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SOLID WASTE ASSOCIATION
of North America

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April 13, 2005

The Honorable Ira Ruskin
Chair, Assembly Committee on Environmental Safety
State Capitol Building, Room 4139
Sacramento, CA 95814

RE: AB 362 (Aghazarian) Administrative Proceedings – SUPPORT

Dear Assemblyman Ruskin,

The Solid Waste Association of North America (SWANA) is composed of approximately 7000 public and private sector solid waste management professionals throughout North America dedicated to the development and enhancement of environmentally and economically sound practices and policies for the integrated management of municipal solid waste. There are approximately 900 members of SWANA in California, and on their behalf I am writing in support of AB 362 (Aghazarian), as amended April 5, 2005.

AB 362 would delete outdated provisions of the Water Code that require the State Water Resources Control Board to provide guidance to the regional boards in matters of procedure and to review the boards' public participation procedures. AB 362 would also mandate that all people will have equal procedural rights and be afforded equal treatment in proceedings conducted pursuant to the Water Quality Control Act, and would set forth procedures to be followed by the State and Regional Water Boards during adjudicative proceedings (such as adoption of permits or issuance of enforcement orders) to ensure that the due process rights of the public are guaranteed. Currently, the procedures used in adjudicative proceedings vary from one region to another, and appropriate procedures that respect these due process rights are not always followed.

To ensure statewide consistency in the basic procedures followed by the State and Regional Water Boards in adjudicative proceedings, the California Chapters of SWANA urge you to support AB 362 when it is heard before your committee. Thank you for your consideration of our position.

Sincerely,

Yvette Gomez Agredano
Legislative Advocate
SWANA, California Chapters

cc: Members, Assembly Committee on Environmental Safety
The Honorable Greg Aghazarian
Consultants, Assembly Committee on Environmental Safety
Will Dickinson, Chair, SWANA California Chapters Legislative Task Force
Mark Urquhart, Secretary, SWANA California Chapters Legislative Task Force