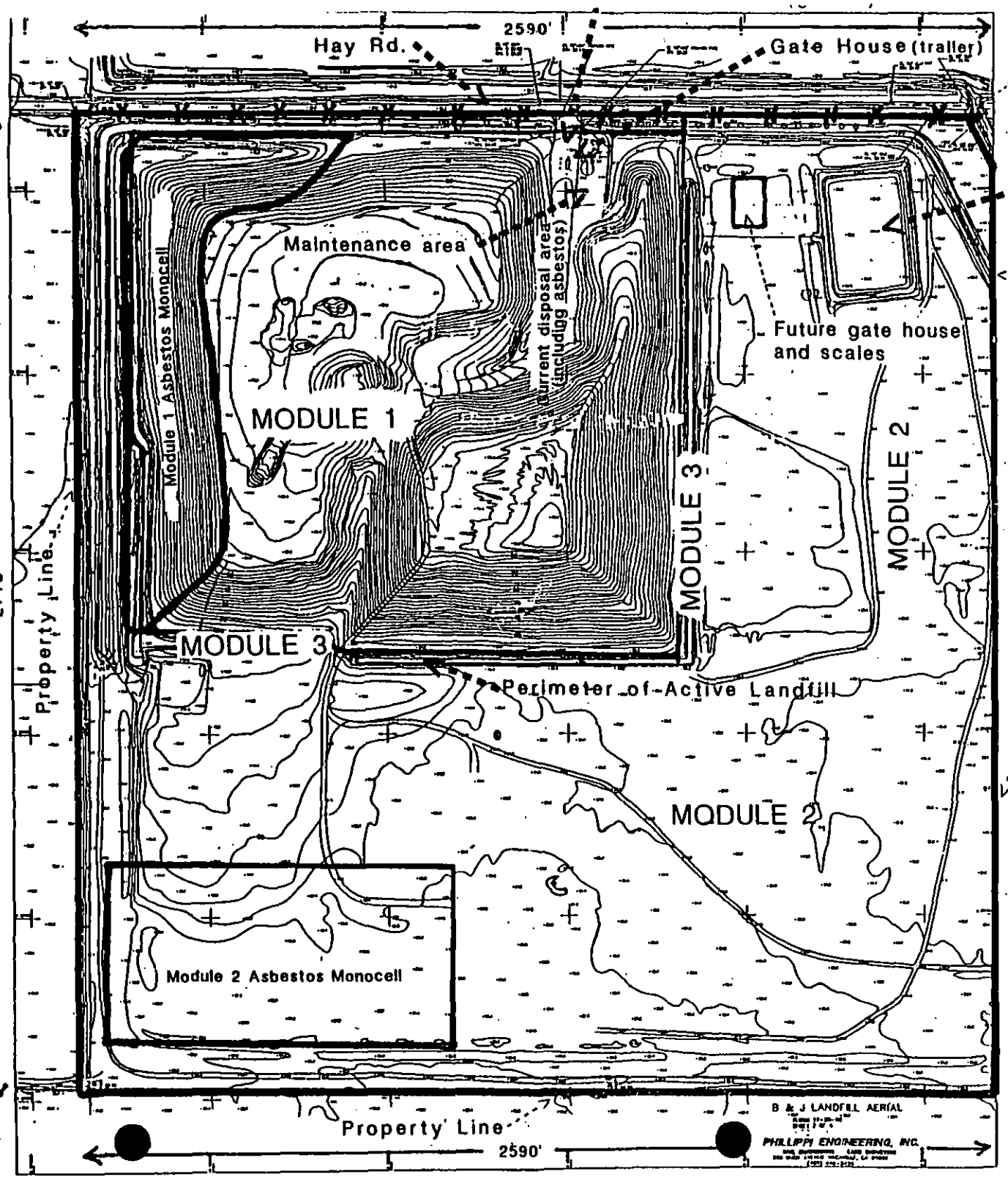
Approved by: Phillip J. Moralez / Martha Vazquez Phone: 255-2453

Legal Review: RFC Date / Time: 6-12 1603

ATTACHMENT 1



ATTACHMENT 2



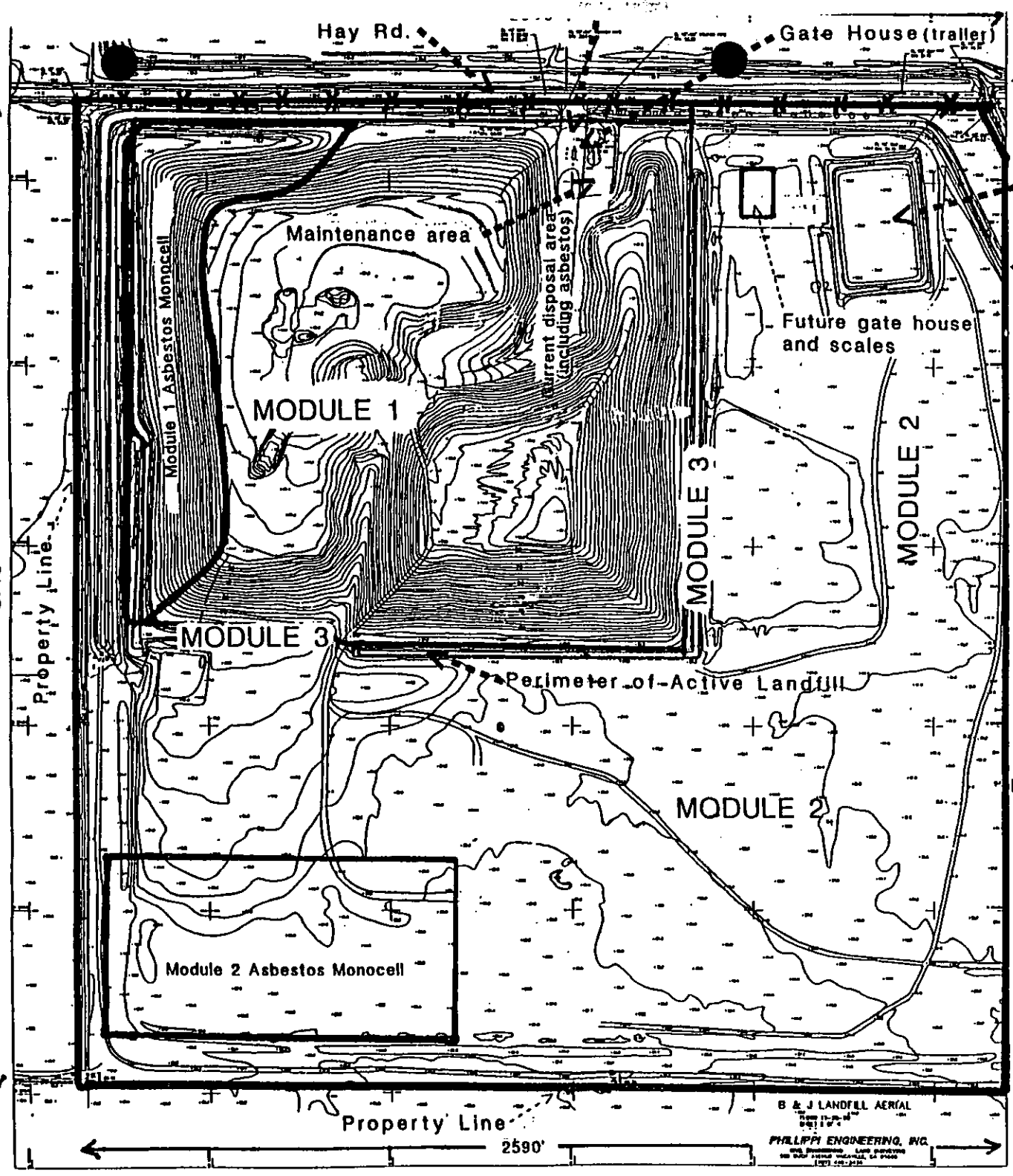
Approximate
Scale: 1 in. = 400 ft.

Notes:
Perimeter of asbestos disposal areas will be fenced off.
Power lines run parallel to Hay Rd. and along access road.
Septic tank and leach field are locate directly east of gate house (see ⊕)

B&J DROP BOX, INC.

Site Plan of the B&J Drop B Sanitary Landfill
A.P. No. 42-020-28
(161 acres)

831 Davis St. Vac ille, CA 95687
(707) 448-2945



Approximate
Scale: 1 in. = 400 ft.

Notes:
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Power lines run parallel to Hay Rd. and along access road.
Septic tank and leach field are located directly east of gate house (see ⊕)

B&J DROP BOX, INC.

Site Plan of the B&J Drop B
Sanitary Landfill
A.P. No. 42-020-28
(161 acres)

831 Davis St. Vacaville, CA 95687
(707) 448-2945

71

Department of
Environmental Management
601 TEXAS STREET
FAIRFIELD, CALIFORNIA • 94533

Amalia

ATTACHMENT 3

RECEIVED
MAY 19 1992
By

May 18, 1992

Amalia Fernandez
CA Integrated Waste Management Board
Permitting and Compliance Division
880 Cal Center Drive
Sacramento, CA 95826-3268

RE: SUBMITTAL OF FINAL REVISED SOLID WASTE FACILITIES PERMIT FOR B&J DROP BOX SANITARY LANDFILL NO. 48-AA-002

Dear Ms. Fernandez:

Please find enclosed the final revised solid waste facilities permit for the B&J Drop Box Sanitary Landfill. Should you have any questions regarding this matter, please contact me at (707) 421-6770.

Sincerely,

Clifford K. Covey, R.E.H.S., C.H.M.M.
Program Manager

Miles J. Perez, R.E.H.S.
Senior Environmental Health Specialist

CKC/MJP/mjp

FACILITY FILE CARTON COPY
ORIGINAL TO FILE # Proposed Permit my drawer
SUBMITTED BY MA DATE 5-19-92
COPY TO RC/AF
COPY TO JB/TU/BH
COPY TO 48-AA-0002
" " AC

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE	TYPE OF FACILITY: Class III Solid Waste Landfill	FACILITY/PERMIT NUMBER: 48-AA-0002
NAME AND STREET ADDRESS OF FACILITY: B&J Drop Box Sanitary Landfill, 6426 Hay Road, Vacaville, CA 95687	NAME AND MAILING ADDRESS OF OPERATOR: Archie Humphrey, B&J Drop Box Corporation, 831 Davis Street, Vacaville, CA 95687	
PERMITTING ENFORCEMENT AGENCY: Solano Co. Dept. of Environmental Mgmt.	CITY/COUNTY: Fairfield/Solano County	

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS: 601 Texas Street, Fairfield, CA 94533, (707) 421-6770	
APPROVING OFFICER: Clifford K. Covey, R.E.H.S. - Program Manager (NAME/TITLE)		
SEAL	AGENCY USE/COMMENTS	
	PERMIT RECEIVED BY CWMB: MAY 19 1992	CWMB CONCURRANCE DATE
	PERMIT REVIEW DUE DATE	PERMIT ISSUED DATE

CWMB (Rev. 7/84)

B&J DROP BOX SOLID WASTE FACILITIES PERMIT NO. 48-AA-0002

A. FINDINGS

1. Summary of Proposed Operations

a. The B & J Drop Box Sanitary Landfill is operated by the B & J Drop Box Corporation. B & J Drop Box Corporation owns 90% of Vaca-Fill, which owns the 161-acre site. The other 10% of Vaca-Fill is owned by Vista Del Mar. Landfill operations have been performed by Tri-County Development Company through contract with B&J Drop Box, Inc.

b. This facility is a 161-acre Class III sanitary landfill which lies within the Sacramento Valley plain. The site is located at 6426 Hay Road, 1/2 mile west of Rio-Dixon Road (HWY 113), and 8 miles southeast of Vacaville in Solano County. Disposal activities are proposed for approximately 142 acres of the 161-acre facility. Presently, approximately 50 acres located in the northwest section of the site are being used for solid waste disposal. Natural elevations for the site range from approximately 20 feet above mean sea level (MSL) to about 30 feet above MSL, with slight, gentle-sloping relief. Land filling has created elevations of approximately 80 feet MSL in the northwest section of the permitted area. The gated entrance to the site is located directly off Hay Road. The entrance road is 65 feet wide and asphalt-paved to the gate house, about 65 feet from Hay Road. Surrounding land within 1,000 feet of the site boundary has no residences, and is currently used for limited agriculture and sheep and cattle grazing. [Refer to Figure 1, Section 2 of the Supportivie Information Document (SID) and Figures 1 & 2 of the Report of Disposal Site Information (RDSI)].

c. A paved drop-off center for recyclable materials is located just east of the gate house. The area is surrounded by a 9-foot high fence to control off-site litter migration and to block its view from the main road. A newly-located maintenance workshop for landfill equipment is also located in this area.

A 10,000 gallon diesel tank surrounded by a containment berm with a capacity of 14,000 ± gallons is stored on-site to supply fuel for equipment.

A centrally located elevated pad with an all-weather surface is used during wet weather conditions when access to the working face is difficult.

d. This facility receives inert waste and nonhazardous solid waste as defined in the California Code of Regulations Title 23, Division 3, Chapter 15, Sections 2524 and 2523.

Inert waste does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.

Non-hazardous solid wastes consist of all putrescible and nonputrescible solid, semi-solid wastes, including garbage, refuse, demolition debris, appliances, abandoned vehicles, dewatered sewage and water treatment sludge. Examples include the following:

1) Municipal Solid Wastes which include:

   (a) Garbage, as defined by Section 17225.30, Division 7, Title 14 California Code of Regulations is waste that attends or results from handling, preparation, storage, processing or serving of food or food products.

   (b) Rubbish, such as paper, cardboard, metal, cans, yard clippings, glass, etc.

   (c) Tires

2) Street Refuse, such as sweepings, dirt, leaves, catch basin cleanings, litter, yard clippings, glass, paper, wood and metals.

3) Construction and Demolition Materials, such as paper, cardboard, wood, metal, glass, rubber products, roofing paper, wallboard, and wallpaper.

4) Municipal Waste Water and Water Treatment Solids, such as solids from screens and grit chambers and dewatered sludge.

5) Agricultural Wastes which include:

   (a) Plant residues from the production of crops such as tree prunings, discarded crop materials, roots, stumps and trimmings.

   (b) Animal manure

   (c) Empty triple-rinsed pesticide containers.

6) Asbestos-containing wastes are also received at this facility. Asbestos-containing materials are placed into the western section of Module 1 and Module Sections 2.1 - 2.4. This waste is covered with soil immediately upon receipt. Asbestos-containing materials may not be commingled or co-disposed with other types of waste. This permit does not regulate the receipt, handling, or disposal of asbestos-containing material at the site.

e. The California Integrated Waste Management Board (CIWMB) has traditionally used the term "special wastes" to refer to wastes requiring special collection, treatment, handling, and/or disposal techniques, or permit changes, for disposal. The following special wastes are received at the site:

1) Dead Animals and portions thereof. Dead animals are handled in a sanitary manner during disposal and are immediately covered with six inches of soil.

2) The operator proposes to accept as permitted by Titles 14 and 23, California Code of Regulations (CCR), approximately 8,000 cubic yards of dried sewage sludge from the City of Vacaville's Easterly Waste water Treatment Plant. Section 2523 of Title 23 CCR states that dewatered sewage or water treatment sludge may be discharged at a Class III landfill under the following conditions, unless the California Department of Health Services determines that the waste must be managed as hazardous waste:

1. The landfill is equipped with a leachate collection and removal system;

2. The sludge contains at least 20 percent solids if primary sludge, or at least 15 percent solids if secondary sludge; mixtures of primary and secondary sludge, or water treatment sludge: and

3. A minimum solids-to-liquid ratio of 5:1 by weight shall be maintained to ensure that the co-disposal will not exceed the initial moisture-holding capacity of the nonhazardous solid waste. The actual ratio required by the Regional Water Quality Control Board shall be based on site-specific conditions.

The operator proposes to accept additional loads of dried sewage sludge in the future provided that the waste meets applicable standards as required by Titles 14 and 23 of the California Code of Regulations and all other applicable laws or regulations. Acceptance of sewage sludge will also be restricted to the waste tonnage limits set forth in Condition B(3)(d) of this permit.

f. Hazardous wastes are not accepted for disposal at this facility. The site was previously permitted to accept infectious wastes. Previous regulations allowed the disposal of infectious wastes so long as the wastes were handled and disposed of in accordance with Section 66855, Article 13, Chapter 30 of Title 22 of the California Code of Regulations. On September 30, 1990, the California Medical Waste Management Act was signed into law and became effective on April 1, 1991. This redefined infectious wastes as medical wastes and required the treatment of all medical wastes before disposal at any landfill.

g. This facility currently receives an average of approximately 240 tons of waste per day (based on a 7-day work week) from the City of Vacaville, the City of Dixon and nearby unincorporated areas of the County. The most recent in-place density studies have indicated a compaction density of 1,200 pounds per cubic yard for the municipal solid waste received at this site.

Assuming a 3 percent annual population growth rate and a 20% contingency factor, the operator estimates an increase in the daily average over the next 5 years to 280 tons per day with a peak day of 700 tons. A contingency factor is being used due to the unpredictability of continued population growth and the impact of waste source reduction and recycling legislation for the service area.

Total site capacity is approximately 7,300,000 cubic yards of refuse, with approximately 6,000,000 cubic yards of waste fill space still available. The site has a life expectancy of approximately 22 years, assuming a compaction figure of 1,200 pounds per cubic yard, a population growth rate of 3% per year, and a 20% contingency. Without the contingency approximately 32 years of capacity remain.

h. Waste haulers enter the site through a gated access off Hay Road, at which time the gatekeeper collects any necessary disposal fees and waste stream information. Haulers with cardboard, aluminum, newspaper, glass, plastic or waste oil immediately use the drop-off center east of the gate house. Those haulers with recyclable metals, wood, mattresses, concrete or asphalt are directed to the appropriate unloading area by the gatekeeper or the working face spotter. All other waste haulers continue to the site working face.

The facility currently utilizes the area fill method of landfilling during the initial operation in unfilled areas. The area fill method of land filling is also utilized over existing refuse fill. Wastes arrive by compactor trucks, debris boxes, or by private vehicle.

All- weather access roads lead to the active unloading area. During dry weather season the unloading area is located at the working face, and during wet weather the active unloading area is a centrally located, all-weather pad from which a bulldozer pushes the refuse to the work face.

At the active working face, the refuse is spread into 2-foot lifts and a landfill compactor makes 3-5 passes to adequately compact the waste. The maximum size of the working face is 150 feet by 70 feet during dry weather conditions and 125 feet by 70 feet during wet weather conditions (as permitted under Performance Standards, Sections 17683(e)(2) & 17683(e)(3), Title 14 of the California Code of Regulations).

The refuse is covered with six (6) inches of on-site soil at the end of the work day. Twelve (12) inches of intermediate cover are placed over refuse areas which will not be receiving waste within the next 180 days.

i. The operator proposes a salvaging program consisting of the voluntary drop-off of recyclable materials by residents at the drop-off center by the gate house, and the stockpiling of certain other recyclables near the working face. The specific recyclable materials to be stored at the drop-off center are cardboard, aluminum, newsprint, glass, plastic and waste oil.

Waste oil will be stored on-site in a double-walled tank before being picked up by an oil recycler. The maximum volume stored will be 500 gallons for a period not to exceed 90 days. Waste oil is handled in a manner which is approved by the Local Enforcement Agency (LEA).

Asphalt and concrete will be stockpiled in appropriate areas for later use in the construction of all-weather access roads and tipping pads. Wood, metal (white goods), and mattresses will also be stockpiled in appropriate areas. These recyclables would be sold to a broker who would then haul them off site for further processing.

j. This facility has implemented an approved load checking program to prevent and discourage the unauthorized disposal of prohibited wastes, including designated waste, liquid waste, hazardous waste, and all other prohibited wastes as determined by the responsible regulatory agencies. Incoming loads of wastes are screened and randomly selected for inspection as specified in the facility's Report of Disposal Site Information.

In addition, loads from customers with businesses that generate large amounts of prohibited wastes, loads from customers who have a history of placing prohibited wastes with nonhazardous waste loads, and any other suspicious loads will be inspected. Hazardous wastes which are found are stored in storage containers. These storage containers incorporate safety features such as secondary containment, security, ventilation, and fire resistant construction and provide for storage of prohibited wastes while awaiting return to a known generator or abandoned wastes with no known generator. Incompatible wastes are segregated and placed in separate storage bays divided by double metal walls for acids, bases, and flammables.

Site personnel receive training on the identification and proper handling of prohibited wastes. Training in waste recognition is done in Spanish for Spanish-speaking employees on an as-needed basis.

The results of the inspections will be documented and provided to the Environmental Health Division of the Solano County Department of Environmental Management, the California Integrated Waste Management Board, and the California Regional Water Quality Control Board on a quarterly basis. In addition, the facility maintains a sign, posted at the landfill entrance, which indicates that the disposal of hazardous wastes is not allowed. Additional measures may be required by the LEA or the CIWMB.

k. The facility has been designed in accordance with the 1982 Design, Construction and Operations report with 4 major exceptions:

1) The original design proposed the incremental construction of a low permeable (soil) underground cut-off wall constructed around the perimeter of the landfill, with the wall on the northern boundary constructed using a bentonite slurry. However, pursuant to the 1984 Waste Discharge Requirements issued by the CVRWQCB, the cutoff wall was constructed as one unit in 1984/85. In addition, the entire wall was constructed using bentonite slurry rather than just the portion along the northern boundary.

2) The plan proposed a leachate collection and removal system using a series of pipes placed along the base of the landfill, following a dendritic design. As development occurred, a gravel drainage blanket design with pipes was used instead of the dendritic design.

3) The fill sequencing presented in the 1982 report was developed anticipating the disposal of 520,000 tons per year of municipal solid waste from the City and County of San Francisco. This refuse has not been disposed of as planned. Hence, the fill sequencing has been much slower.

4) Because of reduced filling rates, the perimeter dewatering trenches along the northern and western perimeter have not been filled with refuse and converted to leachate collection and removal drains. This extended use of these dewatering trenches has prevented portions of the landfill from being brought to final grade as specified in the 1982 plan.

5) In 1987, a surface impoundment was constructed east of Module 1 in the northern Section of Module 2 in accordance with WDR Order #84-020. The basin was constructed to manage leachate collected on site. The Central Valley Regional Water Quality Control Board has determined that this surface impoundment does not comply with current requirements and must be retrofitted or removed.

1. The following operations have occurred, or are proposed to occur, within the next 5 years:

   1) Increased Tonnage from within Solano County -

      Since 1984, the amount of Solano County Waste received at the site has increased from 100 TPD to a range of 240-600 TPD. Although the site was permitted to accept up to 1,500 TPD, this increase was granted in 1984 to accommodate the proposed import of approximately 1,400 tons per day of waste from the City and County of San Francisco. It has since been determined that this importation will not occur.

   2) Increased Number of Personnel -

      The site currently staffs 15 full-time employees and 1 part-time employee to manage the wastes generated from within the Solano County service area, rather than the previously expected 4-11 employees.

   3) Increased Amount of Equipment -

      The 1983 Environmental Assessment Report stated that the amount of equipment would increase from 4 to 7 with the proposed project to accept waste from San Francisco. The most recently updated RDSI indicates that the site uses 11 pieces of equipment to manage current operations.

   4) Disposal of Sewage Sludge -

      The operator proposes to dispose of sewage sludge as permitted by Titles 14, and 23 of the California Code of Regulations.

   5) Change in Waste Salvaging/Recycling -

      The facility includes a recyclable material drop-off center which was certified by the California Department of Conservation. Reference to the type of wastes salvaged was found in the 1977 RDSI which only states that "occasional salvaging of cardboard is practiced." In addition to cardboard, the facility is now recycling newspaper, aluminum, cardboard, glass, plastic, metals, wood wastes, tires, and waste oil.

6) Change in Compaction Density -

In previous reports the compaction density listed for land filled wastes was 1,000 lbs/cubic yard. Recent compaction studies indicate that a density of 1,200 lbs/cubic yard is more accurate.

7) Increase in Traffic Volume -

The 1983 Environmental Assessment Report analyzed the impact of the importation of waste from San Francisco on roadways to and around the site. Mitigation measures incorporated into the Conditional Land Use Permit were to be fulfilled prior to the receipt of San Francisco waste. However, as this waste was never received, none of the mitigation measures were completed.

The most recent RDSI states that approximately 75 private vehicles and 70 collection vehicles enter the site each day from the cities of Vacaville, Dixon, and the unincorporated areas of the County. Additional traffic would result from the importation of soils for cover material as described later in this document. The number of truck loads for soil importation will not exceed 50 in any given day.

8) Change in Site Classification -

Due to changes in Title 23 California Code of Regulations administered by the CVRWQCB, the site classification has changed from II-2 to III.

9) Design and Operation -

The operator has proposed to change the design and operation of this facility to accommodate the requirements set forth in the 1989 Waste Discharge Requirements (WDR 89-178) issued by the CVRWQCB.

The following requirements set forth in the WDR's require this facility to implement changes in the site's design:

(a) Per Section 2530, Chapter 15, Division 3 of Title 23 of the California Code of Regulations, landfills shall be operated in a manner which ensures that wastes will be a minimum of 5 feet above the highest anticipated elevation of underlying ground water. An exemption to this regulation may be

granted provided an engineered alternative which meets the requirements of Section 2510 of Title 23 is approved by the California Regional Water Quality Control Board.

Regardless of the design and operation used to ensure compliance with Chapter 15 of Title 23, high ground water conditions at the site preclude substantial excavation in any future waste management units. The inability to excavate results in a loss of landfill capacity and significantly reduces the amount of on-site soil available for cover.

(b) Module 1 does not meet the current requirements of Chapter 15, Title 23 of the California Code of Regulations. By August 1, 1992, the operator will be discharging to Module 2. After this date the disposal of inert wastes will be permitted to be deposited in Module 1 in order to bring the module to final grade and provide proper drainage.

(c) Final cover requirements for waste management units have been changed from 3 feet to 4 feet.

(d) Future Modules are to be constructed with a liner and a blanket-type leachate collection and removal system.

(e) Leachate generated from the proposed Modules 2 and 3 is to be prevented from entering Module 1. This requires the physical separation of Module 1 from the other Modules.

(f) The existing surface impoundment must be retrofitted by 1994 to current standards, or closed in accordance with applicable requirements.

10) Additional Changes -

The most recently updated Report of Disposal Site Information and the Periodic Site Review identify the additional proposed changes:

(a) A new design and development schedule has been prepared for Modules 1, 2 and 3 which are located on the permitted 161-acre site.

(b) As the proposed borrow area is not yet permitted and due to the inability of the site to continue excavating on the 161-acre site, the amount of soil available for land filling activities has been significantly reduced. The operator is proposing the following activities:

i) Operate the site using performance standard monitoring pursuant to Section 17683 of Title 14, in lieu of applying 6 inches of soil for daily cover. Performance standard monitoring will be conducted by the LEA on a weekly basis following the criteria specified in Section 17683, Title 14 of the California Code of Regulations.

ii) Import soil for intermediate cover, roads, and miscellaneous use while reserving the limited amount of low permeability on-site soils for use as landfill base liner and final cover.

m. This facility is open to the general public seven days per week from 8:00 A.M. to 4:30 P.M., 361 days per year. It is closed on four holidays. Normal site operations occur from 5:00 A.M. to 10:00 P.M. during daylight savings time and from 6:00 A.M. to 7:00 P.M. during the rest of the year. Due to the nature of certain businesses generating solid waste (e.g., packing plants, construction companies), waste disposal services will at times be provided beyond the standard hours stated, provided customers give advance notice to operator so that arrangements can be made.

2. Agencies and Documents which Condition the Operation and Use of the Facility:

a. B&J Drop Box Corporation/Tri-County Development Company Report of Disposal Site Information, as revised July 12, 1991, and amended on April 28, 1992.

b. Solano County Board of Supervisors, General Plan, Land Use and Circulation Element adopted December 19, 1980.

c. Solano County Department of Environmental Management, Periodic Site Review, January, 1990, prepared for B&J Drop Box Sanitary Landfill and Tri-County Development Company.

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d. Solano County Planning Commission, Use Permit No. U-83-16, as revised and approved November 7, 1991.

e. Solano County Board of Supervisors, Solid Waste Management Plan, revised, September, 1989.

f. California Regional Water Quality Control Board, Central Valley Region, Waste Discharge Requirements and Monitoring and Reporting Program Order No. 89-178.

g. Mosquito Abatement District Letter to Solano County Environmental Health Planning Division dated June 3, 1991, regarding the potential for mosquito protection at sites where discarded tires are allowed to accumulate.

h. Dixon Fire District letter to Department of Environmental Management, dated August 8, 1990, addressing fire prevention concerns and conditions for continued operations at B & J Drop Box Sanitary Landfill.

i. Sedimentation, Drainage, and Erosion Control Plan for B&J Landfill, Department of Transportation, approved February 25, 1992.

j. Environmental Assessment for an Amended Use Permit for the B&J Drop Box Landfill, Nichols and Berman, Environmental Planning and Resource Management, April, 1983.

k. Solano County Department of Environmental Management Mitigated Negative Declaration for the B&J Drop Box Sanitary Landfill Project, August 13, 1991, State Clearing House Number 91083038.

3. Conformance with State Minimum Standards

a. The existing and proposed operations of this facility are in conformance with the State Minimum Standards for Solid Waste Handling and Disposal established by the California Integrated Waste Management Board as determined by the Local Enforcement Agency (LEA) and confirmed during the inspection of March 6, 1992.

4. Conformance with Solano County Fire Standards

a. The existing and proposed operations of this facility are in conformance with the Public Resources Code Section 4371 et. seq. As required by the Dixon Fire District a firebreak 20 feet wide is to be maintained around all property lines; a "no smoking" policy is to be continued; and the landfill is to install a 2 1/2

inch fire fill connection to the 10,000 gallon water tank in order to continue operations.

5. Conformance with County Solid Waste Plan

a. This permit is consistent with the latest version of the Solano County Solid Waste Management Plan, revised August 1988 and amended in September 1989, with special reference to pages II-15 to II-16.

6. Conformance with County General Plan and Land Use

a. This facility is designated as a solid waste site in the Land Use and Circulation Element of the County General Plan and is compatible with the land use designation for the area, Extensive Agriculture. The permitted landfill was found to be in conformance with the General Plan, particularly noting traffic circulation and population densities and distributions.

b. The expansion of landfill operations as currently proposed is in conformance with the General Plan land use designation. No change in land use or site expansion into areas not presently designated for this use is being considered in this permit. An additional 320 acres adjacent to the project site has been purchased by the landfill owner and could be used for potential future site expansion upon revision of this solid waste facility permit.

B. CONDITIONS

1. Requirements

a. This facility shall comply with State Minimum Standards for Solid Waste Handling and Disposal set forth in the California Public Resources Code and Title 14 of the California Code of Regulations as established by the California Integrated Waste Management Board and administered locally by the Solano County Department of Environmental Management, the local enforcement agency (LEA).

b. This facility shall comply with all federal, state, and local requirements and enactments, including all mitigation measures listed in the attached Solano County Conditional Use Permit U-83-16, as amended, and those given in any certified environmental document filed pursuant to the California Public Resources Code, Section 21081.6.

c. Any additional information regarding the design, construction or operation of the facility shall be provided by the operator at the request of the LEA.

d. At the discretion of the enforcement agency, additional landfill gas monitoring probes shall be installed for detection of gas migration. If needed, a landfill gas control system shall be installed.

e. This facility must comply with the Solano County Solid Waste Management Plan and any future amendments or revisions to this plan.

2. Prohibitions

The following activities or operations are prohibited at this facility:

a. Accepting and disposing of hazardous wastes or medical wastes. Hazardous wastes are defined in Article 2, Chapter 6.5, Section 25117 of the Health and Safety Code.

b. Scavenging.

c. Open burning.

d. Disposal in areas not specified in, and out of conformance with, the facility's most recently revised Report of Disposal Site Information.

e. The allowance of standing water on covered fill areas.

f. Additional prohibitions may be required upon notice from the California Integrated Waste Management Board or the Local Enforcement Agency.

3. Specifications

a. Any change which causes the design or operation of this facility not to conform to the terms and conditions of this permit is considered a significant change and requires a permit revision.

b. Any handling or disposal of solid wastes which fails to adequately protect the environment or public health and safety may be prohibited by this permit in order to mitigate adverse environmental and public health impacts.

c. Per Section 17603 CCR a modified solid waste facilities permit will be required should there be a change in owner. Upon transfer of the title to the facility to another person, the new owner shall be notified by the previous owner of the existence of these standards and of the conditions assigned to assure compliance.

A new solid waste facilities permit will be required should there be a change in operator for the facility per Section 44001 of the Public Resources Code.

d. This facility has a permitted capacity to receive an average of 280 tons of solid waste (including special wastes) per operating day, averaged over a 7-day week. The maximum amount of solid waste accepted shall not exceed 700 tons per day. The facility shall not receive more than these amounts without first obtaining a revision to this Solid Waste Facility Permit.

e. This facility is permitted to accept 700 cubic yards per month of dried sewage sludge for disposal as refuse fill as permitted by Titles 14 and 23 of the California Code of Regulations.

For all new sources of sludge, a waste handling protocol shall be submitted to the LEA and other responsible agencies for review and approval prior to acceptance of wastes.

Acceptance of dried sewage sludge wastes in amounts which exceed this quantity must first be authorized by the LEA and all other responsible agencies. In no case shall the amount received exceed those limits set forth in Condition B(3)(d) of this permit.

f. The following types and quantities of recyclable wastes define the maximum amounts permitted to be stored at the drop-off center, with a maximum storage time of 90 days:

1) Cardboard - 500 cubic yards or 80 tons compacted.

2) Aluminum - 50 cubic yards or 4 tons crushed.

3) Newsprint - 1,400 cubic yards or 250 tons compacted.

4) Glass - 60 cubic yards or 9 tons.

5) Plastic - 60 cubic yards or 1.5 tons compacted.

6) Waste oil - 500 gallons.

g. Specific measures to mitigate potentially adverse environmental impacts of this facility will be implemented as outlined in the documents listed in Item #2 of the FINDINGS section of this permit. Mitigation measures will address concerns that include, but are not limited to, the following considerations: height and visibility; importation of soils for waste cover material; surface and groundwater quality protection; seismicity; protection of any permeable soil and rock zones encountered; flora and fauna; odor; vermin and litter; hazardous materials and wastes; traffic; dust; flooding; noise; air quality; energy; public facilities and services; and public access.

h. This solid waste facility permit 48-AA-0002 issued to B&J Drop Box Sanitary Landfill supersedes the permit originally issued on December 8, 1983.

4. PROVISIONS

a. To assist in the implementation of the County Integrated Waste Management Plan Recycling Component and to achieve the State-mandated 25% diversion of solid wastes by 1995, and 50% by 2000, this facility shall:

1) Properly maintain the drop-off center for controlled salvaging of recyclable materials. The site shall be kept in an orderly fashion and made accessible to the public during hours of operation.

2) The operator will retain the right of refusal of any material which is not considered reusable or recyclable because of economics or the inability to properly handle these materials, unless otherwise specified by the LEA.

3) A current list of acceptable recyclable materials shall be published and posted at the facility. This list is subject to revision by the LEA.

4) All stockpiled materials on site shall be stored in an orderly fashion and maintained so as not to create a nuisance. The maximum storage time and quantities for these materials shall not be exceeded.

5) Scales shall be installed for the facility by June 1, 1992, in order to accurately record weights of waste stream components in compliance with AB 939 regulations.

6) Until the scales are installed as required above, data on waste stream types, sources, and weights will be collected manually.

b. Records shall be maintained according to the Self-Monitoring Section of this permit. Additional monitoring may be required as specified by the LEA.

c. Sewage sludge waste shall be handled and disposed in accordance with Section 17743 of Title 14 and Section 2523 of Title 23 of the California Code of Regulations.

d. As specified in Section 17638 of Title 14 of the California Code of Regulations, the operator shall maintain a Special Occurrence Log of the following information: fires, sudden and unusual settlement, injury and property damage accidents, explosions, discharge of hazardous or other wastes not permitted, flooding, and any other unusual occurrences. This log shall be kept on site and at all times made available upon the request by the LEA or the CIWMB.

e. The operator shall submit to the Local Enforcement Agency copies of all reports and information required or requested by any agency listed under Item #2 of the FINDINGS section of this permit.

f. An Operations Manual shall be maintained on site at all times and shall contain, at minimum, the following information:

1) Copies of all permits, approvals, and conditions which govern the site.

2) A copy of the most recently revised Report of Disposal Site Information.

3) A list of all emergency response contact agencies and phone numbers.

4) A copy of all documentation relating to the management of hazardous wastes.

5) A copy of the Solano County Hazardous Materials Release Response Plan and Inventory.

g. The facility operator or duly authorized agent shall be present at the site at all times when waste is accepted and shall be responsible for the control of operations and for keeping specified records pursuant to the requirements of the LEA.

h. A bottled drinking water supply and adequate toilet facilities connecting to a septic tank and leachline system shall be properly maintained at all times for employee use.

i. An adequate water supply for dust control and fire suppression must be available at all times during the operation of this facility. The water supply must be acceptable to the local fire jurisdiction and the LEA.

j. The operator shall submit the most current list of responsible personnel for the design, construction, and operation of this facility to the LEA. The list shall include emergency phone numbers, home phone numbers, and addresses for the following persons: the landfill manager, site engineer, operations manager, security guards and/or duty supervisors. The list shall be updated upon any changes.

k. The operator shall at all times provide adequate staffing to deal effectively and promptly with matters of operation at the site, as determined by the LEA.

l. At all times there shall be an adequate number and type of operable vehicles used for the compaction and placement of wastes and earth at this facility. Information as to the location of backup equipment shall be readily available at the site.

m. The operator shall inspect at random in-coming waste loads to determine if hazardous wastes have been illegally deposited in the waste load, as described in the RDSI Load Checking Program for B&J Sanitary Landfill. The site personnel shall observe all appropriate safety precautions.

   Small quantities of common household hazardous wastes shall be handled in accordance with the most updated version of the B&J Load Checking Program. Upon discovery of household hazardous wastes which are found in quantities or of types which cannot be safely and adequately handled by the site personnel and equipment, and upon discovery of all other hazardous wastes, the operator shall immediately notify the LEA and enter the special occurrence in the Special Occurrence Log.

Records shall be kept of all Load Checking Program inspections. As part of the Load Checking Program, an updated list of names and telephone numbers of all emergency personnel and other pertinent contacts shall be maintained on site at all times. Hazardous waste may be stored on site for a maximum of 90 days, as permitted by the California Environmental Protection Agency.

n. At any time, the Local Enforcement Agency shall be provided access to inspect the waste load from any vehicle entering the site.

o. The tire shredding operation shall be conducted in accordance with the provisions in the Report of Disposal Site Information and those set forth by the Solano County Mosquito Abatement District (SCMAD). The maximum permitted quantity of tires that will be stockpiled at any time is 100, with a maximum storage time of 90 days.

p. The wood waste recovery operation shall be conducted as described in the Report of Disposal Site Information. At no time shall a volume greater than 500 cubic yards be stockpiled on site. In addition, the wood pile shall be contained by a berm, so that any water which comes into contact with the pile shall be managed as leachate. The maximum storage time for wood wastes shall be one year.

q. Concrete and asphalt recovery shall be conducted as described in the RDSI. At no time shall greater than 15,000 cubic yards be stockpiled. Use of these materials in the construction of all-weather roads shall take place within one year of stockpiling.

r. Metal (white goods) waste recovery shall be conducted as described in the Report of Disposal Site Information. At no time shall greater than 2,500 cubic yards be stored on site. The maximum storage time for metal wastes shall be one year.

s. Disposal of dewatered sewage or water treatment sludge shall be conducted in accordance with the Report of Disposal Site Information and regulations described in Title 23, Section 2523 and Title 14, Section 17742 of the California Code of Regulations.

t. Landfilling shall occur as described in the most updated and approved version of the Report of Disposal Site Information (RDSI) and in conformance with provisions described in WDR Order No. 89-178 and as

approved by the California Regional Water Quality Control Board. Continued placement of waste requires an engineered alternative which conforms to the requirements as set forth in Section 2510, Chapter 15, Title 23, since a 5-foot separation between the waste material and the maximum anticipated ground water cannot reasonably be maintained throughout the site.

u. Facility personnel shall wear the specified work gear consisting of a uniform and leather boots. Adequate hearing protection devices shall be provided to all personnel operating or working around equipment.

v. The following performance standards shall be maintained by the operator and verified by the LEA as prescribed by Section 17683, Title 14 of the California Code of Regulations:

1) Vector populations shall be controlled such that the threshold values outlined in Section 17683(a)(1) of Title 14 are not exceeded. Specific vectors to be controlled include flies, domestic rats, field rodents, mosquitoes, wasps and cockroaches.

