



SWANA[®]

SOLID WASTE ASSOCIATION
of North America

**MINUTES OF SWANA CALIFORNIA LEGISLATIVE
TASK FORCE CONFERENCE CALL-MEETING**

April 8, 2004

By: Mark Urquhart, Secretary

CALIFORNIA CHAPTERS

FOUNDING

SIERRA

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LEGISLATIVE TASK FORCE

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The Legislative Task Force (LTF) telephone conference started at about 1:00 PM. A quorum was present as there were a total of 12 voting members present, and one from each chapter. The list of people that participated is Attachment A. The agenda (with addendum) is Attachment B. The items at the meeting were discussed generally in the order below, not necessarily according to the agenda order.

I. BUSINESS ITEMS AND LTF ACTIVITIES

Next LTF Meeting Date

At this point it was discussed that the next SWANA meeting would be at the SWANA Western Regional Symposium (WRS) on Tuesday May 4, 2004 from 4:30 to 6:00 PM.

Other

None.

II. LEGISLATION REVIEW

The agenda addendum was used (End of Attachment B) for discussions of legislation. The addendum contains a brief summary of bills, status, and the SWANA LTF position prior to the conference call. Discussion notes on selected bills from this list regarding: any change in the bill status, change or reiteration of LTF position, or other key discussion; are in the bullet list, below.

- AB 1802 – The LTF had a support letter ready but this bill was amended. Mike Mohajer said the changes involved wording from “shall” to “may” regarding cleanup and reducing the fines from \$25,000 to \$10,000 per day. The support position remains and the letter will be sent.
- AB 1867 – This bill is not a solid waste bill and will be dropped from the LTF review matrix.
- AB 1924 – Watch
- AB 1940 – The LTF is concerned that the push toward developing new lists of contaminants for “biomonitoring” will proliferate to the waste industry creating difficulties for disposal operations. This bill, although related more to manufacturers, will be watched.
- AB 2826 (not on addenda list but discussed at this point) – This is the SWANA LTF-sponsored bill that is being carried by Assemblyman Joe Canciamilla. Yvette Agredano said that language is being developed for hearing before the Assembly Natural Resources Committee. Based on stakeholder meeting discussions, the Solid Waste Industry Group (SWIG) [mostly private companies] want to include language that would limit the enforcement liability of owner/operators for unknowingly accepting banned materials. It was discussed that this is a bit of a new issue to the main thrust of the bill, which focuses on not banning materials without a plan for proper disposal strategies. Yvette Agredano said that she voiced this opinion for the LTF in discussions with the

stakeholder agencies. The LTF concurred that the focus should remain on having to plan for any proposed bans and that including additional liability language will make the bill more complex and possibly more difficult to pass. It was noted that the author of the bill will have the final say on this issue as well as the content of the bill. Yvette Agredano indicated that DTSC, and some other stakeholders also concurred with the LTF position that adding liability language increases the scope and complexity of the bill beyond the current main intent proposed by SWANA.

- AB 2254 – The LTF changed position on this bill from support to watch because the scope may be broader than the original intent which focused on including used oil filters in curbside recycling programs.
- AB 2277 – This bill will require a report by Cal EPA on appliance recycling requiring special handling by December 4, 2004. Watch
- AB 2297 – Watch. (Chris Gonaver noted that importation of candy from Mexico containing high content lead within the wrapper, which is then transferred to the candy is an issue). Sharon Green, LACSD, then asked if the issue of disposal would be a problem—if the candy is pulled from store shelves, where will it go?
- AB 2311- Support. It was discussed that sustainable building goals can help promote recycling but the bill may need further review as to how it will affect disposal.
- AB 2324 – Drop from the review list (but Shaw/Yoder, Inc. will monitor for any changes)
- AB 2587 – Watch
- AB 2701 – Support. (Yvette Agredano will provide the LTF with an analysis, Mike Mohajer will review the bill in more detail and Yvette will draft a support letter)
- AB 2943 – This Mercury related bill was amended since the previous support position was taken. The LTF decided to continue to support.
- SB 1168 – Watch – It was discussed that having too many biomonitoring lists can be burdensome and create difficult compliance issues.
- SB 1180 – Support with amendments position taken on March 26th stands.
- SB 1297 – Drop from bill matrix
- SB 1446 – Watch - Mark Urquhart said he thinks the LTF needs to develop a platform to deal with all the new “biomonitoring” bills. The position should include how to deal with all the new methods and lists that are being proposed in a consistent sense, and how they may be applied to environmental justice issues. There was general consensus by the LTF that a platform on biomonitoring is a good idea. It was suggested that this be discussed at the next LTF meeting.
- SB 1886 – Watch – This is a spot bill. David Myers noted that this bill provides a good mechanism to allow communities to become part of a District.
- SB 1906 – This bill prohibits certain types of support for CIWMB advisors. LTF will watch this bill as it may not be advantageous to support it.
- AB 2159 (not on list) – The LTF continues to oppose this bill as it is over a local issue from a specific fire in the past. The LEA's have enough authority now to prevent the conditions that are the focus of the bill. Yvette Agredano mentioned that the author's office would be providing the LTF with its proposed amendments; however, she did not feel that their description of the amendments would change the opposition position of the LTF.

