



SWANA[®]

SOLID WASTE ASSOCIATION
of North America

CALIFORNIA CHAPTERS

FOUNDING

SIERRA

GOLDRUSH

LEGISLATIVE TASK FORCE

www.swanacal-leg.org

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MINUTES
SWANA CALIFORNIA LEGISLATIVE TASK FORCE MEETING
SACRAMENTO, CA

October 6, 2011

By: Mark Urquhart, Secretary

The Legislative Task Force (LTF) phone call meeting started at about 10:00 AM. A quorum was present as there were 10 voting members present and at least one voting member from each chapter. The agenda is Attachment A. A list of the attendees 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 September 1, 2011 LTF Telephone Meeting:

Lisa Wood asked for comments on these minutes. There were none. She asked for a motion to approve the minutes.

Motion:

A motion was made by Mike Mohajer and seconded by Constance Hornig to approve the minutes from the September 1, 2011 phone conference meeting. The motion carried, as all were in favor. William Merry abstained.

Treasurer's Update

Action on the treasurer's report was tabled until the next meeting because Nancy Ewert was not present on the call. (The September treasurer's report circulated by Nancy Ewert prior to the meeting is Attachment C).

Annual Workshop – December 4-5 Monterey

William Merry discussed that Jason Schmelzer sent out hotel information. Those with reservations for the Friday dinner should RSVP to Jason Schmelzer. It was discussed that the agenda should plan for meet on Saturday morning. A committee was formed to "screen" the workplan prior to the workshop (Lisa Wood, Mike Mohajer, Larry Sweetser, and William Merry).

It was discussed that the next phone call meeting for November 3, 2011 from 10AM to noon is tentative based on the need to primarily discuss regulatory issues since the legislative activities will basically be caught up. William Merry noted he will not be available for a November 3, 2011 call.

II. LEGISLATION

Jason Schmelzer led discussions on the following bills. He noted that there has not been much action but that the governor must act on almost 500 bills by end of Monday, October 10, 2011. That last minute flurry is not unusual.

a. AB 341 (Chesbro) – Solid Waste: Diversion

OPPOSE – Veto Request Sent (Attached to meeting packet)

Jason Schmelzer noted that the bill is on the governor's desk. He noted that Mark Leary, interim executive director of CalRecycle, had asked him for a copy of the SWANA requested veto letter to the governor. Jason Schmelzer said he responded verbally by voicemail, did not send the letter, and did not get a reply to his voicemail. It was discuss that is appears to be good news as governor took notice of LTF veto letter and reached out to CalRecycle to respond to LTF concerns.

It was discussed that the LTF still could contact the governor's office to see if there are any issues given they have expressed an interest in the LTF veto request letter. It was also noted that the LTF may have one of only a few opposed to the bill.

[b. AB 1178 \(Ma\) – Solid Waste: Place of Origin](#)

OPPOSE – Failed Passage

Jason Schmelzer discussed that he will attempt to engage stakeholders prior to next year and discuss any progress at the LTF workshop. This will be a two year bill. It was noted that the author's office is lobbying public officials throughout the state.

[c. SB 567 \(DeSaulnier\) – Recycling: Plastic Products](#)

SUPPORT – Signature Request Sent (Attached to meeting packet)

Jason Schmelzer said it was difficult to guess whether this will be vetoed or not. Mark Bowers noted that an EIR that his agency is involved with received 460 pages of comments from a plastic industry entity. His City is planning to take a bag ordinance to City Council in December 2011. He also discussed that California Environmental Quality Act (CEQA) Negative Declarations are being used by some smaller Cities. It was noted that Marin County won its court case on using a CEQA categorical exemption. Mark Bowers said he would expect that exemption would be appealed and may go to state supreme court. He also noted that there will likely be Prop. 26 issues requiring popular vote, as is being made in issue in Los Angeles County.

[d. SB 568 \(Lowenthal\) – Recycling: Polystyrene Food Containers](#)

SUPPORT – Failed Passage

Jason Schmelzer said it was difficult to guess whether this bill will be vetoed by governor or not.

[e. SB 833 \(Vargas\) – Solid Waste: Facilities Permit](#)

OPPOSE – Veto Request Sent (Attached to packet)

Jason Schmelzer said it was difficult to guess whether this bill will be vetoed by governor or not.

III. REGULATORY MATTERS

Revised Carpet Stewardship and Recycling

Jason Schmelzer noted that the LTF provided comments that were copied in the meeting packet.

Revised Architectural Paint Stewardship Regulations

Mike Mohajer discussed that there needs to be more involvement between local government and other stakeholders in the process. It was noted that maybe CalRecycle has gone as far as it can on addressing issues. There will be public review of the regulations from October 10 to 25, 2011.

