

AMENDED IN ASSEMBLY APRIL 30, 2015  
AMENDED IN ASSEMBLY APRIL 23, 2015  
AMENDED IN ASSEMBLY APRIL 13, 2015  
AMENDED IN ASSEMBLY MARCH 19, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 45**

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**Introduced by Assembly Member Mullin**

December 1, 2014

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An act to add Article 3.4 (commencing with Section 47120) to Chapter 1 of Part 7 of Division 30 of the Public Resources Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

**AB 45, as amended, Mullin. Household hazardous waste.**

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires, among other things, each city and each county to prepare a household hazardous waste element containing specified components, and to submit that element to the department for approval. Existing law requires the department to approve the element if the local agency demonstrates that it will comply with specified requirements. A city or county is required to submit an annual report to the department summarizing its progress in reducing solid waste, including an update of the jurisdiction's household hazardous waste element.

This bill would require each jurisdiction that provides for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste in its service

area, on or before July 1, 2020, by 15% over a baseline amount, to be determined in accordance with department regulations. The bill would authorize the department to adopt a model ordinance for a comprehensive program for the collection of household hazardous waste to facilitate compliance with those provisions, and would require each jurisdiction to annually report to the department on progress achieved in complying with those provisions. By imposing new duties on local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3 (1) Household hazardous waste is creating environmental,  
4 health, and workplace safety issues. Whether due to unused  
5 pharmaceuticals, batteries, medical devices, or other disposable  
6 consumer items, effective and efficient disposal remains an  
7 extraordinary challenge.

8 (2) State and local efforts to address disposal of these items  
9 have been well intended and, in some cases, effective. However,  
10 even the most effective programs have very low consumer  
11 participation. Other approaches being promoted throughout the  
12 state would fragment the collection of household hazardous waste  
13 and move collection away from consumer convenience.

14 (3) In addition to other programs for the collection of household  
15 hazardous waste, a number of cities in California are already using  
16 curbside household hazardous waste collection programs,  
17 door-to-door household hazardous waste collection programs, and  
18 household hazardous waste residential pickup services as  
19 mechanisms for collecting and disposing of many commonly used  
20 household items for which disposal has been the subject of state  
21 legislation or local ordinances. The waste disposal companies and  
22 local governments that have implemented these programs have

1 found them to be valuable components of a comprehensive  
2 approach to the management of household hazardous waste.

3 (4) There is also an appropriate role for manufacturers and  
4 distributors of these products in comprehensive efforts to more  
5 effectively manage household hazardous waste. That role should  
6 be based on the ability of manufacturers and distributors to  
7 communicate with consumers.

8 (b) It is the intent of the Legislature to enact legislation that  
9 would establish curbside household hazardous waste collection  
10 programs, door-to-door household hazardous waste collection  
11 programs, and household hazardous waste residential pickup  
12 services as the principal means of collecting household hazardous  
13 waste and diverting it from California's landfills and waterways.

14 SEC. 2. Article 3.4 (commencing with Section 47120) is added  
15 to Chapter 1 of Part 7 of Division 30 of the Public Resources Code,  
16 to read:

17  
18 Article 3.4. Household Hazardous Waste Collection and  
19 Reduction  
20

21 47120. For purposes of this article, the following terms have  
22 the following meanings:

23 (a) "Comprehensive program for the collection of household  
24 hazardous waste" means a local program that ~~includes~~ *may include,*  
25 *but is not limited to,* the following components:

- 26 (1) Utilization of locally sponsored collection sites.
- 27 (2) Scheduled and publicly advertised drop off days.
- 28 (3) Door-to-door collection programs.
- 29 (4) Mobile collection programs.
- 30 (5) Dissemination of information about how consumers should  
31 dispose of the various types of household hazardous waste.
- 32 (6) Education programs to promote consumer understanding  
33 and use of the local components of a comprehensive program.

34 (b) "Household hazardous waste" includes, but is not limited  
35 to, the following:

- 36 (1) Automotive products, including, but not limited to,  
37 antifreeze, batteries, brake fluid, motor oil, oil filters, fuels, wax,  
38 and polish.
- 39 (2) Garden chemicals, including, but not limited to, fertilizers,  
40 herbicides, insect sprays, pesticides, and weed killers.

- 1 (3) Household chemicals, including, but not limited to, ammonia,  
2 cleaners, strippers, and rust removers.
- 3 (4) Paint products, including, but not limited to, paint, caulk,  
4 glue, stripper, thinner, and wood preservatives and stain.
- 5 (5) Consumer electronics, including, but not limited to,  
6 televisions, computers, laptops, monitors, keyboards, DVD and  
7 CD players, VCRs, MP3 players, cell phones, desktop printers,  
8 scanners, fax machines, mice, microwaves, and related cords.
- 9 (6) Swimming pool chemicals, including, but not limited to,  
10 chlorine tablets and liquids, pool acids, and stabilizers.
- 11 (7) Household batteries. For purposes of this section, “household  
12 batteries” means batteries that individually weigh two kilograms  
13 or less of mercury, alkaline, carbon-zinc, or nickel-cadmium, and  
14 any other batteries typically generated as household waste,  
15 including, but not limited to, batteries used to provide power for  
16 consumer electronic and personal goods often found in a household.
- 17 (8) Fluorescent tubes and compact florescent lamps.
- 18 (9) Mercury-containing items, including, but not limited to,  
19 thermometers, thermostats, and switches.
- 20 (10) Home-generated sharps waste, as defined in Section 117671  
21 of the Health and Safety Code.
- 22 (11) Home-generated pharmaceutical waste. For purposes of  
23 this section, “home-generated pharmaceutical waste” means a  
24 prescription or nonprescription drug, as specified in Section 4022  
25 or 4025.1 of the Business and Professions Code, that is a waste  
26 generated by a household or households. “Home-generated  
27 pharmaceutical waste” shall not include drugs for which producers  
28 provide a take-back program as a part of a United States Food and  
29 Drug Administration managed risk evaluation and mitigation  
30 strategy pursuant to Section 355-1 of Title 21 of the United States  
31 Code, or waste generated by a business, corporation, limited  
32 partnership, or an entity involved in a wholesale transaction  
33 between a distributor and a retailer.
- 34 47121. (a) (1) On or before July 1, 2020, each jurisdiction  
35 shall increase its collection and diversion of household hazardous  
36 waste in its service area by 15 percent over its baseline amount,  
37 as established pursuant to subdivision (b).
- 38 (2) Notwithstanding paragraph (1), a jurisdiction that has in  
39 place or adopts an ordinance implementing a comprehensive  
40 program for the collection of household hazardous waste shall

1 have an additional two years to meet the collection and diversion  
2 objective in paragraph (1).

3 (b) No later than July 1, 2016, each jurisdiction shall inform the  
4 department of its baseline amount of collection and diversion of  
5 hazardous waste in accordance with regulations adopted by the  
6 department. The baseline amount may be expressed in tonnage or  
7 by the number of households participating, and may focus on  
8 particular types of household hazardous waste.

9 47122. (a) The department shall adopt regulations to implement  
10 this article.

11 (b) The department may adopt a model ordinance for a  
12 comprehensive program for the collection of household hazardous  
13 waste to facilitate compliance with this article.

14 47123. Commencing July 1, 2020, and annually thereafter,  
15 each jurisdiction shall report to the department on progress  
16 achieved in complying with this section. A jurisdiction shall make  
17 a good faith effort to comply with this section, and the department  
18 may determine whether a jurisdiction has made a good faith effort  
19 for purposes of this program. To the maximum extent practicable,  
20 it is the intent of the Legislature that reporting requirements under  
21 this section be satisfied by submission of similar reports currently  
22 required by law.

23 47124. This article does not apply to a jurisdiction that does  
24 not provide for the residential collection and disposal of solid  
25 waste.

26 SEC. 3. No reimbursement is required by this act pursuant to  
27 Section 6 of Article XIII B of the California Constitution because  
28 a local agency or school district has the authority to levy service  
29 charges, fees, or assessments sufficient to pay for the program or  
30 level of service mandated by this act, within the meaning of Section  
31 17556 of the Government Code.

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RURAL COUNTY REPRESENTATIVES  
OF CALIFORNIA

March 31, 2015

The Honorable Kevin Mullin  
Member, California State Assembly  
State Capitol, Room 3160  
Sacramento, CA 95814

**RE: Assembly Bill 45 – OPPOSE**

Dear Assembly Member Mullin:

On behalf of the Rural County Representatives of California (RCRC), I regret to inform you of our opposition to your Assembly Bill 45 which would require each jurisdiction that provides for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste in its service area.

RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties. In addition, twenty-two member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements in order to reduce waste being disposed and increase recycling/re-use efforts for certain products.

First, we must respectfully challenge the underlying premise of AB 45, which is consumers of various household hazardous waste products do not have convenient access to properly dispose these products. Furthermore, we are troubled by the belief that our state is doing a poor job in diverting these products from the waste stream and/or minimizing their disposal into landfills. There are a great number of municipally-sponsored household hazardous waste collection programs – each tailored to the needs and costs associated with their respective community. However, we do contend that these programs are expensive to operate and the costs fall upon municipalities and their resident ratepayers.

In most instances, RCRC believes the best way to address the diversion/disposal of household hazardous waste products is for the manufacturers (and to a certain extent the distributors and retailers) of these products to operate collection programs,

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1215 K Street, Suite 1650, Sacramento, CA 95814 | [www.rcrcnet.org](http://www.rcrcnet.org) | 916.447.4806 | Fax: 916.448.3154

ALPINE AMADOR BUTTE CALAVERAS COLUSA DEL NORTE EL DORADO GLENN HUMBOLDT IMPERIAL INYO LAKE LASSEN MADERA MARIPOSA MENDOCINO  
MERCED MODOC MONO NAPA NEVADA PLACER PLUMAS SAN BENITO SHASTA SIERRA SISKIYOU SUTTER TEHAMA TRINITY TULARE TUOLUMNE YOLO YUBA

commonly known as extended producer responsibility (EPR). In recent years, there has been the creation of several EPR programs to deal with used mattresses, carpets, and more importantly, electronic wastes, rechargeable batteries, and paint products (all of which are classified as household hazardous waste and referenced in AB 45). We believe AB 45 would undermine current EPR efforts as well as thwart the inclusion of other products into an EPR model. We do not believe that we should abandon this approach, particularly if the alternative is a mandate on local governments as prescribed in AB 45.

AB 45 is a new and expensive state-imposed mandate upon local government. On that basis alone, we are compelled to oppose the measure - particularly when there are no state resources provided. For over twenty-five years, local governments have worked to address the existing mandate to divert solid waste as a whole. While many of the goals have been reached, this has been an expensive and time-consuming process. We do not believe the existing mandate structure can easily be transformed into one for the diversion/disposal of household hazardous waste. For example, AB 45 currently applies an unspecified base line amount (to be set by the municipality) to calculate an unspecified diversion mandate. It is unclear how this process will work. How would a municipality establish a baseline amount? Who/what would determine the diversion amount is appropriate? What are the consequences if the diversion amounts were not met? How will all of this be paid for, including the costs borne by the California Department of Resources Recycling and Recovery (CalRecycle) to administer the program?

It is apparent that AB 45 suggests a preference for a door-to-door collection scheme to address the mandate. While attractive, door-to-door exists today in a very limited application. This is primarily due to the costs; however, there are other factors which make this option unattractive - comingling of products and exposure of products on the door-step which would be accessible to children. While door-to-door may work for some municipalities, it is not a viable option for most.

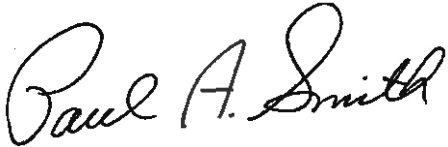
Of specific concern to rural counties is the provision to only include municipalities that have residential collection. As you may know, a great number of rural jurisdictions do not have residential collection and rely on 'self-haul' programs to address their communities' solid waste needs. Like all jurisdictions, rural counties are reviewed by CalRecycle on a program-by-program basis. We are very concerned that CalRecycle, in the review process, will determine that these jurisdictions must convert to residential collection schemes in order to increase their existing-mandated diversion rate. Once that occurs, the provisions of AB 45 would apply, thereby dramatically increasing the costs to meet the basic solid waste mandates established twenty five years ago. We view this as an unintended consequence of AB 45 and further highlights the shortcomings of this approach in dealing with the diversion and disposal of household hazardous waste.



The Honorable Kevin Mullin  
Assembly Bill 45  
March 31, 2015  
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For these reasons, RCRC is opposed to AB 45. If you should have any questions or concerns, please do not hesitate to contact me at (916) 447-4806.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Smith". The signature is written in a cursive style with a large, looping initial "P".

PAUL A. SMITH  
Senior Legislative Advocate

cc: Members of the Assembly Local Government Committee



AMENDED IN ASSEMBLY APRIL 30, 2015

AMENDED IN ASSEMBLY APRIL 15, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 864**

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**Introduced by Assembly Member Williams**

February 26, 2015

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An act to add and repeal Section 44002.1 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 864, as amended, Williams. Solid waste facilities: temporary permits.

(1) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, prohibits a person from operating a solid waste facility without a solid waste facilities permit if that facility is required to have a permit pursuant to the act. The enforcement agency is required to immediately issue a cease and desist order ordering a solid waste facility that is operating without a permit to immediately cease operations and to direct the owner or operator of the facility to obtain a permit.

This bill would require, until January 1, 2025, the department to adopt regulations to authorize an enforcement agency, upon the department's approval, to issue a temporary solid waste facilities permit to a person carrying out solid waste operations at a facility that is required under the act to have a solid waste facilities permit, but for which a permit has not been obtained. The bill would require the regulations to direct any person desiring to obtain a temporary solid waste facilities permit to submit an application to the enforcement agency no later than 60

days from the date it is determined by the enforcement agency that a permit is required. The bill would require the owner or operator of a facility covered under a temporary permit to agree to inspections, at least monthly, by the enforcement agency.

