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AMADOR COUNTY
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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, Oct 21, 2010

MEMBERS REPRESENTED

Vern Moss, Supervisor, ESJPA Chair	Madera County
Brian Peters, Director of Community Development	Alpine County
Jim McHargue, Program Manager	Amador County
Bill Mannel, Solid Waste Manager	Butte County
Steve Roderick, Recycling Coordinator	Butte County
Cyndi Knapp	Calaveras County
Mike Azevedo, Program Manager	Colusa County
Kevin Hendrick, Director, DNSWMA	Del Norte
Jon Souza, Public Information Officer	El Dorado County
Dave Johnston, Supervising Hazardous Materials Specialist	El Dorado County
Randy Murphy, Deputy Director	Glenn County
Paula Wesch, Project Coordinator	Lassen County
Keith Quinlan, Solid Waste Manager	Madera County
Kevin Cann, Supervisor	Mariposa County
Matt Carter, Solid Waste Superintendent	Mono County
Hap Hazard, Supervisor	Mono County
Lynne Cody Lacroix, Recycling Technician	Nevada County
Daria Kent, Recycling Technician	Nevada County
Robert Perrault, Jr., Director of Public Works	Plumas County
Tim Beals, Director of Public Works	Sierra County
Kristina Miller, Solid Waste Program Manager	Tehama County
Brin Greer, Intern	Tehama County
Wendy Otto, Supervisor	Trinity County
Vivian Woolsey, Solid Waste Technician	Trinity County

STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager	RCRC Governmental Affairs
Staci Heaton, Regulatory Affairs	RCRC Governmental Affairs
Larry Sweetser, ESJPA Consultant	Sweetser and Associates
Pam Hartwell-James, RCRC Office Manager	RCRC Office Manager

OTHERS IN ATTENDANCE:

Barbara Heinsch	CalRecycle
Cindi Rumenapp	CalRecycle

Paulina Lawrence
Paul Brainin
Terry Brennan
Curtis Fujii
Alan Janechek
Sande George
Cynthia Dunn
Craig Morgan
Greg Bracun

CalRecycle
CalRecycle
CalRecycle
Fujii Civil Engineering
Janechek & Associates
Stefan/George Associates
CalRecycle
Avalex Inc.
Shaw Environmental & Infrastructure
Group

MEMBERS NOT REPRESENTED

Inyo County, Imperial County, Modoc County, Mono County, Siskiyou County, Tuolumne County

- I. **Call to Order, Self Introductions, and Determination of Quorum**
The meeting was called to order at 9:10am by the Chair Supervisor Moss, Madera County. Self introductions were made. Quorum was established.
- II. **Business Matters**
Approval of Minutes August 19, 2010
Mike Azevedo, Colusa County made a correction stating that Colusa County was in attendance at the August 19, 2010 meeting. The motion to approve the minutes of the August 19, 2010 as corrected was made by Jim McHargue and seconded by Kristina Miller. Motion passed.
- III. **Review and Approve 2011 Meeting Schedule**
The motion to approve the 2011 ESJPA meeting schedule was carried by Bill Mannel and seconded by Jon Souza. Motion passed.
- IV. **Member County Concerns/Comments**
Steve Rodwick announced an upcoming conference Nov. 3-5 at Chico State with sessions on sustainability in landfills and encouraged his colleagues to attend.
- V. **Public Comment**
None
- VI. **Presentations**
 - A. **Landfill Gas Recovery in CA**
Alan Janechek, P.E., Janechek & Associates provided a very informative presentation on Regulatory environmental challenges for LFG and the recovery at smaller landfills. LFG recovery can be an economic benefit but it must be a community benefit. He provided a CD for members at the end of his presentation.
 - B. **Report from CalRecycle**
Terry Brennan gave the following report:

Fraud Prevention

Terry gave an activity and status report for their recycler load inspections, recycler inspections, and dealer services inspections.

