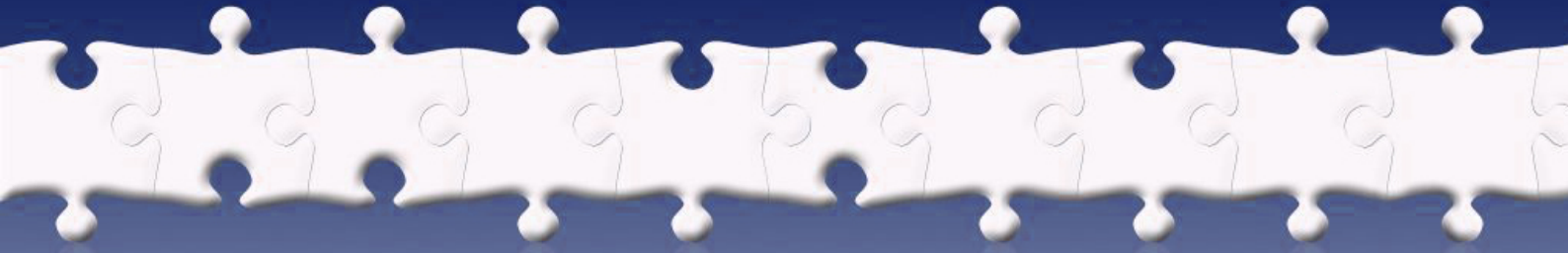


2018 WORK PLAN



MISSION STATEMENT:

To represent local government interests and the three California Chapters' membership in developing and advocating environmentally and technically sound, economical solid waste policy at the most appropriate government level



LEGISLATIVE TASK FORCE
California Chapters

2017 Legislative Session

HIGHLIGHTS

Key Legislation

1. **AB 398 (Garcia, E.) (Chapter 135, Statutes of 2017)** – extended greenhouse gas Cap and Trade program to 2030.
2. **AB 617 (Garcia, C.) (Chapter 136, Statutes of 2017)** – adopted new criteria and toxic contaminant air quality monitoring and reduction requirements, and increases civil and criminal penalties.
3. **Cap and Trade funding (AB 109)** – Legislature appropriated \$40 million to CalRecycle from Greenhouse Gas Reduction Fund (GGRF) for recycling and organic waste diversion projects.
4. **AB 1158 (Chu) (Chapter 794, Statutes of 2017)** – requires a carpet stewardship plan to achieve a 24 percent recycling rate for post-consumer carpet by 2020. CalRecycle is directed to establish a minimum recycling rate starting in 2023. Strengthens Stakeholder Advisory Committee.
5. **AB 1288 (Eggman) (2-year bill)** – would increase Integrated Waste Management Fees and potentially would impose a “generator” fee that would be collected locally and passed to the State.

Key Regulatory Activities

1. **AB 901 regulations** (disposal reporting) – The LTF promoted more feasible and less onerous reporting requirements.
2. **SB 1383 regulations** (organics mandates) – The LTF promoted less prescriptive approaches and advocated for flexibility for local jurisdictions to determine appropriate materials to be included and local determination of priorities and best mix of programs and facilities to meet local needs.
3. **Packaging Reform Initiative** – The LTF promoted source reduction, extended producer responsibility, standards for recyclable and compostable packaging design, and minimum required postconsumer content requirements.

2017 LTF Work Summary

The LTF contracts with Shaw/Yoder/Antwih (SYA) for legislative and regulatory services. A year-end memo highlighting the legislative and regulatory efforts of the LTF and SYA staff was prepared by SYA and is attached (Exhibit A).

2017 Legislative Session

OTHER BILLS

In addition to the bills described above, below are highlights of some of the 66 bills the SWANA LTF worked on in 2017.

BILL	SUMMARY	LTF POSITION	OUTCOME
AB 954 (Chiu)	Requires the Dept. of Food and Agriculture to publish information to encourage food manufacturers, processors, and retailers to voluntarily use uniform terms on food product labels regarding quality and safety dates.	Support	Chaptered (Ch. 787)
AB 1132 (Garcia, C.)	Authorizes air pollution control officers to issue an interim abatement order if a finding of imminent and substantial endangerment to public health or welfare is made.	Work with author	Chaptered (Ch. 171)
AB 1219 (Eggman)	“California Good Samaritan Food Donation Act” – expands immunity from liability for donation of food, and other related provisions.	Support	Chaptered (Ch. 619)
SB 100 (De Leon)	Would revise the existing Renewable Portfolio Standard 2030 target from 50% to 60% (and set interim targets of 44% of retail sales by 2024 and 52% by 2027), and establish a goal of 100% renewable or zero carbon electricity by 2045.	Watch	Two year bill (Assembly Utilities & Energy Com)
SB 168 (Wieckowski)	Would replace the statute creating the Beverage Container Recycling program (“bottle bill”) with a comprehensive rewrite.	Watch	Two year bill (Senate Approps Com)
SB 258 (Lara)	“Cleaning Product Right-to-Know Act” – requires disclosure of chemicals contained in cleaning products.	Support	Chaptered (Ch. 830)
SB 468 (Weiner)	Creates five pilot projects where CRV recycling centers have shut down.	Watch	Chaptered (Ch. 648)

2018 Legislative Session

OUTLOOK

Guiding Advocacy Principles

This Work Plan serves as a policy guide for the Legislative Task Force of the SWANA California Chapters when it considers taking positions on proposed legislation, performing advocacy, and conducting outreach.

