PLAINTIFF'S EXHIBIT

UC-4928

(A)

Disposal - concept of discard.

Disposal site - final disposition

Handling -

a. Transferring or transporting from place to place

b. pumping

c. processing

d storing

c. packing

does not include the storage of a hazardous waste on the contiguous property of the producer of such waste.

— act of storage = handling?
as physical storage ?

a. b. c. d. e would possibly relate to when a material becomes a "waste".

Definition of waste? — Not in RCRA 1593
(At point it begins its journey to abandonment)

Does every business who produces a hazardous waste have to have a permit?

A07053

X419750

(B)

Storage -

a. Containment
b. Short or long term.
c. does not constitute disposal (concept of discard) & final?

or use (utilization in a manner that is safe in the judgement of the department.")

25166 - Fees

$50/person ... privilege of engaging in a business.

business of hauling - ... a vehicle (hazardous) as a part of or in addition to any business

↑ any "hazardous waste" business or just any business.

$15 per vehicle → declining scale.

~~business~~ of transporting or is substantial part. - > 8% of cargo. - A07054

Fees!

25190 & 25191 - civil and criminal penalties

25192 - Fee's and penalties in ~~general fund~~ Hazardous Waste Control Act. - General Fund

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(C)

Key wording of fees is 25174

See also — Chapter 1309 pg 6 66796.20
Agency by majority vote of local governing body, prescribed fees.
— operator of solid waste facility —
a conductor of solid waste handling,

Is a waste storage area contiguous & property — not under definition of handling subject to permit requirements for as a facility?

Example
King City Mill —
Construction Site
Large mfg facility — R/C sheet fab.
Small mfg facility.

What is a "waste" —
Point of generation or point where it is ready to be discarded.

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(D)

King City Mill and Mine

Tailings

1. Is it a waste?
2. If it is a waste it is continuous storage on the property. —

Does "handling" just include the storage per se or does it include the act of placing the material in storage?

If it does not include the placing in storage, anyone who transfer, transports pumps is subject to the "50 per person annual fee "for the privilege of engaging in a business."

Also relates to when a material becomes a "waste" i.e. at point of generation by producer or at point where it is gathered together and handled or by a hauler.

→ General problem of a manufacturer of a product who as an adjunct generates a hazardous waste. Where does the waste management system and its permit and fees become applicable.

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External disposal.
Internal disposal ⟷ Storage.

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"Fees collected shall not exceed the amount necessary to cover all costs incurred in the administration of this chapter."

Rates actual inspections plus prorated share of overhead + various other duties under 25170

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