

Title 14 and Title 27 Regulation Issues – Initial Draft
September – October 2011
For Discussion Purposes Only

1. Issue. The current food waste definition is general and does not distinguish between various food waste types that are generated and handled as separate waste streams. All food waste composting requires a full permit.

Potential Approach. Define sub-categories of food waste that have unique characteristics, such as vegetative and animal-derived food waste, and establish varying degrees of handling protocols that will continue to prevent public health and environmental issues at compost sites, but will allow some types of food waste to be co-composted at Notification tiered sites if specified handling protocols are followed.

2. Issue. Current regulations identify application of compostable materials and ash to agricultural land as beneficial use if the use meets CDFA requirements. There is a need to better determine when use of compostable materials, compost, and ash are considered disposal and not beneficially used. Title 27 Section 21565 allows an EA to grant an exemption to permit requirements if a facility that disposes of cannery wastes, ashes and residues, agricultural wastes, and wastewater treatment sludge on agricultural land, meets explicit criteria.

Potential Approach. Continue working with CDFA on agricultural use issues. Coordinate with SWRCB and Air Districts to establish specific measurable criteria for determining when use of compostable material, compost, and ash is considered disposal. Focus criteria on parameters required to prevent odor, fire, litter, and dust, and protect public health and safety. Criteria could include size of plot, maximum application depth, frequency of application, incorporation times, pre-application storage time, inorganic contaminant limits, and 503 CFR requirements. Criteria could also allow LEA's to make case by case determinations after consultation with other regulatory agencies and/or experts, such as RWQCBs, CDFA, agronomists, certified crop advisors, and local air districts. Revise Title 27 Section 21565 so that it is consistent with Title 14 regarding disposal activities.

3. Issue. Agricultural material and green material composting operations are limited to 12,500 cubic yards of off-site-generated green material being stored on-site at any one time. These limits include stable compost.

Potential Approach. Exclude stable compost from calculation of the 12,500 cubic yard storage limit for all agricultural material and green material composting operations if specific storage criteria are followed, including pile size and others measures that prevent fire, odor, and cross contamination. Ensure criteria are not in conflict with controls for the prevention of water and air pollution.

4. Issue. Approaches to verification of odor complaints relative to compost sites are not consistent statewide.

Potential Approach. Develop an odor verification and complaint protocol for operators to be included in Odor Impact Minimization Plans (OIMP). Use protocols that are similar to existing methods employed by other regulatory entities and include verification and complaint protocols. The protocols could also utilize the use of odor measuring technologies.

5. Issue. POTW's are adding food waste and fats, oils, & grease (FOG) in the treatment system downstream from the headworks. Current regulations require LEA regulatory oversight of facilities that handle solid waste. There may be duplication of regulatory efforts between the LEA, RWQCB, air districts and CDFA (See Issue 8).

Potential Approach. Revise regulations to eliminate potential duplication with RWQCB and air districts requirements. Coordinate with SWRCB and air districts to identify specific requirements that adequately address issues within LEA authority and responsibility prior to making regulatory revisions.

6. Issue. Current regulations require green material to contain no greater than 1.0% physical contaminants by weight. Programs that collect urban green material may have higher levels of contamination.

Potential Approach. Increase the maximum inorganic physical contamination limit for green material received, and add a maximum inorganic physical contamination for material leaving compostable material handling sites.

Ensure contaminant levels for material leaving a site are consistent with requirements for determining disposal versus use of material (See Issue 2).

7. Issue. Anaerobic digestion is currently regulated under the compostable materials handling or transfer/processing regulations, depending on the nature of the feedstock and how it is handled.

Potential Approach. Revise regulations to identify AD as a type of transfer processing activity.

8. Issue. CalRecycle is working with CDFA to reduce regulatory overlap between the two agencies in regulating the handling of meat, poultry, and fish waste.

