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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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July 25, 2023

Ms. Donnet McFarlane
Recycling and Disposal Reporting System
California Department of Resources Recycling
and Recovery, Regulations Unit
1001 "I" Street, MS-24B
Sacramento, CA 95814

Dear Ms. McFarlane:

COMMENTS ON THE RECYCLING AND DISPOSAL REPORTING SYSTEM RULEMAKING

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates the opportunity to submit comments on proposed regulations to establish and clarify requirements related to the Recycling and Disposal Reporting System.

The proposed regulations define "mixed plastic waste" under Section 18815.2. as "a mixture of plastics and any other materials, other than solid waste and green material for potential beneficial reuse, where such mixture does not comprise only high-density polyethylene, polypropylene, polyethylene terephthalate, or a combination of those three resin types." It also establishes requirements for haulers, facilities, brokers, transporters, and other relevant entities to collect and report information on the tons of mixed plastic waste export, the tons of each material type sent to each destination region, and the tons sent from each jurisdiction of origin across all material types and destination regions.

Pursuant to Assembly Bill (AB) 939 (1989), local jurisdictions are required to divert at least 50 percent of their solid waste, as defined, from landfill disposal. According to AB 939, source separated materials are not considered as solid waste and thus eligible for recycling/diversion credit. However, under the proposed regulations, exported mixed plastic waste will now be classified as disposal and not eligible for recycling/diversion credit. As such, the proposed regulations are expected to have a significant negative impact on local jurisdictions, who will need to find new ways to manage their mixed plastic

waste to ensure they can comply with the AB 939 requirements and avoid penalties of up to \$10,000 per day.

Below are some specific impacts that these requirements will have on local jurisdictions:

Increased costs: Local jurisdictions and waste haulers will have to pay a higher cost, as a result of an unfunded state mandate, to manage mixed plastic waste that was previously exported and may need to invest in new infrastructure or equipment to manage their mixed plastic waste. This will lead to increased waste collection rates for residents and businesses who already are being confronted with the cost of Senate Bill 1383 (2016) implementation.

Reduced diversion rates: The classification of exported mixed plastic waste as disposal will reduce recycling/diversion rates. Local jurisdictions that lack resources or infrastructure to recycle mixed plastic waste export it for recycling. If this option is eliminated, local jurisdictions may be forced to dispose mixed plastic waste in landfills.

Increased emissions: If local jurisdictions are forced to landfill or incinerate their mixed plastic waste instead of exporting it for recycling, this could lead to increased emissions from landfills and incineration facilities.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated and cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

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The Task Force strongly encourages the California Department of Resources Recycling and Recovery to consider the impacts to local jurisdictions during this rulemaking. If you have any questions, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@gmail.com or (909) 592-1147.

Sincerely,



Sam Shammass, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

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cc: California Department of Resources Recycling and Recovery (Rachel Wagoner)
California State Association of Counties
League of California Cities – Los Angeles County Division
Each Member of the Los Angeles County Board of Supervisors
Fesia A. Davenport, Los Angeles County Chief Executive Officer
Gateway Cities Council of Governments
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and Manager in the County of Los Angeles
Each City Recycling Coordinator in the County of Los Angeles
Each Member of the Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force