



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
Chairperson: Sherman F. Roodzant
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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.



Ox Mountain, located in Los Trancos Canyon, is the County's only landfill. Because it will close in 1989, the County wants to expand the landfill to the adjacent Apanolio Canyon. The expansion will add another 97 years to the life of the landfill. The Board agreed with the County that this expansion is needed. However, expansion is contingent on the County's receipt of the regional water quality board's waste discharge permit, the U.S. Army Corps of Engineers' section 404 permit, and air quality management district section 34 emissions approval.

Staff gave an update on the U.S. Environmental Protection Agency's (EPA) Subtitle D program. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 74.) The Subtitle D program sets out federal criteria and minimum standards for all solid waste disposal facilities. Recent amendments to the federal Resources Conservation and Recovery Act have directed EPA to revise its hazardous waste criteria for certain facilities; EPA will also oversee the categorization of existing landfills and future landfills. The EPA is considering the creation of four categories under which landfills may be classified, depending on the landfill's potential level of groundwater contamination. The landfill's category will determine the level and type of upgrading required, which upgrading must comply with specified standards.

The general response of the states and their agencies is that classification of all landfills in the United States into four categories is unrealistic. Staff member Keith Amundson commented that "Everybody knows that establishing the environmental controls for landfills is almost a site-by-site activity now." He commented further that the system as it now exists, with states as landfill managers, is a good one, and there has been no "substantive demonstration of wholesale type problems." He believes the Subtitle D program will encounter much opposition.

At its January 22-23 meeting in Sacramento, the Board approved permit reviews and revision for Tehama County's Diamond landfill expansion and for Los Angeles County's Bradley Avenue West landfill tonnage increase. It also approved the Sierra County CoSWMP review report.

Of most interest was the request by the City of Redondo Beach to terminate the curbside portion of its state-funded recycling program. In 1982, the Board provided a \$179,016 grant to the city, which fulfilled the Board's obligation

under a contract with the city for the establishment of a community buyback recycling center where residents could redeem recyclable materials for cash. In addition, the city agreed to establish a multi-material curbside collection program for residents in specified areas of the city. The contract is in effect until June 1987.

The city subcontracted with Western Waste Industries (WWI) to carry out the provisions of the contract. WWI began curbside collection in 1983, but after three and one-half years of operation and a loss of \$70,000-\$80,000 annually, WWI asked the city to cancel that portion of the contract.

On October 16, 1986, the city granted WWI's request and discontinued curbside collection. Although WWI had sent a letter to the CWMB notifying it of the request, the Board had no idea the city would take immediate action and had not consented to the arrangement. The city appeared before the Board at the January meeting to seek the Board's approval, albeit after the fact. The Board was not pleased with the city's action, but because the contract will terminate in six months in any event, the Board approved the termination of the curbside recycling program.

FUTURE MEETINGS:

To be announced.

COASTAL COMMISSION

Director: Peter Douglas

*Chairperson: Michael Wornum
(415) 543-8555*

The California Coastal Commission was established by the California Coastal Act of 1976 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 determines the geographical jurisdiction of the Commission. The Commission has authority to control development in state tidelands, public trust lands within the coastal zone and other areas of the coastal strip where control has not been returned to the local government.

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.

The Commission is composed of fifteen members: twelve are voting members and are appointed by the Governor, the Senate Rules Committee and the Speaker of the Assembly. Each appoints two public members and two locally elected officials of coastal districts. The three remaining nonvoting members are the Secretaries of the Resources Agency and the Business and Transportation Agency, and the Chair of the State Lands Commission.

MAJOR PROJECTS:

LCPs. A major component of the CCMP is the preparation of local coastal programs (LCPs), mandated by the Coastal Act of 1976. The purpose of the LCPs is to conform local land use plans and implementing ordinances to the policies of the California Coastal Act. Each LCP consists of a land use plan (LUP or Phase II) and implementation ordinances (zoning or Phase III). Most local governments prepare these in two separate phases, but some are prepared simultaneously as a total LCP. An LCP does not become final until both phases are certified, formally adopted by the local government, and then "effectively certified" by the Commission.

After certification of an LCP, the Commission's regulatory authority is transferred to the local government, subject to limited appeal to the Commission. There are 69 county and city local coastal programs.

The Coastal Act allows local governments, with Coastal Commission approval, to divide their coastal zone into geographic segments, with a separate LCP prepared for each segment. For this reason, 130 LCPs are being prepared instead of 69 (the number of actual coastal zone cities and counties). This figure has increased by one since the October 8, 1986 Status Report (see CRLR Vol. 7, No. 1 (Winter 1987) p. 82), recognizing the new segment of Playa Vista, an area annexed by the City of Los Angeles, which was