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Regulatory Information

This section provides information on the actions of regulatory agencies.

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Legislative Task Force Business

LTF Meeting Agendas and Minutes are available on the LTF website (www.swanacal-leg.org). Click [here](#) to see them.

2007-2008 Legislation

This section provides the status of each bill acted on by the LTF since the beginning of the 2007-2008 legislative session and a copy of the most recent correspondence.

2007-2008 Legislation

Below are the bills that the LTF has taken action positions on throughout the session. The position letters written to the legislature regarding bills that were of interest to SWANA, are located directly below the bill information as well as the Legislative Task Force website at www.swanacal-leg.org (*Click on the bill number to go to the bill's legislative page, sponsored by Legislative Counsel*):

Priority Legislation(in order of significance)

We would like to highlight the four most significant pieces of legislation for the 2007-2008 legislative session.

SB 1016 (Wiggins) Diversion: Annual Report

As proposed to be amended, SB 1016 will have two primary components: 1) change the diversion rate reporting requirements to a jurisdictional equivalent disposal measurement requirement, as an indicator of program implementation; and, 2) Reduce the frequency of reporting and reviewing of the annual report, based on compliance. SB 1016 does not change the AB 939 50 % requirement but is attempting to build on AB 939 compliance requirements by implementing a simplified and timelier indicator of jurisdictions' performance by changing to a disposal based number as reported by disposal facilities. The author's office and all interested stakeholders have been meeting and working on the proposal since the introduction of this legislation last year. The new language has not been circulated for review, but based on the negotiations with the CIWMB most local jurisdictions seem to be moving towards a support position. The CIWMB has indicated they will include economic adjustment factors for determination of compliance. We remain hopeful as we wait for the latest language. You can view the most recent memo by the CIWMB on SB 1016 [here](#).

LTF Position: Watch

Status: Assembly Natural Resources

SB 1020 (Padilla) Solid Waste: diversion

The current language of the bill would require the board, by July 1, 2009, to develop a strategic and comprehensive plan to achieve, on or before January 1, 2020, a diversion of 75% of solid waste statewide from landfill disposal or transformation. There have been extensive discussions with the author's office and other stake holders as to how this will be affected by the change proposed by SB 1016. The author's office has been working with all affected to make sure that this legislation works with the new format created by SB 1016 and insists that the diversion rate proposed in the language is in fact just a "goal" and not a requirement. The author's office has also indicated that there will be a mandatory commercial recycling ordinance.

(Significant amendments are being developed)

LTF Position: Oppose

Status: Assembly Appropriations

Letter to Senate Environmental Quality

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 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.

AB 2640 (Huffman) Solid Waste: compostable organics management

This bill would impose a \$1.40 per ton quarterly fee on green waste used for beneficial reuse, including use as alternative daily cover, at solid waste disposal facilities. Placing a tax on the reuse of one type of waste material is unprecedented. This bill is in addition to the California Integrated Waste Management Board’s strategic directive in setting a goal of 50% reduction in “compostable organics” by 2020. The LTF will remain opposed to this legislation as long as there are any fees included in the language.

LTF Position: Oppose

Status: Passed Assembly to Senate

Letter to Assembly Floor

***** ASSEMBLY FLOOR ALERT *****

**AB 2640 (Huffman)
URGE YOUR “NO” VOTE**



DATE: May 27, 2008

TO: ALL MEMBERS OF THE ASSEMBLY
FROM: Paul Yoder, Legislative Advocate, **SWANA**

RE: AB 2640 (Huffman) Solid Waste: Compostable Organics

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 to regretfully OPPOSE AB 2640.

We would like to thank the author for addressing one of our concerns with the recent amendments to remove the phase out of ADC diversion credit language from the bill; however, AB 2640 still would impose a \$1.40 per ton quarterly fee on green waste used for beneficial reuse, including use as alternative daily cover, at solid waste disposal facilities. This tax on the reuse of one type of waste material would be unprecedented and inappropriate. Additionally, the California Integrated Waste Management Board’s strategic directive in setting a goal of 50% reduction in the amount of the “compostable organics” currently being disposed by year 2020 was not based on any scientific study or through any lifecycle analysis. As such, we cannot see any basis for codifying this goal as a mandate on local governments.

For these reasons, we regretfully must still OPPOSE this measure and request your “NO” vote.

