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LEGISLATIVE TASK FORCE

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

May 3, 2012

By: Mark Urquhart, Secretary

The Legislative Task Force (LTF) meeting started at about 10:00 AM. A quorum was not present as there were no members from the Sierra Chapter present¹. However, there were 8 voting members present, including an acting alternate voting member for a portion of the call. The agenda is Attachment A. A list of the attendees is Attachment B. The items from the agenda below were not necessarily all discussed in the order listed.

Rumors and Gossip

- a. [CVS agrees to pay big fine in dumping case](#) – State fines to CVS for a total \$14M regarding pharmaceuticals and other materials.
- b. Recap of Western Regional Conference – Lisa Wood thanked Glenn Acosta for stepping in during LTF session.
- c. Cal Recycle transfer to EPA – Both budget subcommittees have approved the recommendation.
- d. Ojai has adopted a single use bag ordinance (44 cities and counties in CA now have) – This is trend and CEQA hurdle appears to be breached. Some cities are having scoping meetings and joint EIR documentation. There is a pending Prop 26 decision in LA being appealed.
- e. Other

BUSINESS ITEMS AND LTF ACTIVITIES

Approval of Minutes from March 1, 2012 [Sacramento] and March 20, 2012 [Special Regulatory Phone] Meetings:

Lisa Wood asked for comments on these minutes. Mark Urquhart noted that the heading on the March 1 2012 draft minutes need to be changed to indicate that it was an in person meeting in Sacramento (not a phone meeting); and that the date on the draft heading for the March 20, 2012 meeting needed to be corrected (corrected from February 1, 2012).

Motion:

A motion was made by Mike Mohajer and seconded by William Merry to approve the minutes from the meetings with corrections listed above. The motion carried, as all were in favor.

¹Two Sierra chapter voting members had previously indicated prior to the call that they could not attend. All motions were unanimous, therefore a majority of all 15 LTF voting positions.

Treasurer's Reports

Mark Bowers noted that the February and March reports were circulated prior to the meeting (Attachments C and D). He discussed that the payments to Shaw/Yoder/Antwih (SYA) were pretty routine. He said that contribution request letters are planned to be sent in near future. He noted that he and Nancy Ewert are still trying to work out logistics of executing transfer of the signatory on LTF account to him.

Motion:

A motion was made by Mike Mohajer and seconded by Glenn Acosta to approve both the February and March 2012 treasurer's reports. The motion carried, as all were in favor.

LEGISLATIVE ITEMS

The following is a summary of the discussions of selected bills on the matrix headed by Jason Schmelzer.

a. AB 1019 (Speaker Perez): Solid Waste, Carpet Stewardship

It was discussed that the Prop 26 issue was raised but CalRecycle intends to move ahead. Jason Schmelzer noted that the bill to circumvent the lawsuit issue (1019) will probably not move. There could be Prop 26 lawsuits filed later.

b. AB 1442 (Wieckowski): Pharmaceutical Waste

The bill is on a suspense file. The LTF sent a **support** letter on the bill.

c. AB 1647 (Gordon): Solid Waste, Waste Tires, Enforcement

This bill is primarily in regard to tires going to China being burnt as fuel. CalRecycle has indicated that it is not a key concern of their department. It was discussed that LTF could support this bill to help foster tire recycling in California and due to the issue of tire incineration practices in China not being environmentally sound. It was noted that some California tire recycling businesses are having trouble making loan payments (for loans from the state tire fund) while competing with cheap China export shipping for incineration.

Motion:

A motion was made by Mike Mohajer and seconded by Sharon Green to **support** AB 1647. The motion carried, as all were in favor. Jason Schmelzer will draft a support letter for circulation and approval by the LTF.

d. AB 1831 (Dickinson): Local Government Hiring Practices

The LTF is currently **opposed** to this bill. The bill will be going to floor for a vote. The LTF will send an oppose letter to be considered in floor vote. It was discussed that League of California Cities and California State Association of Counties have concerns and Regional Council of Rural Counties (RCRC) are currently opposed.

