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CALIFORNIA CHAPTERS

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LEGISLATIVE TASK FORCE

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**MINUTES OF SWANA CALIFORNIA LEGISLATIVE
TASK FORCE MEETING – SACRAMENTO**

March 5, 2009

By: Mark Urquhart, Secretary

The Legislative Task Force (LTF) telephone meeting started at about 10:00 AM. A quorum was present as there were 13 voting members present, including one alternate voting member, 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 November 2008 LTF Annual Workshop Meeting:

Grace Chan asked if there were any comments on these minutes. There was a comment that the last sentence in the first paragraph on the top of page 3 needed to be changed/corrected to indicate “in contrast to private companies”.

Motion:

Mike Mohajer made a motion to approve the minutes from the February 5, 2009 meeting with that change/correction. William Merry seconded the motion. The motion carried, as all were in favor.

Approval of Treasurer’s Report

Nancy Ewert discussed that the LTF treasurer’s report for February 2009 (Attachment C) does not include January and February expenses, which are pending. The balance without those expenses is \$59,400.48.

Motion:

Scott Johnston made a motion to approve the treasurer’s report (Attachments C). William Merry seconded the motion. The motion carried, as all were in favor.

Western Regional Symposium (WRS)

Grace Chan discussed that the panel being formulated for the LTF session was going to include extended producer responsibility discussion by Heidi Sanborn and Mark Kohorst with the National Electrical Manufacturer’s Association. Pamela Williams was not able to attend. Given that the session will be more of a “workshop” forum.

Next Meeting Date

Grace Chan said that the next meeting would be at the WRS on April 8, 2009 and the meeting after that will be a telephone meeting on May 7, 2009 (first Thursday in May).

It was discussed that a conference phone will be made available, if possible, at the WRS meeting. The conference call in number for Shaw/Yoder can be used.

II. REVIEW OF 2009 PRIORITY LEGISLATION

The table below presents a summary of the discussions of the priority legislation discussed. Attachment C contains legislative summaries of the bills, grouped according to topics. The order of discussion was initially by bill number but then transitioned to the list by topics. There was not time to discuss or take positions on all the bills in Attachment D. Toward the end of the meeting review discussion on selected bills was brief and some quick positions taken.

Bill ID/Topic	Summary	Discussion/Position
<p>AB 283(Chesbro) Solid waste: extended producer responsibility program.</p>	<p>Would create the California Product Stewardship Act of 2010 and would require the CIWMB to administer the program. It would require the board to adopt regulations by July 1, 2011, in order to implement an Extended Producer Responsibility Program (EPR).</p> <p>Heidi Sanborne (Executive Director of Product Stewardship Council) gave a brief discussion of the bill.</p>	<p>The LTF members expressed concerns that the bill has general statements which are not accurate or may be biased and hurt SWANA membership programs, which should be removed. They also expressed concern that local government is not included in the process enough per the current language and needs to be so that the state does not pre-empt local control of programs and implementation of the program. Heidi Sanborne explained that was not the intent of the Council, which had local government representatives and she would work to change the language per SWANA LTF concerns. She said that programs similar to what is proposed have been implemented in other countries and are streamlined to work efficiently by placing the implementation responsibility with manufacturers. She said she would work with the LTF after the meeting as SWANA support is very important to the Council.</p> <p>Position: No position at this time until the LTF can work out language with Heidi Sanborne and other groups. The LTF general supports EPR concept.</p>
<p>AB 68(Brownley) Solid waste: single-use carryout bags</p> <p>And other plastic bag bills (See attachment D)</p>	<p>Would on and after July 1, 2011, prohibit a store from providing a single-use carryout bag to a customer unless the store charges a fee of not less than \$0.25 per bag at the point of sale. The bill would establish the Bag Pollution Fund in the State Treasury and would require a store to remit the single-use carryout bag fees, less a specified amount, to the State Board of Equalization for deposit in that fund.</p>	<p>TW discussed that there are many bills about plastic bags, many with fees. After considerable discussion it was decided that Nancy Ewert would send out of matrix of the bills that showed which properties each bill had to the LTF so that a position could be take in general on the plastic bag issue. There were concerns discussed regarding administration of fees, the fact that the plastic bag issue is a litter issue, and the fact that the money should be kept local.</p> <p>Position: No position at this time until bills can be analyzed for a consistent policy/position regarding plastic bags. Nancy Ewert will prepare a matrix of all plastic bag legislation and elements.</p>
<p>AB 222(Adams) Energy: biofuels.</p>	<p>The current spot bill language would only state an intent of the Legislature to enact legislation to advance biofuels</p>	<p>It was discussed that the bill is being reworked to remove the terminology “no emissions” as a requirement for some CT</p>