AB 2866 (DeLeon) Solid Waste: closure liability: solid waste disposal fees

AB 2866 would require the board to establish the amount of the "tipping" fee in an amount not exceeding \$2 per ton and would require \$0.60 of that fee to be deposited by the State Board of Equalization in the Solid Waste Mitigation Account, which this bill would create in the fund.

LTF Position: Oppose

Status: Passed Assembly to Senate

Letter to Assembly Floor

***** ASSEMBLY FLOOR ALERT *****

AB 2866 (DeLeon)

URGE YOUR "NO" VOTE

DATE: May 27, 2008

TO: ALL MEMBERS OF THE ASSEMBLY
FROM: Paul Yoder, Legislative Advocate, **SWANA**

RE: AB 2866 (DeLeon) Solid Waste: Disposal Fees

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 to regretfully OPPOSE AB 2866, regarding solid waste disposal fees.

The current "tipping fee" is \$1.40 per ton and is solely used to fund a variety of activities by the Waste Board to assist in reducing or managing the disposal of waste throughout the State. AB 2866 would require the board to establish the amount of the fee in an amount not exceeding \$2 per ton and would require \$0.60 of that fee to be deposited by the State Board of Equalization in the Solid Waste Mitigation Account, which this bill would create in the fund. These fees would be distributed into 4 different sub accounts, none of which are specifically related to landfills.

SWANA does not support landfill tip fee increases to pay for programs that are typically funding other industries or actions not specifically related to landfills.

For these reasons, the California Chapters of SWANA regretfully must OPPOSE this measure and respectfully request your "NO" vote on this bill.

Additional Legislation of Interest

AB 48 (Saldana) Hazardous Waste: electronic waste

This bill expands the scope of electronic products that would be banned from sale in California if they are banned from sale in the European Union (EU) pursuant to the Reduction of Hazardous Substances (RoHS) directive.

LTF Position: Support

Status: Vetoed by Governor

Letter to the Governor

October 4, 2007

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol Building
Sacramento, CA 95814

Re: AB 48 (Saldana) – Hazardous Waste: Electronic Devices – URGE SIGNATURE

Dear Governor Schwarzenegger,

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 to urge you to sign AB 48, regarding hazardous waste relative to electronic devices.

AB 48 would, on or after January 1, 2010, expand the scope of electronic products that would be banned from manufacturing for sale in California if they are banned from sale in the European Union (EU) pursuant to the Reduction of Hazardous Substances (RoHS) directive.

The heavy metals found in electronic devices, are toxic and – when improperly disposed of – pose a serious threat to public health and the environment. Requiring manufacturers to phase out the use of hazardous materials in nearly all consumer electronics sold in the state by January 1, 2010, as proposed in AB 48, would prevent toxins from entry into the municipal solid waste stream. The best way to assist local governments in California in complying with AB 939, and more generally ensuring that hazardous materials do not make their way into landfills or illegal disposal sites, is to ensure that they are never included in products in the first place.

For these reasons, SWANA supports AB 48 and urges your signature on the bill.

[AB 501 \(Swanson\) Pharmaceutical devices](#)

This bill would require a pharmaceutical manufacturer whose product is administered for home use through a prefilled syringe, prefilled pen, or other prefilled injection device to arrange to provide, upon request from a consumer, a postage prepaid, mail-back sharps container that has been approved by the United States Postal Service.

LTF Position: Support

Status: Senate Health

Letter to Senate Health

May 6, 2008

The Honorable Sheila Kuehl
Chair, Senate Health Committee
State Capitol Building, Room 2191
Sacramento, CA 95814

Re: AB 501 (Swanson and Hancock) - Pharmaceutical Devices- SUPPORT

Dear Chair Kuehl,

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 to inform you of our SUPPORT of AB 501, regarding the disposal of pharmaceutical devices.

AB 501 would require a pharmaceutical manufacturer whose product is administered for home use through a prefilled syringe, prefilled pen, or other prefilled injection device to arrange to provide, upon request from a consumer, a postage prepaid, mail-back sharps container that has been approved by the United States Postal Service.

SWANA is very supportive of producer responsibility. Without producer responsibility, it is local solid waste and recycling facilities that are in receipt of these items and government workers who are at risk of sickness or infection by their improper disposal.

For these reasons, we SUPPORT this measure and urge your "AYE" vote when it is heard in your committee.

AB 546 (Brownley) Electronic Waste

Requires the California Integrated Waste Management Board (CIWMB) to compile a list, by county, of authorized electronic waste collection centers, which retailers must provide to consumers.

