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PROGRAM MANAGER – MARY PITTO

**Minutes of the Rural Counties'
Environmental Services Joint Powers Authority
Board of Directors' Meeting
1215 K Street, Suite 1650, Sacramento, CA**

Thursday, August 19, 2010

MEMBERS REPRESENTED

Jim McHargue, Program Manager
Jon Souza, Public Information Officer
Ed Delgado, Administrative Analyst II
Keith Quinlan, Solid Waste Manager
Michelle Miller, Solid Waste Manager
Kevin Cann, Supervisor
Daria Kent, Recycling Technician
Lynne Cody Lacroix
Robert Perrault, Jr., Director of Public Works
Robert Meacher, Supervisor
Scott Dunn, General Services Supervisor
Shannon Cash, Recycling/Grant Coordinator
Kristina Miller, Solid Waste Program Manager
Wendy Otto, Supervisor
Vivian Woolsey, Solid Waste Technician
Gretchen Olsen, Solid Waste Manager

Amador County
El Dorado County
Imperial County
Madera County
Mariposa County
Mariposa County
Nevada County
Nevada County
Plumas County
Plumas County
Siskiyou County
Siskiyou County
Tehama County
Trinity County
Trinity County
Tuolumne County

STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager
Paul Smith, Director of Legislative Affairs
Staci Heaton, Regulatory Affairs
Larry Sweetser, ESJPA Consultant
Karl Dolk, CFO
Pam Hartwell-James, RCRC Office Manager

RCRC Governmental Affairs
RCRC Governmental Affairs
RCRC Governmental Affairs
Sweetser and Associates
RCRC
RCRC Office Manager

OTHERS IN ATTENDANCE:

Cindi Rumenapp
Greg Dick
Watson Gin
Robert Hilton
Mark Urquhart
Curtis Fujii
Enrique Rodriguez
Jane Taylor

CalRecycle
CalRecycle
CalRecycle
HF&H Consulting
HDR One Company
Fujii Civil Engineering
CA Building Standards Commission
CA Building Standards Commission

MEMBERS NOT REPRESENTED

Alpine County, Butte County, Calaveras County, Colusa County, Del Norte County
Glenn County, Inyo County, Lassen County, Modoc County, Mono County, Sierra County

I. Call to Order, Self Introductions, and Determination of Quorum

The meeting was called to order at 9:15am by Supervisor Cann, Mariposa County. Self introductions were made. Quorum was established.

II. Business Matters

Approval of Minutes May 20, 2010

The motion to approve the minutes of the May 20, 2010 meeting was carried by Jon Souza and seconded by Gretchen Olsen. Motion passed.

Adoption of Resolution approving the Independent Auditors' Report and Financial Statements for the Year Ended December 21, 2009.

Karl Dolk, CFO RCRC presented and reviewed with the Board the report and financial statements year ending December 21, 2009. Kristina Miller motioned to approve the reports as presented. Scott Dunn seconded the motion. Motion passed.

III. Member County Concerns/Comments

Gretchen Olsen expressed thanks for the continued support RCRC gives to ESJPA.

Jim McHargue conveyed his appreciation to staff for help and attendance at the Grand Opening and help at the County Fair.

Shannon Cash also would like to thank ESJPA for the support at the County Fair.

IV. Public Comment

None

V. Presentations

A. CalRecycle Landfill Non-Water Quality Corrective Action Best Management Practices

Watson Gin, CalRecycle gave a presentation on the meeting of the Technical Advisory Group for Non-Water Site Specific Corrective Action Plans. He reviewed objectives for the BMP as follows: February 8th 2010 draft, Presentation to LEA's in September, Workshop on October 11 following WMCP monthly meeting and Final BMP's in December 2010. Mr. Gin also reviewed regulations on Plan Requirements and Post Closure Requirements.

B. Green Building Code Construction Debris Diversion

Enrique Rodriguez, Jane Taylor and Greg Dick provided information about the new Green Building Code effective January 1, 2011 and the mandatory 50% diversion of construction debris for all new construction. While it is the responsibility of the builder to meet the requirements, the Building Officials are responsible for implementation of the program. They

shared that it would be very instrumental to have a construction debris management plan in place. Mary Pitto advised the members to coordinate with their Building Officials and consider adopting a program that would be universally applied to all new construction.