2) The operator shall not cause, let, permit, suffer, or allow the emission of any odorous substance which causes the ambient air at or beyond the facility's property boundary to be odorous and to remain odorous subsequent to its dilution with 4 parts odor-free air.

3) Burning material, or any solid waste at a temperature likely to cause fire, shall not be deposited in the fill. Said material shall be handled according to Section 17683(c) of Title 14.

4) Litter shall not be allowed to migrate off-site.

5) Moisture infiltration shall be minimized by totally covering all refuse which is left exposed at the end of the working day with either refuse received during the next working day or six (6) inches of compacted soil suitable for the purpose.

w. Should the operator be unable to maintain performance standards, the operator shall cease the use of performance standards, and resume the use of daily soil cover as prescribed in Section 17682, Title 14 of the California Code of Regulations.

x. Adequate lighting shall be provided for all work done after day light hours at the site. This would include the installation of liners, occasional after-hours tipping, and work done at the drop-off center for recyclables.

y. All projects requiring night lighting shall first be reviewed and approved by the LEA, Airport Land Use Commission, and Travis Air Force Base.

z. Fencing and landscaping at the site shall be adequately maintained, as determined by the LEA, to reduce unsightliness.

aa. The maximum size of the working face shall not exceed an area of 150 feet by 75 feet during dry weather conditions or 125 feet by 75 feet during wet weather conditions as permitted under Performance Standards, Sections 17683(e)(2) and 17683(e)(3). A smaller sized working face may be required as deemed necessary by the LEA. A temporary increase in the size of the working face, as allowed by the LEA, shall be permitted only as necessary for the initial installation of the HDPE liner, provided that all performance standards can be maintained during this period.

bb. Tires stockpiled on-site shall be shredded or cut within 10 days or more frequently should mosquito larvae be found during inspections by the Mosquito Abatement District.

cc. The operator shall submit a Winter Operations Plan by September 15 of each year. The plan shall describe in detail all site preparations (e.g. soil stockpile amounts and locations, all-weather pad construction, etc.) and operational changes planned to facilitate landfill operations during wet-weather conditions. The plan shall be reviewed and approved by the LEA before implementation.

dd. This permit is subject to review by the LEA, and may be modified, suspended, or revoked, for sufficient cause after a hearing. Operation of the facility in violation of any of the conditions in this permit shall be considered sufficient cause for suspension or revocation of this Permit in accordance with the process outlined in the California Public Resources Code, Section 45000, et. seq.

ee. This permit will be valid only if the facility has a valid Solano County Conditional Land Use Permit.

5. CLOSURE/POSTCLOSURE MAINTENANCE

a. The operator shall submit to the LEA copies of a plan for the closure of the landfill and a plan for the postclosure maintenance of the landfill for approval by the LEA, the California Regional Water Quality Control Board, and the CIWMB. These plans shall be submitted no later than the next date on which the Solid Waste Facilities Permit is required to be reviewed.

b. All documentation relating to the preparation of the closure and postclosure maintenance costs shall be retained by the operator and shall be available for inspection by the CIWMB or the LEA at reasonable times.

   Application for the five-year permit review is due to the LEA 120 days prior to the due date for completion of the review. The plan shall be included as part of the application for review.

c. The closure plans shall demonstrate financial assurance obtained by multiplying the annual cost of maintenance and monitoring anticipated during the postclosure period by fifteen (15) years.

d. The closure plans will include a calculation of cost estimates for closure and postclosure maintenance for a period of not less than 30 years after closure.

6. SELF-MONITORING PROGRAM

The following items shall be monitored by the operator of this facility or his agent, and records shall be kept and sent to the Local Enforcement Agency quarterly. All quantities of wastes shall be reported in both tons and cubic yards:

a. Quantity of solid wastes received at the site per day, per week, and per month.

b. Quantities and types of wastes recycled or reused each month.

c. Quantity of tires received and shredded monthly.

d. Quantities and types of special wastes received (e.g. dried sewage sludge).

e. Log of special occurrences or incidents of dust, noise, odor, fire, vectors, illegal disposal of unacceptable materials, etc.

f. Any other information as specified by the Local Enforcement Agency on a regular or periodic basis.

g. Results of water sampling pursuant to the most recent Waste Discharge Requirements, which may include analyses from monitoring wells and from Alamo Creek.

h. The following information shall be submitted to the Local Enforcement Agency and the California Integrated Waste Management Board on January 31, of each year:

   1) An updated list of emergency contacts and telephone numbers.

   2) An updated list of personnel and their job duties, and equipment on site.

i. On January 31 of each year, the operator shall submit to the Local Enforcement Agency, the California Waste Management Board, and the Solano County Planning Commission, an annual compliance report documenting compliance with all conditions contained in Solano County Use Permit U-83-16. The annual compliance report shall also include:

   1) The quantities and locations of asbestos waste disposed.

   2) An estimate of the total area and volume of the site filled.

j. The operator shall submit copies of all correspondence between representatives of the facility and regulating agencies relating to the design, construction, and operation of B&J Landfill.

ATTACHMENT 4

State of California

Office of Environmental Protection

Memorandum

To : Phillip J. Moralez
Permits Branch

Date: May 12, 1992

From : Dianne Range
Dianne Range
Local Assistance, North

Subject: Review of Conformance with AB 2296 for B&J Drop Box Sanitary Landfill, Facility No. 48-AA-0002.

The proposed permit for B&J Drop Box Sanitary Landfill conforms with AB 2296 as follow:

1. PRC Section 44009 (Consistency with Waste Diversion Requirements)

   The B&J Drop Box Sanitary Landfill is a small Class III Sanitary Landfill and currently services the City of Vacaville, the City of Dixon, and nearby unincorporated areas of the County. The primary purpose of this permit is to allow operations under Performance Standards. Types of waste received include inert waste, municipal solid wastes, street refuse, dead animals, construction and demolition, and agricultural wastes. The facility is identified in the Source Reduction and Recycling Elements (SRREs) of City of Vacaville (Page VII-1), City of Dixon (Page VII-1), and Solano County (Page VII-1).

   The facility includes a public recyclable materials drop-off center which accepts newspaper, aluminum, cardboard, glass, plastic, wood wastes, and tires. According to Archie Humphrey, the landfill operator, the facility recovers for reuse or recycling (from the drop-off center) less than 1% of the total volume of materials received.

   As confirmed by Eric Shields (Vacaville Planning Department), Janet Koster (Dixon Planning Department), Karen Wyeth (Solano County Planning Department), and Harry Engelbright (LTF staff), the current small amount of materials being recovered at this facility will not prevent or impair the above three jurisdictions' achievement of AB 939 diversion goals.

2. PRC Section 50000 (CoSWMP)

According to the proposed permit, the LEA has certified that the facility is in conformance with the latest version of the Solano County Solid Waste Management Plan (CoSWMP), revised August 1988 and amended in September 1989. The facility is described on pages II-15 and II-16.

3. PRC Section 50000.5 (General Plan)

This facility is consistent with the Solano County General Plan, according to the attached Resolution No. 84-41, dated February 21, 1984.

ATTACHMENT 5

NEGATIVE DECLARATION
OF THE
SOLANO COUNTY ENVIRONMENTAL MANAGEMENT REVIEW COMMITTEE
Meeting of August 7, 1991

PROJECT TITLE: U-83-16 (Revised) and Revised Solid Waste Facility Permit No. 48-AA-0002

FINDINGS:

The Solano County Environmental Review Committee has evaluated the initial study which was prepared in regard to the project. The committee found no significant adverse environmental impacts likely to occur which are not mitigated by the amended project description to incorporate county requirements and comply with all agency standards to reduce to a level of insignificance or eliminate all potential adverse effects. The Committee determined that the project qualified for a Negative Declaration based on the mitigation addressed in Section IV and incorporated in the amended project description. Details of the project description, initial study, findings, and disposition are attached.

The proposed project, located on Hay Road 1/2 mile to the west of the intersection of Highway 113 on the south side of Hay Road, would amend existing landfill operations on the 162 acre site to include, among other changes, the use of performance standards, the importation of soil for daily and interim cover, and the redesign of Module 2 to be in compliance with Waste Discharge Requirements (WDR) 89-178 orders. The permitting process includes a revision of Conditional Use Permit No. U-83-16 and a revision of Solid Waste Facility Permit No. 48-AA-0002. The landfill is designated as a solid waste site in the Land Use and Circulation Element of the County General Plan, and is compatible with the Extensive Agriculture landuse designation for the area. County General Plan policy is to ensure that solid waste disposal operations are compatible with surrounding land uses, do not adversely effect the environment, and when the operations are completed, the site is restored to a compatible land use with surrounding land uses. The proposed project is in compliance with this policy. Existing land uses on adjacent properties are grazing and agricultural uses. The intention of the applicant is to return the land to an agricultural or open space use when the project is complete.

The property is in an Exclusive Agricultural District, A-160, with a minimum parcel size of 160 acres. Uses permitted, provided the conditions for a use permit set forth in Section 28-27 of the Solano County Zoning Ordinance are met, include dumping, disposal, incineration, or reduction of refuse [Section 28-10 (c)(3)]. Section 28-27 (i)(17) states that the above described activities shall show that adequate controls or measures will be taken to prevent offensive smoke, odors, fumes; and shall be located so that truck traffic noise and vibration shall not be offensive to neighboring dwellings. The proposed project and mitigations recommended in the Part II of the Initial Study are in conformance with the Zoning Ordinance.

Exhibit C

GENERAL PRECEDENT

Mitigation: The County, acting as the Local Enforcement Agency (LEA), shall monitor and enforce the use of performance standards by the operator. The operator shall reimburse the County for all costs associated with monitoring and enforcement activities occurring at the site including the use of performance standards. Billing for this activity will occur on a quarterly/monthly basis.

Verification: In the annual compliance report the operator shall indicate an annual total paid to reimburse the County for the LEA functions of permitting, monitoring and enforcement.

VISUALLY OFFENSIVE

Mitigation: The operator shall ensure:

1) that all filled areas with interim cover and soil stockpiles are vegetated as needed;

2) that litter is promptly picked up both on and off site;

3) that operations and facilities are contained on-site in specified areas and do not give the appearance of sprawling haphazardly within the site;

4) that fencing and landscaping along the perimeter are adequately maintained;

5) that with final closure the site is revegetated with natural grasses and that final closure slopes simulate a natural-appearing landform (knoll).

Verification:

1) the operator shall obtain a Sedimentation, Drainage, and Erosion Control Plan from the Department of Transportation prior to issuance of the revised use permit. This plan shall include revegetation plans. In the Annual Compliance Report, the operator shall describe any seeding activities that have occurred during the year.

2) the annual compliance report shall indicate the number of employees used on a quarterly basis for litter pickup.

3) the site will be available for inspection by County staff and other responsible agencies. The County will be informed when materials stockpiles are created or moved by the operator.

4) the operator shall inspect and maintain fencing and landscaping and note any repairs in the annual compliance report. The site is available for inspection by the County staff and other responsible agencies.

5) the Final Closure Plan submitted to the County will include the use of native species of grasses and perennials and the grading

of the closed facility into a natural-appearing landform.

AIRPORT ZONE

Mitigation: The project shall be reviewed by the Airport Land Use Commission and the night lighting by Travis Air Force Base for consistency.

Verification: Prior to issuance of the permit, the operator shall have obtained a finding of consistency from the Airport Land Use Commission and a letter from Travis Air Force Base commenting on the appropriateness of night lighting. If either the ALUC or Travis Air Force Base requests a modification to the proposed project, the operator shall proceed to comply with the request.

TOPOGRAPHY CHANGE

Mitigation: The project incorporates grading and design requirements in the Final Grading Plan by varying the slopes to simulate a natural appearing landform. This will also be incorporated into the Final Closure Plan.

Verification: No verification required.

AIR QUALITY AND ODORS

Mitigation:

1. The operator shall comply with Title 14 procedures regarding performance standards. The site shall be available for inspection by County staff and staff from other responsible agencies.

2. In regard to special wastes not addressed in this RDSI or for new sources of sludge, a waste handling protocol shall be submitted to the LEA and other responsible agencies for review and approval prior to acceptance of the wastes.

3. The operator shall submit a health and safety plan for review and approval by the LEA and other responsible agencies prior to undertaking activities that may expose workers to landfill gases.

Verification:

1. Regular inspections throughout the year by County staff and staff from other responsible agencies.

2. Approval by LEA and other responsible agencies of waste handling protocols and their inclusion in the RDSI.

3. Approval by LEA and other responsible agencies of a landfill gas health and safety plan and inclusion in the RDSI.

WATER QUALITY PROTECTION, FLOODING, RUNOFF, EROSION

Mitigation:

1. The operator shall allow the County staff and other responsible agencies to inspect the site and have access to data and reports for through monitoring and enforcement of all permits.

2. The operator shall continue to comply with WDR 89-178 orders, specifically those that relate to the management of leachate, leachate monitoring and ground water elevations within Module 1. (#25, 26, 27, 34)

3. The operator shall diligently work to meet deadlines contained in all permits and orders for the site, including the submittal of quarterly and annual reports, closure or retrofitting of the surface impoundment, and closure of Module 1. Closure of Module 1 shall proceed in accordance with WDR 89-178 orders or any modifications to the orders that may occur.

4. The operator shall use the utmost care and diligence to insure that all aspects of the design, construction and operation of the site in regards to the containment of surface runoff, ground water, and leachate, and the protection of ground water quality in and off the site is monitored and maintained in a thorough manner.

5. The County shall hire a certified engineer specializing in liner design and placement to evaluate and verify the plans and actual construction of liners in accordance with Title 14. The operator shall reimburse the County for these costs.

Verification:

1. The annual compliance report prepared by the operator shall contain a yearly summary of all quarterly or annual reports required by the permits and orders.

2. The annual compliance report shall contain a section discussing compliance efforts completed in regard to WDR 89-178 orders during the year.

3. The operator shall send copies of submissions for any changes in design or operation of the facility contained in WDR 89-178 or SWFP 48-AA-0002 to the County for inclusion in the RDSI or SID. The annual compliance report shall summarize any changes in design and/or operations that have occurred during the year.

4. The annual compliance report shall summarize construction activities and operations during the past year.

5. The engineer's final report to the County shall be included in the annual compliance report.

LOSS OF WILDLIFE AND PLANT HABITAT, GRAZING LANDS

Mitigation:

1. Wildlife and plant habitat disruption shall be minimized by the excavation and filling only of a portion of the landfill at a time. Filled areas and soil stockpiles shall be revegetated according to the parameters set in the Sedimentation Drainage and Erosion Control Plan that will be approved by the County Department of Transportation.

2. Any topsoil secured on or off site shall be stored separately from subsoils for use in the preparation of final cover.

3. A revegetation plan shall be prepared for the site for final closure that includes the use of native grasses, a monitoring program, and a grazing management plan if grazing is contemplated.

Verification:

1. Approval of the Sedimentation Drainage and Erosion Control Plan by the Department of Transportation prior to issuance of permit.

   A summary of revegetation efforts made during the year shall be included in the annual compliance report.

2. The operator shall inform the County LEA on a quarterly basis regarding the location of soil stockpiles. If they will remain intact longer than one year, such as topsoil, their location should be noted in the annual compliance report.

3. When the final closure plan is due to the State, the County shall receive a copy for review and recommendation to the State.

LIGHT AND GLARE

Mitigation:

1. The operator shall inform Travis Air Force Base of their intended use of lights and the type of lighting plants to be used.

2. Lighting shall be focused and/or shielded so that lighting is confined to the work area.

3. The operator shall notify County staff and residents within 1/2 mile of the site prior to use of portable units for preparation of Module 2.

4. The operator shall have a portable light with generator available on the site at all times for emergency use.

Verification:

1. Prior to issuance of the permit, the operator shall submit correspondence from Travis Air Force Base indicating that lighting at the landfill is acceptable to Travis.

2. The site shall be available for inspection by County staff.

3. No verification required.

4. Prior to issuance of the permit, the operator shall have the emergency lighting source on site. The site shall be available for inspection by County staff.

FIRE

Mitigation:

1. The site, including structures, equipment and vehicles, shall be inspected by the Dixon Fire District as deemed necessary by the District and kept in compliance with the Fire District regulations.

2. Flammable recyclables such as wood, tires, and paper shall be isolated from other materials, contained by a berm, and/or have a short on-site storage time.

3. Any fire incidents shall be reported to the County LEA within 24 hours.

Verification:

1&2 Prior to issuance of the permits, the operator shall file with the County a copy of a letter from the Dixon Fire District stating that the site is in compliance with District regulations. This shall include the additional provisions requested by the Fire District in their August 1990 letter.

3. A summary of any fire incidents shall be included in the annual compliance report.

HAZARDOUS MATERIALS

Mitigation:

1. The operator shall have a load checking plan approved by the County LEA and the RWQCB, #2. It shall be included in the RDSI or SID.

2. The operator shall have an approved Hazardous Materials Business Plan permit from the Hazardous Materials Division. It shall be included in the RDSI or SID.

3. The operator shall diligently operate in compliance with the

above two permits.

4. In the annual compliance report the operator shall summarize any hazardous materials incidents and amounts of collected hazardous materials by volume and/or weight for the year and include a copy of each of the quarterly reports for the load checking program.

Verification:

1. Prior to issuance of the permit, the operator shall have an approved load checking plan by the LEA and RWQBC, #2.

2. Prior to issuance of the permit the operator shall have a Hazardous Materials Business Plan permit issued by the County.

3. The site shall be available for inspection by County staff and other responsible agencies.

4. No verification necessary.

ASBESTOS, TIRE

Mitigation:

1. The operator shall have an approved Asbestos Waste handling plan included in the RDSI or SID.

2. The asbestos waste fill area shall have daily cover applied on days when asbestos waste is disposed.

3. The operator shall comply with procedures and guidelines from the Solano County Mosquito Abatement District.

Verification:

1. The County LEA has approved the Asbestos Waste Handling Plan and it is included in the SID.

2. The site shall be available for inspection by County staff and other responsible agencies.

3. Prior to issuance of the permit, the operator shall submit a letter to the County conveying SCMAD's acceptance of the operator's tire handling procedures. The site shall be available for inspection by SCMAD staff and other responsible agencies.

LITTER

Mitigation:

1. The maximum size of the working face shall be limited to 200' x 75'.

2. It is understood by the operator that litter control, by means of fencing, crews, adjustment of the size of the working face and use of some soil cover shall be accomplished in consultation with the County LEA's monitoring of their implementation of performance standards.

3. If litter can not be controlled by one or a combination of the above means, the County LEA shall order the landfill operator to resume use of daily cover for a specified period of time.

Verification:

1. In the annual compliance report the operator shall summarize actions taken during the year to achieve compliance with performance standards.

2. Any resumption of daily cover based on litter control shall be summarized in the annual compliance report.

TRAFFIC, CIRCULATION

Mitigations:

1. The operator shall comply with all directives issued by the County Department of Transportation as they pertain to this site and its affect on all aspects of transportation.

2. A road condition survey prior to issuance of the use permit and annually thereafter will be conducted by the County Department of Transportation staff. As a result of the survey, the operator shall pay any costs attributable to the operator's use of County roads to the Department of Transportation. The Department of Transportation proposes an annual fee for the importation of soil. The fee is estimated to be $2800.00 per year per mile of County road used. This fee will be indexed and adjusted yearly in accordance with the prevailing costs as shown by the Engineering News Record - Construction Cost Index. The fee will be due yearly on the date of issuance of the use permit.

Verification:

1-2 Prior to issuance of the use permit, the operator shall ensure that all requirements are in place and approved by the Solano County Department of Transportation. Evidence of compliance shall be given to the Department of Environmental Management for verification. Any work completed or fees paid shall be included in the annual compliance report.

PREPARATION

This Negative Declaration was prepared by the Solano County Department of Environmental Management. Copies may be obtained at the address listed below.

John E. Taylor, Director

Solano County Department of
Environmental Management
601 Texas Street
Fairfield, CA 94533
(707) 421-6765

JET/CC/pj

CCND8316.ERC

	Yes	Maybe	No
4. Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly?	___	____	X

IV. Discussion of items indicated in I, II and III above. (Include mitigation measures and alternatives designed to reduce significant effects, causing them to no longer be significant.)

Item No.

General

IV. A.2. Waste Discharge Requirements (WDR) Order No. 89-178 for B & J Landfill contain provisions that effectively prevent the use of on-site soils for cover. As a result the applicant has proposed the use of performance standards and the importation of soil for daily and interim cover. Performance standards, pursuant to Title 14, Section 17683, CCR, verify whether the following conditions are being met: control of vectors, odors, fire, litter and moisture infiltration. Instead of having daily cover soil of six inches to control these factors, the operator covers the fill (solid waste) with fresh fill. If a filled area will not be covered within 24 hours, then daily soil cover will need to be placed over the fill material. Soil cover is also used for areas that will not be covered with fill for 180 days or more. This is called interim cover and consists of one foot of clean fill.

The precedent being set is the use of performance standards for the first time at this site. The applicant will be coming in within the next year with another permit application to cover the 'Master Plan' of the site. This Master Plan will include expansion of the facility and operations to a larger permitted footprint, increased yearly tonnage and new facilities. All future permitted activities will also include the use of performance standards. In order to monitor compliance with state regulations, the County will need to increase staff monitoring and enforcement activities at the site. This is a fiscal rather than an environmental impact.

The use of performance standards as contained in the project description and as regulated by the Local Enforcement Agency (LEA) avoid and prevent any significant impacts.

Mitigation: The County, acting as the Local Enforcement Agency (LEA), shall monitor and enforce the use of performance standards by the operator. The operator shall reimburse the County for all costs associated with monitoring and enforcement activities occurring at the site including the use of performance standards. Billing for this activity will occur on a quarterly/monthly

basis.

Verification: In the annual compliance report the operator shall indicate an annual total paid to reimburse the County for the LEA functions of permitting, monitoring and enforcement.

A.5. The topography in the area of the B & J Landfill is primarily flat with a change in elevation of five to ten feet over an entire section (640 acres). The existing fill received to date at the landfill has created a 'hill' approximately 50 feet above the existing elevation. The final elevation of the site after closure will be close to 110 feet.

Landfill operations in the future with the Master Plan extension could be more visible to the public as they drive along Highway 113 or Hay Road.

The project description and the mitigations that follow reduce potential impacts to a level of insignificance.

Mitigation: The operator shall ensure:

1) that all filled areas with interim cover and soil stockpiles are vegetated as needed;

2) that litter is promptly picked up both on and off site;

3) that operations and facilities are contained on-site in specified areas and do not give the appearance of sprawling haphazardly within the site;

4) that fencing and landscaping along the perimeter are adequately maintained;

5) that with final closure the site is revegetated with natural grasses and that final closure slopes simulate a natural-appearing landform (knoll).

Verification:

1) the operator shall obtain a Sedimentation, Drainage, and Erosion Control Plan from the Department of Transportation prior to issuance of the revised use permit. This plan shall include revegetation plans. In the Annual Compliance Report, the operator shall describe any seeding activities that have occurred during the year.

2) the annual compliance report shall indicate the number of employees used on a quarterly basis for litter pickup.

3) the site will be available for inspection by County staff and other responsible agencies. The County will be informed when materials stockpiles are created or moved

by the operator.

4) the operator shall inspect and maintain fencing and landscaping and note any repairs in the annual compliance report. The site is available for inspection by the County staff and other responsible agencies.

5) the Final Closure Plan submitted to the County will include the use of native species of grasses and perennials and the grading of the closed facility into a natural-appearing landform.

B. 1. Land

The parcel on which the landfill is located is within Compatibility Zone A of the Travis Air Force Base Land Use Plan. The western half of the site is within the FAA Construction Referral Zone (100:1) and the Approach Departure Clearance Surface (50:1). The CNEL contours on the parcel range from 80 to 70.

The operator has submitted a permit application to the Airport Land Use Commission for review of the project. A letter has been sent to Travis Air Force Base informing them of the landfill's use of night lighting and requesting a review of the lighting.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of indignificance.

Mitigation: The project shall be reviewed by the Airport Land Use Commission and the night lighting by Travis Air Force Base for consistency.

Verification: Prior to issuance of the permit, the operator shall have obtained a finding of consistency from the Airport Land Use Commission and a letter from Travis Air Force Base commenting on the appropriateness of night lighting. If either the ALUC or Travis Air Force Base requests a modification to the proposed project, the operator shall proceed to comply with the request.

B.3. As mentioned previously, the original elevations on the parcel vary only ten feet. A hill is being gradually constructed as more fill and cover material is added. When final closure of the landfill occurs the hill will be 108' high and will have perimeter slopes that vary from 3:1 to 5:1 to provide visual relief. The surface of the knoll (or plateau) will be sloped at a 3% minimum to provide positive drainage following differential settlement of the underlying refuse.

Pre-excavation contours of the site, other than those on the 7 1/2 Dozier USGS quad map, have not been found by the applicant. The project description and the mitigations that follow avoid or reduce potential impacts

to a level of insignificance.

Mitigation: The project incorporates grading and design requirements in the Final Grading Plan by varying the slopes to simulate a natural appearing landform. This will also be incorporated into the Final Closure Plan.

Verification: No verification required.

C. Air

1,2,3 During construction of the modules for the wastes and during on-going operations, air quality may be impacted by an increase in dust blowing on and off-site.

Odors may also contribute to an adverse impact on air quality.

The landfill operator accepts two special wastes (asbestos, sewage sludge) currently. Infectious wastes are no longer accepted.

An Air Solid Waste Assessment Test (ASWAT) report is included in Section 5.3 of the Supportive Information Document (SID). The field work was completed during September and October of 1988 and submitted to the Yolo-Solano Air Pollution Control District. The report's objectives were to: 1) characterize the gas stream within the landfill, 2) determine whether specified VOC contaminants are present in ambient air at the site boundaries, 3) determine whether subsurface gas is migrating off-site. The ASWAT report stated that VOC concentrations were generally similar in upwind and downwind ambient air, but no interpretation of data was included in the ASWAT report. The RDSI states that the report would appear to suggest that the landfill operations does not impact air quality significantly. The measurements of ambient air quality from the ASWAT do comply with occupational exposure criteria presented in Title 8, CCR.

During activities that may expose workers to higher concentrations of landfill gas, health and safety plans will be prepared and enforced by the operator. There are no structures in the immediate area of the site.

The project description contains the following activities to decrease dust, odor, and other airborne contaminants:

1. Grading and watering the haul roads. Equipment to be used for watering is a 5500 gallon capacity water truck.

2. Application of a fine water spray on soil-cover work areas when conditions might cause the formation of fugitive dust.

3. Timely placement of daily and interim soil cover over the refuse fill and asbestos waste.

4. Application of water or planting of temporary vegetative cover on interim soil covers when conditions might cause recurrent problems with fugitive dust and erosion.

5. Planting and maintaining vegetative cover on completed fill slopes and the interim cover to be placed on Module 1.

6. Odors controlled by placement of interim soil cover of 1 foot and final cover including at least 1 foot of low permeable clay soils.

7. Performance standards state that the operator shall cover the previous day's refuse with fresh to avoid exposure of older, decaying refuse.

8. Title 14 sets procedures for monitoring odors under performance standards. If odor problem arise, daily soil cover shall resume.

9. The Supportive Information Document (SID) in Section 2.28 contains a copy of the Asbestos Acceptance Procedure Manual dated August 1989 for the acceptance and disposal of asbestos.

10. No direct contact with the asbestos waste occurs during handling and disposal of the asbestos waste.

11. Asbestos-approved respirators are available for the use of landfill personnel.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigation:

1. The operator shall comply with Title 14 procedures regarding performance standards. The site shall be available for inspection by County staff and staff from other responsible agencies.

2. In regard to special wastes not addressed in this RDSI or for new sources of sludge, a waste handling protocol shall be submitted to the LEA and other responsible agencies for review and approval prior to acceptance of the wastes.

3. The operator shall submit a health and safety plan for review and approval by the LEA and other responsible agencies prior to undertaking activities that may expose workers to landfill

gases.

Verification:

1. Regular inspections throughout the year by County staff and staff from other responsible agencies.

2. Approval by LEA and other responsible agencies of waste handling protocols and their inclusion in the RDSI.

3. Approval by LEA and other responsible agencies of a landfill gas health and safety plan and inclusion in the RDSI.

D. 1, 2, 3, 4, 5, 6. Water

The 162 acre site is located within a 100 year flood zone. Predominant drainage patterns in the surrounding area are toward the southeast. There are no on-site surface waters other than a surface impoundment. Alamo Creek crosses the northeast corner of the site and has been improved to carry runoff from a 10 year frequency storm.

A flood protection levee will be constructed around the site to about 6 feet above the surrounding terrain to prevent flood waters from a 100 year flood from entering the site. The design specifications are included in the 1982 Design Construction and Operations Report in the SID, Section 2.2.9 and details of the perimeter levee constructed to date are in the Construction Certification Report in SID, Section 4.0.

The alteration of the topography on the site will result in both increases in the amount and rate of surface runoff. A permanent drainage system has been constructed along the site's northwestern and northern perimeter. The drainage system consists of a ditch which drains storm runoff from the northern end of the site and tributary flow from adjacent lands along Hay Road. Corrugated metal pipes have been installed to pass the water flow beneath the site entrance road. The ditch discharges in a dispensed flow to a broad natural drainage swale along the east boundary of the site. The system is designed to convey a 10 year storm event and to withstand a 100 year storm event.

The WDR 89-178 orders state that Alamo Creek shall be sampled quarterly both up and down stream of the site. Further, surface drainage from tributary areas and internal site drainage from surface or subsurface sources shall not contact or percolate through wastes. Annually, but no later than October 15, any necessary erosion control measures shall be implemented, and any necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed to prevent erosion or flooding of the facility and to

prevent surface drainage from contacting or percolating through wastes.

The operator has submitted a drainage study to RWQCB, #2 as a requirement of WDR 89-178 delineating updated design features.

During construction of landfill modules, runoff precipitation and groundwater infiltration are collected in ditches at the toe of the excavation, drained to sumps, pumped into the perimeter drainage system, and allowed to flow onto the adjacent properties, or pumped to adjacent properties to the west of the site. Temporary berms and ditches deflect runoff around active fill areas.

Any run-off or groundwater contaminated by landfill operations is collected and disposed of by evaporation in the leachate evaporation pond (surface impoundment), or reapplied to the landfill surface for dust control to the extent allowed by laws and regulations. WDR orders prevent the entrance of leachate from Modules 2 and 3 in Module 1.

During the wet season a minimum 1 foot of low permeability cover shall be maintained over all but the active disposal area according to the WDR orders.

A perimeter cutoff barrier wall of low-permeability soils with a bentonite additive has been installed around the entire site to provide maximum protection of the ground water from the waste materials. For Module 1 a dewatering trench is used along the toe as described in a previous paragraph. The trench will be converted into a ground water extraction system prior to placement of refuse over the trench. At this time, in compliance with WDR 89-178 orders, a synthetic liner with a leachate monitoring and control system will be installed over remaining unfilled areas of Module 1 to maintain a dry subgrade for construction and operation, to provide separation between ground water and refuse, and to enable leachate monitoring and removal.

Module 2 will incorporate provisions for vertical separation between underlying ground water and the proposed refuse fill and a base liner system with leachate collection and removal facilities.

Currently leachate is pumped from the leachate collection trench on the eastern and southern side of Module 1 to the clay-lined surface impoundment in the northeast quarter of the site. The WDR 89-178 orders state that this surface impoundment does not comply with existing requirements for a minimum separation of 5 feet between wastes and ground water. The orders state it shall be closed by October 1, 1994 with a closure or retrofit plan due by April 1, 1993 to the RWQCB, #2. The landfill is now producing 1.8 million gallons of leachate per year.

The operator will continue using the surface impoundment until closed or retrofitted, or may discharge leachate to the Vacaville sewage treatment plant, or by transportation to a hazardous waste disposal facility. The surface impoundment has been monitored by perimeter ground water monitoring wells and is also contained by the perimeter slurry wall.

If leachate is sent to the Vacaville Sanitary District for treatment it would occur during the wet season when too much water was in the surface impoundment and/or after closure of the surface impoundment. Currently 4000 - 5000 gallons a day is produced which could be accomodated in one tanker vehicle. With the filling of Module 2 and 3 it is estimated that 15,000 gallons of leachate would be produced or 4 - 5 tanker trucks per day. The treatment facility is located off Fry Road approximately five miles from the Landfill.

Leachate produced from recycled material storage piles will be managed by: 1) the short storage periods; 2) in a covered building at the drop-off center; 3) or by the construction of berms around the stockpiles during wet weather.

A ground water monitoring well system and monitoring program in compliance with WDR 89-178 orders exists on the site. A one-time Solid Waste Assessment Test (SWAT) was completed in 1987 for groundwater, and a LMCS and Deep Ground Water Monitoring Plan has been approved by RWQCB, #2 and has been implemented. Ground and surface waters are sampled and analyzed quarterly including unambiguous indicators.

The project description, including the permits that regulate the design and operation of the site, and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

<u>Mitigation:</u>

1. The operator shall allow the County staff and other responsible agencies to inspect the site and have access to data and reports for through monitoring and enforcement of all permits.

2. The operator shall continue to comply with WDR 89-178 orders, specifically those that relate to the management of leachate, leachate monitoring and ground water elevations within Module 1. (#25, 26, 27, 34)

3. The operator shall diligently work to meet deadlines contained in all permits and orders for the site, including the submittal of quarterly and annual reports, closure or retrofitting of the surface impoundment, and closure of Module 1. Closure of Module 1 shall proceed in accordance

with WDR 89-178 orders or any modifications to the orders that may occur.

4. The operator shall use the utmost care and diligence to insure that all aspects of the design, construction and operation of the site in regards to the containment of surface runoff, ground water, and leachate, and the protection of ground water quality in and off the site is monitored and maintained in a thorough manner.

5. The County shall hire a certified engineer specializing in liner design to evaluate and verify the plans and actual construction of liners in accordance with Title 14. The operator shall reimburse the County for these costs.

Verification:

1. The annual compliance report prepared by the operator shall contain a yearly summary of all quarterly or annual reports required by the permits and orders.

2. The annual compliance report shall contain a section discussing compliance efforts completed in regard to WDR 89-178 orders during the year.

3. The operator shall send copies of submissions for any changes in design or operation of the facility contained in WDR 89-178 or SWFP 48-AA-0002 to the County for inclusion in the RDSI or SID. The annual compliance report shall summarize any changes in design and/or operations that have occured during the year.

4. The annual compliance report shall summarize construction activities and operations during the past year.

5. The engineer's final report to the County shall be included in the annual compliance report.

E. 3. 4. Animal Life

The Environmental Assessment prepared in February 1983 by Nichols & Berman contains information about animal life. It is hereby incorporated in its entirety by reference.

The grass cover, seasonally wet depressions, drainage ditches on the site, and Alamo Creek all provide habitat for wildlife species known to frequent the area. Few species are observed at any given time due to the proximity of existing landfill activities. Further acreage will be disturbed when Module 2 is prepared.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of

insignificance.

Mitigation:

1. Wildlife and plant habitat disruption shall be minimized by the excavation and filling only of a portion of the landfill at a time. Filled areas and soil stockpiles shall be revegetated according to the parameters set in the Sedimentation Drainage and Erosion Control Plan that will be approved by the County Department of Transportation.

2. Any topsoils secured on or off site shall be stored separately from subsoils for use in the preparation of final cover.

3. A revegetation plan shall be prepared for the site for final closure that includes the use of native grasses, a monitoring program, and a grazing management plan if grazing is contemplated.

Verification:

1. Approval of the Sedimentation Drainage and Erosion Control Plan by the Department of Transportation prior to issuance of permit.

   A summary of revegetation efforts made during the year shall be included in the annual compliance report.

2. The operator shall inform the County LEA on a quarterly basis regarding the location of soil stockpiles. If they will remain intact longer than one year, such as topsoil, their location should be noted in the annual compliance report.

3. When the final closure plan is due to the State, the County shall receive a copy for review and recommendation to the State.

F. 2. Plant Life

The Environmental Assessment prepared in February 1983 by Nichols & Berman contains information about plant life. It is hereby in its entirety in corporated by reference. The vegetative cover of the unfilled protions of the site consist of approximately 90% introduced annual grasses and associated weed species characteristic of disturbed Central Valley grassland habitats. The entire site is highly disturbed by past plowing, discing, grading activities and surface disposal of cannery slidge waste.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigations:

See Mitigations for animal life.

Verification:

See Verifications for Animal Life.

G. Agriculture

The site will take 162 acres out of grazing on an incremental basis as the site is developed. Final closure of the site contemplates the return of the area to an agricultural or open space use. As portions of the landfill are brought to final design grades the final soil cover will be placed and vegetated on an incremental basis also. The landfill will be sealed with a minimum of a 4 foot thick final cover containing a 1 foot layer of low permeable soil placed between the foundation and the vegetative soil layers. The final cover minimizes the infiltration of rain water into the landfill and allows native vegetation to be established on the surface.

There are no plans to construct any facilities on filled areas, plant deep-rooted vegetation, or allow any use other than non-irrigated agricultural activities.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigation:

See Mitigations for animal life.

Verification:

See Verifications for animal life.

H. Noise, Light and Glare

2. The project will use lights only on the following occasions:

a. Lights may be used at the public drop-off center if it becomes necessary to work after dark to process peak loads of reclyclables. This is an occasional, not a common, event.

b. The landfill base preparation work for Module 2 may occur at night. The placement of the gravel leachate collection and removal system (LCRS) over the 60-mil geomembrane is most effectively carried out when temperatures are low. The HDPE liner has a high coefficient of thermal expansion and wrinkles are likely to form during a hot day.

Wrinkles can be folded over with the placement of gravel, creating a potential stress point in the liner. Lights would be used for this purpose from 10:00 p.m. to sunrise for 1 to 2 months during the summer, while a portion of Module 2 is being prepared. Portable lights will be used for this purpose.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigation:

1. The operator shall inform Travis Air Force Base of their intended use of lights and the type of lighting plants to be used.

2. Lighting shall be focused and/or shielded so that lighting is confined to the work area.

3. The operator shall notify County staff and residents within 1/2 mile of the site prior to use of portable units for preparation of Module 2.

4. The operator shall have a portable light with generator available on the site at all times for emergency use.

Verification:

1. Prior to issuance of the permit, the operator shall submit correspondence from Travis Air Force Base indicating that lighting at the landfill is acceptable to Travis.

2. The site shall be available for inspection by County staff.

3. No verification required.

4. Prior to issuance of the permit, the operator shall have the emergency lighting source on site. The site shall be available for inspection by County staff.

I. Human Health, Safety

1. The site is located 2 1/2 miles east of the Midland Fault Zone. There are no significant structures planned for the site and most work occurs outside. Up to 15 people may be working at the site at any given time.

The site is not within a high or extreme grass fire zone. There is a possibility of trucks containing solid wastes catching on fire due to unauthorized and/or illegal dumping of flammable and hazardous materials. Hazardous materials are prohibited from being received at the site,

with the exception of asbestos.

Portable fire extinguishers are located in all structures, equipment and vehicles. Personnel are trained periodically in controlling fires. Any fire occuring on site will be extinguished primarily by landfill personnel using on-site soil stockpiles and the water truck, if necessary. Site personnel shall notify the appropriate agencies.

Flammable recyclables, such as wood, tires, and paper will be subject to the same operational safety plan.

The project description and the mitigations that follow avoid or reduce potential impacts to a level of insignificance.

Mitigation:

1. The site, including structures, equipment and vehicles, shall be inspected by the Dixon Fire District as deemed necessary by the District and kept in compliance with the Fire District regulations.