LTF Position: Support if Amended

Status: **Vetoed by Governor**

Letter to Assembly Environmental Quality and Toxic Materials

April 19, 2007

The Honorable Julia Brownley
Assemblywoman, 41st District
State Capitol Building, Room 6011
Sacramento, CA 95814

Re: AB 546 (Brownley) – Electronic Waste; Computers

Dear Assemblywoman Brownley,

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 your AB 546, regarding electronic waste; computers.

AB 546 would require the board to develop an information program to provide retailers with a list of authorized collectors operating in the county where the retailer is located. The bill would require a retailer

to provide a customer who purchases an electronic device with the list of authorized collectors operating in the county where the retailer is located, thereby imposing a state-mandated local program by creating a new crime.

SWANA believes that implementing an informational program for electronic consumers will have significant positive return on hazardous electronic devices and will improve public health and the environment.

For these reasons, we support this measure.

AB 642 (Wolk) Design Build: counties, cities and special districts

This bill would authorize a qualified entity, as defined, that operates a wastewater facility, solid waste management facility, or water recycling facility, with the approval of the appropriate governing body to enter into design-build contracts.


LTF Position: Support with Amendments

Status: Senate Appropriations

Letter to Senate Local Government

March 5, 2008

The Honorable Lois Wolk
California State Assembly
State Capitol Building, Room 3120
Sacramento, CA 95814

Re: AB 642 (Wolk) Design-build: counties, cities and special districts- **Support with amendments** 

Dear Assembly member Wolk,

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 642.

The bill would authorize a qualified entity, as defined, that operates a wastewater facility, solid waste management facility, or water recycling facility, with the approval of the appropriate governing body to enter into design-build contracts, as defined, in accordance with specified provisions. The bill would repeal these provisions on January 1, 2020.

SWANA would like to see that the bill include "Joint Power Authorities" to the list of facilities eligible under the bill to utilize design build.

SWANA supports AB 642 but respectfully asks that you consider the requested amendment to make your bill even better!

AB 822 (Levine) Solid Waste: multifamily dwellings

AB 822 would require on or after July 1, 2009, an owner of a multifamily dwelling to arrange for recycling services that are consistent with state or local laws or requirements, including local ordinances or agreements. "Multifamily dwellings" are defined as residential facilities that consist of five or more living units

LTF Position: Support

Status: Referred to Senate Environmental Quality

Letter to Assembly Floor

*** ASSEMBLY FLOOR ALERT ***

AB 822 (Levine) URGE YOUR SUPPORT

DATE: January 22, 2008
TO: ALL MEMBERS OF THE ASSEMBLY
FROM: Paul Yoder, Legislative Advocate, **SWANA**

RE: AB 822 (Levine) Solid Waste: Multifamily Dwellings- SUPPORT

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 AB 822, regarding multifamily dwelling recycling services.

AB 822 would require on or after July 1, 2009, an owner of a multifamily dwelling to arrange for recycling services that are consistent with state or local laws or requirements, including local ordinances or agreements. "Multifamily dwellings" are defined as residential facilities that consist of five or more living units.

AB 822 would allow those living in multifamily dwellings greater opportunities to increase recycling and reduce the amount of solid waste going into our landfills.

For these reasons the California Chapters of SWANA support this measure and respectfully request your aye vote on this bill.

AB 904 (Feuer) Recycling: food containers

This bill would enact the Plastic and Marine Debris Reduction, Recycling, and Composting Act. This measure would on and after July 1, 2012, prohibit providers of takeout food from distributing single-use food service packaging to consumers unless the packaging is either compostable or recyclable.

LTF Position: Support

Status: Referred to Senate Environmental Quality

Letter to Senate Environmental Quality

March 5, 2008

The Honorable Mike Feuer
California State Assembly
State Capitol Building, Room 4005
Sacramento, CA 95814

Re: AB 904 (Feuer) Recycling: food containers- **Support**

Dear Assembly member Feuer,

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 904.

This bill would enact the Plastic and Marine Debris Reduction, Recycling, and Composting Act. This measure would on and after July 1, 2012, prohibit providers of takeout food from distributing single-use food service packaging to consumers unless the packaging is either compostable or recyclable.

AB 904 provides reasonable and effective means to increase recycling, and reduce the amount of solid waste going into our state's water resources and landfills.

For these reasons the California Chapters of SWANA support AB 904.

