

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

July 29, 1998

Attachment 1

Agenda Item 14

**CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

Resolution 98-255

**CONSIDERATION OF LEGAL AUTHORITY ISSUES AND STAFF OPTIONS  
RELATING TO BIOSOLIDS TIER REGULATIONS**

**WHEREAS**, in accordance with Public Resources Code (PRC) section 40191, sludge (otherwise referred to as "biosolids") is defined as a type of solid waste; and,

**WHEREAS**, in accordance with PRC sections 40194, 40195 and 40200, the CIWMB has jurisdiction over various forms of biosolids handling, including: disposal, transfer/processing, storage, composting, treatment, and transformation; and,

**WHEREAS**, the CIWMB's existing regulations address disposal, transfer/processing, storage, composting, and transformation of biosolids; and,

**WHEREAS**, the treatment of biosolids at Publicly Owned Treatment Works (POTWs) is already regulated by the State and Regional Water Boards in accordance with Title 23 of the California Code of Regulations (CCR); and,

**WHEREAS**, the CIWMB does not have jurisdiction over the beneficial land application of biosolids, which is a form of recycling, as defined in PRC section 40180; and,

**WHEREAS**, PRC sections 43020 and 43201 prohibit the CIWMB from establishing regulations regarding matters that are within the jurisdiction of the Air and Water Boards; and,

**WHEREAS**, staff have reviewed existing CIWMB regulations which cover biosolids disposal, transfer/processing, storage, composting, and transformation, and surveyed interested parties regarding the need for additional CIWMB regulations for biosolids and determined that additional regulations are not necessary at this time for biosolids activities that are within the CIWMB's jurisdiction;

**NOW, THEREFORE, BE IT RESOLVED** that the Board has determined that additional CIWMB regulations for biosolids are not necessary at this time and directs staff to remove any tasks related to developing biosolids tier regulations from the tier regulations schedule.

**CERTIFICATION**

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a

meeting of the California Integrated Waste Management Board held on July 29, 1998.

Dated:

Ralph E. Chandler  
Executive Director