

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE  
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE  
2013-2014 SESSION  
MARCH 21, 2013**

**Staff will be discussing and/or recommending positions on the following bills:**

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BILL	AUTHOR	STATUS	SUMMARY	TASK FORCE POSITION
AB 158	Levine	Amended March 20, 2013  Assembly Committee on Natural Resources	<p><b>Existing Law:</b> Existing law, until January 1, 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store.</p> <hr/> <p><b>Proposed Law:</b> With specified exceptions, this bill would, as of January 1, 2015, prohibit stores that have a specified amount of dollar sales or retail floor space from providing a single-use carryout bag to a customer. The bill would require these stores to meet other specified requirements regarding providing recycled paper bags, compostable bags, or reusable bags to customers. The bill would require the department, by January 1, 2017, to submit a report to the Legislature regarding the implementation of the bill's provisions. The bill would allow local jurisdictions or the state to impose civil penalties for a violation of the bill's requirements, except for the certification requirements.</p>	
AB 215	Chesbro	January 31, 2013  Assembly Committee on Natural Resources	<p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989 requires rigid plastic packaging containers that are sold or offered for sale in this state to meet, on average, one of specified criteria and defines terms for purposes of those requirements. One of those criteria that a rigid plastic packaging container may meet to satisfy this requirement is that the container be source reduced.</p> <hr/> <p><b>Proposed Law:</b> This bill would revise the definitions of the various terms used in the those requirements, including revising the definition of the term "source reduced" to impose new requirements</p>	

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AB 323	Chesbro	<p><b>February 12, 2013</b></p> <p><b>Assembly Committee on Natural Resources</b></p>	<p><b>Existing Law:</b> Existing law requires each city, county, and regional agency to develop a source reduction and recycling element to their integrated waste management plan. Under state law, the use of solid waste for beneficial reuse in the construction and operation of a solid waste landfill, including alternative daily cover, constitutes diversion through recycling and is not considered disposal.</p> <hr/> <p><b>Proposed Law:</b> This bill would require CalRecycle to adopt regulations to provide that, no later than January 1, 2020, the use of green material as alternative daily cover or alternative intermediate cover does not constitute diversion through recycling and would be considered disposal. The bill would require CalRecycle to conduct an analysis of the use of residual fines from MRFs and materials left over from the composting process for use as, among other things, alternative daily cover and to adopt regulations by July, 2015 based on the analysis. The bill would also require CalRecycle to adopt regulations by January 1, 2017, to require large-quantity commercial organics generators, to arrange for separate organics collection and recycling services.</p>	
AB 333	Wieckowski	<p><b>Amended February 13, 2013</b></p> <p><b>Assembly Committee on Environmental Safety and Toxic Materials</b></p>	<p><b>Existing Law:</b> Existing law defines a medical waste management plan as a document that is completed by generators of medical waste, as specified, on forms provided by the State Department of Public Health or a local agency. Existing law exempts from specified provisions of the Medical Waste Management Act a person who is authorized to collect solid waste and who unknowingly transports medical waste to a solid waste facility, incidental to the collection of solid waste.</p> <hr/> <p><b>Proposed Law:</b> Among other things, this bill would define a medical waste management plan as a document that describes how the medical waste generated at a generator's facility shall be segregated, handled, stored, packaged, treated, or shipped for treatment, as applicable. This bill would exempt those persons who unknowingly transport medical waste from the entire act, with regard to that waste, and would require the solid waste transporter to contact the originating generator of the medical waste to respond to the facility to provide ultimate proper disposal of the medical waste.</p>	

