

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 85- 24

ADOPTION OF AMENDMENTS TO REGULATIONS GOVERNING DISCHARGES
OF WASTE TO LAND, CODIFIED IN SUBCHAPTER 15 OF CHAPTER 3
OF TITLE 23 OF THE CALIFORNIA ADMINISTRATIVE CODE
(23 CAC §§2500 TO 2601)

WHEREAS:

1. The State Board adopted revised regulations governing discharges of waste to land by Resolution No. 84-33 on May 1, 1984 and amended the revised regulations by Resolution No. 84-72 on October 18, 1984.
2. The Office of Administrative Law approved the revised regulations, as amended, on November 26, 1984 with the exception of the provisions of Subsection 2541(e), Table 4.1, relating to synthetic liner requirements at Class I waste management units.
3. The Office of Administrative Law disapproved the synthetic liner requirements because footnote numbers 7, 8, and 9 to Table 4.1 of Section 2541 appeared to incorporate requirements for compliance with exemption procedures from the Hazardous Waste Management System regulations in Title 40 of the Code of Federal Regulations (including findings by the Regional Administrator of the United States Environmental Protection Agency).
4. Staff has proposed appropriate modifications to the text of the offending footnotes in order to correct this deficiency.
5. The revised text of the footnotes was made available to the public for review and comments on December 26, 1984, pursuant to a notice which was mailed to all interested persons on or before December 23, 1984. Comments were accepted until January 10, 1985 and have been considered by the State Board.
6. The modifications are sufficiently related to the original text of the proposed regulations described in the notice published on December 16, 1983 that the public was adequately placed on notice that such modifications could result from the original rulemaking proposal. The modifications do not alter the substantive impact on the regulated community of the revised regulations governing discharges of waste to land as adopted on October 18, 1984.

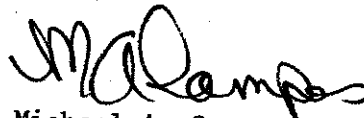
THEREFORE BE IT RESOLVED:

1. That the text of footnote numbers 7, 8, and 9 to Table 4.1 in Subsection 2541(e) of the regulations governing discharges of waste to land as amended by Resolution No. 84-72 be amended to read:

- "7. Synthetic inner liner required in addition to a clay outer liner unless exempted pursuant to Subsection 2510(b) of this subchapter.
 - "8. Synthetic inner liner required in addition to a clay liner unless the surface impoundment is closed according to Subsection 2582(b)(1) of this subchapter, or unless exempted pursuant to Subsection 2510(b) of this subchapter.
 - "9. Synthetic inner liner required unless the pile is closed according to Subsection 2583(a)(1), or unless exempted pursuant to Subsection 2510(b) of this subchapter."
2. That the amendments made by this resolution be submitted to the Office of Administrative Law for review pursuant to Article 6 of the California Administrative Procedure Act (Government Code Section 11349, et seq.).

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 March 15, 1985.



Michael A. Campos
Executive Director