



**SWANA**<sup>®</sup>

SOLID WASTE ASSOCIATION  
of North America

**CALIFORNIA CHAPTERS**

FOUNDING

SIERRA

GOLDRUSH

**LEGISLATIVE TASK FORCE**

[www.swanacalleg.org](http://www.swanacalleg.org)

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**MINUTES OF SWANA CALIFORNIA LEGISLATIVE  
TASK FORCE TELEPHONE MEETING**

**June 5, 2008**

**By: Mark Urquhart, Secretary**

The Legislative Task Force (LTF) telephone meeting started at about 10:30 AM. A quorum was present as there were 9 voting members present, including alternates and at least one voting member from each chapter. A list of people that participated is in Attachment A. The agenda is Attachment B. The items from the agenda below were not all discussed in the order listed.

**I. BUSINESS ITEMS AND LTF ACTIVITIES**

***Approval of Minutes from May 1, 2008 LTF Telephone Meeting***

Grace Chan asked if there were any comments on these minutes. She asked for a motion to approve the minutes.

***Motion:***

William Merry made a motion to approve the minutes. Mike Mohajer seconded the motion. The motion carried, as all were in favor.

***Next Meeting Date***

The next meeting will be a telephone meeting on July 3, 2008 at 10:30 AM until noon.

***Treasurer's Report***

Grace Chan said that the May 2008 treasurer's report was Attachment C. Scott Johnston said he was not sure of math on the report. Because Nancy Ewert was not present it was decided to defer approval of the report to the next meeting/call.

***Annual Workshop***

Monterey and San Diego were discussed as possible locations. William Merry and Grace Chan will work out ideas on dates (likely November) and locations.

***Newsletter update***

Tressa Wallace said that she will be getting out a draft soon.

**II. LEGISLATIVE MATTERS**

***Priority Legislation***

**AB 2640** – Tressa Wallace discussed that she had attending a meeting regarding the bill, which has moved out of the assembly. The meeting was attended by the League of Cities, private companies, and others. She said that the SWANA argument is having effect and the Los Angeles County Sanitation Districts (LASan) and other organizations may kill the bill in the senate if backup arguments are supplied. Meetings will be held with Senate Environmental Quality (EQ) Committee. Nancy Ewert is working on this issue for Kern County and the LTF.

The timing regarding getting letters to Senate Environmental Quality (EQ) Committee has not been set. The LTF letter was already sent in. It was decided that Tressa Wallace should develop a draft form letter that will be broadcast from LTF to interested parties encouraging letters from policy makers to the Senate. The letters should bring up specific circumstances for the jurisdictions, if possible, rather than the LTF form letter. It was also discussed that the LTF has a database of SWANA California members and maybe this urging of letters could be broadcast to that database.

However, it was also brought up that many jurisdictions are supporting the aspects that remove Alternative Daily Cover (ADC) credit so the LTF position may not be aligned with all jurisdictions on that issue. It was further discussed that the latest version of the bill goes farther to force diversion covering the entire organic waste stream and many cities do not understand these far reaching aspects. Mike Mohajer will send out a thumbnail description of the bill. Jurisdictions need to look at their entire organic waste stream and assess the impacts of a requirement to divert 50% of all organics. Mike Mohajer said the general definition of “organic” in the latest version of the bill would raise the overall landfill diversion rate for many jurisdictions significantly above 50 percent, and according to calculations he performed the diversion rate would be higher than 80 percent based on the CIWMB waste characterization for the state. This is not good policy for all jurisdictions. Concerns were discussed about having adequate markets for composting and other technology issues regarding diverting 50 percent of all organic waste.

**AB 2866** - This bill, sponsored by Waste Management Inc., would impose an increase in landfill tipping fees of \$0.60/ton. Grace Chan said there are recent amendments including ramping up the portion of money going to the CIWMB general fund. The LTF has opposed the bill as discussed at the previous LTF meeting but it was discussed that maybe the thrust should be toward funding elements that would more broadly benefit local government rather than some of the special interest or targeted programs in the bill versions to date (hybrid vehicles, organic facilities, biofuels, pooled Postclosure Maintenance). There was a debate about whether to steer the bill toward more benefit to local government if it is apparent the bill will pass. The LTF will continue to OPPOSE the bill and indicate that if a tip fee is imposed it should be made to pay for items that will benefit a broad base of jurisdictions. The League is also opposed to this bill.