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AB 403	Stone	February 15, 2013  Assembly Committee on Environmental Safety and Toxic Materials	<p><b>Existing Law:</b> Existing law requires a pharmaceutical manufacturer selling or distributing medication that is intended to be self-injected at home to submit, on an annual basis, to the Department of Resources Recycling and Recovery a plan supporting the safe collection and proper disposal of specified waste devices.</p> <hr/> <p><b>Proposed Law:</b> This bill would require a producer of home-generated sharps or a stewardship organization designated by the producer to submit a home-generated sharps stewardship plan by April 1, 2015, to CalRecycle. The bill would require the plan to provide for the development and implementation of a recovery program to reduce the generation of, and manage the end-of-life of, home-generated sharps, and to include specified elements, including provisions to meet unspecified minimum collection rates for the home generated sharps subject to the plan.</p>	
AB 468	Chesbro	February 19, 2013  Assembly Committee on Natural Resources	<p><b>Existing Law:</b> Existing law, the Electronic Waste Recycling Act of 2003, requires a retailer selling a covered electronic device in this state to collect a covered electronic waste recycling fee from the consumer, as specified. These fees are deposited in the Electronic Waste Recovery and Recycling Account, and the Department of Resources Recycling and Recovery (CalRecycle) is continuously appropriated the money in the account to, among other things, make electronic waste recovery payments and recycling payments.</p> <hr/> <p><b>Proposed Law:</b> The bill would make conforming changes with reference to CalRecycle.</p>	
AB 488	Williams	February 19, 2013  Assembly Committee on Natural Resources	<p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, requires retailers of rechargeable batteries to have in place a system for the acceptance and collection of rechargeable batteries.</p> <hr/> <p><b>Proposed Law:</b> The bill would require a producer of single-use primary household batteries or a single-use primary household battery stewardship organization created by one or more producers to submit a single-use primary household battery stewardship plan to the department.</p>	

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AB 513	Frazier	February 20, 2013  Assembly Committee on Natural Resources	<p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, requires every rigid plastic packaging container, as defined, sold or offered for sale in this state to generally meet one of specified criteria.</p> <hr/> <p><b>Proposed Law:</b> This bill would establish the Rubberized Asphalt Concrete Market Development Act and would require the department, in accordance with the tire recycling program, to award grants to cities, counties, and other local government agencies for the funding of public works projects that utilize rubberized asphalt concrete. The bill would require the department to annually expend \$10,000,000 from the moneys authorized to be expended for the tire recycling program, upon appropriation by the Legislature, to award these grants. The bill would require the grants to pay \$2 for every 12 pounds of crumb rubber used in a paving project by a local government agency. The bill would specify selection procedures if the grant requests exceed the money allocated.</p>	
AB 521	Hueso/Stone	February 20, 2013  Assembly	<p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, requires every rigid plastic packaging container, as defined, sold or offered for sale in this state to generally meet one of specified criteria.</p> <hr/> <p><b>Proposed Law:</b> This bill would declare the intention of the Legislature to enact legislation that would create the Plastic Pollution Reduction Producer Responsibility Act to significantly reduce plastic pollution in the marine environment and require producers of those products to be financially responsible for this reduction.</p>	
AB 577	Nazarian	February 20, 2013  Assembly	<p><b>Existing Law:</b> Existing law prohibits a person from throwing or depositing in any area various types of garbage, a substance likely to injure or kill wild or domestic animal or plant life or damage traffic, or noisome, nauseous, or offensive matter. A person who drops, dumps, deposits, places, or throws that material, or who causes or permits that material to be so dropped, dumped, deposited, placed, or thrown, is required to remove the material or cause it to be removed and if a person fails to take those actions, the governmental agency responsible for the maintenance of the area, or the property owner of the land on which the material has been deposited, may remove the material and collect, by civil action, if necessary, the actual cost of the removal operation and damages.</p> <hr/> <p><b>Proposed Law:</b> This bill would make technical, nonsubstantive changes to the provision requiring the removal of that material.</p>	

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AB 597	Dahle	Amended March 19, 2013  Assembly Committee on Environmental Safety and Toxic Materials	<p><b>Existing Law:</b> Existing law requires the Department of Toxic Substances Control to adopt regulations to establish a process to identify and prioritize chemicals or chemical ingredients in consumer products, to establish a process for evaluating chemicals of concern in consumer products and their potential alternatives for the purposes of limiting exposure or to reduce the level of hazard posed by chemicals of concern, and a range of regulatory responses that the department may take following the evaluation.</p> <hr/> <p><b>Proposed Law:</b> This bill would prohibit the department from taking a regulatory response until an unspecified number of days after the date that the department submits a notice to the consumer product manufacturer, the consumer product distributor, and the consumer product retailer of the proposed action.</p>	
AB 794	Gorell	February 21, 2013  Assembly Committee on Natural Resources	<p><b>Existing Law:</b> The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect.</p> <hr/> <p><b>Proposed Law:</b> This bill would exempt from the requirements of CEQA a project that takes landfill materials or organic waste and converts them into renewable green energy if the lead agency finds that the project will result in a net reduction in greenhouse gas emissions or support sustainable agriculture. The bill would also exempt from the requirements of CEQA a project that uses biological processes to convert organic waste streams into nonchemical soil fertility products that support renewable and reusable cultivation and viability.</p>	

