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# Permit Implementation Regulations (AB 1497)

**Description**

New and revised regulations implementing the requirements of [Assembly Bill 1497](#) (Stats. 2003, Ch. 823), applying new construction and demolition requirements to the regulation of other solid wastes, and clarifying permit process requirements.

**What's New...**

Download the audio recordings from the April 4 and April 7 workshops...

**Existing Regulations That Would Be Affected**

To be determined.

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**Background**

In January 2004, [AB 1497](#) was enacted. The new law mandates several new solid waste facility permitting requirements and authorizes the Board to adopt regulations to implement these requirements. At its [January 2004 meeting](#), the Board directed staff to address, in a rulemaking, the application of new construction & demolition requirements to other solid waste facility and local enforcement agency requirements. Finally, in early 2004, the Board staff consulted with stakeholders to solicit their input on what they viewed as areas for improvement, consistency, and clarification related to the permitting process and/or requirements.

During the second half of 2004, Board staff solicited stakeholder input on regulatory concepts associated with the issues above via a process entitled the [Solid Waste Facility Permit Regulation Development Plan](#). At its [November 2004 meeting](#), the Board's Permitting and Enforcement Committee directed staff to implement the plan through three separate and staggered rulemakings. This rulemaking, Permit Implementation Regulations (AB 1497), is the first of the three rulemakings.

**Key Issues**

The key issues of the Permit Implementation Regulations (AB 1497) are:

1. [Public Hearings Requirements](#)
2. [Significant Change and Modified Permit Process](#)
3. [Report of Facility Information Requirements for Community Outreach Efforts Recordkeeping](#)
4. [Five Year Permit Review Noticing](#)
5. [Relationship of Solid Waste Facility Permits to Other Land Use](#)
6. [Surprise Random Inspections](#)

The following documents will be discussed at the [April 2005 workshops](#). Please check back frequently for updates to these documents.

[Public Hearings Requirements](#)

*Informational Noticing and Public Hearings (Meetings) March 10, 2005* (MS Word, 62 KB): This document is an issue paper that discusses the current and possible future requirements for public notices and/or public hearings (meetings) for certain solid waste facilities permit actions.

*Informational Noticing and Public Hearings (Meetings) Framework for Basic Concept Attachment A* (MS Word, 44 KB): This document is an attachment to Informational Noticing and Public Hearings (Meetings) March 10, 2005. It is an outline that describes for certain solid waste facilities permit actions when a public notice and/or hearing are required or proposed.

*Informational Noticing and Public Hearings (Meetings) List of Possibilities Attachment B* (MS Word, 92 KB): This document is an attachment to Informational Noticing and Public Hearings (Meetings) March 10, 2005. It includes a table of existing and possible noticing and hearing requirements, and other implementation approaches for consideration.

#### Significant Change and Modified Permit Process

*Significant Change not Authorized by the Permit and a Modified Permit Process March 10, 2005* (MS Word, 54 KB): This document is an issue paper that outlines a proposed approach for defining "significant change" that could be used by the enforcement agency for determining if a proposed change at a solid waste facility will require a Report of Facility Information (RFI) amendment, or a modified permit, or a revised permit.

*Significant Change Proposed Decision Tree Attachment C* (MS Word, 55 KB): This document is an attachment to Significant Change not Authorized by the Permit and a Modified Permit Process March 10, 2005. It includes a series of questions that an Enforcement Agency would walk through for determining the most appropriate handling of a solid waste facilities permit change.

*Modified Permit Description Attachment D* (MS Word, 33 KB): This document is an attachment to Significant Change not Authorized by the Permit and a Modified Permit Process March 10, 2005. It describes the criteria that could be used in defining a modified permit and the procedural differences between modified and revised permits. Procedures and regulations already exist for RFI amendments and revised permits.

#### Report of Facility Information Requirements for Community Outreach Efforts Recordkeeping

*Community Outreach Efforts* (MS Word, 33 KB): This document is an issue paper that discusses the potential recordkeeping requirements for tracking community outreach efforts specific to facilities. The paper includes background and possible regulatory approaches for addressing the issue.

### Five Year Permit Review Noticing

*Five Year Permit Review Noticing* (MS Word, 25 KB): This document is an issue paper that discusses the existing practices used for issuing facilities their five year permit review notice. The paper includes background and possible regulatory approaches for addressing the issue.

### Relationship of Solid Waste Facility Permits to Local Land Use

*Relationship of SWFP to Local Land Use March 10, 2005* (MS Word, 40 KB): This document is an issue paper that discusses local land use decisions and their applicability to enforcement agency determination of a Solid Waste Facilities permit application being complete and correct. The paper includes background and possible regulatory approaches for addressing the issue.

*Relationship of Solid Waste Facility Permit to Local Land Use, Clarification of Completeness and Correctness Determinations Made by EA, Attachment E* (MS Word, 41 KB): This document is an attachment to Relationship of SWFP to Local Land Use March 10, 2005. It describes various scenarios related to local land use decisions for the purpose of clarifying completeness and correctness determinations made by the enforcement agency when a Solid Waste Facility Permit (SWFP) application is submitted for processing.

### Surprise, Random Inspections

*Surprise, Random Inspections* (MS Word, 31 KB): This document is an issue paper that discusses the current practice for conducting surprise and random facility inspections by enforcement agencies. The paper includes background and possible regulatory approaches for addressing the issue.

### Status

To kick start the informal development of this rulemaking, a team of Board staff and local enforcement agency representatives is studying the issues and developing proposed approaches to address the issues.

The process on developing approaches to address each key issue will be shared on these web pages. Check back often to get current information and to provide comments on what is being proposed.

**Contact:** [SWFacPermit@ciwmb.ca.gov](mailto:SWFacPermit@ciwmb.ca.gov) or [Rebecca Williams](#) or [Bobbie Garcia](#)


### Stakeholder Input


The Board will conduct public workshops on the first round of proposals for addressing each key issue on April 4, 2005 in Sacramento and on April 7, 2005 in Diamond Bar.

**Notice of Public Workshop**, March 2005 (MS Word, 160 KB): Workshop to solicit feedback on the first round of proposals for

addressing key issues.

**Workshop Presentation**, April 2005 ([Adobe PDF](#), 243 KB):  
Slide presentation from April 2005 workshops.

 **Audio Recording**, April 2005 ([Windows Media Audio](#),  
24Kb, 1:01:04 hours): Audio recording from April 4, 2005  
Sacramento workshop.

 **Audio Recording**, April 2005 ([Windows Media Audio](#),  
24Kb, 2:02:58 hours): Audio recording from April 7, 2005  
Diamond Bar workshop.

#### **More Information**

In November 2003, the Deputy Director of the Board's Permitting and Enforcement Division issued a [memorandum](#) containing interim guidance on implementing the provisions of AB 1497. Also, stakeholders asked many questions about implementation of the new requirements as well as interpretation of the new law. [Answers to these questions](#) are posted for perusal by interested parties.

Last updated: April 22, 2005

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Proposed Regulations <http://www.ciwmb.ca.gov/Rulemaking/>  
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