**SB 1020/1016** – These bills were discussed together. Tressa Wallace said the amendments expected to the bill have not come out. Paul Yoder said he called Mark Leary CIWMB and the author’s offices requesting that if amendments are made to the bill that they should be done sooner than the last minute in the session. There was considerable discussion that SB1016 was discussed at the WRS but presentations by the CIWMB panel did not include substantive discussions of SB 1020 or other related bills.

### ***Other Legislation***

It was discussed that the LTF supports AB 642 and would have preferred that Joint Powers Authority (JPA) are included in entities that can utilize the design/build aspects of the bill. It was decided to continue to support the bill without bringing up the issue at this time but to support legislation next year to include JPA.

### **III. REGULATORY MATTERS**

#### ***Financial Assurances – Phase II***

Grace Chan asked if LTF should send a letter and asked who would take the lead. It was decided that Larry Sweetser and Nancy Ewert will work together on a draft letter by the LTF.

#### ***ADC/Organics***

The CIWMB will discuss its policy in the next committee meeting. Grace Chan discussed that the staff report includes five issues: [1] local government use [2] a tip fee for ADC (which CIWMB staff appears to support) [3] identify 15 years of diversion (which CIWMB staff appears to support) [4] differing contract options, and [5] looking for direction from committee on phasing out diversions credits for ADC.

There was discussion that some enforcement staff have indicated fine materials from MRF residual should not be used as ADC. It was discussed that many facilities have been applying it for years and maybe a demonstration program could still be a vehicle to continue use in jurisdictions where the LEA are not categorically allowing use.

#### ***CARB Landfill Methane Capture Regulations***

This regulation package will come out quickly. It will be important to circulate to the LTF as soon as possible.

#### ***CARB Local Government Protocols***

Lisa Wood said analysis by the City of San Diego indicates that the cost could be on the order of \$80M for compliance at 12 sites. It was discussed that the proposed regulations are overkill given that the existing 100-foot grid is adequate for detecting emission problems with cover and the new regulations increase the sampling grid significantly (MJU indicated up to 16 times on theoretical grid basis).

#### ***DTSC Load Checking Enforcement***

Grace Chan discussed that DTSC inspectors were out in the field at a LASan site. There seems to be a lot of misinformation and confusion even on the part of regulators with regard to anything with plugs Vs with circuit boards needing to be screened from the waste stream. Oddly, it appeared that DTSC field staff used a section of the penal code regarding litter to actually issue citations. After the event when Grace Chan called DTSC, the DTSC manager agreed there had been confusion about what is hazardous electronics for purposes of disposal bans at Class III landfills. She noted that during the event they actually arrested and later released three people over license and other infractions.

#### ***Other***

There were no other issues raised.

### **IV. ADJOURNMENT**

The meeting was adjourned about 12:01 PM.

**ATTENDANCE LIST  
SWANA LEGISLATIVE TASK FORCE PHONE MEETING  
JUNE 5, 2008**

<b>Voting Member Chapter</b>	<b>NAME</b>	<b>ORGANIZATION</b>	<b>PHONE</b>	<b>EMAIL</b>
VM/Gold Rush	William Merry (VC)	Monterey RWMD	831-384-5313	<a href="mailto:wmerry@mrwmd.org">wmerry@mrwmd.org</a>
VM/Gold Rush	Larry Sweetser	Sweetser and Associates/ESJPA	(510) 703-0898	<a href="mailto:sweetser@aol.com">sweetser@aol.com</a>
VM/Gold Rush	Mark Urquhart (S)	HDR Engineering, Inc.	916-817-4933	<a href="mailto:mark.urquhart@hdrinc.com">mark.urquhart@hdrinc.com</a>
ALT/Founding	Lisa Wood	City of San Diego	858-573-1236	lwood@sandiego.gov
VM/Founding	Mike Mohajer	Southern California Waste Management Forum	909-592-1147	<a href="mailto:MikeMohajer@yahoo.com">MikeMohajer@yahoo.com</a>
VM/Founding	Constance Hornig	Law Offices	323-934-4601	Hornig@MSWesq.com
VM/Founding	Grace Chan (C)	LA County Sanitation Districts	562-699-7411 ext 2402	<a href="mailto:gchan@lacsds.org">gchan@lacsds.org</a>
VM/Founding	John Gulledege	LA County Sanitation Districts	562-699-7411 ext 2401	<a href="mailto:jgulledege@lacsds.org">jgulledege@lacsds.org</a>
Founding	Sharon Green	LA County Sanitation Districts	562-699-7411	sgreen@lacsds.org
VM/Sierra	Donn Ferguson	Kern County	661-862-8765	
VM/Sierra	R. Scott Johnston	Merced County	209-385-7388	Irsj@co.merced.ca.us
SWANA CA Chapters. Lobbyist	Paul Yoder	Shaw/Yoder Inc.	916-446-4656	<a href="mailto:Paul@shawyoder.org">Paul@shawyoder.org</a>
SWANA CA Chapters; Legislative Asst.	Tressa Wallace	Shaw / Yoder Inc.	916-446-4656 Ext 1025	<a href="mailto:Tressa@shawyoder.org">Tressa@shawyoder.org</a>

