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Legislative Task Force News

Introducing the 2010 Legislative Task Force Officers

- Chair, William Merry, Monterey Regional Waste Management District
- Vice Chair, Lisa Wood, City of San Diego
- Secretary, Mark Urquhart, HDR Engineering, Inc.
- Treasurer, Nancy Ewert, Kern County

2009-10 Legislation

This section provides information on legislation that has been reviewed and the Legislative Task Force has taken positions.

Regulatory Information

This section provides updates on various regulatory agencies.

Legislative Task Force Business

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

2010 Legislation

The year has already again been filled with difficult decisions for State policy makers. Already this year they have once again had to deal with decreasing revenues and make adjustments to the State Budget. On January 8th, Governor Arnold Schwarzenegger called a Prop. 58, Special Session, declaring a fiscal emergency. Under Proposition 58 the legislature has 45 days to pass and send a bill or bills to the Governor's desk addressing the state's budget crisis. If the 45 days pass and the legislature has not passed bills to address the problem, they cannot adjourn or act on other bills until the state's fiscal emergency is addressed. The Prop 58 Session, if you are counting, is now the 8th Extraordinary Session since the beginning of 2009.

This year begins the second of a two year session. This means that in addition to introducing new legislation, legislators are also working on legislation from last year that passed all of the required deadlines. However due to the budget crisis, legislators were slow to introduce legislation, that is until the final three days before the deadline. In those final days, over 2500 bills were introduced, most of them "spot bills" meaning there is no real content to the legislation, just ideas. These bills will likely be amended in the coming months and we anticipate our list of tracked legislation to grow as these bills begin to have real language. Please see the list below for a list of new bills that have been identified by the LTF and being reviewed for further action. A complete list of bills being tracked by the LTF can be viewed on our website.

AB 1674 (Saldana) Hazardous substances: underground storage tanks

This bill would provide that the underground storage tank is not required to meet the specified requirements for underground storage tanks installed on or after July 1, 2003, and before July 1, 2004, or on or after July 1, 2004. This bill contains other related provisions and other existing laws.

LTF Position: Watch

Status: Referred to Assembly Environmental Safety and Toxic Materials Committee

AB 1789 (Gilmore) Solid Waste: Diversion requirements

Existing law authorizes the Department of Resources Recycling and Recovery to reduce the diversion requirements for rural cities and counties if the rural city or county demonstrates, and the department concurs, based on substantial evidence in the record, that achievement of the diversion requirements is not feasible due to 2 specified conditions. This bill would make technical, nonsubstantive changes to these provisions.

LTF Position: Watch (Spot bill)

Status: Has not been referred to any committees

AB 1858 (Blumenfield) Bloodborne disease prevention: sterile syringes and needles

This bill would delete the prohibition against any person possessing or having under his or her control any hypodermic needle or syringe, would recast related provisions to delete the requirement of authorization by a county or city, delete the December 31, 2010, end date, and to exempt 30 or fewer hypodermic needles and syringes for human use obtained or possessed without a prescription or license, from the prohibitions, and would make conforming changes. This bill contains other related provisions and other existing laws.

LTF Position: Watch

Status: Referred to Assembly Health Committee

[AB 1939 \(Fletcher\) Solid waste: sharps waste](#)

The California Integrated Waste Management Act of 1989 requires a pharmaceutical manufacturer that sells or distributes medication that is self-injected at home through the use of hypodermic needles to annually submit a plan to the Department of Resources Recycling and Recovery that describes how the manufacturer supports the safe collection and proper disposal of the waste devices. This bill would make a technical nonsubstantive change to that provision.

LTF Position: Watch (Spot Bill)

Status: Has not been referred to any committees

[AB 1998 \(Brownley\) Recycling: plastic and paper carry out bags](#)

This bill would make at-store recycling program requirements inoperative on July 1, 2011, and would repeal them on January 1, 2012, and would instead, on and after July 1, 2011, prohibit a store, as defined, from providing a plastic carryout bag to a customer. The bill would require a store, on and after July 1, 2011, with regard to providing carryout bags to a customer at the point of sale, to either make reusable bags available for purchase by the customer or provide a paper carryout bag that is subject to the green bag fee that would be imposed by the bill. This bill contains other related provisions and other existing laws.

LTF Position: Support if Amended (remove paper bag fee)

Status: Set in Assembly Natural Resources – 3/22/2010

[AB 2106 \(Anderson\) Solid waste: landfills](#)

This bill declares the intent of the Legislature to enact subsequent legislation to address landfill and waste disposal management.

