



the Director to issue surveillance orders, compliance orders, certification orders, and embargo orders to control and restrict the importation of foreign produce into this state. Violation of these orders would be a misdemeanor subject to a fine of up to \$5,000. The bill would appropriate \$200,000 to the Department to carry out these duties.

AB 508 (Jones), introduced February 5, would authorize the Director to sample whole milk cheese, part skim cheese, and skim cheese for the purpose of testing for coliform organisms.

AB 74 (N. Waters), as amended February 9, would revise the definition of the term "vintner," and would specify that only persons who would be required to pay assessments as vintners or producers may vote in the referendum to determine whether the California Wine Commission and the California Winegrowers Commission shall become effective. (For more information, see *supra* MAJOR PROJECTS: *Marketing Order Update*.)

AB 547 (Jones), introduced February 9, would create the California Walnut Commission, with prescribed membership, powers, duties, and responsibilities. The Commission would be authorized to carry on programs of, and research relating to, handling and marketing walnuts; and would authorize the Commission to levy an assessment on walnut producers.

AB 826 (Bronzan) would appropriate \$2.5 million from the General Fund to continue the apple maggot fruit fly eradication program.

AB 652 (Jones) would appropriate \$95,000 to the Department for allocation to the County of Fresno in order to computerize the pesticide use permit process in that county.

AB 594 (Jones) would require every motor vehicle operator entering California with a shipment of commodities to obtain a certificate of inspection. The bill would impose a civil penalty for failure to obtain the certificate and establish proceedings for enforcement of the requirement.

AB 598 (Kelley) would permit nurserymen to transport presently-quarantined citrus budwood that is certified by the Director to be free of the tristeza virus to any location in the state.

RECENT MEETINGS:

At a meeting held February 5, a member of CDFA's Pest Management Division discussed recent significant changes in safety regulations, including an illness reporting system which is unique in the United States. Under this system, physicians are required to file a report if they believe a patient is suffering from a pesticide-related illness. Based upon these reports, CDFA made 2,577 health investigations in 1986.

FUTURE MEETINGS:

The Board of Food and Agriculture, an advisory body, usually meets the first Thursday of each month at various locations throughout the state.

The Consumer Advisory Committee meets bimonthly at various locations throughout the state.

their efforts to achieve and maintain air quality standards. The Board oversees their enforcement activities and provides them with technical and financial assistance.

The Board's staff numbers approximately 425 and is divided into seven divisions: Technical Services, Legal and Enforcement, Stationary Source Control, Planning, Vehicle Control, Research and Administrative Services.

MAJOR PROJECTS:

Revision of Kern County's State Implementation Plan. On August 22, 1986, after a noticed public hearing, the Board determined that the 1986 update to the Kern County nonattainment area plan for ozone and carbon monoxides did not meet specified requirements of the federal Clean Air Act (42 U.S.C. section 7401). At that time, the Board adopted resolutions to correct the deficiencies. Among the resolutions, the Board included a commitment to adopt amendments to Kern County Rule 425 by September 30, 1987, to reduce emissions of nitrogen oxide (NOx) from steam generators and gas-fired internal combustion engines in both central and western Kern County.

The Board also established a committee to investigate the State Implementation Plan (SIP) revision for Kern County. The first issue considered by the committee was whether NOx controls should be implemented on the west side at this time in order to attain the national ambient air quality standard for ozone. Representatives from the Kern County Board of Supervisors and the federal Environmental Protection Agency (EPA) participated on the committee, which submitted its written report to the Board on November 20, 1986. The Board approved the committee report and adopted resolution 86-104, which directs the Executive Officer to forward the 1986 Kern County Plan as amended to the EPA pursuant to federal Clean Air Act requirements, and to schedule a public hearing to consider amendments to the Plan relating to controls for western Kern County.

The ARB staff proposes revisions to the Plan in accordance with the committee's recommendations. The staff's proposal expresses the Board's intent that the revisions will not apply to sources in western Kern County unless the ozone standard is exceeded as specified. Thus, the current schedule for rule development and adoption proposed by the Board and Kern County for steam



RESOURCES AGENCY

AIR RESOURCES BOARD

Executive Officer: James D. Boyd

Chairperson: Jananne Sharpless

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The California legislature created the Air Resources Board in 1967 to control air pollutant emissions and improve air quality throughout the state. The Board evolved from the merger of two former agencies, the Bureau of Air Sanitation within the Department of Health and the Motor Vehicle Pollution Control Board. The members of the

Board have experience in chemistry, meteorology, physics, law, administration, engineering and related scientific fields.

The Board regulates both vehicular and stationary pollution sources. The primary responsibility for controlling emissions from nonvehicular sources rests with local air pollution control districts (California Health and Safety Code sections 39002 and 40000).

The Board develops rules and regulations for stationary sources to assist local air pollution control districts in



generators and internal combustion engines will be maintained so that the control measures will be in place if ozone levels trigger the need for implementation of controls in western Kern County.