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AB 997	Chesbro	February 22, 2013  Assembly Committee on Natural Resources	<p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by CalRecycle that requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. The element is required to divert 50% of the solid waste subject to the element through source reduction, recycling, and composting activities. The act allows the source reduction and recycling element to include not more than 10% diversion through transformation, which is defined as excluding, among other things, composting. The act defines the term "composting" for the purposes of the act as the controlled or uncontrolled biological decomposition of organic wastes. The act also defines the term "solid waste facility," for purposes of the permitting requirements of the act, as a composting facility.</p> <hr/> <p><b>Proposed Law:</b> This bill would define the term "anaerobic digestion," for purposes of the act, as a process using the bacterial breakdown of compostable organic material in a controlled environment that meets the parameters that may be established by the department, and would revise the definition of the term "composting" to include anaerobic digestion.</p>	
AB 1337	Allen	February 22, 2013  Assembly	<p><b>Existing Law:</b> Existing law requires a store, as defined, to establish an at-store recycling program to provide an opportunity for a customer of the store to return to the store clean plastic carryout bags. Existing law authorizes a retail establishment that is not a store, as defined, and that provides plastic carryout bags, to adopt an at-store recycling program.</p> <hr/> <p><b>Proposed Law:</b> This bill would make technical, nonsubstantive changes to the above provision.</p>	
AB 1398	Committee on Natural Resources	March 11, 2013  Assembly	<p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989 requires a business, which is defined as a commercial or public entity, that generates more than 4 cubic yards of commercial solid waste per week or is a multifamily residential dwelling of 5 units or more, to arrange for recycling services and requires jurisdictions to implement a commercial solid waste recycling program meeting specified elements. Existing law defines commercial solid waste by reference to a specified regulation which includes all types of solid wastes generated by stores, offices and other commercial sources, excluding residences, and excluding industrial waste.</p> <hr/> <p><b>Proposed Law:</b> This bill instead would define commercial solid waste to include all types of solid waste generated by a store, office, or other commercial or public entity source, including a business or a multifamily dwelling of 5 or more units, thereby imposing a state-mandated local program by imposing new requirements upon local jurisdictions.</p>	

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SB 245	Correa	February 12, 2013  Senate Committee on Rules	<p><b>Existing Law:</b> Existing law requires a retailer of various specified products, such as rechargeable batteries and cell phones, sold in the state to have in place a system for the acceptance and collection of those products for reuse, recycling, or proper disposal.</p> <hr/> <p><b>Proposed Law:</b> This bill would declare the intention of the Legislature to enact subsequent legislation to establish a program for the management of used mattresses, with specified components.</p>	
SB 254	Hancock	February 13, 2013  Senate Environmental Quality Committee	<p><b>Existing Law:</b> Existing law requires a retailer of various specified products, such as rechargeable batteries and cell phones, sold in the state to have in place a system for the acceptance and collection of those products for reuse, recycling, or proper disposal.</p> <hr/> <p><b>Proposed Law:</b> The bill would, among other things, require a manufacturer of mattresses sold in this state, individually, collectively, or through a stewardship organization, to provide in an electronic format an interim plan to CalRecycle by April 1, 2014, that ensures that the manufacturer will be responsible for the collection and recycling of used mattresses generated by consumers. The bill would require a manufacturer to implement the interim plan by July 1, 2014, and to continue implementation until a mattress stewardship plan is approved, conditionally approved, or disapproved by the department. The bill would prohibit a manufacturer or retailer from selling or offering for sale a mattress to any person in this state unless the manufacturer is in compliance with the act and would prohibit a manufacturer from selling a mattress on or after August 1, 2015, if the manufacturer is not covered by an approved or conditionally approved plan.</p>	