Bill ID/Topic	Summary	Discussion/Position
	and green power production. (It was discussed that the bill is being reworked to remove certain impediments to Conversion Technologies (CT) and remove them from being defined as transformation which would in effect provide diversion credit.)	not being termed as transformation, or in effect no counted as disposal. This would provide in effect diversion credit for the listed CT, such as gasification. This would be a big and appropriate boost to CT help to attaining greater diversion rates as a result of CT. It was discussed that a condition would that the facilities would have this status if they removed recyclables to the “maximum extent feasible” prior to the CT processing. MM discussed that the language for this bill is being worked on at this point. Position: It was discussed that the LTF is in favor of this bill and will review the language when it is available and provide support and comments.
AB 274 (Portantino) Solid waste: landfills: closure plans	(probably spot bill) Current language would prohibit the owner or operator of a closed solid waste landfill from selling or offering for sale any portion of a closed waste management unit unless the intended purchaser provides evidence of ability to meet the financial assurance requirements.	It was discussed that this bill is not a spot that has been taken over by Waste Management Inc. (WMI). It was discussed that the LTF was not able to come to agreement with pooled fund and other concepts in previous bills and being contemplated by WMI for this bill. Position: No position at this time. Watch
AB 536 (Arambula) Hazardous waste: financial assurances.	Would provide that a local government owner of a hazardous waste facility would be eligible to meet its post closure financial obligations by utilizing financial assurance mechanisms authorized by the federal act.	It was discussed that this is a local bill. As such the LTF would not take a position. Position: None
AB 479 (Chesbro) Solid waste: diversion.	Would require a city or county to divert 60% of all solid waste through source reduction, recycling, and composting activities by January 1, 2015. The bill would require the board to establish policies, programs, and incentives to ensure diversion of solid waste in accordance with a specified schedule.	It was discussed that this bill is a poor bill as it is another unfunded mandate imposed on local government in addition to containing other poor provisions that the LTF should oppose. It was decided that SWANA should work with the League of California Cities (League), CSAC and RCRC to coordinate opposition letters. Position: Oppose.
AB 478 (Chesbro) Greenhouse gas emissions: solid waste	Would require the state Air Board to consult with the CIWMB to include rules for the reduction of greenhouse gas emissions from solid waste reduction and recycling	It was discussed that this bill would impose unfunded mandates on local government. Position: LTF to review the bill to take a position in a letter.
AB 1016 (Villines) Energy: commission and department	Would abolish the State Energy Resources and Conservation Commission, the California Consumer Power and Conservation Financing Authority, and the Electricity Oversight board. The bill would create the Department of Energy and specify certain appointment mechanisms.	Position: Watch.

Bill ID/Topic	Summary	Discussion/Position
AB 1085 (Mendoza) State Air Resources Board: regulations.	Would require CARB to make available to the public all methodologies, inputs, assumptions, and the rationale used in the development of a proposed regulation for adoption by the state board.	The LTF thinks this is a very good idea since CARB at times seems to be adopting policies without thorough scientific review and basis. Position: Support.
AB 1150 (Gaines) and SB 44 (Denham) State government: integrated waste management board: abolishment	Would abolish the California Integrated Waste Management Board and transfer its duties, powers, purposes, responsibilities, and jurisdiction to the Department of Conservation	The LTF discussed that there are many reasons that the LTF does not support abolition of the CIWMB even though have some reservations mixed opinions on the issue. If done the LTF supports moving to DOC rather than split to DTSC or other agencies. However, at this time the LTF does not want to take a position. Position: Watch.
AB 838 (Swanson)	Occupational safety and health.	Position: Watch. Limited discussion.
AB 1112 (Blakeslee) Hazardous waste: management.	Existing law authorizes the DTSC to grant a variance from the requirements regulating the management of hazardous waste, if the department makes specified findings. This bill would continue that authority.	Position: Support.
SB 231 (Lowenthal) Hazardous waste fees		<u>Drop</u> from list of tracked bills.
SB 26 (Simitian) Home-generated pharmaceutical waste	Would require the CIWMB to coordinate with other state agencies, local governments, drug manufacturers, and pharmacies to develop sustainable, efficient policies and programs to manage pharmaceutical wastes and the disposal of devices. The bill would authorize a pharmacy to accept the return of home-generated pharmaceutical waste and home-generated sharps waste, as defined. This bill contains other related provisions and other existing laws	The LTF discussed that methods to promote better management of Pharmaceuticals is a good idea. Position: Support
AB 473 (Blumenfield) Solid waste: multifamily dwellings	Would require an owner of a multifamily dwelling that consists of 5 or more living units, on and after July 1, 2010, to arrange for recycling services that are appropriate for the multifamily dwelling, consistent with state or local laws or requirements, including a local ordinance or agreement, applicable to the collection, handling, or recycling of solid waste	Position: Support. Summary read and little discussion for position.

III. REGULATORY MATTER

Reappointments to the CIWMB

Reappointments of Chairperson Brown and Boardmember Peterson can take place until the end of February.

CIWMB Landfill Gas Update

CIWMB has been very picky on submittals of LFG plans and not granting alternatives even in many cases where site conditions should warrant those.

ARB Landfill Methane Capture

It was noted that ARB did reduce the surface emission monitoring sweep spacing but did not move much on other provisions of the draft regulations.

IV. ADJOURNMENT

The meeting was adjourned about 2:10 PM.

**ATTENDANCE LIST
SWANA LEGISLATIVE TASK FORCE MEETING – SACRAMENTO, MARCH 5, 2009**

VOTING MEMBER CHAPTER	NAME	ORGANIZATION	PHONE	EMAIL
VM/Gold Rush	William Merry (VC)	Monterey RWMD	831-384-5313	wmerry@mrwmd.org
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VM/Gold Rush	Larry Sweetser	Sweetser and Associates/ESJPA	510-703-0898	sweetser@aol.com
Gold Rush	Rachel Davis	CH2M Hill	916.286.0265	
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VM/Sierra	Nancy Ewert (T)	Kern County	661-862-8933	nancye@co.kern.ca.us
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	John Taylor	Private Consultant		
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VM= Voting Member

Ch = Chair

VC = Vice Chair

T = Treasurer

S = Secretary

2009 SWANA LTF In-Person Meeting
Shaw / Yoder, Inc.
1415 L Street, Suite 200
Sacramento, CA 95814
March 5th 10:00 am- 2:00 pm

Thursday, March 5th

- 10:00 am – 10:30 am** Regular Legislative Task Force Business
- Welcome and Introductions
 - Approval of Minutes (Attachment)
 - Approval of Treasurer’s Report (Attachment)
 - 2009 Western Symposium
 - Next Meeting Date
 - Other
- 10:30 am – 12:00 pm** Review of 2009 Priority Legislation (Attached)
- 12:00 pm - 12:30 pm** Lunch (working?)
- 12:30 pm – 1:30 pm** Legislation (Cont.) (Attached)
- 1:30 pm – 2:00 pm** Regulatory Issues
- CIWMB Reappointments
 - Landfill Gas Update
 - Landfill Methane Capture Update