e. AB 1900 (Gatto): Renewable Energy Resources: Biomethane

Jason Schmelzer noted that he intends to send letter based on last meeting discussion. During discussion it was noted that this bill is in some ways comparable to AB 2196, and it was noted that “zero emissions” was being applied to the gasification process regarding any air emissions and wastewater discharges. However, Sharon Green noted that latest version had changes and is joined to AB 2196 and this issue may have been removed from AB 1900. After long discussion, it was decided that this bill needs further analysis. It was discussed that LTF might support the bill but it was also discussed that there is a bigger picture issue that needs to be raised to try to remove restrictions regarding the impractical “zero emissions” standard which would be applied to conversion technologies. It was also discussed that maybe that issue cannot be resolved by opposing this bill but the bigger issue could be brought up in a letter given that this bill is “joined” with AB 2196.

It was decided to group AB 1900 and AB 2196 together and have an LTF subcommittee review and draft a letter for the LTF on the issue (Including suggested reading analysis AB 1900 by Assembly Natural Resources staff). The subcommittee will be Sharon Green, Mike Mohajer, Mark Urquhart and Larry Sweetser. A conference call of the subcommittee was set for May 7, 2012 at 2:00PM.

f. AB 2257 (Achadjian): Nuisance Landfill Activities

It was discussed that this bill could supersede local control on land use concerns. There was a debate regarding wording in the bill protecting local land use authority as to whether it adequately addresses the concern of loss of local control. It was decided that the LTF would consider the bill further and try to get an opinion from Constance Hornig on the issue. A long discussion ensued on some of the issues surrounding the bill.

g. AB 1933 (Gordon): Beverage Containers: Enforcement

This bill regarding limiting amount of recyclable materials in loads at recycling centers had some concerns with the RCRC. It was decided that Jason Schmelzer would tell CalRecycle that the LTF will support the bill when RCRC concerns are addressed. Jason Schmelzer will call RCRC and discuss their specific concerns prior to calling CalRecycle.

h. AB 2387 (Smyth): Occupational Safety and Health

It was noted that the LTF has a **support** position on this bill. Jason Schmelzer said the bill is still moving.

i. SB 964 (Wright): State Water Resources Control Board and California Regional Water Quality Control Boards / SB 965 (Wright): State Water Resources Control Board and California Regional Water Quality Control Boards: ex parte communications.

It was discussed that an amended version of SB 965 is been revised to be similar to AB 2263. Both bills are out of policy committee (AB 964 died). It was noted that water boards may not like the bills as being too demanding. It was decided that the LTF would **support** the bill.

j. SB 1118 (Hancock): Solid Waste: Used Mattresses

Jason Schmelzer discussed that CalRecycle has some concerns and others have issues about fees. CalRecycle has asked for LTF input. It was discussed that the \$25 advance disposal fee and how that fee is handled is a concern and bill should be instead be modeled on prior implemented (paint, etc.) EPR programs.

Motion:

A motion was made by Mike Mohajer and seconded by Larry Sweetser to take an **oppose unless amended** position on SB 1118. The LTF would send a letter (but not testify at committee at this late date) as such. The motion carried, as all were in favor. Jason Schmelzer will draft a letter for circulation and approval by the LTF.

k. AB 2336 (Mansoor): Plastic Products: Labeling

Jason Schmelzer said that this bill is dead.

l. SB 1106 (Strickland): Recycling Reusable Bags

Jason Schmelzer said that this bill is dead.

m. AB 1834 (Brownley): Recycling Reusable Bags

Jason Schmelzer noted that this bill would preempt local ordinances. It was decided the LTF will continue to **watch** the bill.

n. SB 1219 (Wolk): Recycling Plastic Bags

The LTF will continue to **watch** this bill.

o. AB 480 (Solorio): Insurance, Solid Waste Facilities

The LTF is currently opposed. Chuck White of WMI had sent additional information to the LTF on the bill. Glenn Acosta said LACSD is abstaining. It was noted that there were some recent amendments. There was discussion that some believe that Subtitle D may not allow self-insurance, an opinion that WMI disagrees with. After discussion, the LTF will continue to **oppose**.

p. Other

David Tieu noted that AB 2090 deals with regulatory reform. He said that LTF may want to follow this bill. Major regulation currently is more than a \$50M impact to stakeholders is required to perform economics analysis. The bill would lower threshold from \$50M to \$15M. Jason Schmelzer noted that these bills have been killed in the past, but this one is moving.

