

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 84-33

AMENDMENT OF REGULATIONS GOVERNING  
DISCHARGES OF WASTE TO LAND

WHEREAS:

1. Discharges of waste to surface impoundments, waste piles, landfills, and land treatment facilities for treatment, storage, and disposal, could affect the quality of waters of the State; and
2. The California Regional Water Quality Control Boards (Regional Boards) have the authority to regulate such discharges by issuing waste discharge requirements, including discharge prohibitions, which implement water quality control plans; and
3. The Regional Boards are required to review and classify proposed and operating disposal sites within their regions, and review closure and post-closure maintenance plans for hazardous waste facilities pursuant to regulations adopted by the State Board; and
4. The State Board is required to adopt regulations for the guidance of the Regional Boards, including standards for waste and site classification; and
5. The Administrative Procedure Act requires administrative agencies to review existing regulations for compliance with six specified criteria including necessity, clarity and consistency with other regulations; and
6. The United States Environmental Protection Agency has promulgated nationwide minimum standards for facilities which treat, store, or dispose of, hazardous wastes, including surface impoundments, waste piles, landfills and land treatment facilities; and
7. Existing regulations governing land disposal are outdated, in need of revision to ensure compliance with criteria for administrative regulations in the Administrative Procedure Act, and do not adequately address either discharges of hazardous waste or discharges of other waste for treatment and storage; and
8. Staff conducted a series of workshops in February and March of 1983 to solicit public participation in the conceptual development of the proposed regulations; and
9. The resulting amendments were described in a Notice of Proposed Rulemaking published in the California Administrative Notice Register on December 16, 1983; and

10. Testimony about the proposed regulations was taken on February 8 and March 12, 1984, and over 200 written comments have been received; and
11. Modifications have been incorporated into the proposed regulations in response to the comments received; and
12. These modifications are sufficiently related to the text made available to the public in the original notice so that there was adequate notice that the modifications could have resulted from the originally proposed regulations; and
13. The revised text was made available to the public on April 16, 1984.

THEREFORE BE IT RESOLVED:

That the existing land disposal regulations in Subchapter 3 of Chapter 3 of Title 23 of the California Administrative Code ("Waste Disposal to Land", 23 CAC, Sections 2500-2567, Attachment I to this Resolution) be repealed;

That the proposed regulations governing discharges of waste to land contained in Attachment II to this Resolution be adopted, and codified as Subchapter 15 of Chapter 3 of Title 23 of the California Administrative Code (23 CAC, Sections 2500-2610, together with Appendices I, II and III);

That the Executive Director transmit the proposed amendments to the Office of Administrative Law (OAL) together with the final statement of reasons and the rulemaking file;

That the Executive Director take all appropriate steps to ensure rapid implementation of these regulations by the Regional Boards following approval by OAL, including:

preparing and conducting training programs for technical staff at the State Board and the Regional Boards; and

printing copies of the Subchapter 15 regulations, together with the informative digest and final statement of reasons for public distribution.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control 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 State Water Resources Control Board held on May 1, 1984.



Michael A. Campos  
Executive Director