SWANA LEGISLATIVE TASK FORCE - 2009 BUDGET
February 2009 Treasurer's Report

BEGINNING ACCOUNT BALANCE - 1/1/2009	\$ 59,868.44		
Release from Reserves	\$ 8,415.00		
Starting Cash Balance	\$ 51,453.44		
REVENUES			
	Annual	Monthly	YTD
DUES SURCHARGE (\$30 / MEMBER)	\$ 25,000.00		
Jan Dues		\$1,200.00	
Feb Dues		\$1,830.00	
Mar Dues			
Apr Dues			
May Dues			
June Dues			
July Dues			
Aug Dues			
Sept Dues			
Oct Dues			
Nov Dues			
Dec Dues			\$3,030.00
WESTERN REGIONAL SYMPOSIUM	\$ 7,500.00		
MOLO COURSE REVENUES	\$ 5,000.00		\$0.00
AGENCY CONTRIBUTIONS	\$ 15,000.00		\$0.00
INTEREST	\$ 25.00		
Jan-09		\$2.43	
Feb-09		\$2.21	
Mar-09			
Apr-09			
May-09			
Jun-09			
Jul-09			
Aug-09			
Sep-09			
Oct-09			
Nov-09			
Dec-09			\$4.64
RELEASE FROM RESERVES	\$8,415.00		
TOTAL BUDGETED REVENUES	\$ 60,940.00		\$3,034.64

EXPENSES			
	Annual	Monthly	YTD
REGULATORY REVIEW	\$ 7,000.00		
			\$0.00
SHAW / YODER, INC. CONTRACT	\$ 38,940.00		
Dec-08		\$3,245.00	
Jan-09			
Feb-09			
Mar-09			
Apr-09			
May-09			
Jun-09			
Jul-09			
Aug-09			
Sep-09			
Oct-09			
Nov-09			\$3,245.00
SHAW / YODER, INC. ADMIN. EXPENSES	\$ 4,000.00		
Dec-08		\$257.60	
Jan-09			
Feb-09			
Mar-09			
Apr-09			
May-09			
Jun-09			
Jul-09			
Aug-09			
Sep-09			
Oct-09			
Nov-09			\$257.60
WEBSITE DEV/MAINTENANCE & ROSTER	\$ 2,000.00		
Dec-08		\$0.00	
Jan-09			
Feb-09			
Mar-09			
Apr-09			
May-09			
Jun-09			
Jul-09			
Aug-09			
Sep-09			
Oct-09			
Nov-09			\$0.00
MTGS/TELECONFERENCE/WORKSHOP	\$ 5,000.00		
Dec-08		\$0.00	
Jan-09			
Feb-09			
Mar-09			
Apr-09			
May-09			
Jun-09			
Jul-09			
Aug-09			
Sep-09			
Oct-09			
Nov-09			\$0.00
CONTINGENCIES / SPECIAL PROJECTS	\$ 4,000.00		
			\$0.00
TOTAL BUDGETED EXPENSES	\$ 60,940.00		\$3,502.60
February Account Balance			\$59,400.48
PROJECTED CARRY OVER TO 2010	\$ 51,453.44		

SWANA Legislation as of 3/4/2009

Biofuels

[AB 222\(Adams\)](#) Energy: biofuels.

Introduced: 02/04/2009

Summary: Would state an intent of the Legislature to enact legislation to advance biofuels and green power production.

Subject: Biofuels

[AB 1043\(Fong\)](#) Biofuels.

Introduced: 02/27/2009

Summary: Would provide that it is the intent of the Legislature to enact legislation to advance biofuels and other clean fuel technologies by adopting policies that promote the production and purchase of biofuels and other clean fuel technologies in California as a means to reduce greenhouse gas emissions and reduce California's reliance on petroleum fuels.

Subject: Biofuels

Closure/Post Closure

[AB 274\(Portantino\)](#) Solid waste: landfills: closure plans.

Introduced: 02/12/2009

Summary: Would prohibit the owner or operator of a closed solid waste landfill that is subject to a closure or a postclosure maintenance plan from selling or offering for sale any portion of a closed waste management unit unless the intended purchaser provides evidence, to the satisfaction of the board, of his or her ability to meet the financial assurance requirements of the act. By creating a new crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Subject: Closure/Post Closure

[AB 536\(Arambula\)](#) Hazardous waste: financial assurances.

Introduced: 02/25/2009

Summary: Would specifically provide that a local government owner of a hazardous waste facility would be eligible to meet its postclosure financial obligations by utilizing financial assurance mechanisms authorized by the federal act. This bill contains other related provisions.

Subject: Closure/Post Closure

Diversion

[AB 479\(Chesbro\)](#) Solid waste: diversion.

Introduced: 02/24/2009

Summary: Would require a city or county to divert 60% of all solid waste through source reduction, recycling, and composting activities on and after January 1, 2015, thereby imposing a state-mandated local program by imposing new duties on local agencies regarding solid waste management. The bill would also require the board to establish policies, programs, and incentives to ensure diversion of solid waste in accordance with a specified schedule. This bill contains other related provisions and other existing laws.

Subject: Diversion

[SB 25\(Padilla\)](#) Solid waste: diversion.

Introduced: 12/01/2008

Summary: Would require the board, by July 1, _____, to develop a strategic and comprehensive plan to achieve, on or before January 1, _____, a diversion rate of 75% of solid waste statewide from landfill disposal or transformation. This bill contains other related provisions.