The bill would require a local enforcement agency to notify the operators of all facilities within its jurisdiction of the availability of temporary solid waste facilities permits, thereby imposing a state-mandated local program by imposing new duties upon local enforcement agencies. The bill would also require the department to review and act on a proposed temporary solid waste facilities permit submitted by an enforcement agency within 30 days of that submission.

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

*(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 44002.1 is added to the Public Resources
- 2 Code, to read:
- 3 44002.1. (a) The Legislature finds and declares all of the
- 4 following:
- 5 (1) The swift advance of new trends in solid waste handling and
- 6 collection practices, such as single-stream collection of recyclable
- 7 materials, including, but not limited to, carpet, mattresses, and
- 8 other materials, has resulted in the regulations adopted by the
- 9 department that govern solid waste facilities not keeping pace with
- 10 those trends, leading to the failure to comply with existing law by

1 a substantial number of persons carrying out solid waste handling  
2 activities.

3 (2) As cities and counties make greater efforts to increase the  
4 diversion of solid waste from landfills, the department anticipates  
5 that many new recycling and solid waste handling activities will  
6 commence in California in the next decades.

7 (3) To address these trends, it is necessary to provide a  
8 temporary permitting scheme to enable the operators of existing  
9 solid waste facilities to obtain temporary permits more quickly  
10 than is possible under existing law, in order to protect the public  
11 health and safety, and the environment.

12 (b) The department shall adopt regulations pursuant to  
13 subdivision (d) to authorize an enforcement agency, upon the  
14 department's approval, to issue a temporary solid waste facilities  
15 permit to a person operating a solid waste facility that is required  
16 under this division and the regulations adopted by the department  
17 pursuant to this division to obtain a solid waste facilities permit,  
18 but for which a permit has not been obtained. The regulations  
19 adopted by the department shall specify all of the following:

20 (1) A requirement that a person desiring to obtain a temporary  
21 solid waste facilities permit submit a complete and correct  
22 application for the permit to the enforcement agency having  
23 jurisdiction no later than 60 days from the date the enforcement  
24 agency determines a solid waste facility permit is required.

25 (2) The period of time during which a temporary solid waste  
26 facility permit shall remain effective.

27 (3) The types and operational status of solid waste facilities that  
28 are eligible to obtain a temporary solid waste facilities permit.

29 (4) A requirement that the owner or operator of a facility covered  
30 under a temporary solid waste facilities permit agree to allow the  
31 facility to be inspected, at least monthly, by the enforcement  
32 agency.

33 (c) (1) An enforcement agency shall notify the operators of all  
34 solid waste facilities within its jurisdiction of the availability of  
35 temporary solid waste facilities permits under the regulations  
36 adopted pursuant to this section.

37 (2) The department shall review and act on a proposed temporary  
38 solid waste facilities permit submitted to it by an enforcement  
39 agency for approval within 30 days of that submission. Upon the  
40 request of an enforcement agency, the department shall provide

1 assistance to the enforcement agency to expeditiously process  
2 applications for temporary solid waste facilities permits.

3 (d) The regulations adopted by the department pursuant to this  
4 section may be adopted as emergency regulations and shall be  
5 considered by the Office of Administrative Law as necessary for  
6 the immediate preservation of the public peace, health and safety,  
7 or general welfare. The department shall file the emergency  
8 regulations with the Office of Administrative Law at the earliest  
9 feasible date.

10 (e) This section shall remain in effect only until January 1, 2025,  
11 and as of that date is repealed, unless a later enacted statute, that  
12 is enacted before January 1, 2025, deletes or extends that date.

13 ~~SEC. 2. If the Commission on State Mandates determines that~~  
14 ~~this act contains costs mandated by the state, reimbursement to~~  
15 ~~local agencies and school districts for those costs shall be made~~  
16 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
17 ~~4 of Title 2 of the Government Code.~~

18 *SEC. 2. No reimbursement is required by this act pursuant to*  
19 *Section 6 of Article XIII B of the California Constitution because*  
20 *a local agency or school district has the authority to levy service*  
21 *charges, fees, or assessments sufficient to pay for the program or*  
22 *level of service mandated by this act, within the meaning of Section*  
23 *17556 of the Government Code.*

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AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 876**

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**Introduced by Assembly Member McCarty**

February 26, 2015

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An act to ~~add~~ *amend* Section ~~40512 to 41701~~ of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 876, as amended, McCarty. Compostable organics.

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. Existing law requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. *Existing law requires each county to prepare a countywide siting element that provides, among other things, for an estimate of the total transformation or disposal capacity that will be needed for a 15-year period to safely handle solid wastes generated with the county that cannot be reduced, recycled, or composted, and to identify areas for the location of new or expanded solid waste transformation or disposal facilities, if needed or desired.*

~~The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990, to be achieved by 2020, and to adopt rules and regulations~~

to achieve the maximum technologically feasible, and cost-effective greenhouse gas emissions reductions.

~~This bill would require the Department of Resources Recycling and Recovery, in coordination with the State Air Resources Board, to promote the use of compostable organics for critically needed alternatives to agricultural amendments and for low-carbon fuel manufacturing to reduce fugitive methane emissions associated with landfill and other waste operations. Each countywide siting element to provide an estimate of the total organics processing capacity that will be needed over a 15-year period to safely handle organic wastes generated within the county and to identify areas for the location of organics processing facilities, if needed or desired, thereby imposing a state-mandated local program. The bill would also make legislative findings and declarations.~~

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *With the enactment of the California Integrated Waste*
- 4 *Management Act of 1989 (Division 30 (commencing with Section*
- 5 *40000) of the Public Resources Code), the Legislature required*
- 6 *the Department of Resources Recycling and Recovery and local*
- 7 *agencies to promote recycling, anaerobic digestion, and*
- 8 *composting over land disposal and transformation.*
- 9 (b) *Since the enactment of the act, local governments and private*
- 10 *industries have worked jointly to create an extensive material*
- 11 *collection infrastructure and have implemented effective programs*
- 12 *to achieve a statewide diversion rate of greater than 50 percent.*



1 (c) *Although California now leads the nation in waste reduction*  
2 *and recycling, the state continues to dispose of more than 15*  
3 *million tons of compostable organics each year in solid waste*  
4 *landfills.*

5 (d) *To reduce the landfilling of organics, increase composting*  
6 *and anaerobic digestion, and meet the state's organic diversion*  
7 *goals, cities and counties must plan for organics processing*  
8 *facilities that can process organics diverted from landfills and*  
9 *organics waste generators.*

10 SEC. 2. *Section 41701 of the Public Resources Code is*  
11 *amended to read:*

12 41701. Each countywide siting element and revision thereto  
13 shall include, but is not limited to, all of the following:

14 (a) A statement of goals and policies for the environmentally  
15 safe transformation or disposal of solid waste that cannot be  
16 reduced, recycled, or composted.

17 (b) An estimate of the total transformation or disposal capacity  
18 in cubic yards that will be needed for a 15-year period to safely  
19 handle solid wastes generated with the county that cannot be  
20 reduced, recycled, or composted.

21 (c) *An estimate of the total organics processing capacity in*  
22 *cubic yards that will be needed for a 15-year period to safely*  
23 *handle organic wastes generated with the county.*

24 ~~(c)~~

25 (d) The remaining combined capacity of existing solid waste  
26 transformation or disposal facilities existing at the time of the  
27 preparation of the siting element, or revision thereto, in cubic yards  
28 and years.

29 ~~(d)~~

30 (e) The identification of an area or areas for the location of new  
31 solid waste transformation or disposal facilities, *or new organics*  
32 *processing facilities*, or the expansion of existing *solid waste or*  
33 *organics* facilities, that are consistent with the applicable city or  
34 county general plan, if the county determines that existing capacity  
35 will be exhausted within 15 years or additional capacity is desired.

36 ~~(e)~~

37 (f) For countywide elements submitted or revised on or after  
38 January 1, 2003, a description of the actions taken by the city or  
39 county to solicit public participation by the affected communities,  
40 including, but not limited to, minority and low-income populations.

1     *SEC. 3. If the Commission on State Mandates determines that*  
2 *this act contains costs mandated by the state, reimbursement to*  
3 *local agencies and school districts for those costs shall be made*  
4 *pursuant to Part 7 (commencing with Section 17500) of Division*  
5 *4 of Title 2 of the Government Code.*

6     ~~SECTION 1. Section 40512 is added to the Public Resources~~  
7 ~~Code, to read:~~

8     ~~40512. The department, in coordination with the State Air~~  
9 ~~Resources Board, shall promote the use of compostable organics~~  
10 ~~for critically needed alternatives to agricultural amendments and~~  
11 ~~for low-carbon fuel manufacturing to reduce fugitive methane~~  
12 ~~emissions associated with landfill and other waste operations.~~

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**California State Association of Counties**  
1100 K Street, Suite 101  
Sacramento, CA 95814  
916/327-7500



**Rural County Representatives of California**  
1215 K Street, Suite 1650  
Sacramento, CA 95814  
916/447-4806

April 8, 2015

The Honorable Das Williams  
California State Assembly  
State Capitol, Room 4005  
Sacramento, CA 95814-0037

**RE: AB 876 (McCarty) -- Organics**  
**As Amended April 6, 2015 – OPPOSE**  
**Set for hearing on 4/13/15 – Assembly Natural Resources Committee**

Dear Assembly Member Williams:

On behalf of the California State Association of Counties (CSAC) and the Rural County Representatives of California (RCRC), I write to inform you of our opposition to Assembly Bill (AB) 876, by Assembly Member Kevin McCarty. This bill would require each Countywide Siting Element to provide an estimate of the total organics processing capacity that will be needed over a 15-year period. While we understand the intent of the AB 876, we have strong objections to the approach outlined in this bill.

Last year, the Governor signed AB 1826 (Chapter 727, 2014) into law. This measure established California's commercial organics recycling program. CSAC and RCRC were very engaged in the discussions and negotiations of bill and supported its ultimate passage. This law requires, among other things, local governments to implement an organic waste recycling program designed to divert organic waste within its jurisdiction. Local programs are required to include specific information about organics recycling infrastructure, capacity, siting and permitting challenges, and remedies to those challenges. In addition, Cal Recycle is required to review local programs and identify and recommend actions to address state and federal permitting and siting challenges.

AB 876 would require local governments to report this same information within an entirely separate and unrelated document. The Countywide Siting Element (CSE) describes how the county and the cities within the county plan to manage the disposal of their solid waste for a 15-year planning period. The siting element is focused on disposal, not recycling, and describes each of the existing and planned solid waste disposal and management sites available for use by jurisdictions in the county. In addition, the CSE contains a strict approval requirement – the majority of the cities within the county which contains majority of the population – to ensure that jurisdictions within the county are adequately informed and are in agreement on the disposal facilities sites and capacities for the planning period.

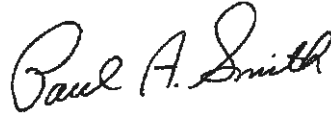
We believe AB 876 is unnecessary as local governments are currently required to include information about total organics processing capacity within their organic waste recycling programs. Furthermore, we

believe that requiring jurisdictions to estimate capacity for a 15-year period is premature as the state and local jurisdictions are in the process of implementing AB 1826. Finally, requiring this information to be included in the CSE would be a costly and time intensive process for no added benefit. It is for these reasons that we must respectfully oppose this bill. Should you have any questions regarding our position, please contact Cara Martinson at 916-327-7500, ext. 504, or Paul Smith at 916-447-4806.

Sincerely,



Cara Martinson  
Legislative Representative, CSAC



Paul Smith  
Senior Legislative Advocate, RCRC

cc: The Honorable Kevin McCarty, California State Assembly  
Members and Consultant, Assembly Natural Resources Committee

**ASSEMBLY BILL**

**No. 901**

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**Introduced by Assembly Member Gordon  
(Coauthor: Assembly Member Williams)**

February 26, 2015

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An act to amend Section 41821.5 of, to amend and renumber Section 41821.6 of, and to add Sections 41821.6, 41821.7, and 41821.8 to, the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 901, as amended, Gordon. Solid waste: reporting requirements: enforcement.

The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. Existing law requires disposal facility operators to submit information to counties from periodic tracking surveys on the disposal tonnages that are disposed of at the disposal facility by jurisdiction or region of origin. Existing law requires solid waste handlers and transfer station operators to provide information to the disposal facility on the origin of the solid waste they deliver to the disposal facility. Existing law requires recycling and composting facilities to submit periodic information to counties on the types and quantities of materials that are disposed of, sold to end users, or sold to exporters or transporters for sale outside of the state, by county of origin. Existing law requires counties to submit periodic reports to the cities within the county, to any regional agency of which the county is a member, and to the Department of Resources, Resources Recycling and Recovery on the

amounts of solid waste disposed of by jurisdiction or region of origin, and on the categories and amounts of solid waste diverted to recycling and composting facilities within the county or region. Existing law authorizes the department to adopt regulations in this regard.

This bill would revise these provisions by, among other things, requiring recycling and composting operations and facilities to submit specified information directly to the department, rather than to counties, and would delete the requirement for counties to submit that information to cities, regional agencies, and the department. The bill would delete references to periodic tracking surveys. The bill would make other related changes to the various reporting requirements. The bill would provide for imposition of civil penalties on any person who refuses or fails to submit information required by the governing regulations, and on any person who knowingly or willfully files a false report, refuses to permit the department to inspect or examine associated records, or alters, cancels, or obliterates entries in the records, as specified. The bill would provide that the civil penalties may be imposed either in a civil action or administratively pursuant to ~~process~~ *procedures* specified in the bill. The bill would provide for local agencies, on request, to be designated by the department to exercise the enforcement authority. The bill would require recovered civil penalties to be deposited in the Integrated Waste Management Account if recovered by action of the department, or to be retained by the local agency taking the enforcement action, as applicable. The bill would require moneys retained by a local agency pursuant to these provisions to be expended on specified solid waste activities.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 41821.5 of the Public Resources Code
- 2 is amended to read:
- 3 41821.5. (a) Disposal facility operators shall submit to counties
- 4 information on the disposal tonnages by jurisdiction or region of
- 5 origin that are disposed of at each disposal facility. To enable
- 6 disposal facility operators to provide that information, solid waste
- 7 handlers and transfer station operators shall provide information
- 8 to disposal facility operators on the origin of the solid waste that
- 9 they deliver to the disposal facility.

