



SWANA[®]
SOLID WASTE ASSOCIATION
of North America

CALIFORNIA CHAPTERS

FOUNDING

SIERRA

GOLDRUSH

LEGISLATIVE TASK FORCE

www.swanacal-leg.org

LEGISLATIVE ADVOCATES

PAUL J. YODER

JASON SCHMELZER

Shaw/Yoder/Antwih, Inc.

1415 L Street, Suite 1000

Sacramento, CA 95814

(916) 446-4656

FAX (916) 446-4316

paul@shawyoderantwih.com

jason@shawyoderantwih.com

CHAIR

LISA WOOD

CITY OF SAN DIEGO

9601 Ridgehaven Court #210

San Diego, CA 92123

lwood@sandiego.gov

VICE CHAIR

NANCY L. EWERT, PE.

KERN COUNTY

2700 M Street, Suite 500

Bakersfield, CA 93301

nancye@co.kern.ca.us

TREASURER

MARK BOWERS

CITY OF SUNNYVALE

456 W. Olive Ave

PO Box 3707

Sunnyvale, CA 94088

mbowers@ci.sunnyvale.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 TELEPHONE MEETING**

June 4, 2012

By: Mark Urquhart, Secretary

The Legislative Task Force (LTF) meeting started at about 10:00 AM. A quorum was present as there were 12 members present and at least eight LTF members and one member from each chapter present. 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

Lisa Wood briefly noted the following items listed below. She noted that she had listened to the “garbology” NPR interview and found it interesting, but not overly or as troubling as was brought up on the prior call.

- a. [Commercial Food Waste](#) (Massachusetts bans food waste) – Considering ban on commercial food waste.
- b. [When the Devices Are Done: Technology Just Gets Better, But Recycling It Can Be Complex](#) (Where you can recycle e-waste)
- c. [A Recycling Czar for New York City](#) (Here’s hoping this guy can help NY do better!)
- d. [Court strikes down Waimanalo Gulch landfill restriction](#) (Can’t be shut down when it is the only game on the island)
- e. [Municipalities save money collecting trash](#) (Anti-privatization article)
- f. [Connecticut could become the first state to require recycling of mattresses](#)
- g. [Florida School Sets World Record for Recycling](#) (Comments point out that more recycling can be bad environmentally)
- h. [One of the Fine Points: Waste Compaction](#) (by our very own Neal Bolton)
- i. “Garbology” discussion from last month (Terri Gross interview)
- j. Report out from Mike, Sharon, Larry, Mark on May 7 biomethane conference call.

BUSINESS ITEMS AND LTF ACTIVITIES

a) Approval of Minutes from May 3, 2012 Phone Meeting

Lisa Wood asked for comments on these minutes. Mike Mohajer requested that the text on top of page three be revised to indicate “*zero emissions*” was being applied to the gasification process regarding any air emissions and wastewater discharges. Mike Mohajer also noted that the minutes noted there was not a quorum present given no Sierra Chapter members present, although the minutes indicate passed motions. Mark Urquhart explained that he noted the lack of a quorum from the Chapter absence after the meeting but also noted that given the motion votes that even if five members from the Sierra Chapter were present none of the motions would have resulted differently. He indicated that was the reason for the footnote on page 1.

Motion:

A motion was made and seconded to approve the minutes from the meeting with the change listed above. The motion carried, as all were in favor.

b) May LTF Meeting Attendance

Lisa Wood noted that Mark Urquhart is keeping track of attendance of voting members.

c) Treasurer’s Reports

Mark Bowers noted that the April and May reports were circulated prior to the meeting (Attachments C and D).

Motion:

A motion was made and seconded to approve both the April and May 2012 treasurer’s reports. There was no discussion. The motion carried, as all were in favor.

CALRECYCLE 75% REDUCTION PLAN

Lisa Wood discussed she had made one more additional comment after some circulation. Glenn Acosta suggested that letter could be reformatted with cover letter to more detail information in an attachment to be more readable. It was suggested that detail should be broken into headings. It was decided that Lisa Wood will reformat and circulate it for additional comments. It will be sent before next meeting.