LTF Position: Watch (Spot bill)

Status: Has not been referred to any committees

[AB 2138 \(Chesbro\) Recycling: food service packaging: carryout bags](#)

Would enact the Plastic Ocean Pollution Reduction, Recycling, and Composting Act and would prohibit a food provider, after an unspecified date, but not after July 1, 2013, from distributing a disposable food service packaging or a single-use carryout bag, as defined, unless the packaging or bag meet the criteria for either compostable packaging or recyclable packaging. The bill would prohibit a food provider, on and after July 1, 2013, from distributing a disposable food service packaging or a single-use carryout bag to a consumer, unless the department determines the packaging or bag meet a specified composting or recycling rate. The department would be required to adopt regulations to implement these requirements. This bill contains other related provisions.

LTF Position: Watch (amendments pending)

Status: Referred to Assembly Natural Resources – 3/22/2010

[AB 2139 \(Chesbro\) Solid waste: product stewardship](#)

Would create the California Product Stewardship Act and would define the term "covered product" as including medical sharps, containers used to contain pesticides intended for residential use, small personal use propane tanks, personal butane lighters, and single-use food packaging that the department determines is a significant source of ocean and beach contamination. The bill would require the department by July 1, 2011, to establish a baseline collection rate for the amount of those products that is discarded and subsequently collected. The bill would provide a procedure for determining the collection rate applicable commencing January 1, 2014. This bill contains other related provisions and other existing laws.

LTF Position: Pending further review (amendments pending)

Status: Has not been referred to any committees

AB 2176 (Blumenfield) Hazardous waste: lighting products

Would declare the intent of the Legislature to enact subsequent legislation to provide for the California Lighting Toxics Reduction and Recycling Act.

LTF Position: Watch (Spot bill)

Status: Has not been referred to any committees

AB 2379 (Feuer) Environmental protection: hazardous waste source reduction

Would instead require the department to select at least 4 priority industry categories of generators by SIC code every 2 years.

LTF Position: Watch (Spot bill)

Status: Has not been referred to any committees

AB 2398 (Perez) Product stewardship: carpet

Would require the department, by January 1, 2012, to establish a baseline collection rate for the amount of carpet that is discarded and subsequently collected. The bill would provide a procedure for determining the collection rate for purposes of the bill, commencing January 1, 2013. This bill contains other related provisions and other existing laws.

LTF Position: Watch (Spot bill)

Status: Has not been referred to any committees

AB 2562 (Fuentes) Hazardous material: landfill gas

Would on and after January 1, 2011, restrict the above provisions to gas collected at a Class I landfill.

LTF Position: Watch

Status: Has not been referred to any committees

AB 2718 (Adams) Recycling: beverage containers: recycling centers

Would define the term "unserved convenience zone" and would require the department to provide assistance and incentives to reduce the number of unserved convenience zones to less than 5% of total convenience zones by January 1, 2012. The bill would exempt, until December 31, 2011, a dealer from the requirement to redeem beverage containers. The bill would make a dealer meeting certain requirements eligible for the payment of handling fees, thereby making an appropriation. This bill contains other related provisions and other existing laws.

LTF Position: Watch (Spot bill)

Status: Has not been referred to any committees

ABx8 7 (Committee on Budget) Environmental pollution: program funding

Would instead require, between February 1, 2010, and June 30, 2012, a distributor to submit the redemption payment to the department not later than the 2nd month following the sale, thereby imposing a state-mandated local program by changing the definition of a crime. The bill would require the department, on or before January 10, 2012, to submit to the relevant policy and budget committees of the Legislature an assessment of the effect of ending the bimonthly payment on the solvency of the fund. The bill would revise the conditions under which a distributor may make an annual payment of redemption payments. This bill contains other related provisions and other existing laws.

LTF Position: Support

Status: Signed by the Governor, Chapter 5, Statutes of 2010

ACR 128 (Emmerson) School districts: recycling programs

Would encourage school districts to engage in recycling programs and to promote awareness of available state resources that schools may utilize to establish and maintain recycling programs.

LTF Position: Pending further review

Status: Referred to Assembly Education Committee

SB 1029 (Yee) Hypodermic needles and syringes

Would delete the prohibition against any person possessing or having under his control any hypodermic needle or syringe, would delete the requirement of authorization by a county or city, would delete the December 31, 2010, end date, would recast related provisions to permit a physician, pharmacist, or pharmacist technician to provide, and a person to obtain, 30 or fewer hypodermic needles and syringes for human use without a prescription or license, and would make conforming changes, including the elimination of the Disease Prevention Demonstration Project. This bill contains other related provisions and other existing laws.

LTF Position: Pending further review

Status: Referred to Senate Health Committee

SB 1052 (Oropeza) Electronic waste: state agencies

Would require the Department of Toxic Substances Control, the Department of Resources Recycling and Recovery, and the Department of General Services to jointly collaborate to identify the methods that state agencies are required to adopt to properly handle and dispose of electronic waste, as defined, and would require each state agency to adopt an electronic waste management plan. The bill would require the plan to be submitted to the Department of Toxic Substances Control, by January 1, 2012, for review and approval, and would require each state agency to submit an annual report to the Department of Toxic Substances Control regarding the implementation of the plan. This bill contains other related provisions and other existing laws.

