

Los Angeles County Solid Waste Management Committee/  
Integrated Waste Management Task Force

Minutes of June 21, 2012

County of Los Angeles Department of Public Works  
900 South Fremont Avenue  
Alhambra, California

COMMITTEE MEMBERS PRESENT:

Margaret Clark, California League of Cities-Los Angeles Division  
Betsey Landis, Environmental Organization Representative  
Mike Mohajer, General Public Representative  
Mary Ann Lutz, California League of Cities-Los Angeles Division  
Ron Saldana, Los Angeles County Disposal Association (Formerly GLASWMA)  
Sam Perdomo, Business/Commerce Representative

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Enrique Zaldivar, rep by Karen Coca, City of Los Angeles Bureau of Sanitation  
Gail Farber, rep. by Pat Proano/Carlos Ruiz, County of Los Angeles Department of Public Works  
Grace Chan, rep by Chris Salomon, County Sanitation Districts of Los Angeles County  
Carl Clark, rep by David Thornburg, Institute of Scrap Recycling Industries, Inc.

COMMITTEE MEMBERS NOT PRESENT:

Eugene Sun, California League of Cities-Los Angeles Division  
Dr. Jonathan Fielding, County of Los Angeles Department of Public Health  
Michael Conway, City of Long Beach  
David Kim, City of Los Angeles  
Gerry Miller, City of Los Angeles  
Mitchell Englander, City of Los Angeles  
Dr. Barry Wallerstein, South Coast Air Quality Management District

OTHERS PRESENT:

Jennifer Wallin, CalRecycle  
Lena Wiegand, CalRecycle  
Mark Patti, City of Santa Clarita  
Tobie Mitchell, County of Los Angeles Department of Public Works  
Gabriel Arenas, County of Los Angeles Department of Public Works  
Coby Skye, County of Los Angeles Department of Public Works  
Isabel Rios, County of Orange County  
Sean Fitzgerald, Discovery Science Center  
Steve Simmons, Plasco Energy Group  
Wayde Hunter, NVC/GHNNC

**I. CALL TO ORDER**

Meeting called to order at 1:05 p.m.

**II. APPROVAL OF MINUTES OF MAY MINUTES, 2012**

A motion was made by Ms. Betsey Landis to approve May minutes as corrected. Mr. Mike Mohajer seconded the motion, and it was passed with Mr. Chris Solomon abstaining.

**III. FACILITY AND PLAN REVIEW SUBCOMMITTEE**

Ms. Landis reported that the Subcommittee discussed the City of Whittier's application for a modified Solid Waste Facilities Permit and whether it is required to obtain a Finding of Conformance from the Task Force. The Subcommittee decided to table the item until the next Subcommittee meeting in order for the City of Whittier to provide additional information to the Subcommittee. The Subcommittee also discussed the Preliminary Draft Countywide Siting Element (CSE) and approved a motion to recommend the Task Force approve the Executive Summary, Chapter 2 (Goals and Policies), and Chapter 9 (Out of County Disposal) of the Preliminary Draft CSE. Mr. Mohajer made a motion to approve these chapters and the Executive Summary. Ms. Landis seconded the motion, and the motion was passed unanimously. Ms. Landis also reported that the Subcommittee passed a motion for staff to submit the entire CSE for approval at the July 2012 meetings of the Subcommittee and the Task Force. Mr. Mohajer added that the Subcommittee requested staff to change the name of conversion technology throughout the CSE to conversion/recovery technology to emphasize the recovery aspect of conversion technology.

**IV. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE (ATAS)**

Ms. Mitchell reported that the ATAS discussed the Conversion Technology Action Plan that staff had developed pursuant to the Subcommittee's request. Following the incorporation of a final set of revisions and approval by the Subcommittee, the Action Plan will be presented to the Task Force. Ms. Mitchell also reported that the ATAS had a lengthy discussion regarding CalRecycle's decision to rescind the gasification determination for the Plasco Energy Project in Salinas Valley, CA, and the implications for other projects moving forward in the State. The ATAS voted to request the Task Force to send a letter to CalRecycle expressing their concern, but offering assistance in moving forward to develop a technology-neutral, feedstock-based performance standard that could eventually be used in place of the definition of gasification for determining Renewable Portfolio Standard eligibility.

## V. LEGISLATIVE UPDATE

Mr. Coby Skye gave an update on the attached legislative table. Per Mr. Skye, going forward Task Force staff will provide the Task Force with a cover page noting the bills staff will discuss and/or recommend a position on.

