

Enforcement Advisory Council

Solid Waste Management Through Partnership

April 10, 2009

Ted Rauh, Program Director
Waste Compliance and Mitigation Program
California Integrated Waste Management Board
1001 "I" Street
PO Box 4025
Sacramento, Ca. 95812-4025

Subject: Enforcement Advisory Council Resolution 2007-02.
Permit Application Form (E-1-77) and Instructions for Completing Application
for Solid Waste Facility Permit

Dear Mr. Rauh:

The Enforcement Advisory Council (EAC) is in receipt of your February 10, 2009, response regarding EAC Resolution 2007-02. This letter serves to acknowledge and express appreciation for your commitment of Board staff to continue to address issues identified in the EACs workgroup January 8, 2009, memo.

The EAC met on March 12, 2009 and discussed the efforts to "address the issues and follow through on the workgroup's suggested options" identified in your response. The EAC subcommittee dealing with this subject would like to participate in the development of additional information proposed for the permit toolbox. Specifically, the EAC seeks to provide clarification that the information on the application is "only information" and that an LEA is not required to include it in the permit. We agree that that it would be beneficial to elaborate on issues relative to the application and permit during the next scheduled training on the permit process.

In addition, the EAC concurs that a reasonable approach to open the regulations to revise the application is at the completion of the current review of regulations relative to ADC use and BMPs. However, it is a priority for the EAC to have changes initiated. Should the current review get stalled, the EAC may re-address the timely need to revise the regulations to sever the link between the application form and the permit with you in the future.

Ultimately, the EAC seeks closure on Resolution 2007-02 which was originally adopted on January 25, 2007. In order to memorialize the agreed upon interpretation discussed above (i.e., a completed E-1-77 Application Form is only for the purpose of providing information and that it is separate from the Solid Waste Facility Permit), it is essential that clarification be initiated and the permit tool box updated.

We look forward to working with you now and in the future in all aspects of guidance development that will allow for the most effective permitting, inspection and enforcement programs.

Should you have any questions, please contact me at (858) 694-2232.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Lafreniere".

Rebecca Lafreniere, Chair
Enforcement Advisory Council

Cc: EAC Members
Ray Ruminski, Chair, CCDEH Solid Waste Policy Committee