AB 1023 (DeSaulnier) Recycling: compostable and biodegradable plastic trash bags

AB 1023 would exempt manufacturers of compostable and biodegradable trash bags from California's recycled-content requirements for plastic trash bags. In part to address the issue of contamination, some trash bag manufacturers have begun to market compostable or biodegradable trash bags for use as yard waste bags. Because of the degradable nature of these bags, they are incompatible with conventional recycled plastic.

LTF Position: Support

Status: **Chaptered by Secretary of State- Chapter 143, Statutes of 2007**

Letter to Author

June 14, 2007

The Honorable Mark DeSaulnier
State Capitol Building, Room 4162
Sacramento, CA 95814

Re: AB 1023 (DeSaulnier) - Recycling: compostable and biodegradable plastic trash bags - Support

Dear Assembly member DeSaulnier,

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 your AB 1023, regarding the recycling of compostable and biodegradable plastic trash bags.

AB 1023 would exempt manufacturers of compostable and biodegradable trash bags from California's recycled-content requirements for plastic trash bags. In part to address the issue of contamination, some trash bag manufacturers have begun to market compostable or biodegradable trash bags for use as yard

waste bags. Because of the degradable nature of these bags, they are incompatible with conventional recycled plastic.

For these reasons, the California Chapters of SWANA support this measure.

AB 1109 (Huffman) Energy Resources- lighting efficiency: hazardous waste

This bill would enact the California Lighting Efficiency and Toxics Reduction Act and would prohibit, on and after January 1, 2010, a person from manufacturing for sale in the state specified general purpose lights that contain levels of hazardous substances prohibited by the European Union pursuant to the RoHS Directive.

LTF Position: Support

Status: **Chaptered by Secretary of State- Chapter 534, Statutes of 2007**

Letter to Assembly Environmental Quality and Toxic Materials

July 11, 2007

The Honorable Jared Huffman
Assemblyman, 6th District
State Capitol Building, Room 4139
Sacramento, CA 95814

Re: AB 1109 (Huffman) – Energy Resources; Lighting Efficiency; Hazardous Waste - SUPPORT

Dear Assemblyman Huffman,

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 your AB 1109, regarding energy resources relative to hazardous waste.

AB 1109 creates the Lighting Toxics Reduction Law that prohibits a person on and after January 1, 2010, from selling general purpose lights in California that contains levels of hazardous substances. Define "general purpose lights" to be lamps, bulbs, tubes, or other electric devices providing functional illumination for indoor residential, indoor commercial, and outdoor use. Every manufacturer of general purpose lights sold in this state and containing hazardous materials would be required to ensure that a system is in place for collection and recycling of end-of-life general purpose lights generated in this state, as well as methods to educate consumers regarding proper management and collection opportunities for those lights.

SWANA believes that AB 1109 will significantly increase the efficiency of indoor and outdoor lighting systems. Increasing lighting efficiency will save California residential and business ratepayers billions annually in avoided energy costs.

For these reasons, we support this measure.

AB 1195 (Torrico) Recycling: used oil: incentive payments

This bill requires used oil to be tested and analyzed by a lab accredited by the State Department of Public Health prior to being shipped or, if shipped to a California permitted transfer facility or used oil recycling facility.

LTF Position: Support

Status: Senate Appropriations

Letter to Author

July 11, 2007

The Honorable Alberto Torrico
Assemblyman, 20th District
State Capitol Building, Room 3160
Sacramento, CA 95814

Re: AB 1195 (Torrico) – Recycling Used Oil: Incentive Payments - SUPPORT

Dear Assemblyman Torrico,

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 your AB 1195, regarding recycling used oil and the incentive payments.

AB 1195 requires used oil to be tested and analyzed by a lab accredited by the State Department of Public Health prior to being shipped or, if shipped to a California permitted transfer facility or used oil recycling facility. The bill defines "re-refined oil" as used oil that, after blending with necessary additives and correction stock, passes testing in a qualified engine testing facility. Prohibits CIWMB from paying a recycling incentive for any used oil that is burned or otherwise used in energy recovery and that does not meet the purity standards for recycled oil. Revises the requirement for CIWMB to pay a recycling incentive to every industrial generator, curbside collection and certified used oil collection center

For these reasons, we support this measure.

[AB 1391 \(Brownley\) Electronic Waste](#)

This bill would a retailer who sells covered electronic devices to provide a consumer at the point of sale the Integrated Waste Management Board's website. The website would provide information on where and how to return, recycle and dispose of a covered electronic devices.