Status of Toxic Air Contaminant Identification. The Board conducted a meeting to consider the "Informational Report on the List of Identified and Candidate Toxic Air Contaminants" on February 27. The Status List, prepared by the Board staff after discussions with the Department of Health Services, is part of the continuing process of setting priorities for the evaluation and regulation of substances classified as toxic air contaminants (TACs). In setting these priorities, state law requires the consideration of factors relating to "the risk of harm to public health, amount or potential amount of emissions, manner of usage of the substance in California, persistence in the atmosphere, and ambient concentrations in the community," Health and Safety Code section 39660(f). Based on these factors, the Board has prepared the Status List, which replaces an earlier list, "Preliminary Compound Ranking," which was first prepared in early 1984.

The Status List of TACs includes three categories. Category I contains substances identified as TACs. Category II contains substances under review or proposed for review as TACs. Category III contains substances of possible concern, but for which there is insufficient information to begin review.

Ethanol Emissions from Winery Fermentation Tanks. Pursuant to the federal Clean Air Act and the California Health and Safety Code, federal and state ambient air quality standards have been established for ozone and oxidants, respectively. These standards are exceeded in several California air basins. Atmospheric emissions of ethanol from winery fermentation tanks react with oxides of nitrogen in the presence of sunlight to form oxidants including ozone, the principal component of photochemical smog. The Fresno County nonattainment plan (NAP) contains a commitment to adopt a winery fermentation tank emission control measure. The Kern County NAP identifies the control of winery fermentation tank emissions as a further study measure.

The Technical Review Group has drafted a suggested control measure for the control of ethanol emissions from winery fermentation tanks. The Technical Review Group consists of rep-

resentatives of the EPA, the ARB, and local air pollution control districts. The Group presented its report to the Board at the January 22 meeting; however, no ruling was made. The Board will defer a decision until consideration is given to the possibility of implementing a test project at a winery to determine the costs and engineering design of a pollution control plan.

Air Pollution Enforcement Symposium. The ARB, the South Coast Air Quality Management District and Loyola Law School will sponsor the Ninth Annual Symposium on Air Pollution Enforcement on May 19-21 in Los Angeles. The three-day symposium will highlight local, state, and federal air pollution enforcement procedures. Its purposes are to provide local air pollution districts, their hearing boards, and government legal representatives with proven techniques to upgrade the effectiveness of administrative, legal, and field enforcement personnel. Air pollution enforcement tactics used throughout California will be clarified and demonstrated through a combination of panel and group discussions, lectures, and mock legal proceedings.

LEGISLATION:

SB 151 (Presley), as amended March 19, would revise the composition of the South Coast Air Quality Management District Board to include seven members appointed for four-year terms, five appointed by the Governor, one by the Senate Committee on Rules, and one by the Speaker of the Assembly, and would specify the qualifications which each appointee is required to meet. The bill would specify that four members constitute a quorum and the Board may act on the basis of a majority of those present. Under the existing act, the Board is composed of fourteen members, eleven of whom are appointed by local governments, one by the Governor, one by the Senate Committee on Rules, and one by the Speaker of the Assembly. The bill would increase the compensation for Board members to \$200 per day for attending Board or committee meetings, and would establish conflict-of-interest prohibitions and post-employment restrictions regarding matters which involved service on the Board or employment by the District.

The bill would also require the District's rules and regulations to promote the use of the best available control technology, and cleaner-burning alternative fuels, and provide for

indirect source controls and transportation control measures.

AB 234 (Leonard) would require, for the 1990 model year, not less than 10% of the light-duty motor vehicles certified for sale in the state by each manufacturer to emit not more than 0.2 gram of hydrocarbons per vehicle mile. The bill would also require those motor vehicles to have their emission systems warranted for at least 100,000 miles, or to be capable of operating on methanol gasoline, or a combination of both. For the 1991 and 1993 model years, the bill would require not less than 25% of each manufacturer's light-duty vehicles to meet these standards. For the 1994 and later models, the bill would require all light-duty vehicles to meet the emission standards, or operate exclusively on methanol fuel, and to meet the emission system warranty requirement. The bill is currently pending in the Transportation Committee.

AB 329 (Bradley) would require, notwithstanding any district permit system, that any permit issued for the operation of equipment at an asphalt plant be a permit on the equipment which allows any person to operate the equipment during the permit period. Existing law requires the South Coast Air Quality Management District and authorizes air pollution control districts and air quality management districts to establish rules and regulations for issuing permits for constructing or operating any article, machine, equipment, or contrivance which may cause air contaminants.

AB 222 (Tanner), as amended March 19, would make legislative findings and declarations concerning critical air pollution problems in the foothill communities of the San Gabriel/Pomona Valleys and the Riverside/San Bernardino areas. The bill would designate these areas as sensitive zones and consider the necessity of a basinwide air quality management plan to address the specific air pollution problems of regions within the air basin in planning for facilities which create new sources of emissions. The bill is pending in the Natural Resources Committee.

AB 138 (Leonard, Bane, et al.), as amended March 16, would require every district located in a federally designated nonattainment area, after public hearing held on or before July 1, 1988, to adopt regulations requiring public utilities and commercial and industrial fuel users to use the cleanest available fuel. The regulations shall be adopted after making specified determinations and



taking required considerations into account, and would be revised every two years.