Potential Approach. Continue to work with CDFA to identify and include in regulation additional sampling requirements for composted or processed products resulting from meat, poultry and fish waste prior to the products leaving a solid waste facility. Use additional sampling to ensure that no additional processing is required for meat, poultry, and fish waste to prevent threats to animal and human health.

9. Issue. Maximum Metal Concentrations in current regulations do not match US EPA biosolids regulations (503 CFR). Regulations are not clear on when an operator must ensure that a compost product meets the required limits for metals and pathogens.

Potential Approach. Revise Maximum Metal Concentrations in current regulations to match Maximum Metal Concentrations in 503 CFR. Clarify in regulation that composters must receive test results showing the material meets requirements prior to materials leaving the site.

10. Issue. The current definition of Agricultural Material is not clear relative to the term “processing”.

Potential Approach. Clarify that the definition of Agricultural Material does not include materials removed from the ranch or farm, processed, and then returned to the farm or ranch.

11. Issue. Current regulations do not address small-scale composting of food material at community gardens, or associated with restaurants, cafeterias, and other businesses that provide food service to employees.

Potential Approach. Revise the excluded tier to address newly identified activities that are similar to existing excluded activities.

12. Issue. Directions for completion of the Solid Waste Facility Permit Application are not clear on the meaning of the term “permitted maximum tonnage” used in section B.1 a of the permit application (Form E 1-77).

Potential Approach. Clarify that the total tonnage indicated in the permit application is the maximum amount of waste material that is expected to be received per day.

Monthly Public Meeting

CalRecycle

10:00 A.M., September 20, 2011
Byron Sher Auditorium

A. DIRECTOR'S REPORT

Presentations or discussions by the Director and/or Executive Offices regarding department matters, legislative updates or public affairs updates may be held.

Director's Report

B. PUBLIC COMMENT*

People may speak on any matter concerning CalRecycle with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

*Please note that while CalRecycle affords members of the public the opportunity to participate by Webcast, CalRecycle strongly encourages public comments to be made in person.

C. SOLID WASTE FACILITIES

Possible decisions or reconsiderations to petitions for a facility or landfill permit or modification; and, possible determinations of enforcement actions, clean-up requirements; or LEA training.

Action Items

1. Taft Recycling and Sanitary Landfill – Kern County, Revised Permit, Action needed September 20, 2011
Department Staff Contact: Christine.Karl@CalRecycle.ca.gov
Public Notice
2. Scholl Canyon Landfill - Los Angeles County, Revised Permit, Action needed September 27, 2011
Department Staff Contact: Martin.Perez@CalRecycle.ca.gov
Public Notice
3. Mesquite Regional Landfill - Imperial County, Revised Permit, Action needed October 1, 2011
Department Staff Contact: Megan.Fisher@CalRecycle.ca.gov
Public Notice
4. Landers Sanitary Landfill – San Bernardino County, Revised Permit, Action needed October 4, 2011
Department Staff Contact: Dianne.Ohiosumua@CalRecycle.ca.gov
Public Notice

