



CALIFORNIA INTEGRATED WASTE MANAGEMENT AND RECYCLING BOARD

Executive Officer: George Larson
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The California Integrated Waste Management and Recycling Board (CIWMB) was created by AB 939 (Sher) (Chapter 1095, Statutes of 1989), the California Integrated Waste Management Act of 1989. The Act is codified in Public Resources Code section 40000 *et seq.* AB 939 repealed SB 5, thus abolishing CIWMB's predecessor, the California Waste Management Board (CWMB). (See CRLR Vol. 9, No. 4 (Fall 1989) pp. 110-11 for extensive background information.)

CIWMB reviews and issues permits for landfill disposal sites and oversees the operation of all existing landfill disposal sites. The Board is authorized to require counties and cities to prepare Countywide Integrated Waste Management Plans (CoIWMPs), upon which the Board will review, permit, inspect, and regulate solid waste handling and disposal facilities. A CoIWMP submitted by a local government must outline the means by which its locality will meet AB 939's requirements of a 25% waste stream reduction by 1995 and a 50% waste stream reduction by 2000. The primary components of waste stream reduction are recycling, source reduction, and composting.

The statutory duties of CIWMB also include conducting studies regarding new or improved methods of solid waste management, implementing public awareness programs, and rendering technical assistance to state and local agencies in planning and operating solid waste programs. Additionally, CIWMB staff is responsible for inspecting solid waste facilities such as landfills and transfer stations, and reporting its findings to the Board. The Board is authorized to adopt implementing regulations, which are codified in Chapters 1-8, Division 7, Title 14 of the California Code of Regulations (CCR).

The new CIWMB is to be composed of six full-time salaried members: one member who has private sector experience in the solid waste industry (appointed by the Governor); one member who has served as an elected or appointed official of a nonprofit environmental protection organization whose principal purpose is to promote recycling and the protection of air and water quality (appointed by the Governor); two public members appointed by

the Governor; one public member appointed by the Senate Rules Committee; and one public member appointed by the Speaker of the Assembly.

At its September 27 meeting in Sacramento, the new CIWMB reached a quorum of four members and the old CWMB was abolished. The members present at the first CIWMB meeting were Sam Egigian, Wes Chesbro, Kathy Neal, and John Gallagher. As of October 1, two positions remain to be filled on the Board. Both positions are public members appointed by the Governor.

The new Board begins its work under a new enabling statute, with a variety of recently enacted bills and many new regulations. The Board is operating on a \$53 million budget during fiscal year 1990-91, and will deploy an enlarged staff of about 200 in meeting the solid waste management needs of the state.

MAJOR PROJECTS:

Regulatory Changes. In March, the Office of Administrative Law (OAL) approved a number of emergency regulations designed to implement AB 939 (Sher). (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 169; Vol. 10, No. 1 (Winter 1990) pp. 129-30; and Vol. 9, No. 4 (Fall 1989) pp. 111-12 for background information.) These emergency regulations were effective until approximately November 17, under an extended deadline granted by OAL on July 6. On September 28, CIWMB published notice of its intention to conduct a public hearing on December 5 to consider the permanent adoption (with some modifications) of sections 18720-18726 and 18760-18790, found in Division 7, Chapter 9, Articles 3 (Definitions), 6.1 (Solid Waste Generation Study), 7 (Procedures for Preparing and Revising City and County Source Reduction and Recycling Elements), and 8 (Procedures for Preparing and Revising Countywide Siting Elements and Countywide Integrated Waste Management Plans), Title 14 of the CCR. Proposed permanent regulations for Article 6.2, which deals specifically with the contents of the source reduction and recycling elements, will be noticed at a later date.

Local Task Forces. Public Resources Code sections 40900-41900 require local governments to prepare Countywide Integrated Waste Management Plans (CoIWMPs). These plans must include two elements: (1) a source reduction and recycling element (SRRE), which must be prepared and adopted by local governments by July 1, 1991; and (2) a siting element, which must be jointly prepared by cities and the county. Pursuant to Public Resources Code section 40950,

each county is required to establish a Local Task Force (LTF), to ensure cooperation between cities and counties in the preparation of the individual SRREs; identify solid waste issues of local and regional concern; develop goals, policies, and objectives for the siting element; provide assistance in preparing the CoIWMPs; and review the required plan elements.