There was some discussion regarding recognizing that the Plan is not set up for jurisdiction compliance. However, there are LTF concerns regarding how it would be implemented on the state level in top down approach, where the jurisdictions may be held to the state approach on programs. There was a lot of discussion of how CalRecycle staff appears to be overstepping their authority in requiring detailed reports and changing jurisdictions reports based on informal conversations, ect. On the big picture, the letter needs to highlight some major concerns regarding the state versus jurisdictional control. There was a lot of discussion on how CalRecycle staff has gotten out in front of regulations and overstepped bounds in the past.

It was discussed that a subgroup of the LTF would meeting with Justin Malan (lobbyist for LEAs and others) and the CalRecycle staff on the same day in Sacramento. Discussions with Justin Malan would include the issue of Conversion Technology (CT) as follow to the prior LTF subgroup meeting, and could include other items. It was discussed that the meeting coordinated

by Justin Malan would include some “opponent” groups of CT with the intent to generally discuss positions while looking for common ground, where possible. The meeting with CalRecycle would discuss concerns about implementation of the CalRecycle 75% diversion plan. It was decided that the LTF officers will attend the meeting to keep group size manageable.

PLASCO COMMENT LETTER

An edit to the letter requested by Mike Mohajer and sent via email. Lisa Wood will make that change and send the letter out. The letter will add cc’s to the governor and Assembly Natural Resources Committee.

LEGISLATIVE ITEMS

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

- a. Bill matrix attached
- b. Report out from Jason or Constance on AB 2257 (nuisance) legal issues - Jason Schmelzer said that the bill is dead. Constance Hornig provided a lot of technical changes to Paul Yoder and if the bill comes back that feedback to the author will be available. Mike Mohajer noted that he was contacted by author’s office and noted that the bill could come back next year. It was noted that the LTF is consistent in the opinion that specific local issues should not be solved by state legislation.
- c. Report out from Jason about CalRecycle’s reaction to LTF Regional Council of Rural Counties (RCRC) concerns with AB1933 (bottle bill) - Jason Schmelzer said that the RCRC will not take a position on this bill. After some discussion it was decided that LTF will also not take a position.
- d. **AB 480 (Solorio) Insurance, solid waste facilities.** Senate Appropriations Committee-- Oppose

Jason Schmelzer said that the bill has passed out of the Senate EQ Committee. The question came up to Jason Schmelzer as to whether there had ever been an example of problems with captive insurance. Jason Schmelzer felt that without an example that opposition to the bill might not be effective. Chuck White said that companies can only provide captive insurance if they are very robust and under regulated requirements [for Waste Management Inc. (WMI) in Vermont]. Mike Mohajer noted that CalRecycle has had concern with captive insurance in the past. Mark Bowers noted an example and concern also. Rosalie Mule also noted that WMI is trying to address CalRecycle concerns in the bill that include using captive insurance for only 50%, including a study to follow, and a sunset date. It was discussed that raising concerns about this bill might open up scrutiny of financial assurance in general.

There was considerable and lengthy discussion and debate on this bill. Jason Schmelzer noted that he had talked with a person with the state insurance agency that is following this bill closely and was told that unless the LTF can find a specific example of where captive insurance has failed that it will be hard to mount effective opposition to the bill. It was decided that the issue would be decided in a call set up for this bill for LTF voting members and email voting made available after the call.

e. [AB 812](#) (**Ma**): Solid waste: recycled asphalt Senate Transportation and Housing Committee June 6—Support

Jason Schmelzer said this bill has been frozen since January.

f. [AB 1442](#) (**Wieckowski**): Pharmaceutical waste. Senate Rules Committee – Support

Jason Schmelzer said this bill is moving.

g. [AB 1647](#) (**Gordon**): Solid waste: waste tires: enforcement Senate Rules Committee—Support

Jason Schmelzer said this bill is moving but opposed by republicans.

h. [AB 1831](#) (**Dickinson**): Local government: hiring practices Senate Rules Committee—Oppose

Jason Schmelzer said this bill barely passed out of Assembly. The LTF will organize with opponents in the senate.

