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SOLID WASTE ASSOCIATION
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CALIFORNIA CHAPTERS

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LEGISLATIVE TASK FORCE

www.swanacal-leg.org

LEGISLATIVE ADVOCATES

PAUL J. YODER

Shaw/Yoder/Antwih, Inc.

1415 L Street, Suite 200

Sacramento, CA 95814

(916) 446-4656

FAX (916) 446-4316

paul@shawyoderantwih.com

CHAIR

WILLIAM MERRY, PE., BCEE

Monterey Regional
Waste Management District

14201 Del Monte Boulevard

P.O. Box 1670

Marina, CA 93933

(831) 384-5313

wmerry@mrwmd.org

VICE CHAIR

LISA WOOD

CITY OF SAN DIEGO

9601 Ridgehaven Court #210

San Diego, CA 92123

lwood@sandiego.gov

TREASURER

NANCY L. EWERT, PE.

KERN COUNTY

2700 M Street, Suite 500

Bakersfield, CA 93301

nancye@co.kern.ca.us

SECRETARY

MARK URQUHART, PE.

Senior Project Manager

HDR ENGINEERING, INC

2365 Iron Point Rd. #300

Folsom, CA 95630

(916) 817-4933

Mark.Urquhart@hdrinc.com

**MINUTES OF SWANA CALIFORNIA
LEGISLATIVE TASK FORCE MEETING, SAN LUIS OBISPO**

April 16, 2010

By: Mark Urquhart, Secretary

The Legislative Task Force (LTF) in-person meeting started at about 5:15 PM at the SWANA Western Regional Symposium. A quorum was present as there were 9 voting members present, including at least one voting member from each chapter. There was no formal agenda for the meeting. A sign-in list of the voting members present is Attachment A (there were some other attendees but a sign-in sheet was not used).

I. BUSINESS ITEMS AND LTF ACTIVITIES

William Merry chaired the meeting and said that business items would not be discussed and would be taken up at the next meeting.

II. REVIEW OF PRIORITY LEGISLATION

Immediately preceding the LTF meeting was a LTF Round Table discussion on increasing diversion and the LTF White Paper.

LTF White Paper on Increasing Diversion Mandates and the Needed Tools

Glenn Acosta delivered a Powerpoint presentation on the LTF (Attachment B). Jim Babcock introduced three LTF members to give a short perspective on the white paper.

Lisa Wood gave a discussion on the challenges for the City of San Diego in increasing diversion programs including funding of solid waste services given the city's "people's ordinance", which provides for solid waste collection and disposal free of charge. She said that given the diversity around the state the legislature should not dictate how jurisdictions should achieve diversion but should leave discretion to local jurisdictions on how to implement diversion programs. Mark Bowers discussed that the white paper was a good joint effort at presenting issues related to potentially increasing state diversion mandates considering the complexities involved. Mike Mohajer discussed the need for allowing landfill diversion credit from alternative and conversion technology projects. He distributed a letter from ranking board members of the California Air Resources Board, CalRecycle, and the California Energy Commission in support of AB 222, which would help to enable and promote diversion from conversion technology projects.

After the presentation there was open discussion by the attendees on the presentation.

Selected Legislation

Tressa Wallace passed out and discussed a bill matrix. She noted that the matrix contained many bills and she would only focus discussion on the key bills, summarized in the table below.

Bill ID (Author)	Bill Content	Discussion/Position
AB2139 (Chesbro)	Product Stewardship	<p>It was discussed that this bill would be amended; in particular regarding materials covered such as removing pesticides and including antifreeze.</p> <p>Position: Watch and discuss next meeting</p>
AB 1858 (Blumenfield)/ (See also SB 1029, below)	Needles and Syringes Exchange	<p>Two items of concern were discussed. One was that the bill does not provide take-back and the second was that it had language that said “non-withstanding existing law”, which is of concern because it appears that it could preempt local land use decisions and law by allowing the state to site facilities even if in conflict with local governing decisions. It was discussed that the LTF should take a position of support if amended because the LTF supports the main content of the bill to promote safe use of sharps but would like the two concerns addressed.</p> <p>Motion: Nancy Ewert made a motion that the LTF should contact and/or write the authors’ offices regarding a support if amended position to address taking back needles in addition to just exchange to promote safe management of sharps and to delete the language or make appropriate language to not preempt local land use decisions regarding the state run exchange locations. Glenn Acosta seconded the motion.</p> <p>The Motion carried as all were in favor.</p> <p>Position: Support if Amended.</p>
SB 1029 (Yee)	Needles and Syringes Exchange	<p>This bill has similar concern as AB 1858 in that it does not mandate a take-back program.</p> <p>Motion: Mike Mohajer made a motion that the LTF should contact and/or write the authors’ offices regarding a support if amended position to address taking back needles at the regulated points of sale or exchange. Lisa Wood seconded the motion.</p> <p>The Motion carried as all were in favor.</p> <p>Position: Support if Amended.</p>
AB 1998 (Brownley)	Single use bags	<p>Tressa Wallace discussed that the bill was amended to ban all typed of single use bags (paper and plastic) from distribution by grocery stores that meet certain categories. The pros and cons of the issue were discussed as the LTF strongly supports elimination of dispensing plastic bags as a litter problem and problem for composting operations as they do not adequately break down; but is not as concerned about paper bags. The life cycle issues and shortcomings on life-cycle studies and other related issues were discussed.</p> <p>Motion: Glenn Acosta made a motion that the LTF should take a</p>