1 (b) Recycling and composting operations and facilities shall  
2 submit periodic information to the department on the types and  
3 quantities of materials that are disposed of, sold or transferred to  
4 other recycling or composting facilities, sold to end users inside  
5 of the state or outside of the state, or that are sold to exporters,  
6 brokers, or transporters for sale outside of the state. The department  
7 may provide this information to jurisdictions upon request.

8 (c) Each county shall submit reports to the cities within the  
9 county, to any regional agency of which it is a member agency,  
10 and to the department, on the amounts of solid waste disposed by  
11 jurisdiction or region of origin, as specified in subdivision (a).

12 (d) The department may adopt regulations pursuant to this  
13 section requiring practices and procedures that are reasonable and  
14 necessary to implement this section, and that provide a  
15 representative accounting of solid wastes and recyclable materials  
16 that are handled, processed, or disposed. Those regulations  
17 approved by the department shall not impose an unreasonable  
18 burden on waste and recycling handling, processing, or disposal  
19 operations or otherwise interfere with the safe handling, processing,  
20 and disposal of solid waste and recyclables.

21 (e) Any person who refuses or fails to submit information  
22 required by regulations adopted pursuant to this section is liable  
23 for a civil penalty of not less than five hundred dollars (\$500) and  
24 not more than five thousand dollars (\$5,000) for each violation of  
25 a separate provision or, for continuing violations, for each day that  
26 the violation continues.

27 (f) Any person who knowingly or willfully files a false report,  
28 or any person who refuses to permit the department or any of its  
29 representatives to make inspection or examination of records, or  
30 who fails to keep any records for the inspection of the department,  
31 or who alters, cancels, or obliterates entries in the records for the  
32 purpose of falsifying the records as required by regulations adopted  
33 pursuant to this section, is liable for a civil penalty of not less than  
34 five hundred dollars (\$500) and not more than ten thousand dollars  
35 (\$10,000) for each violation of a separate provision or, for  
36 continuing violations, for each day that the violation continues.

37 (g) Liability under this section may be imposed in a civil action,  
38 or liability may be imposed administratively pursuant to this article.

39 (h) Upon request of a city, county, or city and county, that city,  
40 county, or city and county may be designated, in writing, by the

1 department, to exercise the enforcement authority granted to the  
2 department under this article. Any city, county, or city and county  
3 so designated shall follow the same procedures set forth for the  
4 department under this article. This designation shall not limit the  
5 authority of the department to take action it deems necessary or  
6 proper to ensure enforcement of this article.

7 (i) Notwithstanding Title 5 (commencing with Section 3426)  
8 of Part 1 of Division 4 of the Civil Code and Article 11  
9 (commencing with Section 1060) of Chapter 4 of Division 8 of  
10 the Evidence Code, all records required to be kept pursuant to this  
11 section and implementing regulations shall be subject to inspection  
12 and copying by the department or by a governmental entity  
13 designated by the department.

14 (j) Notwithstanding the Uniform Electronic Transactions Act  
15 (Title 2.5 (commencing with Section 1633.1) of Part 2 of Division  
16 3 of the Civil Code), reports required by this section shall be  
17 submitted electronically, using an electronic reporting format  
18 system established by the department.

19 SEC. 2. Section 41821.6 of the Public Resources Code is  
20 amended and renumbered to read:

21 41821.9. To assist market development efforts by the ~~board,~~  
22 *department*, local agencies, and the private sector, the ~~board~~  
23 *department* shall use existing data resources.

24 SEC. 3. Section 41821.6 is added to the Public Resources Code,  
25 to read:

26 41821.6. In order to ensure that records required pursuant to  
27 this article are properly maintained, in addition to inspecting  
28 records, the department or its designee may conduct audits, perform  
29 site inspections, observe facility operations, and otherwise  
30 investigate the recordkeeping and reporting of persons subject to  
31 the requirements of this article.

32 SEC. 4. Section 41821.7 is added to the Public Resources Code,  
33 to read:

34 41821.7. (a) The department may issue an administrative  
35 complaint to any person on whom civil liability may be imposed  
36 pursuant to this article. The complaint shall allege the acts or  
37 failures to act that constitute the basis for liability and the amount  
38 of the proposed civil liability. The complaint shall be served by  
39 personal service or certified mail and shall inform the party so



1 served that a hearing shall be conducted within 60 days after the  
2 party has been served, unless the party waives the right to a hearing.

3 (b) If the party waives the right to a hearing, the department  
4 shall issue an order setting liability in the amount proposed in the  
5 complaint unless the department and the party have entered into  
6 a settlement agreement, in which case the department shall issue  
7 an order setting liability in the amount specified in the settlement  
8 agreement. If the party has waived the right to a hearing or if the  
9 department and the party have entered into a settlement agreement,  
10 the order shall not be subject to review by any court or agency.

11 (c) Any hearing required under this section shall be conducted  
12 by an independent hearing officer according to the procedures  
13 specified in Chapter 5 (commencing with Section 11500) of Part  
14 1 of Division 3 of Title 2 of the Government Code, except as  
15 otherwise specified in this section.

16 SEC. 5. Section 41821.8 is added to the Public Resources Code,  
17 to read:

18 41821.8. (a) Orders setting civil liability issued under this  
19 section shall become effective and final upon issuance thereof,  
20 and payment shall be made within 30 days of issuance. Copies of  
21 these orders shall be served by personal service or by certified  
22 mail upon the party served with the complaint and upon other  
23 persons who appeared at the hearing and requested a copy.

24 (b) Within 30 days after service of a copy of a decision, any  
25 person so served may file with the superior court a petition for  
26 writ of mandate for review of the decision. Any person who fails  
27 to file the petition within the 30-day period may not challenge the  
28 reasonableness or validity of a decision or order of the hearing  
29 officer in any judicial proceedings brought to enforce the decision  
30 or order or for other remedies.

31 (c) Except as otherwise provided in this section, Section 1094.5  
32 of the Code of Civil Procedure governs any proceedings conducted  
33 pursuant to this subdivision. In all proceedings pursuant to this  
34 subdivision, the court shall uphold the decision, if the decision is  
35 based upon substantial evidence in the whole record.

36 (d) This section does not prohibit the court from granting any  
37 appropriate relief within its jurisdiction.

38 (e) All penalties collected under this article shall be deposited  
39 in the Integrated Waste Management Account created pursuant to  
40 Section 48001 if the attorney who brought the action represented

1 the department, or shall be retained by a city, county, or city and  
2 county designated pursuant to subdivision (c) of Section 41821.5,  
3 if the attorney who brought the action represents the city, county,  
4 or city and county. The moneys retained by the city, county, or  
5 city and county shall be expended on duties required under this  
6 article and implementing regulations.

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RURAL COUNTY REPRESENTATIVES  
OF CALIFORNIA

April 8, 2015

The Honorable Richard Gordon  
Member, California State Assembly  
State Capitol, Room 3013  
Sacramento, CA 95814

**RE: Assembly Bill 901 – SUPPORT**

Dear Assembly Member Gordon:

On behalf of the Rural County Representatives of California (RCRC), I am writing to express our support for your Assembly Bill 901 which strengthens the requirement of solid waste operators to provide data to the California Department of Resources Recycling and Recovery (CalRecycle).

RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties. In addition, twenty-two member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements in order to reduce waste being disposed and increase recycling/re-use efforts for certain products.

Under existing law, solid waste operators – waste haulers, landfill operators, transfer station managers, composters, etc. – are required to provide information to local governments which can include disposal tonnages that are disposed, the origin of solid wastes, and the types and quantities of materials that are disposed of, sold to end users, or sold to exporters or transporters for sale outside of the state.

Existing law also requires counties to submit periodic reports to CalRecycle that are largely based on the data received from the above-mentioned solid waste operators. This information is vital in determining a jurisdiction's evaluation in meeting recycling targets. Therefore, local agencies need timely, accurate, and reliable information. Unfortunately, this is often not the case, and localities have very little tools to ensure proper information gathering compliance by solid waste operators.

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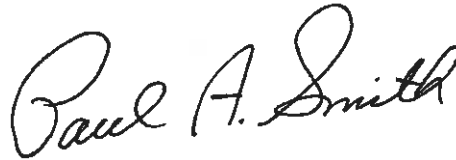
ALPINE AMADOR BUTTE CALAVERAS COLUSA DEL NORTE ELDORADO GLENN HUMBOLDT IMPERIAL INYO LAKE LASSEN MADERA MARIPOSA MENDOCINO  
MERCED MODOC MONO NAPA NEVADA PLACER PLUMAS SAN BENITO SHASTA SIERRA SISKIYOU SUTTER TEHAMA TRINITY TULARE TUOLUMNE YOLO YUBA

The Honorable Richard Gordon  
Assembly Bill 901  
April 8, 2015  
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AB 901 addresses the issue of reporting timely, accurate, and reliable information; however, it achieves much of this by further strengthening the aspect of the law which mandates solid waste operators report directly to CalRecycle. And, it allows local governments to access this information. RCRC welcomes AB 901 as a way to put in place clarity and enforcement mechanisms to ensure that local governments can receive accurate data which, in turn, can lead to the goal of meeting their recycling requirements.

For these reasons, RCRC supports AB 901. If you should have any questions or concerns, please do not hesitate to contact me at (916) 447-4806.

Sincerely,

A handwritten signature in cursive script that reads "Paul A. Smith".

PAUL A. SMITH  
Senior Legislative Advocate

cc: Members of the Assembly Natural Resources Committee

AMENDED IN ASSEMBLY APRIL 20, 2015  
AMENDED IN ASSEMBLY MARCH 26, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1045**

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**Introduced by Assembly Member Irwin  
(Coauthor: Assembly Member Chiu)**

February 26, 2015

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An act to add Sections 42649.87 and 43032 to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1045, as amended, Irwin. Organic waste: composting.

(1) The existing California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. Existing law requires each city, county, city and county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. Those entities are required to divert 50% of all solid waste through source reduction, recycling, and composting.

This bill would require the California Environmental Protection Agency, in coordination with the department, to develop and implement policies to aid in diverting ~~50% of organic waste from landfills by 2020~~ by promoting the composting of specified organic waste and by promoting the appropriate use of that compost throughout the state. The bill would require the agency to promote a goal of reducing at least 5 million metric tons of greenhouse gas emissions per year through the development and application of compost on working lands, and would

authorize *require* the agency to work with the Department of Food and Agriculture to achieve this goal. The bill would also require the agency to convene the department, the State Water Resources Control Board, and the State Air Resources Board to ensure proper coordination of agency regulations and goals to implement these requirements.

(2) Existing law requires the Department of Resources Recycling and Recovery to adopt regulations relating to waste management, including standards for the design, operation, maintenance, and ultimate reuse of solid waste facilities, and for solid waste handling, transfer, composting, transformation, and disposal. Existing law prohibits the solid waste handling, transfer, composting, transformation, and disposal standards from including any requirement that is under the authority of the State Air Resources Board for the prevention of air pollution or the State Water Resources Control Board for the prevention of water pollution and prohibits the solid waste facilities standards from including aspects of solid waste handling and disposal that are within the jurisdiction of the State Air Resources Board, air pollution control districts, and air quality management districts, or the State Water Resources Control board or a regional water district.

Existing law prohibits a person from discharging a quantity of air contaminants or other material that causes injury, detriment, nuisance, or annoyance to the public, or that endangers the comfort, repose, health, or safety of the public, or that causes injury or damage to business or property, except as provided.

Under existing law, the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act, with certain exceptions, requires a waste discharger to file certain information with the appropriate regional board and to pay an annual fee.

This bill would require the Department of Resources Recycling and Recovery, in coordination with the State Air Resources Board and the State Water Resources Control Board, to develop a policy that promotes the development of streamlined permitting and regulation of composting facilities while protecting air and water quality.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) With the enactment of the California Integrated Waste  
4 Management Act of 1989 (Division 30 (commencing with Section  
5 40000) of the Public Resources Code), the Legislature declared  
6 that the Department of Resources Recycling and Recovery and  
7 local agencies shall promote composting.

8 (b) Since the enactment of the act, local governments and private  
9 industries have worked jointly to create an extensive material  
10 collection infrastructure and have implemented effective programs  
11 to achieve a statewide diversion rate greater than 50 percent.

12 (c) Although California now leads the nation in waste reduction  
13 and recycling, the state continues to dispose of more than 15  
14 million tons of compostable organics each year in solid waste  
15 landfills.

16 (d) Composting organic materials results in substantial  
17 environmental and agricultural benefits, including the reduction  
18 of naturally occurring volatile organic compounds and ammonia.

19 (e) The Economic and Technology Advancement Advisory  
20 Committee, formed pursuant to the California Global Warming  
21 Solutions Act of 2006 (Division 25.5 (commencing with Section  
22 38500) of the Health and Safety Code), has identified composting  
23 as a cost-effective technology for reducing greenhouse gas  
24 emissions.

25 (f) The application of compost in agriculture and landscaping  
26 has been shown to offer significant soil-carbon sequestration and  
27 water quality benefits, provide erosion control, reduce the need  
28 for synthetic fertilizers and pesticides, and conserve water and  
29 irrigation-associated energy.

30 (g) In 2007, the department's predecessor agency adopted  
31 Strategic Directive 6.1 to reduce the amount of organics in the  
32 waste stream by 50 percent by the year 2020.

33 (h) In 2014, the state required organic waste generators that  
34 produce four cubic yards or more of organic waste a week to  
35 arrange to recycle this material (Chapter 12.9 (commencing with  
36 Section 42649.8) of the Public Resources Code).

37 (i) To reduce the amount of organics in landfills, the state must  
38 promote the development and permitting of composting facilities

1 and ensure that state regulations account for the lifecycle emissions  
2 reduction and water quality benefits of diverting organic waste  
3 from landfills and into compost facilities, while continuing to  
4 protect air and water quality.

