

# P&E Committee Update on the Permit Implementation Regulations (AB 1497)

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## A Refresher...

- Part of the Solid Waste Facility Permit Regulations Development Plan
- Approved by the P&E Committee at the November 2004 Committee Meeting
- First of three rulemaking packages to be developed by staff to address various permitting-related issues

# Six Key Issues in the Package

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## Key Issues

1. Significant Change and Modified Permit Process
2. Public Noticing and Hearing Requirements
3. Relationship of Solid Waste Facilities Permit to Local Land Use
4. Tracking Community Outreach Efforts
5. Five Year Permit Review Noticing
6. Surprise Random Inspections

# Accomplishments to Date

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- Formed Working Team to Help Analyze the Issues
- Developed Proposed Approaches and Floated to Enforcement Advisory Council (March 2005) and Through Public Workshops (April 2005)
- Prepared Workshop Audio Recordings and Workshop Notes and Posted on Board's Web Site
- Collected Written Comments During Informal Scoping Period Ending May 2005
- Conducted Session at Recent LEA/CIWMB Partnership Conference to Solicit More Input

# Extensive Outreach Efforts

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- Distribution of Information Includes: LEAs, Industry, and Public Interest Groups
- Notices Disseminated for All Scoping Activities (workshops and comment period)
- Two Public Workshops that Included: a Video-conference for Fresno Area, Audio Broadcast of Both Workshops, and an Evening Session (6-8pm) @ Both Workshops
- Creation of Web Page at:  
[www.ciwmb.ca.gov/Rulemaking/PermitImplem/](http://www.ciwmb.ca.gov/Rulemaking/PermitImplem/)

# Snapshot of Web Page

Permit Implementation Regulations (AB 1497): Proposed Regulations - Microsoft Internet Explorer provided by CIWMB

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**Proposed Regulations**

**Permit Implementation Regulations (AB 1497)**

**Description**  
New and revised regulations implementing the requirements of [Assembly Bill 1497](#) (Stats. 2003, Ch. 823), applying new construction and demolition requirements to the regulation of other solid wastes, and clarifying permit process requirements.

**Existing Regulations That Would Be Affected**  
To be determined.

[Background](#) | [Key Issues](#) | [Status](#) | [Contact](#) | [Stakeholder Info](#) | [For More Info](#)

**Background**  
In January 2004, [AB 1497](#) was enacted. The new law mandates several new solid waste facility permitting requirements and authorizes the Board to adopt regulations to implement these requirements. At its [January 2004 meeting](#), the Board directed staff to address, in a rulemaking, the application of new construction & demolition requirements to other solid waste facility and local enforcement agency requirements. Finally, in early 2004, the Board staff consulted with stakeholders to solicit their input on what they viewed as areas for improvement, consistency, and clarification related to the permitting process and/or requirements.

During the second half of 2004, Board staff solicited stakeholder input on regulatory concepts associated with the issues above via a process entitled the [Solid Waste Facility Permit Regulation Development Plan](#). At its [November 2004 meeting](#), the Board's Permitting and Enforcement Committee directed staff to implement the plan through three separate and staggered rulemakings. This rulemaking, Permit Implementation Regulations (AB 1497), is the first of the three rulemakings.

**Key Issues**  
The key issues of the Permit Implementation Regulations (AB 1497) are:

1. [Public Hearings Requirements](#)
2. [Significant Change and Modified Permit Process](#)
3. [Report of Facility Information Requirements for Community Outreach Efforts Recordkeeping](#)
4. [Five Year Permit Review Noticing](#)

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# Summary of Comments

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- Workshop Comments are Available on the Web Page – Both Audio Recordings and Written Notes
- Fifteen (15) Written Submittals Received
- Majority of Comments Were on Issue 1
- Great Interest in the Decision Tree and Modified Permit Process
- Most LEAs' Comments Aligned with Proposed Approaches

# Detail of the Issues

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## Key Issues

- Significant Change and Modified Permit Process
- Public Noticing and Hearing Requirements
- Relationship of Solid Waste Facilities Permit to Local Land Use
- Tracking Community Outreach Efforts
- Five Year Permit Review Noticing
- Surprise Random Inspections

# Next Steps

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- Fine-tune Approaches for Issues 1 and 2
- Continue to Analyze Issue 3
- Begin Drafting Regulatory Language for Issues 4, 5 & 6
- Finish All Draft Language By End of Summer
- Return to P&E Committee for Approval to Begin Formal Rulemaking Process

# Communication Tools

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- For Latest Information Visit the Board's Web Page @  
[www.ciwmb.ca.gov/Rulemaking/PermitImplem/](http://www.ciwmb.ca.gov/Rulemaking/PermitImplem/)
- Email Questions & Comments to:  
[swfacpermit@ciwmb.ca.gov](mailto:swfacpermit@ciwmb.ca.gov)
- Subscribe to Project Listserv @  
[www.ciwmb.ca.gov/Listservs/](http://www.ciwmb.ca.gov/Listservs/)

# Questions/Comments?

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