

ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA
DEL NORTE, EL DORADO, GLENN, IMPERIAL, INYO, LASSEN



MADERA, MARIPOSA, MODOC, MONO, NEVADA, PLUMAS,
SIERRA, SISKIYOU, TEHAMA, TRINITY, TUOLUMNE

CHAIR – WENDY OTTO, TRINITY COUNTY
VICE CHAIR – BOB WILLIAMS, TEHAMA COUNTY
EXECUTIVE DIRECTOR – GREG NORTON

TECHNICAL ADVISORY GROUP (TAG)
TAG CHAIR – KRISTINA MILLER, TEHAMA COUNTY
TAG VICE CHAIR – GRETCHEN OLSEN, TUOLUMNE COUNTY
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, May 26, 2011

MEMBERS REPRESENTED

Wendy Otto, Supervisor Trinity County, Chair
Jim McHargue, Program Manager
Steve Roderick, Recycling Coordinator
Cyndi Knapp, Program Manager
Todd Neugebauer, Analyst
Randy Murphy, Deputy Director
Paula Wesch, Project Coordinator
Kheng Vang, County Engineer
Glen Eastes, Senior Engineer
Curtis Fujii, Fujii Civil Engineering
Bob Perreault, Jr., Director of Public Works
Shannon Cash, Recycle Grant Coordinator
Mike Reusze, Solid Waste
Kristina Miller, Solid Waste Program Manager
Mark Lockhart, Solid Waste Director
Diane Rader, Deputy Solid Waste Director
Belinda Barlow, Solid Waste Specialist

Trinity County
Amador County
Butte County
Calaveras County
El Dorado County
Glenn County
Lassen County
Madera County
Madera County
Mariposa County
Plumas County
Siskiyou County
Siskiyou County
Tehama County
Trinity County
Trinity County
Tuolumne County

STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager
Staci Heaton, Regulatory Affairs
Paul Smith, Senior Legislative Advocate
Pam Hartwell-James, RCRC Office Manager
Larry Sweetser, ESJPA Consultant

RCRC Governmental Affairs
RCRC Governmental Affairs
RCRC Senior Legislative Advocate
RCRC Office Manager
Sweetser and Associates

OTHERS IN ATTENDANCE:

Terry Brennan
Daisy Kong
Cindi Rumenapp
Chester Gragg
Mike Wochnick
Okla Hensley
Leslie Graves
David Cecarelli
Glen Osterhage

CalRecycle
CalRecycle
CalRecycle
CalRecycle
CalRecycle
CalRecycle
SWRCB
SWRCB
SWRCB

MEMBERS NOT REPRESENTED

Alpine County, Colusa County, Del Norte, Inyo County, Imperial County, Modoc County, Mono County, Nevada County, and Sierra County.

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

The meeting was called to order at 9:10am by the Chair, Supervisor Wendy Otto, Trinity County. Self introductions were made. Quorum was established.

II. Business Matters

A. Approval of Minutes March 24, 2011

The motion to approve the minutes of the March 24, 2011 was made by Mark Lockhart and seconded by Jim McHargue. Motion passed.

B. Adoption of Resolution Approving the Independent Auditors' Report and Financial Statements for the Year Ended December 31, 2010

The motion to the adoption of resolution approving the independent auditors' report and financial statements for year ending December 31, 2010 was made by Kristina Miller and seconded by Mark Lockhart. Motion passed.

III. Member County Concerns/Comments

Belinda Barlow wanted some feedback about a free electronic drop off center to see if any other members encountered any issues they might need to be aware of. Kristina Miller offered input as to what Tehama has had in their county.

IV. Public Comment

None

V. Presentations

Mike Wochnick, CalRecycle gave an informative update on Recap Landfill Gas.

David Ceccarelli, Glen Osterhage, and Leslie Graves, SWRB provided clarity on the Landfill Waste Discharge Fees.

Okla Hensley, CalRecycle provided a detailed presentation on Disposal Reporting System.