- AB 298 (Brownley)  
As recently amended, this bill will prohibit single use plastic bags from being distributed at a state level, modeling the bag bans adopted by the County of Los Angeles and several Cities in Los Angeles County and throughout the State. Staff recommends the Task Force to support this bill. Mr. Mohajer asked Mr. Skye to explain the AB 1834 and SB 1219 which are in the appropriation committee, and AB 298 which is in senate Environmental Quality committee. Mr. Skye noted AB 298 is more comprehensive than the other two bills, which make small adjustments to the existing plastic bag recycling law. Ms. Karen Coca made a motion to support AB 298. Mr. Proano seconded the motion. The motioned was passed with two abstentions from Mr. Solomon and Mr. Mohajer.
- AB 1178 (Ma)  
No action needed from the Task Force. Mr. Skye stated that a letter will be sent opposing this bill. This bill would prohibit an ordinance enacted by a jurisdiction, including an ordinance enacted by initiative by the voters of a jurisdiction, from restricting or otherwise limiting the importation of solid waste into a privately owned solid waste facility based on the jurisdiction.
- AB 1834 (Brownley)  
No action needed by the Task Force. This bill is now joined with SB 1219.
- SB 1118 (Hancock)  
The Task Force took an oppose position on this bill, which pertains to the recovery of mattresses. Previously the bill required a \$25 per-mattress fee; the bill now allows CalRecycle to determine the fee. If the bill is revised to address the Task Force's opposition, staff will return the bill for reconsideration.
- SB 1122 (Rubio)  
This bill requires the electrical utilities to purchase at least 250 megawatts of electrical generating capacity from small and community-scale biomass and biogas projects that are no larger than five megawatts. Staff recommends a support and amend position, recommending the types of projects eligible for the incentives be broadened to include all CTs. Mr. Mohajer made a motion to support and recommend amendment to SB 1122. Mr. Carlos Ruiz seconded the motion and it passed unanimously.

Mr. Mohajer had a brief discussion on AB 480. This bill may show up on July 2 and the Task Force may send a Floor Alert, if necessary. Ms. Lutz, discussed the trailer bills the governor has regarding the regional boards. Mr. Mohajer made a motion to send a letter to the governor to oppose the elimination of the two seats reserved for local government on the State Regional Quality Control Boards. Ms. Landis seconded the motion and it passed unanimously. Ms. Lutz recused herself from the vote.

## **VI. ORANGE COUNTY WASTE & RECYCLING**

Ms. Isabel Rios, Environmental Manager of the Orange County Waste & Recycling, made a presentation to the Task Force on the Eco Challenge implemented. In 2006 the Board of Supervisors provided OC Waste & Recycling with clear direction to deploy regional programs to help the County and their partner Cities achieve joint recycling and waste diversion goals in compliance with the State mandates set forth in the Integrated Waste Management Act of 1989 (AB 939). Since the implementation of the AB 939 Surcharge, self-hauled waste has decreased by 83%. A total of \$8.4 million in AB 939 Self-haul Surcharge monies was expended on projects partnering with cities, special districts, schools, businesses, and County agencies to divert recyclable materials from Orange County landfills. Mr. Sean Fitzgerald, Director of Strategic Development, from the Discovery Science Center, continued with a presentation on the three components of the Eco Challenge: Race to Recycle, Eco Garage, and Discovery Market, and the educational partnership with Orange County Waste & Recycling.

## **VII. PLASCO GASIFICATION PROJECT, SVSWA**

Mr. Pat Proano gave a presentation on the Plasco Gasification Project. Mr. Proano discussed Public Works relationship with CalRecycle and recommended the tone of the letters sent to Calrecycle to be positive. Mr. Coby Skye gave a brief overview on the major issues and the County's position on AB 341.

Ms. Clark agreed that the tone should be positive but in a forceful way. Mr. Mohajer discussed sending a letter to Plasco to express the Task Force's concern with the changing of the rules and to offer the Task Force cooperation. After the letter is drafted, it will be distributed to the Alternative Technology Advisory Subcommittee and Task Force members for their comments. Ms. Lutz made a motion to send a letter to CalRecycle regarding the Plasco project, Ms. Coca seconded the motion and it passed unanimously.

Mr. Mohajer emphasized that County business is County business, and Task Force business is Task Force business and the two are separate entities.