2. Flammable recyclables such as wood, tires, and paper shall be isolated from other materials, contained by a berm, and/or have a short on-site storage time.

3. Any fire incidents shall be reported to the County LEA within 24 hours.

Verification:

1&2 Prior to issuance of the permits, the operator shall file with the County a copy of a letter from the Dixon Fire District stating that the site is in compliance with District regulations. This shall include the additional provisions requested by the Fire District in their August 1990 letter.

3. A summary of any fire incidents shall be included in the annual compliance report.

2. With the exception of asbestos which is classified as both a special and hazardous waste, the site does not accept hazardous materials for disposal. The operator submitted a Load Checking Plan in February 1990. A screening program is in place that randomly inspects at least five loads per week from all generator sources at the working face. "Suspicious" loads are all checked and the load checker is on-site while the facility is open. The load checking reports are submitted quarterly to the LEA. There is a hazardous materials storage

container that has been permitted by the State Department of Health Services for the temporary storage of hazardous wastes for no longer than one year. It is used for storing hazardous wastes that are pulled during load checks.

The operator has submitted a Hazardous Materials Business Plan to the Department of Environmental Management, Hazardous Materials Division. It includes an emergency response plan for fires, spills and leaks, earthquakes (SID, Section 2.2.8).

Mitigation:

1. The operator shall have a load checking plan approved by the County LEA and the RWQCB, #2. It shall be included in the RDSI or SID.

2. The operator shall have an approved Hazardous Materials Business Plan permit from the Hazardous Materials Division. It shall be included in the RDSI or SID.

3. The operator shall diligently operate in compliance with the above two permits.

4. In the annual compliance report the operator shall summarize any hazardous materials incidents and amounts of collected hazardous materials by volume and/or weight for the year and include a copy of each of the quarterly reports for the load checking program.

Verification:

1. Prior to issuance of the permit, the operator shall have an approved load checking plan by the LEA and RWQBC, #2.

2. Prior to issuance of the permit the operator shall have a Hazardous Materials Businesss Plan permit issued by the County.

3. The site shall be available for inspection by County staff and other responsible agencies.

4. No verification necessary.

3. The storage of tires could potentially result in mosquito breeding. The operator has contacted the Solano County Mosquito Abatement District (SCMAD) and has included actions in the project description as prescribed by SCMAD to lessen mosquito breeding. They include:

   a. Tires will be stockpiled for a minimum of 90 days and limited to less than 100 on-site at any time.

b. The District (SCMAD) will perform random inspections during the wet season (November-April).

c. If mosquito larvae are found during SCMAD inspections, the tires will be shredded or cut within 10 days.

d. If problems persist, the frequency of shredding or cutting will increase.

No infectious waste are accepted at the landfill in accordance with State law.

Asbestos waste are transported separately from municipal waste and appropriately labeled and handled. The SID contains an Asbestos Waste Handling Plan in Section 2.2.8.

Mitigation:

1. The operator shall have an approved Asbestos Waste handling plan included in the RDSI or SID.

2. The asbestos waste fill area shall have daily cover applied on days when asbestos waste is disposed.

3. The operator shall comply with procedures and guidelines from the Solano County Mosquito Abatement District.

Verification:

1. The County LEA has approved the Asbestos Waste Handling Plan and it is included in the SID.

2. The site shall be available for inspection by County staff and other responsible agencies.

3. Prior to issuance of the permit, the operator shall submit a letter to the County conveying SCMAD's acceptance of the operator's tire handling procedures. The site shall be available for inspection by SCMAD staff and other responsible agencies.

4. With the use of performance standards (covering of wastes with 'fresh' wastes), there is the potential for increased litter. The site at certain times of the year can be extremely windy. The operator is constructing more portable fences to be used near the working face. These fences are 20' x 10' x 9 1/2' in dimension and are designed to be readily moved. A 6 foot high chain-link fence along the northern edge of the site prevents litter from blowing onto Hay Road and adjacent properties to the north. A work crew of two in the wet season and four in the dry season pick up litter along the working face,

site perimeter fences, the entire site, and adjacent properties.

Mitigation:

1. The maximum size of the working face shall be limited to 200' x 75'.

2. It is understood by the operator that litter control, by means of fencing, crews, adjustment of the size of the working face and use of some soil cover shall be accomplished in consultation with the County LEA's monitoring of their implementation of performance standards.

3. If litter can not be controlled by one or a combination of the above means, the County LEA shall order the landfill operator to resume use of daily cover for a specified period of time.

Verification:

1. In the annual compliance report the operator shall summarize actions taken during the year to achieve compliance with performance standards.

2. Any resumption of daily cover based on litter control shall be summarized in the annual compliance report.

K. Transportation, Circulation

1, 3, 5. With the change in the WDR 89-178 orders, the operator has been effectively prevented from using on site soils for daily and interim cover. The proposed importation of soil for daily and interim cover, roads, and miscellaneous uses will reserve the limited quantity of on-site fine-grained soils for the landfills low-permeability base liner and final cover.

The soil delivery rates will vary considerably. A large quantity of acceptable soil may be available from a project for which all excavations must be performed within 1 or 2 months. The operator connot predict when soil delivery will occur, so average daily or monthly trips cannot be estimated accurately. However, the number of trucks will not exceed 50 in any one day (100 one-way trips).

Two proposed sources of soil will be the SID project along Putah South Canal and a quarry near American Canyon Landfill in Napa County. Trucks from the SID project will take Midway to Leisure Town to Fry to Lewis to Hay Road. This approximates the collection routes used to collect refuse in the unincorporated County.

Trucks from the quarry in Napa will use one of two routes:

1. I-80 to Highway 12, west on Highway 12 to Highway 113, north on Highway 113 to Hay Road, west on Hay to site.

2. I-80 to Midway, east on Midway to Highway 113, south on Highway 113 to Hay, west on Hay Road.

The soil on the trucks will be covered with tarps; the trucks carry approximately 20 tons of soil.

Tanker trucks hauling leachate to the City of Vacaville waste water treatment plants would use the following route: Hay to Lewis to Fry to facility access road. Current use, if needed, would be one tanker truck per day; the maximum use over permit life would be four to five trucks per day. This adds 2 at current use and 8 to 10 ADT for maximum use.

Access to the site is controlled by a fence and lockable entrance gates. To date, no turning lanes or other special access provisions have been required by the County Department of Transportation. The entrance is asphalt paved and is 65 feet wide at the gates with 129 feet of stacking distance from the gatehouse to the edge of the pavement on Hay Road. It is important to have adequate stacking distance as the gatekeeper will be required with the issuance of the use permit to begin collecting data on wastestream types, source, and weights in compliance with AB939 regulations. The operator will be adding scales in June 1992, but from issuance til June 1992 this data will be collected manually.

The tonnage of waste received at the site will be set at a maximum of 280 ADT per seven day week with a peak of 700 tons.

Based on a weekly average, approximately 75 private vehicles (self haul) and 70 refuse collection vehicles (compactor and debris box trucks) enter the site each day from the Cities of Vacaville and Dixon, and the unincorporated areas of the County. This is based on vehicle counts at the gatehouse. That approximates 140 one-way trips for self haul and 150 one-way trips for collection vehicles for a total of 290 one-way trips average per day. With the peak soil trips, the total for the landfill would be 390 one-way trips per day.

The Department of Transportation completed a traffic survey at the site in November 1990, that is included with the SID Section 1.2.2 and attached to the Part II of this Initial Study.

Mitigations:

1. The operator shall comply with all directives issued by the County Department of Transportation as they pertain to this site and its affect on all aspects of transportation.

2. A road condition survey prior to issuance of the use permit and annually thereafter will be conducted by the County Department of Transportation staff. The Department of Transportation proposes an annual fee for the importation of soil. The fee is estimated to be $2800.00 per year per mile of County Road used. This fee will be indexed and adjusted yearly in accordance with the prevailing costs as shown by the Engineering News Record - Construction Cost Index. The fee will be due partly on the date of issuance of the proposed use permit.

Verification:

1-2 Prior to issuance of the use permit, the operator shall ensure that all requirements are in place and approved by the Solano County Department of Transportation. Evidence of compliance shall be given to the Department of Environmental Management for verification. Any work completed or fees paid shall be included in the annual compliance report.

L. Public Services, Utilities

1. d. As discussed previously the project would increase public service requirements for the County LEA in monitoring and enforcing performance standards. This is a fiscal rather than an environmental impact. The County LEA through the Department of Environmental Management will bill the operator for the expenses involved in permitting, monitoring and enforcing the landfill site.

V. COORDINATION:

1. Agencies having jurisdiction by law (Section 15366).

Solano County Department of Environmental Management; Environmental Health Services Division (LEA); Solano Mosquito Abatement District; California Department of Health Services; California Department of Fish and Game

2. Responsible agencies (Section 15381).

California Integrated Waste Management Board; Regional Water Quality Control Board - Central Valley; Yolo-Solano Air Pollution District; Solano County Cities

VI. ENVIRONMENTAL EVALUATION AND RECOMMENDATION:

The project description contained in the Report of Disposal Site Information (July 1991), and the Supportive Information Document, and the mitigations included in the Part II of the Initial Study avoid or reduce to a level of insignificance any adverse impacts on the environment. It is recommended that a mitigated Negative Declaration with a 30 day review period be required.

VII. PREPARATION OF PART II OF INITIAL STUDY:

Prepared by: Cynthia Copeland Date: July 31, 1991

Title: Senior Planner

VIII. ENVIRONMENTAL REVIEW COMMITTEE DETERMINATION:

Disposition: ____ Categorical Exemption, Class ____

_X_ Negative Declaration required

____ EIR required

____ Referred back to submitting agency for additional information

____ Other action

This disposition constitutes the official action of the Committee pursuant to Article III.B of the Solano County EIR Guidelines.

ERC Secretary

Aug 13, 1991

Date

Copies of this initial study are available at the Solano County Department of Environmental Management.

ccu8316r.rpt
CJC/pj

ATTACHMENT 6

Notice of Determination

Appendix H

To: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County Clerk
County of Solano

From: (Public Agency) Solano County
Department of Environmental Management
(Address)
601 Texas Street, Fairfield, Ca. 94533

Filed in the Office of the County Clerk of Solano County, State of California.
this day of: November 12, 1991
VIRGINIA RYAN, County Clerk
By Deputy

Subject:
Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Minor Revision to Use Permit No. U-83-16 of B & J Drop Box, Inc.
Project Title

91083038	Karen Wyeth	(707) 421-6765
State Clearinghouse Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

South side of Hay Road, ½ mile west of State Route 113 in Solano County
Project Location (include county)

Project Description:
Amendment to existing landfill operations on a 161 acre site to include the use of performance standards, the importation of soil for daily and interim cover, and the redesign of Module 2 to be in compliance with current state standards as specified in Waste Discharge Requirements Order No. WDR-89-18.

This is to advise that the Solano County Planning Commission (☒ Lead Agency ☐ Responsible Agency) has approved the above described project on November 7, 1991 (Date) and has made the following determinations regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
5. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:
Solano County Environmental Management, 601 Texas Street, Fairfield, Ca. 94533

Karen A Wyeth	November 12, 1991	Senior Planner
Signature (Public Agency)	*Date*	*Title*

Date received for filing at OPR:

Revised October 1989

ATTACHMENT 7

California Integrated Waste Management Board

Permit Decision No. 92-53

WHEREAS, the Solano County Department of Environmental Health, acting as the Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a new Solid Waste Facilities Permit for the B & J Drop Box Sanitary Landfill; and

WHEREAS, Board staff has evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for this proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 48-AA-0002.

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM 13

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for Highgrove Sanitary Landfill, Riverside County

COMMITTEE ACTION: On June 10, 1992, the Permitting and Enforcement Committee voted unanimously in favor of concurrence in the issuance of this revised Solid Waste Facilities Permit.

BACKGROUND:

Facility Facts

Name:	Highgrove Sanitary Landfill Facility No. 33-AA-0003
Facility Type:	Class III Landfill
Location:	1420 Highgrove Pass Road Riverside, California
Area:	280 acres, 91 acres currently permitted for disposal
Setting:	Open Space
Operational Status:	Active, Permitted
Waste Types:	Municipal refuse, agricultural waste, construction/demolition, tires and dead animals
Capacity:	5.5 million tons, for both Phase I and II
Owner:	Riverside County
Operator:	Riverside County Waste Management Department Robert Nelson, Director
LEA:	Riverside County Department of Health Services, Division of Environmental Health

Proposed Project

The revised permit is to allow landfill operations in the Phase I area only, reducing the permitted fill area to 65 acres; to

increase permitted tonnage from 1800 to 2700 tons per day; and to expand vertically by 75 feet. Reducing the permitted fill area will result in a reduced landfill capacity from that which is described in the governing permit. The operator is expected to submit a permit application for Phase II in the future. The proposed permit also extends the site's operating hours to 6:00 am to 8:00 pm, provided adequate daylight exists. The increase in tonnage is expected to be needed when the Double Butte Landfill in Riverside County closes.

SUMMARY:

Site History The Highgrove Sanitary Landfill is located two miles east of the community of Highgrove, California, on the eastern flank of the Box Springs Mountains. The site opened in 1947. The area surrounding the site is open space and there are no residences within 1,000 feet of the facility. Currently the facility is permitted to accept up to 1800 tons per day of non-hazardous solid waste, but is disposing an average of approximately 957 tons per day.

Project Description Of the 280 acres at the Highgrove Sanitary Landfill, 91 acres are currently permitted for use as disposal area. This area is being developed in two phases, Phase I (65.35 acres) and Phase II (25.65 acres). This proposed permit will limit site operations to the Phase I area only, reducing the permitted fill area to 65.35 acres. Phase I will reach capacity in late 1994.

The physical plant at the site includes lockable gates at the entrance to the facility, a fee collection building, and a railroad boxcar located east of the paved access road opposite Phase I. The boxcar is used for storage or office space. The area around the boxcar is used for the equipment compound and maintenance area.

The facility receives non-hazardous municipal solid wastes, agricultural wastes, construction/demolition wastes, tires, inert materials, and dead animals. The facility receives an average of 950 tons of waste per operating day. Peak loading is not expected to exceed 2,700 tons per day in the next five years and the facility will be limited to 2,700 tons per operating day.

A typical operations cycle starts when wastes enter the site and are weighed at the fee collection building. Waste is then routed to the active work face for tipping. Public and commercial haulers are usually directed to dispose of their loads in separate but adjacent areas. After waste has been unloaded, the equipment operator blends both the public and commercial waste

into the fill face. Wastes are spread in a cell, compacted by layers, and confined to the cell using heavy equipment. At the end of each operating day, the active cell is covered with six (6) inches of compacted soil. Cells are combined into progressive terraces until the grades defined by the site grading plan are established. Tire stockpile areas are maintained at the site away from the active face. Tires are shredded by a County contractor to approximately four inches by six inches in size prior to being landfilled. Resource recovery and salvaging operations are not currently conducted at this facility.

Hazardous wastes are not accepted at this facility. Should hazardous wastes be found at the site, they will be handled according to the Protocol for Handling of Improperly Disposed of Hazardous Waste at Class III County Solid Waste Facilities. The Highgrove Sanitary Landfill's Mitigation Monitoring and Implementation Plan incorporates this program (Attachment 6).

Currently, the site is open from 8:00 am to 4:30 pm, seven (7) days per week. The operator may increase the hours of operation to begin as early as 6:00 a.m. and end as late as 8:00 p.m.; that is, to work during daylight hours. Site operations may not take place during these extended hours if they result in operating in darkness. The facility is closed on New Year's Day, Memorial Day, the Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day.

Environmental Controls Refuse is pushed and compacted throughout the day in order to minimize odors from the landfill. Fugitive dust is mitigated through the use of a 4000 gallon water truck fitted with spray discharge nozzles. The water for dust control is obtained from a fire hydrant located on the corner of Ironwood Avenue and Theodore Street.

There is a buffer zone between the area the equipment operates and the adjacent homes so as not to create a nuisance. Equipment used on site must meet OSHA noise abatement standards, further supplementing the noise control achieved by the buffer zone. Vectors are also monitored at the site. No significant numbers of vectors have been observed at the site to date; however, the increase in tonnage may result in need for additional vector control methods. The operator is cognizant of this potential problem and will take necessary vector control measures as the need arises.

In order to comply with Waste Discharge Requirements issued by the RWQCB, groundwater wells have been installed and are sampled on a quarterly basis. Results are sent to the RWQCB. The RWQCB has required the operator of the Highgrove Sanitary Landfill to install seven ground water monitoring wells in addition to the

three wells previously in use at this site. As of May 18, 1992, six of the seven additional monitoring wells had been installed to comply with the RWQCB's direction.

The facility is currently operating under Waste Discharge Requirements No. 79-35 adopted by the Santa Ana Regional Water Quality Control Board in 1979. A Cleanup and Abatement Order (C&A Order No. 91-87) was issued to the site on June 24, 1991.

This order was issued as a result of on-going drainage and erosion control problems at the site. The order directed the operator to take several steps to improve the site's drainage control facilities so that these would prevent damage to the site by the heavy winter rains. The Cleanup and Abatement Order required the operator of the Highgrove site to submit design drawings and calculations for site drainage and erosion control improvements by September 30, 1991. This deadline was set so that there would be at least four weeks for review before construction began. The C&A Order further required the operator to complete construction based on these plans by November 29, 1991. According to a RWQCB letter of January 31, 1992, two inspections by the RWQCB conducted on December 30, 1991 and January 13, 1992 revealed that the drainage control system was "not constructed in accordance with the approved design."

On May 13, 1992, at the Permitting and Enforcement Committee meeting, Dixie Lass of the RWQCB testified that the RWQCB was satisfied with the progress the site was making in meeting the requirements of the Cleanup and Abatement Order, since the January 31, 1992 inspection report was issued.

The Highgrove Sanitary Landfill does not have a Leachate Collection and Removal System (LCRS), although groundwater contamination has been detected at this site. A representative from the RWQCB also discussed the groundwater contamination problems at the site at the May 13, 1992 Permitting and Enforcement Committee meeting. At that time Ms Lass stated that the groundwater contamination at the site is the result of gas migration from the landfill through the fractured bedrock in which the Highgrove facility sits. Ms Lass further stated that groundwater contamination at this site is being monitored and remediation plans for this problem are being developed.

There is no requirement stipulating that the Highgrove Sanitary Landfill install a gas recovery and monitoring system. The South Coast Air Quality Management District granted the facility an exemption to the requirements of Rule 1150.1, allowing it to operate without a recovery and/or monitoring system. The site has, however, installed gas probes to monitor for the presence of gas.

ANALYSIS:

On April 1, 1992, the Local Enforcement Agency (LEA) for Riverside County submitted a proposed permit to the California Integrated Waste Management Board (Board) for the Highgrove Sanitary Landfill. The April proposed permit was for a similar project as this permit (increase in tonnage, vertical expansion, increase in operating hours), but also allowed expansion into the Phase II area of the landfill.

At the May 28, 1992 meeting of the Board in Irvine, California, Board staff recommended objection to the April proposed permit due to specific concerns regarding the permit and the plans for landfilling of waste in the Phase II area of the site. The April proposed permit contained eight (8) deficiencies, rendering the permit unenforceable. These deficiencies would have allowed the operator to engage in activities not permitted under statute. Staff were also concerned that the proposal to expand landfill activities to the Phase II area was not complete as the operator had not met the requirements stipulated by the Regional Water Quality Control Board for waste disposal in Phase II.

Because of staff's recommendation for objection, the LEA and the project proponent agreed to withdraw the April proposed permit from Board consideration. It was the LEA and operator's intent to resubmit a proposed permit for the Phase I area only. The Board agreed to consider the proposed permit for the Phase I area at its June 10, 1992 Permitting and Enforcement Committee and June 24, 1992 Board meetings. Because of this commitment, the proposed permit has been expedited.

On June 8, 1992, the LEA submitted a proposed revised permit to the Board for the Highgrove Sanitary Landfill, Phase I area. On June 10, 1992, the LEA submitted a replacement page to that permit which included language to clarify the date Phase I would achieve capacity. Pursuant to Public Resources Code (PRC) Section 44009, the last day the Board may act on this permit is August 10, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and its supporting documentation and have found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. <u>Conformance with County Plan</u>

   The LEA has determined that the facility is found in the Riverside County Solid Waste Management Plan. Board staff agree with said determination.

2. Consistency with General Plan

The LEA has found that the facility is in conformance with the Riverside County General Plan, according to a letter dated July 23, 1990 from the Riverside County Planning Department. Board staff agree with said finding.

3. Consistency with Waste Diversion Requirements

Board Planning and Assistance Division staff evaluate proposed permits, pursuant to PRC Section 44009, to determine if the proposed project would impair or substantially prevent the achievement of waste diversion goals. Based on consideration of available information, staff determined that the issuance of the proposed permit would neither prevent nor substantially impair achievement of mandated waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document and Mitigation Monitoring and Implementation Schedule (MMIS). The Riverside County Planning Department adopted a Mitigated Negative Declaration (ND) (SCH # 91012109) for the proposed project on June 11, 1991. As required by CEQA, the ND identified the potential adverse environmental effects and appropriate mitigation measures for the proposed project. Previously, the Riverside County Planning Department had approved a Negative Declaration for the proposed project which did not include mitigation measures. These measures were addressed by the June 11, 1991 approval of the ND. A Notice of Determination was filed for the original ND on November 19, 1990.

A Mitigation Monitoring and Implementation Schedule (MMIS) has been submitted to the Board. Potential environmental impacts and mitigation measures associated with the site's operations are identified and incorporated into the MMIS (Attachment 5).

After reviewing the environmental documentation for the project, Board staff has determined that CEQA has been complied with, and that the ND is adequate and appropriate for the Board's use in evaluating the proposed project.

5. Compliance with State Minimum Standards

California Integrated Waste Management Board (Board) Compliance Branch staff conducted an inspection on February 24, 1992. Board staff documented seven (7) violations of State Minimum Standards during the inspection.

LEA staff inspected the facility on May 13, 1992 and documented one (1) outstanding violation of Title 14, California Code of Regulations (CCR), Section 17708, Drainage and Erosion Control. On May 21, 1992, LEA staff again inspected the landfill and documented that all violations of State Minimum Standards had been corrected. Based on the May 21, 1992 LEA inspection, this facility is in compliance with State Minimum Standards for Waste Handling and Disposal.

6. Compliance with Closure and Postclosure Maintenance Plans

Since the SWFP was reviewed prior to July 1, 1990, submittal of a preliminary Closure and Postclosure Maintenance Plan was not required until the next scheduled permit review in January 1995. This permit review, however, addressed both phases of the landfill. The present proposed permit only allows for operation in Phase I which will reach capacity in December, 1994. As a result, a final Closure Post Closure Maintenance Plan is due for Phase I by December 31, 1992.

Riverside County has an Enterprise Fund and Escrow Account in place for the Highgrove Sanitary Landfill which meets the financial assurance requirements of Title 14 of the California Code of Regulations.

STAFF RECOMMENDATION:

The LEA has submitted a proposed permit to the Board. Because a Solid Waste Facilities Permit has been proposed, the Board must either object to or concur with the proposed permit as submitted by the LEA. Staff have reviewed the proposed permit and its supporting documentation and find the proposed permit acceptable for the Board's consideration of concurrence.

Staff recommend that the Board adopt Permit Decision No. 92-39 concurring in the issuance of Solid Waste Facilities Permit No. 33-AA-0003.

ATTACHMENTS:

1. Resolution No. 92-39
2. Location Map
3. Site Map
4 Permit No. 33-AA-0003
5. AB 2296 Conformance
6. Mitigation Monitoring Program

Prepared By: Rosslyn Stevens R Stevens Clerk Phone: 255-2580

Approved By: Phillip J. Moralez/Martha Vázquez Phone: 255-2453

Legal Review: RFC Date/Time: 6-12 1550

California Integrated Waste Management Board
Permit Decision 92-39
June 24, 1992

WHEREAS, the County of Riverside Department of Environmental Health, acting as the Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to, a revised Solid Waste Facilities Permit for the Highgrove Sanitary Landfill; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements have for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and complies with the California Environmental Quality Act.

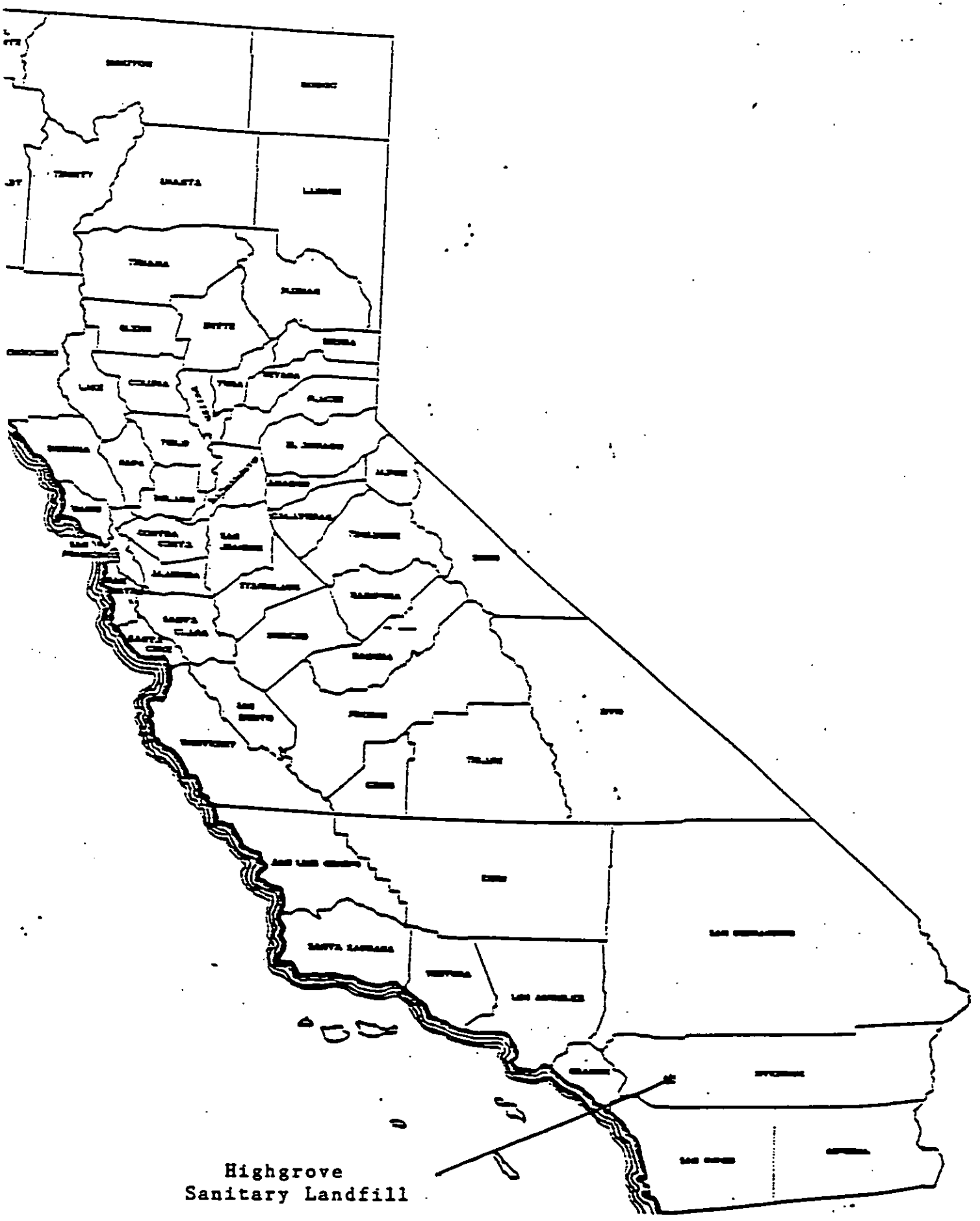
NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 33-AA-0003.

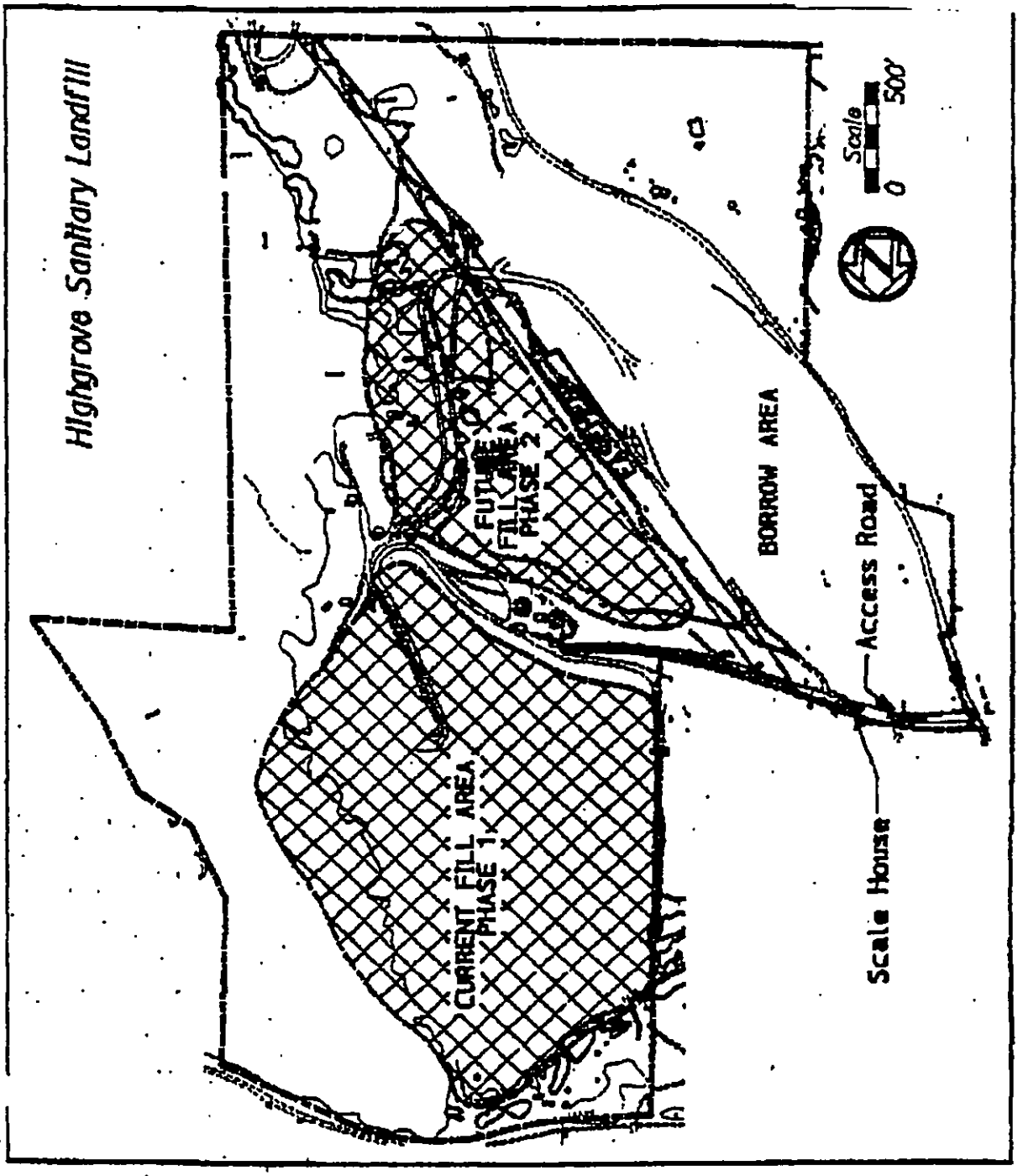
CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director


Highgrove
Sanitary Landfill



COUNTY OF RIVERSIDE
WASTE MANAGEMENT DEPARTMENT
HIGHGROVE SANITARY LANDFILL
PHASING DIAGRAM

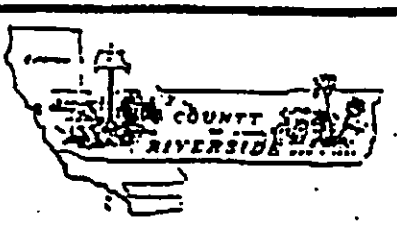


FIGURE 8

ATTACHMENT 4

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE	TYPE OF FACILITY	FACILITY/PERMIT NUMBER
	Sanitary Landfill	33-AA-0003

NAME AND STREET ADDRESS OF FACILITY	NAME AND MAILING ADDRESS OF OPERATOR
Highgrove Sanitary Landfill 1420 Highgrove Pass Road Riverside, CA SE¼, of W½ of E½ and SE¼ of E½, Section 10; POR SW¼ of SW¼, Section 11; and SE¼, Section 15; T2S, R4W, S.B.B. & M.	County of Riverside Department of Waste Management 1995 Market Street Riverside, CA 92501
PERMITTING ENFORCEMENT AGENCY Local Solid Waste Management Enforcement Agency of the County of Riverside	CITY/COUNTY County of Riverside

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS
APPROVING OFFICER John M. Fanning, Director Department of Environmental Health NAME/TITLE	County of Riverside Health Services Agency Department of Environmental Health 1737 Atlanta, Bldg. H Riverside, CA 92507
SEAL	AGENCY USE/COMMENTS Owner: County of Riverside
	PERMIT RECEIVED BY CWMB: JUN 03 1992 / CWMB CONCURRANCE DATE
	PERMIT REVIEW DUE DATE / PERMIT ISSUED DATE

CWMB 1 (Rev. 7/84)

SOLID WASTE FACILITIES PERMIT FOR HIGHGROVE SANITARY LANDFILL

FINDINGS

1. The following describe the design and operation of the facility as authorized by this permit:

   A. Highgrove Sanitary Landfill, 1420 Highgrove Pass Road, Riverside, California, is owned by Riverside County and operated by the Riverside County's Waste Management Department.

   B. The site occupies 280 acres. Its location is legally described as follows: SE ¼ of W ½ of E ½ and SE ¼ of E ½, Section 10, POR SW ¼ of SW ¼, Section 11, and SE ¼, Section 15; T2S, R4W, San Bernardino Baseline and Meridian in Riverside County, California. Maps showing the general location and details of on-site structures within 1000 feet of the perimeter of the property are shown in the Report of Disposal Site Information (R.D.S.I.), Highgrove Sanitary Landfill, dated January 1992. This is a Class III landfill. Of the 280 acres, 91 acres are being developed in two phases: Phase I (65.35 acres) and Phase II (25.65 acres). For a map of the two phases, refer to Phasing Diagram - Figure 8, Addendum to Highgrove Sanitary Landfill R.D.S.I. This permit limits the landfilling of wastes to Phase I.

   C. The physical plant begins with the lockable gates at the entrance to the facility. A partially paved access road leads from the gates, past the fee collection building, and continues to the active work area. A railroad boxcar is east of the paved access road opposite Phase I, and provides storage and office space. The area around the boxcar is the equipment compound and maintenance area.

   D. This facility receives non-hazardous wastes which include:

      1. municipal solid wastes
      2. agricultural wastes
      3. construction/demolition wastes
      4. tires
      5. inert materials
      6. dead animals

4065 County Circle Dr., Riverside, CA 92503 ■ P.O. Box 7600, Riverside, CA 92513-7600 Fax # 358-4529
recycled paper

E. This facility receives an average of 957 tons of waste per operating day. Peak loading is not expected to exceed 2,700 tons per day in the next five years. The facility shall receive no greater than 2,700 tons per operating day.

The entire site has an estimated remaining capacity of 5.2 million tons as of December 1990. Phase I will be filled to grade by the end of 1994.

F. The area method of landfilling is used at this facility. Wastes are weighed at the fee collection building, and then routed to the active work face where they are discharged. Wastes are spread, compacted by layers, and confined to the cell using heavy equipment. At the end of each operating day, the active cell is closed with six inches of compacted soil. Cells are combined into progressing terraces until the grades defined by the site grading plan are established.

G. Resource recovery and salvaging operations are not currently conducted at this facility. However, the County has prepared a County Integrated Waste Management Plan to meet the requirements of AB 939. As a part of this plan, programs will be implemented to reduce the quantity of wastes requiring disposal at all County landfills.

H. Hazardous wastes are not accepted at this facility. Hazardous wastes shall be handled in a manner approved by the Local Solid Waste Management Enforcement Agency (LEA) and the California Integrated Waste Management Board (CIWMB) as per Title 22, California Code of Regulations.

In-coming wastes are identified by type at the weighing scale by the fee collectors. In addition, after being routed to the working face, the wastes are unloaded under the scrutiny of the traffic director.

Hazardous wastes are not accepted at this facility. Any hazardous waste inadvertently discharged at this facility shall be handled according to the "Protocol for Handling of Improperly Disposed of Hazardous Waste at Class III County Solid Waste Facilities" (see attachment 1).

I. The following are anticipated changes in the design and operation of this facility that may occur in the next five years:

1) The operator may increase the hours of operation to begin as early as 6:00 a.m. and end as late as 8:00 p.m.; it being stipulated that the site would not operate except during daylight hours. This contingency is addressed in the Negative Declaration, E.A. No. 35719. See Specification #7 for implementation details.

2) The development and operation of Phase II.

J. The facility is open to the public from 8:00 a.m. to 4:30 p.m., seven days a week. Operations must not be conducted before sunrise or after sunset. The facility is closed on New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day.

2. The following agencies and documents condition operation and use of this facility, and are adopted by reference:

A. Report of Disposal Site Information, dated January 1992 and Addendum dated June 1992

B. California Regional Water Quality Control Board - Santa Ana Region: Waste Discharge Requirements No. 79-35, dated February 23, 1979

C. South Coast Air Quality Management District exemption from Rule 1150.1, letter dated July 26, 1989

D. Riverside County Planning Department, Environmental Assessment (Negative Declaration and Mitigation Measure Monitoring Program) Number 35719, State Clearinghouse Number 91012109, adopted June 11, 1991

E. Riverside County Planning Department, Environmental Assessment Number 34032, State Clearinghouse Number 89073107, adopted November 7, 1989

F. Riverside County Planning Department, Environmental Assessment Number 17099, State Clearinghouse Number 83061301, adopted August 23, 1983

G. California Regional Water Quality Control Board – Santa Ana Region: Cleanup and Abatement Order No. 91-87, dated June 24, 1991

3. The following findings are required pursuant to PRC sections 44009, 50000 and 50000.5:

   A. The Riverside County Solid Waste Management Plan, as amended in October 1989, identifies the Highgrove Sanitary Landfill.

   B. This permit is consistent with standards adopted by the CIWMB.

   C. This facility was found to be consistent with, and shown to be designated in, the Riverside County Comprehensive General Plan by the Riverside County Planning Department in a letter dated July 23, 1990.

4. The design and operation of this facility is in compliance with the State Minimum standards for Solid Waste Handling and Disposal as determined by the LEA on May 21, 1992.

5. This facility is in conformance with applicable fire standards by complying with the State Public Resources Code Sections 4373 and 4374 which require that any solid waste facility for which a permit is required shall be maintained with a clearance of flammable material for a minimum distance of 150 feet from the periphery of any exposed flammable solid.

6. The Riverside County Planning Department has made a written finding that this facility is compatible with surrounding land uses in a letter dated November 15, 1989.

7. A Notice of Determination for the most current Negative Declaration was filed with the State Clearinghouse (SCH #91012109) on June 11, 1991 by the Riverside County Board of Supervisors for Negative Declaration, E.A. No. 35719.

CONDITIONS

Requirements:

1. This facility must comply with State Minimum Standards for Solid Waste Handling and Disposal, California Code of Regulations, Title 14.

2. The facility must comply with all federal, state and local requirements and enactments, including all mitigation measures given in Environmental Assessment Number 35719 filed pursuant to Public Resources Code, Section 21081.6.

3. Any additional information must be provided as required by the LEA.

4. The LEA may require the installation of monitoring probes to detect gas migration as determined necessary by the California Regional Water Quality Control Board - Santa Ana Region.