Subject: Diversion

EPR

[AB 283\(Chesbro\)](#) Solid waste: extended producer responsibility program.

Introduced: 02/12/2009

Summary: Would create the California Product Stewardship Act of 2010 and would require the board to administer the program. The bill would require the board to adopt regulations by July 1, 2011, in order to implement the program to provide environmentally sound product stewardship protocols that encourage producers to research alternatives during the product design and packaging phases to foster cradle-to-cradle producer responsibility and reduce the end-of-life environmental impacts of the product. This bill contains other related provisions.

Subject: EPR

[AB 1343\(Huffman\)](#) Solid waste: architectural paint.

Introduced: 02/27/2009

Summary: Would create the architectural paint recovery program and would require architectural paint manufacturers, on and after January 1, 2010, to develop and implement strategies to reduce the generation of postconsumer paint, promote the reuse of postconsumer paint, and manage the end-of-life of postconsumer paint through collecting, transporting, and processing postconsumer paint. The manufacturers would be allowed to establish a cost recovery system to collect a fee from the consumer on all architectural paint sold in this state sufficient to recover the costs of the end-of-life management of postconsumer paint in an environmentally sound fashion. This bill contains other related provisions.

Subject: EPR

E-Waste

[AB 147\(Saldana\)](#) Hazardous waste: electronic waste.

Introduced: 01/22/2009

Summary: Would require a manufacturer of an electronic device to prepare and, at the request of the department, submit to the department within 28 days of the date of the request, technical documentation or other information showing that the electronic device sold or offered for sale by that manufacturer is not prohibited from sale. This bill contains other related provisions and other existing laws.

Subject: E-Waste

[AB 903\(Chesbro\)](#) Solid waste: state agency recycling: electronic waste.

Introduced: 02/26/2009

Summary: Would require that report to include the calculations of annual disposal reduction of electronic waste, and changes in electronic waste generated or disposed of due to specified factors. The bill would also require the report to include the extent to which a state agency intends to utilize programs or facilities established by a local agency for the handling, diversion, and disposal of electronic waste. This bill contains other existing laws.

Subject: E-Waste

[AB 1280\(Adams\)](#) Electronic waste recycling.

Introduced: 02/27/2009

Summary: Would expand the list of appliances that are not defined as a "covered electronic device" to include a freezer, induction cooktop or range, beverage maker, and food steamer. This bill contains other existing laws.

Subject: E-Waste

[SB 723\(DeSaulnier\)](#) Electronic waste recovery payments.

Introduced: 02/27/2009

Summary: Would instead require that the board, in collaboration with the department, establish an electronic waste recovery payment schedule to cover the net cost of an authorized collector on July 1 of every year. The bill would also delete an obsolete provision.

Subject: E-Waste

Governance

AB 456(Emmerson) State agencies: period review.

Introduced: 02/24/2009

Summary: Would state the intent of the Legislature to enact legislation establishing a periodic review of all state agencies.

Subject: Governance

AB 478(Chesbro) Greenhouse gas emissions: solid waste.

Introduced: 02/24/2009

Summary: Would require the state board to consult with the California Integrated Waste Management Board in developing the regulations to include rules for the reduction of greenhouse gas emissions from solid waste reduction and recycling.

Subject: Governance

AB 838(Swanson) Occupational safety and health.

Introduced: 02/26/2009

Summary: Would require the Occupational Safety and Health Standards Board, by July 1, 2011, to adopt a standard for controlling the risk of occurrence of heat illness where employees work indoors.

Subject: Governance

AB 1016(Villines) Energy: commission and department.

Introduced: 02/27/2009

Summary: Would abolish the State Energy Resources and Conservation Commission, the California Consumer Power and Conservation Financing Authority, and the Electricity Oversight board. The bill would create the Department of Energy, headed by a Secretary of Energy, and would create the California Energy Commission and the Office of Energy Market Oversight within the department. The bill would provide for the creation of various divisions and subdivisions as deemed necessary by the secretary. The secretary would be appointed by, and hold office at the pleasure of, the Governor, subject to confirmation by the Senate. The bill would authorize the Governor to appoint an Assistant Secretary of Energy who would serve at the pleasure of the secretary. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Governance

AB 1085(Mendoza) State Air Resources Board: regulations.

Introduced: 02/27/2009

Summary: Would require the state board to make available to the public all methodologies, inputs, assumptions, and any other information used in the development of a proposed regulation, or that is the rationale behind any proposed regulation, before the comment period for any regulation proposed for adoption by the state board.

Subject: Governance

AB 1150(Gaines) State government: integrated waste management board: abolishment.

Introduced: 02/27/2009

Summary: Would abolish the California Integrated Waste Management Board and transfer its duties, powers, purposes, responsibilities, and jurisdiction to the Department of Conservation.

Subject: Governance

AB 1350(Blakeslee) Energy: sustainable biofuel resource: voluntary certification.

Introduced: 02/27/2009

Summary: Would require the Energy Commission, in collaboration with specified entities, to establish a voluntary certification program to establish environmental performance standards for a biofuel qualifying as a California Sustainable Biofuel Resource. The Energy Commission would be required to consider certain factors in developing the performance standards. The bill would authorize moneys from the fund, upon appropriation, be used by the Energy Commission to implement the voluntary certification program. The bill would authorize the Energy Commission to charge an entity seeking to certify a biofuel under the program a fee to cover the Energy Commission's administrative costs. The bill would require collected fees to be deposited into the fund.

Subject: Governance

SB 44(Denham) State government: integrated waste management board: abolishment.

Introduced: 01/07/2009

Summary: Would abolish the California Integrated Waste Management Board and transfer its duties, responsibilities, powers, jurisdiction, liabilities, and functions to the Department of Conservation.

