
Tri-TAC
Jointly Sponsored by:
League of California Cities
California Association of Sanitation Agencies
California Water Environment Association

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September 13, 2002

Mr. Alan Glabe
California Integrated Waste Management Board
Permitting and Enforcement Division
P.O. Box 4025
Sacramento, CA 95812-4025

Dear Mr. Glabe:

Subject: Comments on the August 29, 2002 proposed regulatory text changes for draft Title 14 CCR Div 7, Chapter 3.1 "Compostable Material Handling Operations and Facilities Regulatory Requirements"

Tri-TAC appreciates the opportunity to provide comments on the proposed regulatory text changes for the draft regulation "Compostable Materials Handling Operations and Facilities Regulatory Requirements" proposed by the California Integrated Waste Management Board (CIWMB).

Tri-TAC is a technical advisory group that includes representatives from the California Association of Sanitation Agencies (CASA), the California Water Environment Association, and the League of California Cities. Tri-TAC's goal is to improve the overall effectiveness of environmental programs, ensure that regulations affecting POTWs in California are reasonable, and in the public's best interest. The constituent agencies of Tri-TAC provide water and wastewater services to most of the population of California.

Tri-TAC provided comments on the proposed draft regulations in May 2002 concerning the selenium concentration as stated in the comment below. The CIWMB did not address the comment in the proposed regulatory text changes nor provide a response to Tri-TAC concerning the comment. The limit as listed in the proposed regulation may affect some treatment plants ability to beneficially use their biosolids to make a compost product. Tri-TAC would appreciate if the CIWMB would consider the comment below and use the 100 mg/kg limit for selenium in their proposed regulation or provide a rational why 36 mg/kg is being used instead using the U. S. EPA's federal regulations Part 503 limit.

Section 17868.2 Table 2 - Maximum Acceptable Metal Concentrations

The Maximum Acceptable Metal Concentrations listed in Table 2 are consistent with the EPA Pollutant Concentration Limits (40CFR Part 513.13 – Table 3), with the exception of selenium. Tri-TAC recommends changing selenium to the scientifically based limit set forth in 40 CFR Part 503 limit, 100 mg/kg. The concentration limit for selenium of 36 mg/kg, was originally used by the US EPA but was removed after the research that was used to develop the limit was legally challenged and retracted by its source. In order to promulgate legally and scientifically defensible limits, the CIWMB should use the selenium limit currently promulgated by the US EPA.

Thank you for the allowing Tri-TAC to comment on the proposed regulation. Please contact Robert Gillette at (916) 565-4888 or Layne Baroldi at (714) 593-7456.

Robert Gillette
Tri-TAC Land Committee Co-Chair