VM= Voting Member

Ch = Chair

VC = Vice Chair

T = Treasurer

S = Secretary

**SWANA LTF AGENDA**

**Call in number 1-800-867-2581 access code 1006105**

**THURSDAY, June 5th 10:30 A.M. – 12:00 P.M.**

**I. Business Items**

- Next Meeting Date
- Approval of Meeting Minutes (attached)
- Approval of Treasurer's Report (will send shortly)
- Selection of Location/Dates for annual workshop
- Newsletter update
- Other

**II. Legislative Matters (Bill Matrix attached)**

**Status update-**

**Priority Legislation**

AB 2640 (Huffman)- **Oppose**

In Senate Rules for assignment

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_2601-2650/ab\\_2640\\_bill\\_20080523\\_amended\\_asm\\_v97.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2601-2650/ab_2640_bill_20080523_amended_asm_v97.pdf)

AB 2866 (DeLeon)- **Oppose**

In Senate Rules for assignment

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_2851-2900/ab\\_2866\\_bill\\_20080523\\_amended\\_asm\\_v95.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2851-2900/ab_2866_bill_20080523_amended_asm_v95.pdf)

SB 1020 (Padilla)- **Oppose**

On Assembly Appropriations Suspense file

[http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb\\_1001-1050/sb\\_1020\\_bill\\_20070626\\_amended\\_asm\\_v97.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_1001-1050/sb_1020_bill_20070626_amended_asm_v97.pdf)

SB 1016 (Wiggins)- No position selected

In Assembly Natural Resources

[http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb\\_1001-1050/sb\\_1016\\_bill\\_20070410\\_amended\\_sen\\_v98.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_1001-1050/sb_1016_bill_20070410_amended_sen_v98.pdf)

**Other Legislation**

AB 501 (Swanson)- **Support**

Set in Senate Health for 6/11/08 at 1:30 pm

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_0501-0550/ab\\_501\\_bill\\_20080506\\_amended\\_sen\\_v92.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_0501-0550/ab_501_bill_20080506_amended_sen_v92.pdf)

AB 642 (Wolk)- **Support and Seek Amendments**

Are we ok with the amendments? Can we move to a Support Position for committee?

Set for Senate Appropriations 6/23/08 at 10am

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_0601-0650/ab\\_642\\_bill\\_20080513\\_amended\\_sen\\_v94.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_0601-0650/ab_642_bill_20080513_amended_sen_v94.pdf)

AB 822(Levine) **Support**

Referred to Senate Environmental Quality

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_0801-0850/ab\\_822\\_bill\\_20080107\\_amended\\_asm\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_0801-0850/ab_822_bill_20080107_amended_asm_v96.pdf)

AB 904 (Feuer) **Support**

Set in Senate Environmental Quality 6/16/08 at 1:30pm

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_0901-0950/ab\\_904\\_bill\\_20080129\\_amended\\_asm\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_0901-0950/ab_904_bill_20080129_amended_asm_v96.pdf)

AB 1391 (Brownley) **Support**

Referred to Senate Appropriations

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_1351-1400/ab\\_1391\\_bill\\_20080107\\_amended\\_asm\\_v97.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_1351-1400/ab_1391_bill_20080107_amended_asm_v97.pdf)

AB 1751 (Fuentes) – **Support and Seek Amendments**

Referred to Senate Public Safety

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_1751-1800/ab\\_1751\\_bill\\_20080129\\_amended\\_asm\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_1751-1800/ab_1751_bill_20080129_amended_asm_v96.pdf)

AB 1860 (Huffman) **Support**

In Senate Rules for assignment

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_1851-1900/ab\\_1860\\_bill\\_20080523\\_amended\\_asm\\_v95.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_1851-1900/ab_1860_bill_20080523_amended_asm_v95.pdf)

AB 2058 (Levine) **Support**

In Senate Rules for assignment

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_2051-2100/ab\\_2058\\_bill\\_20080523\\_amended\\_asm\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2051-2100/ab_2058_bill_20080523_amended_asm_v96.pdf)