i. [AB 2090](#) (**Berryhill**): Regulations Dead (Held in Assembly Appropriations)- Support

j. [AB 2387](#) (**Smyth**): Occupational safety and health: local public entities: penalty moneys: grants - Dead (Held in Assembly Appropriations)—Support

k. [SB 964](#) (**Wright**): Administrative Procedure Act: State Water Resources Control Board and California regional water quality control boards – Dead; Support in Concept

l. [SB 965](#) (**Wright**): State Water Resources Control Board and California regional water quality control boards: ex parte communications Assembly Rules Committee—Support

Jason Schmelzer said this bill passed out of the Senate easily. The LTF will continue to support the bill in the assembly.

m. [SB 1118](#) (**Hancock**): Solid waste: used mattresses.- Assembly Rules Committee—Oppose Unless Amended

Jason Schmelzer said this bill is still developing and author is looking to fund out of the abandoned waste cleanup bill. He said some opposition from businesses is mounting. There are disagreements between proponents that are being worked out. The LTF discussed it is not opposed to mattress recycling but feels the current bill with not work well.

Other:

- **Other General Bill Topics** - Jason Schmelzer noted there could be polystyrene, sharps, CFL, and bag bills coming up later in sessions. SG and DT brought up two related bills 965 and 2063 (regulatory board member meeting rules) and asked status. It was discussed that it is not clear where these bills are headed.
- **AB 1900 and 2196** (regarding renewable energy/CT) – SG discussed that she had send some detail out on the issue and Mike Mohajer also had comments circulated. Her opinion was Watch 1900 and Support 2196. Mike Mohajer said he favors an *oppose unless amended* position on 2196; and also an oppose position on 1900. It was noted that the subcommittee had a call on these related bills and due to complexity could not come up with agreement on a position. The subcommittee will continue to discuss the bills. Jason Schmelzer will set up subcommittee conference call on this.
- **AB 1178** - Jason Schmelzer noted that a new version similar to AB 1178 (2011) will likely not get moving.

REGULATORY MATTERS

WDRs and Fees – There was short discussion that the LTF needs to keep involved with this.

ADJOURNMENT

The meeting was adjourned about 12:02 PM.

SWANA Legislative Task Force Meeting Agenda

June 7, 2012

Call in number 1-800-867-2581

Access# 1006105

I. Rumors and Gossip

- a. [Commercial Food Waste](#) (Massachusetts bans food waste)
- b. [When the Devices Are Done: Technology Just Gets Better, But Recycling It Can Be Complex](#) (Where you can recycle e-waste)
- c. [A Recycling Czar for New York City](#) (Here's hoping this guy can help NY do better!)
- d. [Court strikes down Waimanalo Gulch landfill restriction](#) (Can't be shut down when it is the only game on the island)
- e. [Municipalities save money collecting trash](#) (Anti-privatization article)
- f. [Connecticut could become the first state to require recycling of mattresses](#)
- g. [Florida School Sets World Record for Recycling](#) (Comments point out that more recycling can be bad environmentally)
- h. [One of the Fine Points: Waste Compaction](#) (by our very own Neal Bolton)
- i. "Garbology" discussion from last month (Terri Gross interview)
- j. Report out from Mike, Sharon, Larry, Mark on May 7 biomethane conference call.
- k. Other

II. Business Items

- a. Approval of May Meeting Minutes – (attached)
- b. May Attendance (or, The Missing Chapter)
- c. Treasurer's Report: May – (pending)

III. CalRecycle 75% Recycling Plan (attached)

- a. Discussion of draft comment letter and other potential action.