5 SEC. 2. Section 42649.87 is added to the Public Resources  
6 Code, to read:

7 42649.87. (a) The California Environmental Protection  
8 Agency, in coordination with the department, shall develop and  
9 implement policies to aid in diverting ~~50 percent of~~ organic waste  
10 from landfills ~~by 2020~~ by promoting the use of agricultural,  
11 forestry, and urban organic waste as a feedstock for compost and  
12 by promoting the appropriate use of that compost throughout the  
13 state.

14 (b) In developing policies pursuant to subdivision (a), the  
15 California Environmental Protection Agency shall promote a goal  
16 of reducing at least five million metric tons of greenhouse gas  
17 emissions per year through the development and application of  
18 compost on working lands, which includes, but is not limited to,  
19 agricultural land, land used for forestry, and rangeland. The  
20 California Environmental Protection Agency ~~may~~ shall work with  
21 the Department of Food and Agriculture to achieve this goal.

22 (c) The California Environmental Protection Agency shall  
23 convene the department, the State Water Resources Control Board,  
24 and the State Air Resources Board to ensure proper coordination  
25 of agency regulations and goals to implement this section.

26 SEC. 3. Section 43032 is added to the Public Resources Code,  
27 to read:

28 43032. ~~The Department of Resources Recycling and Recovery~~  
29 ~~department~~, in coordination with the State Air Resources Board  
30 and the State Water Resources Control Board, shall develop a  
31 policy that promotes the development of streamlined permitting  
32 and regulation of composting facilities while protecting air and  
33 water quality.

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AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1063**

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**Introduced by Assembly Member Williams**

February 26, 2015

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An act to ~~amend Section 48000 of~~ *add Section 48000.1* to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1063, as amended, Williams. Solid waste: disposal facility: fees.

Existing law requires the operator of a disposal facility to pay to the State Board of Equalization a fee based on the amount of all solid waste disposed of at each disposal site. The act requires the Department of Resources Recycling and Recovery to establish the amount of the fee, as specified, and limits the fee to a maximum of \$1.40 per ton.

~~This bill would change the fee maximum to an unspecified amount per ton and would require that any amount over \$1.40 per ton be used to cover the reasonable regulatory costs incurred by the department incident to the performance of various regulatory actions. The bill would also make various nonsubstantive changes.~~

*This bill would require, on or before July 1, 2016, the Department of Resources Recycling and Recovery, to hold a public hearing and workshop to develop a proposal for the Legislature regarding a new solid waste management fee which would provide the department with the revenue necessary to carry out certain actions. The bill would require the department, within 6 months of the public hearing and workshop, to propose a new solid waste management fee to the Legislature.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 48000.1 is added to the Public Resources  
2 Code, to read:

3 48000.1. (a) On or before July 1, 2016, the department shall  
4 hold a public hearing and workshop to develop a proposal for the  
5 Legislature regarding a new solid waste management fee which  
6 would provide the department with the revenue necessary to carry  
7 out all of the following:

8 (1) Develop financial incentives to promote the recycling of  
9 organic material through activities, including, but not limited to,  
10 composting and anaerobic digestion.

11 (2) Provide resources to develop infrastructure and incentives  
12 necessary to achieve the statewide policy goal pursuant to Section  
13 41780.01.

14 (3) Provide a sustainable funding structure that ensures the  
15 department's ability to carry out its responsibilities under this  
16 division.

17 (b) For the public hearing and workshop, the department shall  
18 seek public input from interested groups, including, but not limited  
19 to, representatives of the solid waste industry, local government,  
20 disadvantaged communities, and environmental groups.

21 (c) Within six months of the public hearing and workshop held  
22 pursuant to subdivision (a), the department shall propose a new  
23 solid waste management fee to the Legislature pursuant to Section  
24 9795 of the Government Code.

25 SECTION 1. ~~Section 48000 of the Public Resources Code is~~  
26 ~~amended to read:~~

27 48000. (a) Each operator of a disposal facility shall pay a fee  
28 quarterly to the State Board of Equalization, which is based on the  
29 amount, by weight or volumetric equivalent, as determined by the  
30 department, of all solid waste disposed of at each disposal site.

31 (b) ~~(1) The amount of the fee shall be established by the~~  
32 ~~department for each fiscal year at an amount that is sufficient to~~  
33 ~~generate revenues equivalent to the approved budget for that fiscal~~  
34 ~~year, including a prudent reserve, but shall not exceed \_\_\_\_\_ (\$ \_\_\_\_\_)~~  
35 ~~per ton. Any amount over one dollar and forty cents (\$1.40) per~~

1 ton shall be used to cover the reasonable regulatory costs incurred  
2 by the department incident to the performance of audits,  
3 inspections, or administrative enforcement and adjudication related  
4 to the regulation of solid waste handling and disposal.

5 ~~(2) On and after July 1, 2012, the amount of the fee established~~  
6 ~~by the department pursuant to paragraph (1) shall be increased by~~  
7 ~~twelve cents (\$0.12) per ton for each operator of a solid waste~~  
8 ~~landfill whose owner has notified the department that it elects to~~  
9 ~~participate in the State Solid Waste Postclosure and Corrective~~  
10 ~~Action Trust Fund pursuant to Article 2.1 (commencing with~~  
11 ~~Section 48010).~~

12 ~~(c) The department shall notify the state board on the first day~~  
13 ~~of the period in which the rate shall take effect of any rate change~~  
14 ~~adopted pursuant to paragraphs (1) and (2) of subdivision (b).~~

15 ~~(d) The department and the state board shall ensure that all of~~  
16 ~~the fees for solid waste imposed pursuant to this section that are~~  
17 ~~collected at a transfer station are paid to the state board in~~  
18 ~~accordance with this article.~~

19 ~~(e) (1) The fee imposed by paragraph (2) of subdivision (b)~~  
20 ~~shall not be operative on or after July 1, 2012, unless the~~  
21 ~~department receives, on or before January 1, 2012, letters of~~  
22 ~~participation in the State Solid Waste Postclosure and Corrective~~  
23 ~~Action Trust Fund from landfill owners representing at least 50~~  
24 ~~percent of the total volume of waste disposed of in 2010.~~

25 ~~(2) The department shall notify the state board, on or before~~  
26 ~~February 29, 2012, if the fee imposed by paragraph (2) of~~  
27 ~~subdivision (b) shall become operative pursuant to paragraph (1).~~

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RURAL COUNTY REPRESENTATIVES  
OF CALIFORNIA

April 22, 2015

The Honorable Das Williams  
Member, California State Assembly  
State Capitol, Room 4005  
Sacramento, CA 95814

**RE: Assembly Bill 1063 – SUPPORT**

Dear Assembly Member Williams:

On behalf of the Rural County Representatives of California (RCRC), I am writing to express our support for your Assembly Bill 1063 which requires the Department of Resources Recycling and Recovery (CalRecycle) to hold a public hearing and workshop to develop a new solid waste management fee.

RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties. In addition, twenty-two member counties have formed the Rural Counties' Environmental Services Joint Powers Authority to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements in order to reduce waste being disposed and increase recycling/re-use efforts for certain products.

Under existing law, our state's solid waste management activities are financed by a per ton disposal fee – currently set in statute at \$1.40 per ton. Similar such models exist at the local level as locally-enacted “tipping fees” are used to finance local solid waste management activities. As the state moves towards a policy of dramatically reducing the amount of waste disposed, the existing financing scheme becomes questionable as we become a victim of our own success. While it appears CalRecycle is not facing an immediate dire predicament, we believe in the coming years the per-ton disposal fee will no longer be able to adequately sustain the mission and role of the Department. Simply put, a new funding model must be developed.

RCRC wholeheartedly endorses the call for solid waste stakeholder meetings, convened by CalRecycle, to discuss the long-term funding of CalRecycle and the goals

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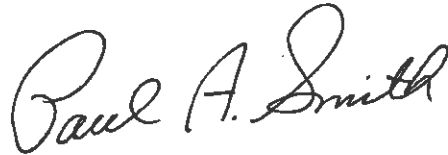
ALPINE AMADOR BUTTE CALAVERAS COLUSA DEL NORTE EL DORADO GLENN HUMBOLDT IMPERIAL INYO LAKE LASSEN MADERA MARIPOSA MENDOCINO  
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The Honorable Das Williams  
Assembly Bill 1063  
April 22, 2015  
Page 2

set by the Legislature to divert materials from being disposed. We look forward to being a part of those discussions.

For these reasons, RCRC supports AB 1063. If you should have any questions or concerns, please do not hesitate to contact me at (916) 447-4806.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Smith". The signature is written in a cursive, flowing style.

PAUL A. SMITH  
Senior Legislative Advocate

cc: Members of the Assembly Natural Resources Committee  
Ms. Elizabeth MacMillan, Assembly Natural Resources Committee  
Mr. John Kennedy, Assembly Republican Caucus

**ASSEMBLY BILL**

**No. 1103**

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**Introduced by Assembly Member Dodd**

February 27, 2015

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An act to amend Section 42649.8 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1103, as introduced, Dodd. Solid waste: organic waste.

Existing law, on and after April 1, 2016, requires a business that generates a certain amount of organic waste to arrange for recycling services specifically for organic waste, and requires each city, county, or regional agency approved by the Department of Resources Recycling and Recovery to implement an organic waste recycling program designed to divert organic waste generated by those businesses, except as specified. Existing law defines the term "organic waste" for purposes of those provisions to include food waste and food-soiled paper waste.

This bill would also define the terms "food-soiled paper" and "food waste" for purposes of those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 42649.8 of the Public Resources Code
- 2 is amended to read:
- 3 42649.8. For purposes of this chapter, the following terms shall
- 4 apply:

- 1 (a) "Business" means a commercial or public entity, including,  
2 but not limited to, a firm, partnership, proprietorship, joint stock  
3 company, corporation, or association that is organized as a  
4 for-profit or nonprofit entity, or a multifamily residential dwelling.
- 5 (b) "Commercial waste generator" means a business subject to  
6 subdivision (a) of Section 42649.2.
- 7 (c) *"Food-soiled paper" includes food soiled napkins, towels,  
8 egg cartons, pizza boxes, waxed cardboard containers, and  
9 uncoated plates and cups.*
- 10 (d) *"Food waste" means discarded solid, semisolid, and liquid  
11 food, including fruit, vegetables, cheese, meat, bones, poultry,  
12 seafood, bread, rice, pasta, and oils; coffee filters and tea bags;  
13 cut flowers and herbs; and any putrescible matter produced from  
14 human or animal food production, preparation, and consumption  
15 activities. Food waste includes food-soiled paper.*
- 16 (e)
- 17 (e) "Organic waste" means food waste, green waste, landscape  
18 and pruning waste, nonhazardous wood waste, and food-soiled  
19 paper waste that is mixed in with food waste.
- 20 (f)
- 21 (f) "Organic waste generator" means a business subject to  
22 subdivision (a) of Section 42649.81.
- 23 (g)
- 24 (g) "Rural jurisdiction" means a jurisdiction that is located  
25 entirely within one or more rural counties, or a regional agency  
26 comprised of jurisdictions that are located within one or more rural  
27 counties.
- 28 (h)
- 29 (h) "Rural county" means a county that has a total population  
30 of less than 70,000 persons.
- 31 (i)
- 32 (i) "Self-hauler" means a business that hauls its own waste rather  
33 than contracting for that service and "self-haul" means to act as a  
34 self-hauler.

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AMENDED IN ASSEMBLY APRIL 21, 2015

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1159**

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**Introduced by Assembly Members Gordon and Williams**  
*(Coauthor: Assembly Member Mark Stone)*

February 27, 2015

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An act to add and repeal Chapter 19.5 (commencing with Section 42968) of Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1159, as amended, Gordon. Product stewardship: pilot program: household batteries and home-generated sharps waste.

The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, is required to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible in an efficient and cost-effective manner to conserve water, energy, and other natural resources.

Existing law requires a pharmaceutical manufacturer selling or distributing medication that is intended to be self-injected at home to submit, on an annual basis, to the Department of Resources Recycling and Recovery a plan supporting the safe collection and proper disposal of specified waste devices.

Existing law leaves in operation Department of Toxic Substances Control regulations, adopted until January 1, 2008, to exempt a hazardous waste management activity, including management of hazardous waste batteries, from certain statutory requirements related

to hazardous waste management if specified conditions for exemption are met, including that the regulations identify the waste as a universal waste.

This bill would establish the Product Stewardship Pilot Program and, until January 1, 2024, would require producers and product stewardship organizations of covered products, defined to mean a consumer product that is used or discarded in this state and is either home-generated sharps waste or household batteries, to develop and implement a product stewardship plan, as specified.

This bill would require, by July 1, 2017, a producer of a covered product, individually or through a product stewardship organization, to submit a product stewardship plan to the Department of Resources Recycling and Recovery. The bill would require the product stewardship plan to include specified elements, including strategies to achieve performance standards and a funding mechanism that provides sufficient funding to carry out the plan. The department would be required to review and determine whether the plan is complete and, if complete, determine whether to approve or not approve the plan. The bill would require the department to notify the submitter of its decision to approve or not approve the plan, and, if the department does not approve the plan, would require the department to describe the reasons for its disapproval. The bill would authorize the submitter to revise and resubmit the plan and would specify that a plan not approved by January 1, 2018, is out of compliance.

The bill would require a producer or product stewardship organization implementing a product stewardship plan to prepare and submit to the department an annual report describing the activities carried out pursuant to the product stewardship plan, including whether the producer or product stewardship organization, in implementing the plan, attained the performance standards for the covered product, and if the performance standards were not met, what actions the producer or product stewardship organization will be taking to attain those performance standards.

A producer or product stewardship organization submitting a product stewardship plan would be required to pay the department, ~~on an unspecified schedule,~~ *department* an annual administrative fee, as determined by the department. The bill would require the fee be set at an amount that, when paid by every product stewardship organization that submits a product stewardship plan, is adequate to cover the department's full costs of administering and enforcing the program.