Waste Management Division

CalRecycle Hosts Composters Conference Call on California Department of Food and Agriculture Nutrient Claim Issues. More than 20 California composters joined an Oct. 11, 2010 CalRecycle conference call to discuss new laws and proposed California Department of Food and Agriculture (CDFA) regulations that will change the way composters market and sell their products. AB 856 was passed in 2009 and deals with the manufacture of organic fertilizers including compost.

WRAP Program. The Waste Awards Program will be announcing awards to 285 applicants. Applicants reported diverting over 2 million tons of material and over \$190 million in savings, an increase over last year.

Bioplastic Production. On September 29, Sustainable Materials and Research Section staff met with the Department of Toxic Substances Control's Plastics Hazards Reduction Unit and faculty from the University of California (Davis, Berkeley, and Santa Barbara) to review a draft Life Cycle Assessment (LCA) report on bioplastic production using the cellulosic fraction of organic residues from material recovery facilities in California. Staff was also presented with instructions for running bioplastic production scenarios with a modeling tool developed by UC Davis.

CalRecycle Contractor Hosts Commercial Recycling Ordinance Webinar. On October 6, the Institute for Local Government, a contractor for CalRecycle, will offer the second in a series of free webinars on commercial recycling. This webinar, "Creating Effective Commercial Recycling Education and Outreach Activities," will focus on education and outreach activities designed to encourage businesses to participate in a county or city recycling program. For more information about the Institute's commercial recycling resources, please visit www.ca-ilg.org/commercialrecycling.

C. Implementing AB 1343

Sandy George from Stefan/George Associates along with Cynthia Dunn from CalRecycle gave a very informative presentation on the Paint Product Stewardship Initiative (PPSI). The Oregon Paint Stewardship Pilot Program has been very successful and Sandy reviewed the next steps for Paint Stewardship for California.

VI. Legislative Update

In the absence of Paul Smith, Mary Pitto and Larry Sweetser provided an overview of the passed, signed, and vetoed bills by the Governor, the status on the listing of all solid waste related bills, and the RCRC position letters and provided copies in the packet.

VII. Solid Waste/Regulatory Update

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

Staci Heaton, RCRC Regulatory Affairs Advocate, gave a brief update on the status of AB 32. While there isn't much activity at the agencies implementing the bill right now, the battle is going strong over Proposition 23, the ballot initiative to suspend AB 32 until the state unemployment rate drops below 5.5% for an entire year, with the proposition looking in the polls like it will be defeated.

B. AB 32 and Landfill Gas Control Measure

Larry Sweetser, ESJPA Consultant, indicated that the new regulations are effective June 19, 2010. Landfills with less than 450,000 tons waste in place need to report the amount of waste in place by March 15th each year for the previous period of January through December. Landfills with greater than 450,000 tons waste in place must calculate the landfill gas heat input capacity submit a Landfill Gas Heat Input Capacity Report to the Air Resources Board (ARB). The ARB is still preparing a Best Management Practices guidance document. The date for conducting surface emissions is delayed until July 1, 2011. Individual Air Districts can apply to the ARB for the authority to implement the requirements.

C. US EPA Greenhouse Gas Reporting Program

Larry Sweetser reported that the landfills emission report is due March 31, 2011. Electronic filing of the report is required but EPA has not finalized the online reporting system. Facilities can designate consultants or another party to submit the information on their behalf. A written authorization form is required to enroll in the system but that form is not available yet.

D. CA Dept of Food and Agriculture Solid Waste Handling of Animal Byproducts

Larry Sweetser reported that the Solid Waste Industry Group has been meeting with the California Department of Food and Agriculture regarding the proposed regulations on handling animal products. These regulations inadvertently impose extensive regulations on handling any amount of these by-products even if only incidental to the handling other materials such as green materials. It appears that the regulations will be modified to allow for this incidental handling by solid waste haulers.

E. CalRecycle Closure, Post-Closure Maintenance, Financial Assurance Fee

Larry Sweetser reported that CalRecycle is proposing a new fee to fund Closure, Postclosure, and Financial Assurance activities. This fee, which was authorized in statutes many years ago, would provide a sliding scale based upon the size of the landfill. The ESJPA and other solid waste interests have expressed numerous concerns about the fee. CalRecycle will continue to have workshops on this proposed fee. Larry Sweetser reported later in the meeting that the proposed fee has been postponed.