Subject: Governance

[SB 624\(Romero\)](#) Solid waste: garbage and refuse disposal districts: governing board membership.

Introduced: 02/27/2009

Summary: Would remove the requirement that the city represented in this provision be incorporated.

Subject: Governance

Hazardous Materials

[AB 21\(Lowenthal, Bonnie\)](#) Economic poisons: methyl bromide: report.

Introduced: 12/01/2008

Summary: Would require the Department of Pesticide Regulation to conduct a review of existing and emerging emission control technologies available for reducing methyl bromide emissions and to prepare and submit to the Legislature a report detailing available emission control devices or techniques for reducing industrial methyl bromide emissions, including specified information for each system in the study.

Subject: Hazardous Materials

[AB 738\(Committee on Environmental Safety and Toxic Materi\)](#) Hazardous materials: brownfield cleanup: loan or grant program.

Introduced: 02/26/2009

Summary: Would authorize the department to administer and implement a loan or grant program consistent with federal regulations implementing the Small Business Liability Relief and Brownfields Revitalization Act, using only federal grant funds if available for that purpose.

Subject: Hazardous Materials

[AB 1078\(Feuer\)](#) Hazardous materials: toxic substances.

Introduced: 02/27/2009

Summary: Would extend this exclusion indefinitely, with one exception as it relates to prohibiting the use of a chemical of concern in a consumer product. This bill contains other related provisions.

Subject: Hazardous Materials

[AB 1112\(Blakeslee\)](#) Hazardous waste: management.

Introduced: 02/27/2009

Summary: Existing law authorizes the Department of Toxic Substances Control to grant a variance from the requirements regulating the management of hazardous waste, if the department makes specified findings. This bill would make technical, nonsubstantive changes to that law.

Subject: Hazardous Materials

[AB 1131\(Feuer\)](#) Hazardous waste: source reduction.

Introduced: 02/27/2009

Summary: Would increase the minimum number of priority categories the department is required to select every 2 years to 3. This bill contains other related provisions.

Subject: Hazardous Materials

[AB 1188\(Ruskin\)](#) Hazardous materials: penalties: allocation.

Introduced: 02/27/2009

Summary: Would additionally authorize the funds in the account to be appropriated to the department for the administration of the successor organizations of those units of the department, the implementation of programs administered by those units, and activities in the department related to pollution prevention and technology development. This bill contains other related provisions and other existing laws.

Subject: Hazardous Materials

[AB 1431\(Hill\)](#) Hazardous materials: chemicals of concern.

Introduced: 02/27/2009

Summary: Existing law requires the Department of Toxic Substances Control, by January 1, 2011, to adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern, in accordance with a specified review process. Existing law requires the department to adopt the regulations in consultation with the Office of Environmental

Health Hazard Assessment and all appropriate state agencies, and after conducting one or more public workshops as specified. This bill would make technical, nonsubstantive changes to those provisions.

Subject: Hazardous Materials

[SB 22\(Simitian\)](#) Hazardous materials: toxic substances.

Introduced: 12/01/2008

Summary: Would additionally authorize the office to recommend procedures for expediting the review and identification of hazard traits, including pending and proposed actions by other states, the federal government, and other nations to limit hazardous materials in products. This bill contains other existing laws.

Subject: Hazardous Materials

[SB 143\(Cedillo\)](#) Hazardous materials: California Land Reuse and Revitalization Act of 2004.

Introduced: 02/11/2009

Summary: Would delete the repeal date of the act, thereby continuing the act indefinitely. The bill also would repeal the provisions providing for continued immunity after repeal of the act. This bill contains other existing laws.

Subject: Hazardous Materials

[SB 231\(Lowenthal\)](#) Hazardous waste: generator fees.

Introduced: 02/23/2009

Summary: Would specify that the base fee rate is \$3,815 for the 2008 calendar year.

Subject: Hazardous Materials

[SB 346\(Kehoe\)](#) Hazardous materials: motor vehicle brake friction materials.

Introduced: 02/25/2009

Summary: Would require the Department of Toxic Substances Control to conduct a baseline survey, on or before January 1, 2013, of the concentration levels of nickel, zinc, and antimony in motor vehicle brake friction materials. The bill would require the department, commencing January 1, 2013, and at least every 3 years thereafter, to monitor the concentration levels of those constituents in motor vehicle brake friction materials to ensure that those levels do not increase by more than 50% above the baseline levels established through the baseline survey. In that case, the bill would require the department to complete scientific studies to evaluate the need to establish a maximum concentration of any or all of these constituents in brake friction materials, and would authorize the department to establish a maximum allowable concentration for those constituents, as specified. This bill contains other related provisions and other existing laws.

Subject: Hazardous Materials

[SB 524\(Correa\)](#) Hazardous waste: identification and regulation.

Introduced: 02/27/2009

Summary: Existing law requires the Department of Toxic Substances Control to use specified criteria and procedures for the identification and regulation of certain types of hazardous waste, unless the department makes a determination after January 1, 1996, by regulation, that additional criteria are necessary to protect the public health, safety, and environment of the state. The bill would make technical, nonsubstantive changes to those provisions.

Subject: Hazardous Materials

Pharmaceutical Waste

[SB 26\(Simitian\)](#) Home-generated pharmaceutical waste.

Introduced: 12/01/2008

Summary: Would require the board to coordinate with other state agencies, local governments, drug manufacturers, and pharmacies to develop sustainable, efficient policies and programs to manage pharmaceutical wastes and the disposal of devices. The bill would authorize a pharmacy to accept the return of home-generated pharmaceutical waste and home-generated sharps waste, as defined. This bill contains other related provisions and other existing laws.

Subject: Pharmaceutical Waste

[SB 486\(Simitian\)](#) Medical waste: sharps waste.

