

**Aiyetiwa, Martins**

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**From:** Acosta, Glenn [GAcosta@lacsdsd.org]

**Sent:** Wednesday, May 20, 2009 7:56 AM

**To:** Kyra Ross (E-mail); Karen Keene (E-mail); Allison Hudson (E-mail); Art Rivera (E-mail); Chi Hermann (E-mail); Claudia Rozzi (E-mail); David Tieu (E-mail); Desi Reno (E-mail); Dylan Wright (E-mail); Eric Greenwood (E-mail); Greg Saul (E-mail); Hans Kernkamp (E-mail); Herman Robbins (E-mail); Jeff Gow (E-mail); Joe McCann (E-mail); John Cupps (E-mail); Larry Sweetser (E-mail 2); Larry Sweetser (E-mail); Aiyetiwa, Martins; Mary Patterson (E-mail); Mary Pitto (E-mail); Michael Carroll (E-mail); Michael Giancola (E-mail); Nancy Ewert (E-mail); Nancy Sansonetti (E-mail); Peter Wulfman (E-mail); Ron Pierre (E-mail); Sally Coleman (E-mail); Vickie Dragan (E-mail)

**Subject:** May 19th CIWMB Board Meeting - Board's Direction to Staff

**(A) The Board went with a reg package containing:**

\* **Rolling 30X with a step down to a Rolling 15X** - Given that step downs will likely not be granted by CIWMB staff, the new FA is for all practical purposes a rolling 30X. In order to qualify for a step down every 5 years, the operator must: (1) not have a corrective action (new or existing) in the preceding 5 years, (2) participate in the proactive monitoring program, and (3) have actual PCM costs in line with the estimated costs. A floor of 15X would remain throughout the postclosure period. The operator could be stepped up for lack of performance. Upon the sale or transfer of a landfill, the new owner would be stepped up to 30X.

\* **Funding of corrective action would be either the reasonable foreseeable water quality CA or the replacement of the final cover, which is greater.**

The reg package will be out for a 45-day public comment period soon.

**(B) The Board wants staff to bring back for more discussion:**

- \* Recommendations on how to handle closed sites. Should they be grandfathered?
- \* CIWMB's authority to stop or restrict the transfer of ownership of a landfill.
- \* Any additional work or analysis on FA demonstrations.

**(C) The Board will request the Legislature a pooled fund.**