III REGULATORY ISSUES

SB 20 Implementation Meeting:

It was noted that the LTF copied its letter of concern to the CIWMB members. The LTF will monitor the upcoming meeting on this issue.

Applications for Solid Waste Facility Permits and Reports of Waste Discharge

Yvette Agredano indicated that she would be receiving a letter of comments from the LACSD and that other comments could be forwarded to her to include in a letter by the LTF.

Training Certification for Landfill Managers and Inspectors

It was discussed that at the April 1, 2004 workshop in Los Angeles that LEA's wanted to add clear defined language for enforcement of the regulations. Larry Sweetser said it is his impression that the LEA's do not like SWANA being "the only game in town" as far as required courses. It was discussed that many LEA's do not like having to pay for this training in addition to their training as health professionals which is already required. Mike Mohajer said the LTF needs to pay attention to LEA concerns as they could affect the outcome of these regulations. The LTF discussed that the timelines in the current regulations are unreasonable. Yvette Agredano said that this issue, among others, was brought up to the CIWMB staff at both the Northern and Southern California workshops and they were receptive to these concerns. John Gullede said that other issues also need to be worked out, such as a mechanism to keep the copyrighted SWANA course out of the public record. There is also a lot of discussion from stakeholders on the provision for continuing education credits.

It was decided there would be a conference call on April 14th of the LTF subgroup to follow up on these issues. It was reiterated that Paul Yoder needed to talk to Linda Moulten-Patterson about championing the certification program.

IV. ADJOURNMENT

The meeting was adjourned around 3:00 PM.

ATTACHMENT A

ATTENDANCE LIST
 SWANA LEGISLATIVE TASK FORCE CONFERENCE CALL-MEETING
 APRIL 8, 2004

Voting Member Chapter	NAME	ORGANIZATION	PHONE	EMAIL
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VM/Southern	John Gullede	LA County Sanitation Districts	562-699-7411 ext 2401	jgullede@lacsdsd.org
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VM/Central	Daphne H. Washington	Kern County	661-862-8933	daphnew@co.kern.ca.us
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VM= Voting Member
 Ch = Chair
 VC = Vice Chair
 T = Treasurer
 S = Secretary



**SWANA LTF AGENDA - TELECONFERENCE
THURSDAY, APRIL 8, 2004, 1 P.M. TO 3 P.M.**



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ADDENDUM TO AGENDA

A SHAW Group Company F Meeting Minutes\SWANA LTF meeting minutes 04-08-04.doc
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CALL IN NUMBER: 877-544-3637