The bill would provide for the imposition of administrative civil penalties upon a person who violates the bill and would provide that a plan submitter whose plan is not approved by the department by July 1, 2018, is subject to those penalties until the plan is approved. The bill would establish the Product Stewardship Account in the Integrated Waste Management Fund and would require the fees collected by the department to be deposited in that account, for expenditure by the department, upon appropriation by the Legislature, to cover the department's cost to implement the bill's provisions. The bill would also establish the Product Stewardship Penalty Subaccount in the Integrated Waste Management Fund and would require that the civil penalties collected by the department pursuant to the bill's provisions be deposited in that subaccount, for expenditure by the department, upon appropriation by the Legislature, to cover the department's costs to implement the bill's provisions.

The bill would provide that certain actions of a product stewardship organization or its members are not violations of the Cartwright Act or certain provisions regulating unfair business practices or unfair competition.

The bill would require the department, by January 1, 2017, to adopt regulations to implement these provisions, including setting performance standards for each covered product, which would include a minimum collection rate and appropriate geographic coverage, and procedures for product stewardship plan submittal. By March 1, 2017, the department would also be required to appoint a stakeholder advisory committee for each covered product to provide technical feedback to a product stewardship organization. The bill would also require the advisory committee to annually report to the department on the progress of the product stewardship organizations' implementation of the bill's provisions.

The bill would require the department, by July 1, 2023, to report, for each covered product, specified information to the appropriate committees of the Legislature, including, the department's evaluation of each product stewardship organization, product stewardship organization evaluations of the department and stakeholder advisory committee, stakeholder advisory committee reports, and audited financials of each product stewardship organization. The bill would authorize the department to impose additional reporting requirements on product stewardship organizations and the stakeholder advisory

committees to meet the department's reporting requirements to the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 19.5 (commencing with Section 42968)  
2 is added to Part 3 of Division 30 of the Public Resources Code, to  
3 read:

4  
5 CHAPTER 19.5. PRODUCT STEWARDSHIP PILOT PROGRAM

6  
7 Article 1. Definitions

8  
9 42968. "Collection rate" means the percentage of covered  
10 products, by weight, that are collected during a calendar year by  
11 a product stewardship organization as compared to the average  
12 annual weight of all covered products that were estimated to have  
13 been sold in the state during the previous three years by that  
14 product stewardship organization's members or the individual  
15 producer. The collection rate of a product stewardship organization  
16 of covered products may be based on a reasonable pro rata  
17 calculation of national sales.

18 42968.01. "Consumer" means a purchaser, owner, or lessee of  
19 a product, including a person, business, corporation, limited  
20 partnership, nonprofit organization, or governmental entity.

21 42968.02. "Consumer product" means a product that is sold  
22 in this state in a transaction that is a retail sale or in a transaction  
23 to which a use tax applies pursuant to Part 1 (commencing with  
24 Section 6001) of Division 2 of the Revenue and Taxation Code.

25 42968.04. "Covered product" means a consumer product that  
26 is used or discarded in this state and is either of the following:

27 (a) Home-generated sharps waste, as defined in Section 117671  
28 of the Health and Safety Code.

29 (b) Household batteries, as defined in subdivision (c) of Section  
30 42450.

31 42968.06. "Department" means the Department of Resources  
32 Recycling and Recovery.

1 42968.07. "Geographic coverage" means the number of  
2 convenient collection sites provided by a product stewardship  
3 organization, free of charge, for consumers in each county of the  
4 state where the product stewardship organization's members or  
5 the individual producer sell, offer for sale, or distribute a covered  
6 product.

7 42968.08. "Performance standards" means the standards set  
8 by the department pursuant to Section 42968.22.

9 42968.10. "Producer," with regard to a covered product that  
10 is sold, offered for sale, or distributed in the state, means one of  
11 the following:

12 (a) A person who manufactures the covered product and who  
13 sells, offers for sale, or distributes that covered product in the state  
14 under that person's own name or brand.

15 (b) If there is no person who sells, offers for sale, or distributes  
16 the covered product in the state under the person's own name or  
17 brand, the producer of the covered product is the owner or licensee  
18 of a trademark or brand under which the covered product is sold  
19 or distributed in the state, whether or not the trademark is  
20 registered.

21 (c) If there is no person who is a producer of the covered product  
22 for purposes of subdivisions (a) and (b), the producer of that  
23 covered product is the person who imports the product into the  
24 state for sale or distribution.

25 42968.12. "Product stewardship organization" means either of  
26 the following:

27 (a) An organization created by one or more producers of a  
28 covered product to act as an agent on behalf of the producer to  
29 design, submit, and administer a product stewardship plan pursuant  
30 to this chapter.

31 (b) A producer of a covered product that complies with this  
32 chapter as an individual producer. *product.*

33 42968.14. "Product stewardship plan" or "plan" means a plan  
34 written by an individual producer or a product stewardship  
35 organization that includes all of the information required by Section  
36 42968.32.

## Article 2. General Provisions

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42968.20. Each product stewardship organization of a covered product in this state shall develop and implement a product stewardship plan in accordance with the provisions of this chapter.

42968.22. (a) On or before January 1, 2017, the department shall adopt regulations to implement the provisions of this chapter. The regulations shall, at a minimum, include:

(1) Performance standards for a covered product that are to be met by a product stewardship plan, which shall include a minimum collection rate for a covered product and appropriate geographic coverage for a covered product.

(2) Procedures for product stewardship plan submittal to the department.

(3) The appointment of a stakeholder advisory committee, as described in Article 6 (commencing with Section 42968.60).

(b) Regulations adopted pursuant to subdivision (a) shall have no effect after the repeal of this chapter.

42968.26. (a) Except as provided in subdivision (b), any action by a product stewardship organization or its members that relates to any of the following is not a violation of the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), the Unfair Practices Act (Chapter 4 (commencing with Section 17000) of Part 2 of Division 7 of the Business and Professions Code), or the Unfair Competition Law (Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code):

(1) The creation, implementation, or management of a product stewardship plan approved by the department pursuant to Section 42968.34.

(2) The cost and structure of an approved product stewardship plan.

(b) Subdivision (a) does not apply to an agreement that does any of the following:

(1) Fixes a price of or for a covered product, except for any agreement related to a product stewardship plan approved by the department and otherwise in accordance with this chapter.

(2) Fixes the output of production of a covered product.

(3) Restricts the geographic area in which, or customers to whom, a covered product will be sold.

1 Article 3. Product Stewardship Plan

2  
3 42968.30. On or before July 1, 2017, a product stewardship  
4 organization shall submit a product stewardship plan to the  
5 department that will divert the covered product from landfills and  
6 manage the covered product in a manner that is consistent with  
7 the state's hierarchy for waste management practices pursuant to  
8 Section 40051.

9 42968.32. A product stewardship plan required to be submitted  
10 pursuant to Section 42968.30 shall include all of the following:

11 (a) Strategies to achieve the performance standards set by the  
12 department pursuant to Section 42968.22.

13 (b) Strategies for managing and reducing the life-cycle impacts  
14 of the covered product.

15 (c) A funding mechanism that provides sufficient funding to  
16 carry out the plan, including the administrative, operational, and  
17 capital costs of the plan, and payment of fees pursuant to Section  
18 42968.40.

19 (d) A process by which the financial activities of the product  
20 stewardship organization that are related to implementation of the  
21 plan will be subject to an independent audit, which may be  
22 reviewed by the department.

23 42968.34. (a) Within 30 days after the department receives a  
24 plan submitted pursuant to Section 42968.30, the department shall  
25 review the plan, and determine whether the plan is complete or  
26 incomplete. If the department does not deem the plan complete,  
27 the department shall notify the product stewardship organization  
28 that submitted the plan of the deficiencies, and the product  
29 stewardship organization shall revise and resubmit the plan within  
30 30 days of receiving the notice.

31 (b) If the department determines that the plan is complete, the  
32 department shall have 60 days after determining the plan is  
33 complete to determine whether it complies with ~~Section 42968.32,~~  
34 ~~42968.32 and any regulations adopted by the department pursuant~~  
35 ~~to this chapter,~~ and notify the submitter of its decision to approve  
36 or not approve the plan.

37 (c) If the department does not approve the plan, it shall describe  
38 the reasons for its disapproval in the notice. The submitter may  
39 revise and resubmit the plan within 60 days after receiving notice  
40 of disapproval and the department shall review and approve or not

1 approve the revised plan within 60 days after receipt. Any plan  
2 not approved by January 1, 2018, shall be out of compliance with  
3 this chapter and, commencing July 1, 2018, if the plan is not  
4 approved as of that date, the submitter of the plan is subject to the  
5 penalties specified in Section 42968.50 until the plan is approved  
6 by the department.

7  
8 Article 4. Financial Provisions  
9

10 42968.40. (a) A product stewardship organization submitting  
11 a product stewardship plan shall pay the department an annual  
12 administrative fee. The department shall set the fee at an amount  
13 that, when paid by every product stewardship organization that  
14 submits a product stewardship plan, is adequate to cover the  
15 department's full costs of administering and enforcing this chapter,  
16 including any program development costs or regulatory costs  
17 incurred by the department prior to product stewardship plans  
18 being submitted. The department may establish a variable fee based  
19 on relevant factors, including, but not limited to, the portion of  
20 covered products sold in the state by members of the organization  
21 compared to the total amount of covered products sold in the state  
22 by all organizations submitting a product stewardship plan.

23 (b) The total amount of annual fees collected pursuant to this  
24 section shall not exceed the amount necessary to recover costs  
25 incurred by the department in connection with the administration  
26 and enforcement of the requirements of this chapter.

27 ~~(c) A product stewardship organization subject to this section~~  
28 ~~shall pay the department the administrative fee pursuant to~~  
29 ~~subdivision (a) on or before \_\_\_\_\_, and annually thereafter through~~  
30 ~~\_\_\_\_\_.~~

31 ~~(d)~~

32 (c) The department shall deposit the fees collected pursuant to  
33 this section into the Product Stewardship Account created pursuant  
34 to Section 42968.42.

35 42968.42. (a) The Product Stewardship Account and the  
36 Product Stewardship Penalty Subaccount are hereby established  
37 in the Integrated Waste Management Fund.

38 (b) All fees collected by the department pursuant to this article  
39 shall be deposited in the Product Stewardship Account and may  
40 be expended by the department, upon appropriation by the



1 Legislature, to cover the department's costs to implement this  
2 chapter.

3 (c) All civil penalties collected pursuant to Article 5  
4 (commencing with Section 42968.50) shall be deposited in the  
5 Product Stewardship Penalty Subaccount and may be expended  
6 by the department, upon appropriation by the Legislature, to cover  
7 the department's costs to implement this chapter.

8  
9 Article 5. Penalties

10  
11 42968.50. (a) A civil penalty up to the following amounts may  
12 be administratively imposed by the department or imposed by the  
13 court on any person who is in violation of any provision of this  
14 chapter:

15 (1) One thousand dollars (\$1,000) per day.

16 (2) Ten thousand dollars (\$10,000) per day if the violation is  
17 intentional, knowing, or negligent.

18 (b) In assessing or reviewing the amount of a civil penalty  
19 imposed pursuant to subdivision (a) for a violation of this chapter,  
20 the department or the court shall consider all of the following:

21 (1) The nature and extent of the violation or violations.

22 (2) The number and severity of the violation or violations.

23 (3) The economic effect of the penalty on the violator.

24 (4) Whether the violator took good faith measures to comply  
25 with this chapter and the period of time over which these measures  
26 were taken.

27 (5) The willfulness of the violator's misconduct.

28 (6) The deterrent effect that the imposition of the penalty would  
29 have on both the violator and the regulated community.

30 (7) Any other factor that justice may require.

31 (~~Added by Stats. 2010, Ch. 681, Sec. 2. (AB 2398) Effective~~  
32 ~~January 1, 2011.~~)

33 42968.52. Moneys collected pursuant to this article shall be  
34 deposited in the Product Stewardship Penalty Subaccount,  
35 established pursuant to Section 42968.42.

36  
37 Article 6. Stakeholder Advisory Committee

38  
39 42968.60. (a) On or before March 1, 2017, the department  
40 shall appoint a stakeholder advisory committee for each covered

1 product to provide technical feedback to a product stewardship  
2 organization. The stakeholder advisory committee shall report  
3 annually to the department on the progress of the product  
4 stewardship organizations' implementation of this chapter.

5 (b) Members of the advisory committee for a covered product  
6 shall include members of the environmental community, solid  
7 waste industry, local governments, retailers, and other key  
8 stakeholders for that covered product.

9 (c) The stakeholder advisory committee for a covered product  
10 shall be independent of the product stewardship organizations for  
11 that covered product. The advisory committee's expenses shall be  
12 covered by its members and not the product stewardship  
13 organizations for that covered product or the state.

14 (d) A product stewardship organization for a covered product  
15 shall have no control over the advisory committee for that covered  
16 product or its activities.

17

18

#### Article 7. Reporting

19

20 42968.70. Beginning on or before the first January 1 more than  
21 one year after a product stewardship plan is approved, and on or  
22 before every January 1 thereafter, each product stewardship  
23 organization implementing a product stewardship plan shall prepare  
24 and submit to the department an annual report describing the  
25 activities carried out pursuant to the product stewardship plan  
26 during the previous reporting period, including, but not limited to,  
27 whether the product stewardship organization, in implementing  
28 the plan, attained the performance standards for the covered  
29 product, ~~and~~ *and*, if the performance standards were not met, what  
30 actions the product stewardship organization will take during the  
31 next reporting period to attain those performance standards.

32 42968.72. On or before July 1, 2023, the department shall  
33 report all of the following, for each covered product, to the  
34 appropriate committees of the Legislature:

35 (a) The department's evaluation of each product stewardship  
36 organization.

37 (b) Each product stewardship organization's evaluation of the  
38 department and the advisory committee.

39 (c) Stakeholder advisory committee reports submitted to the  
40 department pursuant to Section 42968.60.

- 1 (d) Audited financials of each product stewardship organization.
- 2 (e) The amount of money saved by state and local governments
- 3 as a result of implementing a product stewardship plan.
- 4 (f) Whether the performance standards set by the department
- 5 were met.

6 42968.74. The department may impose reporting requirements  
7 on product stewardship organizations and the stakeholder advisory  
8 committee of a covered product to ensure that the department is  
9 able to meet its reporting requirements to the Legislature pursuant  
10 to Section 42968.72.