Motion:

A motion was made by Mike Mohajer and seconded by Glenn Acosta to **support** this bill. The motion carried, as all were in favor. Jason Schmelzer will draft a letter for circulation and approval by the LTF.

REGULATORY MATTERS

- a. **Compost Regulations** – It was noted that CalRecycle is looking at the definition of food waste.
- b. **Paint EPR and PaintCare Stewardship Plan**; Larry Sweetser, and Mike Mohajer – Mike Mohajer said that April 13 version addressed major concern regarding Paint Care coordinate with local HHW programs. LTF discussed that Paint Care program ignored regulations. This issue is still being dealt with in the Office of Administrative Law.
- c. **AB 341 “Equivalent Diversion”** (Issue paper Attached) - Tours that CalRecycle is taking are result of concerns by LTF and others. Lisa Wood said she had started a draft white paper. She asked that the LTF review that for potential use with CalRecycle. CalRecycle will be having workshops in Sacramento and Diamond Bar; also discussing the 2020 goal issue.
- d. **Waste Discharge Requirement Fee** (discussion matrix; Larry Sweetser, David Tieu, Nancy Ewert/Eric Greenwood, Lisa Wood, and Sharon Green subcommittee) - A matrix was started prior to the meeting (Kern County and others) and needs more fleshing out.
- e. **New WDRs/Fees for closed landfill sites and burn dumps** – David Tieu noted that Region 9 will be going to Board revising WDR for closed and burn dumps with more stringent standards. David Tieu said that it appears that Region 9 RWQCB is ignoring a lot of the comments. Unfortunately stakeholders cannot have further discussions at this time. He noted that Region 8 is being more open to input from stakeholders.
- f. **Other** – No items.

ADJOURNMENT

The meeting was adjourned about 12:02 PM.

SWANA Legislative Task Force Meeting Agenda

Thursday, May 3, 2012

Call in number 1-800-867-2581

Access# 1006105

I. Rumors and Gossip

- a. [CVS agrees to pay big fine in dumping case](#)
- b. Recap of Western Regional Conference.
- c. Cal Recycle transfer to EPA
- d. Ojai has adopted a single us bag ordinance (44 cities and counties in CA now have).
- e. Other

II. Business Items

- a. Approval of March Meeting Minutes (Attached)
- b. Treasurer's Report: March and April (Pending)

III. Legislative Items

- a. [AB 1019 \(Speaker Perez\): Solid Waste, Carpet Stewardship ANALYSIS](#)
- b. [AB 1442 \(Wieckowski\): Pharmaceutical Waste ANALYSIS](#)
- c. [AB 1647 \(Gordon\): Solid Waste, Waste Tires, Enforcement ANALYSIS](#)
- d. [AB 1831 \(Dickinson\): Local Government Hiring Practices](#)
- e. [AB 1900 \(Gatto\): Renewable Energy Resources: Biomethane ANALYSIS](#)
- f. [AB 2257 \(Achadjian\): Nuisance Landfill Activities](#)
- g. [AB 1933 \(Gordon\): Beverage Containers: Enforcement ANALYSIS](#)
- h. [AB 2387 \(Smyth\): Occupational Safety and Health ANALYSIS](#)
- i. [SB 964 \(Wright\): State Water Resources Control Board and California Regional Water Quality Control Boards / SB 965 \(Wright\): State Water Resources Control Board and California Regional Water Quality Control Boards: ex parte communications. SB 964 ANALYSIS / SB 965 ANALYSIS](#)
- j. [SB 1118 \(Hancock\): Solid Waste: Used Mattresses ANALYSIS](#)

- k. [AB 2336 \(Mansoor\)](#): Plastic Products: Labeling
[ANALYSIS](#)
- l. [SB 1106 \(Strickland\)](#): Recycling Reusable Bags
[ANALYSIS](#)
- m. [AB 1834 \(Brownley\)](#): Recycling Reusable Bags
[ANALYSIS](#)
- n. [SB 1219 \(Wolk\)](#): Recycling Plastic Bags
[ANALYSIS](#)
- o. [AB 480 \(Solorio\)](#): Insurance, Solid Waste Facilities
[ANALYSIS](#)
- p. Other