Prohibitions:

The following actions are prohibited at this facility:

a. disposal of hazardous or designated wastes
b. scavenging
c. open burning
d. disposal of liquid wastes
e. disposal of infectious wastes
f. disposal of sludge from waste water treatment facilities
g. night time operations
h. discharging of explosives or detonation of explosive devices
i. acceptance of any waste material after the proposed grade has been reached
j. allow standing water to collect on covered fill surfaces
k. development and subsequent placement of waste in Phase II without first obtaining a revised Solid Waste Facilities Permit

Specifications:

1. The operator will meet State Waste Tire Storage And Disposal Standards, California Code of Regulations, Title 14, Chapter 3, Article 5.5.

2. With the following exceptions, all waste received at this facility shall be covered with six inches of compacted cover material at the end of every operating day:

   a. Tree limbs, tree root balls and tires shall be covered with six inches of compacted cover within 60 days of receipt.

b. Asphalt and concrete, that is not contaminated with any other waste, may be stockpiled in quantities and at a location approved by the LEA for the purpose of providing a safe surface for wet weather operations.

3. The operator is prohibited from making any change which would cause the design or operations of the facility to violate the terms or conditions of this solid waste facilities permit. Such a change would be considered a significant change, and would require a permit revision.

4. This facility has a permitted capacity of 2,700 tons per operating day, and shall not receive more than this amount without first obtaining a revision of the permit from the LEA.

5. Dead animals must be covered with a minimum of six inches of compacted cover material immediately upon receipt.

6. The Waste Management Department of Riverside County is the authorized operator of this facility. This permit is not transferable. A new operator will have to obtain a new permit to operate this facility.

7. The operating hours of the facility will be allowed as follows:

   Between the hours of 8:00 a.m. and 4:30 p.m., Monday through Sunday, with the exception of holidays. The operator may, upon approval of the LEA, extend the hours of operation to 6:00 a.m. to 8:00 p.m.; it being stipulated that the facility would not operate except during daylight hours.

8. Copies of any plans describing a proposed structure or feature not included in a current Report of Disposal Site Information shall be submitted no later than 120 days in advance of construction of the structure or feature. The LEA will evaluate the proposed project and determine the need for permit action. On final approval of the plans by all responsible agencies, the approved plans are to be submitted as an amendment to the Report of Disposal Site Information or as part of a revised Report of Disposal Site Information.

   Plans for work required by this or any other regulatory agency which preclude the above time frame will be submitted in the same order, preliminary plans followed by approved plans, as soon as they are available.

Provisions:

This permit is subject to review by the LEA, and may be modified, suspended, or revoked, for sufficient cause after a hearing.

Closure/Postclosure Maintenance:

1. All documentation relating to the preparation of the closure and post closure maintenance costs shall be retained by the operator and shall be available for inspection by the CIWMB or the LEA at reasonable times.

2. A final Closure/Postclosure Maintenance Plan for Phase I of this facility shall be submitted by December 31, 1992.

Monitoring Program:

1. The following environmental measurements shall be reported to the LEA on a quarterly basis:
   a. water quality monitoring reports
   b. leachate monitoring reports
   c. items required under mitigation measures monitoring program as outlined in Environmental Assessment #35719
   d. landfill gas migration and emission reports
   e. a record of any cuts made to natural terrain where fill has been placed, and the depth to groundwater

2. The following environmental measurements shall be reported to the LEA every month :
   a. number of vehicles utilizing the site each day
   b. area of site utilized
   c. quantities and types of wastes received each day
   d. quantities of dead animals and tires received each day
   e. a copy of the daily log of special occurrences; i.e. fires, explosions, accidents, hazardous wastes, injuries
   f. the daily records of the hazardous waste screening program (when implemented)

State of California

California Environmental Protection Agency

M e m o r a n d u m

To : Paul Sweeney

Date: April 21, 1992

From : John S. Brooks
Local Assistance

Subject: Highgrove Landfill Proposed Solid Waste Facilities Permit No. 33-AA-0003 Conformance Findings Required by AB 2296

RESEARCH:

To gather the necessary information for determining a facilities conformance with AB 2296, Local Assistance staff contact the LTF staff and the LEA for information. Staff review the County's CoSWMP and all applicable SRREs that have been submitted for review. In addition, we review applicable portions of the RDSI, correspondence showing consistency with the General Plan, the permit and contact the applicant as necessary.

FINDINGS OF CONSISTENCY WITH WASTE DIVERSION GOALS (PRC Section 44009):

Approval of the proposed permit for the Landfill would not prevent nor impair achievement of the waste diversion requirements. There are no flow control agreements between the operator (Riverside County) and the jurisdictions on the amount of waste received.

Source Reduction and Recycling Element:

The facility was identified in the unincorporated County SRRE and in the City of Riverside SRRE. The City of Riverside sends 95% of its waste to the Highgrove landfill. The Riverside City SRRE shows a substantial decrease in the amount of waste disposed of over the coming years as they bring new programs on-line and expand existing programs to meet the mandates of 25% by 1995 and 50% diversion by 2000. The Resource Recovery Manager for the City of Riverside stated that July 15, 1992 is the scheduled start-up date for their green waste recovery program. The green waste will be

sent to Recyc Inc. to be co-composted with sludge. Their goal is to recover between 12-15% of the total waste stream through this program. This will reduce the amount of waste they need landfilled. Since the City of Riverside contributes 89% of the waste at the Highgrove Landfill this should substantially lower the waste received at this facility. The County Waste Management Department has sent in a document (attached) that gives their justification for the requested increase, however, they do not appear to take into account planned diversion efforts in making their estimates.

Local Task Force:

Board staff have contacted LTF staff (County Staff) to find out how this facility fits in with the County's Integrated Waste Management plans. The LTF has reviewed the proposed project and finds that the facility conforms with the future County solid waste management plans.

Facility Information:

The Waste Management Department indicates that the landfill receives 89% of its waste from Riverside City and 9% from the unincorporated County. There are no diversion programs planned at this facility and the Waste Management Department estimates that it will be closed in 1997.

Summary:

Approval of the permit would not prevent nor substantially impair the achievement of the waste diversion goals for those jurisdictions that use the Highgrove Landfill.

CONFORMANCE WITH THE CoSWMP (PRC Section 50000):

The Highgrove Landfill is located in the Riverside County CoSWMP on Page 6-8.

CONFORMANCE WITH THE GENERAL PLAN (PRC Section 50000.5):

This facility is in conformance with the Riverside County General Plan, according to the Riverside County Planning Department in a letter dated July, 23 1990.

Riverside County Waste Management Department
Highgrove Landfill Mitigation Measure Monitoring Program
Negative Declaration/Environmental Assessment No. 35719
January 1991

Mitigation Measure:	Erosion control and maintaining slope stability
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	Before the period of heaviest seasonal rainfall, the Riverside County Waste Management Department will regrade all fill areas which show signs of inadequately maintained slopes or differential settlement. This must be completed by November 1 of each year, in order to comply with Regional Water Quality Control Board (RWQCB), Santa Ana Region standards. More frequent regrading will be implemented upon the recommendation of the Riverside County Local Solid Waste Enforcement Agency (LEA) and the RWQCB.
Monitoring Work Program:	The Riverside County Waste Management Department provides monitoring reports to the Regional Water Quality Control Board, Santa Ana Region, on a quarterly basis including an erosion control and regrading program. One site visit at the time of final inspection should be conducted to ensure compliance. Annual monitoring should occur (or more frequently) upon specific LEA or RWQCB recommendation.
Funding:	Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.
Standards for Success:	Frequent monitoring of Riverside County landfill sites by the LEA and RWQCB will ensure that adequate slope stability, erosion control, and proper drainage are maintained. Failure to comply with either agency's standards can result in the revoking of the Solid Waste Facilities Permit or Waste Discharge Permit and the subsequent closure of the landfill. Site inspection should be made for as long as the approved land use or the site facility permit remains.

Mitigation Measure:	Mitigating fire hazards
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	Adequate fire control will be provided on a daily basis by site crews equiped with a water-truck and heavy equipment, and by segregating hot loads. Fire prevention will be maintained by following public resources guidelines administered by the Riverside County Fire Department and through inspections by facility engineers and the LEA. At these times the adequacy of fire prevention equipment will be determined. The LEA will determine if fire prevention measures and equipment are sufficient on-site before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit.
Monitoring Work Program:	The Riverside County Fire Department should check fire codes and fire prevention measures and inspect the site whenever necessary. The LEA will continue to make monthly site inspections.
Funding:	Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.
Standards for Success:	Operational techniques used to prevent fires (such as proper compaction and the use of a water truck) should be performed on a daily basis and whenever necessary to mitigate the potential for fire hazards and should occur as long as the approved land use remains.
Mitigation Measure:	Monitoring for ground water quality leachate occurrence
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	The Riverside County Waste Management Department will submit Solid Waste Water Quality groundwater test reports to the Regional Water Quality Control Board, Santa Ana Region, as mandated by its waste discharge requirements to determine if pollutants from the landfill are leaching into groundwater on or off-site. Implementation will initially occur on a quarterly basis but may

be modified to a different interval by the Water Quality Control Board during the life of the facility permit.

Monitoring Work Program: Facility Engineers and the Regional Water Quality Control Board, Santa Ana Region, should closely evaluate the water quality monitoring reports based on samples taken from groundwater wells around and adjacent to the site weighed against the regional basins water quality objectives. One site visit at the time of final inspection should be conducted to ensure compliance. Quarterly monitoring should occur, or at a frequency to be determined by the RWQCB.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: The Riverside County Waste Management Department operates in compliance with Regional Water Quality Control Board Waste Discharge Requirements, in accordance with regional basin water quality objectives. If significant amounts of contaminants from the landfill are found to be leaching into the groundwater at or near the site, the Waste Management Department will arrange for an appropriate remediation program.

Mitigation Measure: Mitigating the occurrence of household hazardous and commercial hazardous (toxic) wastes at the landfill

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: Upon the issuance of the revised Solid Waste Facilities Permit for the landfill, the Hazardous Materials Branch-Environmental Health Services Division, of the Riverside County Health Department will proceed with plans to implement a waste load checking program at the landfill. Implementation should occur after California Integrated Waste Management Board adoption of the permit revision.

Monitoring Work Program: A Specialist from the Environmental Health Services Division will make periodic checks of waste loads entering the landfill to determine if any household hazardous or commercial hazardous (toxic) wastes are entering the landfill. One site visit at the time of final inspection

should be conducted to ensure compliance.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: If found, household hazardous waste will be isolated from other landfilling cells and will be collected and transported away from the site as part of the Environmental Health Services Division household hazardous waste collection program. If commercial hazardous waste is identified, the Environmental Health Services Specialist present will identify the hazardous waste type and conduct an investigation for the responsible party. If the situation is not an emergency, such as those that involve nonpoisonous and non flammable materials, the hazardous waste will be collected, cordoned off in a remote area, and treated. If an emergency situation does exist, a qualified hazardous waste disposal company will be called in immediately to collect the commercial hazardous waste and transport it safely to a hazardous waste treatment or disposal facility.

Mitigation Measure: Mitigating the potential of environmental hazards associated with special wastes

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: The Waste Management Department's procedures for the acceptance, refusal, and handling of special wastes will be examined by the LEA before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program: Facility Engineers will check operations reports and landfill cell areas to determine if the amount of special wastes received is at an acceptable level, and if the mitigation measures being used are effective. Special wastes will be segregated at the site and buried immediately. Facility Engineers will refuse entry, have tested, and certify the origin of questionable waste materials. The LEA will also determine the sufficiency of such procedures. One site visit at the time of final inspection should be conducted to ensure

compliance. Monthly monitoring should occur and more frequently as required.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: The Waste Management Department operates under the requirements of State Water Resources Control Board Guidelines Title 23, Subchapter 15, and County Ordinance 536 which specify waste types to be received and procedures for their acceptance. Additional measures, such as refusing entry, pre-notifying the Operator, and separation from the waste stream for special wastes will continue to be employed by the Waste Management Department and should occur for as long as the approved land use remains.

Mitigation Measure: Controlling fugitive dust

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: The LEA will review operational procedures and the spraying of fugitive dust via water truck, and will incorporate these procedures in the Solid Waste Facilities Permit conditions. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program: The LEA and Facility Engineers should check operations procedures and make a site inspection before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: Operational techniques used to mitigate dust (such as spraying by a water-truck) should be performed on a daily basis and whenever necessary to mitigate the potential for dust generation and should occur as long as the approved land use remains.

Mitigation Measure: Noise attenuation devices

Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	Increases in the number of vehicles requiring the use of noise attenuation devices is concurrent with landfill operation procedures. Environmental equipment used should be in accordance with California Occupational Safety and Hazard Authority (CSHA) or Federal OSHA requirements prior to use by the Operator. Noise suppressors such as mufflers must be incorporated with landfill machinery. Implementation should occur at the time of need associated with the development of the landfill.
Monitoring Work Program:	Sound or noise measurements in terms of decibles per second shall be done at least once a year at various distances from landfill machines in order to ensure noise levels to be within California OSHA standards. One site visit at the time of final inspection should be conducted to ensure compliance. Annual monitoring should occur.
Funding:	Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.
Standards for Success:	Noise attenuation devices should be incorporated into all machinery, prior to operation. for use at the landfill site for as long as the approved land use remains.
<u>Mitigation Measure</u>:	<u>Operational set-backs</u>
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	The LEA will review operational procedures and the use of set-backs to mitigate landfill noise and will determine if this procedure is sufficient before the issuance of a revised Solid Waste Facilities Permit and monthly thereafter. Implementation should occur. when required. and at the time of need associated with the development of the landfill.
Monitoring Work Program:	The Operator will review development plans to ensure that sufficient buffers and set-backs exist between the landfill and noise sensitive or

residential areas. The LEA and Facility Engineers should check field operations and make a site inspection before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: Frequent inspections by the LEA and supervision in design maintenance by Facility Engineers will ensure that adequate set-backs are provided in order to mitigate noise impacts from landfill operations. Operational set-backs or alternative terrain barriers should be used as long as the approved land use remains.

Mitigation Measure: Gas migration monitoring

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: The Waste Management Department will submit test results on samples obtained from probes located around the landfill to the South Coast Air Quality Management District (SCAQMD) to determine whether landfill gas (such as methane) is migrating beyond the site boundary. Implementation should occur quarterly or at a frequency required by the SCAQMD during the life of the permit.

Monitoring Work Program: Facility Engineers, the SCAQMD, and the LEA should review test results on air samples from probes and determine whether landfill gas is migrating beyond the site boundary or emitting through the landfill cover in a significant concentration that may pose a hazard to the surrounding community. Periodic reviews of design and monthly inspections should occur to determine the sufficiency of landfill gas monitoring probes.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: Migrating methane gas should not exceed the

State Standard of 25% of the lower explosive limit. Surface emissions of methane gas should not exceed 500 parts per million in accordance with SCAQMD Rule 1150.1. Laboratory test results of air samples, monthly LEA inspection, and SCAQMD required monitoring of landfill gas migration and surface emission by the Waste Management Department should occur in order to ensure the immediate detection of any migrating gases at an unacceptable level of concentration which could impact public health and safety. Air quality monitoring should occur as long as the approved land use remains.

Mitigation Measure: Stand-by equipment

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: Upon the break-down of equipment operating at the site, the Waste Management Department maintains additional equipment and funding that will enable the Department to immediately replace faulty equipment allowing operations to continue at the landfill, without interruption. Implementation should occur at the time of need associated with the development of the landfill, or as required.

Monitoring Work Program: The Waste Management Department will keep stand-by equipment sufficiently maintained and readily available (including a low-buoy and stand-by driver) in case of emergency. Waste Management staff will determine the sufficiency and operating ability of each piece of equipment. The Operator will review development plans to ensure that an increase in daily waste loads received at the landfill will require an increase in maintenance of on-site equipment. Monthly monitoring should occur.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: The Waste Management Department purchases new equipment upon the recommendation of the LEA, Facility Engineers, and Site Supervisors, ensuring that equipment on-site is of a high standard and in good working condition. This will ensure the longevity of stand-by equipment. Stand-by equipment should be an approved requirement for as long as the approved land-use remains.

Mitigation Measure:	Odor and Vector Control
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	Facility Engineers in conjunction with the Site Supervisor and the LEA will determine if the present practice of compacting and covering refuse at the site is sufficient to control vectors and odors, before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.
Monitoring Work Program:	Facility Engineers and the LEA should check daily operations reports and make a site inspection before the issuance of a revised permit to ensure that the Waste Management Department is operating in compliance with Title 14 of the State Code of Regulations which regulates the compaction and cover frequency of waste materials. The LEA will determine, upon monthly inspections, if vectors or odors are causing any problems to public health and safety. Monthly monitoring should occur.
Funding:	Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.
Standards for Success:	Operational techniques used to mitigate odor and vectors at the landfill site (such as frequent compaction and covering of waste materials) should be performed on a daily basis and whenever necessary to mitigate the potential for odor and vectors and should occur as long as the approved land use remains.
Mitigation Measure:	Litter Control
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	The LEA will review litter control practices at the landfill, both on and off-site, to determine the effectiveness of litter pick-up and the sufficiency of labor for performing this task before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program:	The LEA and the Waste Management Department's Refuse Control Coordinator should check operations reports and make a site inspection to determine if there are any visual impacts at or near the landfill caused by wind-blown litter. These monitoring measures should be completed before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.
Funding:	Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.
Standards for Success:	Litter control will be performed by the Refuse Control Coordinator and his litter control crew on weekdays, and on weekends by participants of the weekend work release program (Sheriff's Department) supervised by the litter control crew. Litter control should be performed frequently and whenever necessary to mitigate the potential for litter on and off-site and should occur as long as the approved land use remains.
Mitigation Measure:	Notifying the Regional Water Quality Control Board, Santa Ana Region, and LEA of changes in operation
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	The Regional Water Quality Control Board, Santa Ana Region, and LEA will review operational changes at the landfill and will determine if such changes (such as an increase in daily waste loads received) by the Operator are in compliance with Waste Discharge Orders for the site before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and thereafter upon operational changes at the site.
Monitoring Work Program:	The Regional Water Quality Control Board, Santa Ana Region, should periodically inspect the site to ensure that Waste Discharge Requirements are being met and that there are no unknown operational changes being implemented which require approval. One site visit at the

time of final inspection should be conducted to ensure compliance. Annual monitoring should occur.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: Reports containing operational changes will be submitted to the Regional Water Quality Control Board, Santa Ana Region, and LEA when required, for as long as the approved land use remains.

Mitigation Measure: On-site access and unloading mitigation

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: The LEA will determine if on-site traffic mitigation procedures are adequate in preventing either unsafe conditions or an impacted circulation flow before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program: Facility Engineers and the LEA should check dirt access roads (to the fill area) to see if they are designed properly and are safe for vehicle handling. The unloading area of the landfill should be big enough to provide easy access. Signage and operator direction shall provide for safe and efficient entrance to, unloading, and exit from the landfill. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: Operational techniques used to mitigate access flow to the landfill unloading areas should be performed on a daily basis and whenever necessary to mitigate the potential for unsafe operating conditions and should occur as long as the approved land use remains.

Mitigation Measure: Safety

Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	The LEA will review operational procedures concerning landfill safety and will check daily operations reports to assure that there are no current safety hazards associated with the operation of the landfill before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.
Monitoring Work Program:	The LEA. Facility Engineers. and the County Safety Officer should review operations reports, accident reports, and make a site visit before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.
Funding:	Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.
Standards for Success:	The County Safety Officer reviews operational procedures and accidents at the landfill and recommends changes to promote safety. The Waste Management Department maintains safe and upgraded equipment and requires that equipment operators be periodically tested and attend monthly "tailgate" safety meetings.
Mitigation Measure:	Safety measures for above-ground fuel storage tanks
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	Facility Engineers and the LEA will determine the safety of above-ground fuel storage tanks before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.
Monitoring Work Program:	Above-ground fuel storage tanks will be frequently tested to ensure that there is no leakage. Tests are made before filling each tank with fuel. The LEA and Facility Engineers should check operations reports and make a site inspection before the issuance of a revised permit.
Funding:	Operations budget of the Riverside County Waste

Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

Operational techniques used to mitigate the potential for above-ground fuel storage tank leakage (such as the use of a secondary containment liner) will be used to prevent spillage that could contaminate ground water or impact public health and safety, and should occur for as long as the approved land use remains.

Mitigation Measure: Post-closure trust fund agreement and financial liability

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: The Riverside County Waste Management Department has provided a financial mechanism for the arrangement of trust fund agreements for the closure and 15-year postclosure maintenance of Riverside County landfills. The Waste Management Department will also provide assurance that adequate financial resources will be available in times of emergency, such as responding to a personal injury or property damage claim against the said Department in its operation of solid waste disposal facilities. Legislation concerning solid waste disposal facilities should be implemented as required.

Monitoring Work Program: The California Integrated Waste Management Board will monitor the Waste Management's progress in meeting legislation affecting solid waste disposal facilities. This determination will be made when the Waste Management Department applies for a revised permit and more frequently as required.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term funding will be performed by the said Department or successors in interest.

Standards for Success: The Riverside County Waste Management Department will act in compliance with legislation regarding solid waste disposal facilities, whenever possible to ensure that beneficial improvements in operation can be implemented as soon as possible to assure public health and safety. This should occur for as long as the approved land use remains.

Mitigation Measure:	Site Security
Agency or Individual Responsible for Implementation:	Riverside County Waste Management Department
Timing:	The Waste Management Department will provide for site security on a continuing basis to prevent on-site entry and to prohibit the theft or use of equipment. The LEA will continue to inspect the site on a monthly basis, assessing the need for additional site security measures.
Monitoring Work Program:	The site perimeter is partially fenced, and in most cases is provided with a terrain barrier such as big scraper tires, stones, and berms to prevent unauthorized entry. An overhead light is used to illuminate the equipment parking compound at night. In the event of theft, the Sherrif's Department is notified immediately by the operator. The operations office is a reinforced steel railroad box-car.
Funding:	Operations budget of the Riverside County Waste Management Department
Standards for Success:	The Waste Management Department will continue to monitor site security measures incorporated at the landfill and will follow the recommendations of the LEA, as necessary, so that there will be no long-term problems with site security, break-ins, or theft of on-site equipment or materials.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM 14

ITEM:

Consideration of Approval for Distribution of the Final Version of the Permit Desk Manual to Local Enforcement Agencies, Waste Management Facility Operators, and Consultants

COMMITTEE ACTION:

This item was considered at the Permitting and Enforcement Committee June 10, 1992 meeting. The Committee voted unanimous approval of the Permit Desk Manual and placed this item on consent for the next Board meeting.

BACKGROUND:

Chronology

- On June 19, 1991, the Board awarded a contract for the rewrite of the 1989 edition of the Permit Desk Manual.
- On October 1, 1991, the contractor provided Board staff with the first draft of the Manual. Staff reviewed the draft and provided the contractor with comments.
- On January 24, 1992, the contractor provided Board staff with a second draft of the Manual. Copies of the second draft were distributed to Board Advisors, staff, and to the Members of the Enforcement Advisory Council (EAC). The intent of the distribution was to solicit comments from all recipients of the draft manual during the EAC meeting on February 21, 1992.
- During the EAC meeting on February 21, 1992, the matter of the Permit Desk Manual was discussed and comments were received from several members. The members also voted in support of the adoption of the Manual by the Board during its March, 1992 meeting.
- At its March 11, 1992 meeting, the Permitting and Enforcement Committee deferred action on the Permit Desk Manual to allow for additional comment and input by LEAs.
- The contract was augmented by $14,678 to allow for the incorporation of the additional LEA comments and input, as well as three workshops, where Board staff and the contractor will train LEAs on the use of the Manual.

- Comments from a total of eleven (11) LEA jurisdictions were received and considered during the re-write of the Manual.

- Board staff is currently working with the contractor to finalize scheduling for the three workshops, tentatively planned for Riverside, Sacramento, and Redding during the early parts of the month of August 1992.

DISCUSSION:

The Permit Desk Manual is one of the many tools the Board uses to communicate and transmit new statutory and regulatory mandates and policies to the Local Enforcement Agencies (LEAs) and operators of solid waste facilities. By issuing the Permit Desk Manual to the LEAs and operators, the Board contributes to their education and thus, to the efficiency and the effectiveness of the LEAs and operators in the execution of their duties in the review and preparation of solid waste facilities permits and supporting documentation. Existing and future solid waste facilities operators use the Manual as guidance in the preparation of Solid Waste Facilities Permit applications.

The Board, during the June 19, 1991 meeting, awarded a contract for $35,322 to Bryan A. Stirrat & Associates for the rewrite of the 1989 edition of the Permit Desk Manual. The contract was signed by the Chairman of the Board on June 20, 1991 and by Mr.Bryan A. Stirrat, of Bryan A. Stirrat & Associates, on June 25, 1991. The contract work for the rewrite of the Permit Desk Manual commenced on August 1, 1991 and has progressed well. Board staff have met with the contractor several times since the commencement of the work to discuss the form and content of the Manual and the various other aspects of the contract. Copies of the first draft of the Manual were submitted to Board staff for review and comments on October 1, 1991. Staff reviewed the draft and comments were forwarded to the contractor on October 31 and November 6, 1991.

Copies of the second draft of the Manual were provided by the contractor on January 24, 2992. These copies were reproduced and distributed to Board Advisors, staff, and to all members of the EAC for review and comments. The matter of the Permit Desk Manual was discussed during the EAC meeting of February 21, 1992. At the meeting, comments were received from several of the members and the members voted in support of the Board adopting the Manual during its March 1992 meeting.

At its March 11, 1992 meeting, the Permitting and Enforcement Committee deferred action on the Permit Desk Manual to allow for additional comments and input by the LEAs.

On April 21,1992 the contract was augmented by $14,678, bringing the total cost of the entire contract to $50,000. The contract augmentation is to allow for the incorporation of the additional

LEA comments and input and for three workshops, where Board staff and the contractor will train the LEAs on the use of the Manual.

The workshops are tentatively scheduled to be held in Riverside, Sacramento, and Redding during the early parts of the month of August 1992.

The Desk Manual contains detailed information on the following topics:

1. Permitting A Solid Waste Facility
2. Solid Waste Facilities Permit Applications
3. Reports of Facility Information
4. Periodic Site Review
5. Review of Permits
6. Information To Be Contained In A Solid Waste Facilities Permit
7. Exclusions and Exemptions
8. Title 14, California Code of Regulations
9. California Integrated Waste Management Statutes

Because of the increasing complexity of the solid waste facilities permitting process, LEAs, Operators, and consultants are looking forward to the completion and Board adoption for distribution of the revised Permit Desk Manual with great anticipation.

STAFF RECOMMENDATION:

Adopt and approve the distribution of the Permit Desk Manual.

Prepared by: Tadese Gebre-Hawariat TGH. Phone: 255-2438

Reviewed by: Phillip J. Moralez/Martha Vazquez Phone: 255-2619

Legal review: Date/Time: 6-17-92

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM # 15

ITEM: Consideration of AB4 (Government Procurement) Report to the Legislature

COMMITTEE/BOARD ACTION:

The revised draft report adopted by the Market Development Committee at its April 7, 1992 meeting was returned to staff for further modifications at the direction of the Board at its April 29, 1992 meeting.

Staff was directed to expand the information included in the "Executive Summary" and to address specific Department of General Services (DGS) procurement efforts. Staff was also directed to include specific information on procurement tools and incentives to encourage recycled product procurement.

BACKGROUND:

Assembly Bill 4 - Eastin (Chapter 1094, Statutes of 1989) established the intent of the Legislature to encourage the procurement of recycled products by the University of California (PCC §10507.5), the Department of General Services [PCC §12153(h)], the Trustees of the California State University (PCC §10860), the Legislature (PCC §12300), and local public agencies and private companies [§12153(i)].

PCC §12226(b) of the above legislation requires the California Integrated Waste Management Board (Board) to complete and submit to the Legislature "a report concerning the State's role in market development for recycling. The report shall address the need for and effectiveness of procurement preferences to the State purchase of recycled goods and materials. The report shall include, but not be limited to, an analysis of the role procurement preferences can play in encouraging recycling and expanding the markets for recycled goods and materials."

Extension of the report due date to Spring 1992 was granted by the author's office.

ANALYSIS:

Board staff has prepared a report titled State Recycled Procurement to fulfill the reporting requirement of Public Contract Code §12226(b). The report assesses progress in implementing State mandated procurement programs for specific products and analyses of the significant factors influencing the State's role in procurement preferences for recycled goods and materials. Additionally, the report presents information on procurement efforts by local governments, other states, and the federal government.

The report presents procurement information as outlined in Public Contract Code §12157. Specifically, the report applies to the procurement and purchase of the following materials, goods, and supplies, or products containing the following recycled resources and meeting the specified recycled content requirements presented elsewhere:

(a) Recycled paper products, which include, but are not limited to, fine grades of paper, corrugated boxes, newsprint, tissue, and toweling
(b) Compost and co-compost products
(c) Glass
(d) Oil
(e) Plastic
(f) Solvents and paint, including water-based paint
(g) Tires

STAFF COMMENTS:

Staff is submitting the report to the full Board for review and approval. Staff has modified language and expanded information as directed by the Board at its April 29, 1992, meeting.

ATTACHMENTS:

Draft Report: State Recycled Procurement, June 1, 1992

Prepared By: Charlotte Sabeh Phone: 255-2393

Reviewed By: Tom Phone:

Reviewed By: Phone:

Legal Review: R Date/Time: 6-15 0900

STATE RECYCLED PROCUREMENT

Prepared for
Legislature
State of California
Sacramento, California

Prepared by
California Integrated Waste Management Board
Planning and Assistance Division
8800 Cal Center Drive
Sacramento, California

June 1, 1992

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EXECUTIVE SUMMARY

The State's recent progress purchasing recycled products is detailed in this report. Procurement of recycled products is a major part of the State's efforts to promote markets for recycled materials. California State government procurement stimulates demand for recycled products manufactured from collection programs.

As the major California purchaser, State government has the responsibility to take the lead, thereby encouraging private industry to participate in procuring recycled products. Buying a product made from collected materials closes the recycling loop. Recycling can only succeed if diverted materials return to the marketplace to be purchased again and again.

The California Integrated Waste Management Board (Board) submits this report to the Legislature concerning State government procurement as mandated by Public Resources Code § 12226(b). This report identifies the need and effectiveness of procurement preferences for the State purchase of recycled goods and materials.

Methods

Research was conducted in the following ways: (1) interviews with Department of General Services (DGS), Office of Procurement, staff; (2) interviews with Board staff with expertise in each of the product areas; (3) review of current literature and procurement practices of federal, State, and local governments.

Interviews with Board staff and review of current literature and procurement practices of federal, State, and local governments provided considerable information for definition and current national practices. Because of personnel constraints and limited file data, DGS was able to provide limited product specific information.

The following products were included in the report:

(1) Paper
(2) Compost and Co-Compost Products
(3) Glass
(4) Oil
(5) Plastics
(6) Solvents and Paints
(7) Tires

Discussion of each product includes, where applicable, description of impediments for recycling the product--including price, availability, and quality--DGS procurement efforts, Board procurement projects, and federal, State, and local government procurement efforts.

Findings

Specifications and the low bid pricing structure of current procurement laws must be met for an item to be considered in the bid process. These limitations outweigh established preferences to buy recycled-content products. In addition, the only recycled content price preference that affects the bid price are those for paper (5%) and tire products (5%).

Research and documentation indicate that while progress is being made, it is proceeding slowly. Each product has a specific set of factors affecting the procurement process, especially price, availability, quality, and DGS specifications that may prevent purchase of a recycled product. Briefly, the primary factors include the following:

Paper: The wide difference in price between high end and low end papers and ability to meet DGS specifications are limitations.

Compost and Co-Compost Products: Demonstrations are in progress and data will be available during the 1992-1993 Fiscal Year showing whether the use of compost can be cost-beneficial.

Glass: As a major factor, minimum content requirements for glass containers ensures recycled-content glass products procurement. (The effects of glass minimum content may affect market share for bottles. Total impact of this minimum content requirement is yet to be understood.)

Oil: In the past, re-refined oil vendors have not met the minimum requirement standards. Several re-refined oils now meet these standards and an invitation for bid for procurement of re-refined oil will be available this spring from DGS.

Plastics: The lack of available recycled plastic products is the largest known impediment for limited procurement.

Solvents and Paints: Paints are not easily recycled because of hazardous constituents contained in materials to be recycled. Solvents and solvent-based paints cannot usually be recycled as they are considered hazardous wastes.

Tires: Retread vendors have been unable to meet the minimum requirement standards on passenger tire bids. DGS is now testing retread passenger tires.

Recommendations

Current statutory requirements are based on procurement goals. These goals are not mandatory purchase conditions. Rather, these requirements are goals for procurement officers and agencies.

Non-product specific procurement tools are central for improving the overall procurement of recycled products at the State and local government levels. Specific tools include the following areas:

- Set asides
- Price preferences
- Minimum Content
- Additional personnel resources

A set aside requires the procuring agency to purchase specified percentages of a recycled product regardless of the price by certain dates. Establishing recycled product set asides would signal both industry and government procurement officials that purchase of recycled products is of significant importance to the State. This policy would also provide a stable market for this new industry. Product set asides would be especially useful for compost and fine printing and writing paper products. Price preferences for these products would be less useful as the price differential for high grade paper and compost products typically exceeds a ten percent price preference. Set asides are the most direct and effective way of increasing recycled product market share since price fluctuation does not influence purchases as in price preferences.

A price preference is usually established through ordinance or statute. The price preference allows an agency to pay a higher price to obtain the recycled product. If the price bid for a recycled product is within the amount of the price preference, a procuring agency may award a contract to the vendor of the recycled product.

The State's price preferences are now limited to paper products and products manufactured from used tires. Price preferences have had limited impact in procurement of these two products since meeting DGS bid specifications within the five percent preference allowed has been difficult. Expanding this price preference to all recycled products and increasing price preferences beyond the current five percent limit could serve as a motivator.

Recent experience with the State's minimum content requirements for newsprint and glass containers demonstrates the effectiveness of this method. Recycled-content newsprint use has increased significantly with the implementation of this Legislation. Minimum content requirements are a product specific tool which can be very useful for selected commodities and can affect the State's purchase of recycled materials. As such, these too could be considered as an option to increase the State's use of recycled materials.

Providing additional personnel resources to DGS will significantly accelerate the recycled product procurement process. Procurement law requires extensive testing and documentation before alternative products can be purchased. Additional resources are needed to revise bid specifications, identify qualified recycled product bidders, establish State/local cooperative purchasing, and educate procurement officers. Continuing education of State and local procurement officials on recycled product issues is necessary to meet recycled product procurement goals mandated by the Legislature.

Set asides require purchase of specified percentages of recycled products by certain dates. Government recycled product set asides directly stimulate markets. In addition, this mechanism provides a special market incentive. This incentive is creation of a stable market-share for recycled products. This dedicated market provides a known market for industry planning and product development. A stable known market can be more important than a price preference when long-term capital improvements are included in product development.

Specific product set asides would be especially useful for new or different product uses. Examples of recycled products well suited to set aside programs include:

- fine printing and writing paper products
- compost materials
- glass and rubber content paving materials
- plastic materials

The price differential between virgin products and these recycled products typically exceeds a ten percent price preference. Significant development of these product markets depends on a dedicated government market for initial product development.

Current State price preferences are limited to paper products and products manufactured from used tires. Expanding this price preference to all recycled products and increasing price preferences beyond the current five percent limit would serve as a significant motivator to the recycled product manufacturer and distributor. Increases in price preferences are

direct market stimulants to the recycled product market by government procurement agencies. The national "Buy Recycled" Campaign 1991 Survey indicated the most common price preference is ten percent. Examples of recycled products well suited to price preference programs include:

- Janitorial supply, cardboard, and chipboard paper products
- Oil based products
- Retread tires and scrap tire products

The State's recycled-content requirements for newsprint and glass containers demonstrate the effectiveness of minimum content legislation. Recycled-content newsprint use has increased significantly with the implementation of this Legislation. Minimum content requirements are product specific tools which can be very useful for selected commodities and can affect the State's purchase of recycled materials. Examples of recycled products well suited to minimum content programs include:

- Janitorial supply, cardboard, and chipboard paper products
- Compost materials
- Solvent (procurement excluded by minimum content)
- Beverage containers
- Retread tires

Implementing the State's recycled procurement goals requires a huge investment in personnel resources. Providing additional personnel resources to DGS will significantly accelerate the recycled product procurement process. Procurement law requires extensive testing and documentation before alternative products can be purchased. Additional resources are needed to revise bid specifications, identify qualified recycled product bidders, establish State/local cooperative purchasing, and educate procurement officers. Continuing education of State and local procurement officials on recycled product issues is necessary to meet recycled product procurement goals mandated by the Legislature. Examples of recycled product procurement program areas with a critical lack of personnel resources are:

1) Communication, reporting, and continuing education on procurement issues relating to recycled procurement.
2) Recycled product bid specifications for landscape and paving uses for compost materials, re-refined oil, recycled plastics, recycled solvents, rubber products manufactured from scrap tires, and for products which inhibit paper recycling.
3) Improving dialogue with recycled manufacturers especially in the plastic products categories.

4) Establishing intra- and inter-State cooperative purchasing agreements to support long-term recycling capital investment by manufacturers.

The Board shall continue to pursue these and other avenues to encourage recycled procurement. Together with the Legislature and all State agencies, the Board will help develop the State's lead in recycled market development.

STATE RECYCLED PROCUREMENT

Introduction

Recent Board data shows that approximately 44.3 million tons of waste will be generated in California during 1992 as shown in Table 1, "Estimated 1990 California Waste Stream Composition", published June 1992. By the year 2000 the State's waste generation rate could reach 60 million tons annually if present population growth and waste generation rates continue. Most waste (approximately 88.3 percent) is landfilled, while recycling and incineration divert only 9.7 percent and 2 percent of the waste respectively. This is a serious problem because at these rates, many California counties will exhaust their landfill capacity in the next five years.

Table 1 depicts the estimated average composition of the California waste stream by total tons disposed by major categories. Graph 1 illustrates the average composition by major categories. The following table breaks down the primary components of the landfilled wastestream:

PRIMARY COMPONENTS OF THE CALIFORNIA WASTESTREAM

Component	Percent of Waste Stream
Paper	30.2 %
Plastics	5.9 %
Glass	4.2 %
Metals	4.9 %
Yard Waste	14.0 %
Other Organic (food, etc.)	22.2 %
Other and Special Wastes	18.6%
TOTAL	100.0 %

STATE RECYCLED PROCUREMENT

Market development of recycled products is necessary to encourage consumer purchasing of recycled products. An increased demand for recycled products will result in diversion of increased quantities of reusable materials from landfills.

California legislation mandates certain procurement requirements for recycled goods for State agencies and local governments. These requirements are designed to increase the procurement of products with recycled content. Specifically, AB 4 requires State agencies to reach recycled purchase goals for paper products, compost products, glass, oil, plastic, solvents and paints, and tires. These goals are based on total purchases and increase to 50% of total dollar amount for paper products by 1996 and 40% of total dollar amount for other materials by 1995. Section § 12162.5 of AB 4 sets down the goals and dates for Department of General Services for the purchasing of recycled paper products as shown below:

January 1, 1992	35 percent of the total dollar amount purchased
January 1, 1994	40 percent of the total dollar amount purchased
January 1, 1996	50 percent of the total dollar amount purchased

Section § 12205.e of AB 4 sets the goals and dates for Department of General Services for products specified in Section § 12157 as follows:

January 1, 1991	10 percent of the total dollar amount purchased
January 1, 1993	20 percent of the total dollar amount purchased
January 1, 1995	40 percent of the total dollar amount purchased

STATE RECYCLED PROCUREMENT

AB 4 and SB 1322 (Bergeson, Chapter 1096, Statutes of 1989) require local and State public agencies to purchase recycled products in place of non-recycled products when fitness, quality, and cost are equal. Statute authorizes a five percent purchase price preference for recycled products only in the areas of recycled paper (Public Contracts Code §12162) and products derived from tires (Public Resources Code §42891). The 1990 annual report for the State of California reports that approximately $5 million of recycled products were purchased by State departments and the California State University system. Less than $50,000 was paid in price preferences during this period.