5. Alameda County Industries Transfer/Processing Facility - Alameda County, Revised Permit, Action needed October 7, 2011
Department Staff Contact: Patrick.Snider@CalRecycle.ca.gov
[Public Notice](#)
6. EDCO Station - San Diego County, Modified Permit, Action needed October 11, 2011
Department Staff Contact: Megan.Fisher@CalRecycle.ca.gov
[Public Notice](#)
7. Healdsburg Transfer Station- Sonoma County, Revised Permit, Action needed October 18, 2011
Department Staff Contact: Nevin.Yeates@CalRecycle.ca.gov
[Public Notice](#)
8. Monterey Regional Waste Management District (MRWMD)- Monterey County, Revised Permit, Action needed October 21, 2011
Department Staff Contact: Nevin.Yeates@CalRecycle.ca.gov
[Public Notice](#)
9. Imperial Landfill- Imperial County, Revised Permit, Action needed October 22, 2011
Department Staff Contact: Megan.Fisher@CalRecycle.ca.gov
[Public Notice](#)
10. Western Placer Waste Management Authority Material Recovery Facility - Placer County, Revised Permit, Action needed October 28, 2011
Department Staff Contact: John.Loane@CalRecycle.ca.gov
[Public Notice](#)
11. Fairmead Landfill – Madera County, Revised Permit, Action needed October 3, 2011
Department Staff Contact: Margaret.Comotto@CalRecycle.ca.gov
[Public Notice](#)
12. Salinas Disposal Transfer Station and Recycling Center- Monterey County, Revised Permit Action needed October 31, 2011
Department Staff Contact: Nevin.Yeates@CalRecycle.ca.gov
[Public Notice](#)
13. Prima Deshecha Landfill- Orange County, Revised Permit, Action needed October 31, 2011
Department Staff Contact: Nicki.Ruszczky@CalRecycle.ca.gov
[Public Notice](#)
14. Antelope Valley Public Landfill II – Los Angeles County, Revised Permit, Action needed October 31, 2011
Department Staff Contact: Martin.Perez@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Approval of the Tiger Creek and Volcano Disposal Sites, Amador County, Solid Waste Disposal and Codisposal Site Cleanup Program (Solid Waste Disposal Trust Fund, FY 2011/12)

Department Staff Contact: Steve.SantaCroce@CalRecycle.ca.gov
Tiger Creek and Volcano Disposal Sites

2. Load –Checking Regional Workshops, Madera - September 20, 2011, Fontana - September 21 and September 22, 2011

Department Staff Contact: Loretta.Sylve@CalRecycle.ca.gov
Load-Checking Workshop

D. BEVERAGE CONTAINER RECYCLING PROGRAM

Possible decisions or announcements regarding BCRP matters including fund condition, rates, approval of new/renewed certifications, or enforcement actions.

Action Items

No actions at this time

Information Items

1. Director's Report
2. Review of Curbside Allocation Methodology and Curbside Glass Cleaning Methodology Workshop Notice TBA for October or November 2011
Department Staff Contact: Mike.Miller@CalRecycle.ca.gov

E. ELECTRONIC WASTE RECYCLING PROGRAM

Possible decisions or overview regarding the reuse, recycling, and handling of covered electronic devices; including matters related to fees, recyclers, enforcement, claim reviews and adjustments.

Action Items

No actions at this time

Information Items

1. Update on the Department of Toxic Substances Control's workshop on CRT glass management and implications for the Covered Electronic Waste Recycling Program
Department Staff Contact: Jeff.Hunts@CalRecycle.ca.gov

F. WASTE TIRE PROGRAM

Possible decisions regarding oversight matters such as permits or enforcement actions; and/or possible approval of contracts, scopes of work and grant criteria.

Action Items

- 1. Approval of Eligibility Criteria and Evaluation Process for the Local Waste Tire Enforcement Grant Program (Tire Recycling Management Fund, FYs 2011/12 and 2012/13)
 Department Staff Contact: Phanessa.Fong@CalRecycle.ca.gov
[Grant Notice](#)

Information Items

- 1. Grant Awards For The Tire-Derived Product Business Assistance Program (Tire Recycling Management Fund, FY 2010/11, 2011/12, and 2012/13)
 Department Staff Contact: Don.Peri@CalRecycle.ca.gov
[Grant Notice](#)

G. LOCAL ASSISTANCE

Possible approval or discussion of locally adopted planning documents, bi-annual reviews, compliance and enforcement actions, or other program-related proceedings.

Action Items

- 1. Public Hearing to Consider the Completion of Compliance Order IWMA BR09-002 for the City of Greenfield, County of Monterey
 Department Staff Contact: Michael.Chen@CalRecycle.ca.gov
[City of Greenfield](#)

Information Items

- 1. Update on CalRecycle Participation in GoED, Small Business Interagency Working Group, California Workforce Investment Board

H. USED OIL and HHW PROGRAMS

Possible decisions or overview regarding matters related to the used oil and household hazardous waste programs.