LTF Position: Support

Status: Senate Appropriations

Letter to Assembly Floor

*** ASSEMBLY FLOOR ALERT ***

AB 1391 (Brownley)

URGE YOUR SUPPORT

DATE: January 28, 2008

TO: ALL MEMBERS OF THE ASSEMBLY
FROM: Paul Yoder, Legislative Advocate, **SWANA**

RE: AB 1391 (Brownley) Electronic Waste- SUPPORT

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 1391, regarding electronic waste.

This bill would require that by July 1, 2009 a retailer who sells covered electronic devices to provide a consumer at the point of sale the Integrated Waste Management Board's website. The website would provide information on where and how to return, recycle and dispose of a covered electronic devices.

SWANA believes AB 1391 will provide much needed information to electronic consumers. This will have an increased return on the recycling of hazardous electronic devices and will reduce the amount of solid waste that enters our landfills.

For these reasons the California Chapters of SWANA support AB 1391 and respectfully request your aye vote.

AB 1447 (Calderon) Hazardous Waste: major appliances

This bill would revise existing requirements to allow appliance service technicians to remove refrigerant from a major appliances.

LTF Position: Support

Status: Chaptered by Secretary of State- Chapter 709, Statutes of 2007

Letter to Senate Environmental Quality

June 14, 2007

The Honorable Joe Simitian, Chair
Senate Environmental Quality Committee
State Capitol Building, Room 4088
Sacramento, CA 95814

Re: AB 1447 (Calderon) – Hazardous waste; major appliances

Dear Chairman 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 on their behalf I am writing in support of your AB 1447, regarding hazardous waste relative to major appliances.

AB 1447 would revise existing requirements to instead allow an appliance service technician to remove refrigerant from a major appliance. It is imperative that the State take steps to increase the extraction of hazardous materials from major appliances (e.g., refrigerators, freezers, washers, dryers, microwaves, air

conditioners, and furnaces) after their use within homes and businesses. For these reasons, SWANA supports AB 1447.

AB 1473 (Feuer) Solid Waste: temporary permits

This bill requires the CIWMB to adopt emergency regulations to authorize enforcement agencies to issue a temporary solid waste facilities permit.

LTF Position: Support

Status: Chaptered by Secretary of State- Chapter 547, Statutes of 2007

Letter to Author

June 14, 2007

The Honorable Mike Feuer
State Capitol Building, Room 4005
Sacramento, CA 95814

Re: AB 1473 (Feuer) – To stay an order to cease and desist operations without a permit - Support

Dear Assembly member Feuer,

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 AB 1473, regarding allowing the facilities to operate without the required solid waste permit.

AB 1473 would conditionally allow, until January 1, 2012, a local enforcement agency to stay the issuance of an order to cease and desist operations against a solid waste facility that accepts only materials that are source-separated for recycling, thus allowing the facility to operate without the required solid waste permit for up to three years.

For these reasons, the California Chapters of SWANA support this measure.

AB 1535 (Huffman) Electronic Waste: fee payment

This bill would require the manufacturer of a covered electronic device to pay the electronic waste recycling fee.

LTF Position: Support

Status: Died- Did not pass out of policy committee

Letter Assembly Environmental Safety and Toxic Materials

April 19, 2007

The Honorable Jared Huffman
Assemblyman, 6th District
State Capitol Building, Room 4139
Sacramento, CA 95814

Re: AB 1535 (Huffman) – Electronic Waste; Personal Computers - SUPPORT

Dear Assemblyman Huffman;

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 your AB 1535, regarding electronic waste relative to personal computers.

AB 1535 would provide that, on and after July 1, 2008, a covered electronic device also includes a personal computer, as defined, thereby imposing a state-mandated local program by creating new crimes. A retailer would be required to collect a fee of \$6 from the consumer at the time of the retail sale of the personal computer, except as specified. Conforming changes to the act would be also be made by the bill with regard to those electronic devices.

SWANA believes that electronic devices are highly toxic and pose a serious threat to public health and the environment. Requiring a consumer fee collection at the time of retail sale will assist in managing electronic toxins from being disposed of improperly and entry into the municipal solid waste stream.

For these reasons, we support this measure.

AB 1751 (Fuentes) Vehicles: nuisance abatement: impoundment

This bill would authorize a city or county to adopt an ordinance declaring a motor vehicle to be a nuisance subject to impoundment for not more than 30 days when the motor vehicle is involved in the commission of specified crimes related to illegal dumping of commercial quantities of waste matter and prostitution.