### **VIII. NEEDLE EXCHANGE PROGRAM REGARDING SB 41 IMPLEMENTATION**

Ms. Julia Weisman of County Counsel gave a presentation on the SB 41 Needle Exchange Program in response to a request by the Task Force for County Counsel to clarify some issues discussed in an earlier presentation by the Los Angeles County Department of Public Health on April 19, 2012. Mr. Weisman stated that she did not have much to add to the previous presentation. She explained how SB 41 authorizes pharmacies to sell syringes without prescriptions. In 2010, SB 41 passed into law which put SB 1159 on hold until 2015. SB 41 does impose requirements on pharmacies when they provide syringes to customers pursuant to the law. It requires pharmacies to follow certain rules on the storage of syringes, and to provide information to customers regarding drug treatment, HIV testing, and disposal of the syringes. It also requires that they provide customers with one or more of three possible disposal options, including offering an on-site needle collection program, offering mail-back sharps containers, or offering sharps containers. Mr. Mohajer had a concern that the County is spending a significant amount of money collecting sharps, yet there is not a system to recover the cost from the retailers that are making money from selling the syringes. Mr. Mohajer also questioned if the County Health Department was required to inspect the pharmacies to ensure they are complying or not. After a brief discussion, Ms. Weisman explained that the pharmacy has to inform the customers about the use and disposal options but that SB 41 does not provide a specific enforcement mechanism or role for the local health department.

### **IX. ALAMEDA COUNTY PHARMACEUTICALS EPR ORDINANCE**

Mr. Gabriel Arenas gave a presentation on the Alameda County Pharmaceuticals Extended Producer Responsibility (EPR) Ordinance. Mr. Arenas reported that staff has reviewed the ordinance and finds it is consistent with the EPR legislative framework set forth by the California Product Stewardship Council. The intent of this ordinance is to make the pharmaceutical industry design, fund, and operate a take back collection program for unused medications in Alameda County. Staff recommends sending a letter of support to the Alameda County Board of Supervisors which will be voting on the ordinance on July 10. Mr. Mohajer made a motion to send a letter to the members of the Alameda County Board of Supervisors in support of the Alameda County Safe Medication Disposal Ordinance. Ms. Lutz seconded the motion. The motion was passed unanimously with one abstention from Mr. Solomon.

### **X. REPORT FROM CALRECYCLE**

Ms. Jennifer Wallin thanked everyone in the Task Force for their comments on the 75 percent plan. In relations to the PaintCare plan, they are anticipating

approval of the plan and the California Environmental Quality Act document as of the next public meeting. In relation to e-waste, Carol Mortesen approved to keep the recycling payment rate the same. The compost regulation will be ready for comments July 20. Comments for the compost regulation for the State Water Board are due in August and should be ready for approval in October. Mr. Mohajer asked Ms. Wallin if it would be possible for her give a presentation on the next Task Force meeting on the activities CalRecycle is doing when they go visit the cities.

#### **XI. CALRECYCLE'S INITIAL STUDY AND NEGATIVE DECLARATION FOR PAINTCARE PLAN**

Ms. Cynthia James gave an update on the Architectural Paint Stewardship Program (Program). The Office of Administrative Law approved the Program regulations on June 6, which became effective immediately. The Notice of Approval of Regulatory Action is located at <http://calrecycle.ca.gov/Laws?rulemaking/Paint>. PaintCare submitted a Paint Stewardship Program Plan (Plan) to CalRecycle on April 2. A revised Plan was submitted on June 4, which includes PaintCare's responses to CalRecycle's comments. CalRecycle is expected to bring forward its recommendation for the Plan on July 17, at their monthly public meeting. If approved, the anticipated implementation date is October 17. PaintCare has posted a Collection Site Contract for Municipal Partners on their website. On June 4, CalRecycle submitted a Negative Declaration and Initial Study Evaluating the Adoption of the Architectural Paint Stewardship Program Plan and Notice of Intent to Adopt a Negative Declaration Pursuant to the California Environmental Quality Act (CEQA); <http://www.calrecycle.ca.gov/epr/Policylaw/Paint.htm>. The CEQA public comment period will run from June 14 - July 14, 2012.

Mr. Mohajer raised a concern about contractors' negotiations on the PaintCare Plan. After a brief discussion, Ms. Lutz made a motion to send a letter to CalRecycle letting them know the Task Force disagrees with the Plan and that there are issues with the negotiation portion, which CalRecycle should be made aware of. Ms. Landis seconded the motion and it passed unanimously.

#### **XII. NEXT MEETING DATE**

The next meeting is scheduled for Thursday, July 19, in Conference Room B.

#### **XIII. OPEN DISCUSSION**

The meeting adjourned at 3:25 p.m.

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