



## Minutes of the Rural Counties' Environmental Services Joint Powers Authority Board of Directors' Meeting

801 12<sup>th</sup> Street – 2<sup>nd</sup> Floor Conference Room  
Sacramento, CA 95814  
(916) 447-4806

Thursday, December 14, 2006

### MEMBERS REPRESENTED

Bob Pickard, ESJPA Chair	Mariposa County
Jim McHargue, Program Manager	Amador County
Bill Mannel, Solid Waste Manager	Butte County
Steve Rodowick, Recycling Manager	Butte County
Lesli Daniel, Recycling Manager	Calaveras County
Richard Dickson, Public Works Deputy Director	Colusa County
Kevin Hendrick, Solid Waste Director	Del Norte County
Jon Souza, Public Information Officer	El Dorado County
Mandy Kleykamp, Solid Waste Manager	Glenn County
Tom Valentino, LRSWMA Director	Lassen County
Paula Wesch, Program Coordinator	Lassen County
Keith Quinlan, Solid Waste Manager	Madera County
Steve Engfer, Solid Waste and Recycling Manager	Mariposa County
Tracy Harper, Recycling Coordinator	Nevada County
Robert Perrault, Public Works Director	Plumas County
Mary Jo Rust, Administrative Secretary	Sierra County
Randy Akana, General Services Manager	Siskiyou County
Melissa Cummins, Solid Waste Fiscal Technician	Siskiyou County
Alan Abbs, Solid Waste Director	Tehama County
Kristina Miller, Recycling Coordinator	Tehama County
Angie Blanchard, Ag Program Associate	Trinity County
Barbara Rapinac, Solid Waste Technician	Trinity County
Mark Rappaport, Solid Waste Consultant	Tuolumne County

### STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager	RCRC Governmental Affairs
Stacey Miner, ESJPA Program Administrator	RCRC Governmental Affairs
Rachel Basore, ESJPA Program Assistant	RCRC Governmental Affairs
Staci Heaton, Regulatory Affairs Director	RCRC Governmental Affairs
Paul Smith, Legislative Affairs Director	RCRC Governmental Affairs
Larry Sweetser, Consultant to ESJPA	Sweetser and Associates

**OTHERS IN ATTENDANCE:**

Bill Beckman, Hazardous Substances Engineer	DTSC
Jim Greco, Principal	California Waste Associates
Adam Harris, Engineering Geologist	SWRCB
Natalie Lee, IWMS	CIWMB
Joe Mello, Lead PM	SWRCB
Ed Nieto, Hazardous Substances Engineer	DTSC
Michael Payan, IWMS	CIWMB
Kyle Pogue, Supervising IWMS	CIWMB
Evelia Rodriguez, Hazardous Substances Engineer	DTSC
Heidi Sanborn, Consultant	R3 Consulting Group

**MEMBERS NOT REPRESENTED**

Alpine County	Inyo County	Imperial County	Modoc County
Mono County			

**I. Call to Order / Determination of Quorum / Introductions**

The meeting was called to order at 9:42 am by Bob Pickard, ESJPA Chair. Roll call was taken, self-introductions were made, and a quorum was established.

**II. Approval of minutes from the meeting of October 19, 2006**

The Chair called for a motion to approve the minutes of the October 19, 2006 meeting. The motion was made by Kevin Hendrick and seconded by Jim McHargue. Tom Valentino abstained. Motion carried.

**III. Public Comment**

Heidi Sanborn requested that the ESJPA sign a letter to Mark Leary, Executive Director of the CIWMB to encourage the CIWMB to create a webpage dedicated to Extended Producer Responsibility Policies, including zero waste-policies. The webpage would allow jurisdictions to share policy information via the CIWMB website.

Bob Pickard stated that the ESJPA Board could not take action on the letter this meeting. However, the item would be discussed in the Technical Advisory Group (TAG) meeting and added to the agenda of the next available ESJPA meeting if necessary.

#### IV. Presentation Items

- A. Treated Wood Waste Update – Bill Beckman, Hazardous Substances Engineer, Department of Toxic Substances Control
- B. Landfill Gas and Leachate Issues – Adam Harris and Joe Mello, Division of Water Quality, State Water Resources Control Board
- C. Lassen County Solid Waste Program – Tom Valentino, Director, Lassen Regional Solid Waste Management Authority

#### V. Solid Waste/Regulatory Update

- A. Report from the CIWMB – Kyle Pogue, Supervising Integrated Waste Management Specialist, Office of Local Assistance

Kyle introduced a new member of the Office of Local Assistance, Michael Payan. Michael was previously with the State of California Franchise Tax Board and has worked in the private sector of the solid waste industry, specializing in tires and wood waste. He will be working with Butte and Del Norte Counties.