C. Report from CalRecycle

In the absence of Terry Brennan, Cindi Rumenapp gave the following report.

Seeking Stakeholder Input on Alternative Daily Cover (ADC) Demonstration Guidance Document

Staff is obtaining informal input from stakeholders on the underlying premises of a draft ADC demonstration guidance document that is being developed to assist landfill operators in evaluating the performance of new ADC materials, such as materials recycling facility fines.

Informal Stakeholder Workshop on Mandatory Commercial Recycling

CalRecycle in partnership with the Air Resources Board hosted an informal stakeholder workshop June 16 in Sacramento. The purpose of the workshop was to solicit input on the proposed mandatory commercial recycling regulation. CalRecycle anticipates the informal phase of the rulemaking transitioning to the formal phase in mid-August. Currently, the regulation is on the Air Resources Board's calendar to be considered on Oct. 21, 2010.

New Report on Anaerobic Digestion

A new CalRecycle report titled "Integration of Rotary Drum Reactor and Anaerobic Digestion Technologies for Treatment of Municipal Solid Waste," has been published and is available through the publications catalog.

2009 Statewide Per Capita Disposal Rate: 4.5 pounds/person/day

Effective waste management programs and economic conditions helped Californians throw away less trash than ever before in 2009. The per capita disposal rate of 4.5 pounds of trash per person per day is the lowest on record since the department began tracking statewide waste disposal in 1995. However, drops in personal income and consumption suggest the recession is the primary driver of the reduced numbers. The press release can be found here: <http://www.calrecycle.ca.gov/NewsRoom/2010/07July/10.htm>.

Grainger and Georgia Pacific Seek to Advance Environmentally Preferable Purchasing

Staff met with representatives from Grainger, a major product distributor, and Georgia Pacific, a major supplier of paper products. Attendees discussed mutual interests and activities aimed to advance environmentally preferable products, including products with high postconsumer recycled-content. Grainger and its suppliers have a direct interface with state agency consumers. This provides Grainger with a unique educational opportunity in the way products are presented in its catalogs and website, and in the other services it provides. A follow up meeting is planned for mid-September to explore partnership opportunities. (Contact: Kathy Frevert and Robin Williams)

Sharps Disposal Plans Posted Online

CalRecycle posted the sharps disposal plans of seventeen pharmaceutical manufacturers,

detailing actions taken by the manufacturer to collect and dispose of sharps waste devices. The plans can be accessed on CalRecycle's website at <http://www.calrecycle.ca.gov/HomeHazWaste/Sharps/Reporting/default.htm>. Per statute enacted in 2009, pharmaceutical manufacturers selling or distributing medications in California that are intended to be self-injected at home through sharps needles are mandated to submit sharps collection and disposal plans annually by July 1. Additional plans will be posted as they are received. (Contact: Burke Lucy)

2010 Tire-Derived Products Catalog Posted Online

The Tire-Derived Product Business Assistance Program posted its first waste tire-derived products catalog online. Focused on marketing to the green building sector, the catalog contains a comprehensive listing of companies that offer products made from waste tires generated in California.

Recycling Starter Kit (RSK) Update

The award-winning Recycling Starter Kit (RSK) is once again available to the public at bottlesandcans.com. In June 2010 over 1000 RSKs were delivered to program participants. The RSK, which features a sleek black bin, was developed to help businesses, offices, schools or other away-from-home locations reduce their "waste" size - and maybe even save some money. Since the program's inception in 2005, more than 100,000 bins have been distributed, and as a result millions of empty beverage containers have been recycled instead of thrown in the trash.

Miscellaneous

A question was asked about grants and I mentioned the Form 303. I said that data supplied by J's via Form 303 helps CalRecycle to develop the Program and Discretionary criteria for HHW Competitive grant cycles. The final filing date is Oct. 1, 2010.

<http://www.calrecycle.ca.gov/HomeHazWaste/Reporting/>

SB390: This bill is going to the Assembly floor and extends the sunset date from 2012 to 2022 and also updates the recycling Market Development Zone Program within the Department of Resources, Recovery and Recycling which is formerly known as the California Integrated Waste Management Board.

D. Legislative Update

Paul A. Smith, Senior Legislative Advocate provided the following provided a brief update on the timetable and calendar of the legislative process, noting that the Legislature is in the final days of the Session as it works towards an August 31st deadline for adjournment. However, the lack of an adoption of a State budget is complicating the timetable to adjourn.