2018 Policy Drivers

- **Climate Change, Short-Lived Climate Pollutant Reduction & Renewable Energy**
Solid waste management in California is undergoing a radical transformation, much of which is driven by state policies related to climate change and renewable energy. These bills and actions are driving climate and energy policy.
 - **SB 32 (2015)** – extended cap-and-trade program to 2030
 - **SB 350 (2015)** – extended Renewable Portfolio Standard to 50% by 2030
 - **SB 1383 (2016)** – sets goals to reduce Short-Lived Climate Pollutants, including 40% reduction below 2013 levels in methane emissions by 2030 (also includes specified organic waste mandates to achieve the methane reduction goals – see below)
 - **California Air Resources Board (CARB):** Short-Lived Climate Pollutant Strategy adopted in 2017
- **Policies to increase recycling and composting of municipal solid waste**
Another major driver of solid waste management in California is the desire to recycle and compost a minimum of 75% of municipal solid waste. Many significant solid waste bills have been enacted since 2011.
 - **AB 341 (2011)** – sets goal to recycle 75% of municipal solid waste by 2020 & mandatory commercial recycling programs (includes multi-family)
 - **AB 1594 (2014)** – eliminates diversion credit for green waste used as Alternative Daily Cover as of 2020
 - **AB 1826 (2015)** – enacted mandatory commercial organic waste recycling programs
 - **AB 901 (2015)** – revised reporting requirements for waste tracking
 - **AB 876 (2015)** – requires counties to plan for organic waste recycling facility capacity needs
 - **AB 1045 (2015)** – directs Cal-EPA to achieve goal of reducing greenhouse gases by 5 million metric tons through development and application of compost. Includes State Interagency coordination to promote composting.
 - **SB 1383 (2016)** – sets goals to recycle 50% of organic waste by 2020 and 75% of organic waste by 2025, and food waste prevention goal of 20% by 2025

2018 Legislative Session

OUTLOOK

2018 Anticipated Regulatory & Legislative Priorities

- **Implementation of Greenhouse Gas/Short-Lived Climate Pollutant reduction initiatives & waste recycling & diversion programs** – Key issues will be funding, the roles of local government and other stakeholders, and whether new requirements will be prescriptive or performance-based. Anticipated 2018 activities include:
 - **CARB:** adoption of Scoping Plan Update anticipated Dec. 2017
 - **CalRecycle:** adoption of SB 1383 regulations expected by end of 2018
 - **Legislature:** allocates GGRF and other funding through State budget process (ongoing, annual)
 - **Legislature:** expected to consider AB 1288, a 2-year bill, which could be the vehicle for a Californians Against Waste proposal to increase the Integrated Waste Management fee (aka the “tip fee”) and to impose a “generator fee.” The most recent proposal would raise funds to fund CalRecycle programs (\$60m/year); incentive per ton payments for organics facilities (\$100m/year); funding for State Water Resources Control Board and CalRecycle for regulation of landfills and compost facilities (\$10m/year).
 - **Legislature:** expected to consider SB 100 and other renewable energy policies
- **Extended Producer Responsibility (EPR) initiatives** – the Legislature may consider EPR legislation for pharmaceutical waste, sharps, and other products. At the same time, more EPR programs and ordinances are likely to be enacted at the local level, which may be an important driver for action at the State level.
- **AB 901 regulations** – CalRecycle plans to initiate the formal regulatory process in December 2017 and complete it in 2018. Waste, recycling, and compost facilities, as well as exporters, brokers, and transporters of recyclables or compost will be required to submit information directly to CalRecycle on the types, quantities, and destinations of materials that are disposed of, sold, or transferred inside or outside of the state. CalRecycle also will have enforcement authority to collect this information. The new requirements are anticipated to take effect in 2019.
- **Packaging Reform Initiative** – with packaging comprising 25% of the waste stream, this initiative is a key piece of CalRecycle’s plan to achieve the goal of 75% recycling by 2020. Legislation to reduce packaging in the waste stream could occur in 2018, as CalRecycle prepares a comprehensive framework for packaging reduction.

1

Laws and Regulations

Goal

Ensure, through active participation in the development and review process, that proposed laws and regulations protect health, safety and the environment, and are economically and technically feasible.

Policy Principles

- Promote SWANA National and California LTF position papers, such as “Don’t Ban Without A Plan” and on high priority issues such as the 75% Recycling Plan, organic waste diversion and funding.
- Work to reverse the “end of the pipe” paradigm by encouraging legislative and regulatory approaches that promote EPR, product stewardship, and waste prevention, and incentivize waste prevention, beneficial reuse and material recovery.
- Promote policies that protect worker safety and facilities in the solid waste industry.
- Promote opportunities for meaningful stakeholder input in the development of plans, policies and regulations, and promote practical approaches to development and implementation of new programs and requirements.
- Promote local funding for locally-developed solutions rather than state-driven mandates and directives.
 - Encourage the development of cost-effective organics management programs and infrastructure that best fits each jurisdiction’s demographics, availability of facilities and waste characteristics.
- Promote a science-based approach that balances costs with environmental benefits, using tools such as life cycle analysis.
- Encourage energy recovery from municipal solid waste (MSW) by supporting legislation to eliminate regulatory barriers and establish a diversion credit tier for emerging technologies.
- Promote the training and professionalism of those employed in the solid waste industry.