PASSCODE: 05081788 *Followed By the # Sign*

1. Business Items

- A. Introductions
- B. Next Meeting Date
- C. Other

2. Legislation Review – See attached Legislative Matrix and ~~PowerPoint presentation~~

3. Regulatory Issues

- A. [SB 20 Implementation Meeting](#): April 2nd to gather input from affected stakeholders and other interested parties relating to the implementation of the Electronic Waste Recycling Act of 2003 (SB 20, Sher, Chapter 562, Statutes of 2003).
 - i. [SWANA LTF Payment Recovery Systems Letter to the CIWMB](#), Dated April 2, 2004.
- B. [Application for Solid Waste Facility Permit/Waste Discharge Requirements](#): A 45-day public comment period runs from February 27 through April 12, 2004.
 - i. [Proposed Form](#), February 2004 (MS Excel, 145 KB): Proposed revised form CIWMB E-1-77 for 45-day notice.
 - ii. [Proposed Instructions](#), February 2004 (Word, 120 KB): Proposed regulatory text of revised instructions for completing CIWMB E-1-77 for 45-day notice.
 - iii. [Proposed Text](#), February 2004 (Word, 33 KB): Proposed regulatory text of revised section 21570, Title 27, CCR associated with changes to form CIWMB E-1-77 and instructions for 45-day notice.
- C. [Training Certification for Landfill Managers and Inspectors](#): Board staff will conduct informal workshops on March 30 and April 1 to solicit comments on informal draft regulation text.
 - i. 1st Draft Informal Text, March 5, 2004 ([Adobe PDF](#), 91 KB | [MS Word](#), 84 KB) Draft regulatory text.
 - ii. Summary of both workshops: Sacramento & Whittier
- D. Other

4. Other Business

5. Adjourn

[AB 1802](#) [Bogh, Russ \(R\)](#)

Relates to dumping of waste matter in commercial quantities in violation of existing law and provides such violation be punished by a fine in an amount that varies upon previous violations. Increases the amounts of the fines imposed for dumping waste matter in commercial quantities.

LTF Position: Support **Hearing: Third Reading File**

[AB 1876](#) [Chan, Wilma \(D\)](#)

Requires that, for public bay beaches, in multilingual areas, warning signs be multilingual. Requires permanent postings at storm drains at public bay beaches. Makes conforming changes. Deletes redundant provisions. **Hearing: 4/12/04 at 1:30 p.m.**

[AB 1924](#) [Bogh, Russ \(R\)](#)

Increases the fines for violating a closure proclamation of areas determined to be a menace to life or property due to conditions tending to cause or allow the rapid spread of fires. Increases the fines against any person who maintains any solid waste facility in violation of laws related to flammable solid waste. **Hearing: 4/19/04 at 1:30 p.m.**

[AB 1940](#) [Chan, Wilma \(D\)](#)

Relates to the screening levels for certain contaminants. Requires each manufacturer of a high production volume chemical or a reportable chemical for each high production volume chemical and reportable chemical imported into, or offered for sale in, the state by the manufacturer. Provides the Environmental Protection Agency with test methods, including chemical biomarkers of exposure, the octanol water partition coefficient and bioconcentration factor.

[AB 2254](#) [Aghazarian, Greg \(R\)](#)

Exempts a person from the requirement of managing a used oil filter as a hazardous waste, if the used oil is nonhazardous under the procedures in hazardous waste control laws and the federal Resource Conservation and Recovery Act. Exempts a used oil filter that is managed and recycled in compliance with certain requirements from regulation as a hazardous waste.

LTF Position: Support **Hearing: 4/13/04 at 1:30 p.m.**

[AB 2277](#) [Dymally, Mervyn \(D\)](#)

Requires the Secretary of Environmental Protection to establish an appliance recycling working group to undertake specified analysis and make specified determinations and recommendations, regarding the removal of materials that require special handling from major appliances.

Hearing: 4/13/04 at 1:30 p.m.

[AB 2297](#) [Vargas, Juan \(D\)](#)

Amends the Childhood Lead Poisoning Prevention Act. Requires the Department of Health Services to use certain fees to regulate the lead content of imported candy. Requires the department to test imported candy to determine the presence of lead, to issue related health advisories, to order removal of, and to embargo, imported lead candy found to contain lead. Authorizes the department to provide grants to environmental justice organizations.

Hearing: 4/20/04 at 1:30 p.m.

[AB 2311](#) [Jackson, Hannah-Beth \(D\)](#)

Provides the state sustainable building goal is to site, design, demolish, construct, renovate, operate and maintain state buildings that are models of energy, water and materials efficiency, while providing healthy, productive and comfortable indoor environments. Requires the Secretary for State and Consumer Services to facilitate the incorporation of sustainable building practices into the practices and policies of state agencies.