11

12

#### Article 8. Repeal

13

14 42968.80. This chapter shall remain in effect only until January  
15 1, 2024, and as of that date is repealed, unless a later enacted  
16 statute, that is enacted before January 1, 2024, deletes or extends  
17 that date.

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RURAL COUNTY REPRESENTATIVES  
OF CALIFORNIA

April 9, 2015

The Honorable Richard Gordon  
Member, California State Assembly  
State Capitol, Room 3013  
Sacramento, CA 95814

**RE: Assembly Bill 1159 – SUPPORT**

Dear Assembly Member Gordon:

On behalf of the Rural County Representatives of California (RCRC), I offer our support for your Assembly Bill 1159 which would require the California Department of Resources Recycling and Recovery (CalRecycle) to enact regulations to implement a product stewardship pilot program for two specific products – sharps and household primary batteries.

RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties. In addition, twenty-two member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements in order to reduce waste being disposed and increase recycling/re-use efforts for certain products.

In 2006, the State Department of Toxics Substance Control ruled that all household batteries be banned from disposal in solid waste landfills. This action was taken without having the proper infrastructure or funding in place to handle the products. The majority of these products are now illegally dumped in landfills and the remainder show up at the doorsteps of jurisdiction-sponsored household hazardous waste programs, municipal landfills, transfer stations, and/or private handling facilities. To properly manage and dispose of these products is a great expense to municipalities. Local governments can no longer afford the costs to handle these items and/or ensure that these products are not disposed in the landfill.

Effective September 2008, California imposed a ban on the disposal of used sharps in solid waste, recycling, and green waste containers. Since 2008, we have

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1215 K Street, Suite 1650, Sacramento, CA 95814 | [www.rcrcnet.org](http://www.rcrcnet.org) | 916.447.4806 | Fax: 916.448.3154

ALPINE AMADOR BUTTE CALAVERAS COLUSA DELNORTE ELDORADO GLENN HUMBOLDT IMPERIAL INYO LAKE LASSEN MADERA MARIPOSA MENDOCINO  
MERCED MODOC MONO NAPA NEVADA PLACER PLUMAS SAN BENITO SHASTA SIERRA SISKIYOU SUTTER TEHAMA TRINITY TULARE TUOLUMNE YOLO YUBA

The Honorable Richard Gordon  
April 9, 2015  
Assembly Bill 1159  
Page 2

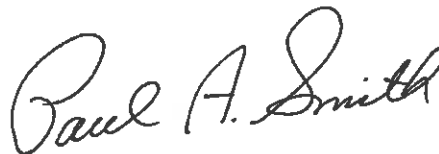
been working with stakeholders in an attempt to find the best way to safely dispose of these items without imposing further burdens on the people who rely on injections as a medicine delivery device. In the meantime, local governments have carried the financial burden of managing home-generated sharps collection programs, broadly financed by taxpayers or utility ratepayers, when most of these tax or rate payers never directly benefited from use of the sharps. Despite these efforts, used sharps are often illegally disposed where they pose a health hazard for members of the public and municipal solid waste workers.

AB 1159 will create a system for both battery and used sharps end-of-life disposal that will be easy for consumers to use while ensuring all parties in the product chain share in the responsibility to manage these products. This approach will have state and local governments play a minimal role and allow the manufacturers, distributors, and retailers to devise a system that minimizes costs, promotes access, and ensures that these items are not discarded in landfills. It allows manufacturers of household batteries and sharps to design a system that works best for their business model while alleviating a significant financial burden to local governments.

It should be noted that in 2006, the Legislature enacted AB 1125 (Pavley) to require the manufacturers of rechargeable batteries to manage the end-of-life of these products. In turn the manufacturers have established a framework to ensure that consumers can have these products discarded with no cost to consumers. Rural county jurisdictions successfully utilize this service and envision this to be the model for household batteries.

If you should have any questions or concerns regarding RCRC's support of AB 1159, please do not hesitate to contact me at (916) 447-4806.

Sincerely,



PAUL A. SMITH  
Senior Legislative Advocate

cc: Members of the Assembly Natural Resources Committee

AMENDED IN ASSEMBLY MAY 5, 2015

AMENDED IN ASSEMBLY APRIL 21, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1239**

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**Introduced by Assembly Members Gordon and Atkins**

February 27, 2015

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An act to amend Section 42885 of, and to repeal and add Section 42872.1 of, the Public Resources Code, relating to tire recycling.

LEGISLATIVE COUNSEL'S DIGEST

AB 1239, as amended, Gordon. Tire recycling: California tire regulatory fee and waste tire program.

(1) The California Tire Recycling Act requires, until January 1, 2024, a person who purchases a new tire to pay a California tire fee of \$1.75 per tire, for deposit in the California Tire Recycling Management Fund, for expenditure by the Department of Resources Recycling and Recovery upon appropriation by the Legislature, to fund the waste tire program and for other purposes, including to pay for the costs associated with a waste tire and used tire hauler program and manifest system, as provided. After January 1, 2024, existing law reduces the tire fee to \$0.75 per tire.

Existing law requires any person generating waste tires or used tires that are transported or submitted for transportation, for offsite handling, altering, storage, disposal, or for any combination thereof, to complete a California Uniform Waste and Used Tire Manifest, as required by the department. Existing law requires a generator to provide the manifest to the waste and used tire hauler at the time of transfer of the tires, and

to submit to the department, on a quarterly schedule, a legible copy of each manifest.

This bill would require a waste tire generator, as defined, *that is a retail seller of new tires to end user purchasers* to pay a California tire regulatory fee according to a schedule of amounts to be determined by the department. ~~For a waste tire generator that is a retail seller of new tires to end user purchasers, the fee. The bill would authorize the department to establish the California tire regulatory fee in an amount that is sufficient to generate revenues equivalent to the reasonable regulatory costs incurred by the department incident to audits, inspections, administrative costs, adjudications, manifesting, registration, and other regulatory activities regarding these retail sellers as generators of waste tire generators tires, but not to exceed \$1.25 per new tire sold, as provided. For waste tire generators that are not retail sellers, the bill would authorize the department to establish the amount of the California tire regulatory fee in a amount that is sufficient to generate revenues equivalent to the reasonable regulatory costs incurred by the department incident to audits, inspections, administrative costs, adjudications, manifesting, registration, and other regulatory activities regarding those waste tire generators; The bill would authorize the department to differentiate in setting the fees between the waste tire generators who are retail sellers depending upon the nature of the activity generating waste tires, the number of waste tires generated, and other appropriate bases. The bill would prohibit the aggregate amount of California tire regulatory fees imposed to exceed the aggregate reasonable regulatory costs incurred by the department incident to audits, inspections, administrative costs, adjudications, manifesting, registration, and other regulatory costs for regulating waste tire generators.~~

(2) Existing law establishes, as a part of the waste tire program, the tire recycling program, which promotes and develops alternatives to the landfill disposal of used whole tires. The program provides for grants to certain entities involved in activities that result in reduced landfill disposal of whole used tires, and development and implementation of a waste tire incentive payment program to promote increased demand of *for* waste tires recycled in this state. Under the act, until June 30, 2019, the Rubberized Pavement Market Development Act provides for the award of grants to certain public agency projects that use rubberized asphalt concrete.

This bill would repeal the Rubberized Pavement Market Development Act and instead enact the Tire Recycling Incentive Program Act. The



bill would require the department, in accordance with the tire recycling program, to establish this incentive program to award payments to eligible recipients, as specified. The bill would require the department to award these payments in the amount of \$2 for every 12 pounds of crumb rubber used by the eligible recipient, but would authorize the department to adjust this rate if it finds that the adjusted amount would further the purposes of the tire recycling act. The bill would require the department, while the existing tire fee remains greater than or equal to \$1.75 per tire, to annually allocate, of the amount appropriated to the department for purposes of the waste tire program, \$30,000,000 for the tire recycling incentive program.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 42872.1 of the Public Resources Code
- 2 is repealed.
- 3 SEC. 2. Section 42872.1 is added to the Public Resources Code,
- 4 to read:
- 5 42872.1. (a) This section shall be known, and may be cited,
- 6 as the Tire Recycling Incentive Program Act.
- 7 (b) In accordance with the tire recycling program authorized by
- 8 Section 42872, the department shall establish a tire recycling
- 9 incentive program that awards payments to eligible recipients, as
- 10 determined by the department, in the following manner:
- 11 (1) To cities, counties, other local governmental agencies, and
- 12 school districts for the funding of construction projects that use
- 13 recycled tires.
- 14 (2) To state and local governmental agencies, including regional
- 15 park districts, for the funding of disability access projects at parks
- 16 and Class I bikeways, as defined in subdivision (a) of Section
- 17 890.4 of the Streets and Highways Code, relative to projects that
- 18 use recycled tires.
- 19 (3) To a private manufacturer who produces a consumer product
- 20 using recycled tires in California.
- 21 (c) For purposes of subdivision (b), eligible recipients shall meet
- 22 specified criteria, as established by the department, that are
- 23 consistent with the provisions of this article.

1 (d) (1) Except as provided in paragraph (2), the department  
2 shall award the payments pursuant to subdivision (b) in the amount  
3 of two dollars (\$2) for every 12 pounds of crumb rubber used by  
4 the eligible recipient.

5 (2) The department may adjust the amount of payments awarded  
6 pursuant to paragraph (1) to an amount that is greater than, or less  
7 than, two dollars (\$2) for every 12 pounds of crumb rubber if the  
8 department finds this adjustment would further the purposes of  
9 this article.

10 (e) (1) Of the amount appropriated to the department in the  
11 annual Budget Act pursuant to subdivision (b) of Section 42889,  
12 the department shall annually allocate thirty million dollars  
13 (\$30,000,000) for the tire recycling incentive program established  
14 pursuant to subdivision (b).

15 (2) This subdivision shall become inoperative if the tire fee  
16 specified in subdivision (b) of Section 42885 becomes less than  
17 one dollar and seventy-five cents (\$1.75) per tire.

18 SEC. 3. Section 42885 of the Public Resources Code, as  
19 amended by Section 31 of Chapter 401 of the Statutes of 2013, is  
20 amended to read:

21 42885. (a) (1) For purposes of this section, "California tire  
22 fee" means the fee imposed pursuant to subdivision (b) of this  
23 section.

24 (2) For purposes of this section, a "California tire regulatory  
25 fee" means a fee imposed pursuant to subdivision (c) of this  
26 section.

27 (b) (1) A person who purchases a new tire, as defined in  
28 subdivision (h), shall pay a California tire fee of one dollar and  
29 seventy-five cents (\$1.75) per tire.

30 (2) The retail seller shall charge the retail purchaser the amount  
31 of the California tire fee as a charge that is separate from, and not  
32 included in, any other fee, charge, or other amount paid by the  
33 retail purchaser.

34 (3) The retail seller shall collect the California tire fee from the  
35 retail purchaser at the time of sale and may retain 1 ½ percent of  
36 the fee as reimbursement for any costs associated with the  
37 collection of the fee. The retail seller shall remit the remainder to  
38 the state on a quarterly schedule for deposit in the California Tire  
39 Recycling Management Fund, which is hereby created in the State  
40 Treasury.

1 (c) (1) A waste tire generator, as defined by Section 18450 of  
2 Title 14 of the California Code of Regulations, ~~shall pay a~~  
3 ~~California tire regulatory fee according to a schedule of amounts~~  
4 ~~to be determined by the department pursuant to the following:~~

5 (A) ~~For a waste tire generator that is a retail seller of new tires~~  
6 ~~to end user purchasers, the purchasers shall pay a California tire~~  
7 ~~regulatory fee. The amount of the California tire regulatory fee~~  
8 ~~shall be established by the department in an amount that is~~  
9 ~~sufficient to generate revenues equivalent to the reasonable~~  
10 ~~regulatory costs incurred by the department incident to audits,~~  
11 ~~inspections, administrative costs, adjudications, manifesting,~~  
12 ~~registration, and other regulatory activities regarding these retail~~  
13 ~~sellers as generators of waste tire generators tires, but not to exceed~~  
14 ~~one dollar and twenty-five cents (\$1.25) per new tire sold. The~~  
15 ~~department may differentiate in setting fees between waste tire~~  
16 ~~generators who are retail sellers of new tires who are waste tire~~  
17 ~~generators depending upon the nature of the retail seller's activity~~  
18 ~~generating waste tires, the number of waste tires generated, and~~  
19 ~~other appropriate bases.~~

20 (B) ~~For a waste tire generator that is not a retail seller, the~~  
21 ~~amount of the California tire regulatory fee shall be established~~  
22 ~~by the department in an amount that is sufficient to generate~~  
23 ~~revenues equivalent to the reasonable regulatory costs incurred by~~  
24 ~~the department incident to audits, inspections, administrative costs,~~  
25 ~~adjudications, manifesting, registration, and other regulatory~~  
26 ~~activities regarding these waste tire generators. The department~~  
27 ~~may differentiate between categories of waste tire generators that~~  
28 ~~are not retail sellers in setting fees depending upon the nature of~~  
29 ~~the activity generating waste tires, the number of waste tires~~  
30 ~~generated, and other appropriate bases.~~

31 (C) ~~The aggregate amount of California waste tire fees imposed~~  
32 ~~pursuant to subparagraphs (B) and (C) shall not exceed the~~  
33 ~~aggregate reasonable regulatory costs incurred by the department~~  
34 ~~incident to audits, inspections, administrative costs, adjudications,~~  
35 ~~manifesting, registration, and other regulatory costs for regulating~~  
36 ~~waste tire generators.~~

37 (2) A waste tire generator *that is a retail seller of new tires* shall  
38 remit the *fees fee* assessed pursuant to this subdivision to the state  
39 on a quarterly schedule for deposit in a separate account in the  
40 California Tire Recycling Management Fund.

1 (d) The department, or its agent authorized pursuant to Section  
2 42882, shall be reimbursed for its costs of collection, auditing, and  
3 making refunds associated with the California Tire Recycling  
4 Management Fund, but not to exceed 3 percent of the total annual  
5 revenue deposited in the fund.

