

AMENDED IN SENATE MAY 13, 2003

AMENDED IN SENATE MAY 1, 2003

AMENDED IN SENATE APRIL 9, 2003

SENATE BILL

No. 537

Introduced by Senator Romero
(Principal coauthor: Assembly Member Chavez)

February 20, 2003

An act to ~~add Section 4741.05 to the Health and Safety Code~~ *add Section 44013 to the Public Resources Code*, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 537, as amended, Romero. Solid waste ~~management: Los Angeles County Sanitation District: facilities permits.~~

Existing law, the California Integrated Waste Management Act of 1989, administered by the California Integrated Waste Management Board, establishes an integrated waste management program, including the regulation of solid waste disposal. Under existing law, a person may not operate a solid waste facility without a solid waste facilities permit if the facility is required to have a permit. Existing law authorizes an enforcement agency to issue a solid waste facilities permit and the board is required to concur or object to the issuance of a solid waste facilities permit pursuant to a specified procedure. If the board fails to concur or object in writing within a 60-day review period, the board is deemed to have concurred in the issuance of the permit.

This bill would prohibit the enforcement agency from issuing, modifying, or revising a solid waste facilities permit, to exceed by more than 5% the capacity that was permitted for that facility on a specified date, with regard to the Grand Central Recycling and Transfer Station

or the Puente Hills Materials Recovery Facility. The bill would also prohibit the board from concurring in, and would provide that the board not be deemed to have concurred in, the issuance, modification, or revision of a solid waste facilities permit that is prohibited by the bill.

~~The County Sanitation District Act authorizes a county sanitation district to acquire, construct, and complete certain works, property, or structures necessary or convenient for sewage collection, treatment, transfer, and disposal.~~

~~Existing law prohibits a district from acquiring land for or establishing and operating a refuse transfer facility or disposal facility within a city or the unincorporated area of a county until the city council, if the facility is proposed to be located in the city, or the board of supervisors of the county, if the facility is proposed to be located in the unincorporated area of the county, has, by resolution, consented to the use of the proposed site for that purpose.~~

~~Existing law requires specified procedures, such as notice, public hearings, and elections, prior to a district's acquisition of land for, or the construction or maintenance and operation of, a refuse transfer facility or a refuse disposal facility.~~

~~Existing law requires various permits for recycling of waste materials.~~

~~This bill would require that if the Los Angeles County Sanitation District requests authorization under any permit to exceed 5% beyond 4,000 tons per day of waste recycling at a material recycling facility in an unincorporated portion of Los Angeles County, that authorization may not be granted unless the city council of each of the cities located within one mile of that facility, by resolution, approves of the expansion.~~

~~This bill would make legislative findings and declarations regarding the need for special legislation.~~

~~Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.~~

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 4741.05 is added to the Health and~~
- 2 ~~Safety Code, to read:~~
- 3 ~~4741.05. (a) Notwithstanding any other provision of law, if~~
- 4 ~~the Los Angeles County Sanitation District requests authorization~~
- 5 ~~under any permit to exceed 5 percent beyond 4,000 tons per day~~



1 ~~of waste recycling at a material recycling facility in an~~
2 ~~unincorporated portion of Los Angeles County, that authorization~~
3 ~~may not be granted unless the city council of each of the cities~~
4 ~~located within one mile of that facility, by resolution, approves of~~
5 ~~the expansion.~~

6 ~~(b) Nothing in this section shall be construed to impede the~~
7 ~~ability of the Los Angeles County Sanitation District to facilitate~~
8 ~~the transfer of waste by rail up to 4,000 tons per day from any~~
9 ~~district facility.~~

10 *SECTION 1. Section 44013 is added to the Public Resources*
11 *Code, to read:*

12 *44013. (a) Notwithstanding Sections 44004, 44007, 44008,*
13 *and 44010, the enforcement agency may not issue, modify, or*
14 *revise the solid waste facilities permit of the Grand Central*
15 *Recycling and Transfer Station, which bears file number*
16 *19-AA-1042, pursuant to subdivision (b) of Section 18010 of Title*
17 *14 the California Code of Regulations, to allow the facility to*
18 *exceed by more than 5 percent the capacity that was permitted on*
19 *March 14, 2001.*

20 *(b) Notwithstanding Sections 44004, 44007, 44008, and*
21 *44010, the enforcement agency may not issue, modify, or revise the*
22 *solid waste facilities permit of the Puente Hills Materials Recovery*
23 *Facility, which bears file number 19-AA-1043 pursuant to*
24 *subdivision (b) of Section 18010 of Title 14 of the California Code*
25 *of Regulations, to allow the facility to exceed by more than 5*
26 *percent the capacity that was permitted on August 24, 2000.*

27 *(c) Notwithstanding Section 44009, the board may not concur,*
28 *and may not be deemed to have concurred, in the issuance,*
29 *modification, or revision of a solid waste facilities permit that is*
30 *issued, modified, or revised in the manner prohibited by*
31 *subdivision (a) or (b).*

32 *SEC. 2. Due to the unique circumstances concerning the*
33 *concentration of solid waste facilities in an area of the County of*
34 *Los Angeles, the Legislature finds and declares that a general*
35 *statute cannot be made applicable within the meaning of Section*
36 *16 of Article IV of the California Constitution. Therefore, this act*
37 *is necessarily applicable only to Los Angeles County.*

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