LTF Position: Support with Amendments

Status: Senate Public Safety

Letter to Senate Public Safety

March 5, 2008

The Honorable Felipe Fuentes
California State Assembly
State Capitol Building, Room 3132
Sacramento, CA 95814

Re: AB 1751 (Fuentes) Vehicles: nuisance abatement: impoundment- **Support with Amendments**

Dear Assembly member Fuentes,

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 with amendments of AB 1751.

This bill would authorize a city or county to adopt an ordinance declaring a motor vehicle to be a nuisance subject to impoundment for not more than 30 days when the motor vehicle is involved in the commission of specified crimes related to illegal dumping of commercial quantities of waste matter and prostitution. SWANA would like to see amendments that reduce the requirements to 1 or more prior convictions. The

current language would allow a person to illegally dump harmful waste matter 3 times prior to having a vehicle impounded.

For these reasons the California Chapters of SWANA support AB 1751 with amendments.

AB 1860 (Huffman) Unsafe products: recall or warning

This bill would require a manufacturer of a recalled product to establish and maintain a collection system in the event a recall is issued for that product.

LTF Position: Support

Status: Passed Assembly to Senate

Letter to Assembly Environmental Safety and Toxic Materials

April 4, 2008

The Honorable Jared Huffman
California State Assembly
State Capitol Building, Room 4139
Sacramento, CA 95814

Re: AB 1860 (Huffman)- Unsafe products: recall or warning- SUPPORT

Dear Assembly member Huffman,

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 your AB 1860, which addresses the collection of recalled products.

AB 1860 would require a manufacturer of a recalled product to establish and maintain a collection system in the event a recall is issued for that product.

SWANA believes AB 1860 creates manufacturer responsibility. Many times a recalled item is received by solid waste facilities and must bear the costs of the disposal. We believe it should be the responsibility of the manufacturer to collect and dispose of items, they have created, that are no longer suitable for the public.

For these reasons, we support this measure.

AB 2829 (Davis) Recycling: plastic carryout bags

This bill will require on and after July 1, 2009 plastic bags provided by a store to have printed or display on the bag an environmental awareness message describing the negative impacts on the environment and wildlife caused by littering and encouraging the use of reusable bags.

LTF Position: Support

Status: Died- Failed passage from Assembly Natural Resources

Letter to Assembly Natural Resources

April 1, 2008

The Honorable Mike Davis
California State Assembly
State Capitol Building, Room 2160
Sacramento, CA 95814

Re: AB 2829 (Davis) – Recycling: Plastic Carry-Out Bags – SUPPORT

Dear Assembly member Davis,

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 your AB 2829, regarding the recycling of plastic carry out bags.

AB 2829 would require on and after July 1, 2009 plastic bags provided by a store to have printed or display on the bag an environmental awareness message describing the negative impacts on the environment and wildlife caused by littering and encouraging the use of reusable bags.

We believe that AB 2829 provides an opportunity to educate the public on the consequences of littering and encouraging a greater awareness of how consumer's choices affect our environment. AB 2829 would also reduce the amount of plastic materials being sent to landfills.

For these reasons, we support this measure.

[SB 899 \(Simitian\) Toxic packaging materials](#)

This bill would prohibit, on and after June 1, 2008, a person from manufacturing, processing, or distributing in commerce a product containing perfluorinated compounds, as defined, or chemicals that degrade in the environment to perfluorinated compounds.

LTF Position: Support

Status: Assembly Environmental Safety and Toxic Materials

Letter to Senate Environmental Quality Committee

March 23, 2007

The Honorable Joe Simitian
Senator, 11th District
State Capitol, Room 4062
Sacramento, CA 95814

RE: SB 899 (Simitian) Perfluorinated Compounds – SUPPORT

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 on their behalf I am writing in support of your SB 899, regarding perfluorinated compounds.

SB 899 prohibits a person from manufacturing, processing, or distributing in commerce a product containing perfluorinated compounds, or chemicals that degrade in the environment to perfluorinated compounds. This bill would prohibit, on and after June 1, 2008, a person from manufacturing, processing, or distributing in commerce a product containing perfluorinated compounds, as defined, or chemicals that degrade in the environment to perfluorinated compounds. The bill would authorize the Director of the Office of Environmental Health Hazard Assessment, with the concurrence of the Secretary for Environmental Protection, to defer the operation of this prohibition with respect to a product under certain conditions.

Perfluorinated compounds are incredibly resistant to break down and pose a significant risk to health and environment. For these reasons, the California Chapters of SWANA support SB 899.

