

ITEM: 23

SUBJECT: Conditional Waiver of Waste Discharge Requirements for Disaster-Related Wastes during a state of emergency within the central valley region

BOARD ACTION:

BACKGROUND: This item is an update of a continuing conditional waiver of waste discharge requirements (WDRs) that must be renewed every five years in accordance with the California Water Code. The current "Emergency Waiver" was first adopted in June of 2008. This Conditional Waiver provides a mechanism for management and disposal of emergency/disaster related wastes resulting from fires, floods, storms, earthquakes, and mass mortality of animals. These emergencies can create large amounts of waste that must be removed for disposal or recycling in order to restore property and public services facilities, repair and reopen highways, protect public health and the environment, or otherwise prevent or mitigate an emergency. Cleanup activities often necessitate temporary waste staging areas on land or at regulated waste management facilities, may involve wastes that wouldn't normally be accepted at a particular regulated waste management facility, and can create unusually large amounts of waste for landfills to handle in a short amount of time. Wastes from fires (particularly ash) may contain one or more metals at concentrations that exceed criteria in a landfill's WDRs. Mass mortality of animals may necessitate discharge to emergency landfills when transportation offsite is determined to be a significant threat to public health and/or other animals by government agencies such as the United States Department of Food and Agriculture, the California Department of Food and Agriculture, or local county health departments. Discharges of ash, animal carcasses, or the temporary staging of large amounts of waste at regulated waste management facilities could cause a violation of the facility's WDRs unless coverage under the Conditional Waiver is obtained and its conditions are met. The proposed update includes changes to improve the clarity of the enrollment process, the situations where the waiver can and should be used, and to improve the clarity of its conditions. (WLB)

ISSUES:

RECOMMENDATION:

Mgmt. Rev ___
Legal Rev