Action Items

No actions at this time

Information Items

Nothing to report

I. POLICY MANDATES/WORKSHOPS/RULEMAKING PROCEEDINGS

Possible decisions or discussions by department staff regarding any order instituting a rulemaking proceeding to develop and adopt regulations and/or policy guidelines specifying the procedures to implement or revise program guidelines or requirements such as Product Stewardship, Commercial Recycling or the Organics Roadmap.

Action Items

No actions at this time

Information Items

1. Update on SWRCB's Informal Workshops Involving Concepts For a Statewide Waiver of Waste Discharge Requirements With Conditions For Composting Facilities
2. September 22 – Public Meeting on Proposed Revised Regulation for Carpet Product Stewardship Rulemaking
Department Staff Contact: Kathy.Frevert@CalRecycle.ca.gov
[Carpet Meeting Notice](#)
3. October 3 – Public Meeting on Proposed Revised Regulation for Architectural Paint Recovery Program Rulemaking
Department Staff Contact: Cynthia.Dunn@CalRecycle.ca.gov
[Paint Meeting Notice](#)
4. October 5 – Public Workshop to discuss the Rigid Plastic Packaging Container (RPPC) Program regulation revisions.
Department Staff Contact: Georgianna.Pfost@CalRecycle.ca.gov
[Workshop Notice](#)
5. October 18 (following monthly Public Meeting) - Workshop on the Development of a Model Integrated Waste Tire Management Plan Framework for the State of Baja California, Mexico from the University of California, Berkeley
Department Staff Contact: Sally.French@CalRecycle.ca.gov
[Workshop Notice](#)
6. October 18 (following monthly Public Meeting) – Informal Workshop on Draft Regulatory Revisions to Title 14 and 27 (Compostable Materials, Transfer Processing, Permit Application Form, Permit Exemptions)
Department Staff Contact: Ken.Decio@CalRecycle.ca.gov
7. October 20 – Air Resources Board Meeting to Consider Adoption of Mandatory Commercial Recycle Regulation
Department Staff Contact: Teri.Wion@CalRecycle.ca.gov

J. OTHER

Possible decisions or discussions regarding the development or implementation of a new or an amendment to policies and procedures for grants, loans and contracts. Please note that grants, loans, or scopes of work will be agendized specific to program area unless otherwise noted here.

Action Items

No actions at this time

Information Items

1. Awards for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Farm and Ranch Cleanup Account, FY 2011/12)
Department Staff Contact: Corky.Mau@CalRecycle.ca.gov
[Grant Notice](#)
2. Recycling Market Development Zone Loan for Trupart Manufacturing, Inc. (Recycling Market Development Revolving Loan Subaccount, Fiscal Yeay 2011/12)
Department Staff Contact: Govindan.Viswanathan@CalRecycle.ca.gov
[Loan Notice](#)
3. CalRecycle Landfill Data Summary: Part 1. Landfill-Gas-To-Energy
Department Staff Contact: Scott.Walker@CalRecycle.ca.gov
[Landfill-Gas-To-Energy Presentation and Data Summary](#) – see Document section

We want to assure all of our stakeholders that transparency and stakeholder involvement remains a high priority for CalRecycle. In keeping with a history of providing stakeholders with information about programs, activities, and departmental decisions, CalRecycle has a public noticing site. To review Final CalRecycle Decisions and other department activities, please go to:
<http://www.calrecycle.ca.gov/Actions/> or <http://www.calrecycle.ca.gov/BevContainers/Notices>.



Monthly Public Meeting

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Director's Report

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C. SOLID WASTE FACILITIES

Possible decisions or reconsiderations to petitions for a facility or landfill permit or modification; and, possible determinations of enforcement actions, clean-up requirements; or LEA training.