6 (e) The California tire fee imposed pursuant to subdivision (b)  
7 shall be separately stated by the retail seller on the invoice given  
8 to the customer at the time of sale. Any other disposal or  
9 transaction fee charged by the retail seller related to the tire  
10 purchase shall be identified separately from the California tire fee.

11 (f) A person or business who knowingly, or with reckless  
12 disregard, makes a false statement or representation in a document  
13 used to comply with this section is liable for a civil penalty for  
14 each violation or, for continuing violations, for each day that the  
15 violation continues. Liability under this section may be imposed  
16 in a civil action and shall not exceed twenty-five thousand dollars  
17 (\$25,000) for each violation.

18 (g) In addition to the civil penalty that may be imposed pursuant  
19 to subdivision (f), the department may impose an administrative  
20 penalty in an amount not to exceed five thousand dollars (\$5,000)  
21 for each violation of a separate provision or, for continuing  
22 violations, for each day that the violation continues, on a person  
23 who intentionally or negligently violates a permit, rule, regulation,  
24 standard, or requirement issued or adopted pursuant to this chapter.  
25 The department shall adopt regulations that specify the amount of  
26 the administrative penalty and the procedure for imposing an  
27 administrative penalty pursuant to this subdivision.

28 (h) For purposes of this section, "new tire" means a pneumatic  
29 or solid tire intended for use with onroad or off-road motor  
30 vehicles, motorized equipment, construction equipment, or farm  
31 equipment that is sold separately from the motorized equipment,  
32 or a new tire sold with a new or used motor vehicle, as defined in  
33 Section 42803.5, including the spare tire, construction equipment,  
34 or farm equipment. "New tire" does not include retreaded, reused,  
35 or recycled tires.

36 (i) The California tire fee shall not be imposed on a tire sold  
37 with, or sold separately for use on, any of the following:

- 38 (1) A self-propelled wheelchair.
- 39 (2) A motorized tricycle or motorized quadricycle, as defined  
40 in Section 407 of the Vehicle Code.

1 (3) A vehicle that is similar to a motorized tricycle or motorized  
2 quadricycle and is designed to be operated by a person who, by  
3 reason of the person's physical disability, is otherwise unable to  
4 move about as a pedestrian.

5 (j) This section shall remain in effect only until January 1, 2024,  
6 and as of that date is repealed, unless a later enacted statute, that  
7 is enacted before January 1, 2024, deletes or extends that date.

8 SEC. 4. Section 42885 of the Public Resources Code, as  
9 amended by Section 32 of Chapter 401 of the Statutes of 2013, is  
10 amended to read:

11 42885. (a) (1) For purposes of this section, "California tire  
12 fee" means the fee imposed pursuant to subdivision (b) of this  
13 section.

14 (2) For purposes of this section, a "California tire regulatory  
15 fee" means a fee imposed pursuant to subdivision (c) of this  
16 section.

17 (b) (1) Every person who purchases a new tire, as defined in  
18 subdivision (h), shall pay a California tire fee of seventy-five cents  
19 (\$0.75) per tire.

20 (2) The retail seller shall charge the retail purchaser the amount  
21 of the California tire fee as a charge that is separate from, and not  
22 included in, any other fee, charge, or other amount paid by the  
23 retail purchaser.

24 (3) The retail seller shall collect the California tire fee from the  
25 retail purchaser at the time of sale and may retain 3 percent of the  
26 fee as reimbursement for any costs associated with the collection  
27 of the fee. The retail seller shall remit the remainder to the state  
28 on a quarterly schedule for deposit in the California Tire Recycling  
29 Management Fund, which is hereby created in the State Treasury.

30 (c) (1) A waste tire generator, as defined by Section 18450 of  
31 Title 14 of the California Code of Regulations, ~~shall pay a~~  
32 ~~California tire regulatory fee according to a schedule of amounts~~  
33 ~~to be determined by the department pursuant to the following:~~

34 (A) ~~For a waste tire generator that is a retail seller of new tires~~  
35 ~~to end user purchasers, the purchasers shall pay a California tire~~  
36 ~~regulatory fee. The amount of the California tire regulatory fee~~  
37 ~~shall be established by the department in an amount that is~~  
38 ~~sufficient to generate revenues equivalent to the reasonable~~  
39 ~~regulatory costs incurred by the department incident to audits,~~  
40 ~~inspections, administrative costs, adjudications, manifesting,~~

1 registration, and other regulatory activities regarding these *retail*  
2 *sellers as generators of waste-tire-generators tires*, but not to exceed  
3 one dollar and twenty-five cents (\$1.25) per new tire sold. The  
4 department may differentiate in setting fees between *waste tire*  
5 *generators who are* retail sellers of new tires ~~who are waste-tire~~  
6 ~~generators~~ depending upon the nature of the retail seller's activity  
7 generating waste tires, the number of waste tires generated, and  
8 other appropriate bases.

9 ~~(B) For a waste-tire-generator that is not a retail-seller, the~~  
10 ~~amount of the California tire regulatory fee shall be established~~  
11 ~~by the department in an amount that is sufficient to generate~~  
12 ~~revenues equivalent to the reasonable regulatory costs incurred by~~  
13 ~~the department incident to audits, inspections, administrative costs,~~  
14 ~~adjudications, manifesting, registration, and other regulatory~~  
15 ~~activities regarding these waste-tire-generators. The department~~  
16 ~~may differentiate between categories of waste-tire-generators that~~  
17 ~~are not retail-sellers in setting fees depending upon the nature of~~  
18 ~~the activity generating waste-tires, the number of waste-tires~~  
19 ~~generated, and other appropriate-bases.~~

20 ~~(C) The aggregate amount of California waste-tire-fees imposed~~  
21 ~~pursuant to subparagraphs (B) and (C) shall not exceed the~~  
22 ~~aggregate reasonable regulatory costs incurred by the department~~  
23 ~~incident to audits, inspections, administrative costs, adjudications,~~  
24 ~~manifesting, registration, and other regulatory costs for regulating~~  
25 ~~waste-tire-generators.~~

26 (2) A waste tire generator *that is a retail seller* shall remit the  
27 fees *fee* assessed pursuant to this subdivision to the state on a  
28 quarterly schedule for deposit in a separate account in the  
29 California Tire Recycling Management Fund.

30 (d) The department, or its agent authorized pursuant to Section  
31 42882, shall be reimbursed for its costs of collection, auditing, and  
32 making refunds associated with the California Tire Recycling  
33 Management Fund, but not to exceed 3 percent of the total annual  
34 revenue deposited in the fund.

35 (e) The California tire fee imposed pursuant to subdivision (b)  
36 shall be separately stated by the retail seller on the invoice given  
37 to the customer at the time of sale. Any other disposal or  
38 transaction fee charged by the retail seller related to the tire  
39 purchase shall be identified separately from the California tire fee.

1 (f) Any person or business who knowingly, or with reckless  
2 disregard, makes any false statement or representation in any  
3 document used to comply with this section is liable for a civil  
4 penalty for each violation or, for continuing violations, for each  
5 day that the violation continues. Liability under this section may  
6 be imposed in a civil action and shall not exceed twenty-five  
7 thousand dollars (\$25,000) for each violation.

8 (g) In addition to the civil penalty that may be imposed pursuant  
9 to subdivision (f), the department may impose an administrative  
10 penalty in an amount not to exceed five thousand dollars (\$5,000)  
11 for each violation of a separate provision or, for continuing  
12 violations, for each day that the violation continues, on any person  
13 who intentionally or negligently violates any permit, rule,  
14 regulation, standard, or requirement issued or adopted pursuant to  
15 this chapter. The department shall adopt regulations that specify  
16 the amount of the administrative penalty and the procedure for  
17 imposing an administrative penalty pursuant to this subdivision.

18 (h) For purposes of this section, “new tire” means a pneumatic  
19 or solid tire intended for use with onroad or off-road motor  
20 vehicles, motorized equipment, construction equipment, or farm  
21 equipment that is sold separately from the motorized equipment,  
22 or a new tire sold with a new or used motor vehicle, as defined in  
23 Section 42803.5, including the spare tire, construction equipment,  
24 or farm equipment. “New tire” does not include retreaded, reused,  
25 or recycled tires.

26 (i) The California tire fee may not be imposed on any tire sold  
27 with, or sold separately for use on, any of the following:

28 (1) Any self-propelled wheelchair.

29 (2) Any motorized tricycle or motorized quadricycle, as defined  
30 in Section 407 of the Vehicle Code.

31 (3) Any vehicle that is similar to a motorized tricycle or  
32 motorized quadricycle and is designed to be operated by a person  
33 who, by reason of the person’s physical disability, is otherwise  
34 unable to move about as a pedestrian.

35 (j) This section shall become operative on January 1, 2024.

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RURAL COUNTY REPRESENTATIVES  
OF CALIFORNIA

April 24, 2015

The Honorable Richard Gordon  
Member, California State Assembly  
State Capitol, Room 3013  
Sacramento, CA 95814

**RE: Assembly Bill 1239 – SUPPORT**

Dear Assembly Member Gordon:

On behalf of the Rural County Representatives of California (RCRC), I am writing to express our support for your Assembly Bill 1239 which addresses the issue of increasing used tire recycling efforts.

RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties. In addition, twenty-two member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements in order to reduce waste being disposed and increase recycling/re-use efforts for certain products.

Despite the significant funding and activities of the Department of Resources Recycling and Recovery (CalRecycle) over the previous two decades, California's recycling rate for used tires is low and has remained stagnant for several years. Unfortunately, our state continues to either place used tires in landfills, burn these items, or export used tires in the amount of approximately 26 million out of the 42 million tires generated in the state each year. Most significant to rural areas is that illegally dumped tires continue to pose significant costs to local agencies.

Used tires have considerably high value as a recyclable commodity. Rubberized paving has proven to be the largest market for recycled tires, and local government paving programs have the potential to use significantly more recycled tires in lieu of traditional asphalt. This not only recycles the tires, but also produces roads that are quieter, function better under wet conditions, and last longer.

1215 K Street, Suite 1650, Sacramento, CA 95814 | [www.rcrcnet.org](http://www.rcrcnet.org) | 916.447.4806 | Fax: 916.448.3154

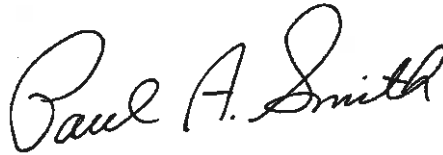
ALPINE AMADOR BUTTE CALAVERAS COLUSA DEL NORTE EL DORADO GLENN HUMBOLDT IMPERIAL INYO LAKE LASSEN MADERA MARIPOSA MENDOCINO  
MERCED MODOC MONO NAPA NEVADA PLACER PLUMAS SAN BENITO SHASTA SIERRA SISKIYOU SUTTER TEHAMA TRINITY TULARE TUOLUMNE YOLO YUBA

The Honorable Richard Gordon  
Assembly Bill 1239  
April 24, 2015  
Page 2

AB 1239 puts in place a mechanism to increase the recycling of tires by replicating the incentive payment model that has proven to be successful for other recycled materials. The bill will direct CalRecycle to develop an incentive payment program that pays directly for recycling, which in turn will allow recyclers to outcompete other end-of-life alternatives. Furthermore, by redirecting CalRecycle's existing market development efforts from a series of competitive grant programs to a guaranteed incentive payment program, AB 1239 allows both local governments and recycled content manufacturers to plan and budget for sustained use of recycled tire products.

For these reasons, RCRC supports AB 1239. If you should have any questions or concerns, please do not hesitate to contact me at (916) 447-4806.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Smith". The signature is written in a cursive, flowing style.

PAUL A. SMITH  
Senior Legislative Advocate

cc: The Honorable Toni Atkins, Speaker of the State Assembly  
Members of the Assembly Natural Resources Committee  
Ms. Elizabeth MacMillan, Assembly Natural Resources Committee  
Mr. John Kennedy, Assembly Republican Caucus

AMENDED IN ASSEMBLY APRIL 21, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1315**

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**Introduced by Assembly Member Alejo  
(Coauthor: Assembly Member Frazier)**

February 27, 2015

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An act to add Section 7107.5 to the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1315, as amended, Alejo. Public contracts: water pollution prevention plans: delegation.

Existing law prohibits a local public entity, charter city, or charter county from requiring a bidder on a public works contract to assume responsibility for the completeness and accuracy of architectural or engineering plans and specifications on public works projects, except as specified.

Existing law requires the State Water Resources Control Board and the 9 California regional water quality control boards to prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act. Existing law regulates the discharge of pollutants in storm water associated with construction activity to waters of the United States from construction sites that disturb one or more acres of land surface, or that are part of a common plan of development or sale that disturbs more than one acre of land surface.

This bill would prohibit a public entity, charter city, or charter county from delegating to a contractor the development of a plan, as defined,

used to prevent or reduce water pollution or runoff on a public works contract, except as provided. By requiring a public entity, charter city, or charter county to prepare a plan, the bill would impose a state-mandated local program. The bill would also prohibit a public entity, charter city, or charter county from requiring a contractor on a public works contract that includes compliance with a plan to assume responsibility for the completeness and accuracy of a plan developed by that entity. The bill would also declare that this is a matter of statewide concern.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 7107.5 is added to the Public Contract  
2 Code, to read:  
3 7107.5. (a) As used in this section, the following definitions  
4 shall apply:  
5 (1) "Plan" means a stormwater pollution prevention plan, water  
6 pollution control program, or any other plan required by a regional  
7 water quality control board to prevent or reduce water pollution  
8 or runoff on a public works project, pursuant to State Water  
9 Resources Control Board Order No. 2009-0009-DWQ.  
10 (2) "Plan developer" means a qualified stormwater pollution  
11 prevention plan developer or a qualified stormwater pollution  
12 prevention plan practitioner as those terms are defined in Appendix  
13 5 of State Water Resources Control Board Order No.  
14 2009-0009-DWQ.  
15 (b) (1) (A) A public entity, charter city, or charter county shall  
16 not delegate to a contractor the development of a plan on a public  
17 works contract.

1 (B) Subparagraph (A) shall not apply to a contract for  
2 architectural or engineering services relating to the development  
3 of a plan on a public works contract.