All LTFs were required to convene by March 1. As of September 27, 48 out of 56 counties had formed LTFs (Sutter and Yuba counties are joined under a single LTF and the City and County of San Francisco is statutorily exempt from forming an LTF).

Implementation of AB 2448. Pursuant to AB 2448 (Eastin) (Chapter 1319, Statutes of 1987), each solid waste disposal site in the state was required to submit closure/postclosure maintenance certifications to the Board by January 1, 1989. On June 18, OAL approved CIWMB's proposed changes to Chapter 5, Article 3.5 (sections 18280-19297) (Financial Responsibility for Closure and Postclosure Maintenance); Chapter 3, Article 7.8 (sections 17760-17796) (Disposal Site Closure and Postclosure); and Chapter 5, Article 3.4 (sections 18250-18277) (Application and Approval of Closure and Postclosure Maintenance Plans). (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) pp. 169-70; Vol. 10, No. 1 (Winter 1990) pp. 130-31; Vol. 9, No. 4 (Fall 1989) pp. 111-12; and Vol. 9, No. 3 (Summer 1989) p. 102 for detailed background information on AB 2448 and these regulations.)

Of the 426 disposal facilities listed on the Solid Waste Information System (SWIS) database, the Board received 404 responses to the certification requirement. As of September 27, 62 of these certifications had received Board approval; 172 of the responses had been reviewed but had not yet received the Board's approval.

CIWMB staff reviews all submissions for certification pursuant to AB 2448. When an incomplete certification application is submitted, staff notifies the operator of the submitting facility regarding the missing component(s) and sets a deadline for compliance. At CIWMB's June meeting, the Board agreed to ask the Attorney General to file civil actions against the following seven facilities which failed to comply with their deadlines: West Seventh Street Disposal Site; Walker Sanitary Landfill; Bridgeport Sanitary Landfill; Pumice Valley Sanitary Landfill; Benton Crossing Sanitary Landfill; Chalfant Sanitary Landfill; and Benton Sanitary Landfill.



At its July 26-27 meeting, the Board voted to refer the following noncomplying facilities to the Attorney General: Crescent City Landfill; Berryessa Estates; Advanced Course; and American Canyon Sanitary Landfill.

At its August 22-23 meeting, the Board voted to ask the Attorney General to file civil suits against the following three facilities: Rio Vista Sanitary Landfill, Cloverdale Wood Waste Landfill #2; and Upper Valley Disposal Service Landfill.

At its September 27 meeting, the Board voted to refer Weaverville Landfill Disposal Site to the Attorney General for noncompliance.

Disposal Cost Fee Study. Section 40600 of the Public Resources Code requires CIWMB, in consultation with the State Board of Equalization and the appropriate fiscal and policy committees of the legislature, to complete and submit to the Governor and the legislature a disposal cost fee study and model legislation on or before January 1, 1991. The fee would be a "front-end" fee paid by individuals when they buy or sell products which ultimately contribute to the state's solid waste stream, and would serve two purposes: (1) to promote a reduction in the amount of waste disposed of in solid waste landfills or processed in transformation facilities; and (2) to provide an appropriate source of funds for waste management activities related to source reduction, recycling, and reuse.

On July 30, CIWMB published in the State Contracts Register an Invitation for Bids (IFB) for the Disposal Cost Fee study. Prospective contractors were asked to submit bids to perform specified tasks, including the following: state the public problem and solid waste management goals that the fee is to address; describe existing Disposal Cost Fee programs and statutes with similar objectives; and specify features to be included in model legislation. CIWMB received two responses to the IFB by the August 24 deadline. At this writing, each bid is being evaluated and rated by a review panel consisting of Board members and staff. Following award of the contract, the Board expected to review a draft report at its November 14 meeting, and to receive the final report and model legislation by December 19.

Solid Waste Assessment Tests. State law requires the testing of air and water quality to determine the extent of hazardous waste in active and inactive solid waste disposal sites, and to evaluate the potential effects such waste may have on public health and the environment. The law also requires that notifications occur

between local enforcement agencies, regional boards, air districts, and the Department of Health Services relating to enforcement orders, and that each agency respond accordingly. These requirements are collectively referred to as the Solid Waste Assessment Test (SWAT) program.