On the legislation aspect of the session, there remain only a handful of bills regarding solid waste. Of concern to the ESJPA are: AB 222 (Adams) dealing with the definitions of transformation. The measure had been an extensive bill relating to renewable energy and diversion of solid waste. The bill now awaits action on the Senate Floor. AB 737 (Chesbro) which would institute a commercial recycling mandate and require CalRecycle to issue a strategic report on ways to increase the state's diversion goal to 75% by 2020.

RCRC remains in support of AB 737 as the bill awaits final approval in the Assembly and the State Senate. AB 1004 (Portantino) which makes revisions to the timetables for participating in a voluntary pooled fund. AB 1004 recently passed the Legislature and is now on the Governor's Desk for his consideration. AB 2398 (Perez) would enact an extensive product stewardship program for carpet. The bill was significantly amended last week and it is expected that further amendments will be made prior to it being considered on the Senate Floor. RCRC continues to have a watchful eye on the measure. SB 1100 (Corbett) would enact a product stewardship plan for household batteries. Despite RCRC's support, this measure failed passage in the Assembly Appropriations Committee.

Paul discussed two other measures impacting the activities of the ESJPA: SB 579 (Lowenthal) which is being amended to address technical changes related to recent changes in the state's used motor oil law and SB 390 (Kehoe) which would revise and continue the Recycling Market Development Revolving Loan Program. Furthermore, Paul indicated he did not believe there would be any last minute attempt to alert the state's "Bottle Bill."

In regards to the State Budget, Paul shared recently drafted language that is to be adopted into the State Budget relative to waste discharge fees. Earlier in the year, the Water Resources Control Board requested additional fee authority to pay for the costs of discharge permits associated with landfills. These costs had been covered in the state's tipping fee via the Integrated Waste Management Account. A compromise with waste haulers, landfill operators, local governments, the Water Board and legislative staff was reached and the details were shared to limit the fee and have the Water Board explain the need for the fee. Mary Pitto noted this item on Page 155 of the ESJPA packet.

Since many ESJPA Board members are required to file an annual statement of economic interests form (commonly referred to as Form 700), Paul shared a copy of SB 501 (Correa). SB 501, as recently amended, requires those subject to filing a Form 700 to also disclose their annual compensation from their public employer(s).

Finally, Paul indicated that for October's ESJPA meeting, time will be given to educate members through the legislative process to better explain the jargon and terms used in the process so that ESJPA members will better understand the status of legislation and the impact.

VII Solid Waste/Regulatory Update

A. AB 32 – Global Warming Solution Act of 2006 Update

Staci Heaton, RCRC Regulatory Affairs Advocate, reviewed the potential impacts of Proposition 23, the "California Jobs Initiative". She explained that the proposition would suspend implementation of AB 32 programs until the unemployment rate in California is 5.5% or below for a full year. For the ESJPA members this would suspend the landfill methane control measure already adopted by ARB and also the mandatory commercial

recycling currently under development by CalRecycle. Prop 23 would not suspend the diesel retrofit regulations as those have been and are being developed through the 2000 Diesel Risk Reduction Plan.

B. AB 32 and Landfill Gas Control Measure

Larry Sweetser, ESJPA Consultant, reminded the members that this regulations became effective on June 17, 2010. The ARB is developing a Regulatory Advisory to distribute to stakeholders. The ARB staff has indicated that the implementation dates for the compliance dates are expected to be delayed. The exact new compliance date is not known.

C. CA Dept of Food and Agriculture

Larry Sweetser explained the Solid Waste Industry Group along with Californian's Against Waste and CalRecycle are working with the California Department of Food and Agriculture in regards to proposed new regulations for renderers. These proposed regulations overlap into the permitting of compost facilities that do or may handle animal wastes. The group contends that the current CalRecycle regulations are sufficient. There is also discussion of adopting a de minimus levels allowed in green waste loads. The discussion are ongoing and a meeting of all parties is expected soon.

D. CalRecycle Mandatory Commercial Recycling

Mary Pitto reported the consideration of the proposed Mandatory Commercial Recycling Regulation by the Air Resources board is being rescheduled to Spring 2011. This will allow time for stakeholder feedback and discussion and additional analysis of the potential economic and environmental impacts of the proposed regulation, including the possible exemption of counties with populations of 200,000 or less.