2018 Advocacy Activities

1. Participate in the SB 1383 rulemaking process, and urge CalRecycle to use a “good faith effort” approach to determine if a jurisdiction has made reasonable and justifiable efforts to comply.
2. Participate in the AB 901 formal rulemaking process to advocate an approach that balances development of robust data with the administrative burden on haulers, facilities and jurisdictions.
3. Track and comment as appropriate on implementation of new greenhouse gas reduction programs and requirements as well as air quality monitoring and reduction programs pursuant to AB 617.
4. Participate in legislative efforts to reform beverage container funding, such as adjustments to CRV and recycling-related payments.
5. Participate in legislative efforts to address CalRecycle and other related funding proposals, and support allocation of GGRF funding for organics infrastructure during the Legislative budget process.
6. Advocate for policies that promote and recognize the benefits of producing renewable energy from solid waste, particularly from organic waste, to the Legislature and administrative agencies. Monitor and weigh in, as appropriate, regarding energy policies related to biogas, landfill gas, and biomass, and regarding emerging technologies.
7. Advocate transparency in CalRecycle’s review of each jurisdiction’s Integrated Waste Management Plan and that the review of “best efforts” be reasonable and realistic.
8. Promote protection of worker safety and facilities by prioritizing end-of-life solutions for products such as lithium batteries, single-use propane cylinders and other products, that cause fires and explosions during recycling and disposal activities.
9. Engage with CalRecycle and other stakeholders to address challenges associated with market uncertainties and downturns for recyclable materials, such as China’s impending restrictions on importation of paper and plastics.
10. Track and comment on Department of Toxic Substances Control regulations regarding management of used solar panels, as appropriate.
11. Promote EPR and product stewardship for products such as pharmaceuticals, sharps and other things, to protect worker safety, prevent waste generation and/or promote recyclability, and hold producers responsible for end-of-life management.
12. Track and comment, as necessary, on State Water Resources Control Board regulatory activities that pertain to solid waste and composting facilities (e.g. waste discharge requirements & general permits).

2

Local Authority and Government Entities

Goal

Promote local government control of solid waste policy and operations.

Policy Principles

- Promote streamlining of regulatory agencies by eliminating non-essential programs and minimizing redundant or overlapping regulations, and underground regulations.
- Emphasize effective, certified staffing of all aspects of solid waste management, cost-effectiveness, and protection of public health and the environment.
- Support legislation that provides opportunities for local government stakeholder participation in regulatory and policy matters proposed for adoption by state and regional agencies.
- Ensure state regulations and legislation do not undermine or preempt local authority or discretion.
- Support regulations and legislation that grant local governments the authority and means to achieve and fund mandated activities.
- Encourage regulatory frameworks that provide the regulated community with independent due process in State agency enforcement proceedings.
- Encourage practicable approaches to addressing the needs of disadvantaged and/or “Environmental Justice” communities.

2018 Advocacy Activities

1. Promote local government discretion in legislation and to implement new programs, and seek amendments to legislation and regulations that impede local government discretion.
2. Apply these policy principles to comments in rulemaking activities, including but not limited to the SB 1383 rulemaking and the AB 901 rulemaking.
3. Coordinate advocacy efforts with other local government groups, particularly for issues impacting local authority, governance and discretion.

3

Outreach and Awareness

Goal

Increase awareness in the Legislature and the Administration that the SWANA California Chapters represent the majority of the publicly-owned and operated solid waste management facilities in the state, and educate the California Chapters and their members about the LTF's activities.

Policy Principles

- Maintain an active advocacy presence in the Legislature and at state agencies that oversee the management, recycling, and disposal of municipal solid waste, household hazardous waste, and pertinent special wastes, through involvement in the legislative and regulatory processes.
- Support SWANA International in advocacy and policy areas that apply to California, such as product stewardship policy, disposal bans, "Pushing the Envelope" documents, and applied research on emerging technologies.
- Develop relationships and participate in coalitions with other interest groups and organizations with common positions on solid waste issues.

2018 Advocacy Activities

1. Develop relationships with key members of the Legislature and their staff, and with the appropriate staff in the Governor's office and at CalRecycle, the Department of Toxic Substances Control, Air Resources Board, State Water Resources Control Board, and other agencies as appropriate.
2. Meet regularly with representatives of other organizations and interest groups to develop opportunities for collaboration.
3. In addition to submitting comment or position letters, develop new or updated White Papers or position papers to educate legislators, regulators and other stakeholders about SWANA's perspective on key new or emerging policy issues.
4. Enhance education and awareness of key legislation and regulations to SWANA membership through newsletters, discussions at Chapters, and presentations at the Western Regional Symposium.

2018 SWANA LTF

Nominated Officers

Glenn Acosta, Sanitation Districts of Los Angeles County, Chair
Eric Zetz, City of Clovis, Vice Chair
TBD, Treasurer
Christina Hanson, Placer County, Secretary

LTF Membership

GOLD RUSH CHAPTER:

Doug Kobold, County of Sacramento
Christina Hanson, Placer County
Larry Sweetser, Sweetser & Associates, Inc.
Mark Bowers, City of Sunnyvale
Charles White, Government Affairs Consultant
Joe LaMariana, South Bayside Waste Management Authority (Alternate)
Jeff Lindenthal, Monterey Regional Waste Management District (Alternate)

SIERRA CHAPTER:

Eric Zetz, City of Clovis
Curtis Larkin, Fresno County
Herb Cantu, City of Santa Maria
Greg Ollivier, Caglia Environmental
Nancy Ewert, P.E., Kern County
Amer Hussain, GeoSyntec (Alternate?)
Brooks Stayer, Merced County Regional Waste Authority (Alternate)

FOUNDING CHAPTER:

Glenn Acosta, P.E., Sanitation Districts of Los Angeles County
Sharon Green, Sanitation Districts of Los Angeles County
Mike Mohajer, P.E., Southern California Waste Management Forum
Brian Probolsky, OC Waste & Recycling
Lisa Wood, City of San Diego
Frank Caponi, P.E., Sanitation Districts of Los Angeles County (Alternate)
Constance Hornig, Esq., Law Offices (Alternate)

EXHIBIT A



SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

December 31, 2017

To: SWANA Legislative Task Force

From: Jason Schmelzer, Partner
Melissa Immel, Legislative Advocate
Shaw / Yoder / Antwih, Inc.

Re: SWANA LTF 2017 End of Session Report

On behalf of all of the employees of Shaw / Yoder / Antwih, Inc. (SYA), we'd like to thank the SWANA Legislative Task Force (SWANA LTF) for once again entrusting our firm with the important task of providing legislative and regulatory advocacy services to the California chapters of SWANA.

This report highlights key legislation that SYA worked on in 2017 for SWANA LTF. We also discuss key state budget developments and major legislative actions taken by the legislature this year. Furthermore, we highlight other policy objectives we pursued on behalf of SWANA this year.

Attachment 1 to this memo displays a summary of the **47 bills we actively lobbied or monitored.**

The following is a **brief summary of relevant major actions taken by the Legislature** this year:

2017-18 STATE BUDGET REPORT

2017-18 State Budget

The Legislature approved and the Governor signed the Budget Act of 2017, which includes \$125.1 billion in General Fund spending and \$9.9 billion in total reserves, including \$1.4 billion in the regular reserve and \$8.5 billion in the Rainy Day Fund, which is 66% of the constitutional target. Total spending, including special funds and bond funds, is approximately \$184.5 billion.

SYA monitored the budget process for SWANA, with a particular focus on conversations held in the Assembly Budget Subcommittee No. 3 on Resources and Transportation and the Senate Budget and Fiscal Review Subcommittee No. 2 on Resources, Environmental Protection, Energy & Transportation. SYA provided regular updates to SWANA on these discussions.

Greenhouse Gas Reduction Fund

After the Cap-and-Trade extension package was approved with bipartisan support, SYA advocated in committee hearings on behalf of SWANA in support of \$40 million from the Greenhouse Gas Reduction Fund for CalRecycle to support waste diversion and recycling infrastructure.

2017 REGULATORY REPORT

Tel: 916.446.4656
Fax: 916.446.4318
1415 L Street, Suite 1000
Sacramento, CA 95814

Short-Lived Climate Pollutants

SB 1383 (Lara, Chapter 395, Statutes of 2016) codified the ARB's Short-Lived Climate Pollutants Reduction Strategy, establishing methane emissions reduction targets in a statewide effort to reduce short-lived climate pollutants. Specifically, the bill established targets to achieve a 50% reduction in the level of statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. The bill also established a target of not less than 20% of currently disposed edible food to be recovered for human consumption by 2025.

Throughout 2017, CalRecycle hosted a series of informal public workshops to discuss regulatory concepts as SB 1383 implementation moves forward. The concepts have covered definitions, programmatic requirements, market development and procurement, reporting, enforcement, collection, and recycling capacity planning, among others. SYA attended these workshops on behalf of SWANA, taking notes and participating as necessary. SYA drafted and submitted comments on behalf of SWANA regarding many of the regulatory concepts discussed.

The formal rulemaking process will begin in 2018, and SYA will continue to review, discuss, and weigh in on this regulatory process on behalf of SWANA.

2030 Scoping Plan

In 2015, Governor Brown issued an executive order establishing a new statewide goal of reducing greenhouse gases by 40% below 1990 levels by 2030. SB 32 (Pavley, Chapter 249, Statutes of 2016) codified that goal. The ARB has revised its Scoping Plan to achieve the state's 2030 greenhouse gas emissions reduction target.

SYA helped draft and distribute comments on the Scoping Plan update on behalf of SWANA this year and spoke on behalf of SWANA at two ARB meetings to voice SWANA's perspective.

AB 901 Reporting Regulations

AB 901 was signed by Governor Brown in 2015. The purpose was to change how disposal and recycling data is reported to CalRecycle. Waste, recycling, and compost facilities, as well as exporters, brokers, and transporters of recyclables or compost will be required to submit information directly to CalRecycle.

CalRecycle released its first draft of regulations in June of 2016. SWANA had concerns about double reporting materials that are already covered in other transmittals to CalRecycle, potential double counting of materials, frequency of reporting, justification for potentially unnecessary software investments, and more.

A second draft of regulations was released by CalRecycle in November of 2016, a third draft in February of 2017, and a fourth and final draft in September of 2017. SYA submitted comments for SWANA expressing concerns regarding inconsistent definitions, the financial impact of the weight exemption limit reduction, unclear penalty provisions, and others.

Formal workshops and rulemaking are expected to begin in early 2018, and CalRecycle anticipates finalizing the regulations in the coming months. CalRecycle is also proposing to provide outreach and training to the regulated community, and the first round of reporting will be required in 2018.