Report from CalRecycle

Terry Brennan gave the following report:

Governor Imposes Travel Restrictions

The Governor issued an Executive Order restricting state travel. CalRecycle had imposed some restrictions on its own prior to the order in an effort to reduce spending, but the EO was broader.

Waste Reduction Aware Program

The application period for WRAP is open until June 22, 2011. WRAP recognizes businesses and privet non-profits that reduce waste and buy recycled products, and educate their staff and

patrons in their daily operations. Other programs to check out are the CalEPA Governor's Environmental and Economic Leadership Awards and the Air Resources Board's Cool CA Green Business Program.

Wine company succeeds with a little help from CalRecycle

Staff met with Wine Bottle Renew, a bottle washer for reuse, to educate the company about CA Redemption Value program and the cullet market. Wine Bottle Renew plans to capture 2500,000 cases of their feedstock in the near future and has hired 15 employees thus far.

Audits

Revenue Audits

Two Beverage Manufacturer and Distributor audits were issued with a total liability of \$221,047. The audit scope was to determine whether or not the audited companies reported all applicable CA Refund Value (CRV) and Processing Fees (PF) to the department.

Disbursement Audits

Four grant program audits were issued. The scope of each audit was to determine if the claim payments made to each entity were expanded accurately and in accordance with program provisions.

Upcoming trainings and meetings

Household Hazardous Waste Information Exchange

June 1, 2011 open to the public and the cost is 20.00 from 10:00am to 2:00pm

Recycling Market Development Zone Loan Committee Meeting

June 2, 2011 open to the public from 10:30am to 12:00pm

2010 Electronic Annual Report (EAR) Training

June 20, 2011 open to the public from 1:30pm to 3:30pm

VI.

Legislative Update

Paul A. Smith, Senior Legislative Advocate provided a brief update on the timetable and calendar of the legislative process, noting that most solid waste related measures had been reviewed in their first policy committee and must be out of their house of origin in the coming two weeks. However, the State budget remains the primary focus of the Legislature as all legislative activities are viewed through the prism of dealing with the state's budget shortfall.

Paul, other staff and members of the ESPJA discussed the following bills and offered comments:

AB 341 (Chesbro) is similar to legislation passed by the Legislature last year, but was vetoed by the Governor. It codifies CalRecycles approach in mandating commercial recycling activities. In addition, the measure increases the statewide diversion goal to 75%. To date, RCRC has not taken a formal position on AB 341. Tomorrow, the bill's fate will be determined as the measure awaits action on the Assembly Appropriations Committee's "Suspense File." It is unclear if the bill will come off suspense and/or whether significant amendments will be made to the bill as a condition of it moving forward.

SB 515 (Corbett) would institute a required extended producer responsibility scheme upon manufacturers/distributors of household batteries. This legislation is similar to legislation

passed by the Legislature last year, but was vetoed by the Governor. However, the bill was 'held' on the Senate Appropriations Committee's Suspense File. It is unclear whether this bill will move before next January. Like last year, RCRC supports SB 515.

SB 833 (Vargas) would restrict the permitting of a landfill near specified drinking aquifers and/or Native American burial grounds. While the bill only applies to facilities in San Diego County, RCRC has expressed opposition since the measure precludes existing regulatory processes and sets a dangerous precedent.

AB 34 (Williams) was recently 'gutted and amended' to be a measure requiring CalRecycles to adopt regulations regarding odors generated by compost facilities. ESJPA staff requested input from members of the ESJPA Board of Directors. The bill awaits action in the Assembly Appropriations Committee.

AB 1178 (Ma) would restrict a city/county's ability to ban the importation of solid waste for purposes of disposing in a landfill. The ESJPA was informed that the RCRC Board of Directors adopted an "Oppose Unless Amended" position the day before. Furthermore, in adopting the position, RCRC staff informed the Board of specific amendments that need to be made to the bill for local government organizations, including RCRC, to remove their opposition. A thorough discussion was had regarding the specific points that must be addressed in the amendments. That language would need to:

- Be clear that publicly-owned landfills are exempt from an importation ban;
- For private landfills, existing agreements and/or existing permit conditions must be allowed to continue reserved capacity for the host jurisdiction(s); and,
- Preserve a county's land-use authority to require conditions upon private landfills.