SB 1021 (Padilla) Beverage Containers: grants

SB 1021 would authorize up to \$15 million in grants from January 1, 2008, to January 1, 2009, to place source separated beverage container recycling receptacles in multifamily housing.

LTF Position: Support

Status: Chaptered by Secretary of State- Chapter 724, Statutes of 2007

Letter to the Governor

September 25, 2007

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol Building
Sacramento, CA 95814

Re: SB 1021 (Padilla) – Beverage Containers; Grants – URGE SIGNATURE

Dear Governor Schwarzenegger,

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 your SB 1021, regarding beverage container grants.

SB 1021 would authorize up to \$15 million in grants from January 1, 2008, to January 1, 2009, to place source separated beverage container recycling receptacles in multifamily housing. SB 1021 would authorize the department to expend up to \$15,000,000 from January 1, 2008, to January 1, 2009, to provide grants to local governments or nonprofit agencies to place source separated beverage container recycling receptacles in multifamily housing, thereby making an appropriation.

We believe that SB 1021 provides a tremendous opportunity to expand recycling by collecting at specified locations. Utilizing a portion of unclaimed [CRV] funds to support local government efforts to collect recyclable beverage containers at multifamily housing units is an opportunity well worth your support.

SB 1165 (Kuehl) Environmental Impact Reports

SB 1165 bill provides that any EIR over five years old must be re-circulated before it may be used again. This is an arbitrary expiration date and will largely stop the use of program EIRs and subsequent/supplemental EIRs, thereby eliminating a major streamlining tool from CEQA.

LTF Position: Oppose

Status: Failed passage from Senate

Letter to Senate Appropriations

May 6, 2008

The Honorable Tom Torlakson
Chair, Senate Appropriations Committee
State Capitol Building, Room 2206
Sacramento, CA 95814

Re: SB 1165 (Kuehl) – Environmental Impact Reports- OPPOSE

Dear Chair Torlakson,

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 to regretfully OPPOSE SB 1165, regarding environmental impact reports.

SB 1165 bill provides that any EIR over five years old must be re-circulated before it may be used again. This is an arbitrary expiration date and will largely stop the use of program EIRs and subsequent/supplemental EIRs, thereby eliminating a major streamlining tool from CEQA.

Program EIRs are typically done for projects that will take several years to build out. By limiting the life of the program EIR to five years, the agency is required to reconsider environmental analyses that it has already studied.

While designed to increase public participation, SB 1165 will make it unnecessarily difficult for local jurisdictions to implement, and will impose arbitrary requirements that will eliminate many existing tools designed to speed up the CEQA process.

For these reasons, the California Chapters of SWANA oppose SB 1165 and urge your "No" vote.

SB 1321 (Correa) School Recycling programs

SB 1321 would require each school district to acquire and maintain a sufficient number of beverage container recycling bins on each campus and public office in that school district.

LTF Position: Support if amended

Status: To Assembly

Letter to Senate Appropriations

April 28, 2008

The Honorable Tom Torlakson
Chair, Senate Appropriations Committee
State Capitol Building, Room 2206
Sacramento, CA 95814

Re: SB 1321 (Correa) - School Recycling Programs- Support if Amended

Dear Chair Torlakson,

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 to support if amended your SB 1321, regarding school recycling programs.

SB 1321 would require each school district that maintains a secondary school to acquire and maintain a sufficient number of beverage container recycling bins on each campus and public office in that school district. The school district would be authorized to choose whether to operate its own beverage container recycling program, contact their Local Community Conservation Corps, or another recycler to collect the school district's recyclables.

SWANA is very supportive of including school districts in the recycling process however; we would like to see local governments included in the bill as entities eligible to collect the recyclables.

For these reasons, the California Chapters of SWANA support SB 1321 if amended.

SB 1357 (Padilla) Beverage Containers: grants

This bill will authorize the Department of Conservation to expend up to \$20,000,000 from January 1, 2009, to January 1, 2010, for either grants for beverage container recycling and litter reduction programs or focused, regional community beverage container recycling and litter reduction programs.

LTF Position: Support

Status: Passed Senate to Assembly

Letter to Senate Environmental Quality

March 24, 2008

The Honorable Alex Padilla
Senator, 20th District
State Capitol Building, Room 4032
Sacramento, CA 95814

Re: SB 1357 (Padilla) - Beverage Containers; Grants - SUPPORT

Dear Senator Padilla,

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 your SB 1357, regarding beverage container grants.