[AB 2324](#) [Chan, Wilma \(D\)](#)

Requires the Secretary of California Health and Human Services to convene a task force to delineate ways state agencies and departments can work together to eliminate the underlying determinants of racial and ethnic health disparities. Requires agencies and departments and the task force to file related reports. Requires the California Health and Human Services Agency to enhance its training programs. **Hearing:** 4/13/04 at 1:30 p.m.

[AB 2587](#) [Chan, Wilma \(D\)](#)

Prohibits the manufacturing, processing, selling or transferring of a product that contains more than 1/10 of 1% pentaBDE or octaBDE or a precursor of those substances. Exempts from the prohibition a product from which the sole source of PBDE is from a recycled material.

[AB 2701](#) [Runner, Sharon \(R\)](#)

Requires the California Integrated Waste Management Board to develop and implement guidelines to provide and produce reports and other documentation, including guidance documents, fact sheets, and other publications and written materials in the most efficient and environmentally sustainable manner possible. Requires the guidelines to include the distribution of reports and other documentation by electronic means and compact discs, and agency web sites. **Hearing:** 4/13/04 at 1:30 p.m.

[AB 2943](#) [Pavley, Fran \(D\)](#)

Enacts the Mercury Pollution Prevention Act of 2004. Prohibits any person from offering a mercury-added product for final sale or use or distributing a mercury-added product for promotional purposes unless the manufacturer of the mercury added product notifies the Department of Toxic Substances Control in writing. and unless both the product and packaging are labeled in accordance with regulations of the department.

LTF Position: Support **Hearing:** 4/13/04 at 1:30 p.m.

[SB 1168](#) [Ortiz, Deborah \(D\)](#)

Requires the Division of Environmental and Occupational Disease Control to establish the Health Californians Biomonitoring Program to assess a fee upon manufacturer or person who directly produce toxic chemicals. Lists toxic chemicals that are subject to this legislation. Provides for the establishment of an advisory panel to assist in this program. Provides for phased implementation of the program.

[SB 1180](#) [Figueroa, Liz \(D\)](#)

Enacts the California Mercury Lamp Recycling Act of 2004. Requires a retail purchaser who purchases a fluorescent lamp in this state to pay a fluorescent lamp recycling fee to the retail seller. Requires the Department of Toxic Substances Control to set the amount of the lamp

recycling fee at an amount that is sufficient to pay for the cost of recycling the fluorescent lamp. Establishes the Fluorescent Lamp Recycling Subaccount for the fees.

LTF Position: Support If Amended **Hearing: 4/19/04 at 1:30 p.m.**

[SB 1297](#) [Brulte, James \(R\)](#)

Provides for the purposes of the Sales and Use Tax Law that the terms sales price and gross receipts do not include the amount of any redemption payment imposed on beverage containers and identified for the consumer. Provides that the state shall not reimburse local agencies for sales and use tax revenues lost by them pursuant to this legislation. **Hearing: 4/14/04 at 1:30 p.m.**

[SB 1446](#) [Escutia, Martha \(D\)](#)

Requires the establishment of the Interagency Office of Environmental Health Tracking within the Division of Environmental and Occupational Disease Control within the State Department of Health Services for the purpose of implementing the environmental health tracking program.

Hearing: 4/12/04 at 1:30 p.m.

[SB 1886](#) [Committee on Environmental Quality, \(S\)](#)

Amends existing law that authorizes the legislative body of an incorporated city to contract for garbage collection and disposal. Removes the requirement that the city be incorporated.

[SB 1906](#) [Sher, Byron \(D\)](#)

Prohibits an Integrated Waste Management Board advisor from collecting per diem or travel expenses for attending a meeting at the board headquarters or for traveling to or from the board headquarters. Prohibits an appointed advisor from selecting an additional deputy or employee. Prohibits the board from expending any funds to pay the salary of a deputy or employee of an advisor. **Hearing: 4/19/04 at 1:30 p.m.**