At the Board's August 22-23 meeting, it considered and adopted Resolution No. 90-36, which authorizes the Chief Executive Officers of the Air Resources Board, State Water Resources Control Board, and CIWMB to sign a Memorandum of Understanding (MOU) among these three entities regarding solid waste disposal site testing and remediation. The MOU is intended to facilitate and coordinate the activities of each board, eliminate duplication of effort, and provide regulatory consistency. The MOU defines how each board will coordinate its efforts and contains specific provisions to enhance the cooperative nature of the project, by facilitating the exchange of information, encouraging the sharing of data, and ensuring that risk-management decisions in one area do not conflict with those in others.

Household Hazardous Waste (HHW) Grant Regulations. On June 13, CIWMB submitted to OAL proposed regulations which would govern the disbursement of grants to local governments to fund household hazardous waste (HHW) collection plans implemented by the local governments. (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 170 and Vol. 10, No. 1 (Winter 1990) p. 131 for background information.) On July 12, OAL rejected the proposed regulations on grounds that they failed to satisfy the clarity and necessity standards of Government Code section 11349.1, and for procedural defects. CIWMB revised its proposed regulations pursuant to OAL's suggestions, held a 15-day comment period, and subsequently adopted the revised regulations at its August 22-23 meeting. On August 30, OAL approved the revised regulations (sections 18500-18536.1, Title 14 of the CCR).

Permits. At its June 21-22 meeting, the Board considered and granted Simi Valley Landfill's request for a new permit due to a change in its operator. The Board also voted to allow the El Sobrante Landfill in Riverside County to increase intake by 100%.

At its July 26-27 meeting, the Board granted a new permit to Gold Coast Recycling, Inc. of Ventura County, which will process select loads of commercial waste and recyclable materials. The Board also granted the request of Riverside County's Idyllwild Transfer Station to revise its permit to include the

short-term storage of brush and pine needles. The Board also conditionally approved the final closure/postclosure maintenance plan for the Palo Alto Solid Waste Landfill Facility in Santa Clara County.

At its September 27 meeting, the Board considered the request of Monofill Facility (Desert Valley Company) for a new solid waste facility permit for a proposed landfill for storage and disposal of nonhazardous geothermal wastes generated at Magma Power's four geothermal plants in Imperial County. The waste consists of silica filtercake solids derived from geothermal brines and drilling muds and cuttings. The permit for the facility would prohibit acceptance of wastes for which the site is not approved, such as hazardous wastes, infectious wastes, or municipal refuse. After satisfying its concerns regarding small amounts of naturally occurring radioactive materials in the filtercake and regarding monitoring procedures, CIWMB granted this permit.

The Board also considered a revised permit for the Twin Bridges landfill in Shasta County. The operator requested a revised permit to allow an increase in tonnage at the facility, which was opened under a new permit granted by CIWMB in January (see CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) pp. 171-72 for background information). Sludge comprises 98% of the waste disposed of at this site; the sludge contains very small amounts of dioxin, well below the Environmental Protection Agency's action level for dioxin and California's Soluble Threshold Limit Concentration for dioxin.

CIWMB staff recommended that the environmental documents prepared for the original permits were adequate for the Board's purpose in concurring with the revised permit; the Board subsequently granted the revised permit for the facility.

Enforcement Action. At its September 27 meeting, the Board heard a report from Nevada County regarding its compliance efforts at the McCourtney Landfill. The County continues to operate this landfill in violation of several terms of Notice and Order 89-01, permit conditions, and state minimum standards. (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 172 and Vol. 10, No. 1 (Winter 1990) p. 132 for background information.)

The County reported that it is currently engaged in an extensive construction program in an attempt to comply with Notice and Order 89-01 and state minimum standards. However, several serious problems have arisen which may



hamper these efforts, including the discovery of groundwater within ten feet of the base liner being constructed for the 1990-91 disposal area.

Pursuant to a CIWMB directive, Nevada County will continue to present monthly reports to the Board regarding the County's progress in complying with the terms and conditions of the Notice and Order.