SB 1357 would additionally authorize the department to expend up to \$20,000,000 from January 1, 2009, to January 1, 2010, for either grants for beverage container recycling and litter reduction programs or focused, regional community beverage container recycling and litter reduction programs.

We believe that SB 1357 provides a tremendous opportunity to assist local governments in their programs to expand recycling. Utilizing a portion of unclaimed [CRV] funds to support local government efforts is an opportunity well worth supporting.

For these reasons, we support this measure.

SB 1723 (Maldonado) Agriculture: pesticide recycling program and certification

This bill would require every person who is the first to sell any agriculture, structural, industrial or institutional-use pesticide for use in this state that is packaged in high density polyethylene containers to establish a recycling program that would be subject to audit.

**LTF Position: Support
Status: To Assembly**

Letter to Senate Appropriations Committee

April 28, 2008

The Honorable Tom Torlakson
Chair, Senate Appropriations Committee
State Capitol Building, Room 2206
Sacramento, CA 95814



Re: SB 1723 (Maldonado) – Agriculture: pesticide recycling program and audits- SUPPORT

Dear Chair Torlakson,

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 to support your SB 1723, regarding agriculture recycling programs.

SB 1723 would require every person who is the first to sell any agriculture, structural, industrial or institutional-use pesticide for use in this state that is packaged in high density polyethylene containers to establish a recycling program that would be subject to audit.

SWANA is very supportive of manufacturer responsibility. Without producer responsibility, it is local solid waste managers who are in receipt of these items and local governments that must bear the cost of disposal.

For these reasons, the California Chapters of SWANA support SB 1723.

Regulatory Information

California Air Resources Board

The ARB staff, in collaboration with California Integrated Waste Management Board (CIWMB) staff, is in the process of developing a control measure to provide enhanced control of methane emissions from municipal solid waste (MSW) landfills. The control measure will reduce methane emissions from MSW landfills by requiring gas collection and control systems on landfills where these systems are not currently required and will establish statewide performance standards to maximize methane capture efficiencies. Additionally, as part of this process, ARB and CIWMB staff will explore opportunities to increase energy recovery from landfill methane gas. The [draft regulations](#) were developed and distributed for comment on March 19, 2008. Electronic notifications regarding actions on these regulations can be obtained by signing up [here](#).

On February 22, 2008 the SWANA LTF responded to the California Air Resources Board final report on the Economic Technology Advancement Advisory Committee (ETAAC) released on February 11, 2008, which can be viewed [here](#). You can view the SWANA LTF response [here](#).

California Integrated Waste Management Board

Financial Assurance

The California Integrated Waste Management Board (CIWMB) is responsible for ensuring that operators of disposal facilities demonstrate, to the CIWMB, adequate financial assurances for closure and postclosure maintenance, known or reasonably foreseeable corrective action, and operating liability. The Cleanup, Closure and Financial Assurance Division is currently developing proposals for CIWMB consideration to clarify and amend the planning and financial assurance requirements for solid waste landfills in California. The text of the approved Phase I regulations can be found at the California Integrated Waste Management Board website or [here](#). Workshops are currently underway for the development of the Phase II regulations. A schedule of the upcoming workshops can be viewed at the CIWMB [website](#).

Organics ADC

At its March 2008 meeting, the CIWMB directed staff to form an ADC Policy Working Group to develop options for reducing green material ADC.

The purpose of the ADC Policy Working group is to develop options to reduce green material ADC, including potential statutory changes, regarding the following policy ideas identified at the [March 11, 2008](#), Strategic Policy Development Committee meeting:

- Requiring local jurisdictions to implement re-use and purchase policies and programs for organics/compost (example: as part of Source Reduction and Recycling Element (SRREs) and for use in good faith effort evaluations).
- Disposal and tipping fees on ADC (example: \$1.40/ton).
- Requiring local jurisdiction plans to include a diversion processing capacity provision (example: siting elements, Countywide Integrated Waste Management Plan (CIWMPs).
- Promoting local contracting mechanisms (example: San Jose provisions requiring minimum amount of composting).

- Developing timeframe and mechanism for phasing out green material ADC diversion credit.

Members of the Working group are:

- Grace Chan, Los Angeles Sanitation District
- George Eowan, California Refuse Removal Council
- Chuck Helget, Allied Waste
- Scott Smithline, Californian's Against Waste
- Michelle Young, City of San Jose
- Chuck White, Waste Management Inc.
- Matt Cotton, Composting sector



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