The bill would also require the California Energy Commission, in conjunction with the ARB and air pollution control districts and air quality management districts, to include in the emerging trends report a description of the availability, cost, and air quality benefits of, the use of clean-burning fuels in both stationary and transportation applications. The bill is pending in the Natural Resources Committee.

SB 343 (Rosenthal) would make a legislative finding and declaration about the role of the South Coast Air Quality Management District in research, development, and demonstration projects which increase the use of clean-burning fuels. The bill would require the District to establish an Office of Clean Fuels to coordinate and manage the District's activities in these matters and to act as a liaison between the District and state and federal agencies and private organizations. The bill would also require the Office, by June 1, 1988, to prepare and submit to the District Board a five-year program of activities for increasing the use of clean-burning fuels.

SB 424 (McCorquodale) would give primary responsibility to air pollution control districts for the control of vehicular sources of pollution which violate air contaminant discharge prohibitions.

AB 561 (Frizzelle) would prohibit the ARB or an air pollution control district from establishing standards for emissions of visible smoke from diesel pile driving hammers consuming ten gallons or less of fuel per day which are more stringent than standards prescribed in state law.

AB 514 (Clute) would prohibit any person from discharging any toxic air contaminants from a resource recovery project which incinerates used rubber tires until the air pollution control district has attained compliance with the federal ambient air quality standard for nitrogen dioxide. The bill would also require ARB, in cooperation with the California Energy Commission, to conduct a comprehensive waste tire study, and to report to the legislature by January 1, 1990.

FUTURE MEETINGS:

May 21-22 in Sacramento.

CALIFORNIA WASTE MANAGEMENT BOARD

*Executive Officer: George T. Eowan
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Created by SB 5 in 1972, the California Waste Management Board (CWMB) formulates state policy regarding responsible solid waste management. Although the Board once had jurisdiction over both toxic and non-toxic waste, CWMB jurisdiction is now limited to non-toxic waste. Jurisdiction over toxic waste now resides primarily in the toxic unit of the Department of Health Services. CWMB considers and issues permits for landfill disposal sites and oversees the operation of all existing landfill disposal sites. Each county must prepare a solid waste management plan consistent with state policy.

Other statutory duties 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. The Board has also attempted to develop economically feasible projects for the recovery of energy and resources from garbage, encourage markets for recycled materials, and promote waste-to-energy (WTE) technology. Additionally, CWMB staff is responsible for inspecting solid waste facilities, e.g., landfills and transfer stations, and reporting its findings to the Board.

The Board consists of the following nine members who are appointed for staggered four-year terms: one county supervisor, one city councilperson, three public representatives, a civil engineer, two persons from the private sector, and a person with specialized education and experience in natural resources, conservation, and resource recovery. The Board is assisted by a staff of approximately 75 people.

LEGISLATION:

AB 223 (Tanner) would require each county, by January 1, 1988, to prepare a program and schedule to ensure the fair distribution of solid waste facilities in the county. The bill would also require the CWMB and the County Sanitation Districts of the County of Los Angeles to jointly conduct a study concerning the generation and disposal of solid waste by regions of the County of Los Angeles and to submit a report to the

legislature by July 1, 1988. AB 223 is pending in the Assembly's Natural Resources Committee.

AB 270 (Frizzelle), as amended March 11, would require any person not subject to the hazardous waste control law who generates a listed hazardous waste in a city or county with a population of more than 20,000 to segregate the hazardous waste from any non-hazardous solid waste before the waste is collected. The waste would be required to be contained in properly closed containers.

The bill would also require a solid waste facility or permitted hazardous waste facility to treat or neutralize the hazardous waste at the facility. The bill would specify the liability for personal injury or property damage caused by the hazardous waste. The bill would also require the CWMB to adopt a list of the hazardous wastes subject to these provisions and would subject a person convicted of violating these provisions to a fine of not more than \$100.

AB 270 is pending in the Assembly's Environmental Safety and Toxic Materials Committee.

RECENT MEETINGS:

At its December 10 meeting in Sacramento, the Board approved a County Solid Waste Management Plan (CoSWMP) revision for Calaveras County. The plan was revised in several respects. The county's sole landfill, Red Hill, was expected to last until the year 2000. Because of hydrologic and operational problems, however, Red Hill will close in 1990. Therefore, a new landfill site, Rock Creek, has been located. The County hopes to have the new site permitted and operating by the time the old site is closed.

Unfortunately, the County is faced with a major problem. The Stockton East Water District (SEWD) has purchased the proposed Rock Creek site and plans to build a canal through the lower portion of the property. SEWD does not believe that its canal project and the County's landfill proposal are compatible. The County has condemned the property, and the dispute must be resolved in court.

The Board approved a five-year permit review and conditionally approved an expansion of San Mateo County's Ox Mountain Landfill. The landfill was determined to be in compliance with state policies of efficiency, safety, and economical disposal capacity; therefore, it passed the permit review.