Action Items

1. Alameda County Industries Transfer/Processing Facility - Alameda County, Revised Permit, Action needed October 9, 2011
Department Staff Contact: Patrick.Snider@CalRecycle.ca.gov
Public Notice
2. EDCO Station - San Diego County, Modified Permit, Action needed October 11, 2011
Department Staff Contact: Megan.Fisher@CalRecycle.ca.gov
Public Notice
3. Healdsburg Transfer Station- Sonoma County, Revised Permit, Action needed October 18, 2011
Department Staff Contact: Nevin.Yeates@CalRecycle.ca.gov
Public Notice
4. Imperial Landfill- Imperial County, Revised Permit, Action needed October 22, 2011
Department Staff Contact: Megan.Fisher@CalRecycle.ca.gov
Public Notice

5. Fairmead Landfill – Madera County, Revised Permit, Action needed October 30, 2011
Department Staff Contact: Margaret.Comotto@CalRecycle.ca.gov
[Public Notice](#)
6. Antelope Valley Public Landfill II – Los Angeles County, Revised Permit, Action needed October 31, 2011
Department Staff Contact: Martin.Perez@CalRecycle.ca.gov
[Public Notice](#)
7. Salinas Disposal Transfer Station and Recycling Center- Monterey County, Revised Permit Action needed October 31, 2011
Department Staff Contact: Nevin.Yeates@CalRecycle.ca.gov
[Public Notice](#)
8. Pacheco Pass Transfer Station - Santa Clara County, New Permit, Action needed November 12, 2011
Department Staff Contact: Eric.Kiruja@CalRecycle.ca.gov
[Public Notice](#)
9. Prima Deshecha Landfill- Orange County, Revised Permit, Action needed November 13, 2011
Department Staff Contact: Nicki.Ruszczky@CalRecycle.ca.gov
[Public Notice](#)
10. Western Placer Waste Management Authority Material Recovery Facility - Placer County, Revised Permit, Action needed November 20, 2011
Department Staff Contact: John.Loane@CalRecycle.ca.gov
[Public Notice](#)
11. Mesquite Regional Landfill - Imperial County, Revised Permit, Action needed November 25, 2011
Department Staff Contact: Megan.Fisher@CalRecycle.ca.gov
[Public Notice](#)
12. Contra Costa Transfer and Recovery Station - Contra Costa County, Revised Permit, Action needed November 27, 2011
Department Staff Contact: Beatrice.Poroli@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Presentation on Completion of the Infineon Tire Site Cleanup Project
Department Staff Contact: Steve.SantaCroce@CalRecycle.ca.gov
[Infineon Tire Site Cleanup Project](#) – see Documents section

D. BEVERAGE CONTAINER RECYCLING PROGRAM

Possible decisions or announcements regarding BCRP matters including fund condition, rates, approval of new/renewed certifications, or enforcement actions.

Action Items

1. Deputy Director update

Information Items

1. October 19, 2011 (beginning at 10:00 a.m.) CalRecycle hold an informal public workshop to discuss Curbside Allocation Methodology and program regulations. The workshop will be held in the John Muir Conference Room, at CalRecycle, 801 K Street, 20th Floor, Sacramento
Department Staff Contact: Bill.Castillo@CalRecycle.ca.gov
2. Review of Curbside Glass Cleaning Methodology and Program Regulations 3
Workshop Notice TBA for November 9, 2011
Department Staff Contact: Bill.Castillo@CalRecycle.ca.gov
3. Review of Plastic Market Development Payment Program (PMDP) Claims and Calculations
Workshop Notice TBA for November 16, 2011
Department Staff Contact: Veronica.Martin@CalRecycle.ca.gov

E. ELECTRONIC WASTE RECYCLING PROGRAM

Possible decisions or overview regarding the reuse, recycling, and handling of covered electronic devices; including matters related to fees, recyclers, enforcement, claim reviews and adjustments.