Kyle provided an update on the recent CIWMB policy that gave delegation authority to the Executive Director and the process of that delegated authority. Under the new changes, a notice will appear on the CIWMB's website identifying specific items for delegated approval by the Executive Director. The full details pertaining to each item will not be viewable. The item will not be heard before the CIWMB, unless a jurisdiction so chooses. Kyle will follow up on how counties will be able to access documents related to approval decisions.

Connected with this issue, Natalie Lee announced the development of a webpage for specific agenda delegated items. The webpage is anticipated in January 2007 and it is recommended that jurisdictions wait until the website is live and operating before making content suggestions. If pertinent information is still missing from the webpage after a month, jurisdictions should provide the CIWMB with a list of needed documents.

Kyle updated the group on the CIWMB reorganization process. A recent meeting spelled out more concrete timelines for the reorganization. Early next year job openings will appear for the sustainability and waste compliance sides of the CIWMB. Once the top positions of each of the new divisions are filled, lower positions will be filled in April/May 2007. The most noticeable change will occur through an expansion of local assistance's role. Kyle will keep the group posted on developments in the reorganization process.

The presentation from the December 5, 2006 Sustainability and Marketing Committee Meeting on plastics is now available online. The plastics discussion featured information on a variety of topics such as ag film, hospital blue wrap, recovery film from plastic facilities, transportation packing, and retail plastic. Kyle suggested discussing this topic at a future

ESJPA meeting since there is increased growth and development in this area. This topic would be explored further during the TAG meeting.

Concerning AB 2449, the new Film Plastic Bag Law, the CIWMB is working with retail and grocery associations to fully understand and interpret the law. AB 2449 becomes effective July 1, 2007 and will require all grocery store outlets and retail stores over 10,000 square feet with pharmacies to offer plastic bag recycling programs.

Kyle reported that jurisdictions would soon receive notice when they can begin running diversion calculations for their 2005 Annual Report. The anticipated due date for the report is March 1, 2007. Jurisdictions should contact the CIWMB if they require password assistance.

Modoc and Lassen counties recently underwent their Biennial Review and both passed on good faith effort. Sierra County expressed their appreciation to the CIWMB staff for support with their biennial review. They were pleased to see that the CIWMB was aware of the challenges facing small counties in complying with diversion requirements.

B. AB 32 – Global Warming Solution Act of 2006 – Larry Sweetser, ESJPA Consultant

This new law requires California to reduce emissions to a 1990 baseline level by 2020. The Air Resources Board (ARB) will conduct research in each jurisdiction to determine the appropriate baselines levels. Rural jurisdictions lack many large emission sources, so the biggest reduction targets are likely be landfill and compost facilities. On January 22, 2007, the ARB will hold a workshop about the implementation schedule and plans for the new regulations.

The California Climate Action Registry (CAR) will play a major role in how ARB reporting regulations will develop. Bob Pickard commented that counties may file a Letter of Intent with the CAR without fully registering or paying a fee. Filing a Letter of Intent does not bind counties to the registry, but gives them the option of registering in the future. This Letter of Intent is available on the CAR website. Robert Perrault reported that Plumas County supervisors recently voted to join the registry and have submitted their registration fee.

C. CIWMB Closure and Post Closure Requirements – Larry Sweetser

The CIWMB continues to look at the post-post closure period to determine how far new requirements will extend to closed landfills. The CIWMB currently has a set of draft regulations and the AB 2296 study, which is looking at post-closure impacts and landfill maintenance and construction factors that could cause risk. The study is ongoing as the regulations are being drafted.

The CIWMB has concerns about what will happen after the 30-year closure period. Although maintenance work will be minimal after the 30- year period, there will still be financial costs associated with upkeep. A proposed idea is to extend the post-closure period

to 50 years, but it would still require landfills to prove that they carry no environmental threat after that time.

On the topic of corrective action estimates, Larry noted the passage of time should not alter what is the most likely event that will happen at a landfill. Jurisdictions should be able to update post-closure costs based on inflation factors only. Any increases in costs would be at the State Water Resources Control Board's discretion, but the Regional Water Board has never increased the corrective action estimate.

D. Other Regulatory Issues of Interest or Concern – Alan Abbs, ESJPA Solid Waste Specialist

Mary Pitto deferred these items to discussion during the TAG meeting.

## VI. Legislative Update

A. Legislative overview for 2007 – Paul Smith, RCRC Director of Legislative Affairs

Paul reported that 2006 was a relatively quiet year for the ESJPA in terms of regulatory items and he expects 2007 to be the same. The Legislature resumed on December 4 for swearing in and is now on break for the holidays. Of the 150 new bills introduced in this short period, only one to two were of any potential interest to the ESJPA.

When session resumes in January, the budget will come out and programmatic changes associated with the budget will occur. In the Governor's State of the State address, he will unveil his health care plans. Health care is expected to dominate the 2007 legislative session. The deadline for new legislation will occur in mid February/March.

In 2007, Paul will watch for any post-closure issues that could come out in the budget or legislation. Biomass sanctioning could also resurface this year. Overall, 2007 is not expected to be a crazy year for solid waste issues.