Section 12226(b) of the California Public Contracts Code (AB 4, Eastin, Chapter 1094, Statutes of 1989) requires the California Integrated Waste Management Board (Board) to submit this report to the Legislature concerning State government procurement in market development for recycling. Specifically, this report addresses the need and effectiveness of procurement preferences for the State purchase of recycled goods and materials. The report shall include, but not be limited to, an analysis of the role procurement preferences can play in encouraging recycling and expanding the markets for recycled goods and materials.

This report includes progress to date in implementing State mandated procurement programs for specific products and analysis of the significant factors influencing the State's role in procurement preferences for recycled goods and materials.

STATE RECYCLED PROCUREMENT

Through greater environmental awareness, the necessity for conserving and protecting our natural resources becomes more evident. Purchasing recycled products not only reduces landfill demand, but also conserves our natural resources. The California Integrated Waste Management Board (Board) is the State's lead agency for managing solid waste. The Board is developing a Statewide approach to reduce, reuse and recycle the growing quantity of solid waste generated in California. The 1989 Integrated Waste Management Act (AB 939, Chapter 1095) authorized a system which requires the Board and local agencies to "promote the following waste management practices in order of priority: (1) source reduction; (2) recycling and composting; and (3) environmentally safe transformation and environmentally safe land disposal" (Section §40051). This legislation represents California's public and private consensus to consolidate and modify the existing solid waste management system. In addition to AB 939, complementary legislation, namely, AB 4 and SB 1322, were also chaptered in 1989. These two bills help close the loop on recycling by developing markets for diverted materials. Active markets for diverted materials are the basis for recycling.

State mandated procurement goals are mechanisms to initiate and encourage recycling markets. As required by Public Contracts Code §12226, the following sections identify updates of State recycled product procurement activities for those products listed in Public Resources Code §12157.

STATE RECYCLED PROCUREMENT

PAPER

Paper and paperboard products represent approximately 40 percent of United States municipal solid waste.[1] This is higher than California where paper represents only 30.2 percent of the waste stream. Many European countries and 31 states have established preferential procurement policies to increase the demand for waste paper manufacturers.[2] This demand is intended to encourage wastepaper being made into marketable products rather than being disposed.

DGS Paper Procurement

The State of California, Department of General Services (DGS), began purchasing recycled-content papers in 1977.

Product specifications are revised by DGS on an as-needed basis when staff resources are available. Revising bid specifications is a significant limiting step to recycled procurement. Also, DGS does not tabulate data on which products failed what tests for response to bid. Specific documentation on specific bid responses would require DGS staff resources that are not available.

During the 1990 calendar year, the dollar purchases of recycled paper and paper products purchased by the California Department of General Services and the California State University System equaled nearly 19 percent of total paper and

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[1]United States Environmental Protection Agency, Characterization of Municipal Solid Waste in the United States: 1990 Update

[2]Richard Keller, Northeast Maryland Waste Disposal Authority, September 20, 1991

paper products purchased. DGS purchasing records show that State agencies continue to increase their purchases of recycled paper.

Currently, DGS is purchasing photocopy paper, cardboard boxes, toilet paper and paper towels made from recycled paper. Recycled book papers, computer paper, standard commercial grade, carbonless paper, and envelopes have not been purchased as these items exceed the five percent price preference allowed for recycled paper. Tables 5 through 7 summarize recycled-content/non-recycled content products purchases made by DGS through Statewide contracts, material services stores contracts, and purchase orders. Sometimes, recycled paper products, like continuous ream computer paper and high grade standard commercial grade paper, do not meet minimum bid specifications. Specific paper product information on bid quotes and specifications is not currently tabulated by DGS personnel. However, personal communication with DGS staff indicates that price, not quality, is usually the limiting factor for most recycled paper purchases. The continued higher prices and sometimes lower quality of certain recycled paper products continue to limit State purchases. Continued reliance on a five percent price preference will limit the majority of future State recycled purchases to janitorial paper supplies.[3] Significant increases in recycled paper procurement will require additional incentives.

Price Impediments and DGS Procurement Efforts

[3]Personal communication with DGS procurement staff on 1990 Recycled Product Procurement. Specific data on pricing not maintained.

STATE RECYCLED PROCUREMENT

Based on information from DGS, during 1990, the price for some recycled fine printing and writing papers was up to 18 percent above comparable virgin products.[4] Suppliers attribute this cost difference to the significant increase in general consumer demand and the limited industry capacity to produce this product. General public demand should continue to keep fine printing and writing recycled paper grade prices significantly above virgin product. This market incentive should continue to encourage market development for many recycled paper products. This price disparity, however, will limit a market development strategy based on a five percent price preference.

The prices of these higher end paper and paper products such as fine writing and copy paper have a higher premium than the five percent price preference allowed for State procurement. DGS is attempting to consolidate purchasing by State and local government procurement officers to reduce this cost. Organizing large bulk purchases by DGS and distribution through State warehousing may allow vendors to supply recycled paper products at competitive prices necessary for the State bid process. DGS is also requiring all bidders to complete a "Recycled Paper & Paper Products" certification form to accompany bids (Attachment A).

While the major impediment to increased purchases was the additional cost of recycled paper products, DGS still was able to purchase some recycled products within the five percent

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[4]Personal communication with DGS procurement staff on 1990 Recycled Product Procurement. Specific data on pricing not maintained.

preference range. For those recycled paper products purchased by DGS in 1990, the total price preference paid out was not significant. For the 19 percent of recycled paper purchased in 1990, only $50,000--only 0.2%--of a total paper expenditure of $26,297,334 was paid in recycled price preferences. This amount is low because most recycled paper purchases were lower end products, such as tissue paper. Attainment of the State's recycled procurement goals will require use of other procurement techniques. Examples of techniques that have succeeded in other states and local governments include higher price preferences, e.g., ten percent to twenty percent, set asides for recycled paper, e.g., recycled only bids, and multi-state recycled paper procurement.[5]

CIWMB Paper Market Research

During 1992 and 1993, the Board will conduct paper market research to determine recycled and virgin paper market factors for all paper grades. Board staff are establishing an information data base regarding the quality and availability of recycled content paper. This information will categorize the thousands of paper types or grades into a manageable number of categories for State and private procurement purposes. Also, staff are surveying major paper manufacturers and distributors that supply the California market. This survey will determine which manufacturers produce the various types of paper and where the paper is available. Analysis of paper imports and exports,

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[5] US EPA, Region IX, March 1992, Hawaii Procurement Rules Preparation; Local Government Commission, April, 1992, California Buys Recycled.

paper production capacity, tax considerations, and general economic considerations which affect the paper market will be included as part of the Board's future paper market research.

Both price and quality issues will continue to be the major impediments in meeting paper procurement goals for the near term. Pricing differences will diminish as recycled paper production capacity increases. However, some recycled paper quality limitations are not easily solved by increased or modified capacity.[6]

Paper Collection Systems

Collection and processing of wastepaper to initiate the recycling loop also poses obstacles. The predominant form of paper collection is the curbside collection program, servicing a third of California's residents. Unsorted collection wastepaper and non-paper contaminants in the collected material are the major factors affecting the value and usefulness of the collected wastepaper. Regardless of the grade of paper, lack of control over contaminants will cause a paper shipment to be returned, downgraded, and can result in termination of the collection agreement between the paper dealer and the collector. Common contaminants include lower grades of paper, pieces of plastic, rubber, glass, metal, wood scraps, and dirt. Because of the historical level of contaminants in curbside collected waste paper, manufacturers are doubtful that sufficient amounts of clean secondary fiber can be provided by curbside programs.

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[6]Personal communication with DGS procurement staff on 1990 Recycled Product Procurement. Specific information on which paper products failed minimum specifications are not maintained.

STATE RECYCLED PROCUREMENT

Reducing contaminants in collected wastepaper will improve quality and assure manufacturers that the feedstock is adequate. A primary way to improve quality is through education. As more local governments, private businesses, and the public become knowledgeable in paper collection systems, the quantity and quality of collected wastepaper will improve. The Board's Paper Recycling Handbook for Office Recycling Coordinators assists businesses in proper collecting and marketing.

Project Recycle

The State's paper collection program, Project Recycle, represents an example of the difficulties in sorting, marketing, and recycling collected paper. This program started in 1977 and was supervised by DGS, Office of Records Management. In 1991 the Board began managing the program. The program collected approximately 3,400 tons of paper in Fiscal Year 1990-1991. This amount accounts for an estimated ten percent of total waste paper generated by State offices.

SB 960 requires the Board to provide training for State Recycling Coordinators to ensure proper collection and separation of recyclable materials. The Board is writing a training handbook to fulfill this mandate.

Mixed paper and groundwood fiber are the most common papers collected in the State's office paper recycling program. Fifty-six percent of the paper collected is mixed office paper, with limited demand and low value. Improved sorting encouraged by future Board educational activities, will help reduce the mixed

paper percentage. Mixed paper will, however, remain the major waste paper grade collected since most offices have a variety of grades in circulation. Mixed grade paper limits the value of the paper collected by Project Recycle and reduces the number of paper products which can be manufactured from this paper.

Paper Fiber Loss During Recycling. Paper is compressed fiber. The length and strength of fiber decreases during recycling. Shorter fibers tend to produce lower quality paper with less tear strength. Also, very short fibers are lost from the papermaking process. The loss of fibers from the papermaking process and reduced fiber strength limit the number of times paper can be recycled. In addition, the type of fiber needed for a specific paper process also restricts what can be produced from collected or recycled paper.

Paper Grade Requirements. Most paper and paper products are manufactured with groundwood pulp. Most of the paper purchased by DGS does not contain groundwood pulp. Many paper grades (e.g. fine printing and writing papers and continuous ream computer paper) do not use groundwood pulp, but rather chemical or semi-chemical produced pulp. When these grades are produced as recycled papers, they generally cannot use much mixed paper or recycled groundwood pulp.

Literally hundreds of paper grades are produced in large quantities. Each of these grades has specific raw material fiber requirements and finished product quality standards. For example, the State's paper collection program (Project Recycle)

can contain significant amounts of groundwood paper as a contaminant which downgrades collected paper to a mixed paper classification. Other existing paper collection systems also face the same groundwood paper contamination problem. This collection activity does not provide mills with enough sorted, non-groundwood wastepaper to fulfill the requirements and standards for a high percentage recycled-content fine printing or writing paper. These factors are the main reasons most North American paper manufacturers resist high percentage minimum content requirements. High percentage minimum-content requirements dictate that manufacturers fix tight raw material specifications. These raw material requirements reduce flexibility in producing a cost-efficient product.

Additional sorting may solve this limitation, but the benefits of sorting are often marginal. The added costs associated with sorting, storage, and separate transportation of segregated paper can far outweigh the potential economic value of the sorted paper. Project Recycle's average differential price for mixed office paper versus white ledger in 1990 was only $67/ton. This additional reimbursement will not cover the cost of sorting, storage, and separate transportation.

Declining prices for mixed office waste paper are aggravated by an increasing supply of mixed office paper of low fiber quality. The increasing supply of all collected paper generated by new local recycling programs also puts a downward price pressure on collected paper. This price trend will make it even

more difficult to justify additional costs to deliver sorted paper grade to a mill.

State Efforts to Overcome Paper Recycling Impediments

Board and DGS staff are working to reduce impediments to State procurement of recycled paper. Bid standards are being revised to encourage recycled paper purchasing. These revisions will remove restrictive quality requirements that unnecessarily discriminate against recycled paper products.

Other possible mechanisms being investigated include establishing preferences for recycled paper similar to those allowed for efficient electrical devices. Clearly, paper products which restrict or inhibit recycling, such as plastic-window envelopes and certain types of adhesive products, pose additional costs to State government. Including preferences for these factors in the State procurement process could better identify the true cost of recycled and virgin products.

Minimum Content Requirements

Setting minimum content requirements for individual paper categories is a proven method to increase recycled purchasing, as evidenced by the minimum content newsprint legislation (AB 1305). This legislation required the State and all other newsprint consumers to purchase recycled-content newsprint in 1991. Major newsprint manufacturers indicated the AB 1305 mandates were a primary factor in increasing the market for recycled newsprint in California. Discussions with paper industry manufacturers continue to confirm that future expansion is based on increased

demand for recycled newsprint caused by the goals initially legislated by AB 1305.

Minimum content requirements require research and oversight to implement equitable minimum content levels. Hundreds and possibly thousands of paper grades could be regulated using this technique. However, overly high minimum standards can discourage recycling. High standards usually require tight quality control on raw material feed. As recycle-content increases, so does a paper production's sensitivity to contaminants. This sensitivity, the raw material quality requirement, is a significant barrier to most collected waste paper. Also, minimum content requirements eliminate the incentive to produce products below the set minimum content level and significantly reduce the incentive to produce recycled-content product above this level.

Minimum content requirements can be a powerful tool in State procurement. A promising option has been suggested by the Recycling Advisory Council (RAC)[7]. The RAC proposal suggests government procurement agencies set minimum content standards for each major type of paper product. This system would establish higher levels of secondary and postconsumer fiber for certain grades like janitorial supplies and lower levels for others like fine printing and writing papers. This system reflects industry reality that paper products can use varying levels of secondary material. The system also encourages all manufacturers to produce products with a higher level of secondary material.

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[7] RAC Task Force on Standards and Definitions, Final Report on Recycled Paper, February , 1992.

STATE RECYCLED PROCUREMENT

Establishing a rigid system of minimum-content requirements would, in practice, be a set-aside system. For cardboard, paperboard, and janitorial paper products, dependance on a minimum-content system may be the most cost effective State procurement mechanism, since these products are usually manufactured with secondary fiber. For other paper products, a mixture of price preferences, set asides, and cooperative purchasing may be the most effective market development system to trigger increased market development of these recycled paper products.

Analysis of this and other policy options concerning recycled paper markets will be included in the Board's future research on paper markets.

COMPOST AND CO-COMPOST PRODUCTS

Composting is the controlled, biological decomposition of organic matter by micro-organisms to a relatively stable, humus-like material. Co-Composting refers to the simultaneous composting of two or more diverse waste streams with sewage sludge or some other nitrogen rich material.

The composting process speeds up the natural decay of organic materials, and the heat from the process usually kills most weed seeds and disease carrying organisms. Compost can improve soil texture, increase air and water holding capabilities in the soil, decrease erosion, and help regulate soil temperature.

Composting can be an important part of a municipal solid waste management program. In California, typically 20 percent or

more of the refuse disposed in the landfills consists of leaves, grass clippings, shrub and tree trimmings, and other similar vegetative wastes. Most of these "green waste" resources can be easily converted to compost that has value as a soil amendment.

DGS Procurement Efforts

The State does purchase a limited amount of compost, although DGS has been unable to supply specific quantity information. DGS estimates postconsumer compost purchases Statewide to be below 6,000 tons. Most uses for compost are now supplied by virgin redwood compost and peat moss.

Interagency Projects

The Board has recently initiated interagency agreements to evaluate various uses of compost and co-compost in State agency landscaping and maintenance projects. These agreements include projects with California State Polytechnic University, Pomona (Cal Poly), Department of Forestry (CDF), and Department of Parks and Recreation (CDPR). Specifically, these State agencies will design and evaluate projects using compost. A report compiling the results of these evaluations will be completed in June 1992.

In addition, the Board has been working with CalTrans to encourage compost use, contract for demonstrations in two transportation districts, and inform all transportation districts on application uses. The intent of the agreements is to demonstrate that the use of compost can be cost-beneficial based on savings in weed control, plant survival, and water conservation.

STATE RECYCLED PROCUREMENT

In addition to the above projects, the Board is designing a market research project in Santa Barbara County to study the issues of compost quality. Also, the Board is drafting an Interagency Agreement with the Prison Industry Authority (PIA) in Folsom for design, operation, and testing of anaerobic compost technology. Anaerobic composting involves the conversion of organic material into biogas (methane and carbon dioxide) and humus in a sealed oxygen-free environment. The PIA project will study aerobic composting using various feedstocks at the City of Folsom Correctional Resource Recovery Facility (CRRF).

Other CIWMB Projects

The Board is compiling data regarding the various uses of compost. This data will be disseminated to the appropriate State agencies and other interested parties.

The Board will also draft compost regulations during 1992. These regulations will assist in developing the permit process for compost operations and facilitating compost market development. These regulations should be circulated for review by end of summer 1992.

Increasing State Compost Procurement

Existing bid specifications are the major impediments to increased State procurement of compost and compost products. Most State bids for products that are substantially equivalent to compost products restrict the bid to virgin materials. Examples of these restrictive bid specifications include lightweight fill for road construction, i.e., sawdust, and landscaping materials, i.e., peat moss and potting soil. Current statute requires any

procuring agency that prepares a request for bid for commercial fertilizers or soil amendment products vs. compost type products shall document its determination because use of compost type products would jeopardize public health or safety or would jeopardize the intended result of the project, PRC § 42246. Expanding this requirement to include all materials or uses which could specify compost products and adding a central reporting and procurement review for these materials could substantially increase State procurement of compost products.

GLASS

Glass materials in the municipal solid waste stream include:

- Container glass (amber, green, flint)
- Other glass (plate, pressed and blown, fiberglass)

The most common type of recycled glass is container glass. In California, container glass is divided into redemption value beverage containers and other containers. Redemption value containers are regulated by the California Department of Conservation, Division of Recycling, under the 1986 California Beverage Container Recycling and Litter Reduction Act, i.e. the California "bottle bill."

"Other glass" includes plate glass (e.g., windows), pressed and blown glass (e.g., tableware and art objects) and fiberglass insulation. Of these, plate glass is the most common form of "other glass." Plate glass has potential for recycling although it is not now accepted by container markets, the main market for recycled glass. The remaining glass types in the "other" category are not now recycled in California.

DGS Procurement Efforts

About 81 percent of the glass purchases by DGS and the California State University System were recycled glass products in 1990 as shown in Table 2. Almost all of these purchases were for glass spheres used by CalTrans.

With no price preference for recycled-content glass products, the State's procurement preferences for glass do not play a major role in the State's purchasing recycled glass products. The minimum content requirements for glass containers are the major factors influencing the DGS's recycled glass purchasing trends. Purchase of glass for pavement applications may significantly change this trend. Current county and Caltrans demonstrations may encourage the routine use of glass in pavement construction by 1995 and, therefore, substantially increase secondary glass use after that date.

Department of General Services is implementing a vendor certification form for various recycled goods including glass as shown in Attachment A. Also, DGS is revising applicable purchase specifications. An example of these specification changes is reflective roadway paint. The specifications now require the glass beads in reflective paint to meet the State of California's definition of "recycled product."

Local Agency Procurement Efforts

State and local agencies are slowly making progress to develop other recycled glass markets. The County of Los Angeles is carrying out demonstrations with glassphalt (crushed glass

added to asphalt), and Caltrans is continuing to investigate uses of secondary glass in pavement applications.

Fiberglass Minimum Content Legislation

AB 1340 (Chapter 707, 1991) enacted the Fiberglass Recycled Content Act of 1991. The program is implemented by the Department of Conservation (DOC). The bill requires fiberglass insulation manufactured or sold in California contain specified percentages of postconsumer glass cullet.

The statute requires fiberglass insulation manufactured or sold in California to contain at least ten percent postconsumer glass cullet by January 1, 1992; 20 percent by January 1, 1994; and 30 percent by January 1, 1995. Glass cullet would mean any scrap glass derived from food or beverage glass containers produced or imported in California.

Increasing State Recycled Glass Procurement

Further significant increases in state recycled glass procurement will probably require purchases of non-traditional materials like glassphalt and other glass-based pavement materials. Recent experience with rubber modified asphalt paving use suggests that substantial progress in this area will only occur if mandated by a set-aside program. Designation of a small percentage, e.g., less than five percent, of the total State paving budget for glass containing pavement would provide the necessary incentive to establish the required pavement design and bid specifications for this type of procurement. Other

procurement policies or techniques have shown little success in increasing recycled-content pavement procurement[8].

OIL

The National Petroleum Refiners Association 1989 Report on U.S. Lubricating Oil Sales estimated 283 million gallons of virgin oil sold in California during 1989. Of this amount, 122 million gallons (43 percent) were consumed through use, leaving 161 million gallons (57 percent) as described in Table 8. The Department of Toxic Substances Control estimated that of the 161 million gallons of used motor oil available, 46 million gallons (29 percent) were illegally disposed in California or shipped out of state during 1989. The illegally disposed motor oil is dumped into our municipal landfills, sewers, and storm drains. This represents one of the major waste problems facing our State. Motor oil is toxic, and the illegal disposal of used oil in municipal garbage is a major threat to solid waste management and the environment. For these reasons, the Board is active in establishing a program for recycling used oil.

During 1989, 115 million gallons of used oil were collected by used oil recycling facilities in California. Approximately 30 percent of the used oil, which is an oil and water mixture, was consumed in the recycling process. Of the remaining 70 percent, two percent was recycled into motor oil; the remainder was recycled into fuel oil, asphalt, industrial oil, and road oil.

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[8] Personnel communication between Board staff and Caltrans design engineers.

DGS Procurement Efforts

In 1990, DGS was unable to purchase recycled oil. In the last DGS invitation for bids, no vendor submitted bids for recycled motor oil which met the minimum standards for gasoline engines.

DGS requires motor oils to meet the American Petroleum Institute (API) SF/SG rating. This testing requirement is essential as it assures auto manufacturers' engine and drivetrain warranties remain valid. To illustrate the value of these warranties, for 1991, DGS extended service warranties covered 2,400 automobiles. The DGS sedan and station wagon specifications include the automakers standard warranty and an extended power train, five-year, 50,000-mile warranty at $115 each vehicle. These extended warranties are valued at $276,000.

Re-Refined Oil Sequence Testing

Motor oil meets the API SF/SG rating through sequence testing. Sequence testing is a one-time test performed on a sample of refined oil. In the test, internal combustion engines are run using the oil sample. Afterwards, engines are dismantled to determine the wear or damage. The typical cost for a sequence test is about $250,000. With re-refined oil, traditional sequence testing for each batch of oil recycled is cost prohibitive. Therefore, DGS has consulted with the five recycled oil vendors and auto manufacturers to develop sequence-tested recycled oil products. Because of these efforts, two vendors now have sequence-tested products which can meet DGS minimum bid

specifications. These vendors are Evergreen Oil, one of two California oil re-refiners, and BresLube, Chicago, Illinois. Both vendors indicate the price of this re-refined oil should be competitive, and DGS anticipates a bid for procurement of re-refined oil may begin by spring 1992. DGS is also looking into the feasibility of purchasing re-refined multi-viscosity (crankcase) and hydraulic oils. DGS is currently requiring all oil bidders to complete a "Recycled Oil" form certifying percentage of recycled oil content (Attachment B).

CIWMB Used Oil Recycling Program

In the fall of 1992, the Board will notice used oil recycling facility certification regulations. These facilities will distribute to the general public a recycling incentive of four cents per quart of used lubricating oil. The regulations will assist in establishing funds for buy-back centers and local used oil collection programs. The program should start refunding money to the general public in the spring of 1993.

In addition, grant monies will be available to local governments and nonprofits to establish used oil recycling opportunities. Staff anticipate these funds will be available late 1993 or early 1994.

Increasing State Recycled Oil Procurement

Scheduled efforts by DGS in recycled motor oil procurement should provide significant increases for this material in the near term. Program work in this area by DGS demonstrates how recycled procurement can be cost effective and in the State's best interest. Future work will concentrate on other oil based

materials, e.g., fuel oil derived from tires, multi-viscosity and hydraulic oils derived from used motor oil.

PLASTICS

Plastic production methods and the diversity of collected plastics create substantial barriers to producing recycled plastic products. The lack of available recycled plastic products is a major reason why DGS purchases of these materials were less than 2.1 percent of all plastic products purchased during 1990.

A number of companies are developing and commercializing systems which produce uniform recycled plastic resins. These systems may also reduce the costs of separating and processing postconsumer plastic bottles. A variety of techniques can automate the separation of whole or shredded bottles by resin type. Some systems also separate bottles by color to increase the color quality and consistency of recycled resin. However, many of these systems are expensive and/or experimental, which limits the ability of most processors to finance such equipment. Lack of commercial financing makes it difficult or impossible for most collection programs to invest in new production systems necessary for improved plastic recycling.

DGS Plastics Procurement Efforts

DGS, Office of Procurement, is establishing procedures to attain plastic procurement goals. DGS, Office of Procurement, developed a certification form for vendors to assist in identifying plastic products offered with recycled content. These forms will be included in all of those bids which offer

products that may contain plastic material (Attachment B). DGS is revising its specifications for plastic and plastic products to remove the barriers which may prevent recycled-content plastic products to compete with the virgin resin. Those requirements which are purely cosmetic and not a functional requirement of the specifications will be removed.

CIWMB Plastics Report

The Board is finalizing a report researched and designed to fulfill PRC Section §42380. This report is on the use, disposal, and recyclability of plastic materials and containers not subject to Division 12.1 of the Public Resources Code.

Specific areas of the report include descriptions of barriers to plastics collection, separation, and recycling for reuse; description of current methods to reduce the use of, and recycle, plastic materials; description of programs under development; and description of current domestic and foreign markets for recycled plastic materials. The report will be available mid-1992.

CIWMB Plastics Survey

In 1991, the Board began a survey of collection programs, procurement activities, and manufacturers of recycled plastic products to assist in the State's recycled plastic procurement efforts. The survey was completed in March 1992 and will provide procurement officers with information on types and availability of recycled plastic products. The survey also identifies new products and potential uses for recycled plastic resins. This information will be distributed to DGS buyers, State agency

purchasing officers, local government procurement officers, and private sector purchasing agents via Board staff presentations and Board fact sheets.

Increasing State Recycled Plastic Procurement

Targeted procurement for specific recycled plastic products may be the best market development method for increasing State procurement. Establishing bid specifications which include the cost advantages for certain plastic products are good examples. Plastic lumber is a product which fits this approach. Plastic lumber is substantially more expensive than the wood it replaces, but it can survive typical vehicle impacts and does not contain hazardous materials as a preservative. (Note: all pressure-treated wood purchased by the State contains preservatives which are hazardous materials. Most pressure treated wood waste materials should be classified as hazardous waste and only disposed as such.) The initial purchase cost, operation and maintenance costs, and projected disposal cost of hazardous pressure treated wood waste far exceeds the total costs of plastic lumber for many uses. Legislative requirements to include complete purchase, operation and maintenance costs, and disposal costs in requests for bids would significantly increase State procurement for this type of product.

SOLVENTS AND PAINTS

Paint

The Board participates in a Paint Task Force begun as a result of a 1989 Association of Bay Area Governments (ABAG)

meeting. At the meeting, the question was raised, "Why can't consumers return leftover paint to their paint supplier?" This question resulted in the task force being formed by the Department of Toxic Substances, the Board, local agencies, and representatives of the paint and solid waste management industries. The goal of the Paint Task Force is to encourage paint recycling.

Recycling Barriers. Barriers to recycling include:

1. Paints have been sitting in garages, attics, basements, etc., for years. The original manufacturer may now be out of business. Old paint may contain unacceptable levels of various toxic materials now restricted from sale. These materials can contaminate recycling process equipment and require expensive clean-out procedures for the paint industry.
2. Workers' safety is at stake because of the potential lead content and the possibility of consumer adulteration with, for example, solvents, cleaners, PCBs or insecticides.

Interagency Agreement. During 1990, the Department of Toxic Substance Control and the Board attempted to allay industry concerns about the recycling barriers to little avail. Therefore, an Interagency Agreement was entered into between Department of Toxic Substance Control, the Board, and Cal Poly, San Luis Obispo, to study issues raised by industry. The study should begin in spring 1992.

The Cal Poly study will address the following latex paint issues:

- Workers' health and safety, e.g., Material Safety Data Sheet (MSDS) as required by Department of Transportation, 49 CFR.
- Markets for reformulated paint
- Various methods to reformulate collected paint into a new product (i.e., 20 percent used, 80 percent virgin)
- Sorting protocols, including developing ways to increase marketability by color sorting paint at collection sites
- Quality of reformulated paint

The Board is funding the following three categories in the study:

- Identification of contaminants (lead, mercury, etc.)
- Sorting protocol
- Quality of reformulated products

The Department of Toxic Substance control is supplying the lab services for the study. Industry is funding the equipment and supporting the categories related to drafting a worker's Material Safety Data Sheet (MSDS) and the reformulation methodology.

Private Recycling Efforts. In the interim, several small paint companies (e.g., Mason in Sacramento) are currently collecting paint from consumers and formulating it into a re-refined product. In addition, a major waste management company,

Norcal, purchases reformulated latex paint for use on bins. This saved Norcal $30,000 in paint costs to date.

Since the possibility exists that residual lead and mercury may be contained in reformulated paint, the majority of recycled latex paint is only used for exterior purposes (utility paint), usually for graffiti abatement, buildings, fences, trash bins.

Solvents

Most waste solvents are hazardous waste and regulated by the Department of Toxic Substances Control. The majority of solvents collected by household hazardous waste programs are destroyed, either through incineration or fuel supplementation. Currently, solvent-based paints and stains cannot be recycled; they are incinerated or burned as a fuel supplement. Disposal of solvents and solvent-based paint is expensive, costing from $300-$600 per 55-gallon drum for disposal. In most cases, substitution to water-based cleaners is the preferred alternative to solvent use. Board staff plans to review State agency solvent purchases during the fall of 1992. Suggestions concerning solvent purchasing will be forwarded to State procurement staff in spring 1993.

Increasing State Recycled Paint and Solvent Procurement

State procurement efforts should be focused to reduce non-recycled solvent uses and increasing use of recycled or reformulated paint. Legislative mandates could require any procuring agency preparing a bid for non-recycled solvents to document the need to use only virgin solvents. Such a mandate could increase procurement of recycled products. Increasing

STATE RECYCLED PROCUREMENT

State procurement of recycled or reformulated paint may be best encouraged by a set aside program. A set aside program would could demonstrate the use of this product which has essentially no use in State activities to date.

TIRES

Disposal of scrap tires is a significant solid waste management issue in California. Historically, while some scrap tires were reused or retreaded, the majority were disposed by landfilling, uncontrolled burning, or illegal dumping. All these practices are now severely restricted. Whole tires resist compaction by traditional landfill equipment and can rise through the top of a landfill causing rupture of the landfill cap. For this reason, most landfill operators no longer accept whole tires for disposal in landfills though some may accept them for shredding. While burning tires without air pollution controls has been restricted by current air quality regulations, using them in cement kilns with the appropriate controls has been permitted and is expected to increase in the future.

DGS Retread Tire Procurement Efforts

Truck retreads are currently purchased by DGS for the California Department of Transportation. The Board is working in consultation with DGS and the California Retread Industry to identify the uses for passenger car retread tires. During 1990, the California State University system purchased less than $1,000 ($655) of passenger car retread tires. No passenger car retreads

were purchased by DGS from its $5 million passenger car tire budget. Passenger car retreads have not been purchased by DGS because retread vendors have been unable to qualify on tire bids. DGS is now carrying out vehicle retread testing and hopes to have new specifications for retread purchasing in 1992.

DGS Retread Tire Testing

DGS is now testing retread tires through the DGS Fleet Administration. These tires were retreaded from scrap tires collected from DGS Fleet and California Highway Patrol. DGS hopes to determine the capability of rubber blend retreads on automobiles. According to DGS Standards and Quality Control Section, Office of Procurement, some retreads appear to outperform new tires. The test is expected to be complete in the summer of 1992.[9] Until results of tests are evaluated, DGS is not prepared to purchase passenger retreads.

Meeting the wear rating and having the lowest cost are substantial barriers for retread tires. Department of General Services now requires a tire wear rating in excess of 300 (i.e., 60,000 miles). The Department of General Services is able to purchase approximately 27,000 of the 60,000-mile virgin tires per year for $22-$23 each, whereas retreads cost $45 each, retail.

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[9] State of California, Department of General Services, Report on Purchases of Recycled Commodities by the State of California for 1990

Other Uses of Scrap Tires

Other methods for recycling and reuse of scrap tires have been demonstrated. The major uses for scrap tire products include mats and padding, rubber modified asphalt paving, rubber roofing materials, and tire derived fuel (TDF). DGS is defining price preferences for rubber goods made from scrap tires. These preferences will allow a five percent price allowance as authorized by PRC §42891.

Asphalt Paving Projects

Local governments have recently funded several rubber asphalt paving projects. CalTrans continues to use this material on an experimental basis. Use of asphalt pavement containing recycled rubber is hindered by higher initial cost. Cost of asphalt pavement containing recycled rubber should decline once approved for routine use and large volume production occurs.

At the federal level, the recent passage of the "Intermodal Surface Transportation Efficiency Act of 1991" (H.R. 2950) will affect the usage of asphalt pavement containing recycled rubber. In part, the bill provides that beginning January 1, 1994, each state must use asphalt pavement containing recycled rubber in five percent of the total tons of asphalt laid in the state and financed in whole or in part by federal funds. The required percentage increases by five percent each year until reaching 20 percent in 1997. If a state fails to meet this requirement, the amount of federal funds required for asphalt concrete containing

recycled rubber would be withheld.[10] The United States Environmental Protection Agency and Department of Transportation are conducting a study of the economics and feasibility of using asphalt concrete containing recycled rubber. This study should help define the appropriate uses of this material. If the economic or technological feasibility results are negative, then the requirements may be reduced.

CalTrans continues to place and evaluate asphalt concrete containing recycled rubber sections. CalTrans still considers all but one asphalt concrete containing recycled rubber use experimental. CalTrans has approved design specifications for one type of asphalt rubber, that is, asphalt rubber hot mix-gap graded (ARHM-GG). This hot mix asphalt can be used wherever asphalt material is specified. The CalTrans Division of Maintenance also promotes the use of recyclable materials and uses asphalt concrete containing recycled rubber in repair operations when funds are available.

Increasing State Retread and Scrap Rubber Procurement

PRC §42412 requires all tires for use on State vehicles issued for short-term use through Fleet Administration shall, at the next required installation of tires, be equipped with retreaded tires. Enforcement of this provision would dramatically increase the procurement of retreads by the State. Continued lack of enforcement of this key procurement provision

[10] Summary of Section 1038, H.R. 2950

will allow continued delay in procurement of retread tires. Bulk purchase of retread tires can provide a safe and money saving alternative to current State practices.

Scrap tire use in RUMAC and other pavement applications shows great promise. Significant increases in State recycled rubber procurement is expected with implementation of the federal five percent set aside program. This program should also demonstrate the increased cost effectiveness of this recycled product.

FEDERAL PROCUREMENT GUIDELINES

The United States Environmental Protection Agency (EPA) has issued "procurement guidelines" to implement §6002 of the Resource Conservation and Recovery Act (RCRA). These guidelines require government agencies to give preference to purchase products made with recovered materials. As of December 1990, EPA published guidelines for five specific items containing recovered materials for procurement: paper and paper products, lubricating oils, retreaded tires, building insulation, and cement and concrete containing fly ash.

The procurement guidelines require all federal agencies and all State and local government agencies and contractors that use federal funds over $10,000 per year per designated item to follow the procurement guidelines for that item "to the maximum extent practicable."

STATE RECYCLED PROCUREMENT

The EPA procurement guidelines require procuring agencies to review specifications for the designated items and to revise them to allow procurement of products containing recovered material. The EPA guidelines recommend minimum-content standards; however, procuring agencies have discretionary authority to adjust these standards when market conditions warrant.

Finally, the EPA has also established several avenues to assist federal and non-federal agencies in setting up programs, including a telephone hotline and frequently updated lists of manufacturers and vendors.

In general federal guidelines provide leadership, but little true market incentive for recycled procurement. The lack of requirements in this program, plus the exemptions provided to local procuring agencies, do little to foster investment by private companies. An investigation by the US Senate Governmental Affairs Committee's Management Oversight Subcommittee during the fall of 1991 found that of 17 federal agencies surveyed, 15 had not met purchasing mandates, and few knew they had such a requirement.

CALIFORNIA GENERAL PROCUREMENT

The 1990 annual report for the State of California reports that approximately $5 million of recycled products were purchased by State departments and the California State University

system.[11] The Department of General Services is testing an automated computer software system to improve its ability to track the types and amounts of recycled products purchased. This automated system will assist the Department of General Services in reaching recycled product procurement goals. To date, the State has fallen short of reaching procurement goals in all areas.

Recycled Products Purchase Limitations

Specifications and the low bid pricing structure of current procurement laws must be met for an item to be considered in the bid process. These limitations usually outweigh established preferences to buy recycled-content products. In addition, the only recycled content price preference that affects the bid price are those for paper (five percent) and tire products (five percent).

Tables 2 through 4 identify 1990 Department of General Services and California State University System recycled and total purchases for categories specified in PRC §12157. Graph 2 summarizes the percentage of recycled-content products purchased by Department of General Services. Graphs 3 and 4 illustrate general purchasing and program activities by local governments showing price preference percentages and comparison of percentages of "Buy Recycle Programs," ordinances, and price preferences.

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[11] Report on Purchases of Recycled Commodities by the State of California for 1990

STATE RECYCLED PROCUREMENT

Table 2 illustrates the combined recycled-product purchases of Department of General Services and the California State University System which comprised 15.42 percent of total dollars spent. The total percentage does not reflect the wide disparity among individual products. Recycled-product purchases ranged from a low of 0.01 percent for tires to a high of 81.05 percent for glass products (primarily glass beads in reflective paint). This information is also shown in graph format in Graph 2. Table 3 illustrates the recycled-product purchases solely for Department of General Services. Once again, the total dollar percentage (17.28 percent) is not reflective of the wide disparity among individual items. Department of General Services purchases included 21.5 percent for recycled paper products and 99.9 percent for glass products (glass beads in reflective paints). All other products were at 0.0 percent of recycled-product purchase dollars. Table 4 summarizes the recycled-product purchases for the California State University System. The total dollar percent for recycled-product purchases is only 5.6 percent; however, the California State University System has made efforts to purchase recycled products from each of the required areas.

No reports of tonnage of waste generated by State agencies or university system is available. Neither Department of General Services, California State University system, or University of California system are required to report waste generation rates.

Information may be included in final Source Reduction Recycling Elements (SRRE) submissions from local governments.

Even with these limitations, considerable progress has been made in implementing the procurement programs. Future work by Board staff should result in an even higher level of awareness by State procurement officers and increase purchase of recycled-content products.

DGS and CIWMB Purchase Specifications Review

Part of ongoing Board workload is to consult with DGS in the review of purchase specifications for recycled products. In cooperation with industry representatives, first, the current specifications are examined; second, the technical requirements are considered to determine if there is a barrier to incorporate recycled-content in the product; and finally, as allowed, recycled-content is incorporated into the specifications. This method was successfully implemented with lead-acid batteries and will be used as a model for many other products; such as motor oil, paints, and solvents. Final decisions concerning product technical requirements will be resolved by DGS or the lead purchasing agency for the product. The general policy in product review is that if a requirement is found to be nonessential, it will be deleted from the specifications.

OTHER STATE PROCUREMENT EFFORTS

According to a survey of the National Association of State Purchasing Officials, August 1991, 43 states have passed mandated

recycling legislation. Of these, 34 states include preference policies for either price or volume. Three states (California, Delaware, and Georgia) have price preference policies for recycled paper only. The percent preference ranges from a low of five percent to a high of twenty percent. Of the 30 states with price preferences, 53 percent had price preferences of 10 percent or more, while 40 percent had price preferences of 5 percent.

Minnesota and Wisconsin have chosen an innovative way to purchase recycled-content paper and save money at the same time. They joined in a cooperative State effort to purchase recycled Hammermill paper from Leslie Paper Co. Because of the quantity purchased, the two states jointly saved $225,000 over estimated individual state purchasing.

LOCAL GOVERNMENT PROCUREMENT EFFORTS

During 1990 the United States Conference of Mayors began to seek funding to assist cities beginning or expanding local government procurement programs emphasizing recycled products. When the program began in 1990, only 35 local governments had been identified as having "Buy Recycled" programs. Since that time, the number has increased to 322 local governments.[12] DGS and local governments are actively pursuing a cooperative recycled purchasing effort. Over 900 local government procurement officers now purchase goods with or through State

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[12] J. Thomas Cochran, Executive Director, "The United States Conference of Mayors," September 1991

stores and State contract. Shipment is made from State warehouses or through contract delivery.