LTF Position: Pending further review

Status: Referred to Senate Environmental Quality Committee

SB 1100 (Corbett) Product Stewardship: household batteries

Would require the department by January 1, 2012, to establish a baseline collection rate for the amount of household batteries that are discarded and subsequently collected. The bill would provide a procedure for determining the collection rate applicable commencing January 1, 2013. This bill contains other related provisions and other existing laws.

LTF Position: Pending further review (possible amendments)

Status: Referred to Senate Environmental Quality Committee

SB 1263 (Wyland) California Global Warming Solutions Act of 2006: inoperable

Would make the provisions of the California Global Warming Solutions Act of 2006, and any regulation adopted pursuant to the act, inoperative.

LTF Position: Watch

Status: Referred to Senate Environmental Quality Committee

SB 1401 (Simitian) Beverage Containers: redemption payments

Would revise the amount of the projected redemption payment with regard to which a distributor is eligible to make an annual payment of redemption payments.

LTF Position: Watch (Spot bill)

Status: Has not been referred to any committee

Resources

SB 1016 Information

The new Department of Resources Recycling and Recovery (CalRecycle) has a site dedicated to assisting jurisdictions with SB 1016 implementation. Check [here](#) often for new updates.

[Regulatory Information](#)

[Department of Resources Recycling and Recovery \(CalRecycle\)](#)

On Jan. 1, 2010 California's recycling and waste diversion efforts were streamlined into the new Department of Resources Recycling and Recovery--CalRecycle.

CalRecycle manages programs created through two landmark initiatives--the Integrated Waste Management Act and the Beverage Container Recycling and Litter Reduction Act--that were formerly part of the California Integrated Waste Management Board (CIWMB) and the Department of Conservation. Now housed in the [Natural Resources Agency](#), CalRecycle merges the duties of the board with those of DOC's Division of Recycling to best protect public health and the environment by effectively and efficiently managing California's waste disposal and recycling efforts.

CalRecycle is currently comprised of [two program divisions](#): Waste Management and Recycling. The Division of Waste Management continues to promote the goals of Zero Waste California in partnership with local government, industry and the public. The division manages the approximate 93 million tons of waste generated each year by reducing waste whenever possible, decreasing greenhouse gas emissions, promoting the management of all materials to their highest and best use, and regulating the handling, processing and disposal of solid waste. California now diverts more than half of its waste away from landfills.

The Division of Recycling manages California's [Beverage Container Recycling Program](#), which seeks to achieve and maintain high recycling rates for a variety of beverage container types. To accomplish this, the division certifies recycling operations and materials processors, maintains industry compliance with program regulations, and provides technical assistance and education for consumers, local government, businesses, and organizations engaged in recycling.

California Redemption Value (CRV) serves as an incentive for Californians to recycle the billions of aluminum, glass and plastic beverage containers sold in our state each year. CRV is 5 cents on containers less than 24 ounces, 10 cents on containers 24 ounces or larger. Consumers can redeem their empties at more than 2,000 recycling centers statewide. Since the program's inception in 1987, more than 200 billion beverage containers have been recycled--keeping them out of landfills and off the side of our roads.

CalRecycle also provides [grants and loans](#) to help California cities, counties, businesses, and organizations meet the State's waste reduction, reuse, and recycling goals. It also provides funds to clean up solid waste disposal sites; develops and promotes alternatives to the illegal disposal of used oil; develops technical standards and permit requirements for waste tire facilities; promotes reuse and recycling of electronic devices; encourages purchasing of environmentally preferable products; and promotes the development and use of new, more sustainable products and technologies that can benefit California's economy and environment.

In addition to the hundreds of program and policy experts at CalRecycle, Gov. Schwarzenegger has designated a leadership team to help the department continue California's tradition of advancing environmental stewardship. [Margo Reid Brown](#), former chair of the CIWMB, serves as CalRecycle chief deputy director and is designated as acting director. Jason Marshall is deputy director for recycling, and Mark Leary is deputy director for waste management. Tom Estes is the department's deputy director for administration; Alicia McGee is deputy director for communications and public affairs; Elliot Block is deputy director for legal affairs; and Lisa Macumber is deputy director for legislative affairs.

CalRecycle's staff and leadership are dedicated to the role they play in the stewardship of California's vast resources, and to helping California remain at the forefront of environmental awareness and progress.