E. SWRCB Waste Discharge Fee Proposal

Mary Pitto mentioned that the ESJPA joined the solid waste industry in meeting and voicing their concerns with both CalRecycle and SWRCB Executive Officers and submitted the industry letter to the budget subcommittees voicing opposition to the fee increase. While the group was not able to reverse the fee increase for the upcoming fiscal year, it was successful in gaining two provisions to the budget, by requiring the Water Board by March 1, 2011 to analyze and report on the costs of regulating active landfills and requiring the Water Board to begin billing the permittees in the second half of the 2010 -2011 fiscal year.

F. ARB Diesel Retrofit Update

Mary Pitto shared that ARB held workshops in June and July regarding proposed amendments to the Off-Road, Truck and Bus regulations, as well as the Tractor-Trailer GHG, and Drayage Truck regulations. At the workshops, stakeholders requested additional time to review and comment on several issues, including details of planned emissions inventory updates for trucks and off-road vehicles, ARB's revised report on fine particulate matter (PM2.5) mortality estimates, a draft of which will be released later this summer, and specific draft regulatory language. ARB postponed the September 2010 planned consideration of the amendments and will be scheduling additional workshops in August/September with possible consideration in November.

G. Grant Program Update

Larry Sweetser gave the following updates:

CalRecycle Used Oil Block Grants/Used Oil Payment Program

UBG 13 and UBG 14 are closing out and we are getting under way with UBG 15. An application for the Used Oil Payment Program has been submitted on behalf of Alpine, Colusa, and Mariposa. Amador County has opted to submit their own payment application for this new funding program. ESJPA Staff have assisted with the Amador County fair held July 29 through August 1st. Preparations are under way for assistance with the Siskiyou and Mariposa fairs.

CalRecycle Household Hazardous Waste Grant (Butte, Colusa, Glenn)

We are continuing with implementation of HD17 (HHW with an emphasis on CFLs and medical sharps). Kiosks for the jurisdiction have been ordered and orders are being prepared for the sharps containers and other HD-17 items.

CalRecycle 2009/2010 Tire Amnesty Grants

The amnesty events under TCA-4 for Butte, Colusa, Inyo, Mariposa, Nevada, Plumas, and Sierra have been completed and the final report is being prepared. A total of 497 tons of tires were collected. Preparations are underway to initiate preparations for Fall tire amnesty events for Mariposa, Nevada, Plumas, and Tuolumne.

H. Highlights of June/July/Aug CalRecycle meetings

Larry Sweetser gave an update regarding the CalRecycle Landfill Non-water Corrective Action. CalRecycle staff is developing a Best Management Practices for the recently adopted regulations. There will be a workshop on October 11 on these requirements that should also be broadcast. There is no threat to the pledge of revenue financial assurance mechanism. Operators will need to revise their current estimates per the schedule in the regulations. The intent is to include the use of readily available maps and other information to reduce the cost of preparing the estimates. The revised cost estimate will be either the cost to replace the final cover, site specific non-water corrective actions, or the water corrective action, which ever is greater.

I. Other Regulatory Issues

The information in the agenda packet was provided as reference.

VIII. Presentation

Siskiyou County Solid Waste Program.

Scott Dunn, Siskiyou County General Services Supervisor, gave a very entertaining presentation on the Siskiyou County Solid Waste Program.

IX. Agenda Suggestions. Some suggestions included a survey tipping fees workshop in the afternoon, gas to energy, a legislative 101 class, and contract development. Mary Pitto

indicated that Sierra County had proposed to make a presentation for October. Tuolumne volunteered if they are unable and Mariposa volunteered for December.

X. Articles of Interest

Supervisor Cann directed members to the Board packet

XI. Adjournment

The meeting adjourned at 1:30 p.m.

Technical Advisory Group Breakout Session.

Bob Hilton, HF&H gave a presentation on alternatives to financing solid waste operations. Tony Cone, Westhoff, Cone, and Holmstedt talked about financing opportunities for solid waste facilities. They were available for questions and answers and follow up discussions.

Respectfully submitted,
Pam Hartwell-James, Office Manager/Executive Assistant
Rural Counties' Environmental Services Joint Powers Authority

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