IV. Regulatory Items

- a. Compost Regulations.
- b. Paint EPR and [PaintCare Stewardship Plan - Larry Sweetser, and Mike Mohajer](#)
- c. [AB 341 "Equivalent Diversion" – Issue paper \(Attached\)](#).
- d. [Waste Discharge Requirement Fee – discussion matrix \(Attached\)](#). Larry, David, Nancy/Eric Greenwood, Lisa, and Sharon are on the committee working on this. Please provide input to them.
- e. New WDRs/Fees for closed landfill sites and burn dumps – David Tieu
- f. Other

V. Top Do's

- a. Anita: Thank you note sent to Matt Cotton. Complete.
- b. LTF Officers to decide how to follow up on Justin's offer to assist on the CT issue. Pending.
- c. Jason/Anita to follow up on asphalt bill, propane tanks. Pending.
- d. LTF to consider issues associated with autos shredder fluff as ADC for Carroll. Ongoing.
- e. White paper on 75% to be updated. Pending.
- f. Other

VI. Other

ATTENDANCE LIST
SWANA LEGISLATIVE TASK FORCE TELEPHONE MEETING MAY 3, 2012

VOTING MEMBER CHAPTER	NAME	ORGANIZATION	PHONE	EMAIL
VM/Gold Rush	William Merry	Monterey RWMD	831-384-5313	wmerry@mrwmd.org
VM/Gold Rush	Mark Urquhart (S)	HDR Engineering, Inc.	916-817-4933	mark.urquhart@hdrinc.com
VM/Gold Rush	Larry Sweetser	Sweetser and Associates/ESJPA	510-703-0898	sweetser@aol.com
VM/Gold Rush	Mark Bowers (T)	City of Sunnyvale	408- 730-7421	mbowers@ci.sunnyvale.ca.us
VM/Founding	Glenn Acosta	LA County Sanitation Districts	562-699-7411	gacosta@lacsdsd.org
VM/Founding	Mike Mohajer	Southern California Waste Management Forum	909-592-1147	mikemohajer@yahoo.com
VM/Founding	John Gulledege	LA County Sanitation Districts	562-699-7411 ext 2401	jgulledege@lacsdsd.org
VM/Founding	Lisa Wood (C)	City of San Diego	858-573-1236	lfwood@sandiego.gov
ALT VM/Founding	Sharon Green	LA County Sanitation Districts	562-699-7411	sgreen@lacsdsd.org
Founding	David Tieu	OC Waste and Recycling	714-834-4064	David.Tieu@ocwr.ocgov.com
Gold Rush	Allison Hudson	San Joaquin County	209-468-3066	ahudson@sjgov.org
<i>SWANA CA Chapters Legislative Advocate</i>	<i>Jason Schmelzer</i>	<i>Shaw / Yoder / Antwih, Inc.</i>	<i>916-446-4656</i>	<i>Jason@shawyoderantwih.com</i>

VM= Voting Member

Ch = Chair

VC = Vice Chair

T = Treasurer

S = Secretary

SWANA LEGISLATIVE TASK FORCE - 2012 BUDGET			
February 2012 Treasurer's Report			
BEGINNING ACCOUNT BALANCE - 1/1/2012	\$ 46,662.50		
Release from Reserves	\$ 11,435.00		
Starting Cash Balance	\$ 35,227.50		
REVENUES			
	Annual	Monthly	YTD
DUES SURCHARGE (\$30 / MEMBER)	\$ 21,000.00		
Jan Dues		\$1,170.00	
Feb Dues		\$1,980.00	
Mar Dues			
Apr Dues			
May Dues			
June Dues			
July Dues			
Aug Dues			
Sept Dues			
Oct Dues			
Nov Dues			
Dec Dues			\$3,150.00
WESTERN REGIONAL SYMPOSIUM	\$ 7,500.00		
			\$0.00
MOLO COURSE REVENUES	\$ 5,000.00		
			\$0.00
AGENCY CONTRIBUTIONS	\$ 15,000.00		
Clovis			
Kern County			
San Joaquin County			
City of Folsom			
Merced County			
LA County			
City of Sunnyvale			
City of San Diego			
Monterey RWMD			
Placer County			
City of Tulare			
Salinas IWMA			\$0.00
INTEREST	\$ 5.00		
Jan-12		\$0.40	
Feb-12		\$0.38	
Mar-12			
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$0.78
RELEASE FROM RESERVES	\$11,435.00		
			\$0.00
TOTAL BUDGETED REVENUES	\$ 59,940.00		\$3,150.78