Sludge Management. AB 1820 (Sher) (Chapter 145, Statutes of 1990) requires the Board to submit a report which describes and evaluates the various options for disposal and reuse of sludge; evaluates the environmental and public health impacts of the various disposal and reuse options; evaluates the adequacy of existing federal and state statutes and regulatory programs designed to regulate sludge disposal and reuse, including an evaluation of the adequacy of current funding levels for regulatory programs; and recommends the best available methods to dispose or reuse sludge to ensure maximum protection of public health and the environment. (See CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 172 for background information.) This report must be submitted by March 31, 1991.

CIWMB staff recommended that the timely preparation of the report requires the retention of a consultant and approximately \$100,000 for the analysis and report; as a result, the Board considered and approved the release of an IFB for the sludge report at its August 22-23 meeting. The deadline for submitting bids was September 21; the Board expected to select the lowest responsible bidder at its October meeting.

LEGISLATION:

AB 3994 (Sher), as amended July 3, makes it unlawful for any person to represent that any consumer good, as defined, which it manufactures or distributes is "ozone friendly," "biodegradable," "photodegradable," "recyclable," or "recycled" unless that article meets specified definitions or meets criteria established in trade rules adopted by the Federal Trade Commission. This bill was signed by the Governor on September 27 (Chapter 1413, Statutes of 1990).

SB 2195 (Bergeson), as amended August 7, makes all product specifications prepared by the Department of General Services for goods containing recycled materials for specified contracts for the purchase of goods not subject to the review and adoption procedures of the Administrative Procedure Act relating to the adoption of administrative regulations. This bill was signed

by the Governor on September 20 (Chapter 1156, Statutes of 1990).

SB 2905 (Calderon), as amended August 21, provides that actions taken to increase recycling by any person or entity affecting scrap values, the quantity of materials being recycled, or the method of invoicing the sale of beverages are not a violation of specified provisions regulating unlawful combinations in restraint of trade and other unfair trade practices. This bill was signed by the Governor on September 24 (Chapter 1273, Statutes of 1990).

AB 1490 (Sher), as amended August 29, provides that any person who violates the California Beverage Container Recycling and Litter Reduction Act may be assessed a civil penalty by the Department of Conservation of \$100 for each separate violation and not more than \$1,000 for any subsequent separate violation of the Act pursuant to notice and a hearing. This bill was signed by the Governor on September 24 (Chapter 1274, Statutes of 1990).

AB 2593 (Sher). Under existing law, the Source Reduction Advisory Committee is required to recommend specific actions to CIWMB and the legislature to reduce the volume of waste materials generated in the state. The Committee is composed of various representatives, including one member appointed by the Senate Rules Committee representing the nondurable goods manufacturing industry. As amended August 17, this bill would have instead required that member to be a representative of the retailing industry appointed by the Governor, and would have increased the membership of the Committee by three additional members with specified qualifications. This bill was vetoed by the Governor on September 17.

AB 2597 (Tanner), as amended August 28, exempts a household hazardous waste collection facility operated by a public agency, or any person under an agreement with a public agency, from the requirement to obtain a hazardous waste facilities permit, if the facility accepts only certain materials which are transported to, and managed at, the facility in a specified manner and in specified amounts. This bill was signed by the Governor on September 22 (Chapter 1265, Statutes of 1990).

AB 3477 (Peace), as amended August 29, would have prohibited, except in a county with a population of less than 125,000, the disposal of hazardous waste at a hazardous waste facility which is located, or proposed to be located, on Native American Indian reservation land or land dedicated for use by Native

American Indians if the state Department of Health Services makes a specified determination, unless the facility has been issued a permit and meets specified federal and state environmental requirements. This bill was vetoed by the Governor on September 30.

AB 3777 (Chandler), as amended August 27, requires CIWMB to complete a study and, on or before July 1, 1991, report to the legislature the results of the study on recycling and source reduction in rural areas. This bill was signed by the Governor on September 30 (Chapter 1634, Statutes of 1990).

AB 3987 (Katz) authorizes the designated local enforcement agency to collect fees or other charges from each solid waste facility operator or from any person who conducts solid waste handling if the local governing body has approved rate adjustments to compensate the solid waste hauler or solid waste facility operator for the amount of the fee or charges imposed. This bill was signed by the Governor on July 16 (Chapter 305, Statutes of 1990).