SYA has and will continue to monitor the AB 901 regulatory process and relevant developments, discuss the impacts on SWANA with SWANA staff, and provide comments and participate in regulatory hearings on behalf of SWANA.

CalRecycle Packaging Reform Concepts

CalRecycle is hosting informal public workshops to discuss legislative and regulatory concepts pertaining to packaging reform, as part of the efforts to reach the statewide 75% by 2020 diversion goal. CalRecycle envisions finalizing a packaging policy model by late 2017 or early 2018. CalRecycle has thus far discussed draft screening criteria for determining priority packaging types, including prevalence in the waste stream, increasing or steady usage trend, current collection and/or processing infrastructure, contamination of material, reusability and recyclability, GHG impacts, and waterway and marine debris.

SYA will continue to engage in and monitor these discussions to determine potential benefits for SWANA, such as an EPR approach, but also for potential detrimental proposals, such as a mandatory packaging approach that could adversely affect traditional local control over the collection and processing of solid waste and recyclables.

China Ban

China has formally stated its intent to ban, by the end of this year, imports of certain recyclable materials, including plastics and mixed paper. China is currently the predominant market for recycling such materials generated in California. CalRecycle's report, published in June 2017 and titled, "2016 California Exports of Recyclable Materials," notes that, "China was the top destination country for recyclable materials exported from California ports, receiving 9.2 million tons (62 percent) in 2016."

SYA is working on discussing this issue with CalRecycle to address the significant impacts this ban would present. SYA will continue to discuss this issue with SWANA and keep SWANA staff apprised of relevant updates.

2018 PREVIEW

There are several potentially significant reform efforts coming in 2018 that could impact SWANA operations. While the fate of these efforts is unclear at this point, following is a brief preview of each issue.

Bottle Bill Reform

As no comprehensive bottle bill reform was enacted this year, we can expect that interested stakeholders will attempt to advance a proposal next year. SYA will continue to monitor relevant developments and keep SWANA apprised of potential impacts.

CalRecycle Funding

It is anticipated that the Brown Administration may again attempt to address CalRecycle's structural deficit through the implementation of new fees, and potentially an increase in the tipping fee. Californians Against Waste circulated an outline of a tip fee reform proposal this year, which may resurface in 2018. While it remains improbable that the Administration will be successful in convincing a required 2/3 supermajority of the legislature to implement a broad reform proposal, it is possible that the administration will attempt to advance portions of their plan, such as a generator fee, through the budget process with a simple majority vote. CalRecycle funding reform efforts gained steam in 2015, but fell by the wayside in 2016 and 2017. SYA will continue to monitor the situation because of the potential for action in 2018 during the budget process.

Sharps and Pharmaceutical Waste

Stakeholders have been negotiating a sharps and pharmaceutical waste compromise Extended Producer Responsibility framework. We can likely expect to see a proposal put forth in 2018, as a follow-up to this year's AB 444 (Ting), and SB 212 (Jackson), which SWANA monitored.

County Contracting for Services

AB 1250 (Jones-Sawyer) is a bill that would have imposed burdensome restrictions to essentially prevent counties from being able to contract out for services. The bill is sponsored by SEIU California and AFL-CIO, as they assert that this bill would protect county jobs. SWANA strongly opposed this bill, joining opposition efforts with businesses, local governments, mental health advocates, and others. The bill was successfully stalled this year. It is a two-year bill, and we can expect it to move in 2018, so SYA and SWANA will continue our opposition efforts.

Key Legislation by Issue Area**AIR QUALITY****AB 881 (Gallagher) Property taxation: new construction exclusion: methane digester – Watch**

This bill would have provided newly constructed methane digesters with a property tax exemption.

Status: Held in Assembly Revenue and Taxation Committee.

AB 1132 (Cristina Garcia) Nonvehicular air pollution: order for abatement – Work With Author

This law expands the ability of air pollution control officers to respond to violations that present imminent and substantial danger to the overall health of the public or the environment by allowing them to issue an interim order for abatement.

SWANA had concerns about whether this bill would apply to general nuisance odors. SYA worked with the author's office and stakeholders on behalf of SWANA to discuss these concerns. While no further amendments were being accepted, SYA worked on a Letter to the Journal with the author's office, which states the author's legislative intent, to clarify that this bill is not intended to apply to general nuisance odors. The relevant excerpt is pasted below.

“Ordinarily, an odor may constitute a public nuisance in violation of Health and Safety Code Section 41700, but would not generally be considered an imminent and substantial endangerment to health unless it is associated with toxic or criteria pollutant emissions that do present an imminent and substantial endangerment. Some people experience symptoms from odors such as headache or nausea but if these symptoms are intermittent and dissipate when the odor ceases, they would not ordinarily justify using an interim order for abatement but would be addressed through the normal process for obtaining an order for abatement from the hearing board. However, if an odor causes symptoms that are very severe and ongoing due to continuing or frequent exposure, it may rise to the level of an imminent and substantial endangerment to public health, even if the air pollution control officer is not aware of an accompanying exposure to a specific toxic air contaminant, as in the case of a gas leak.”

Status: Signed into law by Governor Brown.

SB 49 (De León) California Environmental, Public Health, and Workers Defense Act of 2017 – Watch

This bill would have defined “baseline federal standards” as the federal laws or federal regulations implementing the Clean Air Act in effect as of January 19th 2017. This bill would have prohibited any state or local agency from amending or revising its rules to be less stringent than those baseline federal standards. The bill also would have prohibited a state agency from amending or revising its rules or regulations in a manner that is less stringent in its protection of worker's rights or worker safety than standards established pursuant to federal law in existence as of January 1st 2016.