AB 2347 (Ruskin) **Support and Seek Amendments**

Set in Senate Environmental Quality for 6/16/08 at 1:30pm

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_2301-2350/ab\\_2347\\_bill\\_20080403\\_amended\\_asm\\_v97.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2301-2350/ab_2347_bill_20080403_amended_asm_v97.pdf)

AB 2425 (Coto) **Support**

In Senate Rules for assignment

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_2401-2450/ab\\_2425\\_bill\\_20080523\\_amended\\_asm\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2401-2450/ab_2425_bill_20080523_amended_asm_v96.pdf)

AB 2679 (Ruskin)- No position selected

Set in Senate Environmental Quality for 6/16/08 at 1:30pm

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_2651-2700/ab\\_2679\\_bill\\_20080519\\_amended\\_asm\\_v95.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2651-2700/ab_2679_bill_20080519_amended_asm_v95.pdf)

AB 2695 (Jones)- No position selected

In Senate Rules for assignment

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_2651-2700/ab\\_2695\\_bill\\_20080422\\_amended\\_asm\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2651-2700/ab_2695_bill_20080422_amended_asm_v96.pdf)

SB 899 (Simitian)- **Support**

Referred to Assembly Environmental Safety and Toxic Materials

[http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab\\_2651-2700/ab\\_2695\\_bill\\_20080422\\_amended\\_asm\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2651-2700/ab_2695_bill_20080422_amended_asm_v96.pdf)

SB 1165 (Kuehl)- **Oppose**

Dead

SB 1321 (Correa) – **Support if Amended**

Referred to Assembly Education and Natural Resources

[http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb\\_1301-1350/sb\\_1321\\_bill\\_20080423\\_amended\\_sen\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_1301-1350/sb_1321_bill_20080423_amended_sen_v96.pdf)

SB 1357 (Padilla)- **Support**

At Assembly Desk

[http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb\\_1351-1400/sb\\_1357\\_bill\\_20080527\\_amended\\_sen\\_v95.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_1351-1400/sb_1357_bill_20080527_amended_sen_v95.pdf)

SB 1723 (Maldonado)- **Support**

Set in Assembly Agriculture for 6/18/08 at 1:30pm

[http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb\\_1701-1750/sb\\_1723\\_bill\\_20080430\\_amended\\_sen\\_v96.pdf](http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_1701-1750/sb_1723_bill_20080430_amended_sen_v96.pdf)

### **III. Regulatory Matters**

- Financial Assurance-Phase II/LTF Letter
- Landfill Workgroup
- ADC
- ARB Landfill Methane Capture Regulations
- ARB Local Government Protocols
- DTSC Load Checking Enforcement
- Other

### **IV. Other**

## SWANA LEGISLATIVE TASK FORCE

## 2008 BUDGET

May Treasurer's Report

<b><u>BEGINNING BALANCE</u></b>		\$	<b>57,384.08</b>	\$43,944.08
<b><u>REVENUES</u></b>				
DUES SURCHARGE (\$30 / MEMBER RENEWAL)		\$	25,000.00	
WESTERN REGIONAL SYMPOSIUM		\$	7,500.00	
MOLO COURSE REVENUES		\$	5,000.00	
AGENCY CONTRIBUTIONS		\$	15,000.00	\$4,000.00
INTEREST		\$	_____ -	\$2.29
RELEASE FROM RESERVES		\$	<u>13,440.00</u>	
<b>TOTAL REVENUES</b>	(BUDGETED)	\$	<b>65,940.00</b>	\$4,002.29
<b><u>EXPENSES</u></b>				
REGULATORY REVIEW		\$	12,000.00	
SHAW / YODER, INC. CONTRACT	March Invoice	\$	38,940.00	\$5,445.45
SHAW / YODER, INC. ADMIN. EXPENSES		\$	4,000.00	
WEBSITE DEVELOPMENT / MAINTENANCE AND MEMBERSHIP ROSTER UPDATES		\$	2,000.00	
MEETING EXPENSES, TELECONFERENCE CHARGES AND ANNUAL WORKSHOP		\$	5,000.00	
CONTINGENCIES / SPECIAL PROJECTS		\$	<u>4,000.00</u>	
<b>TOTAL BUDGETED EXPENSES</b>		\$	<b>65,940.00</b>	\$5,445.45
<b>PROJECTED CARRY OVER TO 2008</b>		\$	<b>43,944.08</b>	\$ 55,940.92