

# Enforcement Advisory Council (EAC)

## Solid Waste Management Through Partnership

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Meeting Minutes

Wednesday, March 19, 2025

9:05 AM – 10:20 AM

Virtual Meeting (Zoom)

### I. Introductions:

Norma Campos-Bernal	Chair, Southwestern Roundtable
Arthur Surdilla	Co-Vice Chair, Bay Area Roundtable
George Kasikarin	Co-Vice Chair, Southern City LEAs
(vacant)	Northern Roundtable
Suzie Dawley (absent)	North Central Roundtable
Paul Harden	Northern City LEAs
Allen Chiu (new)	Bay Area Roundtable
Chad San Juan (new)	South Central Roundtable
Lindsay Hullinger (absent)	South Central Roundtable
Alphonso Andrade	Southern Roundtable
Jeffrey Marshal	CCDEH
Dr. Sara Levin (absent)	CCLHO
Mark de Bie	CalRecycle
Jeff Hackett	CalRecycle
Paulina Lawrence	CalRecycle
Martin Perez	CalRecycle
Kim Sellards	CalRecycle
Lea Gibson	CalRecycle
Carley Bartlett	CalRecycle
Alvin VoTran	CalRecycle
Dana Hachigian	CalRecycle
Cordero Rychard	CalRecycle
Mary Kay Shafer	CalRecycle
Wes Mindermann	CalRecycle

## **II. EAC Agenda Review (late additions):**

### **A. No late additions**

## **III. Approval of Previous EAC Meeting Minutes**

### **A. Meeting Minutes from November 13, 2024**

1. Pending CalRecycle edit
2. Motion to accept after CalRecycle edit: Arthur Surdilla
3. 2nd: George Kasikarin
4. Motion to approve minutes passed by majority vote

## **IV. EAC Report, Status, and Updates**

### **A. EAC Report**

1. Norma Campos-Bernal's role as EAC Chair is ending on May 23, 2025.
2. Campos-Bernal motioned to elect a new chair for the EAC.
3. A new EAC Chairperson needs to be selected before the next EAC meeting on December 9, 2025, which will coincide with the next in-person CalRecycle Technical Training Series (TTS) Conference in Monterey, CA.
4. Anyone can be nominated to be an EAC Chairperson per Mark de Bie.
5. Special meeting session can be held before the next EAC meeting to elect a new chairperson for the EAC.

### **B. Jurisdictional Updates**

1. North Central Roundtable, RT (Campos-Bernal for Suzie Dawley): Discussed which agency is responsible for the different odor issues on and off site.
2. Bay Area (Surdilla): Allen Chiu, San Mateo County Health, has stepped up to be the new EAC representative for the Bay Area Roundtable.
3. Southwestern Roundtable (Campos-Bernal): Overviews of the illegal disposal emergency regulations training and the 5-year permit review training were provided by CalRecycle staff at the last roundtable meeting.

At the present time, to address the change in accreditation authority in the lab accreditation program in the 14 CCR § 17868.1(a)(3), [which states that composting composite sample analysis for maximum acceptable metal concentrations shall be conducted at a laboratory certified by the California Department of Public Health (CDPH), pursuant to the Health and Safety Code Sampling Requirements] Santa Barbara County LEA is allowing third-party laboratories who are Environmental Laboratory Accreditation Program (ELAP) certified by the State Water Resources Control Board, SWRCB, to submit results on behalf of the operators' regularly contracted laboratory.

4. South Central Roundtable (San Juan): Chad San Juan, Kern County Health, has stepped up to be the new EAC representative for the South Central Roundtable. At the present time, the roundtable meetings in the South Central jurisdiction will be hosted by different counties in rotation.
5. Southern Roundtable (Andrade): Acknowledged the discrepancy and the change in accreditation authority in the lab accreditation program in the 14 CCR § 17868.1(a)(3). Requested language update in Title 14 to reflect that the Environmental Laboratory Accreditation Program (ELAP) is currently certified by the California State Water Resources Control Board (Water Board).

During the RT meeting, a request was made that the *EA Notification* and the *Registration Permit Application* forms be updated to include email information line for the operator to fill in.

## **V. CalRecycle Discussion Items**

### **A. Deputy Director's Report, Debris Recovery & Emergency Waivers (Mark de Bie)**

1. CalRecycle has received several questions about the recent wildfire events in Southern California. As a reminder, LEAs have a role when it comes to debris disposal. Disaster debris from a declared disaster area is appropriate for disposal at Class I, II, and III landfills that meet the SWRCB requirements.

Immediately following disasters, the cleanup effort and recovery often results in the need for solid waste facilities to handle more material than usual. The Emergency Waiver of Standards Regulations (Title 14, California Code of Regulations [CCR], Division 7, Chapter 3, Article 3, Section 17210 et seq.) describes a process for a solid waste facility operator to request a waiver of standards, permit terms and/or conditions to address changes resulting from a declared emergency and the needs of the recovery efforts. These regulations describe the process for the use of emergency waivers that grant an operator temporary relief from specific standards imposed by 14 CCR or 27 CCR or specific terms and/or conditions of a solid waste facilities permit. As per 14CCR section 17210.4 an LEA may grant a waiver based on the request of an operator after an emergency has been declared upon the following findings.

- a) The operator applying for the waiver holds a valid solid waste facility permit (or is legally operating a locally approved temporary transfer or processing site, or a locally approved temporary compostable material handling site);
- b) The waiver will not pose a threat to public health and safety or the environment; and

c) The operator identifies and implements, to the extent feasible, diversion programs to maximize diversion through reuse, recycling, or composting of disaster-related waste.