The following is a status update on bills reported in detail in CRLR Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) at pages 172-74:

AB 2296 (Cortese), as amended August 10, prohibits any person from establishing a new or expanding an existing solid waste facility or transformation facility, until a ColWMP has been approved by CIWMB, without meeting specified requirements. This bill also provides for the review and approval of a solid waste facility or transformation facility which has not been identified or described in an existing approved county solid waste management plan. AB 2296 also adds conditions under which CIWMB is required to object to a permit and requires those objections to be submitted to the enforcement agency, the applicant, and the applicable city or county. This bill was signed by the Governor on September 30 (Chapter 1617, Statutes of 1990).

SB 2700 (Keene), as amended August 21, would have required CIWMB to conduct a study of the feasibility of requiring that all telephone directories issued or sold in this state be made of materials which makes them acceptable to most recycling operations. This bill was vetoed by the Governor on September 21.

AB 109 (Hayden), as amended August 29, enacts the Medical Waste Management Act; authorizes a local agency to implement, or to contract with another local agency to implement, a medical waste management program with specified components; and requires



a local agency electing to implement a medical waste management program to be the enforcement agency for that jurisdiction. This bill was signed by the Governor on September 30 (Chapter 1613, Statutes of 1990).

SB 2292 (Morgan), as amended July 7, authorizes the Source Reduction Advisory Committee to take specified factors into consideration when making recommendations concerning product durability standards. This bill was signed by the Governor on September 24 (Chapter 1301, Statutes of 1990).

SB 1805 (Torres), as amended June 27, would have specified, for purposes of the California Integrated Waste Management Act of 1989, that "transformation" does not include the incineration of municipal waste in a mass-burning facility. This bill was vetoed by the Governor on September 21.

SB 1998 (Bergeson), as amended August 9, would have created the Local Government Technical Advisory Committee in CIWMB, whose members would be appointed by the Board for two-year terms; specified the duties of the advisory committee; and required the Board to provide staff to assist the advisory committee. This bill was vetoed by the Governor on September 30.

SB 2091 (Hart), as amended June 20, amends section 40600 of the Public Resources Code to specify additional requirements for the Board's required report on the most effective means of enacting and implementing a disposal cost fee system. This bill was signed by the Governor on August 24 (Chapter 546, Statutes of 1990).

SB 2092 (Hart), as amended August 28, requires, on and after January 1, 1993, each seller of specified trash bags to certify that it has used a certain percentage of weight of recycled post-consumer materials in its trash bags; and requires each seller of recycled post-consumer material to a trash bag manufacturer to certify to CIWMB annually the percentage of recycled postconsumer recycled material it sells, and other specified information. This bill was signed by the Governor on September 29 (Chapter 1452, Statutes of 1990).

SB 2139 (Davis) was substantially amended on August 29 and is no longer relevant to CIWMB.

SB 2221 (Vuich), as amended August 27, would have authorized an enforcement agency to approve a compliance order, as defined, permitting the continuance of operations with respect to specified solid waste facilities with permits approved on or before January 1, 1990, if the enforcement agency makes specified determinations and CIWMB con-

curs in these findings; and would have required CIWMB to examine each waiver at least annually to determine if it needs changes. This bill was vetoed by the Governor on September 30.

AB 4193 (Sher). Existing law requires CIWMB to report to the legislature on or before January 1, 1991, on the most effective means of enacting and implementing a disposal cost fee system. This bill would have instead required the report to be on the enactment and implementation of an effective disposal cost fee system. Following enrollment on August 17, this bill died after being returned unsigned to the Secretary of the Senate on August 30.

AB 2622 (Eastin), as amended August 24, requires every glass container manufacturer to fill out a standardized rejection form of specified content supplied by the Department of Conservation whenever the manufacturer rejects a load of redeemed glass materials delivered to the glass manufacturer's place of business and offered for sale by a certified processor; and prohibits a certified processor from disposing of rejected material before the processor obtains written permission from the Department. This bill was signed by the Governor on September 19 (Chapter 1094, Statutes of 1990).