Introduced: 02/26/2009

Summary: Existing law, the Medical Waste Management Act, administered by the State Department of Public Health, regulates the management and handling of medical waste, which includes, but is not limited to, sharps waste. Existing law prescribes how sharps waste must be containerized or stored. This bill would make a technical, nonsubstantive change to provisions relating to sharps waste.

Subject: Pharmaceutical Waste

Plastic Bags

AB 68(Brownley) Solid waste: single-use carryout bags.

Introduced: 12/12/2008

Summary: Would on and after July 1, 2011, prohibit a store, as defined, from providing a single-use carryout bag to a customer unless the store charges a fee of not less than \$0.25 per bag at the point of sale. The bill would exempt certain customers from paying the fee. The bill would establish the Bag Pollution Fund in the State Treasury and would require a store to remit the single-use carryout bag fees, less a specified amount, to the State Board of Equalization for deposit in that fund. This bill contains other related provisions and other existing laws.

Subject: Plastic Bags

AB 87(Davis) Single-use carryout bags: environmental effects: mitigation.

Introduced: 01/05/2009

Summary: Would prohibit, on and after July 1, 2010, a store, as defined, from providing a single-use carryout bag, including a green carryout bag, to a customer unless the store charges a fee of not less than \$0.25 per bag at the point of sale. The bill would exempt certain customers from paying the fee. The bill would establish the Bag Pollution Fund in the State Treasury and, by January 31, 2011, would require a store that collects the single-use carryout bag fees to remit the fees, less a specified amount to be used as required, to the State Board of Equalization for deposit in that fund, and do so on a quarterly basis thereafter. This bill contains other related provisions and other existing laws.

Subject: Plastic Bags

AB 925(Saldana) Recycling: single-use plastic beverage container caps.

Introduced: 02/26/2009

Summary: Would define terms and would prohibit a retailer, on and after January 1, 2012, from selling or offering for sale a single-use plastic beverage container with a cap that is not affixed to, or part of, the beverage container. The bill would also prohibit a retailer, on and after that date, from selling or offering for sale a single-use beverage container with a cap, unless the cap is made of a recyclable material, as defined.

Subject: Plastic Bags

AB 1141(Calderon, Charles) Carryout bags.

Introduced: 02/27/2009

Summary: Would extend the provisions regarding the at-store recycling program for plastic carryout bags until January 1, 2017, and define the term "single use carryout bag" for those purposes. This bill contains other related provisions.

Subject: Plastic Bags

SB 228(DeSaulnier) Plastic bags: compostable or marine degradable plastic bags.

Introduced: 02/23/2009

Summary: Would require a manufacturer of a marine degradable or compostable plastic bag meeting those standards to ensure that the marine degradable or compostable plastic bag is readily and easily identifiable from other plastic bags. The bill would specify that "readily and easily identifiable" shall mean a uniform color of green with the label "compostable" and carrying the certification label of the Biodegradable Products Institute.

Subject: Plastic Bags

SB 531(DeSaulnier) Solid waste: single-use carryout bags.

Introduced: 02/27/2009

Summary: Would establish the Single-use Carryout Bag Responsibility Act and would require, on and after July 1, 2011, the suppliers, as defined, of plastic or paper single-use carryout bags to remit a Single-use Carryout Bag Responsibility Fee of \$0.001, to the State Board of Equalization, for each paper or plastic single-use carryout bag supplied directly to a store. The State Board of Equalization would be required to deposit the fee into the Single-

use Carryout Bag Responsibility Fund that would be established in the State Treasury. This bill contains other related provisions and other existing laws.

Subject: Plastic Bags

Recycling

[AB 473\(Blumenfield\)](#) Solid waste: multifamily dwellings.

Introduced: 02/24/2009

Summary: Would require an owner of a multifamily dwelling, defined as a residential facility that consists of 5 or more living units, on and after July 1, 2010, to arrange for recycling services that are appropriate for the multifamily dwelling, consistent with state or local laws or requirements, including a local ordinance or agreement, applicable to the collection, handling, or recycling of solid waste.

Subject: Recycling

[AB 747\(Emmerson\)](#) School facilities: recycling programs.

Introduced: 02/26/2009

Summary: Would express the intent of the Legislature to enact legislation that would provide incentives to school districts with recycling programs when applying for state funding for construction and modernization of school facilities.

Subject: Recycling

[AB 907\(Chesbro\)](#) California Oil Recycling Enhancement Act: rerefined oil.

Introduced: 02/26/2009

Summary: Would authorize the board to develop a program to provide incentives to manufacturers of rerefined oil, as the bill would define that term, to develop additional capacity for the rerefining of used oil.

Subject: Recycling

[AB 993\(Fletcher\)](#) Solid waste: rigid plastic containers.

Introduced: 02/27/2009

Summary: Existing law requires rigid plastic packaging containers sold or offered for sale in this state to meet specified criteria, including, but not limited to, that the container be made from 25% postconsumer material. This bill would make a technical, nonsubstantive change to that provision.

Subject: Recycling

[AB 1173\(Huffman\)](#) Recycling: compact fluorescent lamps.

Introduced: 02/27/2009

Summary: Would prohibit the distribution of moneys from energy efficiency investment funds or any other funds generated from usage-based charges on electricity distribution that are provided by California's retail sellers of electricity to any entity for compact fluorescent lamps, unless the compact fluorescent lamps meet certain specifications, and the manufacturer or distributor of the compact fluorescent lamps has implemented a recycling program or has agreed to pay an unspecified amount for every lamp for which funding is received into a compact fluorescent lamp recycling fund. The bill would prohibit the distribution of moneys from energy efficiency investment funds or any other funds generated from usage-based charges on electricity distribution that are provided by California's retail sellers of electricity to a retailer, unless the retailer has agreed to provide the public an in-store collection opportunity for the recycling of compact fluorescent lamps.