B. 2007 Legislative Task Force – Mary Pitto, ESJPA Program Manager

The 2006 Legislative Task Force consisted of Alan Abbs, Steve Engfer, Tracey Harper, Kevin Hendrick, and Tom Hunter. This group screens new legislation to determine what items are of interest to the ESJPA and then reviews them with legislative staff to obtain feedback. Anyone is welcome to join these conference calls. Mary requested volunteers for next year's task force. Volunteers for the 2007 Legislative Task Force are: Lesli Daniel, Steve Engfer, Tracey Harper, Kevin Hendrick, and Jon Souza.

## VII. ESJPA Program Updates

Grant Program Update by Stacey Miner. Stacey reported that the u-waste application submitted last spring for the HD-15 grant is being reworked to be submitted to other agencies. Larry has submitted the revised grant application to the U.S. EPA and Rachel will submit a revised grant

application to the USDA. Work is set to begin on UOG-8 in 2007 and HD-14 is being restructured, following a one-year delay in implementation.

Stacey provided information about the upcoming Notice of Funding Availability (NOFA) for the Used Oil Nonprofit Grant Program, 7<sup>th</sup> Cycle (UNP-7) and the Used Oil Research, Testing, and Demonstration Grant Program, 5<sup>th</sup> Cycle (URD-5). UNP-7 supports non-profit entities that assist local government efforts to establish or enhance used oil collection programs and reduce the volume of improperly disposed oil. URD-5 is open to entities pursuing research, testing, and demonstration projects to develop collection technologies or systems and uses for used oil. Only oil filter collection programs will be considered for funding during both of these cycles. The maximum award amount for both grants is \$300,000. The NOFA will be mailed January 22, 2007, the question and answer period runs from January 22-February 19, 2007, and applications are due March 1, 2007. Stacey will keep counties notified of upcoming grant opportunities.

### **VIII. Business Matters**

#### **A. Adoption of the 2007 Budget**

Stacey presented an overview of the ESJPA's budget for CY 2007 and the actual vs. estimated 2006 budget. A motion was made by Kevin Hendrick to adopt the 2007 budget and seconded by Richard Dickson. Motion carried unanimously.

#### **B. Review and approval of the 2007 Contract Services Agreement between ESJPA and RCRC.**

Stacey explained the contractual relationship between the ESJPA and RCRC. The terms and conditions of the 2007 contract are consistent with the 2006 contract and enable RCRC to provide technical and grant-related personnel services to the ESJPA. Under the Agreement, the ESJPA pays RCRC for reimbursable grant-related activities. A motion was made by Tom Valentino to adopt the 2007 Contract Services Agreement and seconded by Lesli Daniel. Motion carried unanimously.

#### **C. Adoption of the 2007 Meeting Schedule**

Stacey presented the proposed 2007 Meeting Schedule. A concern was raised about the long recess before the first meeting in March, since it could delay the ESJPA's ability to take action on new legislative items until the following meeting in May. The structural relationship between the ESJPA and RCRC boards requires the ESJPA to gain approval for action items that are not covered under the RCRC Policy Principles. Those topics that fall within the Policy Principles may be acted upon without prior approval.

Rather than holding an earlier meeting, the group recommended utilizing the January 31, 2007 RCRC Board Meeting to present their concerns about policy topics before the Policy Principles are approved. By ensuring that relevant topics are covered in the principles, the ESJPA can take immediate action on approved policy topics in March 2007. A motion

was made by Richard Dickson to adopt the 2007 Meeting Schedule and seconded by Tom Valentino. Motion carried unanimously.

**D. Election of 2007 ESJPA Chair and Vice Chair**

Bob Pickard opened nominations for the ESJPA Board Meeting Chair and Vice Chair positions. Alan Abbs nominated Bob Pickard for Chair. A motion to close nominations was made by Mark Rappaport and seconded by Steve Rodowick. The nomination carried unanimously. Bob Pickard motioned to nominate LaVada Erickson for Vice Chair. A motion to close nominations was made by Alan Abbs and seconded by Randy Akana. The nomination carried unanimously.

**E. Presentation of Resolutions of Appreciation for Tom Hunter, Mark Rappaport, and John Kovach for their years of participation in the ESJPA**

Bob Pickard thanked Tom Hunter, Mark Rappaport, and John Kovach for their years of service and dedication to the ESJPA. Randy Akana accepted on behalf of John Kovach and Robert Perrault accepted on behalf of Tom Hunter.

**IX. Agenda Suggestions for Next ESJPA Board Meeting Scheduled in 2007.**

Agenda suggestions should be forwarded to ESJPA staff.

**X. Member County Concerns / Comments**

**XI. Adjournment to Member's Holiday Lunch Buffet at 12:40pm.**

Respectfully submitted,

*Rachel Basore*

Rachel Basore  
Environmental Program Assistant  
Rural Counties' Environmental Services Joint Powers Authority