AB 2641 (Wright and Tanner), as amended August 29, defines "hazardous waste collection program," and includes within that definition, for specified purposes, a program in which small quantities of hazardous wastes are received from small quantity commercial sources, stored, and transferred to a licensed hazardous waste treatment, storage, or disposal site. This bill also excludes from the definition of "facility," for purposes of hazardous waste control laws, a specified portion of a solid waste management facility, and excludes any facility operated by a local government agency or by any person operating a hazardous waste collection program under an agreement with a public agency, which is used for the collection of hazardous waste generated by specified small quantity commercial sources. This bill was signed by the Governor on September 22 (Chapter 1266, Statutes of 1990).

AB 2707 (LaFollette), as amended August 28, repeals provisions of existing law which superseded requirements in the California Integrated Waste Management Act of 1989 concerning county-wide solid waste management plans and the issuance of solid waste facilities permits, and imposes a state-mandated local program by requiring each city to prepare, adopt, and submit by July 1, 1991, to the county in which it is located a

household hazardous waste element of specified content. This bill also requires each county and city and county to prepare and submit to CIWMB—with the ColWMP required under the Act—all city household hazardous waste elements and a county household hazardous waste element for residences in the unincorporated area of the county. This bill was signed by the Governor on September 27 (Chapter 1406, Statutes of 1990).

SB 1804 (Torres), as amended August 22, would have limited the state Department of Health Services to classifying as nonhazardous waste ash or residues generated solely from the combustion of biomass material, if the biomass materials do not contain municipal solid waste, industrial sludge, or hazardous waste. This bill was vetoed by the Governor on September 29.

SB 2310 (Bergeson), as amended August 22, authorizes CIWMB to make low-interest loans under specified conditions to local governmental agencies and private business entities within a recycling market development zone from the Recycling Market Development Revolving Loan Account, which the bill creates in the Integrated Waste Management Fund, for the purpose of assisting CIWMB and local agencies in complying with the requirements for the recycling and resource recovery elements and promotion of the implementation of source reduction, recycling, and composting, environmentally safe transformation, and environmentally safe land disposal. This bill was signed by the Governor on September 30 (Chapter 1543, Statutes of 1990).

SB 2342 (Killea), as amended July 10, would have prohibited a child day care facility from refusing to care for a child if the parent furnishes or authorizes the use of reusable diapers; and would have required a facility to develop a written policy regarding the use and conditions of use of disposable or reusable diapers at the facility. This bill was vetoed by the Governor on September 14. (See *supra* COMMENTARY for further discussion on this bill.)

AB 2868 (Bader) revises the requirements which used oil and material burned for energy recovery used to produce a fuel or contained in a fuel are required to meet in order to be exempted from the list of recyclable materials which are hazardous wastes and subject to regulation even if the recycling meets specified conditions. This bill was signed by the Governor on August 15 (Chapter 533, Statutes of 1990).

AB 3992 (Sher), as amended August 29, authorizes CIWMB to impose administrative civil penalties if the



REGULATORY AGENCY ACTION

Board finds that a county or city and county has failed to implement its source reduction and recycling elements or household hazardous waste element, and authorizes the Board to make specified considerations in determining the amount of any penalties imposed pursuant to these provisions; requires CIWMB to deposit all revenues received in the Integrated Waste Management Fund; provides that the California Integrated Waste Management Act of 1989 does not abrogate any contract, license, or permit to collect solid waste previously granted or extended by a city, county, or city and county; and revises the definition of solid waste facility to include composting transformation and disposal facilities. This bill was signed by the Governor on September 25 (Chapter 1355, Statutes of 1990).

AB 4032 (Harvey), as amended July 28, requires CIWMB to adopt regulations, in consultation with the state Air Resources Board and the California Air Pollution Control Officers Association, which establish monitoring and control standards for the subsurface migration of landfill gas and which require owners and operators of disposal sites to report monitoring data to CIWMB and to perform site inventories and evaluations. This bill was signed by the Governor on September 9 (Chapter 668, Statutes of 1990).

SB 1813 (McCorquodale), which authorizes the Board to conduct a study on the disposal and recyclability of household batteries, was signed by the Governor on September 10 (Chapter 711, Statutes of 1990).

AB 3530 (Margolin), which, as amended August 16, requires CIWMB to conduct a study of specified contents on the disposal and potential recyclability of household batteries, was signed by the Governor on September 30 (Chapter 1631, Statutes of 1990).