Bill ID (Author)	Bill Content	Discussion/Position
		<p>watch position on this bill and try to contact the authors' office to find out the rationale for changing the bill to include all single use bags. Nancy Ewert seconded the motion.</p> <p>The Motion carried as all were in favor.</p> <p>Position: Watch.</p>
AB2138 (Chesbro)	Single use recyclable packaging containers - Product Stewardship	<p>It was discussed that this bill would be require food providers to use single use carry-out bags or packaging that is recovered for composting or recycling at t rate of at least 25 percent.</p> <p>Motion: Mike Mohajer made a motion that the LTF should contact and/or write the authors' offices regarding a support if amended position to address concerns with composting of so called recyclable bags and that the legislation should be even stronger at include a 50 percent recovery rate. Rod Andrews seconded the motion/</p> <p>The Motion carried as all were in favor.</p> <p>Position: Support if Amended.</p>
AB2176 (Blumenfield)	Hazardous waste lighting products.	<p>It was discussed that this bill would regulate Class I mercury lamps and Class II lights that produce less than a certain amount of light per watt. It refers to European Union (EU) Standards. The LTF discussed that it supports the bill but would like to see the EU standard removed for other consistent language for the standard.</p> <p>Motion: Nancy Ewert made a motion that the LTF should support the bill with a suggestion that EU standard is replaced with a specific standard that is not tied to the EU. Mike Mohajer seconded the motion/</p> <p>The Motion carried as all were in favor.</p> <p>Position: Support if Amended.</p>
AB 2398 (Perez)	Product stewardship - carpet	<p>The LTF supports this bill.</p> <p>Motion: Mike Mohajer made a motion that the LTF should support the bill. Mark Bowers seconded the motion</p> <p>The Motion carried as all were in favor.</p> <p>Position: Support.</p>
SB 1100 (Corbet)	Product stewardship - batteries	<p>The LTF supports this bill.</p> <p>Motion: Lisa Wood made a motion that the LTF should support the bill. Nancy Ewert seconded the motion</p> <p>The Motion carried as all were in favor.</p> <p>Position: Support.</p>
AB 2562 (Fuentes)	Landfill Gas	<p>The bill would allow mixing of LFG with pipeline natural gas and repeal existing provisions for Class II and III landfills that require bi-monthly testing for vinyl chloride to assure limits below those</p>

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		<p>currently established by PUC. The pros and cons were discussed. A pro is that it would benefit LFG projects and given vinyl chloride would be at such low levels in the pipeline natural gas (which for natural gas already contains benzene) larger mix and then be combusted in final use, it should not be a concern. It was discussed that SWANA national has take a support position on this bill and the practice of mixing LFG with pipeline natural gas is currently allowed in other states. A con is that it could potentially allow some vinyl chloride in the pipeline to consumers and even though at very low levels it is not clear it would all be combusted. It was noted that Class III landfill gas also contains vinyl chloride and so it is not just a concern from Class I landfills.</p> <p>Mark Urquhart suggested that SWANA should be contacted to make sure the LTF position is not in conflict and cause concerns.</p> <p>Motion: Mike Mohajer made a motion that the LTF should take a support if amended position if the bill is modified to include some sort of science based testing of the LFG or pipeline mix. Glenn Acosta and Mark Bowers will work on the language of an LTF letter. It was mentioned that SWANA national should be contacted regarding the letter. Mark Bowers seconded the motion.</p> <p>The Motion carried as all were in favor.</p> <p>Position: Support if amended.</p>
SB 722 (1864 last year)	Renewable Energy Resources	<p>Mike Mohajer said that the LTF should oppose this bill. It was discussed that the bill is 40 to 50 pages and needs more time for the LTF to review before taking a position.</p> <p>Position: Watch (None yet).</p>

III. ADJOURNMENT

The meeting was adjourned about 5:30 PM.