F. CalRecycle Corrective Action Best Management Practice

Larry Sweetser reported that landfill operators will be required to revise their corrective action estimates to include non-water quality corrective actions. This estimate is to be the larger amount of either the water related corrective action, replacement of the final cover, or the non-water corrective action costs. Larry Sweetser reported that CalRecycle is developing a Best Management Practices document to accompany the new regulations. Tom Valentino and Larry Sweetser have been participating in work group meeting on development of this guide which attempts to use readily available resources, such as fire zone maps, to calculate the costs to develop non-water corrective action estimates.

G. SWRCB Waste Discharge Fee Proposal

Larry Sweetser reported that the SWRCB has approved the new waste discharge fee on active landfills. This fee will be billed to landfill operators in either January or February 2011 and payment is due in 30 days. The SWRCB was sympathetic to concerns of raising fees

during these lean times but adopted the fee anyway based upon shortages to their own funding. The fee is based upon the perceived threat and complexity of the landfill. Larry recommended that landfill operators contact their regional water board staff to ask for an explanation of their assigned ranking and possibly appeal that ranking. Mary reported that we have yet to receive any written verification of the fee action.

H. CalRecycle Mandatory Commercial Recycling

Mary reported that CalRecycle is proceeding with these proposed regulations. CalRecycle is expected to release the regulations for review in December 2010. The ESJPA staff will continue to work with CalRecycle on potential rural exemptions.

I. ARB Diesel Retrofit update

Mary Pitto reported that ARB is considering modifications to the diesel Off-Road and Truck and Bus Rules to account for the current economic condition, the drastic reduction in construction activity, and subsequent emissions reductions. The vehicle inventories are higher and the existing emissions levels are lower than originally estimated. ARB is able to recommend economic relief and flexibility that will reduce costs substantially to the fleets and still achieve the necessary emission reductions to meet the SIP requirements. The key proposed modifications are: a delay of the start date by two years for each fleet size; combining the NOx and PM Fleet Averages and BACT requirements, lower the annual requirements, and allow fleets to comply through turnover only; add a new small fleet category for fleets with under 500 horsepower and provide a different path; raise the low use threshold from 100 to 150 hours; and extend the double credit period for 12 months prior to the first compliance date.

J. CA Product Stewardship Council Update

Kevin Hendrick reported on the successful passage of product stewardship legislation on paint and carpets. CPSC will be working with stakeholders on implementation of these bills. CPSC will be examining potential options for future legislative efforts.

K. Grant Program Update

Larry Sweetser reported on the status of the grant and referred to the update in the agenda package. Under HD-17, the kiosks have been delivered to Butte County for distribution to Glenn and Colusa Counties. The TCA-6 tire grant will be starting up and Danh will be contacting the participating counties. The ESJPA is also considering submittal of a USDA solid waste grant to again conduct trainings in the counties.

L. Highlights of September/October CalRecycle meetings

Larry Sweetser reported that most of the September and October highlights were already covered under earlier items including the CalRecycle solid waste fee, Mandatory Commercial Recycling regulations, and the paint stewardship programs. In addition, the Household Hazardous Waste Conference has been scheduled for March 7th through 9th, 2011 in Sacramento.

M. Other Regulatory Issues of Interest of Concern

Mary Pitto directed members to the Board packet information.

VIII. Presentation

Sierra County Solid Waste Program Presentation.

Craig Morgan, Principal and Professional Civil Engineer, Avalex Inc., Consultant to Sierra County gave a very in-depth presentation on the Sierra County Solid Waste Program.

IX. Agenda Suggestions.

X. Articles of Interest

Mary Pitto directed members to the Board packet.

XI. Adjournment

The meeting adjourned at 1:30 p.m.

Technical Advisory Group Breakout Session.

Larry Sweetser conducted a working session on the solid waste fee survey to provide consistent and comparable data. The next version of the survey will include instructions on terms used and additional parameters will be included. There was also a request for availability to members of additional information such as contracts and agreements.

Respectfully submitted,

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

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