"Buy Recycled" Campaign Survey

The United States Conference of Mayors and the U. S. Environmental Protection Agency sponsored a "Buy Recycled" campaign survey in 1991 to learn what measures cities have taken regarding the purchasing of recycled products. Of the 158 cities representing 38 states responding to the survey, 111 have a "Buy Recycle" program. In addition, several cities without a specific "Buy Recycle" program purchase recycled materials. The effect of a local ordinance on purchase of recycled goods appears minimal since 58 percent of the cities with "Buy Recycle" programs have no local ordinance or resolution in effect. Several cities have pending ordinances. The majority of cities have no price preferences in place for recycled products. Of the cities with price preferences, 75 percent have established a 10 percent preference. The most frequently recycled item purchased (by 93 percent of all cities) is paper, primarily stationery and copier paper. The 1991 Buy Recycled Campaign Survey information is shown in Graph 3 and Graph 4.

Local Government Commission, Sacramento

In California, the Local Government Commission in Sacramento has conducted a survey of recycled-product procurement policies of California cities and local governments. The Local Government Commission March 1992 California Buys Recycled survey shows a 107 percent increase over the last 18 months in the number of city

and counties participating in local policies for procurement of recycled products. The primary focus for the recycling procurement efforts has been on buying recycled paper; however, interest is increasing to include a wider selection of recycled-product procurement.[13] Some county agencies, like San Diego, have tested purchasing procedures which only solicit bids for recycled products, i.e., request bids specifically for recycled paper.

CONCLUSIONS

Widespread changes in recycled product purchasing habits only occur after a combination of factors. Industry, for example, usually begins manufacture of recycled products if:

- obvious cost advantages occur when using secondary materials; or
- enough consumer demand is present to generate new or expanding markets; or
- government requirements, e.g., minimum content mandates, generate new or expanding markets.

Recycling strategies can overcome historical prejudice against use of discarded materials if the above marketing factors are considered. Government programs can influence each of these factors.

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[13]The Local Government Commission, Sacramento, CA, California Buys Recycled: A Survey of Local Policies for the Procurement of Recycled Products, March 1992

STATE RECYCLED PROCUREMENT

The Board is conducting a study of State incentives to virgin materials, such as product price advantages supported by regulatory or statutory specifications, depletion allowances, and subsidies, and a determination of the effect, if any, of these incentives on the demand for secondary materials. The Board will use information from this study to assist in formulating policy and program changes to improve the competitive advantage of secondary material relative to virgin materials. The results of this study will be reviewed by the proper agencies, such as the Board and DGS.

Customer demand can be assisted with requirements for clear and obvious labeling and information outreach programs. New and expanding markets can be established with procurement programs and recycled-content requirements.

If the world's discards were to be recycled, metals more valuable than the richest ores, paper representing millions of acres of forests, and plastics containing millions of gallons of petrochemicals would be found. These discards are rich in raw materials and energy, but are often considered worthless; some say we are literally throwing away our future.[14]

The recent increase in collecting materials for recycling has been a successful first phase in waste management. Marketing recycled products is recognized as an important link in completing the recycling loop. If government programs take a

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[14] Cynthia Pollock, Mining Urban Wastes: The Potential for Recycling, April 1987, p. 7

leadership role in this area, private industry will be able to adapt and follow. The availability of a market for secondary materials will encourage industry to invest in re-tooling a plant or building new facilities to include secondary materials in their manufacturing process. For example, newsprint paper companies are now considering building plants in California to manufacture newsprint from old newspapers in direct response to California's recycled-content newsprint mandate. Future expansion in recycled product markets will continue with this and other government policies.

RECOMMENDATIONS

Policies to assist the future expansion of recycled product markets may include any, or a combination, of the recommendations included in the various sections of this report. Major incentives discussed for procurement of recycled-content products at federal, State, and local levels included price preferences, set asides, and minimum-content requirements. The Board will continue to work with the Legislature on minimum-content requirements. Also, Board staff will continue to educate industry and government officials and to promote recycled-content procurement and encourage development of expanded recycled product markets. Board staff will continue to focus program efforts to enhance recycled-product procurement.

Non-product specific procurement tools are central for improving the overall procurement of recycled products at the State and local government levels. Specific tools include the following areas:

- Set asides
- Price preferences
- Minimum Content
- Additional personnel resources

Set asides require purchase of specified percentages of recycled products by certain dates. Government recycled product set asides directly stimulate markets. In addition, this mechanism provides a special market incentive. This incentive is creation of a stable market-share for recycled products. This dedicated market provides a known market for industry planning and product development. A stable known market can be more important than a price preference when long-term capital improvements are included in product development.

Specific product set asides would be especially useful for new or different product uses. Examples of recycled products well suited to set aside programs include:

- fine printing and writing paper products
- compost materials
- glass and rubber content paving materials
- plastic materials

The price differential between virgin products and these recycled products typically exceeds a ten percent price preference. Significant development of these product markets depends on a dedicated government market for initial product development.

Current State price preferences are limited to paper products and products manufactured from used tires. Expanding

this price preference to all recycled products and increasing price preferences beyond the current five percent limit would serve as a significant motivator to the recycled product manufacturer and distributor. Increases in price preferences are direct market stimulants to the recycled product market by government procurement agencies. The national "Buy Recycled" Campaign 1991 Survey indicated the most common price preference is ten percent. Examples of recycled products well suited to price preference programs include:

- Janitorial supply, cardboard, and chipboard paper products
- Oil based products
- Retread tires and scrap tire products

The State's recycled-content requirements for newsprint and glass containers demonstrate the effectiveness of minimum content legislation. Recycled-content newsprint use has increased significantly with the implementation of this Legislation. Minimum content requirements are product specific tools which can be very useful for selected commodities and can affect the State's purchase of recycled materials. Examples of recycled products well suited to minimum content programs include:

- Janitorial supply, cardboard, and chipboard paper products
- Compost materials
- Solvent (procurement excluded by minimum content)
- Beverage containers
- Retread tires

STATE RECYCLED PROCUREMENT

Implementing the State's recycled procurement goals requires a huge investment in personnel resources. Providing additional personnel resources to DGS will significantly accelerate the recycled product procurement process. Procurement law requires extensive testing and documentation before alternative products can be purchased. Additional resources are needed to revise bid specifications, identify qualified recycled product bidders, establish State/local cooperative purchasing, and educate procurement officers. Continuing education of State and local procurement officials on recycled product issues is necessary to meet recycled product procurement goals mandated by the Legislature. Examples of recycled product procurement program areas with a critical lack of personnel resources are:

1) Communication, reporting, and continuing education on procurement issues relating to recycled procurement.
2) Recycled product bid specifications for landscape and paving uses for compost materials, re-refined oil, recycled plastics, recycled solvents, rubber products manufactured from scrap tires, and for products which inhibit paper recycling.
3) Improving dialogue with recycled manufacturers especially in the plastic products categories.
4) Establishing intra- and inter-State cooperative purchasing agreements to support long-term recycling capital investment by manufacturers.

The Board shall continue to pursue these and other avenues to encourage recycled procurement. Together with the Legislature

and all State agencies, the Board will help develop the State's lead in recycled market development.

Table 1

REVISED 6-Jun-92

ESTIMATED 1990 CALIFORNIA WASTE STREAM COMPOSITION WITHOUT AB 1820 WASTE DIVERSION
EXTRAPOLATION BY POPULATION OF INFORMATION IN SAMPLED PRELIMINARY DRAFT SOURCE REDUCTION AND RECYCLING ELEMENTS SUBMITTED BY JURISDICTIONS

1990	TONS DISPOSED(DIS)	DISPOSAL RATE(%)	COMPOSITION DISPOSAL(%)	TONS DIVERTED(DIV)	DIVERSION RATE(%)	COMPOSTION DIVERSION(%)	TONS GENERATED(GEN)
TOTAL	39,086,721	88.3	100.0	5,166,036	11.7	100.0	44,252,756
TOTAL PAPER	10,750,024	80.5	27.5	2,604,327	19.5	50.4	13,354,351
COR. CARD & BAGS	3,208,497	73.6	8.2	1,149,352	26.4	22.2	4,357,848
MIXED PAPER	2,926,037	90.1	7.5	319,991	9.9	6.2	3,246,029
NEWSPAPER	1,753,607	69.1	4.5	783,794	30.9	15.2	2,537,401
HI-GRADE LEDGER	697,842	75.0	1.8	233,118	25.0	4.5	930,960
OTHER PAPER	2,164,042	94.8	5.5	118,071	5.2	2.3	2,282,114
TOTAL PLASTICS	2,530,809	96.8	6.5	82,780	3.2	1.6	2,613,589
HDPE CONT	254,795	95.1	0.7	13,255	4.9	0.3	268,051
PET CONT	63,905	80.2	0.2	15,825	19.8	0.3	79,730
FILM PLASTICS	788,189	96.7	2.0	27,137	3.3	0.5	815,326
OTHER PLASTICS	1,423,920	98.2	3.6	26,563	1.8	0.5	1,450,483
TOTAL GLASS	1,313,100	71.6	3.4	519,660	28.4	10.1	1,832,760
REFILL BEV. CONT	38,335	80.4	0.1	9,370	19.6	0.2	47,704
CA REDEM VALUE	383,865	55.3	1.0	309,838	44.7	6.0	693,703
OTHER RECYC	666,434	77.4	1.7	194,774	22.6	3.8	861,208
OTHER NON-RECYC	224,466	97.5	0.6	5,678	2.5	0.1	230,144
TOTAL METALS	1,991,800	92.5	5.1	161,890	7.5	3.1	2,153,690
ALUM CANS	101,908	41.9	0.3	141,587	58.1	2.7	243,495
BI-METAL CONT	50,407	71.3	0.1	20,303	28.7	0.4	70,711
FERR / TIN CANS	1,297,509	100.0	3.3	0	0.0	0.0	1,297,509
NON-FERR / AL SCRAP	172,149	100.0	0.4	0	0.0	0.0	172,149
WHITE GOODS	197,544	100.0	0.5	0	0.0	0.0	197,544
OTHER METALS	172,283	100.0	0.4	0	0.0	0.0	172,283
TOTAL YARD WASTE	5,604,245	90.6	14.3	580,603	9.4	11.2	6,184,848
YARD WASTE	5,604,245	90.6	14.3	580,603	9.4	11.2	6,184,848
TOTAL OTHER ORGANIC	8,885,197	90.4	22.7	945,889	9.6	18.3	9,831,086
FOOD WASTE	2,663,361	89.0	6.8	329,723	11.0	6.4	2,993,084
TIRES / RUBBER	438,254	88.3	1.1	58,108	11.7	1.1	496,362
WOOD WASTES	3,318,556	87.9	8.5	457,513	12.1	8.9	3,776,069
AGRIC CROP RES	78,342	100.0	0.2	0	0.0	0.0	78,342
MANURE	109,603	100.0	0.3	0	0.0	0.0	109,603
TEXTILES / LEATHER	848,148	95.4	2.2	40,747	4.6	0.8	888,895
OTHER MISC. ORGANIC	1,009,802	96.4	2.6	37,242	3.6	0.7	1,047,044
DISPOSABLE DIAPER	419,130	94.9	1.1	22,557	5.1	0.4	441,687
TOTAL OTHER WASTE	7,469,588	97.8	19.1	170,009	2.2	3.3	7,639,598
INERT SOLIDS	3,504,907	100.0	9.0	0	0.0	0.0	3,504,907
HHW / HHW CONTAINER	217,032	96.1	0.6	8,735	3.9	0.2	225,766
FURNITURE	9,332	79.2	0.0	2,454	20.8	0.0	11,786
BULKY ITEMS	29,593	93.0	0.1	2,238	7.0	0.0	31,832
OTHER OTHER WASTE	3,708,724	95.9	9.5	156,583	4.1	3.0	3,865,307
TOTAL SPECIAL WASTES	541,889	84.3	1.4	100,878	15.7	2.0	642,767
ASH	179,782	74.9	0.5	60,380	25.1	1.2	240,162
SEWAGE SLUDGE	37,320	86.4	0.1	5,869	13.6	0.1	43,189
INDUSTRIAL SLUDGE	16,449	99.4	0.0	101	0.6	0.0	16,549
ASBESTOS	5,016	100.0	0.0	0	0.0	0.0	5,016
AUTO SHRED WASTE	54,109	100.0	0.1	23	0.0	0.0	54,132
AUTO BODIES	1,523	14.6	0.0	8,926	85.4	0.2	10,448
OTHER SPECIAL WASTE	247,692	90.6	0.6	25,579	9.4	0.5	273,270

ACTUAL LANDFILL DISPOSAL FOR 1990 = 40,513,586 TONS
COMPARED TO ESTIMATED = 39,086,721 TONS (96%)

INFORMATION ON SAMPLED JURISDICTIONS:
SAMPLE POPULATION = 25,527,965
% OF STATEWIDE POPULATION (29,558,000) = 86.4%
NUMBER OF JURISDICTIONS = 458
% OF STATEWIDE JURISDICTIONS = 88.4%

TABLE 2

REPORT SUMMARY FOR CALENDAR YEAR 1990
(DEPARTMENT OF GENERAL SERVICES
AND
CALIFORNIA STATE UNIVERSITY SYSTEM)

CATEGORY	$ TOTAL*	$ RECYCLED*	PERCENT OF TOTAL
Paper and Paper Products	$26,297,334	$4,949,771	18.82%
Plastic Products	1,735,595	37,274	2.15%
Glass Products	713,500	578,291	81.05%
Oil	786,715	1,540	0.20%
Paints and Solvents	1,452,969	2,287	0.16%
Compost and Co-Compost	81,938	4,609	5.62%
Tires	5,081,021	655	0.01%
Total	36,149,072	5,574,427	15.42%

*Actual Total Values may be higher than reported due to the unavailability of data from the Procurement Information Network (PIN) data input system.

Source: Report on Purchases of Recycled Commodities by the State of California for 1990, Table 1. Department of General Services.

TABLE 3

REPORT SUMMARY FOR CALENDAR YEAR 1990
DEPARTMENT OF GENERAL SERVICES

CATEGORY	$ TOTAL*	$ RECYCLED*	PERCENT OF TOTAL
Paper and Paper Products	$21,743,666	$4,677,399	21.50%
Plastic Products	1,336,475	0	0.00%
Glass Products	574,456	574,416	99.99%
Oil	673,127	0	0.00%
Paints and Solvents	1,056,820	0	0.00%
Compost and Co-Compost	0	0	0.00%
Tires	5,000,000	0	0.00%
Total	30,384,544	5,251,815	17.28%

*Actual Total Values may be higher than reported due to the unavailability of data from the Procurement Information Network (PIN) data input system.

Source: Report on Purchases of Recycled Commodities by the State of California for 1990, Table 1. Department of General Services.

TABLE 4

REPORT SUMMARY FOR CALENDAR YEAR 1990
CALIFORNIA STATE UNIVERSITY SYSTEM

CATEGORY	$ TOTAL*	$ RECYCLED*	PERCENT OF TOTAL
Paper and Paper Products	$ 4,553,668	$ 272,372	6.00%
Plastic Products	399,120	37,274	9.34%
Glass Products	139,044	3,875	2.80%
Oil	113,588	1,540	1.36%
Paints and Solvents	396,149	2,287	0.58%
Compost and Co-Compost	81,938	4,609	5.62%
Tires	81,021	655	0.81%
Total	5,764,528	322,612	5.60%

*Actual Total Values may be higher than reported due to the unavailability of data from the Procurement Information Network (PIN) data input system.

Source: Report on Purchases of Recycled Commodities by the State of California for 1990, Table 1. Department of General Services.

TABLE 5

SUMMARY OF RECYCLED-CONTENT PRODUCTS PURCHASES
(DEPT. OF GENERAL SERVICES STATEWIDE CONTRACTS)
CALENDAR YEAR 1990

CONT. NO.	DESCRIPTION	EST. QUANTITY	EST. DOLLAR	RECYCLED
1-89-93-40	BOOK PAPER COATED	7,545 rm	$ 948,728	NO
1-89-93-41	TAGBOARD, MANILA AND WHITE	211,254 pg	$ 57,276	NO
1-89-93-38	# 4 LEDGER	175,000 lbs	$ 48,789	NO
1-90-93-44	LIGHTWEIGHT BOOK-PAPER	582,500 lbs	$ 406,380	NO
1-90-93-37	CONSUMABLE TEXT-BOOK STOCK (OSP)	5,000,000 lbs	$1,637,500	NO
1-89-75-05	COMPUTER PAPER (SEE NOTE 1.)	1,330,742 rm	$3,887,489	NO
1-89-75-30	CARBONLESS PAPER	90,620 rm	$ 318,984	NO
1-89-75-39	STD. COMM. GRADE REG. (OSP)	652,883 rm	$1,449,885	NO
1-89-75-40	CARBONLESS PAPER (OSP)	190,000 rm	$ 980,619	NO
1-89-75-46	ENG. REPRO (DOT)	6,000 rl	$ 58,860	NO
1-90-75-01	ENVELOPES	124.05M ea	$1,989,565	NO
1-89-75-42	XEROX PAPER FOR HI-VOL. COPIER-MACHINES (SEE NOTE 2.)	501,667 rm	$1,472,188	YES
1-90-81-04	LUNCH BOXES	2,500,000 ea	$ 170,000	YES
1-90-93-33	ROLL NEWSPRINT	5,900,000 lbs	$1,513,013	YES
1-90-99-03	PAPER BOOK MATCHES (SEE NOTE 3.)	4,875 cs	$ 90,459	YES
1-89-85-34	TOILET TISSUE	29,473 cs	$ 981,673	YES
1-90-73-02	FOOD SERVICE, DISPOSABLE	(SEE NOTE 4.)	$ 90,459	YES
1-90-80-01	GLASS SPHERES (BEADS)	3,136,100 lb	$ 574,416	YES
1-90-80-04	TRAFFIC LINE PAINT SOLVENT BORNE	113,300 gl	$ 647,569	NO
1-89-80-05	MAINTENANCE PAINT	43,463 gl	$ 409,251	NO
1-89-91-03	LUBE OIL & GREASE	250,000 gl	$ 673,127	NO
1-89-26-03	HIGH SPEED RADIAL	21,750 ea	$1,000,000	NO
1-89-26-01	AUTO, LIGH TRUCKS	100,000 ea	$4,000,000	NO

NOTES:

1. ALL DIFFERENT SIZES CONVERTED TO COMMERCIAL REAMS.
2. PREFERENCE COST OF $50,000.
3. COVER MADE FROM RECYCLED-CONTENT ONLY.
4. QUANTITIES VARY FOR DIFFERENT LINE ITEMS WITH DIFFERENT UNITS OF MEASURE.

TABLE 6

SUMMARY OF RECYCLED-CONTENT PRODUCTS PURCHASES
(DGS, OFFICE OF PROCUREMENT, MATERIAL SERVICES STORES CONTRACTS)
CALENDAR YEAR 1990

CONT. NO.	DESCRIPTION	EST. QUANTITY	EST. DOLLAR	RECYCLED
10900146	BOOK STENO GRAPHICS	936,672 ea	$ 35,845	NO
10900177	BINDER FILLER SHTS	15,550 bd	$ 12,211	NO
10900168	SCRATCH PADS	72,000 ea	$ 8,247	NO
10900206	WRITING PADS	43,968 ea	$ 28,148	NO
10900096	COVER STOCK	25,420 pg	$ 142,914	NO
13890197	PAPER BOND	1,231,600 rm	$ 3,119,144	NO
10900176	PAPER MEMO PAD	24,768 pg	$ 17,087	NO
10910002	SCRATCH PADS	14,304 ea	$ 4,577	NO
10910024	BINDER FILLER SHTS	20,300 ea	$ 11,268	NO
10900229	WRITING PADS	282,288 ea	$ 149,612	NO
10900115	PAPER BOND MIMEO & AND DUPLICATOR	191,030 rm	$ 464,505	NO
10900093	PLAYING CARDS	8,976 dz	$ 58,363	NO
10900226	BINDER INDEX	17,350 ea	$ 14,459	NO
10900260	BOOKS ACCT. & MEMO	28,377 ea	$ 29,870	NO
10900155	PAPER BLOTING & BOOKS	52,600 ea	$ 18,763	NO
10900209	STENO TYPE PADS	6,850 pg	$ 4,178	NO
10900140	CARTON CORRUGATED FIBERBOARD	230,300 ea	$ 103,112	NO
10900222	CONTAINERS, CORRUGATED	385,000 ea	$ 384,040	NO
10900133	INDEX CARDS	92,900 pg	$ 50,987	NO
12900080	NOTE PADS REPOSITIONAL	134,920 pg	$ 287,206	NO
10900167	PAPER RAG BOND	34,610 rm	$ 162,173	YES
10910010	PAPER, BAGS, GROCERS	4,280 ea	$ 91,500	YES
10900219	TOILET SEAT COVERS & DISPENSERS	4,270 cs	$ 105,934	YES
10910038	WASTE BASKET, PLASTIC	3,450 ea	$ 5,300	NO
10900150	BRIEFCASE, PLASTIC EXP.	4,884 ea	$ 22,211	NO
10900180	GARBAGE CANS, VINYL	8,120 ea	$ 78,329	NO
10900243	BINDER VINYL & PLASTIC	105,200 ea	$ 244,298	NO
12900241	BAGS, PLASTIC, WASTE	53,790 cs	$ 986,337	NO

TABLE 7

SUMMARY OF RECYCLED-CONTENT PRODUCTS PURCHASES
(DEPT. OF GENERAL SERVICES, PURCHASE ORDERS)
CALENDAR YEAR 1990

P. O. NO.	DESCRIPTION	EST. QUANTITY	EST. DOLLAR	RECYCLED
2636	COVER	1,250 ea	$ 1,852	NO
2816	PAPER BRISTTOL WEATHER PROOF	5,000 lb	$ 5,600	NO
2320	PAPER MISC. CUT STK.	3,000 sh	$ 1,350	NO
2320	PAPER COVER BOARD	100 sh	$ 213	NO
2320	PAPER COVER STOCK	100 sh	$ 124	NO
2320	PAPER VELLUM	2,000 sh	$ 760	NO
2320	PAPER MISC. ROLL STK.	2 rl	$ 82	NO
1567	PAPER CONT. FEED	450 cs	$ 7,461	NO
2217	PAPER BOND	24 rl	$ 4,692	NO
2940	PAPER MISC. CUT STK.	42,000 sh	$ 6,722	NO
5340	PAPER VELLUM	10 rm	$ 807	NO
5327	PAPER BOND ENG. REPRO.	200 rl	$ 5,000	NO
4854	PAPER CONTINUOUS	21,000 mx	$ 571	NO
5816	PAPER CUT STOCK	125 mx	$ 2,161	NO
4670	PAPER DUPLICATOR	1,000 rm	$ 3,310	NO
5464	PAPER SAFETY CUT STK.	178 mx	$ 4,143	NO
2879	PAPER VELLUM WHITE	2,400 rm	$ 17,496	NO
2227	PAPER CONT. FEED	800 cs	$ 13,968	NO
2425	PAPER CONT. FEED	1,538 cs	$ 30,437	NO
2252	PAPER CONT. FEED COMP.	1,600 ct	$ 23,616	NO
1553	PAPER CARBONLESS PARENT STK DIFF. SIZES	7,593 rm	$ 40,529	NO
2315	PAPER CONT. COMPUTER	900 cs	$ 21,465	NO
5397	PAPER CONT.	1,750 mx	$ 5,565	NO
5536	PAPER CONT. COMPUTER	900 cs	$ 21,492	NO
4651	PAPER CONT.	1,500 cs	$ 22,560	NO
5217	PAPER BOND ENG. PROD.	250 rl	$ 10,750	NO
3251	PAPER BOOK OFFSET	12,000 rm	$ 80,400	NO
5087	PAPER CONT. COMPUTER	1,000 mx	$ 4,530	NO

TABLE 8

ESTIMATED USED OIL VOLUME AND PERCENTAGE RECYCLED
IN THE STATE OF CALIFORNIA FOR CALENDAR YEAR 1989
(Volume in U.S. Gallons)

Total U.S. Oil sales, industrial and automotive oils, is 2,355,751,000 gallons.*
California population is twelve (12%) percent of the United States. Multiply
2,355,751,000 by twelve percent (12%) to calculate the amount of oils sold in
the State of California which is : ..... 282690120 gallons

It has been estimated that forty-three percent (43%) of the oils purchased are
consumed during its intended used. This leaves fifty-seven percent (57%) of the
which is available for recycling. Multiply 282,690,120 gallons by fifty-seven
percent (57%) to calculate the volume of used oil available for recycling in
the State of California, which is:..... 161133368.4 gallons

Although Used Oil Recyclers in the State of California reported receiving
115,131,708 gallons of used oil for recycling, only 80,343,235 gallons were
actually recycled. Thirty percent of the used oil received by oil recyclers
was an oil and water mixture which was disposed of or consumed in the process of
recycling the used oil. Divide the volume of used oil recycle 80,343,235 gallons
by the volume of available used oil 161,133,368.40 gallons to calculate the
the percentage of used oil actually recycled in the State of California 49.861326551 50%

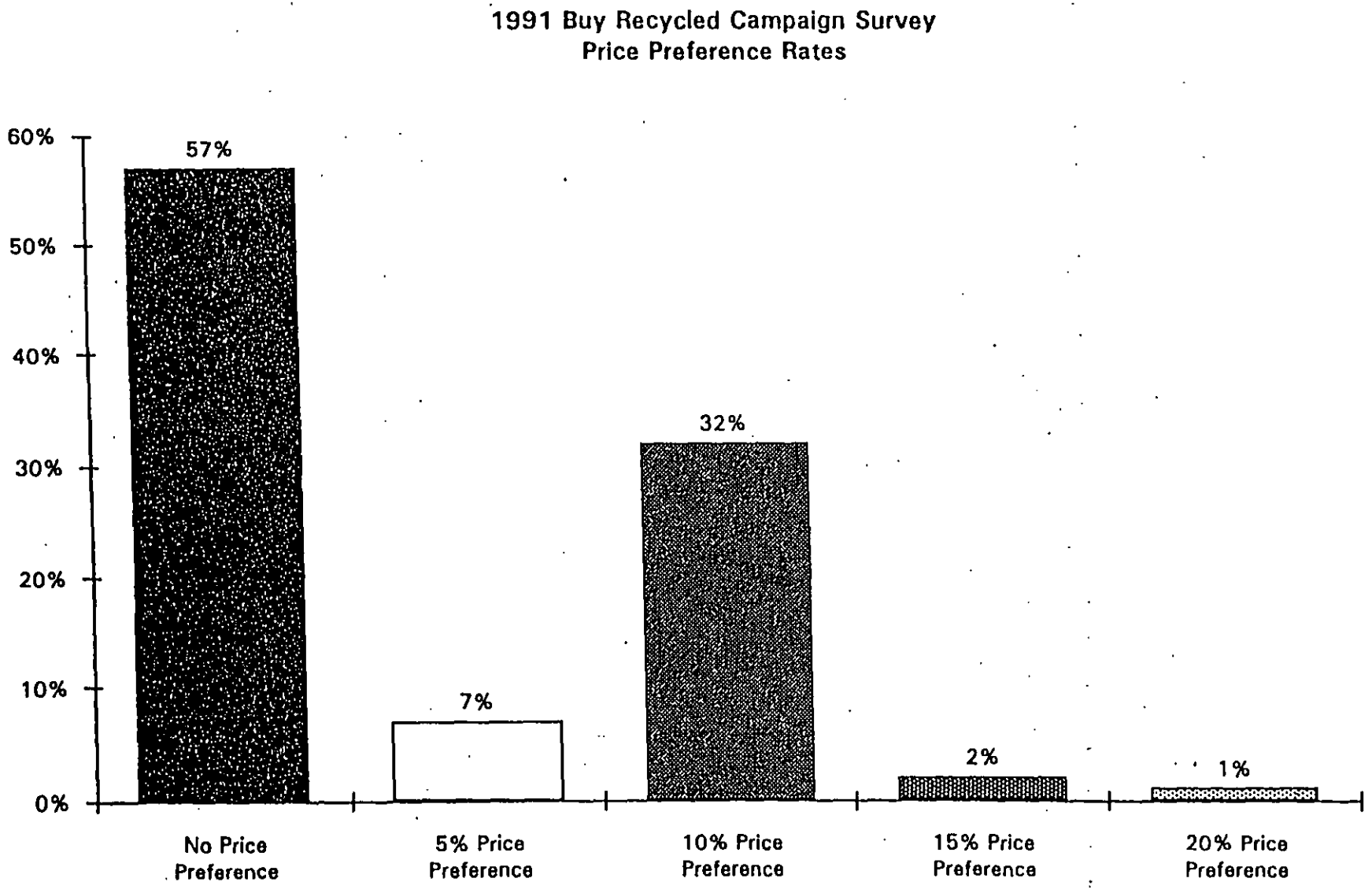
The estimate percentage of used oil recycled by the citizens of the State of California is
determined by the volume of used oil received by used oil recyclers 115,131,708 gallons
divided by the volume of available used oil in the state 161,133,368.40 gallons.
The estimated percentage of used oil returned for recycling is 71.45118925 71%

The estimated percentage of used oil illegally disposed of in the state 28.54881075 29%

The estimated percentage of used oil consumed/disposed of in the recycling processes 30.216239822 30%

*National Petroleum Refiners Association 1989 Report on U.S. Lubricating Oil Sales

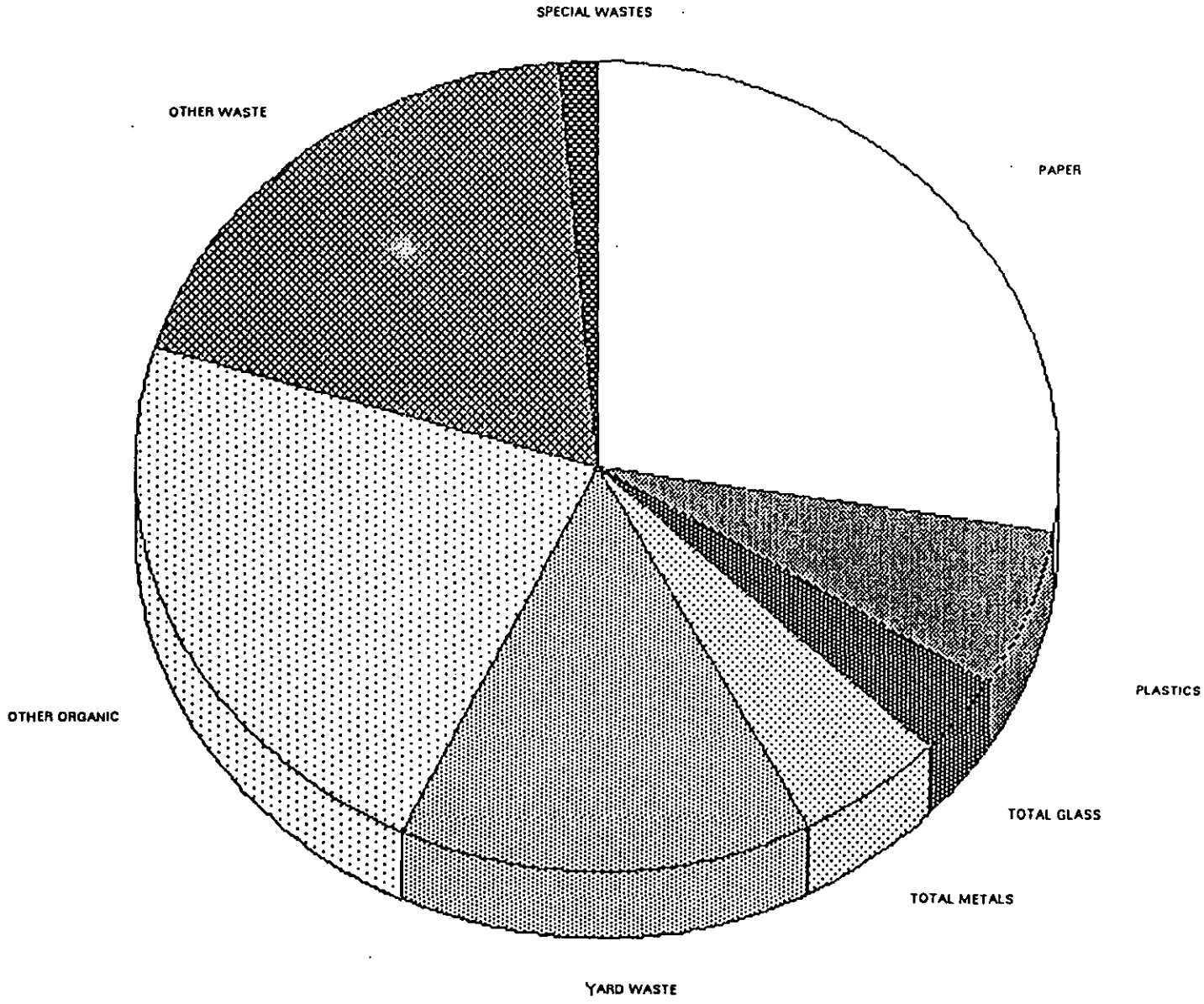
GRAPH 3



Source: Results of "Buy Recycled" Campaign Questionnaire. Sponsored by The U.S. Conference of Mayors and The U.S. Environmental Protection

Graph 1

ESTIMATED AVERAGE COMPOSITION OF DISPOSED WASTE IN THE 1990 CALIFORNIA WASTE STREAM



BASED ON INFORMATION IN PRELIMINARY DRAFT SRREs SUBMITTED BY JURISDICTIONS

INTERIM DATABASE PROJECT DRAFT 4/20/92

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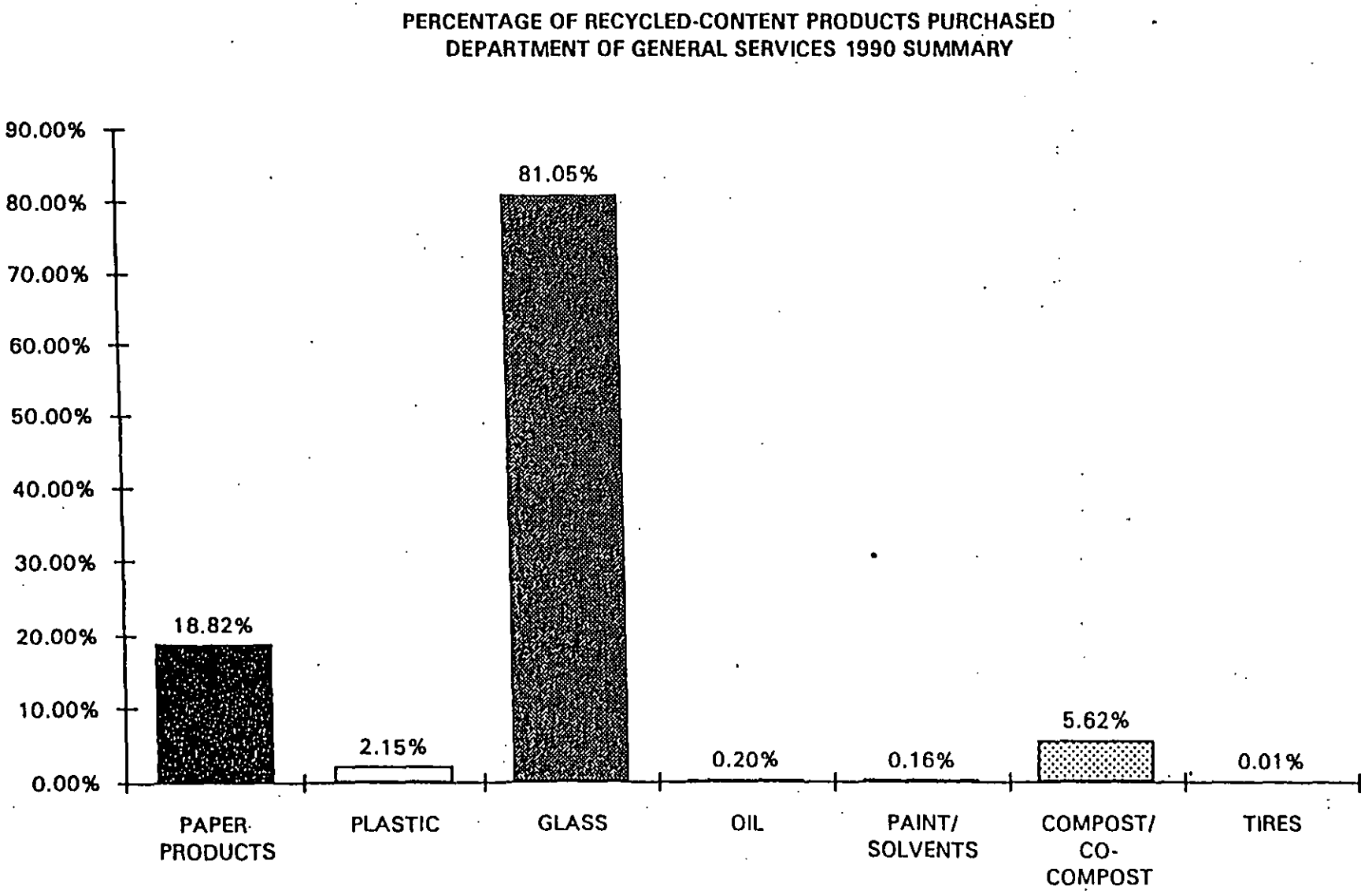
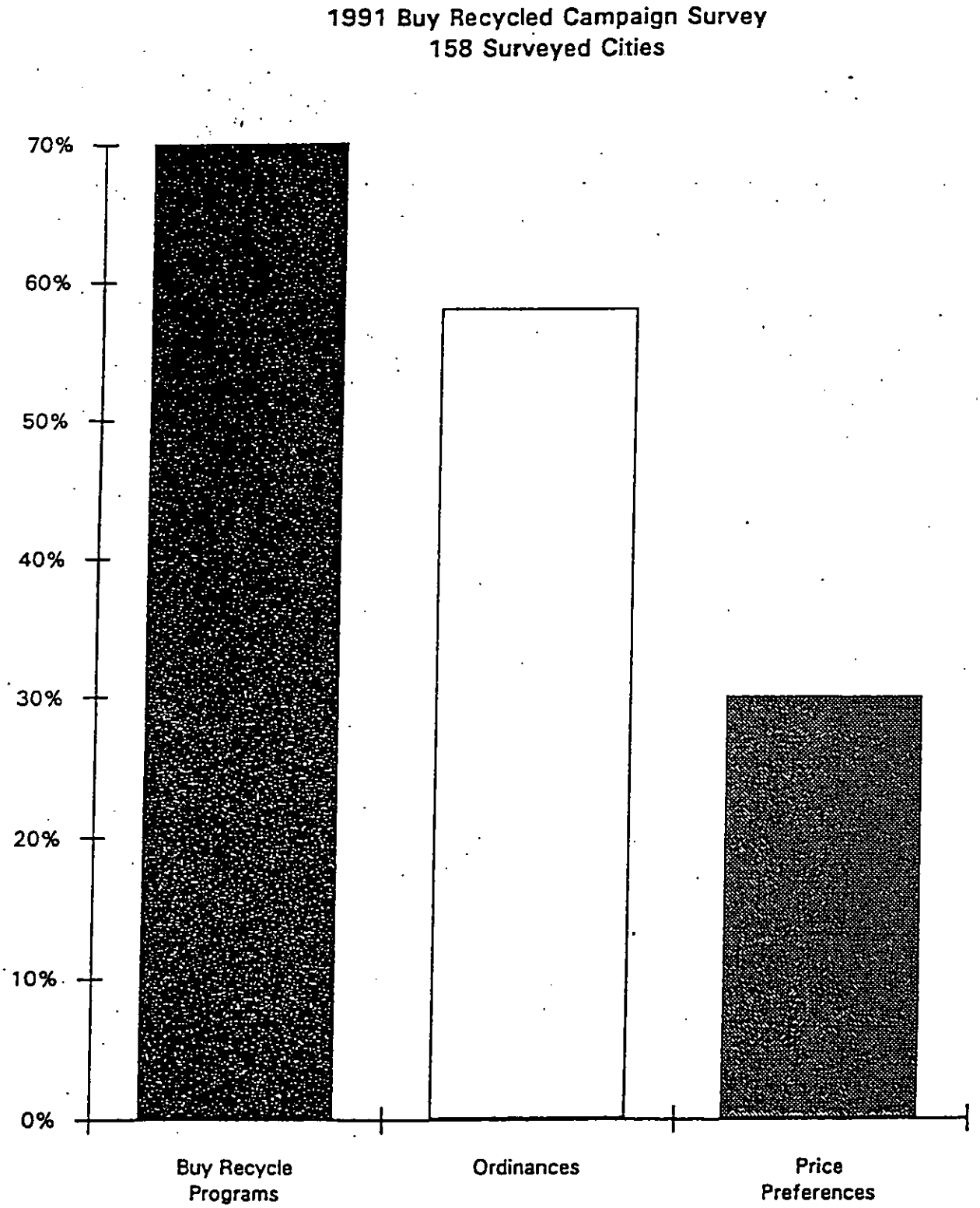
GRAPH 2



Source: Report on Purchases of Recycled Commodities by the State of California for 1990, Table 1. Department of General Services.