Action Items

No actions at this time

Information Items

1. Progress Report on CRT Glass Regulatory Changes
Department Staff Contact: Jeff.Hunts@CalRecycle.ca.gov

F. WASTE TIRE PROGRAM

Possible decisions regarding oversight matters such as permits or enforcement actions; and/or possible approval of contracts, scopes of work and grant criteria.

Action Items

1. TireCore International, LTD - Los Angeles County, Minor Waste Tire Facility Permit
Action needed November 9, 2011
Department Staff Contact: Martin.Perez@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. October 18 (1:00 pm – CalEPA Building, Training Room 2, East & West 2nd Floor)
Update from the University of California, Berkeley on the Development of a Model Integrated Waste Tire Management Plan Framework for the State of Baja California, Mexico
Department Staff Contact: Sally.French@CalRecycle.ca.gov
Public Notice
2. Waste Tire Special Bulletin on Baled Waste Tire Permitting, Storage and Hauling Requirements and Status of Proposed Regulations Revisions
Department Staff Contact: Trevor.OS@Calrecycle.ca.gov or Jim.Lee@Calrecycle.ca.gov
Waste Tire Special Bulletin

G. LOCAL ASSISTANCE

Possible approval or discussion of locally adopted planning documents, bi-annual reviews, compliance and enforcement actions, or other program-related proceedings.

Action Items

1. Amended Countywide Siting Element For Santa Barbara County
Department Staff Contact: Jamie.Cameron@CalRecycle.ca.gov
Planning Document Notice
2. Source Reduction Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), And Non-Disposal Facility Element (NDFE) For The Newly Incorporated City Of Menifee, Riverside County
Department Staff Contact: Charlene.Graham@calrecycle.ca.gov
Planning Document Notice
3. Household Hazardous Waste Element (HHWE), Non-disposal Facility Element (NDFE) And Conditional Approval Of The Source Reduction And Recycling Element (SRRE), For The Newly Incorporated City Of Wildomar, Riverside County
Department Staff Contact: Charlene.Graham@calrecycle.ca.gov
Planning Document Notice

Information Items

Nothing to report at this time

H. USED OIL and HHW PROGRAMS

Possible decisions or overview regarding matters related to the used oil and household hazardous waste programs.

Action Items

No actions at this time

Information Items

1. Awards and Distribution of Payments for the Used Oil Payment Program (Used Oil Recycling Fund, FY 2011/12)
Department Staff Contact: Harnak.Samra@CalRecycle.ca.gov
[Award Notice](#)

I. POLICY MANDATES/WORKSHOPS/RULEMAKING PROCEEDINGS

Possible decisions or discussions by department staff regarding any order instituting a rulemaking proceeding to develop and adopt regulations and/or policy guidelines specifying the procedures to implement or revise program guidelines or requirements such as Product Stewardship, Commercial Recycling or the Organics Roadmap.

Action Items

No actions at this time

Information Items

1. Approval To Formally Notice Proposed Mandatory Commercial Recycling Regulation
Department Staff Contacts: Teri.Wion@CalRecycle.ca.gov and Marshalle.Graham@CalRecycle.ca.gov
[Public Notice](#)
2. October 18 (following monthly Public Meeting, starting no earlier than 1:00 p.m.) – Informal Workshop on Draft Regulatory Revisions to Title 14 and 27 (Compostable Materials, Transfer Processing, Permit Application Form, Permit Exemptions)
Department Staff Contact: Ken.Decio@CalRecycle.ca.gov
[Public Notice](#)
3. October 20, 21 – Air Resources Board Meeting: Informational Presentation on Mandatory Commercial Recycling Regulation
Department Staff Contact: Teri.Wion@CalRecycle.ca.gov

J. OTHER

Possible decisions or discussions regarding the development or implementation of a new or an amendment to policies and procedures for grants, loans and contracts. Please note that grants, loans, or scopes of work will be agendized specific to program area unless otherwise noted here.

Action Items

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