If amendments are achieved to address these concerns, RCRC could be in a position to offer its support.

VII. Solid Waste/Regulatory Update

- A. AB 32 and Landfill Gas Control Measure.** Larry Sweetser, ESJPA Consultant, reported the Air Board Staff is still in the process of finalizing the draft guidance document to accompany the regulations. The regional air districts are in discussions with the state board on assuming local authority for these regulations.
- B. CalRecycle Corrective Action Best Management Practices.** Sweetser explained this item was a place holder for any member questions or issues. The Best Management Practices are available. There were no other issues raised by the members.
- C. CalRecycle Active Disposal Site Gas Monitoring and Control Regulations.** Sweetser explained this item was a place holder for any remaining discussion from the morning presentation. There were no other issues raised by the members on this item.
- D. Cal Recycle AB 1343 Paint Product Stewardship.** Sweetser reported the regulations for the Product Stewardship Plans were approved by CalRecycle and staff was directed to

forward them to the Office of Administrative Law. Paint Care continues to meet with jurisdictions on development of the collection infrastructure.

- E. CalRecycle AB 2398 Carpet Product Stewardship, Mary Pitto, ESJPA Program Manager reported the regulations for the Product Stewardship Plans were approved by CalRecycle and staff was directed to forward them to the Office of Administrative Law. ESJPA continues to meet with CalRecycle and CARE on development of the collection infrastructure.
- F. CalRecycle/ARB Mandatory Commercial Recycling – Mary Pitto
- G. SWRCB Industrial Storm Water Permit. Sweetser reported the ESJPA, along with other public and private solid waste interests and local government groups, prepared formal comments on the proposed Industrial Storm Water Permit. Copies of group letters are included in the packet. The SWRCB staff seems acceptable to creating a separate category for landfills. Testimony at the SWRCB hearing included two legislators who clearly indicated the need to move slowly on this proposal.
- H. CDFA Proposed Regulations for Renderers, Collection Centers, Dead Animal Haulers, and Transporters of Inedible Kitchen Grease. Sweetser reported the solid waste industry and CalRecycle have provided comments to the CDFA on the proposed regulations and there seems to be an agreement to minimize duplicate permitting of facilities handling these wastes. Discussions will continue.
- I. CA Product Stewardship Council Update
In the absence of Kevin Hendricks, Heidi Sanborn reports under the afternoon Presentations.
- J. Grant Program Update. Sweetser reported the HD-17 has been completed and the final report submitted to CalRecycle. No HD-19 application was submitted. The ESJPA is implementing the used oil grants and payments for Alpine, Colusa, and Mariposa Counties. Jurisdictions should have submitted their SB 332 City/County applications for the upcoming cycle. The ESJPA is still awaiting word from the USDA on the training grant submittal. The ESJPA Tire Amnesty Grant (TCA-8) is anticipated to be approved at the May meeting. This grant will fund amnesty events in 8 ESJPA member counties.
- K. Highlights of April/May CalRecycle meetings. Sweetser reported CalRecycle continues to work on the Organic Roadway project as indicated in today's presentation.

VIII. Presentation

Heidi Sanborn, Executive Director, CA Product Stewardship Council gave a powerful presentation on exploring solutions for household batteries.

IX. Agenda Suggestions

A suggestion was made for a speaker on Emergency Debris Waste Management Plan. The following counties volunteered to give presentations at future meetings: Del Norte, Tuolumne, Glenn, Trinity, El Dorado.

X. Articles of Interest

Mary Pitto directed members to the Board packet.

XI. Adjournment

The meeting adjourned at 2:20pm

Respectfully submitted,
Pam Hartwell-James, Office Manager/Executive Assistant