GRAPH 4



Source: Results of "Buy Recycled" Campaign Questionnaire. Sponsored by The U.S. Conference of Mayors and The U.S. Environmental Protection Agency.

QUESTIONNAIRE ON PAGE 3 MUST BE RETURNED WITH YOUR BID

RECYCLED PAPER AND PAPER PRODUCTS PROCUREMENT

(Rev. 4/91)

Bids which offer recycled paper and paper products will be given a 5 percent preference. The 5 percent preference will apply only to those paper products which are identified as recycled and which meet the bid specifications. If equal bids are received for recycled paper products, the award will be made to the bidder whose product contains the greater percentage of postconsumer waste.

You MUST complete the attached form, whether or not your firm offers recycled paper or paper products. If necessary, you may certify a zero-percent content. Failure to do so may disqualify your bid from consideration as the lowest responsible bidder. This is dictated by Section 10308.5 of the Public Contract Code, which states:

> 10308.5. Contractors shall certify in writing, under penalty of perjury, to the state agency awarding a contract, the minimum, if not exact, percentage of recycled content, both postconsumer waste and secondary waste as defined in Section 12161 and 12200, in materials, goods, or supplies offered or products used in the performance of the contract, regardless of whether the product meets the required recycled products percentages in Sections 12161 and 12200. The contractor may certify that the product contains zero recycled content. This section shall apply to all state contracts and, to the extent feasible, all federally funded contracts.

Recycled paper products must comply with Public Contract Code Section 12161. This section states:

> 12161. For the purpose of this article, "recycled paper product" means all paper and woodpulp products containing postconsumer waste and secondary waste materials, as defined in this section. "Postconsumer waste" means a finished material which would normally be disposed of as a solid waste, having completed its life cycle as a consumer item. "Secondary waste" means fragments of finished products or finished products of a manufacturing process, which converted a virgin resource into a commodity of real economic value, and includes postconsumer waste, but does not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), wood slabs, chips, sawdust, or other wood residue from a manufacturing process.
>
> "Recycled paper product" means a paper product with not less than 50 percent of its total weight consisting of secondary and postconsumer waste with not less than 10 percent of its total weight consisting of postconsumer waste.

(continued on Page 2)

Attachment A

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Paragraphs (b) through (d) of Public Contract Code Section 12162 describe the recycled paper preference and its maximum cost. [Public Contract Code Section 12155 (a) defines "Department" as the Department of General Services.]

> 12162 (b) The department shall give a preference to the suppliers of recycled paper products as defined in Section 12161. This preference shall be up to 5 percent of the lowest bid or price quoted by suppliers offering nonrecycled paper products.
>
> In bids in which the state has reserved the right to make multiple awards, the recycled paper preference cost shall be applied, to the extent possible, so as to maximize the dollar participation of recycled business in the contract award.
>
> (c) The combined dollar amount of preference granted pursuant to this section and any other provision of law shall not exceed one hundred thousand dollars ($100,000).
>
> (d) Notwithstanding subdivision (b), and subdivision (a) of Section 12168, the recycled paper preference shall not exceed fifty thousand dollars ($50,000) if a preference exceeding that amount would preclude an award to a small business that offers nonrecycled paper products and is qualified in accordance with Section 14838 of the Government Code. This subdivision shall apply only when the small business is the lowest responsible bidder or is eligible for contract award on the basis of the 5 percent small business preference.

Public Contract Code Section 12163 (c) requires bidders claiming the recycled paper preference to certify that the products offered meet the above definitions:

> 12163 (c) When contracting with the department for the sale of material subject to this article, the contractor shall certify in writing to the contracting officer or his or her representative that the material offered contains the minimum percentage of recycled paper required by Section 12161 and shall specify the minimum, if not exact, percentage of secondary and postconsumer waste in the paper products. The certification shall be furnished under penalty of perjury.

The above sections of the Public Contract Code were added by Assembly Bill 4 (Chapter 1094, Statutes of 1989).

To reflect the above information, all paper and paper product bids will state:

> "All vendors must complete the enclosed RECYCLED PAPER AND PAPER PRODUCTS form, whether or not the commodities offered meet the definition of recycled paper and paper products pursuant to Section 12161 of the Public Contract Code. This form must be completed, even if the percentage is zero."

* * * * * * * * * * * *

_____ Firm

_____ Bid Number

RECYCLED PAPER AND PAPER PRODUCTS

(To be completed by bidder and returned with the bid. Photocopy if additional forms are required.)

Page No.	Line No.	Stock Item No.	Description	Percent Recycled Post Consumer	Secondary	Brand	Mill

The bidder certifies under penalty of perjury that the recycled product(s) to be furnished to the State contain the percentages of recycled materials required by Public Contract Code Section 12161 and that the percentages listed above are correct.

_____
(Signature of Person Completing Form)

_____
(Title/Telephone Number)

_____
(Date)

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RECYCLED OIL

All bidders must complete the attached form, whether or not the products offered contain any recycled content. If necessary, you may certify a zero percent content. Failure to do so may disqualify your bid from consideration as the lowest responsible bidder and your bid may be rejected. This is dictated by section 10308.5 of the Public Contract Code, which states:

> 10308.5. Contractors shall certify in writing, under penalty of perjury to the state agency awarding a contract, the minimum if not exact, percentage of recycled content, both postconsumer waste and secondary waste as defined in section 12161 and 12200, in materials, goods, or supplies offered or products used in the performance of the contract, regardless of whether the product meets the required recycled product percentages in section 12161 and 12200. The contractor may certify that the product contains zero recycled content. This section shall apply to all state contracts and, to the extent feasible, all federally funded contracts.

Recycled oil must comply with Public Contract Code section 12200 and 10405 (e):

> 12200. For the purpose of this article:
> (a) "Recycled product" means all materials, goods, and supplies, no less than 50 percent of the total weight of which consists of secondary waste and postconsumer waste with not less than 10 percent of its total weight consisting of postconsumer waste. A recycled product shall include any product which could have been disposed of as solid waste having completed its life cycle as a consumer item, but otherwise is refurbished for reuse without substantial alteration of its form.
> (b) "Postconsumer waste" means a finished material which would have been disposed of as a solid waste, having completed its life cycle as a consumer item, and does not include manufacturing wastes.
> (c) "Secondary waste" means fragments of finished products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, includes postconsumer waste, but does not include excess virgin resources of the manufacturing process.
>
> 10405 (e). "Recycled oil" means recycled oil, as defined in subdivision (c) of section 25250.1 of the Health and Safety Code.

The above sections of the Public Contract Code were added by Assembly Bill 4 (Chapter 1094, Statute of 1989) and Assembly Bill 1570 (Chapter 1226, Statutes of 1989).

Firm

Bid Number

RECYCLED OIL

(To be completed by bidder and returned with the bid. Photocopy if additional forms are required.)

Page No.	Line No.	Stock Item No.	Description	Percent Recycled Post Consumer	Secondary	Base Stock Branu

The bidder certifies under penalty of perjury that the recycled product(s) to be furnished to the State contain the percentages of recycled materials required by Public Contract Code Section 12200 and that the percentages listed above are correct.

(Signature of Person Completing Form)

(Title/Telephone Number)

Date)

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RECYCLED LEAD-ACID BATTERY PROGRAM

All bidders must provide the information requested per this attachment and sign this attachment and return with the bid. Failure to do so may disqualify your bid from consideration as the lowest responsible bidder and your bid may be rejected.

Recycled lead-acid batteries must comply with Public Resource Code Sections 42440 and 42441. These sections state:

42440. For the purpose of this chapter, "lead-acid battery" means any battery which is primarily composed of both lead and sulfuric acid, with a capacity of six volts or more, and which is used for any of the following purposes:

(a) As a starting battery which is designed to deliver a high burst of energy necessary to crank an engine until it starts.

(b) As a motive power battery which is designed to provide the source of power for propulsion or operation.

(c) As a stationary standby battery which is designed to be used in systems where the battery acts as a source of emergency power, serving as a backup in case of failure or interruption in the flow of power from the primary source.

42441. "Recycled lead-acid battery" means any lead acid battery which contains a minimum percentage of postconsumer recovered lead. The required minimum percentage of postconsumer recovered lead shall be determined by the board in consultation with the Market Development Commission.

Public Resource Code Section 40110 defines "board" as California Integrated Waste Management Board.

For the purpose of this bid all lead-acid batteries shall be recycled lead-acid battery and shall contain a minimum of 75 percent postconsumer recovered lead.

The bidder certifies under penalty of perjury that the percentages of postconsumer recovered lead of all lead-acid batteries as provided in the CONTRACT PRICE SHEET for all areas meets the above requirements.

_____
(Name of Person Certifying)

_____
(Signature)

_____
(Title/Telephone No.)

_____
(Date)

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

AGENDA ITEM # 16

ITEM: Consideration of Adoption of Recycling Market Development Zone Designations for 1991-1992

COMMITTEE ACTION: On June 9, 1992, staff presented their recommendations on the eight Recycling Market Development Zone designations for 1991-1992 to the Market Development Committee. The Market Development Committee approved staff's recommendations for the eight Zone designations and forwarded the eight recommendations to the Board for consideration of formal designation at the June 24, 1992 meeting.

BACKGROUND: On June 27, 1991, the Board adopted the Recycling Market Development Zone (Zone) regulations. On September 6, 1991 the Zone regulations were approved by the Office of Administrative Law and filed with the Secretary of State.

On October 7, 1991, the Market Development Committee adopted staff's recommendations on the Statewide Objectives and Scoring to be utilized in the review, evaluation and scoring of Zone applications, determined that eight Zones were to be designated in this first cycle, and approved the official start date (December 1, 1991) of the first Zone Designation Cycle (1991-1992).

On October 30, 1991, the Board concurred with the Market Development Committee's action and adopted staff's recommendations on the Statewide Market Development Objectives and Scoring, determined that eight zones were to be designated in the first Designation Cycle, and approved the Zone program's official start date of December 1, 1991.

On December 1, 1991, staff distributed the Notice of Commencement for the first Zone Designation Cycle. On December 3 in Los Angeles, and December 5 in Sacramento, staff conducted pre-application workshops to assist prospective applicants in the preparation of their Zone applications.

From December 31, 1991 to March 27, 1992, staff were "out in the field" providing direct technical assistance to prospective Zone applicants. This included making presentations to elected officials, businesses and non-profit organizations, "team-building" at the local level, disseminating information to Zone applicants, participation at brainstorming sessions on the creative elements of the application, attending and participating

in conferences on economic development and recycling, consulting jurisdictions on California Environmental Quality Act (CEQA) compliance for Zone applications, and touring prospective Zone areas.

March 29, 1992 was the deadline for submitting Zone applications to the Board. We received 17 applications for the eight designations available in this first cycle. The 17 applications received for Designation Cycle 1991-1992 are provided as Attachment #1.

March 31 through May 12, 1992, staff conducted the review, scoring and evaluation of the 17 applications. The review process is described in the discussion portion of this item.

ANALYSIS:

General Comments

The 17 Zone applications received represent the first efforts by jurisdictions throughout the State of California to establish Recycling Market Development Zones for the purposes of local economic development of Secondary Material Business Enterprises.

Some general information on the Zone Applications:

- Communities have developed detailed, creative, logical plans that have demonstrated Zones can be implemented, and will succeed. These strategic plans will guide local economic development efforts.

- These economic development efforts were integrated into the overall Integrated Waste Management processes such as inclusion in the Source Reduction and Recycling Elements and the Countywide Integrated Waste Management Plans, and were coordinated with the Local Task Force and Solid Waste Management Authorities.

- These strategic plans represent excellent planning models ranging from growth management and general planning considerations in establishing Zones, to industrial shoreline and port location models, to industrial park and redevelopment area efforts, to international efforts along border areas.

- The formation of multi-disciplinary teams to foster participation and communication among the key players has proven invaluable.

- Communities have networked and coordinated their efforts with Urban and Regional Planners, Economic Development Specialists, and Solid Waste Professionals.

- A strong level of support by decision makers, private businesses, non-profit organizations, and financial institutions has been demonstrated.

- A strong regional effort has been demonstrated through multi-jurisdictional participation and the geographic extent of area(s) identified as the "Zone" for market development purposes.

- These proposed Zones are geographically distributed among the following regions: Bay area, northern, Central valley, and southern California.

These strategic plans demonstrate how communities, once empowered, are motivated and determined to get things done. Furthermore, given the encouragement to determine their own destinies, communities will remain committed to implementing these local economic development efforts, given support in the form of technical assistance and information.

Procedures for the Review, Scoring, and Evaluation of Recycling Market Development Zone Applications

As required by Public Resources Code (PRC) Section 42157, Zone staff consulted with the Enterprise Zone Program staff of Department of Commerce regarding the development of scoring and evaluation procedures for Zone applications.

In concert with Enterprise Zone staff (John Henry King, Sam Parades, and Debra Areson), Zone staff developed a practical and defendable scoring and evaluation system based on methods successfully employed to designate Enterprise Zones for seven years. Input from the Enterprise Zone staff has been invaluable to the Zone program from the development of the regulations to the implementation of this program.

The following procedures are in accordance with Statutes [Public Resources Code (PRC) Sections 42140 - 42158] and the regulations that govern the Zone program [Title 14, California Code of Regulations (CCR) Sections 17900 - 17915]:

- Establishment of a point of Contact: All calls were directed to the Program Manager during the review period.

- Establishment of Protocol Procedures: An essential element for the review, evaluation and scoring of Zone applications, is the establishment of protocol. Staff confidentiality was protected to ensure that no lobbying takes place and, more importantly, to allow staff to maintain a good working relationship with the prospective Zone designees after official designations are made by the Board. At all times reviewers were kept anonymous.

- Establishment of a Three-Phase Review Process: The process for review, scoring and evaluation of applications was conducted in three phases. This process is described below.

Phase 1: Log-in and Initial Review

All applications received were date stamped, logged-in and divided among Zone staff. Letters confirming receipt of the application and protocol instructions were sent to all applicants on April 2, 1992.

Zone staff conducted the Initial Review or "completeness check" of applications to identify any deficiencies regarding eligibility for participation in the program or identifying information missing from the Zone applications. Each applicant was granted 14 calendar days to correct deficiencies and submit changes to staff (CCR Sections 17905 - 17907).

Initial Review letters were sent to applicants on April 10, 1992. All deficiencies were corrected and revisions were submitted on time. All 17 applicants successfully completed the Initial Review.

Phase 2: Pass/Fail

Zone staff then conducted the Technical Review portion of the evaluation process. Each application was evaluated to determine whether the plan could be implemented and had the ability to succeed. The applications were evaluated on a pass/fail basis. The following factors were considered in this phase of the evaluation process (CCR Section 17907):

- An analysis of how the Zone will be supplied with the necessary feedstock to support the number and types of businesses planned for development within the Zone;

- A marketing plan that describes how the Zone will attract new, and stabilize and expand existing, businesses;

- A description of the funding and organizational structure of the Zone;

- A description of the financial support that will be available to businesses in the Zone;
- A description of the real property and buildings available in the Zone for market development purposes; and
- An analysis of the existing or planned infrastructure to determine whether sufficient infrastructure will exist to support the Zone.

All 17 applicants were successful in this phase of the process. Technical Review letters were sent to applicants on April 24, 1992.

Phase 3: Scoring the Plan Against the Statewide Objectives

Zone staff then conducted the Substantive Review portion of the evaluation. This is where applications were scored according to consistency with the Statewide Objectives for Market Development (CCR Section 17909). The Statewide Objectives were adopted by the Market Development Committee on October 7, 1991 and by the Board on October 30, 1991. They are:

- To select Zones that have the greatest regional effect and distribute them geographically to stimulate Statewide market development (50 points);
- To select Zones that utilize technologies that add highest economic value to secondary materials (25 points); and
- To select Zones that extend regional landfill capacity (25 points).

Two staff were assigned to review each objective (each objective was reviewed independently). Independent scores were computed and averaged for each objective. Zone staff then compiled the averaged scores for each objective and computed a total score for consistency with the three Statewide objectives. The 17 applicants were narrowed down to 12 candidates. The scores for the 12 candidates ranged from 63 to 86 points, out of a total 100 points.

Final Evaluation:

The 12 candidates moved into the final evaluation portion of Phase Three. Staff then conducted a comparative analysis of the applications. The procedures employed by staff in the final evaluation process are consistent with PRC Section 42150, which provides the opportunity to further evaluate applications in the event the number of eligible candidates for designation exceeds

the number of designations available. The following factors were considered by staff in the final phase:

- Clarity and adherence to the principles of good planning as demonstrated by clearly stated goals and objectives;
- An effective, innovative, and comprehensive strategy for attaining Market Development goals and objectives; and
- Recent catastrophic events experienced by some communities and the associated social, physical, and economic impacts that have resulted.

Staff computed a total score for the 12 finalists and ranked them according to the final scores. Four finalists were eliminated in this phase of the process.

The eight prospective Zone designees represent the best applications. Scores for the top eight applications ranged from 70 to 86 points out of a total possible points of 100. The review, scoring and evaluation process was completed on May 12, 1992 (refer to Attachment #2).

STAFF COMMENTS:

The purpose of this item is twofold:

- To present staff's recommendations on the eight Recycling Market Development Zones for Designation Cycle 1991 - 1992 to the Board; and
- To seek approval from the Board on staff's recommendations and officially designate the eight Zones.

ATTACHMENTS:

1. Recycling Market Development Zone Applicants 1991-1992
2. Recycling Market Development Zone Designees 1991-1992
3. Resolution adopting the Recycling Market Development Zones for 1991-1992

Prepared By: Martha Diaz Martha Diaz Phone: 2396

Approved By: Tom Rietz J. Smith for Tom Rietz Phone: 2385

Legal Review/Approval: RK Date/Time: 6-17-92

ATTACHMENT #1

RECYCLING MARKET DEVELOPMENT ZONE APPLICANTS

DESIGNATION CYCLE 1991-1992

1. COUNTY OF CONTRA COSTA
2. CITY OF FREMONT AND UNION CITY
3. COUNTY OF GLENN
4. CITY OF LONG BEACH
5. CITY OF LOS ANGELES
6. COUNTY OF MERCED
7. COUNTY OF MONTEREY
8. CITIES OF OAKLAND AND BERKELEY
9. CITY OF OROVILLE
10. CITY OF PORTERVILLE
11. CITY AND COUNTY OF SACRAMENTO
12. COUNTIES OF SAN BERNADINO AND RIVERSIDE
13. CITY AND COUNTY OF SAN DIEGO
14. COUNTY OF SAN LUIS OBISPO
15. CITY OF SAN JOSE
16. COUNTY OF VENTURA
17. CITY OF VISALIA

ATTACHMENT #2

RECYCLING MARKET DEVELOPMENT ZONE DESIGNEES

DESIGNATION CYCLE 1991-1992

1. COUNTY OF CONTRA COSTA
2. CITY OF LONG BEACH
3. COUNTY OF VENTURA
4. CITIES OF OAKLAND AND BERKELEY
5. COUNTIES OF SAN BERNADINO AND RIVERSIDE
6. COUNTY OF GLENN
7. CITY AND COUNTY OF SACRAMENTO
8. CITY OF LOS ANGELES

ATTACHMENT #3

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
RESOLUTION #92-72

FOR THE ADOPTION OF RECYCLING MARKET DEVELOPMENT ZONES:
TITLE 14, CALIFORNIA CODE OF REGULATIONS
CHAPTER 4, ARTICLE 1.0, SECTION 17900-17915
RECYCLING MARKET DEVELOPMENT ZONE PROGRAM

WHEREAS, Public Resources Code sections 42140-42158 establish the Recycling Market Development Zone Program for the development, stability and expansion of domestic markets for Secondary Materials collected Statewide by fostering the development of a Secondary Materials Business Enterprises; and

WHEREAS, Public Resources Code sections 40505 and 42148 grant the Board the authority to develop regulations and guidelines describing the process for applying for a Recycling Market Development Zone Designation; and

WHEREAS, local governments have determined that current waste management practices and conditions are favorable to the development of Secondary Materials Business Enterprises and the designation as a Recycling Market Development Zone is necessary in order to assist in attracting recycling investments to the area; and

WHEREAS, the eight Recycling Market Development Zone Designees have fulfilled all the requirements outlined in the adopted regulations and guidelines for Zone Designation; and

WHEREAS, the eight Recycling Market Development Zone Designees have developed detailed strategic plans for the purposes of establishing Recycling Market Development Zone; and

WHEREAS, the eight Recycling Market Development Zone Designees have demonstrated that their respective strategic plans can be implemented and will succeed; and

WHEREAS, the Market Development Committee considered the proposed Recycling Market Development Zone recommendations at its June 9, 1992 meeting, approved staff's recommendations on the eight Zone designations, and directed staff to forward the recommendations to the Board for official designation at its June 24, 1992 meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts the Recycling Market Development Zone Designations for 1991-1992 for the purposes of fostering Secondary Material Business Enterprises in California. The eight Recycling Market Development Zone Designations for 1991-1992 are:

1. The County of Contra Costa
2. The City of Long Beach
3. The County of Ventura
4. The Cities of Oakland and Berkeley
5. The Counties of San Bernadino and Riverside
6. The County of Glenn
7. The City and County of Sacramento
8. The City of Los Angeles

CERTIFICATION

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on June 24, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

Agenda Item #17

ITEM: Consideration of State Legislation

BACKGROUND:

At the June 16, 1992 meeting of the Legislation and Public Affairs Committee (LPAC), Board legislative staff provided the Committee with a status report on 1992 legislation relating to integrated waste management. In addition, the LPAC reviewed a number of state bills and recommended positions for the Board's consideration. The Committee's recommendations and other actions on state bills are summarized under "Committee Action" below.

COMMITTEE ACTION:

The LPAC reviewed several state bills and recommended positions for four of the bills. In addition, some bills were forwarded to the full Board without a Committee recommendation and others were removed from the LPAC agenda and were not discussed. A summary of the Committee's recommendations to the Board on state legislation follows:

- AB 2494 (Sher) -- Amends provisions of AB 939 to require use of a "disposal-based" method to determine compliance with diversions requirements, authorizes regional implementation of planning mandates, and provides increased state assistance in the areas of source reduction, public education and market development.

  LPAC RECOMMENDATION: Removed from the LPAC agenda; the bill was not discussed.

- AB 2824 (Speier) -- Requires that no state or local agency would be required to prepare and submit any written report to the Legislature and Governor until January 1, 1995, except under specified conditions.

  LPAC RECOMMENDATION: Removed from the LPAC agenda; the bill was not discussed.

- AB 3001 (Cortese) -- Establishes a new process for considering amendments to countywide siting elements for solid waste disposal or transformation facilities. Also, deletes the current prohibition for siting facilities that do not conform with CoIMPs and instead requires, after a plan has been

approved by the CIWMB, that no person may establish a solid waste facility unless the facility meets certain criteria.

LPAC RECOMMENDATION: Forwarded to the Board for a position without recommendation from the LPAC.

- AB 3348 (Eastin) -- Revises the manner in which funds in the Solid Waste Disposal Site Cleanup and Maintenance Account are allocated.

  LPAC RECOMMENDATION: (3-0) Support.

- AB 3470 (O'Connell) -- Provides a 10% price preference for recycled products purchased by state agencies and local governments if the product is made in California; and 5% if the recycled product is made outside of the state.

  LPAC RECOMMENDATION: The LPAC supports any proposal to increase state procurement of recycled content goods and therefore supports, in concept, this bill. The Board's legislative staff are directed to work with this author, and authors with similar proposals, to increase the procurement of recycled content goods and to seek amendments which best reflect the Board's preferred approach in this policy area.

- AB 3689 (Gotch) -- Requires all state agencies to establish waste management programs by December 31, 1993; and prepare waste audits by September 1, 1993. Each state agency would be responsible for diverting 25% of their solid waste from landfills and transformation facilities by 1996, with this amount increasing to 50% by the year 2000.

  LPAC RECOMMENDATION: (3-0) Support, but defer to the Department of Finance regarding costs.

- SB 1523 (Killea) -- Requires the CIWMB to adopt regulations for the permitting, operation and closure of compost, co-compost, and mulching facilities, and authorizes the Board to distinguish in these regulations between types of facilities based on the volume and type of waste.

  LPAC RECOMMENDATION: Proposed amendments to the bill were discussed as an informational item at the LPAC; the Committee requested that the bill be placed on the Board's agenda for a review of the amendments.

- SB 1596 (Maddy) Establishes an Office of Permit Oversight within the CalEPA, and would allow pre-certification programs and "bubble permits" to expedite the review of environmental permits.

  LPAC RECOMMENDATION: Removed from the LPAC agenda; the bill was not discussed.

- SB 1703 (Johnston) -- Authorizes the Board of Supervisors for each county to establish a schedule of solid waste fees for incorporated areas of the county where cities do not provide their own waste disposal sites and would require the Supervisors to impose uniform fees for both incorporated and unincorporated areas.

  LPAC RECOMMENDATION: (3-0) Support.

BOARD ACTION:

The status report and analyses are presented for the Board's information and consideration. The Board may wish to adopt positions on some or all of these bills.

Attachments:

1) Summary Listing and Status Report for 1992 Legislation.

2) Analyses and copies of bills: AB 2494 (Sher), AB 2824 (Speier), AB 3001 (Cortese), AB 3348 (Eastin), AB 3470 (O'Connell), AB 3689 (Gotch), SB 1523 (Killea), SB 1596 (Maddy), and SB 1703 (Johnston).

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Status Report of Priority Bills

June 11, 1992

Bill No: **AB 181 Tanner**
Subject: **Hazardous Substances Liability**
Amended: 4/2/92 The bill defines the term "responsible party" and "liable person" to exclude any city, county, district, or other local agency which has provided incidental solid waste handling services, solely because of the act of providing those services, for the purposes of state Superfund liability.
Status: Assembly Environmental Safety & Toxic Materials Committee (10-0)
Assembly Ways & Means Committee (20-0)
Assembly Floor (76-0)
Senate Judiciary Committee (8-1)
Senate Appropriations Committee (Suspense File)
LPAC Position: 4/1/92 Support
CIWMB Position: 4/29/92 Support

Bill No: **AB 375 Allen**
Subject: **CA Environmental Quality Act**
Amended: 4/20/92 The bill requires public agencies under the California Environmental Quality Act to adopt specified mitigation measures as a condition of project approval.
Status: Assembly Natural Resources Committee(13-0)
Assembly Ways & Means Committee (23-0)
Assembly Floor (78-0)
Senate Governmental Organization Committee
LPAC Position: To LPAC July 1992.

Bill No: **AB 2092 Sher**
Subject: **Solid Waste Plans and Fees**
Amended: 5/11/92 Revises provisions of state law governing the preparation and submittal of Source Reduction and Recycling Elements (SRREs) and County Integrated Waste Management Plans. Proposed conference committee amendments will place in statute provisions of the Board's policy statement relating to the circumstances under which diversion credit will be sanctioned for the pre-1990 diversion of inerts, agricultural wastes, scrap metal and major appliances.
Status: Assembly Natural Resources Committee (14-0)
Assembly Ways & Means Committee (23-0)
Assembly Floor (77-0)
Senate Governmental Organization Committee (9-0)
Senate Appropriations Committee (Section 28.8)
Senate Floor
LPAC Position: To LPAC June 16, 1992.
CIWMB Position: Support on prior version
5/28/92 support for proposed conference committee amendments

Bill No: **AB 2211 Sher**
Sponsor: Author & CIWMB
Subject: **Waste Management/Wood Waste**
Amended: 1/8/92 This bill makes various technical changes to provisions of the Integrated Waste Management Act and related provisions, and clarifies that actions taken by the CIWMB to promote markets for non-yard wood waste shall not count toward the diversion requirements of the Act except as they would have been allowed under the Act prior to amendment by AB 1515 of 1991.
Status: Assembly Natural Resources Committee (11-0)
Assembly Ways & Means Committee (20-0)
Assembly Floor (76-0)
Senate Governmental Organization Committee (set 6/16/92)
CIWMB Position: Support

Bill No: **AB 2292 Hannigan**
Subject: **Banned, Unregistered, or Outdated Agricultural Waste**
Amended: 2/19/92 The bill includes persons who store agricultural waste in specified amounts and operate an agricultural pest control business, an agricultural pesticide dealership, a park, a cemetery, or a golf course in an existing program for the collection of the wastes.
Status: Assembly Environmental Safety Committee (11-0)
Assembly Ways & Means Committee (22-0)
Assembly Floor (75-0)
Senate Toxics & Public Safety Committee (set 6/22/91)
LPAC Position: To LPAC July 1992.

Bill No: **AB 2303 Vasconcellos**
Subject: **Assembly Budget Bill**
Amended: 4/2/92 The bill makes appropriations for support of state government (including the CIWMB) for the 1992-93 fiscal year.
Status: Assembly Ways & Means Committee (13-8)
Assembly Floor (45-32)
Senate Rules Committee
CIWMB Position: Not applicable

Bill No: **AB 2393 Cortese**
Subject: **Heavy Metals/Packaging**
Amended: 4/1/92 Allows the CIWMB to conduct a study of heavy metals in product packaging, and to report the results of the study to the Governor and the Legislature by January 1, 1995.
Status: Assembly Natural Resources Committee (10-2)
Assembly Ways and Means Committee (19-2)
Assembly Floor (60-13)
Senate Governmental Organization Committee (Set 6/16/92)
LPAC Position: 4/1/92 Support
CIWMB Position: 4/29/92 Support

Bill No: **AB 2446 Eastin**
Sponsor: Author
Subject: **Purchase of Recycled Products**
Amended: 5/22/92
Repeals the provisions of existing law that require the DGS to give a 5% preference towards the purchase of recycled paper products. Instead, the bill requires DGS and all state procuring agencies to purchase by 1/1/94 at least 25% recycled fine writing and printing paper (40% by 1/1/96). The DGS and state procuring agencies are also required to purchase specified percentages of other recycled products (compost, glass, oil, plastic, paint, tires, paving materials, steel, solvents, and paper products). The CIWMB is directed to develop minimum content requirements for the state procurement purchases for a number of recycled products by 7/1/94.
Status: Assembly Consumer Protection, Governmental Efficiency Committee (8-3)
Assembly Ways and Means Committee (15-5)
Assembly Floor (49-22)
Senate Rules Committee
LPAC Position: 4/1/92 Support
5/12/92 Support
CIWMB Position: 5/28/92 Support, and defer to Finance on the fiscal.

Bill No: **AB 2466 Farr**
Subject: **Land Use Permits**
Amended: 4/2/92
Requires the Secretary of Environmental Protection to adopt regulations for an expedited system of obtaining permits from state agencies, and requires new information to be included in permits.
Status: Assembly Local Government Committee (10-0)
Assembly Ways and Means Committee (15-5)
Assembly Floor (75-0)
Senate Local Government Committee

Bill No: **AB 2473 Burton**
Subject: **Water Fees**
Amended: 4/7/92
Requires the SWRCB to develop interim fees to generate the amounts appropriated from the Waste Discharge Permit Fund, which is renamed the Water Protection Fund. Requires the Governor to propose legislation for a permanent fee schedule and to establish different categories of dischargers. Appropriates $2.2 million from the Integrated Waste Management Account to the SWRCB.
Status: Assembly Water Parks & Wildlife Committee (13-8)
Assembly Ways & Means Committee (13-8)
Assembly Floor (41-35)
Senate Rules Committee
LPAC Position: 5/12/92 Oppose
CIWMB Position: 5/28/92 Oppose

Bill No: **AB 2494 Sher**
Subject: **Source Reduction and Recycling Elements**
Amended: 4/9/92 Amends provisions of AB 939 to require the Board to use a "disposal-based" method to determine compliance with the law's diversion requirements. The bill also authorizes regional implementation of the planning mandates, and requires the CIWMB to provide local governments with increased assistance in the areas of market development, source reduction and public education.
Status: Assembly Natural Resources Committee (12-0)
Assembly Ways & Means Committee (21-0)
Assembly Floor (75-0)
Senate Governmental Organization Committee (set 6/16/92)
LPAC Position: 5/12/92 No position; to LPAC June 16, 1992.

Bill No: **AB 2496 Sher**
Subject: **Environmental Advertising**
Amended: Intro The bill revises the definition of "biodegradable" to mean a material that has the proven capability to decompose in the most common environment where the material is disposed, within 3 years. Urgency.
Status: Assembly Consumer Protection Committee (11-0)
Senate Business & Professions Committee
LPAC Position: 5/12/92 Support; returning to LPAC July 1992.

Bill No: **AB 2567 Moore**
Subject: **Solid Waste Plans and Fees**
Amended: Intro Requires local governments to adhere to specified procedural requirements when imposing fees or fee increases for the purpose of paying the costs of preparing, adopting, or implementing a countywide integrated waste management planning.
Status: Assembly Local Government Committee (10-0)
Assembly Ways and Means Committee (22-0)
Assembly Floor (68-0)
Senate Governmental Organization Committee (Set 6/23/92)
LPAC Position: 5/12/92 No position
CIWMB Position: 5/28/92 Neutral

Bill No: **AB 2654 Tanner**
Subject: **Water Quality/Govt. and Public Utility Projects**
Amended: 4/23/92 Prohibits specified materials from being passed into the waters of the state that result from the construction, reconstruction, or maintenance of a public or private road, street, or highway.
Status: Assembly Water Parks & Wildlife Committee (11-0)
Assembly Ways and Means Committee (23-0)
Assembly Floor (74-0)
Senate Natural Resources & Wildlife Committee (set 6/23/92)

Bill No: **AB 2661 Chandler**
Subject: **Rice Straw**
Amended: 6/9/92 Requires the Departments of Forestry and Fire Protection, Parks and Recreation, and General Services to initiate programs to restore public lands that use rice straw and to use that material whenever possible. The CIWMB is required to make evaluations with regard to rice straw.
Status: Assembly Natural Resources Committee (15-0)
Assembly Ways and Means Committee (23-0)
Assembly Floor (75-)
Senate Governmental Organization Committee (Set 6/23/92)
LPAC Position: To LPAC July 1992.

Bill No: **AB 2696 Wright**
Sponsor: CIWMB
Subject: **Solid Waste/Trade Secrets**
Amended: 6/9/92 The bill would expand and strengthen the trade secret provisions of the Integrated Waste Management Act administered by the CIWMB. AB 2696 would require individuals furnishing any information that is necessary to comply with the waste management laws to the CIWMB or local enforcement agency to identify, at the time of submission, all the information the person believes is a trade secret. AB 2696 would also specify under which conditions a trade secret could be released to government agencies or the public. AB 2696 is approved by the Governor's Office as Legislative Proposal CEPA 92-50.
Status: Assembly Natural Resources Committee (11-0)
Assembly Ways & Means Committee (21-0)
Assembly Floor (75-0)
Senate Governmental Organization Committee (Set 6/16/92)
CIWMB Position: Support

Bill No: **AB 2824 Speier**
Subject: **Legislative Oversight: Reports**
Amended: 4/30/92 Requires that no state or local agency would be required to prepare and submit any written report to the Legislature or the Governor until 1/1/95, except under specified conditions.
Status: Assembly Consumer Protection, Governmental Efficiency Committee (11-0)
Assembly Ways & Means Committee (23-0)
Assembly Floor (73-0)
Senate Rules Committee
LPAC Position: To LPAC June 16, 1992.

Bill No: **AB 2871 Polanco**
Subject: **Administrative Regulations: Appeals**
Amended: 5/7/92 Requires every state agency and air pollution control district to adopt a procedure for an appeal of any regulation that leads to orders, sanctions, or fines being given to private individuals or entities, as specified.

Status: Assembly Committee on Utilities and Commerce
LPAC Position: To LPAC July 1992.

Bill No: **AB 2920 Lee**
Subject: **Disaster Debris**
Amended: 3/31/92 Requires the Office of Emergency Services, in cooperation with the California Integrated Waste Management Board, to develop a disaster plan designed to divert disaster-related debris from landfills.
Status: Assembly Natural Resources Committee (14-0)
Assembly Ways And Means Committee (21-0)
Assembly Floor (73-0)
Senate Toxics & Public Safety Committee
LPAC Position: 4/1/92 Support if amended
CIWMB Position: 4/29/92 Support if amended

Bill No: **AB 2923 Hauser**
Subject: **Waste Tires**
Amended: Intro The bill excludes from the definition of "minor waste tire facility "any tire dealer or automobile dismantler which stores tires on the premises for less than 90 days, if not more than 1,500 waste tires are ever accumulated.
Status: Assembly Natural Resources Committee (13-0)
Assembly Ways and Means Committee (21-0)
Assembly Floor (68-0)
Senate Governmental Organization Committee (Set 6/16/92)
LPAC Position: 5/12/92 Support
CIWMB Position: 5/28/92 Support

Bill No: **AB 3001 Cortese**
Sponsor: Waste Management, Inc.
Subject: **Siting**
Amended: Intro Under existing law, the permitting of a solid waste disposal, transfer station, waste processing, or resource recovery facility is conditioned upon conformance with the CIWMP approved by the CIWMB. The bill removes transfer stations, waste processing, and resource recovery facilities from the conformance finding requirement of existing law. AB 3001 would narrow this requirement to only prohibit the permitting of solid waste disposal or transformation facilities if the site is not <u>identified</u> in siting element.
Status: Assembly Natural Resources Committee (11-0)
Assembly Ways and Means Committee (21-0)
Assembly Floor (75-0)
Senate Governmental Organization Committee (Set 6/16/92)
LPAC Position: 5/12/92 No position; to LPAC on June 16, 1992.

Bill No: **AB 3024 Roybal-Allard**
Subject: **Project Site Demographics**
Amended: 4/21/92 Prohibits the approval of a permit for a potentially high impact development project, unless the application includes a description of the project site demographics.

The bill applies to solid waste disposal facilities and other "high impact" facilities (i.e., incinerators), as defined.

Status: Assembly Local Government Committee (7-3)
Assembly Ways and Means Committee (14-8)
Assembly Floor (44-30)
Senate Local Government Committee (set 6/24/92)

LPAC Position: To LPAC July 1992.

Bill No: **AB 3073 Sher**
Sponsor: Author
Subject: **Oil Recycling**
Amended: 4/1/92 The bill would make amendments to the Oil Recycling Enhancement Act administered by the CIWMB. Specifically, AB 3073 would clarify that the definition of "oil manufacturer" includes anyone who imports lubricating oil into the state in bulk. AB 3073 would also place specific restrictions on the CIWMB's ability to raise the recycling incentive fee amount.

Status: Assembly Natural Resources Committee (14-0)
Assembly Ways and Means Committee (21-0)
Assembly Floor (75-0)
Senate Governmental Organization Committee (Set 6/16/92)

LPAC Position: 4/1/92 Support
CIWMB Position: 4/29/92 Support

Bill No: **AB 3117 Bates**
Subject: **Minimum Content/Paper and Plastic Bags**
Amended: 5/11/92 The bill would make several legislative findings and declarations regarding the reduction in use, reuse, and recycling of paper bags. One finding directs the CIWMB to communicate the legislative declarations and findings in AB 3117 to cities and counties.

Status: Assembly Natural Resources Committee (8-2)
Assembly Floor (46-28)
Senate Governmental Organization Committee (set 6/23/92)

LPAC Position: To LPAC July 1992.