State Water Board Fees

Sharon Green discussed that the State Water Board hearing adopted submitting the new fee emergency regulations for enactment. She discussed that the State Water Board did adopt the staff proposed fee schedule with a bit of angst, not liking it much. There were hearing discussions that staff needs to look at doing things more efficiently. The Board requested a report by the agency next year to include reaching out to stakeholders on ways to work more cost-effectively.

Other

Mandatory Commercial Recycling Regulations

GA noted that the mandatory commercial recycling regulations will be considered by CARB on October 20, 2011. He noted that he thinks that most comments are about as far as they can get. Mike Mohajer noted that he has many additional concerns over the cost to local government. For example, he noted that public education could not be done on local level for anywhere close to low dollar figure noted in regulatory analysis. Mike Mohajer went on to discuss many other regulatory and local government cost concerns with these regulations.

It was decided that Mike Mohajer will wait until Governor's action on 341 by the end of Monday October 10, 2011; and if vetoed then provide a draft letter regarding cost and other concerns that could be submitted by the LTF. Even if unsuccessful it would become part of the record.

Composting Regulations

Mike Mohajer explained that State Water Board is taking up regulations for outdoor composting facility permit tiering for facilities with Waste Discharge Requirements. CalRecycle will be meeting on October 18, 2011 to discuss these. The State Water Board will have separate meetings. Mike Mohajer said he has concerns over definitions (food waste, compostables, ect). It was discussed that these are as strict as landfill regulation technical requirements, which is overkill and not balanced. It was discussed that Matt Cotton could be asked to join the next LTF call to discuss this issue as he is up on all the details of the regulations (proposed at 10:30 AM).

IV. ADJOURNMENT

The meeting was adjourned about 11:25 AM.

SWANA Legislative Task Force Meeting Agenda

Thursday, October 6, 2011 // 10:00 A.M. – 12:00 P.M.

Conference Call Line: 800-867-2581 // Code: 1006105

I. Business Items

- a. Next Meeting – Annual Workshop December 4-5 in Monterey
- b. Approval of September 1, 2011 Meeting Minutes (Attached)
- c. Treasurer's Update

II. Legislative Items

- a. [AB 341 \(Chesbro\) – Solid Waste: Diversion](#)

OPPOSE – Veto Request Sent (Attached)

- b. [AB 1178 \(Ma\) – Solid Waste: Place of Origin](#)

OPPOSE – Failed Passage

- c. [SB 567 \(DeSaulnier\) – Recycling: Plastic Products](#)

SUPPORT – Signature Request Sent (Attached)

- d. [SB 568 \(Lowenthal\) – Recycling: Polystyrene Food Containers](#)

SUPPORT – Failed Passage

- e. [SB 833 \(Vargas\) – Solid Waste: Facilities Permit](#)

OPPOSE – Veto Request Sent (Attached)

III. Regulatory Items

- a. Revised Carpet Stewardship and Recycling
- b. Revised Architectural Paint Recovery Program
- c. SWRCB Fees

**ATTENDANCE LIST
SWANA LEGISLATIVE TASK FORCE MEETING OCTOBER 6, 2011**

VOTING MEMBER CHAPTER	NAME	ORGANIZATION	PHONE	EMAIL
VM/Gold Rush	Mark Urquhart (S)	HDR Engineering, Inc.	916-817-4933	mark.urquhart@hdrinc.com
VM/Gold Rush	William Merry (Ch)	Monterey RWMD	831-384-5313	wmerry@mrwmd.org
VM/Gold Rush	Mark Bowers	City of Sunnyvale	408- 730-7421	mbowers@ci.sunnyvale.ca.us
VM/Gold Rush	Larry Sweetser	Sweetser and Associates/ESJPA	510-703-0898	sweetser@aol.com
VM/Founding	Glenn Acosta	LA County Sanitation Districts	562-699-7411	gacosta@lacsds.org
VM/Founding	Mike Mohajer	Southern California Waste Management Forum	909-592-1147	mikemohajer@yahoo.com
VM/Founding	Constance Hornig	Law Offices	323-934-4601	hornigesq@comcast.net
VM/Founding	Lisa Wood (VC)	City of San Diego	858-573-1236	lfwood@sandiego.gov
ALT VM/Founding	Sharon Green	LA County Sanitation Districts	562-699-7411	sgreen@lacsds.org
VM/Founding	John Gullede	LA County Sanitation Districts	562-699-7411 ext 2401	jgullede@lacsds.org
Sierra	Donn Ferguson	Kern County		
ALT/Sierra	Patricia Ackley	Tulare County Resource Management Agency	559-733-6653 ext. 4848	packley@co.tulare.ca.us
SWANA CA Chapters Legislative Assistant	<i>Jason Schmelzer</i>	<i>Shaw / Yoder/Antwih Inc.</i>	<i>916-446-4656</i>	Jason@shawyoderantwih.com