Subject: Recycling

[AB 1329\(Brownley\)](#) Product management: polyvinyl chloride (PVC) packaging.

Introduced: 02/27/2009

Summary: Would prohibit a person from selling at retail or distributing in commerce a rigid polyvinyl chloride packaging container.

Subject: Recycling

[AB 1358\(Hill\)](#) Product management: disposable food containers.

Introduced: 02/27/2009

Summary: Would define terms for its purposes and prohibit a food vendor, restaurant, or retail food vendor from dispensing prepared food to a customer in a disposable expanded polystyrene food container, a disposable nonrecyclable plastic food container, or a disposable nonrecycled paper container. The bill would authorize a food vendor, restaurant, or retail food vendor to dispense prepared food to a customer in a compostable plastic

container in a jurisdiction where organic waste is collected curbside for composting, and to dispense prepared food in a recyclable plastic container or a recycled paper container. The bill would prohibit a state facility from using a polystyrene foam or expanded polystyrene foam food service container, and would prohibit a state department or state agency from purchasing or acquiring polystyrene foam or expanded polystyrene foam disposable food service ware for use at state facilities. A state-managed concession, state-sponsored event, or event with a permit issued by the state would be prohibited from distributing or utilizing disposable food service ware containing expanded polystyrene, polystyrene, nonrecyclable plastic, or nonrecycled paper, and an agent, contractor, or vendor doing business with the state would be prohibited from using polystyrene foam, expanded polystyrene foam, nonrecycled paper, or nonrecyclable plastic disposable food service ware in state facilities or on state projects within the state. The bill would include legislative findings and declarations that the matters covered by the bill are matters of statewide interest and concern.

Subject: Recycling

[SB 55\(Corbett\)](#) Recycling: California redemption value containers.

Introduced: 01/15/2009

Summary: Would revise the term beverage to include vegetable, nut, grain, or soy drinks that contain any percentage of juice, and would delete the requirement that a vegetable drink subject to the act be sold in a container of 16 ounces or less. The bill would delete the exclusion from the term beverage, for a product that is not sold in the above-specified types of containers. The bill would additionally exclude from the definition a beverage in a flexible foil, plastic pouch, or aseptic container delivering 7 or less fluid ounces. The bill would also make conforming changes to other definitions, for purposes of the act. This bill contains other related provisions and other existing laws.

Subject: Recycling

[SB 167\(Ducheny\)](#) Solid waste: waste tires.

Introduced: 02/14/2009

Summary: Would additionally, require the 5-year plan to include, as a border activity, the development of projects in Mexico in the California-Mexico border region, including education, infrastructure, mitigation, cleanup, prevention, reuse, and recycling projects, that address the movement of used tires from California to Mexico that are eventually disposed in California. This bill contains other related provisions.

Subject: Recycling

[SB 390\(Kehoe\)](#) Solid waste: recycling market development.

Introduced: 02/26/2009

Summary: Would delete the inoperative and repeal dates, thereby indefinitely continuing the program and the continuous appropriation, and thereby making an appropriation, and would delete the provisions providing for disposition of funds remaining after inoperation and repeal. This bill contains other related provisions and other existing laws.

Subject: Recycling

[SB 497\(Correa\)](#) School recycling programs.

Introduced: 02/26/2009

Summary: Would express findings and declarations of the Legislature with respect to the potential benefits of school recycling programs. The bill would, until January 1, 2012, require each school district to consult with the local Community Conservation Corps to obtain information in order to establish a beverage container recycling program at each school campus and public office of that school district, but only to the extent that the district does not incur costs. Under the bill, a school district would be authorized to choose whether to operate its own beverage container recycling program, to contact its local Community Conservation Corps or another recycler to collect the beverage containers, to provide a beverage container collection program as a fundraising activity for the school district, or to continue a recycling program in existence on January 1, 2009. Because the bill would impose new duties on school districts, it would constitute a state-mandated local program. This bill contains other related provisions and other existing laws.

Subject: Recycling

[SB 546\(Lowenthal\)](#) Used oil.

Introduced: 02/27/2009

Summary: Would revise the certification requirements to also require the board to certify or recertify a used oil recycling facility that is an out-of-state facility and for which the board has received a report from the Department of Toxic Substances Control that the out-of-state facility has demonstrated that the facility substantially meets specified federal requirements related to the management of used oil and recycles used lubricating oil to meet

specified purity standards for recycled oil. The bill would require an out-of-state facility, as a condition of demonstrating that compliance, to enter into an agreement with the department to pay the department's full expenses for conducting related review and inspection costs. The bill would require an out-of-state facility that seeks certification to annually certify, in writing to the board and under penalty of perjury, that the facility substantially meets those specified federal requirements, thereby imposing a state-mandated local program by creating a new crime. The bill would revise the quarterly reporting requirement to require a used oil recycling facility issued a specified permit to produce recycled oil and an out-of-state used oil recycling facility that is certified by the board to report to the board for each quarter the amount of used oil received and the amount of recycled oil produced. This bill contains other related provisions and other existing laws.

Subject: Recycling

[SB 619\(Strickland\)](#) Recycling.

Introduced: 02/27/2009

Summary: Existing law establishes the California Beverage Container Recycling and Litter Reduction Act and makes certain findings and declarations with regard to that act. This bill would make a technical, nonsubstantive change to that provision.

Subject: Recycling

[SB 803\(DeSaulnier\)](#) Solid waste: plastic waste: management.

Introduced: 02/27/2009

Summary: Would declare the intent of the Legislature to enact legislation that would mitigate the environmental impact of plastic packaging materials and reduce the overall amount of plastic waste disposed of in California landfills.