IV. Plasco Comment Letter (attached)

V. Legislative Items

- a. Bill matrix attached
- b. Report out from Jason or Constance on AB 2257 (nuisance) legal issues.
- c. Report out from Jason about CalRecycle's reaction to our RCRC concerns with AB1933 (bottle bill)
- d. [AB 480 \(Solorio\) Insurance, solid waste facilities.](#)
 - i. Senate Appropriations Committee-- Oppose
- e. [AB 812 \(Ma\): Solid waste: recycled asphalt](#)
 - i. Senate Transportation and Housing Committee June 6—Support
- f. [AB 1442 \(Wieckowski\): Pharmaceutical waste.](#)
 - i. Senate Rules Committee – Support
- g. [AB 1647 \(Gordon\): Solid waste: waste tires: enforcement](#)
 - i. Senate Rules Committee—Support
- h. [AB 1831 \(Dickinson\): Local government: hiring practices](#)
 - i. Senate Rules Committee—Oppose
- i. [AB 2090 \(Berryhill\): Regulations](#)

- i. Dead (Held in Assembly Appropriations)- Support
- j. **AB 2387 (Smyth)**: Occupational safety and health: local public entities: penalty moneys: grants.
 - i. Dead (Held in Assembly Appropriations)—Support
- k. **SB 964 (Wright)**: Administrative Procedure Act: State Water Resources Control Board and California regional water quality control boards.
 - i. Dead—Support in Concept
- l. **SB 965 (Wright)**: State Water Resources Control Board and California regional water quality control boards: ex parte communications
 - i. Assembly Rules Committee—Support
- m. **SB 1118 (Hancock)**: Solid waste: used mattresses.
 - i. Assembly Rules Committee—Oppose Unless Amended

VI. Regulatory Items

VII. To Do's

- a. WDRs. Slow progress is being made by the subcommittee on an approach to fee structure.
- b. Jason to draft support letter for AB147 (tires). Done.
- c. Jason to draft support for AB2090 (economics of regulations). Done.
- d. LTF to provide feedback on “Equivalent Diversion” issue paper – on hold given 75% Recycling issue.
- e. Jason/Anita to follow up on propane tanks. Pending.
- f. LTF to consider issues associated with autos shredder fluff as ADC for Carroll. Ongoing.
- g. White paper on 75% to be updated. Pending.

VIII. Other

ATTENDANCE LIST
SWANA LEGISLATIVE TASK FORCE TELEPHONE MEETING JUNE 7, 2012

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	Larry Sweetser	Sweetser and Associates/ESJPA	510-703-0898	sweetser@aol.com
VM/Gold Rush	Christina Hanson	Placer County	530-886-4965	CHanson@placer.ca.gov
VM/Gold Rush	Mark Bowers (T)	City of Sunnyvale	408- 730-7421	mbowers@ci.sunnyvale.ca.us
VM/Gold Rush	William Merry	Monterey RWMD	831-384-5313	wmerry@mrwmd.org
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	John Gullede	LA County Sanitation Districts	562-699-7411 ext 2401	jgullede@lacsds.org
VM/Founding	Lisa Wood (C)	City of San Diego	858-573-1236	lwood@sandiego.gov
ALT VM/Founding	Sharon Green	LA County Sanitation Districts	562-699-7411	sgreen@lacsds.org
VM/Sierra	Jim Babcock	ARCADIS, Inc.	510-301-5063	Jim.Babcock@arcadis-us.com
VM/Sierra	Curtis Larkin	Fresno County Dept. of Public Works & Planning	559.262-4259	clarkin@co.fresno.ca.us
VM/Sierra	Nancy Ewert (VC)	Kern County	661-862-8953	nancye@co.kern.ca.us
Founding	David Tieu	OC Waste and Recycling	714-834-4064	David.Tieu@ocwr.ocgov.com
ALT VM/Founding	Sharon Green	LA County Sanitation Districts	562-699-7411	sgreen@lacsds.org
Gold Rush	Chuck White	Waste Management, Inc.	916-552-5859	cwhite1@wm.com
Gold Rush	Rosalie Mule	Waste Management, Inc.		
Gold Rush	Doug Eubanks	Sacramento County	916-875-7165	eubanksd@SacCounty.NE.T
<i>LTF Legislative Assistant</i>	<i>Anita Lee</i>	<i>Shaw / Yoder/Antwih Inc.</i>	<i>916-446-4656</i>	<i>Anita@shawyoderantwih.com</i>
<i>LTF 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			
April 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		\$1,560.00	
May Dues			
June Dues			
July Dues			
Aug Dues			
Sept Dues			
Oct Dues			
Nov Dues			
Dec Dues			\$8,520.00
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		\$0.38	
Apr-12		\$0.36	
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$1.52
RELEASE FROM RESERVES	\$11,435.00		
			\$0.00
TOTAL BUDGETED REVENUES	\$ 59,940.00		\$8,521.52