AB 3749 (Sher), as amended August 29, would have enacted the California Oil Recycling Enhancement Act under which, beginning January 1, 1992, every oil manufacturer would be required to pay \$0.05 quarterly to CIWMB for each quart or \$0.20 for each gallon of lubricating or industrial oil sold or transferred in this state or imported into this state in that quarter, with specified exceptions. This bill was vetoed by the Governor on September 30.

SB 1200 (Petris), which enacts the Used Oil Recycling Grant Program of 1989, was signed by the Governor on September 30 (Chapter 1657, Statutes of 1990).

The following bills died in committee: *SB 2551 (Marks)*, which would have

prohibited furnishing the U.S. Postal Service for distribution any advertisements, billing statements, or solicitations which contain nonrecyclable materials; *SB 2837 (Killea)*, which would have prohibited furnishing for sale or offer for sale single use disposable diapers for use in this state that are not in a package labeled as specified in the bill; *SB 2910 (Calderon)*, which would have required each county to notify the public on the results of the SWAT reports in a specified manner; *AB 2199 (Bates)*, which would have required the inclusion of plastics in any waste characterization study prepared prior to designing and implementing a local recycling plan; *SB 1260 (Bergeson)*, which would have required CIWMB to implement specified state programs to promote integrated waste management, develop markets for recovered materials, and provide technical assistance and public information; *AB 1377 (Bates)*, which would have required all state agencies and public entities and the legislature to give preference to recycled products; and *AB 1293 (Filante)*, which would have required CIWMB to consult with representatives from specified industries and organizations in developing state policy for the resource recovery component of an integrated approach to waste management.

RECENT MEETINGS:

At its August 22-23 meeting, the Board considered supporting the California Museum of Science and Industry's "Our Urban Environment" exhibit, which is designed to increase public awareness of environmental issues by demonstrating the interdependence of urban life and the environment, and will demonstrate the costs and benefits of implementing recycling and source reduction plans. The Board voted to contribute \$300,000 to the Museum for the exhibit, which is scheduled to open in March 1991 and remain open for a minimum of five years. This amount constitutes the largest single contribution received by the Museum.

At the Board's September 27 meeting, the Arcata Community Recycling Center and Gainer & Associates presented "Recycling Entrepreneurship: Creating Local Markets for Recycled Materials," which has been effective in developing local markets for recycled materials while promoting economic development. The speakers discussed the difficulty of marketing collected recyclable materials in remote rural regions in the absence of large-scale industrial and manufacturing facilities; and showed how these problems are

being overcome by the creation of small-scale recycling industries in the Humboldt Bay area of northern California.

FUTURE MEETINGS:

To be announced.

COASTAL COMMISSION

Executive Director: Peter Douglas
Chairperson: Thomas Gwyn
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The California Coastal Commission was established by the California Coastal Act of 1976, Public Resources Code section 30000 *et seq.*, to regulate conservation and development in the coastal zone. The coastal zone, as defined in the Coastal Act, extends three miles seaward and generally 1,000 yards inland. This zone, except for the San Francisco Bay area (which is under the independent jurisdiction of the San Francisco Bay Conservation and Development Commission), determines the geographical jurisdiction of the Commission. The Commission has authority to control development of, and maintain public access to, state tidelands, public trust lands within the coastal zone, and other areas of the coastal strip. Except where control has been returned to local governments, virtually all development which occurs within the coastal zone must be approved by the Commission.

The Commission is also designated the state management agency for the purpose of administering the Federal Coastal Zone Management Act (CZMA) in California. Under this federal statute, the Commission has authority to review oil exploration and development in the three mile state coastal zone, as well as federally sanctioned oil activities beyond the three mile zone which directly affect the coastal zone. The Commission determines whether these activities are consistent with the federally certified California Coastal Management Program (CCMP). The CCMP is based upon the policies of the Coastal Act. A "consistency certification" is prepared by the proposing company and must adequately address the major issues of the Coastal Act. The Commission then either concurs with, or objects to, the certification.

A major component of the CCMP is the preparation by local governments of local coastal programs (LCPs), mandated by the Coastal Act of 1976. Each LCP consists of a land use plan and implementing ordinances. Most local governments prepare these in two separate phases, but some are prepared simultaneously as a total LCP. An LCP does not