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LEGISLATIVE TASK FORCE

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October 6, 2006

Bobbie Garcia

California Integrated Waste Management Board

P.O. Box 4025, MS-10A

Sacramento, CA 95812-4025

Dear Ms. Garcia,

Thank you for the opportunity to provide comments on the draft regulations for the proposed permit implementation regulations (AB 1497). As we all noted in our testimony, we are appreciative of the excellent deliberative process that has transpired up to this point and we look forward to continuing working with you in the development of the regulations. AS we have communicated to CIWMB members and staff, we believe that the draft regulations contain many useful and worthwhile elements.

The undersigned represent the thoughts and comments of a collaborative group of stakeholders that is comprised of solid waste industry facility operators and local government.

With this in mind, we support the following elements if the proposed regulations:

- o The new method to change activities at a solid waste facility by means of a "modified permit" to allow modifications to a permit for changes that are less than significant.
- o The requirement for additional noticing requirements and informational meetings (hearings) for new revised permits;
- o The requirement for the EA to notify operators when they must apply for a five-year permit review of their permit, bringing consistency to the process;
- o While we would prefer that LEAs have appropriate discretion, and therefore we would prefer there not be any lists at all. If there must be a minor change list, we propose the following. The "minor change" lists as defined in Option B (Section 21620(a)) of the staff report and the following additional language:

"(D) the change does not conflict with the design and operation of the facility as described in the current RFI pursuant to Section 21600.

(E) Minor changes include, but are not limited to, the following:"

With reference to this Option B list, we are convinced that it will allow for an expedited processing of minor changes that occur during the normal course of operations that should not require extra work and effort on the part of the LEA. We note that the items in this list were agreed upon by a broad spectrum of stakeholders during your workshops and have been modified and edited by Board staff to accommodate their concerns.



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We also believe that this "minor change" list should not be considered at all exclusive, and that it should provide some flexibility on the part of the LEA to either add this list or reject items on the list as they feel necessary to protect the public health and the environment.

Sincerely,

Paul J. Yoder

Legislative Advocate