EXPENSES			
	Annual	Monthly	YTD
REGULATORY REVIEW	\$ 12,000.00		
Jan-12		\$1,000.00	
Feb-12		\$1,000.00	
Mar-12		\$1,000.00	
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$3,000.00
SHAW / YODER, INC. CONTRACT	\$ 38,940.00		
	Cashed		
Jan-12		\$3,245.00	
Feb-12		\$3,245.00	
Mar-12		\$3,245.00	
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$9,735.00
SHAW / YODER, INC. ADMIN. EXPENSES	\$ 2,000.00		
Jan-12		\$95.63	
Feb-12		\$45.00	
Mar-12		\$45.00	
Apr-12			
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$185.63
WEBSITE DEV/MAINTENANCE & ROSTER	\$ 500.00		
Jan-12			
Feb-12			
Mar-12			
Apr-12		\$72.00	
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$72.00
MTGS/TELECONFERENCE/WORKSHOP	\$ 4,500.00		
Jan-12		\$16.86	
Feb-12		\$145.99	
Mar-12		\$0.00	
Apr-12		\$395.70	
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$558.55
CONTINGENCIES / SPECIAL PROJECTS	\$ 2,000.00		
			\$0.00
TOTAL BUDGETED EXPENSES	\$ 59,940.00		\$13,551.18
April Account Balance			\$41,632.84
PROJECTED CARRY OVER TO 2012	\$ 35,227.50		

SWANA LEGISLATIVE TASK FORCE - 2012 BUDGET			
May 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		\$1,560.00	
May Dues		\$1,710.00	
June Dues			
July Dues			
Aug Dues			
Sept Dues			
Oct Dues			
Nov Dues			
Dec Dues			\$10,230.00
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		\$0.38	
Apr-12		\$0.36	
May-12		\$0.33	
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$1.85
RELEASE FROM RESERVES	\$11,435.00		
			\$0.00
TOTAL BUDGETED REVENUES	\$ 59,940.00		\$10,231.85

EXPENSES			
	Annual	Monthly	YTD
REGULATORY REVIEW	\$ 12,000.00		
Jan-12		\$1,000.00	
Feb-12		\$1,000.00	
Mar-12		\$1,000.00	
Apr-12		\$1,000.00	
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$4,000.00
SHAW / YODER, INC. CONTRACT	\$ 38,940.00		
	Cashed		
Jan-12		\$3,245.00	
Feb-12		\$3,245.00	
Mar-12		\$3,245.00	
Apr-12		\$3,245.00	
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$12,980.00
SHAW / YODER, INC. ADMIN. EXPENSES	\$ 2,000.00		
Jan-12		\$95.63	
Feb-12		\$45.00	
Mar-12		\$45.00	
Apr-12		\$45.00	
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$230.63
WEBSITE DEV/MAINTENANCE & ROSTER	\$ 500.00		
Jan-12		\$0.00	
Feb-12		\$0.00	
Mar-12		\$60.00	
Apr-12		\$72.00	
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$132.00
MTGS/TELECONFERENCE/WORKSHOP	\$ 4,500.00		
Jan-12		\$16.86	
Feb-12		\$125.87	
Mar-12		\$0.00	
Apr-12		\$395.70	
May-12			
Jun-12			
Jul-12			
Aug-12			
Sep-12			
Oct-12			
Nov-12			
Dec-12			\$538.43
CONTINGENCIES / SPECIAL PROJECTS	\$ 2,000.00		
			\$0.00
TOTAL BUDGETED EXPENSES	\$ 59,940.00		\$17,881.06
May Account Balance			\$39,013.29
PROJECTED CARRY OVER TO 2012	\$ 35,227.50		