Subject: Recycling

Misc.

[AB 3\(V. Manuel Perez\)](#) Energy: renewable energy workforce readiness program.

Introduced: 12/01/2008

Summary: Would require the commission, by January 1, 2011, to establish a Renewable Energy Workforce Readiness Program to ensure green collar career placement and advancement opportunities within California's renewable energy manufacturing, construction, installation, maintenance, and operation sectors that is targeted towards specified populations. The program would award training grants, on a competitive basis, to implement and operate renewable energy worker training and education programs in the state. The commission would be required to submit to the Legislature, by January 1, 2012, a report on the implementation of the program. The bill would require the commission to implement the program, upon appropriation by the Legislature, using moneys from an unspecified fund.

[AB 85\(Berryhill, Tom\)](#) Junk dealers and recyclers.

Introduced: 01/05/2009

Summary: Would make nonsubstantive and technical changes to those provisions.

[AB 177\(Price\)](#) Energy: Green Economy Inclusion Act of 2009.

Introduced: 02/02/2009

Summary: Would enact the Green Economy Inclusion Act of 2009 and would state the intent of the Legislature to enact legislation to ensure greater equity and inclusion of all Californians in the future of developing and implementing climate change, transportation, land use, and economic stimulus policies to reduce GHG emissions in California.

[AB 210\(Hayashi\)](#) Green building standards.

Introduced: 02/02/2009

Summary: Would specify that the requirements and regulations that a city or county is authorized to change or modify includes, but is not limited to, green building standards. This bill contains other related provisions and other existing laws.

[AB 231\(Huffman\)](#) California Global Warming Solutions Act of 2006: Climate Protection Trust Fund.

Introduced: 02/05/2009

Summary: Would instead require the state board to, no later than March 30, 2010, adopt a schedule of fees, as provided. The revenues collected would be deposited in the Climate Protection Trust Fund, which the bill would create. All other compliance revenues collected pursuant to the act, including fines and penalties, would be required to be deposited into the fund, and would be available, upon appropriation by the Legislature, for the purposes of carrying out the act. This bill contains other related provisions and other existing laws.

ACR 14(Niello) California Global Warming Solutions Act of 2006.

Introduced: 01/27/2009

Summary: Would call upon the State Air Resources Board, prior to any regulatory action being taken consistent with the scoping plan for the implementation of the Global Warming Solutions Act of 2006, to perform an economic analysis that will give the State of California a more complete and accurate picture of the costs and benefits of the act's implementation. The measure would also call upon the Governor to use the authority granted by the act to adjust any applicable deadlines for regulations.

SB 104(Oropeza) California Global Warming Solutions Act of 2006: designation of greenhouse gases.

Introduced: 01/27/2009

Summary: Would also include nitrogen trifluoride, and any other anthropogenic gas one metric ton of which makes the same or greater contribution to global warming as one metric ton of carbon dioxide, as determined by the state board pursuant to a process that the bill would create, including a procedure by which any person could petition the state board for a designation. The state board would be required to adopt regulations, including emission limits and emission reduction measures, for a gas determined to be a greenhouse gas no later than ____ years after that gas is designated as a greenhouse gas. This bill contains other related provisions and other existing laws.

SB 128(Padilla) California Climate Change Institute.

Introduced: 02/05/2009

Summary: Would state the intent of the Legislature to enact legislation to create the California Climate Change Institute to (A) identify and support, through a merit-based peer-reviewed competitive grant process, research and education to be undertaken at academic and research institutions and laboratories throughout the state, (B) oversee, coordinate, and manage a nonduplicative, targeted research and development program for the purposes of achieving the state's targets for reducing emissions of greenhouse gases and mitigating the effects of those emissions, (C) develop effective model education pathways, training, model curriculum, and professional development necessary for emerging green technologies and industries, and (D) ensure that its climate change research is conducted in a manner that is targeted and nonduplicative of other research programs.

SB 295(Dutton) California Global Warming Solutions Act of 2006.

Introduced: 02/25/2009

Summary: Would prohibit the state board from implementing those regulations until the unemployment rate in the state is below 5.8% for 3 consecutive months. The bill would also require the state board to evaluate, and make public, the costs of those regulations. This bill contains other related provisions.

SB 333(Hancock) Voluntary Greenhouse Gas Emission Offset Program Fund.

Introduced: 02/25/2009

Summary: Would create the Voluntary Greenhouse Gas Emission Offset Program Fund, and would provide that funds received by the state on a voluntary basis from the federal government, individuals, businesses, organizations, industry, or other sources for the mitigation of climate change impacts related to greenhouse gas emissions be deposited in this fund. The moneys in the fund would be available, upon appropriation, for expenditure by the Resources Agency for specified projects. The bill would require that moneys from the fund be directed to the California Conservation Corps and local conservation corps for specified projects. The Resources Agency would be required, by October 1, 2010, to adopt guidelines for the distribution of moneys from the fund and to develop strategies for the sale of voluntary greenhouse gas emission offsets by the state and other opportunities for contributions by the public to the Voluntary Greenhouse Gas Emission Offset Program Fund.

SB 366(Aanestad) Energy: renewable energy: biomass.

Introduced: 02/25/2009

Summary: Would change the definition of eligible customer-generators to include residential, small commercial, commercial, industrial, or agricultural customers of an electric service provider that use biomass electricity generating facilities.

SB 730(Wiggins) Solid waste: grants and loans: eligibility.

Introduced: 02/27/2009

Summary: Would provide that a public entity of the state is ineligible for any grants, loans, or loan guarantees from, or any other financial incentive administered by, the board, if the entity disposes or causes the disposal of solid waste at a facility within the state that does not meet standards that are as stringent as the state standards or at a facility located outside the state.