The LEA must notify the operator within seven (7) days of receipt of the waiver request whether the waiver has been granted or denied. If the request for a waiver is not approved, the EA's notification shall include the reasons for the denial. Remember that LEA approval is discretionary, and the LEA does not always need to grant an emergency waiver if there is reason that the emergency waiver request is not sufficient as per 14CCR section 17210.4. Lastly, CalRecycle shall review all LEA waiver approvals, and may limit, suspend or terminate the use of a waiver.

## **B. Deputy Director's Report, EAC (Paulina Lawrence)**

1. In 1983 the Enforcement Advisory Council, EAC was established to achieve a coordinated, consistent statewide enforcement program by ongoing communication among all LEAs and CalRecycle. More importantly, The EAC assures that regional LEA interests and viewpoints regarding programs, enforcement, and training needs are addressed at the state level.

Roundtable meetings are critical to LEA's support and success. What you do as Roundtable Chairs help LEAs and CalRecycle maintain that important communication channel. Roundtable meetings are opportunities to obtain questions/needs from your region's colleagues to discuss at the EAC and with both California Conference of Directors of Environmental Health, CCDEH and CalRecycle.

EAC is important in that this venue provides time for Regional Chairs to relay LEA topics to CCDEH and CalRecycle and for CalRecycle to provide assistance to the EAC and LEAs.

Some topics to ask your colleagues as they work in partnership with CalRecycle, might be enforcement of a specific State Minimum Standard, SMS, new legislation that affects their region (this does not need to be a SW could be Air/Water), new partnerships with other agencies in their region, better best management practices, BMPS, for a specific facility activity, funding mechanisms used to help with LEA resources.

## **C. Illegal Disposal Regulations Update (Martin Perez)**

1. Recap: Emergency regulations were approved by the OAL on February 14, 2025 and effective that same day and will expire on August 14, 2025. CalRecycle staff have started the informal rulemaking process and have until the end of the

expiration date to complete the formal rulemaking process. In the meantime, CalRecycle staff can request extensions to the emergency regulations for an additional 180 days.

During this rulemaking process, LEAs, industry, and other stakeholders will have an opportunity to comment on the regulations. Staff will take any feedback into consideration and may make revisions to the regulations. (45-day comment period, public hearing, subsequent 15-day comment period for substantial changes, response to comments)

Staff is currently providing a training to the LEA on Illegal Disposal and it covers aspects of the new emergency regulations. The training dates are March 18, 25, and 26, and the training was sent out to all LEAs through the CalRecycle LEA info email. The training will be recorded and made available on demand for later viewing. Additionally, staff is also preparing a Questions & Answers list on the emergency regulations and would like to provide a draft copy to the EAC for review prior to publishing.

Emergency Regulations Summary: The regulations define Land Application Activities and place these activities within CalRecycle's Compostable Material Handling Facilities and Operations Regulatory Tiers and subject these activities to the appropriate operator filing requirements, state minimum standards, record keeping, and Enforcement Agency (EA) inspection requirements. Additionally, these regulations amend the sampling and record keeping requirement for solid waste facilities, operations, and activities to ensure that any facility and operation sending material to a location to be land applied are sampling to ensure the material is suitable for land application, consistent with section 17852(a)(24.5), and the sampling test results, weights, and end destination for each load sent offsite are included in the operator records. These regulations allow EAs to review this new recordkeeping data to track the flow of material, investigate, and enforce land application activities to prevent unlawful disposal of material.

#### **D. Training Update (Lea Gibson)**

1. The next Technical Training Series, TTS, conference has been scheduled for November 12-13 (Virtually) and December 9-11 (in-person) in Monterey, CA.

CalRecycle is asking for volunteers to be on the Steering Committee. Presently, there are only two (2) LEA members on the Steering Committee. CalRecycle would like to have at least one LEA from each region to get a statewide input on the agenda and are requesting assistance from the EAC and RT chairs to find volunteers.

Jeffrey Marshall, CCDEH, asked about the expectation for the Steering Committee members; help in identifying the relevant agenda topics and the appropriate speakers would be helpful to CalRecycle. Once there is a proposed agenda, CalRecycle will do a call for speakers at the TTS Conference.

Potential Steering Committee volunteers can contact Melisa Hoover-Hartwick directly at:

Melissa.hoover-hartwick@calrecycle.ca.gov

2. Ralph Hunter Memorial Award: the award can be a co-presentation if desired. Campos-Bernal agree to draft a resolution congratulating the winner. Plaque for the Ralph Hunter Memorial Award was ordered. EAC chair will reach out to see if John Lewis will be present at the TTS to accept the award himself, or who he wants to accept the award on his behalf.
3. For the Illegal Disposal Emergency Regulations training, case studies and examples of how real situations were handled by the LEAs would be useful. Clarity on the excluded materials from land application would be appreciated.
4. CalRecycle is working on an on-demand SWFP training and SMS training. Staff is working on live compost, in-vessel digestion, and transfer/processing trainings.

#### **VI. Public Comment Period**

- A. There were no written or submitted public comments for today's EAC meeting. Also, no one from the public was virtually present at today's meeting.**

#### **VII. Schedule Next EAC Meeting and Close Meeting:**

- A. Next EAC Meeting is scheduled to be on Tuesday, December 9, 2025.**
  1. Concurrently with the next TTS Conference in Monterey, California
  2. Phone in option will be available
  3. Zoom in option may be available
- B. Close Meeting: 10:20 AM**
  1. Motion to end meeting: Surdilla
  2. 2<sup>nd</sup>: Harden