Upcoming CalRecycle Events

CalRecycle wants to assure all stakeholders that transparency and stakeholder involvement remains a high priority for the new department. In keeping with a history of providing stakeholders with information about programs, activities, and decisions, CalRecycle hosts monthly “workshops” to discuss upcoming decisions.

03/15/2010-

[Green California Summit](#)

03/16/2010

Sponsor: -

Sacramento, CA
95814

The 2010 Green California Summit and Expo will take place March 15-17 at the Sacramento Convention Center. March 15 is a pre-Summit day with in-depth full-day workshops and other ... [[More](#)]

03/16/2010

[Southern Waste Tire Enforcement Grantee Roundtable Meeting](#)

Baldwin Park, CA

Sponsor: CalRecycle

The waste tire roundtables are offered to waste tire grantees twice yearly in four regions throughout the state. The roundtables were developed to promote more efficient communicat... [[More](#)]

03/17/2010

[Information Exchange \(HHWIE\)](#)

San Luis Obispo, CA
93401

Sponsor: County of San Luis Obispo

The Information Exchange is a forum for the HHW and Used Oil Recycling Program grantees and associates to share program ideas, success stories, and training, and to provide input t... [[More](#)]

03/18/2010

[Asbestos Health Hazard Awareness Training](#)

Sacramento, CA

Sponsor: Training, Outreach and Safety Services Branch

A two hour asbestos hazard awareness training class will provide instruction on occupational health and safety issues for individuals who are likely to encounter asbestos containin... [[More](#)]

03/18/2010

[Central Waste Tire Enforcement Grantee Roundtable Meeting](#)

Fresno, CA

Sponsor: CalRecycle

The waste tire roundtables are offered to waste tire grantees twice yearly in four regions throughout the state. The roundtables were developed to promote more efficient communicat... [[More](#)]

03/23/2010

[Bay Area Waste Tire Enforcement Grantee Roundtable Meeting](#)

Alameda, CA

Sponsor: CalRecycle

The waste tire roundtables are offered to waste tire grantees twice yearly in four regions throughout the state. The roundtables were developed to promote more efficient communicat... [[More](#)]

03/24/2010

[Anaerobic Digestion Program EIR Technical Advisory Group \(TAG\) Meeting](#)

Sacramento, CA
95812

Sponsor: CalRecycle

CalRecycle is preparing a Program Environmental Impact Report (EIR) to assess the environmental impact of siting new and expanding existing anaerobic digestion facilities in Califo... [[More](#)]

03/25/2010

[Asbestos Health Hazard Awareness Training](#)

Berkeley, CA

Sponsor: Training, Outreach and Safety Services Branch

A two hour asbestos hazard awareness training class will provide instruction on occupational health and safety issues for individuals who are likely to encounter asbestos containin... [[More](#)]

03/30/2010

[Compost Research Study Results](#)

Riverside, CA 92507

Sponsor: CalRecycle

Dr. David Crohn and his research team at UC Riverside have completed research on the

effects of compost on water infiltration and stormwater runoff on burned and graded slopes in R... [\[More\]](#)

03/30/2010

Sacramento, CA

[Northern Waste Tire Enforcement Grantee Roundtable Meeting](#)

Sponsor: CalRecycle

The waste tire roundtables are offered to waste tire grantees twice yearly in four regions throughout the state. The roundtables were developed to promote more efficient communication... [\[More\]](#)

04/07/2010

Sacramento, CA

[Eight Hour Tier One Health and Safety Refresher Training](#)

Sponsor: CalRecycle Health and Safety Program

The California Department of Resources Recycling and Recovery (CalRecycle) is offering six one-day training classes to local enforcement agencies (LEA) and CalRecycle staff who per... [\[More\]](#)

Additional upcoming CalRecycle, Materials Management and Local Assistance, workshops

- o ~~March 16~~ **Moved to April 19** – Organics Life Cycle Analysis workshop
- o March 17 – Household Hazardous Waste Information Exchange, San Luis Obispo
- o April 14 (monthly MMLA meeting) – Countywide Integrated Waste Management Plan Enforcement Policy workshop
- o April 14 (monthly MMLA meeting) – Tire Fund Reallocation workshop
- o May 12 (monthly MMLA meeting) – Mandatory Commercial Recycling Regulation workshop
- o May (date, time, and room to be determined) -- Electronic Waste Recycling Program workshop on possible adjustments to the Covered Electronic Waste recovery and recycling payment rates
- o June 16 (monthly MMLA meeting) – Electronic Waste Recycling Program – Workshop on possible adjustments to the Electronic Waste recycling fee
- o July 14 (monthly MMLA meeting) – SB 167 (Tire border activities) workshop
- o August 11 (monthly MMLA meeting) (tentative) – Tire Market Development Program Evaluation workshop
- o October 13 (monthly MMLA meeting) – Five-Year Tire Plan workshop