Bill No: **AB 3322 Sher**
Subject: **Permits**
Amended: Intro Requires the CIWMB and local enforcement agencies to establish a program that would expedite the review of permits in order to reduce unnecessary delay.

Status: Assembly Natural Resources Committee (15-0)
Assembly Ways and Means Committee (20-1)
Assembly Floor (68-1)
Senate Governmental Organization Committee (Set 6/23/92)

LPAC Position: To LPAC July 1992.

Bill No: **AB 3348 Eastin**
Sponsor: Author
Subject: **Disposal Site Cleanup and Maintenance**
Amended: 4/27/92 Revises the manner in which the Solid Waste Disposal Site Cleanup and Maintenance Account (the "Eastin" fund) is allocated, as follows: increases household hazardous waste grants to 35% of the fund, removes the 25% set aside for loan guarantees, appropriates $2 million to the Water Board for the SWAT program and $60,000 to DTSC for a database on household hazardous waste programs, and provides a $3 million loan for start-up of the Board's used oil program. This is an urgency measure.
Status: Assembly Natural Resources Committee (15-0)
Assembly Ways and Means (23-0)
Assembly Floor (73-0)
Senate Governmental Organization Committee (Set 6/23/92)
LPAC Position: 5/12/92 No position; to LPAC June 16, 1992.

Bill No: **AB 3470 O'Connell**
Subject: **Public Agency Contracts/Recycled Products**
Amended: 4/21/92 Repeals the 5% price preference that DGS offers for the purchase of recycled paper and requires all state agencies and counties when purchasing glass, plastic, compost, motor oil, or rubberized asphalt products to give a 10% preference for recycled products made by a company within California and, a 5% preference for recycled products not made by a company within California.
Status: Assembly Consumer Protection, Governmental Efficiency Committee (7-4)
Assembly Ways and Means Committee (14-9)
Assembly Floor (45-31)
Senate Rules Committee
LPAC Position: To LPAC June 16, 1992.

Bill No: **AB 3521 Tanner**
Subject: **Recycled Paper Program Costs**
Amended: 4/21/92 Requires that specified revenues be deposited in the IWMA and be made available to the CIWMB upon appropriation by the Legislature. Upon approval of the CIWMB, revenues derived from the sale of recyclable materials by state agencies and institutions would be available to those state agencies and institutions upon appropriation by the Legislature, for the purpose of offsetting recycling programs costs.
Status: Assembly Natural Resources Committee (15-0)
Assembly Ways and Means Committee (22-0)
Assembly Floor (75-0)
Senate Rules Committee
LPAC Position: 5/12/92 Support, with technical amendments
CIWMB Position: 5/28/92 Support, with technical amendments

Bill No: **AB 3689 Gotch**
Subject: **State Agencies/Waste Management Plans**
Amended: 5/23/92 This bill requires each state agency to develop in consultation with the CIWMB, an integrated waste management program by September 1, 1993. Requires each state agency to complete a waste audit by July 1, 1993, to determine the presence of solid wastes that can be recycled, source reduced, or reused under the program. The bill requires one waste reduction and recycling coordinator to be designated by each state agency; this individual would be responsible for implementing the program within that agency and would serve as a liaison to other state agencies and coordinators.
Status: Assembly Natural Resources Committee (15-0)
Assembly Ways and Means Committee (13-4)
Assembly Floor (48-25)
Senate Rules Committee
LPAC Position: To LPAC June 16, 1992.

Bill No: **AB 3765 Mays**
Subject: **Environmental Protection/Lead Agencies**
Amended: 5/27/92 Requires the Secretary of Environmental Protection at the request of an applicant for more than one environmental permit, to convene a permitting team, for the project composed of permit writers and other appropriate personnel from the board or department responsible for review of the project and the issuance of an environmental permit.
Status: Assembly Environmental Safety Committee (10-0)
Assembly Natural Resources Committee (10-1)
Assembly Ways & Means Committee (21-0)
Assembly Floor (72-0)
Senate RulesCommittee
LPAC Position: To LPAC July 1992

Bill No: **AB 3789 Woodruff**
Subject: **Cement Kiln Dust**
Amended: 5/12/92 Requires CalEPA to contract for a study to determine if corrosivity criteria in hazardous waste regulations should apply to certain cementitious wastes. Also requires the Secretary of Environmental Protection to appoint a technical advisory committee to assist in the selection of the contractor and to provide technical assistance during the study.
Status: Assembly Committee on Environmental Safety (10-0)
Assembly Ways & Means Committee (22-0)
Assembly Floor (75-0)
Senate Toxics & Public Safety Committee
LPAC Position: To LPAC July 1992.

Bill No: **AB 3809 Knowles**
Subject: **Waste Management Assistance**
Amended: 6/1/92
Directs the Department of Conservation to conduct two pilot programs which would establish recycling centers which accept and redeem beverage containers only, one located in a rural county of the northern portion of the state one located in a rural county in the southern portion of the state. The DOC is required to report to the Legislature on the success or failure of the reycling centers established in increasing recycling rates in the rural areas in which the centers are established. The DOC is required to expend $200,000 from the California Beverage Container Recycling Fund.
Status: Assembly Natural Resources Committee (set 5/4/92); failed passage. Reconsideration granted (passed 12-1)
Assembly Ways & Means Committee (21-0)
Assembly Floor
LPAC Position: To LPAC July 1992.

Bill No: **AJR 70 Eastin**
Subject: **Federal Tax Subsidies: Recycled and Virgin Materials.**
Amended: 4/27/92
AJR 70 request the federal government to level the playing field for recycled materials used in product manufacturing by phasing out tax subsidies to specified virgin materials, taxing specified virgin materials contained in selected items, providing tax advantages for recycled materials used in manufacturing products, or any combination of these measures.
Status: Assembly Revenue & Taxation Committee (8-0)
Assembly Rules Committee (9-0)
Assembly Floor (75-0)
Senate Revenue & Taxation Committee (Set 6/17/92)
LPAC Position: 5/12/92 Support
CIWMB Position: 5/28/92 Support

Bill No: **SB 44 Torres**
Subject: **Transformation**
Amended: 1/17/92
This bill is a reintroduction of SB 97 of 1991. The bill specifies that transformation, for the purposes of the 10% diversion credit authorized by current law, does not include the incineration of unprocessed municipal waste in a mass-burn facility and that unprocessed municipal waste does not include biomass wastes.
Status: Senate Governmental Organization Committee (7-1)
Senate Appropriation Committee (Section 28.8)
Senate Floor (22-8)
Assembly Natural Resources Committee
LPAC Position: 5/12/92 Oppose
CIWMB Position: 5/28/92 Oppose

Bill No: **SB 51 Torres**
Subject: **Cal-EPA**
Amended: 9/5/91 Enacts the Pollution Prevention Act of 1991. The bill also makes statutory changes to conform to the GRP No. 1 of 1991.
Status: Senate Toxics & Public Safety Management Committee (5-0)
Senate Appropriations Committee (7-0)
Senate Floor (25-7)
Assembly Environmental Safety Committee (7--2)
Assembly Ways & Means Committee (21-0)
Assembly Inactive File

Bill No: **SB 97 Torres**
Subject: **Transformation**
Amended: 7/10/91 Specifies that transformation, for the purposes of the 10% diversion credit authorized by current law, does not include the incineration of unprocessed municipal waste in a mass-burning facility and that unprocessed municipal waste does not include biomass wastes.
Status: Senate Governmental Organization Committee (6-2)
Senate Appropriations Committee (Section 28.8)
Senate Floor (21-10)
Assembly Natural Resources Committee failed passage (6-3)
Assembly Natural Resources Committee (8-6)
Assembly Ways & Means Committee (15-7)
Assembly Floor (52-24)
Senate Floor refused to concur with Assembly amendments (0-39)
Senate Inactive File
CIWMB Position: Oppose

Bill No: **SB 428 Ayala**
Subject: **Hazardous Materials: Containers**
Amended: 3/31/92 Requires any one who sells liquid hazardous materials in a container that has a capacity of 5 gallons or more in California to provide specified information to the purchaser.
Status: Senate Toxics & Public Safety Committee (4-0)
Senate Appropriations Committee (Section 28.8)
Senate Floor (32-1)
Assembly Environmental Safety Committee

Bill No: **SB 610 Calderon**
Subject: **Solid Waste Facilities**
Amended: 7/8/91 Requires that financial assurance mechanisms for solid waste disposal facilities (for both operating liability and closure/postclosure costs) be the same as those authorized by specified federal regulations governing hazardous waste facilities.
Status: Senate Governmental Organization (10-0)
Senate Appropriations Committee (Section 28.8)
Senate Floor (35-0)
Assembly Natural Resources Committee

Bill No: **SB 685 Calderon**
Subject: **Disposal Sites**
Amended: 4/29/91 Requires the SWRCB to adopt a fee schedule which assesses a fee on any owner or operator of a solid waste disposal site who has not submitted a complete and correct solid waste assessment test to the regional water board by 7/1/91.
Status: Senate Toxics & Public Safety Management Committee (4-0)
Senate Appropriations Committee (7-0)
Senate Floor (29-1)
Assembly Natural Resources Committee

Bill No: **SB 1143 Killea**
Subject: **Household Hazardous Waste**
Amended: 4/9/92 Requires the Department of Toxic Substance Control, in cooperation with the CIWMB to maintain a data base of all household hazardous waste collection events, facilities, and programs within the state and to make this information available to the public upon request. Makes additional technical changes to the household hazardous waste laws.
Status: Senate Governmental Organization Committee (failed 5-4)
Senate Governmental Organization Committee (8-0)
Senate Appropriations Committee (Section 28.8)
Senate Floor (27-7)
Assembly Environmental Safety Committee (set 6/16/92)
CIWMB Position: Support

Bill No: **SB 1280 Alquist**
Subject: **Senate Budget Bill**
Amended: 4/30/92 Senate Budget Bill. The bill would make appropriations for support of state government (including the CIWMB) for the 1992-93 fiscal year.
Status: Senate Budget and Fiscal Review Committee (7-3)
Senate Floor (27-5)
Assembly Ways & Means Committee (12-6)
Assembly Floor (41-31)
Senate Floor (0-30)
Senate Conference
CIWMB Position: Not applicable

Bill No: **SB 1346 McCorquodale**
Subject: **Fluorescent Light Bulbs**
Amended 5/21/92 Authorizes the CIWMB to conduct a study on the problems associated with, and improved methods of handling and disposing of, discarded fluorescent light bulbs. It would require the CIWMB to conduct the study within the Board's existing budget and utilizing existing personnel and to report to the Legislature as part of the Annual Report in March of 1994.
Status: Senate Governmental Organization Committee (8-0)
Senate Appropriations Committee (28.8)
Senate Floor (30-0)

Assembly Natural Resources Committee (8-5)
Assembly Ways and Means Committee
LPAC Position: 4/1/92 Support if amended
CIWMB Position: 4/29/92 Support if amended

Bill No: **SB 1523 Killea**
Sponsor: Author
Subject: **Composting Facilities**
Amended: 3/26/92 Requires the CIWMB to adopt regulations for the permitting, operation and closure of compost, co-compost and mulching facilities, and authorizes the Board to distinguish in these regulations between types of facilities based upon the type and volume of waste.
Status: Senate Governmental Organization Committee (9-0)
Senate Appropriations Committee (10-0)
Senate Floor (26-5)
Assembly Desk
LPAC Position: 4/1/92 Support if amended
CIWMB Position: 4/29/92 Support if amended

Bill No: **SB 1596 Maddy**
Subject: **Environmental Permits**
Amended: 5/28/92 Establishes an Office of Permit Oversight within the CalEPA, and would allow pre-certification programs and "bubble permits" to expedite the review of environmental permits.
Status: Senate Governmental Organization Committee (6-2)
Senate Appropriations Committee (7-2)
Senate Floor (21-10)
Assembly Desk
LPAC Position: 5/12/92 No position, to LPAC July 1992.

Bill No: **SB 1668 Beverly**
Sponsor: CSAC and League of Cities
Subject: **Due Dates for Solid Waste Elements/Plans**
Amended: 4/1/92 The bill, an urgency measure, extends the due dates by one year for the solid waste planning elements. Extends the January 1, 1992 due date for submittal of Countywide Integrated Waste Management Plans to 1/1/93 (or 12 months from the date the regulations for the CIWMPs are approved by OAL) and extends the 1/1/93 due date for CIWMPs to 1/1/94 (or 18 months from OAL approval of CIWMP regulations).
Status: Senate Governmental Organization Committee (9-0)
Senate Appropriations Committee (Section 28.8)
Senate Floor (35-0)
Assembly Natural Resources Committee
LPAC Position: 4/1/92 Support
CIWMB Position: 4/29/92 Support

Bill No: **SB 1703 Johnston**
Subject: **Disposal Fees**
Amended: The bill authorizes the Board of Supervisors of each

4/28/92 county to establish a schedule of fees for incorporated areas of the county where cities do not provide their own waste disposal sites and would require the county Board to impose uniform fees for incorporated and unincorporated areas. The bill would also permit the Tuolumne County Board of Supervisors to recover solid waste disposal fees which would have been collected on land within the Sonora City limits for the 1991-92 and subsequent fiscal years as if the above authority to levy fees had been enacted.

Status: Senate Local Government Committee (5-0)
Senate Floor (31-0)
Assembly Local Government (Set 6/17/92)

LPAC Position: To LPAC June 16, 1992.

Bill No: **SB 1919 Hart**
Subject: **Trash Bags**
Amended: 6/3/92 Makes technical revisions to the minimum content law for trash bags and the mixed waste paper study administered by the CIWMB.

Status: Senate Governmental Organization Committee (9-0)
Senate Appropriations Committee (Section 28.8)
Senate Floor (35-0)
Assembly Natural Resources Committee

LPAC Position: 5/12/92 Support, with technical amendments.
CIWMB Position: 5/28/92 Support, with technical amendments.

Bill No: **SB 1955 Morgan**
Sponsor: LA County
Subject: **939 Revision/Planning and Implementation**
Amended: 5/28/92 SB 1955 would substantially revise the integrated waste management planning and implementation requirements administered by the CIWMB. The bill would shift the CIWMB's current emphasis on planning to market development. Specifically, the bill revises the diversion requirements of existing law by retaining the 25% diversion requirement of 1995, and by requiring that at the first plan revision, that the plan demonstrate how 80% of each material for which the Board has identified adequate markets will be diverted by the year 2000.

Status: Senate Governmental Organization Committee (7-0)
Senate Appropriations Committee (8-3)
Senate Floor (21-12)
Assembly Desk

LPAC Position: 5/12/92 Oppose
CIWMB Position: 5/28/92 Oppose Unless Amended

Bill No: **SB 1985 Thompson**
Subject: **Household Hazardous Waste**
Amended: 4/20/92 Defines the term "household hazardous waste collection program", and extends the HHW and used oil collection facility operator exempt for Superfund liability to

Status: Senate Toxics & Public Safety Management Committee (6-0)
Senate Appropriations Committee (Section 28.8)
Senate Floor (35-0)
Assembly Environmental & Safety Committee (set 6/16/92)
LPAC Position: 5/12/92 Support
CIWMB Position: 5/28/92

Bill No: **SB 2040 Calderon**
Subject: **Cal-EPA**
Amended: 5/18/92 Codifies the changes made by the Governor's Reorganization Plan No. 1 which created the California Environmental Protection Agency.
Status: Senate Governmental Organization Committee

Bill No: **SB 2061 Leslie**
Subject: **Training and Technical Assistance for Locals**
Amended: 4/6/92 Requires the CIWMB, when providing training and technical assistance and guidance to local jurisdictions, to pay particular attention to cities and counties which demonstrate to the CIWMB their small geographic size or low population density and the small quantity of solid waste generated within the city or county.
Status: Senate Governmental Organization Committee (9-0)
Senate Appropriations Committee (Section 28.8)
Senate Floor (35-0)
Assembly Natural Resources Committee
LPAC Position: To LPAC July 1992.

BILLS NO LONGER ADVANCING IN THE 1992 LEGISLATIVE PROCESS

Bill No: **AB 2486 Polanco**
Subject: **Administrative Regulations: Variances**
Amended: 3/24/92 The bill permits state agencies, and air pollution districts to allow individual variances and would require these entities to adopt a variance process whereby an individual or private entity may apply for relief from regulations adopted by that governmental agency.
Status: Assembly Consumer Protection, Governmental Efficiency Committee (10-0)
Assembly Rules Committee
The bill is inactive per author's office.

Bill No: **AB 3072 Wyman**
Subject: **Environmental Review: Uniform Permit Process**
Amended: Intro Authorizes the Secretary for Environmental Protection to adopt regulations establishing a uniform permit process that includes uniform hearing and appeal procedures that apply to all environmental review activities of state agencies.
Status: Assembly Environmental Safety & Toxic Committee
The bill is inactive per the author's office.

Bill No: **AB 3434 Clute**
Subject: **Solid Waste**
Amended: 3/24/92 Allows increased levels of waste diversion credits for conversion of biomass to energy and modifies the definitions of "recycling" and "transformation" for the purposes of solid waste diversion requirements.
Status: Assembly Natural Resources Committee (Failed passage)

Bill No: **AB 3519 Sher**
Subject: **Solid Waste Facility Permits**
Amended: The bill repeals duplicative sections in existing integrated waste management law.
Status: Assembly Natural Resources Committee
The bill is inactive per the author's office.

Bill No: **AB 3677 Clute**
Subject: **Disposal Facilities**
Amended: 4/23/92 Prohibits any state or local agency from issuing a permit for the operation of a proposed solid waste disposal facility if, at its lowest point of elevation, the disposal facility would be lower than the highest point above sea level of an aquifer located beneath the disposal facility site.
Status: Failed (6-6) in Assembly Natural Resources Committee (4/6/92); reconsideration granted; failed passage 5/4/92.

Bill No: **SB 1867 Green, C.**
Subject: **Solid Waste Disposal**
Amended: 4/30/92 The bill would specify that each county and city has the primary authority to regulate the management of solid waste in the waste stream generated within the county's or city's jurisdiction from the source of its generation to its diversion or to its disposal at a permitted disposal facility.
Status: Senate Governmental Organization Committee (Held in committee) per author's office the bill is dead.
LPAC Position: 5/12/92 No position

Bill No: **SB 2039 Bergeson**
Subject: **Permit Streamlining**
Amended: 4/6/92 Substantially revises permitting procedure for CalEPA Boards and Departments with the goal of accomplishing permit streamlining and consolidation within CalEPA.
Status: Senate Committee on Governmental Organization (Failed passage)
LPAC Position: 5/12/92 No position

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

June 24, 1992

Agenda Item #18

ITEM: Consideration of Federal Legislation

COMMITTEE ACTION:

The Legislative Office gave an update on the two federal bills, HR 3865 (Swift) and S 976 (Baucus), that will be used as vehicles for the reauthorization of the Resources Conservation and Recovery Act (RCRA) this year. In addition, the Legislative Office presented a summary of issues of concern regarding the latest amended version of HR 3865. This item was presented for informational purposes to the Legislation and Public Affairs Committee.

BACKGROUND:

Two federal bills, HR 3865 (Swift) and S 976 (Baucus), are the vehicles for the reauthorization of the Resource Conservation and Recovery Act (RCRA) this year. The RCRA reauthorization bills will impact virtually all of the California Integrated Waste Management Board's (CIWMB) programs and activities, as well as create some new solid waste management programs. Although it is not certain whether reauthorization of RCRA will, in fact, occur this year, it is clear that considerable Congressional activity is being devoted to reworking both S 976 and HR 3865. Additionally, while the full RCRA package may not ultimately advance, it appears likely that portions of the package, such as the state planning requirements and interstate transport provisions, may advance to the President's desk in separate legislation.

The Legislative Office has analyzed the March 27, 1992 Senate Environment and Public Works Committee draft version of S 976 to determine the bill's effect on the CIWMB. An S 976 "markup vehicle" was then amended on April 30, May 13 and May 20, 1992 by the committee. The Legislative Office is in the process of circulating the reprint of S 976 (incorporating all three sets of markups) to the appropriate staff for comment. The bill goes next to the Senate Floor, where further amendments may be offered.

HR 3865 was significantly amended in late March in the House Transportation and Hazardous Materials Subcommittee and is before the House Committee on Energy and Commerce for further markups this month.

The new markup vehicle for HR 3865 (dubbed "RCRA Lite" in Washington) has been significantly reduced in size, <u>dropping</u>

provisions for such subjects as municipal ash, reduction of metals in packaging, federal procurement of recycled goods, mining waste, regulation on Indian lands, and used oil management.

As a result of the considerable federal activity this year, the Governor's Washington Office hired Bob Hurley to work exclusively on RCRA reauthorization legislation. Mr. Hurley was formerly with the Senate Environment and Public Works Committee. The Legislative Office has been working with the Governor's Washington Office, Cal/EPA, and other affected state agencies to develop coordinated comments on the two federal bills.

On June 8, staff representing all Board Divisions, and the Legislative, Legal, and Strategic Planning & Policy Development offices participated in a conference call with Bob Hurley, The Governor's Washington, D.C. office and Cal/EPA legislative staff to offer comments on key issues in HR 3865 prior to markups (see attachment #1 for summary of comments). Subjects covered in the call included State Planning Requirements, Scrap Tires, Permits, and Batteries.

ANALYSIS:

The Legislative Office is continuing to review the latest versions of the two RCRA reauthorization bills. The two federal bills are similar in most respects and address many of the same general policy issues. However, they do differ in their breadth and approach to these policy areas. For example, each bill approaches the minimum content and recycling issues differently, with HR 3865 being more comprehensive and compatible to California's programs. Also, S 976 does not include programs for plastic recycling codes or beneficial reuse of foundry sand as HR 3865 does. Conversely, HR 3865 lacks programs on reduction of metals in packaging, used oil management, regulation on Indian lands, and federal procurement of recycled goods which are included in the Senate bill.

STAFF COMMENTS:

The Legislative Office will continue to work toward a more in-depth analysis of S 976 and HR 3865, with the assistance of staff. A more thorough fiscal assessment and responses to future amendments will be required as well.

The Legislative Office is planning to make presentations to the CIWMB's Integrated Waste Management Planning, Market Development,

Permitting and Enforcement, and Policy, Research & Technical Assistance Committees in July on S 976, as reported from committee, to seek the Board's guidance for developing a coordinated comment letter. The comment letter will be sent to the appropriate Congressional Committees and Members expressing the Board's concerns with S 976.

The Legislative Office plans to come back to the same committees in August or September with presentations on HR 3865, once it is finished with committee markups.

Even if RCRA bills are not acted upon by Congress before they adjourn this year (probably in October), the exercise of getting staff and Board Member input on RCRA issues will put the Board in a better position for taking prompt action next year.

ATTACHMENTS:

1) Staff comments on HR 3865.

2) A summary list and status report on pending federal solid waste legislation.

Prepared by: Pat Chartrand and Michelle Fadelli **Phone:** 255-2209 255-2668

Reviewed by: Dorothy Fettig **Phone:** 255-2208

State of California

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

MEMORANDUM

To: Bob Hurley

Date: June 12, 1992

From: Dorothy

DOROTHY FETTIG
Director of Legislation
California Integrated Waste Management Board

Subject: **HR 3865 - RCRA REAUTHORIZATION:** Summary of Issues Discussed During June 8, 1992 Conference Call

STATE PLANNING

1. Grandfather Clause for California -

- California's Integrated Waste Management Act (IWMA) is one of the most comprehensive and progressive laws in the nation. It serves as model legislation for other states.

- CA integrated waste management laws should be allowed to operate in lieu of federal law.

- Although California's methods are different than those proposed by HR 3865, the waste diversion goals are much the same: 25% diversion by 1995 and 50% diversion by the year 2000.

- Costs for state planning requirements under current version of HR 3865 could require up to 10% (about $5 million) of the total CIWMB budget. In addition, local governments could face millions of dollars in new costs to meet proposed changes in planning requirements.

- California's integrated waste management laws were just enacted in 1989; at least $30 million has already been spent on planning (by local governments as well as the CIWMB).

- Local jurisdictions have allocated and spent tremendous sums for planning and implementation of diversion programs. If they are required to prepare new plans, there may not be sufficient funds available, if any, for implementation of recycling programs.

2. Alternative -

- As an alternative to a grandfather clause, if California (or any other state) currently meets statutorily specified criteria, it should be deemed to meet the requirements of the bill.

- Criteria for approval could include state law which contains the following programs or planning requirements:

  * waste diversion goals which are at least as stringent as HR 3865;
  * waste characterization study requirements;
  * permitting for solid waste, composting, and scrap tire facilities, as well as MRFs (Materials Recovery Facilities) and incinerators (transformation facilities);
  * minimum standards for solid waste facilities, including transfer and processing stations, disposal sites;
  * minimum standards and incentives for safe collection and recycling of used oil;
  * used tire management programs which limit the disposal of tires in landfills and encourage reuse and recycling; and
  * long range disposal capacity planning.

- CA could submit a report detailing how it meets the federal criteria, but should not be made subject to subsequent federal regulations (which would impose unknown mandates)

3. Last Resort -

- If the state planning requirements are unavoidable, CA needs an allowance to utilize information already submitted by local jurisdictions, rather than repeating the work that has been done. The repetition would be extremely expensive and inefficient.

- CA needs maximum flexibility for planning and program development.

4. Biennial Report -

- Instead of a full report every two years, states should submit a "status report" every five years. (Two years is too short a time period to track and report significant changes in waste disposal and diversion.)

- Status reports could include changes in landfill disposal capacity, market opportunities, waste generation based on changes in population and the economy, new environmental standards, and funding changes for the integrated waste management system.

5. Life Cycle Cost Analysis

- The concept of life cycle cost analysis (LCCA) is still in the research phase, and is not ready to be mandated.

- The intended purpose of the LCCA is unclear from the language of the bill.

- Very few states, if any, perform LCCAs.

- LCCAs are prepared mainly by industry for specific waste types.

- No methodology is proposed in HR 3865 for LCCA; a common methodology may not be possible.

- If unavoidable, LCCAs should only be required after regulations are written and a pilot study is performed by USEPA to test the effectiveness of the methodology and the value of the resulting data.

PERMITTING

1. Tires

- HR 3865 would allow landfill disposal of shredded tires. Tire shredding should not be encouraged in this manner; it discourages recycling and limits options for reuse and recycling of used tires.

- Tire piles need not be eliminated; CA has developed standards for the safe storage (bailing, tire separation, pile size) while encouraging reuse and recycling.

- Health and safety standards mainly address fire and mosquito problems. (Federal and CA law already mandate surveillance and minimum control standards for the mosquito Aedes albopictus.) CA enforcement of vector control is delegated to the local level to respond to climate and other variable conditions. CA uses Uniform Fire Code (UFC) standards rather than NFPA.

2. Permit Validity

- Approval of the state plan must not be linked to the validity of facility permits. This section should be deleted. This provision would be disastrous for public health and safety alone. (The threat of a fine could be an alternative.)

3. Waste Separation

- HR 3865 would require the separation of glass, metal and other materials as determined by the Administrator prior to municipal composting or incineration; composting and incineration are different processes and should be addressed separately. CA encourages waste separation for transformation facilities by both regulating ash, and requiring front end separation of recyclable materials.

4. Source Separation and MRFs (Materials Recovery Facilities)

- MRFs utilize mixed waste; the bias toward source separation in HR 3865 would be disastrous for MRFs by requiring the removal of the very materials needed for their operations. (Also a guaranteed flow of recyclable materials to the MRFs may be central to any bond financing and the availability of bank loans.)

5. Permit Term

- Permits must not automatically expire at the end of 10 (or any number of) years; resubmittal and approval of the environmental documents, including CEQA [(CA Environmental Quality Act) the CA version of NEPA (the National Environmental Policy Act)], would be an overwhelming and expensive task.

- Financing may be difficult or impossible for facilities with such short permit terms.

- CA facility permits have no expiration date once issued, but must be reviewed every five years, and revised or revoked if necessary. We would want federal law to reflect these same requirements.

6. Fees

- It is unclear who will collect and use the fees. The federal government, states or local governments?

- CA currently has a $.75 per ton tipping fee for the CIWMB, in addition to other local fees. Current law authorizes the Board to charge a full dollar; the possibility of a fee increase is highly controversial.

- Language in HR 3865 is unclear: is $2.00 a minimum with state flexibility to set the fee higher; OR, may a state charge up to $2.00, OR any reasonable fee?

- Large facilities (exceeding 50,000 tons) appear to be excluded from paying the fees in the bill and should not be.

7. California's Application for Subtitle D Program Approval

- CIWMB staff expects that USEPA will approve California's current program to permit and regulate solid waste landfills by making a finding that CA statutes and regulations are functionally equivalent with the current provisions of RCRA [40 CFR, Part 257-258 and the draft State and Tribal Implementation Rule (STIR)].

- Significant amendments to RCRA could invalidate this authorization.

- Reauthorization of RCRA would require CA to adopt new statutes and regulations for landfill permitting and regulations to conform with the federal law.

- The CA Department of Toxic Substances Control (DTSC) recently spent an estimated $15 million over five years related to Subtitle C authorization. The CIWMB estimates that a word-for-word match to new federal law would cost the CIWMB at least $15 million.

- CA seeks language which would allow states with programs authorized under current law to remain authorized for a period of five years. (Two years is

the minimum that would be needed for the enactment of state legislation.)

- USEPA should be prohibited from requiring "word-for-word" conformity with federal law as the criterion for authorization. (For DTSC, USEPA required that CA law match federal law word-for-word unless DTSC could prove that the nonconforming CA laws were more rigorous.)

BATTERIES

- The definitions of the various battery types are incomplete or inconsistent; staff recommends using the definition in S. 2579 (see attached)

- The exemption to the general ban on incinerating or transporting batteries to a composting facility due to batteries being "inadvertently received" may be an enormous loophole, allowing the disposal of batteries at an incinerator or composting facility merely by an operator's claim that the batteries were "inadvertently received." This section is totally contrary to CA plans for increased battery collection programs.

- The separation of glass and metal is mandatory, yet the disposal of batteries, which CA views as a household hazardous waste and a serious problem in landfills and incinerators, would be tolerated under HR 3865 under several exemptions.

- Facility operators should be required to separate batteries. If pulverized, their contents may leach into groundwater; if incinerated, their contents may contaminate ash and air emissions.

- Language in HR 3865 [Section 4407(c)] appears to give states flexibility related to labeling, but subsections (a) and (b) would require state laws to be identical to sections 4406 and 4409 (which has specific language which must be used).

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

STATUS UPDATE ON FEDERAL LEGISLATION

Bill No: **HR 645, G. Miller (D-CA)**
Subject: **Radiation Protection Act of 1991**
The bill amends the Atomic Energy Act of 1954 to authorize the States to regulate the disposal of low-level radioactive waste for which the Nuclear Regulatory Commission does not require disposal in a licensed facility.

History: The Nuclear Regulatory Commission (NRC) has developed a plan to allow low-level waste, such as old smoke detectors, radioactive hospital equipment and old parts of nuclear facilities to be scrapped like any other garbage. To date, regulators have required such waste be disposed of in three federally licensed facilities in South Carolina, Nevada and Washington State, rather than in private and public landfills, as proposed. The legislation would not negate the NRC plan, but would allow states to hold low-level radioactive waste disposal to stricter standards.

Outlook: This bill may possibly be considered as part of the House strategy legislation. If HR 645 comes to the House floor, its chances of passage are pretty good, according to an aide with the House Interior and Insular Affairs Committee. "Nobody is willing to vote against it," he added.

Status: The bill was introduced on January 24, 1991. On October 2, 1991, the House Interior and Insular Affairs Committee approved HR 645. The full committee's amended version of the bill would grant states greater authority over the decision to dispose of low-level nuclear waste within their boundaries. Before the House votes on the bill, members of the House Energy and Commerce Committee need to review the legislation.

Bill No: **HR 2194, D. Eckart (D-OH)**
Subject: **Federal Facility Compliance Act**
This bill amends the Solid Waste Disposal Act to clarify provisions concerning the application of certain requirements and sanctions to federal facilities.
HR 2194 would give states and the Environmental Protection Agency authority to levy civil fines and penalties against federal facilities that violate federal hazardous waste laws. It amends the Resource Conservation and Recovery Act (RCRA) by stripping federal facilities of their sovereign immunity from civil penalties. It also restores the EPA's ability to use

administrative orders to resolve regulatory violations at federal facilities.

History: Representatives Dennis Eckart, D-Ohio, and Dan Schaefer, R-Colo., have tried since 1988 to get a federal facility compliance law enacted. In 1991, a virtually identical bill passed the House by a 380-39 vote, but was not considered by the Senate. This year, Senate Republicans, knowing Senate Majority Leader George Mitchell, D-Maine, had made the bill a priority, attached a controversial amendment authorizing an investigation into leaked classified information about Clarence Thomas during his Supreme Court confirmation hearings.

Outlook: The Bush Administration strongly opposes the legislation, arguing that it could drain the budgets of the Defense and Energy Departments and prevent those agencies from cleaning up the worst sites first.

Status: The bill was introduced on May 2, 1991. The House passed the bill by voice vote on June 24, 1991. The Senate passed a similar bill (S. 596) on October 24, 1991. HR 2194 was debated in the House on February 4, 1992. It was sent to conference and conferees were appointed by unanimous consent on that date.

Bill No: **HR 2746 C. Collins (D-IL)**
Subject: **National Recycling Markets Act of 1991**
HR 2746 would stabilize and improve markets for recycled products by requiring corporations and business to manufacture products and containers that can be recovered and reused. In addition, the legislation would devise new recyclable product and container standards as well as form a Commerce Department Commission to enhance the recycled products market.

Outlook: The Commerce, Consumer Protection and Competitiveness Subcommittee of the House Energy and Commerce Committee held a hearing on the legislation July 18, 1991. The bill's future remains unclear. Its fate is tied to the entire Resource Conservation and Recovery Act reauthorization. That debate, which flared up in March, will likely generate guidance as to whether recycling should be stimulated from the supply standpoint or from the demand end, as this bill proposes.

Status: The bill was introduced on June 25, 1991. It is too early to determine whether the legislation will see action this year.

Bill No: HR 3865 A. Swift (D-WA)
Subject: **National Waste Reduction, Recycling, and Management Act**
HR 3865 would establish a national waste management strategy with an emphasis on recovery and recycling. It would authorize appropriations for fiscal years 1993 through 1998 to enact the plan. Included in the legislation are provisions to promote reductions in packaging and to assist states in stimulating the market for recycled materials. The bill also would allow local governments to bar out-of-state garbage from entering their communities.

History: Public hearings on HR 3865 were held on March 10 and 13, 1992. Due to a long list of interested speakers, the bill was heard again on March 16. HR 3865 was reported out of the House Energy and Commerce Subcommittee on Transportation and Hazardous Materials on March 26, 1992. During the markup, the subcommittee defeated several provisions sought by environmental groups to strengthen the bill's requirements. The issues will likely be brought up again at the full committee for markup, where they stand a better chance of approval. The subcommittee did resolve a controversy on interstate transport of solid waste by giving local governments the power to ban such activities. That provision replaced language in the original legislation that would have enabled states to impose large fees on imported garbage.

Outlook: Most lawmakers want to send a RCRA reauthorization bill to President Bush this year, and supporters hope to go to conference this summer. Swift has contacted the Bush Administration seeking its input and cooperation on the legislation but has received little substantive response. At hearings on the measure, EPA officials voiced opposition to the majority of the legislation.

Status: The bill was introduced on November 22, 1991. After several public hearings, the bill was marked up on March 23rd - 26th in the House Energy and Commerce Subcommittee on Transportation and Hazardous Materials and reported out on a 16-1 vote on March 26, 1992. The April 2 subcommittee print has since been significantly reduced by striking provisions in the areas of municipal ash, reduction of toxic metals in packaging, federal procurement of recycled goods, mining waste, regulation of Indian lands and used oil management. The full committee is expected to meet this month for more mark ups.

Bill No: S 615 F. Lautenberg (D-NJ)
Subject: **Environmental Marketing Claims Act of 1991**
The bill would direct the administrator of the

Environmental Protection Agency to establish an environmental marketing claims regulatory program and to ensure that claims filed with the program are not false or deceptive.

Outlook: This bill has been amended into the Senate RCRA reauthorization measure; therefore, no further action is expected on S 615.

Status: The bill was introduced on March 12, 1991. It was approved as an amendment to S 976, the Senate RCRA reauthorization measure, during full committee markups on April 30.

Bill No: **S 668 J. McCain (R-AZ)**
Subject: **Indian Environmental General Assistance Program Act of 1991**
This bill would authorize $15 million each year until 1996 to provide environmental assistance grants to clean up and manage contamination on Indian reservations. The application of the grants would apply generally to air, land and water contamination problems, but a specific effort would be made to curb damage from leased hazardous waste dumping on Indian reservations.

Outlook: Following review by the House Committee on Energy and Commerce, the House will consider the bill. The Environmental Protection Agency testified in favor of the legislation because it helps address some of the current gaps in environmental jurisdiction. There doesn't appear to be any Administration objections to the legislation.

Status: The bill was introduced on March 14, 1991. The House Committee on Interior and Insular Affairs approved an amended version of the bill on November 13, 1991, after the Senate had approved it.

Bill No: **S 976 M. Baucus (D-MT)**
Subject: **Resource Conservation and Recovery Act Amendments of 1991**
The bill would amend RCRA to emphasize waste reduction and recycling. It would authorize $140 million for each of the fiscal years 1992 through 1996.

History: The primary intent of the legislation is to reduce the 180 million tons of waste Americans generate each year. It establishes a hierarchy for solid waste management, beginning with source reduction and recycling and followed by incineration and landfilling. The goal is to recycle 25% of the solid waste stream by 1995 and 50% of the waste stream by 2000.

Outlook: Because the bill proposes major reforms in the RCRA Act, it will face a tough fight in Congress. Senator Baucus said some lawmakers may object to a provision in the bill allowing states to ban the import of solid waste. According to Senate Majority Leader George Mitchell, D-Maine, the bill combined with a national energy strategy, would provide opportunities for job creation and technological innovation and it could save millions of dollars in long-term environmental cleanup costs.

Status: The bill was introduced on April 25, 1991. The Senate Environment and Public Works Committee scheduled a series of hearings on the measure during March 1992. Senators marked up the bill in the Environment and Public Works Committee on April 30, May 13 and May 20, 1992. S 976 goes next to the Senate Floor.

Bill No: **S 984 D. Boren (D-OK)**
Subject: **International Pollution Deterrence Act of 1991**
The bill would amend existing law so that a country's failure to impose and enforce effective pollution controls and environmental safeguards would constitute the bestowal of a subsidy by the country on its manufactured products, and require the imposition of countervailing duties on such products.

Outlook: The author's staff is enlisting cosponsors for the bill, and is directing constituents interested in its passage to contact members of Congress. There will probably be a companion bill on the House side which would have to be attached to a larger tax bill in order to advance further.

Status: The bill was introduced on April 25, 1991. It was referred to the Senate Committee on Finance. The committee's International Trade Subcommittee held a public hearing on the bill on October 25, 1991.

Bill No: **S 1082 J. Chafee (R-RI)**
Subject: **Hazardous and Additional Waste Export and Import Act of 1991**
This bill would amend the Solid Waste Disposal Act to prohibit the export from and import into the United States of hazardous and additional waste except in compliance with the requirements of this bill.

Outlook: Originally, the author had plans to get this bill incorporated into the Senate RCRA reauthorization bill, S 976, but that didn't happen. Chances of the bill's passage are unclear now.

Status: The bill was introduced on May 15, 1991. The Senate Environment and Public Works Committee's Environmental Protection Subcommittee held a field hearing on the measure on July 25, 1991.

Bill No: **S 1687 J. McCain (R-AZ)**
Subject: **Indian Tribal Government Waste Management Act of 1991**
The bill would require the Environmental Protection Agency to work with Indian tribal governments in developing waste management programs on Indian lands. The EPA would provide technical assistance to improve waste management facilities on Indian reservations, most of which do not meet federal standards.

Outlook: The Senate Select Committee on Indian Affairs, which held hearings on the measure in October, is reviewing hearing transcripts to decide if there will be further action on the bill, but no timetable has been set.

Status: The bill was introduced on August 2, 1991.