SWANA LEGISLATIVE TASK FORCE - 2011 BUDGET			
September 2011 Treasurer's Report			
BEGINNING ACCOUNT BALANCE - 1/1/2011	\$ 52,010.88		
Release from Reserves	\$ 12,920.00		
Starting Cash Balance	\$ 39,090.88		
REVENUES			
	Annual	Monthly	YTD
DUES SURCHARGE (\$30 / MEMBER)	\$ 21,000.00		
Jan Dues		\$1,530.00	
Feb Dues		\$1,470.00	
Mar Dues		\$1,590.00	
Apr Dues		\$4,230.00	
May Dues		\$1,260.00	
June Dues		\$1,200.00	
July Dues		\$930.00	
Aug Dues		\$2,130.00	
Sept Dues		\$2,950.00	
Oct Dues			
Nov Dues			
Dec Dues			\$17,290.00
WESTERN REGIONAL SYMPOSIUM	\$ 7,500.00	\$12,119.41	
		\$833.33	\$12,952.74
MOLO COURSE REVENUES	\$ 5,000.00		
			\$0.00
AGENCY CONTRIBUTIONS	\$ 15,000.00		
CH2M-Hill			
Kern County		\$500.00	
San Joaquin County			
City of Folsom		\$750.00	
Merced County		\$1,000.00	
LA County		\$2,500.00	
City of Sunnyvale		\$750.00	
City of San Diego		\$2,500.00	
Monterey RWMD		\$2,000.00	
Placer County			
City of Tulare		\$750.00	
Salinas IWMA		\$1,500.00	\$12,250.00
INTEREST	\$ 20.00		
Jan-11		\$0.43	
Feb-11		\$0.40	
Mar-11		\$0.46	
Apr-11		\$0.38	
May-11		\$0.40	
Jun-11		\$0.36	
Jul-11		\$0.34	
Aug-11		\$0.39	
Sep-11		\$0.41	
Oct-11			
Nov-11			
Dec-11			\$3.57
RELEASE FROM RESERVES	\$12,920.00		
			\$0.00
TOTAL BUDGETED REVENUES	\$ 61,440.00		\$42,496.31

EXPENSES			
	Annual	Monthly	YTD
REGULATORY REVIEW	\$ 12,000.00		
Jan-11		\$1,000.00	
Feb-11		\$1,000.00	
Mar-11		\$1,000.00	
Apr-11		\$1,000.00	
May-11		\$1,000.00	
Jun-11		\$1,000.00	
Jul-11		\$1,000.00	
Aug-11		\$1,000.00	
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$8,000.00
SHAW / YODER, INC. CONTRACT	\$ 38,940.00		
	Cashed		
Jan-11	3/29/2011	\$3,245.00	
Feb-11	3/29/2011	\$3,245.00	
Mar-11	4/14/2011	\$3,245.00	
Apr-11	5/16/2011	\$3,245.00	
May-11	7/11/2011	\$3,245.00	
Jun-11	7/18/2011	\$3,245.00	
Jul-11	8/10/2011	\$3,245.00	
Aug-11	9/29/2011	\$3,245.00	
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$25,960.00
SHAW / YODER, INC. ADMIN. EXPENSES	\$ 2,000.00		
Jan-11		\$45.00	
Feb-11		\$45.00	
Mar-11		\$45.00	
Apr-11		\$45.00	
May-11		\$45.00	
Jun-11		\$45.00	
Jul-11		\$45.00	
Aug-11		\$45.00	
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$360.00
WEBSITE DEV/MAINTENANCE & ROSTER	\$ 1,000.00		
Jan-11		\$0.00	
Feb-11		\$0.00	
Mar-11		\$20.00	
Apr-11		\$0.00	
May-11		\$0.00	
Jun-11		\$0.00	
Jul-11		\$50.00	
Aug-11		\$50.00	
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$120.00
MTGS/TELECONFERENCE/WORKSHOP	\$ 3,500.00		
Jan-11		\$0.00	
Feb-11		\$0.00	
Mar-11		\$167.60	
Apr-11		\$327.40	
May-11		\$255.12	
Jun-11		\$0.00	
Jul-11		\$78.33	
Aug-11		\$139.21	
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$967.66
CONTINGENCIES / SPECIAL PROJECTS	\$ 4,000.00		
SWANA WRS		\$336.59	
Returned Chk from Central (Irregular Signature)	9/8/2011	\$6.00	
	8/8/2011	\$250.00	\$592.59
TOTAL BUDGETED EXPENSES	\$ 61,440.00		\$36,000.25
September Account Balance			\$58,506.94
PROJECTED CARRY OVER TO 2012	\$ 39,090.88		