Status: Held in Assembly Rules Committee.

BEVERAGE CONTAINER RECYCLING AND PACKAGING REFORM

AB 178 (Eggman) California Beverage Container Recycling and Liter Reduction Act – Watch

This bill would expand the types of beverage containers for which distributors are required to pay a redemption payment by removing exemptions based on the material that the container is made with.

Status: Held in Assembly Natural Resources Committee.

AB 319 (Stone) Recycling: single-use plastic beverage container caps – Watch

This bill would require that all single-use beverage containers sold on and after January 1st, 2020 have a cap that is affixed to the beverage container.

Status: Held in Assembly Natural Resources Committee.

AB 1522 (Limón) Beverage containers – Watch

This bill would require that all beverage containers sold or offered for sale have a clear indicator, either directly printed on it or in the form of a stamp or label, of its redemption value.

Status: Introduced. Never referred to a committee.

SB 60 (Glazer) Recycling: beverage containers: convenience zones – Watch

This bill would provide an exemption to the California Beverage Container Recycling and Litter Reduction Act by exempting certain convenience zones from the requirement that they be served by at least one certified recycling center.

Status: Held in Senate Environmental Quality Committee.

SB 168 (Wieckowski) Beverage Container Recycling Act of 2017 – Watch

This bill would require beverage container distributors to form a beverage container stewardship organization which would be tasked with the development and creation of a plan and a budget, to be financed by the beverage container distributors, for the recovery and recycling of beverage containers.

Status: Ordered to inactive file.

SB 458 (Wiener) Beverage container recycling: pilot projects – Watch

This bill authorizes CalRecycle to create five recycling pilot projects that increase the amount of opportunities for beverage container recycling in underserved convenience zones.

Status: Signed into law by Governor Brown.

CAP-AND-TRADE

AB 151 (Burke) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: scoping plan: report – Watch

This bill would have required the California Air Resources Board (CARB) to report to the Legislature before adopting the scoping plan and regulations that will reduce statewide greenhouse gas (GHG) emissions to at least 40% below the 1990 level by 2030. It would also have required CARB to report to the Legislature by January 1, 2019 on the need for increased education, job training, and workforce

development resulting from the scoping plan. This bill would also have authorized CARB to use market-based compliance mechanisms, such as the Cap-and-Trade program.

Status: Ordered to inactive file.

AB 378 (Cristina Garcia) Greenhouse gases, criteria air pollutants, and toxic air contaminants – Watch

This bill would have extended the ARB’s Cap-and-Trade program to 2030 while also allowing the ARB to create “no-trade zones” or facility-specific declining GHG emission limits where facility emissions have a significant public health impact.

Status: Ordered to inactive file.

AB 398 (Eduardo Garcia) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: fire prevention fees: sales and use tax manufacturing exemption. – Watch

This bill authorizes the ARB to continue the Cap-and-Trade program until January 1, 2031 with additional requirements related to price ceilings and floors as well as the use of offset projects. The bill also expands a sales tax exemption for specific manufacturers and research and development entities while also suspending the fire prevention fee in State Responsibility Areas.

Status: Signed into law by Governor Brown.

AB 617 (Cristina Garcia) Nonvehicular air pollution: criteria air pollutants and toxic air contaminants. – Watch

This bill requires the ARB to focus more directly on air pollution by improving their air pollution data collection and reporting and use that information to adopt a statewide emission reduction strategy specifically targeting heavily polluted communities. The bill also requires ARB and the air districts it monitors to design and implement community emission reduction programs.

Status: Signed into law by Governor Brown.

ACA 1 (Mayes) Greenhouse Gas Reduction Reserve Fund. – Watch

This amendment to the California State Constitution requires that any revenue collected from the Cap-and-Trade program auctions allocated after January 1, 2024 is subject to a one time two-thirds vote from the legislature in order to be appropriated. After receiving this two-thirds vote the revenue would be able to be continually appropriated on a simple majority vote of the legislature for the remaining duration of the program.

Status: Chaptered by the Secretary of State.

SB 775 (Weickowski) California Global Warming Solutions Act of 2006: market-based compliance mechanisms – Watch

This bill would have required CARB to adopt a market-based compliance mechanism and establish the Economic Competitive Assurance Program to ensure economically fair and competitive conditions between importers who are not subject to the market-based compliance program and producers who are. This bill would also have established the California Climate Infrastructure Fund, the California Climate Dividend Fund, and the California Climate and Clean Energy Research Fund.

Status: Held in Senate Environmental Quality Committee.

ENERGY

AB 655 (O'Donnell) California Renewables Portfolio Standard Program – Support

This bill would make transformers of municipal solid waste eligible to generate renewable energy credits if they meet certain requirements.

Status: Held in Assembly Natural Resource Committee.

AB 920 (Aguiar-Curry) Electricity: procurement plans: integrated resource plans – Support

This bill would require CPUC-approved procurement plans to contain a balanced renewable energy generation portfolio capable of meeting the peaking, dispatchable, baseload, firm and as available capacity requirements.

Status: Held in Senate Appropriations Committee.

SB 100 (de León) California Renewables Portfolio Standard Program: emissions of greenhouse gases – Watch

This bill would declare that the goal of the California Renewables Portfolio Standard Program is to achieve a 50% renewable energy and zero-carbon resources target by December 31, 2026, a 60% target by December 31, 2030, and a 100% target by December 31, 2045.