**VOTING MEMBER ATTENDANCE LIST
SWANA LEGISLATIVE TASK FORCE MEETING
APRIL 16, 2010 – SAN LUIS OBISPO**

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	Mark Bowers	City of Sunnyvale	408- 730-7421	mbowers@ci.sunnyvale.ca.us
VM/Gold Rush	William Merry (Ch)	Monterey RWMD	831-384-5313	wmerry@mrwmd.org
VM/Founding	Glenn Acosta	LA County Sanitation Districts	562-699-7411	gacosta@lacsds.org
VM/Founding	Lisa Wood (VC)	City of San Diego	858-573-1236	lfwood@sanidiego.gov
VM/Founding	Mike Mohajer	Southern California Waste Management Forum	909-592-1147	mikemohajer@yahoo.com
VM/Sierra	Rod Andrews	Merced County DPW Solid Waste Division	209-385-7388	randrews@co.merced.ca.us
VM/Sierra	Jim Babcock	Malcolm Pirnie, Inc.	510-301-5063	jbabcock@pirnie.com
VM/Sierra	Nancy Ewert (T)	Kern County	661-862-8933	nancye@co.kern.ca.us
<i>SWANA LTF Legislative Assistant</i>	<i>Tressa Wallace</i>	<i>Shaw / Yoder / Antwih, Inc.</i>	<i>916-446-4656 Ext. 1025</i>	Tressa@shawyoderantwih.com

VM= Voting Member

Ch = Chair

VC = Vice Chair

T = Treasurer

S = Secretary

California's Diversion Success

Local governments and solid waste management companies have made enormous financial investments to create:

- Recycling Infrastructure
- Diversion programs
- Public awareness

Successful partnership between state and local governments

SWANA Legislative Task Force

WHITE PAPER

Achieving Greater Diversion in California:
Fundamental Strategies and Essential Tools



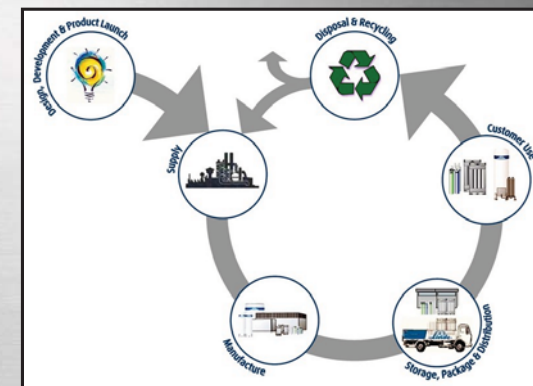
Achieving Greater Waste Diversion

- Tool 1: Product Stewardship
- Tool 2: True Lifecycle Assessment of Recycling Options
- Tool 3: Infrastructure and End Market Development
- Tool 4: New Technologies
- Tool 5: Clear Definition of Organic Waste Diversion Policies
- Tool 6: Local Government Discretion
- Tool 7: Funding to Implement New Programs
- Tool 8: Recognizing Value of Adequate, Safe Landfill Capacity

Product Stewardship

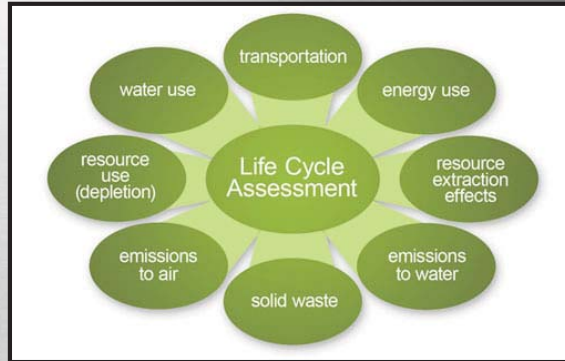
- Complete reuse cycle
- Design products and packages that are recyclable
- Producers, distributors and retailers involved in establishing end-of-life systems to manage difficult-to-recycle products
- Convenient return methods for consumer

Legislative incentives



True Life Cycle Assessment

- Life cycle assessment should be global so that all impacts and benefits are captured.
- As President Kennedy once said, "We all breathe the same air." Less stringent air standards overseas impacts us here.
- Accurate assessment of costs and environmental benefits lead to informed decisions on recycling choices



Infrastructure & End Markets

- Need sufficient markets for goods recovered
- State needs to provide incentives to develop robust markets and assistance to innovative businesses
- Streamline regulatory and permitting requirements to facilitate development of end markets and processing infrastructure



Keep green jobs in California

New Technologies

- Beneficially reuse end-of-line wastes to produce power, alternative fuels, and offer reusable products
- Remove existing regulatory and legislative barriers that force viable projects out of state
- Grant diversion credits
- Needed to achieve 2020 goal of 33% renewable energy



Organics Diversion

- Clear definition of organics will help tailor or target new diversion programs appropriately
- Streamlining regulatory and permitting requirements will help in siting new organics processing facilities
- Alternative technologies can help manage diverted organics



Local Government Discretion

- Types and mix of diversion infrastructure varies by jurisdiction
- Local government can select alternatives best suited for its community, increasing chance of success



Funding for New Programs

- Cities and counties grappling with budget deficits.
- Waste revenues significantly down; Existing programs cut.
- Capital is severely limited and funding new projects may not be possible.
- Increased diversion requires new or augmented public outreach and new infrastructure. New types of funding sources required.



Recognize Value of Landfills

- Landfills needed until infrastructure, markets, funds, public and political support in place to divert all wastes.
- Today's landfills are integrated facilities – recycling outlet for beneficial reuse of waste materials, renewable energy facilities, and produces clean fuels.
- Designed and operated to protect the environment and public health.



Panel Discussion