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SB 405	Padilla	<p><b>February 20, 2013</b></p> <p><b>Senate Environmental Quality Committee</b></p>	<p><b>Existing Law:</b> Existing law, until January 1, 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store.</p> <hr/> <p><b>Proposed Law:</b> With specified exceptions, this bill would, as of January 1, 2015, prohibit stores that have a specified amount of dollar sales or retail floor space from providing a single-use carryout bag to a customer. The bill would require these stores to meet other specified requirements regarding providing recycled paper bags, compostable bags, or reusable bags to customers. The bill would, beginning January 1, 2016, require a reusable grocery bag producer to submit to CalRecycle a biennial certification, including a certification fee established by the department, that certifies that each type of reusable grocery bag that is imported, manufactured, sold, or distributed in the state and provided to a store for sale or distribution meets specified requirements. The bill would allow a city, county, or city and county, or the state to impose civil penalties for a violation of the bill's requirements, except for the certification requirements.</p>	
SB 529	Leno	<p><b>February 21, 2013</b></p> <p><b>Senate Environmental Quality Committee</b></p>	<p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, requires every rigid plastic packaging container, as defined, sold or offered for sale in this state to generally meet one of specified criteria.</p> <hr/> <p><b>Proposed Law:</b> The bill would prohibit a fast food facility, on and after July 1, 2014, from distributing disposable food service packaging or a single-use carryout bag to a consumer, unless the disposable food service packaging or single-use carryout bag meets the criteria for either compostable packaging or recyclable packaging specified in the bill.</p>	

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SB 700	Wolk	February 22, 2013  Senate Committee on Natural Resources and Water	<p><b>Existing Law:</b> Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. Existing law prohibits a city, county, or other local public agency from taking specified regulatory actions with regard to the recycling of plastic carryout bags.</p> <hr/> <p><b>Proposed Law:</b> The bill would require retail establishments that sell food or alcohol for consumption on or off premises to collect \$.05 for each single-use carryout bags provided to customers (including paper or plastic). Establishments would be able to retain \$.005 per \$.05 collected and would be able to collect an additional \$.005 if they, among other things, credit customers \$.05 for each bag brought in that they use. Funds received by establishments (minus the \$.005 retained by the establishment) would be used for the purpose of enhancing city and county parks and for local programs aimed at reducing and cleaning up litter. The bill states that this would not preempt or prohibit local ordinances, curbside/drop off recycling programs, franchise agreements, or an ordinance that states that the charge does not apply to their jurisdiction.</p>	
SB 727	Jackson	February 22, 2013  Senate Environmental Quality Committee	<p><b>Existing Law:</b> The existing Medical Waste Management Act, administered by the State Department of Public Health, regulates the management and handling of medical waste, including pharmaceutical waste, as defined. Existing law requires, among other things, that all medical waste be hauled by either a registered hazardous waste hauler or by a person with an approved limited-quantity exemption granted pursuant to specified provisions of law.</p> <hr/> <p><b>Proposed Law:</b> This bill would, effective January 1, 2015, prohibit a producer of a pharmaceutical that is a cover drug, as defined, from selling or distributing that pharmaceutical in the state unless it is included in a product stewardship plan that is approved by the Department of Public Health. This bill would require a producer, group of producers, or stewardship organization, if applicable, to pay all associated costs with its product stewardship program, as specified, including the costs incurred by the state for administration and enforcement of the program.</p>	

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SB 804	Lara	<b>February 22, 2013</b>  <b>Senate Committee on Energy, Utilities, and Communications</b>	<p><b>Existing Law:</b> Existing law requires the Energy Commission to submit an annual report to the Legislature regarding awards made pursuant to the Public Interest Research, Development, and Demonstration Program. The California Integrated Waste Management Act of 1989, which is administered by the CalRecycle, requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan.</p> <hr/> <p><b>Proposed Law:</b> This bill would require the energy commission to include in the annual report that is due by March 31, 2015, an analysis of the opportunities for utilizing waste conversion technologies. This bill would make a statement of legislative intent regarding the development of waste conversion technology facilities.</p>	