Status: Held in Assembly Utilities and Energy Committee.

ENVIRONMENTAL QUALITY

AB 246 (Santiago) Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2011 – Watch

This bill extends the California Environmental Quality Act (CEQA) judicial review procedures established by AB 900 (Buchanan, 2011) while increasing both the Leadership in Energy and Environmental Design (LEED) certification requirement from “silver” to “gold,” and the transportation efficiency requirement from 10% to 15%. It also requires the courts to resolve CEQA lawsuits on AB 900 projects within 270 days to the extent that it is feasible to do so.

Status: Signed into law by Governor Brown.

AB 1594 (Bloom) Ocean protection: plastic pollution – Watch

This bill would require the Ocean Protection Council to report to the Legislature on the status of items identified in its 2007 Resolution on Reducing and Preventing Marine Debris and compile data identifying the primary sources and types of ocean plastic pollution.

Status: Held in Senate Environmental Quality Committee.

EMPLOYMENT REGULATIONS

AB 5 (Gonzalez Fletcher) Employers: Opportunity to Work Act - Watch

This bill would have required employers with 10 or more employees to offer additional hours of work to an existing employee before hiring an additional employee or subcontractor. This rule would only apply

if that existing employee has the skills and experience to perform the work and expanding that employee's hours wouldn't require paying overtime compensation

Status: Held in Assembly Appropriations Committee.

HAZARDOUS WASTE REGULATIONS

AB 245 (Quirk) Hazardous waste: enforcement – Watch

This bill would increase the civil penalty for an individual who violates a provision of hazardous waste control laws by disposing or causing the disposal of hazardous waste at an unauthorized site from \$25,000 to \$70,000.

Status: Signed into law by Governor Brown.

AB 247 (Cristina Garcia) Public Health: childhood lead poisoning: Lead Advisory Task Force – Watch

This bill would have required the Office of Environmental Health Hazard Assessment to create a Lead Advisory Task Force by April 1, 2018. This task force's objective would have been to review and update policies and procedures to reduce childhood lead poisoning in the state.

Status: Vetoed by Governor Brown.

AB 248 (Reyes) Hazardous waste: facilities: permits – Watch

This bill would require an owner or operator of a hazardous waste facility whose permits are set to expire prior to July 1, 2020 to submit a renewable application six months before their permit expires. It would also require owners or operators of hazardous waste facilities whose permits are set to expire after July 1, 2020 to submit a renewal application at least two years before their permit expires.

Status: Vetoed by Governor Brown.

AB 421 (Santiago) Hazardous substances: liability: responsible parties – Watch

This bill would provide that for a cause of action under the Carpenter-Presley-Tanner Hazardous Substance Account Act, the term "disposal" also includes emissions into the air.

Status: Held in Assembly Judiciary Committee at the request of the author.

AB 1179 (Kalra) Hazardous waste facilities: inspections – Watch

This bill would require DTSC to adopt regulations to establish the frequency of inspections of permitted hazardous waste treatment, storage and disposal facilities, and for hazardous waste generators and transporters by January 1st 2020. It would also require that hazardous waste landfills are inspected at least twice per year, while other permitted hazardous waste facilities would be inspected annually.

Status: Vetoed by Governor.

MISCELLANEOUS

AB 249 (Mullin) Political Reform Act of 1974: campaign disclosures – Watch

This bill creates additional disclosure requirements for certain campaign literature and advertisements that are designed to provide the public with more information about that campaign's funding sources.

Status: Signed into law.

AB 332 (Bocanegra) Vehicles: local regulations: street closures – Watch

This law gives local agencies the authority to temporarily close a highway in order to reduce illegal dumping.

Status: Signed into law.

AB 1120 (Cooper) Controlled substances: butane – Watch

This bill would have required the California Department of Justice (DOJ) to create a database of butane purchases and it would have also required any seller of nonodorized butane to record information about that transaction and submit that information to the DOJ upon request.

Status: Vetoed by Governor.

AB 1147 (Salas) Solid waste: disposal – Watch

This bill would have allowed waste management companies to take illegal operations that raid curbside pick-up bins and steal material to court in order for them to receive appropriate compensation.

Status: Held in Assembly Natural Resources Committee at the request of the author.

AB 1180 (Holden) Los Angeles County Flood Control District: taxes, fees, and charges - Watch

This law authorizes the Los Angeles County Flood Control district to impose the taxes, fees, or charges necessary to pay for projects that increase stormwater capture and reduce stormwater or urban runoff pollution.

Status: Signed into law.

AB 1250 (Jones-Sawyer) Counties: contracts for personal services – Oppose

This bill would have imposed various restrictions on counties' ability to provide services by contract.

Status: Held in Senate Rules Committee.

AB 1572 (Aguiar-Curry) Integrated waste management plans: source reduction and recycling element: review schedule – Support

This law continues the conditional reviews established in the California Integrated Waste Management Act of 1989 and authorizes CalRecycle to make recommendations to the legislature by January 1st 2022 on any needed revisions to the review process necessary to make sure the state meets its organic waste disposal reduction goals.

Status: Signed into law.

SB 258 (Lara) Cleaning Product Right to Know Act of 2017 – Support

This bill requires manufacturers of cleaning products to disclose certain chemicals on all products sold after January 1, 2021, including information on the label and making additional information about the chemicals contained in the product available on their website by January 1, 2020. It would also require employers to make safety data sheets about the chemicals readily accessible to their employees.

