



SWANA[®]
SOLID WASTE ASSOCIATION
of North America

CALIFORNIA CHAPTERS

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LEGISLATIVE TASK FORCE

www.swanacal-leg.org

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April 11, 2007

The Honorable Joe Simitian
Chairman, Senate Environmental Quality Committee
State Capitol, Room 2080
Sacramento, Ca. 95814

RE: SB 1020 (Padilla) – CONCERNS

Dear Senator Simitian,

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 I am writing on their behalf.

SWANA is fully committed to an integrated approach to waste management that includes a priority on reducing, reusing and recycling wastes. However, reaching 75% diversion is a tall task by any date, and SWANA respectfully requests that the Legislature allow more time before establishing a higher diversion mandate in order that a comprehensive discussion can be held with stakeholders regarding a number of issues that impact diversion programs. Only after a thorough discussion of the issues currently faced by local jurisdictions, can an appropriate higher diversion rate, and schedule for reaching that new rate, be determined. These issues include the following:

- Consumer and manufacturer responsibility need to be real.
- The responsibility for diversion needs to be spread to the commercial sector including proactive involvement and accountability from private waste haulers.
- Programs, and not always numbers, should be a means of determining compliance at least in some instances.
- Penalties should no longer be in the code. The State should instead implement a truer partnership with local governments.
- Diversion credit must be granted – at a minimum – for activities such as the conversion of biomass to ethanol and other conversion activities that promote the usage of alternative fuels and/or assist the State in the implementation of AB 32.
- Special consideration needs to be given to rural jurisdictions.
- Any increase in the state portion of the “tipping fee” in California must go directly to assist local governments in reducing disposal.

While it may be counter-intuitive, disposal has increased in California just as diversion has increased simply because of population increases. SWANA looks forward to working with the author and other stakeholders on moving beyond AB 939 and towards a new system that will facilitate further reductions in the amount of waste disposed of in California. To do so will take much more than



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simply increasing the diversion goal for local governments with the threat of penalties for noncompliance.

Thank you for your consideration of SWANA's position on SB 1020,

Paul Yoder

Legislative Advocate

SWANA, California Chapters

cc: Senator Padilla

Other Members, Senate Environmental Quality Committee

Consultants, Senate Environmental Quality Committee