EXPENSES			
	Annual	Monthly	YTD
REGULATORY REVIEW	\$ 12,000.00		
Jan-12			
Feb-12			
Mar-12			
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$0.00
SHAW / YODER, INC. CONTRACT	\$ 38,940.00		
	Cashed		
Jan-12			
Feb-12			
Mar-12			
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$0.00
SHAW / YODER, INC. ADMIN. EXPENSES	\$ 2,000.00		
Jan-12			
Feb-12			
Mar-12			
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$0.00
WEBSITE DEV/MAINTENANCE & ROSTER	\$ 500.00		
Jan-12			
Feb-12			
Mar-12			
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$0.00
MTGS/TELECONFERENCE/WORKSHOP	\$ 4,500.00		
Jan-12			
Feb-12			
Mar-12			
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$0.00
CONTINGENCIES / SPECIAL PROJECTS	\$ 2,000.00		
			\$0.00
TOTAL BUDGETED EXPENSES	\$ 59,940.00		\$0.00
February Account Balance			\$49,813.28
PROJECTED CARRY OVER TO 2012	\$ 35,227.50		

SWANA LEGISLATIVE TASK FORCE - 2012 BUDGET			
March 2012 Treasurer's Report			
BEGINNING ACCOUNT BALANCE - 1/1/2012	\$ 46,662.50		
Release from Reserves	\$ 11,435.00		
Starting Cash Balance	\$ 35,227.50		
REVENUES			
	Annual	Monthly	YTD
DUES SURCHARGE (\$30 / MEMBER)	\$ 21,000.00		
Jan Dues		\$1,170.00	
Feb Dues		\$1,980.00	
Mar Dues		\$3,810.00	
Apr Dues			
May Dues			
June Dues			
July Dues			
Aug Dues			
Sept Dues			
Oct Dues			
Nov Dues			
Dec Dues			\$6,960.00
WESTERN REGIONAL SYMPOSIUM	\$ 7,500.00		\$0.00
MOLO COURSE REVENUES	\$ 5,000.00		\$0.00
AGENCY CONTRIBUTIONS	\$ 15,000.00		
Clovis			
Kern County			
San Joaquin County			
City of Folsom			
Merced County			
LA County			
City of Sunnyvale			
City of San Diego			
Monterey RWMD			
Placer County			
City of Tulare			
Salinas IWMA			\$0.00
INTEREST	\$ 5.00		
Jan-11		\$0.40	
Feb-11		\$0.38	
Mar-11		\$0.38	
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$1.16
RELEASE FROM RESERVES	\$11,435.00		
			\$0.00
TOTAL BUDGETED REVENUES	\$ 59,940.00		\$6,961.16

EXPENSES			
	Annual	Monthly	YTD
REGULATORY REVIEW	\$ 12,000.00		
Jan-11		\$1,000.00	
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$1,000.00
SHAW / YODER, INC. CONTRACT	\$ 38,940.00		
Cashed			
Jan-11		\$3,245.00	
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$3,245.00
SHAW / YODER, INC. ADMIN. EXPENSES	\$ 2,000.00		
Jan-11		\$95.63	
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$95.63
WEBSITE DEV/MAINTENANCE & ROSTER	\$ 500.00		
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
MTGS/TELECONFERENCE/WORKSHOP	\$ 4,500.00		
Jan-11			
Feb-11			
Mar-11			
Apr-11			
May-11			
Jun-11			
Jul-11			
Aug-11			
Sep-11			
Oct-11			
Nov-11			
Dec-11			\$0.00
CONTINGENCIES / SPECIAL PROJECTS	\$ 2,000.00		
			\$0.00
TOTAL BUDGETED EXPENSES	\$ 59,940.00		\$4,340.63
March Account Balance			\$49,283.03
PROJECTED CARRY OVER TO 2012	\$ 35,227.50		