Status: Signed into law by Governor Brown.

ORGANICS SOURCE REDUCTION

AB 954 (Chiu) food labeling: quality and safety dates – Support

This bill would require the Department of Food and Agriculture to work with the Department of Public Health to publish information by July 1, 2018 to encourage labelers of food products to voluntarily use “best if used by” or “use by” labels instead of more obscure alternatives such as “enjoy by” and “sell by.”

Status: Signed into law by Governor Brown.

AB 1219 (Eggman) Food Donations – Support

This bill would expand existing protections for food donors to crop harvesters, food donated past its sell-by-date that is still fit for consumption, and food donated directly to end-users by food manufacturers, retailers, and restaurants. This bill would also educate potential donors about the protections that they are entitled to under the law in an effort to further reduce liability concerns.

Status: Signed into law by Governor Brown.

AB 1288 (Eggman) Solid waste management: funding – Watch

This bill would require CalRecycle to hold a public workshop regarding the different potential funding strategies for the infrastructure required for organic waste reduction.

Status: Held in Senate Environmental Quality Committee at request of the author.

PHARMACEUTICAL WASTE

AB 444 (Ting) Medical waste: home-generated medical waste – Watch

This bill would authorize CALEPA to develop a statewide program to collect, transport, and dispose of home-generated medical waste.

Status: Held in Senate Environmental Quality Committee.

AB 514 (Salas) Medical waste: pharmaceuticals – Watch

This bill would amend the Medical Waste Management Act to no longer define herbal-based remedies, homeopathic drugs and remedies, and certain personal products as pharmaceuticals.

Status: Held in Senate Environmental Quality Committee at the request of the author.

SB 212 (Jackson) Medical waste – Watch

This bill would add home-generated pharmaceutical waste, including prescription and over the counter human or veterinarian pharmaceuticals, to the Medical Waste Management Act.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee.

PACKAGING REFORM

AB 1294 (Berman) Solid waste: plastic products – Support

This law would indefinitely extend previously enacted legislation that required plastic products that wanted to be labelled as compostable or marine degradable to meet certain standards.

Status: Signed into law.

AB 1659 (Low) Food Service Plastic Packaging Recovery and Recycling Stewardship Act – Work With Author

This bill would extend the EPR model to plastic packaging by requiring all manufactures of plastic packaging, either individually or through a plastic packaging stewardship organization, to submit stewardship plans to CalRecycle.

Status: Held in Assembly Natural Resources Committee at the request of the author.

SB 705 (Allen) Solid waste: expanded polystyrene food service containers – Support

This bill would enact the Ocean Pollution Reduction Act of 2017 and would prohibit all food vendors from dispensing prepared food to a customer in an expanded polystyrene food service container on and after January 1, 2022.

Status: Ordered to Inactive File.

RECYCLING

AB 509 (Fraizer) Tire recycling: California Tire regulatory fee and waste tire program – Watch

This bill would create a program to incentivize tire recycling by providing a payment to the end users of recycled tires. The program would be funded by a regulatory fee on new tires, to be adjusted annually by CalRecycle.

Status: Held in Senate Appropriations Committee

AB 1036 (McCarty) Organic waste: composting – Watch

This bill would have required state agencies to coordinate their efforts to realize the state’s recycling and GHG reduction goals instead of viewing them separately. It also would have updated reduction targets to the levels set in the most recent Short-Lived Climate Pollutant Reduction Strategy.

Status: Held in Senate Environmental Quality Committee at the request of the author.

AB 1158 (Chu) Carpet recycling – Support

This bill requires legislatively-mandated carpet stewardships plans submitted to CalRecycle to achieve a carpet recycling rate of 24% by January 1, 2020 as well as quantifiable annual and five year goals. The bill

also requires that a carpet stewardship organization submit data annually to CalRecycle so that the effectiveness of the stewardship program can be effectively evaluated. It further codifies a stakeholder advisory committee.

Status: Signed into law by Governor Brown.

AB 1663 (Cristina Garcia) Lead-acid batteries – Watch

This bill would clarify the role of out of state manufactures in the Lead-Acid Battery Recycling Act of 2016 by specifying that they need to agree, in writing, to pay the manufacturer battery fee on behalf of the importer.

Status: Held in Assembly Appropriations Committee.

TRANSPORTATION

AB 302 (Gipson) South Coast Air Quality Management District: fleets – Watch

This bill would have given the South Coast Air Quality Management district the authority to require certain public and commercial fleet operators to purchase zero-emission or near-zero-emission vehicles.

Status: Held in Assembly Transportation Committee at the request of the author.

AB 1579 (Daly) California Environmental Quality Act: vehicle-miles-traveled database – Watch

This bill would require the Office of Planning and Research to create and maintain a vehicle-miles-traveled database to model different project types as well as the best sources of trip length data for

Status: Held in Assembly Natural Resources Committee at the request of the author.

SB 53 (Hueso) Natural gas vehicles – Support

This bill would allow vehicles fueled primarily by natural gas to exceed the currently established weight limits by the weight differential between a natural gas tank and fueling system and a comparable diesel tank and fueling system. It would also require either the UC institute of Transportation Studies or the Department of Transportation to estimate the additional damage that these heavier vehicles would cause and report their findings to the relevant Legislative committees on or before October 1st 2018.

Status: Held in Senate Appropriations Committee.