4 (C) *This section does not restrict a public entity, charter city,  
5 or charter county from contracting with a duly licensed architect  
6 or engineer for the design of a plan.*

7 (2) A public entity, charter city, or charter county shall not  
8 require a contractor on a public works contract that includes  
9 compliance with a plan to assume responsibility for the  
10 completeness and accuracy of the plan developed by that entity.

11 (c) Subdivision (b) shall apply regardless of the project delivery  
12 method required in a public works contract.

13 (d) Nothing in this section shall be construed to prohibit a local  
14 public entity, charter city, or charter county from requiring a bidder  
15 or contractor on a public works contract to review any applicable  
16 plan and report any errors or omissions noted to the public entity  
17 or its plan developer. The review by the contractor shall be limited  
18 to the contractor's capacity as a contractor and not as a licensed  
19 design professional or plan developer.

20 SEC. 2. The Legislature finds and declares that it is of statewide  
21 concern to require a public entity, charter city, or charter county  
22 to be responsible for the development of, and completeness and  
23 accuracy of, a plan to prevent or reduce water pollution or runoff  
24 on a public works project.

25 SEC. 3. If the Commission on State Mandates determines that  
26 this act contains costs mandated by the state, reimbursement to  
27 local agencies and school districts for those costs shall be made  
28 pursuant to Part 7 (commencing with Section 17500) of Division  
29 4 of Title 2 of the Government Code.

O





April 24, 2015

The Honorable Brian Maienschein  
 Chair, Assembly Local Government Committee  
 State Capitol  
 Sacramento, CA 95814

**Re: Assembly Bill 1315 (Alejo)—Oppose [as amended 04.21.15]**  
 Hearing Date: April 29, 2015 – Assembly Local Government Committee

Dear Assembly Member Maienschein:

The organizations listed below must regrettably oppose Assembly Bill 1315 (Alejo) related to stormwater pollution prevention. We represent a broad group of public agencies and organizations that plan, approve, construct, and maintain an extensive range of essential public infrastructure. Unfortunately, as currently written, AB 1315 would add significant new costs and inefficiencies to the delivery of this infrastructure.

On projects that encompass at least one acre of land, Stormwater Pollution Prevention Plans (SWPPPs) must be developed to ascertain potential sources of stormwater pollution on construction sites and identify the control measures needed to be taken during the construction process. SWPPPs must be written, amended and certified by qualified personnel who are knowledgeable in the principles and practice of erosion and sediment controls and possess the skills to assess conditions at the construction site that could impact stormwater quality. Public agencies rely on the expertise of qualified SWPPP developers, known as QSDs, to conduct this work, as agencies do not have the resources nor the regular workload required to employ such personnel throughout the year.

SWPPPs are currently created in accordance with the general contractor's construction plans. As construction progresses, SWPPPs must often be modified to accommodate the constantly changing conditions of a construction site. The general contractor is in the best position to create the construction plan and contract for the corresponding SWPPP.

A general contractor-developed SWPPP can incorporate an optimal construction sequence selected by the contractor, thereby maximizing efficiency and reducing costs. A separate entity developing a SWPPP would have to assume a sequence of work that might occur under one construction scenario but not another.

AB 1315 would turn this standing process on its head by prohibiting public agencies from contracting with the general contractor to develop a SWPPP and statutorily restricting their remaining options to an engineer or architect. Public agencies, engineers and architects simply do not have the direct control over the day-to-day construction, let alone the expertise, to perform this function.

Ultimately, the success or failure of a SWPPP lies with the general contractor carrying it out. If the legislature statutorily shifts the development and liability of the SWPPP to the public agency, or to a design professional or architect, it will create confusion and conflict within the public works process. AB 1315 will only further disconnect the entity responsible for the development of the SWPPP from the entity that performs the work related to the SWPPP. This is akin to asking the public agency or design professional to separately plan and contract for the security of the general contractor's equipment on the job site, the number of portable restrooms needed or any other function that is intimately connected to the performance and sequence of a construction project.

For the aforementioned reasons, we must respectfully oppose AB 1315 as currently drafted. Please do not hesitate to contact any of the signees below if you have any questions about our position.

Sincerely,



Jimmy MacDonald  
Associate Legislative Representative  
California Special Districts Association



Amber Wiley  
Senior Legislative Advocate  
Association of California Healthcare Districts



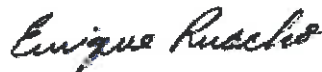
Laura Preston  
Legislative Advocate  
Association of California School Administrators



Whitnie Wiley  
Legislative Advocate  
Association of California Water Agencies



Jessica Gauger  
Legislative Advocate  
California Association of Sanitation Agencies



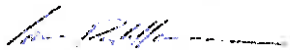
Enrique Ruacho  
Legislative Advocate  
California Association of School Business Officials



Danielle Blacet  
Director of Water  
California Municipal Utilities Association



Karen Keene  
Senior Legislative Representative  
California State Association of Counties



Ian Padilla  
Legislative Advocate  
Coalition for Adequate School Housing

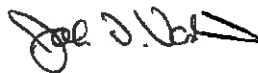


Jennifer Whiting  
Assistant Legislative Director  
League of California Cities





Kathy Mannion  
Legislative Advocate  
Rural County Representatives of California



Jolena Voorhis  
Executive Director  
Urban Counties Caucus



Richard Hansen  
General Manager  
Three Valleys Municipal Water District



**2015 Legislation**  
**May 8, 2015**

**Summary Listing of Selected Solid Waste Related Bills**

To obtain a copy of the actual bill language, go to: <http://www.leginfo.ca.gov/bilinfo.html>



File name: RCRC

## California

## 1. CA AB 45

**Author:** Mullin (D)  
**Title:** Household Hazardous Waste  
**Last Amend:** 04/30/2015  
**Location:** Assembly Appropriations Committee  
**Summary:** Requires each jurisdiction providing for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste in its service area over the baseline. Provides the increase is to be determined in accordance with Department of Resources Recycling and Recovery regulations. Authorizes the adoption of a model ordinance for a comprehensive program for the collection of waste. Requires an annual report to the Department on progress in achieving compliance.  
**Status:** 04/30/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

BOARD.PACKET	Lobbyist	Position	Staff	Subject
APRIL2015	Paul	Oppose (03/20/2015)	Larry	ESJPA
DEC.2014			Mary	Solid.Waste
MAR2015				

## 2. CA AB 48

**Author:** Stone (D)  
**Title:** Cigarettes: Single-Use Filters  
**Last Amend:** 02/13/2015  
**Location:** Assembly Governmental Organization Committee  
**Summary:** Prohibits a person or entity from selling, giving, or in any way furnishing to another person of any age a cigarette utilizing a single-use filter made of any material, including cellulose acetate, or other fibrous plastic material, and any organic or biodegradable material. Prohibits selling, giving, or furnishing, whether conducted directly or indirectly through an in-person transaction or by means of public or private method of shipment or delivery to an address in the State. Allows civil fines.  
**Status:** 02/13/2015 From ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION with author's amendments.  
02/13/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.

Lobbyist	Position	Staff	Subject
Paul	Watch (12/05/2014)	Mary	ESJPA Solid.Waste

## 3. CA AB 190

**Author:** Harper (R)  
**Title:** Solid Waste: Single-Use Carryout Bags  
**Last Amend:** 03/11/2015  
**Location:** Assembly Natural Resources Committee  
**Summary:** Imposes prohibitions and requirements regarding single-use carry-out bags on convenience food stores, foodmarts, and entities that are engaged in the sale of limited line of goods, or goods intended to be consumed off premises, and that hold a specified license with regard to alcoholic beverages. Provides that a law that would be created through the election process requires a reusable grocery bag sold by certain stores to a customer at the point of sale to meet specified requirements.

**Status:** 04/13/2015 In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.  
04/13/2015 In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Watch (02/04/2015)	Mary	ESJPA Solid.Waste

#### 4. CA AB 191

**Author:** Harper (R)  
**Title:** Solid Waste: Single-Use Carryout Bags  
**Last Amend:** 03/11/2015  
**Location:** Assembly Natural Resources Committee  
**Summary:** Repeals the requirement that a store that distributes recycled paper bags make those bags available for purchase for not less than a specified amount.  
**Status:** 04/13/2015 In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.  
04/13/2015 In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Watch (02/04/2015)	Mary	ESJPA Solid.Waste

#### 5. CA AB 197

**Author:** Garcia E (D)  
**Title:** Public Utilities: Renewable Resources  
**Last Amend:** 04/29/2015  
**Committee:** Assembly Appropriations Committee  
**Hearing:** 05/13/2015 9:00 am, State Capitol, Room 4202  
**Summary:** Requires the Public Utilities Commission, in adopting a process that provides criteria for the rank ordering and selection of eligible renewable energy resources by electrical corporations, to consider any statewide greenhouse gas emissions limit established pursuant to a specified Act and consideration of capacity and essential reliability services of the eligible renewable energy resource to ensure grid reliability. Relates to entering new resource contracts and constructing facilities within costs.  
**Status:** 04/29/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

<b>Analyst</b>	<b>Lobbyist</b>	<b>Position</b>	<b>Subject</b>
Nick	Kathy	Watch (01/29/2015)	ESJPA Energy

#### 6. CA AB 199

**Author:** Eggman (D)  
**Title:** Alternative Energy: Recycled Feedstock  
**Committee:** Assembly Revenue and Taxation Committee  
**Hearing:** 05/11/2015 1:30 pm, State Capitol, Room 126  
**Summary:** Expands projects that promote the use of alternative energies eligible for the sale and use tax exclusion to include projects that process or utilize recycled feedstock.  
**Status:** 03/23/2015 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on REVENUE AND TAXATION. (9-0)

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Pending (02/18/2015)	Mary	ESJPA

7.

**CA AB 263**

**Author:** Patterson (R)  
**Title:** Hazardous Waste: Regulations  
**Location:** Assembly Environmental Safety and Toxic Materials Committee  
**Summary:** Requires the Department of Toxic Substances Control to update, and periodically thereafter as appropriate, specified regulations relating to the use of Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA Publication SW-846.  
**Status:** 02/17/2015 To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.  
**Lobbyist Position Staff Subject**  
 Paul Watch (03/03/2015) Mary ESJPA

**8. CA AB 273**

**Author:** Alejo (D)  
**Title:** Hazardous Waste and Substances: Corrective Action  
**Location:** Senate Environmental Quality Committee  
**Summary:** Requires a person to pay for oversight of any corrective action required of the person with respect to hazardous waste. Authorizes the recovery by the Attorney General of costs incurred with regard to carrying out or overseeing a removal action, a remedial action, or a corrective action under the act or under the hazardous waste control laws.  
**Status:** 05/07/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.  
**Lobbyist Position Staff Subject**  
 Paul Watch (03/24/2015) Mary ESJPA

**9. CA AB 274**

**Author:** Alejo (D)  
**Title:** Oversight Costs: Uncollectible Accounts  
**Location:** Senate Environmental Quality Committee  
**Summary:** Defines the term uncollectible account. Authorizes the Department of Toxic Substances Control not to pursue an uncollectible account and to write off that uncollectible account pursuant to the hazardous waste control laws.  
**Status:** 05/07/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.  
**Lobbyist Position Staff Subject**  
 Paul Watch (04/23/2015) Mary ESJPA

**10. CA AB 275**

**Author:** Alejo (D)  
**Title:** Hazardous Substances: Liability Recovery Actions  
**Location:** Senate Environmental Quality Committee  
**Summary:** Relates to hazardous substances. Deletes the requirement that the remaining portion of a judgment for costs and expenditures that is not apportioned among the liable persons be paid from that account. Allows an action to be commenced either within that 3-year period or within 6 years of the initiation of a removal or remedial action, whichever date is later.  
**Status:** 05/07/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.  
**Lobbyist Position Staff Subject**  
 Paul Watch (03/24/2015) Mary ESJPA

**11. CA AB 276**

**Author:** Alejo (D)  
**Title:** Department of Toxic Substance Control: Response Action

**Last** 03/17/2015  
**Amend:**  
**Location:** Assembly Appropriations Committee  
**Summary:** Authorizes the Department of Toxic Substances Control or local officer or agency to require specified persons to furnish and transmit any information relating to those persons' abilities to pay for or perform a response action. Requires such information only if there is a reasonable basis to believe there has been or may be a release and determining the need for response action. Provides the basis for release of such information. Provides improper trade secret dissemination is subject to criminal penalties.  
**Status:** 04/15/2015 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.  
**Lobbyist Position Staff Subject**  
 Paul Watch (03/24/2015) Mary ESJPA

## 12. CA AB 577

**Author:** Bonilla (D)  
**Title:** Biomethane: Grant Program  
**Last Amend:** 05/05/2015  
**Committee:** Assembly Appropriations Committee  
**Hearing:** 05/13/2015 9:00 am, State Capitol, Room 4202  
**Summary:** Allocates an specified amount of funds from the Greenhouse Gas Reduction Fund to the State Energy Resources Conservation and Development Commission for the implementation of a biomethane collection and purification grant program. Requires the Commission to develop and implement the grant program to award moneys for projects that build or develop collection, purification technology, infrastructure, and projects that upgrade existing biomethane facilities.  
**Status:** 05/05/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.  
**Lobbyist Position Staff Subject**  
 Paul Pending (03/03/2015) Mary ESJPA

## 13. CA AB 628

**Author:** Bloom (D)  
**Title:** Used Oil  
**Location:** SENATE  
**Summary:** Clarifies that the synthetic oil referred to in the definition of used oil may be from any source.  
**Status:** 05/07/2015 In ASSEMBLY. Read third time. Passed ASSEMBLY. \*\*\*\*\*To SENATE. (60-16)  
**Lobbyist Position Staff Subject**  
 Paul Watch (03/03/2015) Mary ESJPA

## 14. CA AB 640

**Author:** Dahle (R)  
**Title:** Household Hazardous Waste  
**Location:** ASSEMBLY  
**Summary:** Makes nonsubstantive changes to the definitions pertaining to existing law which authorizes public agencies to operate household hazardous waste collection facilities.  
**Status:** 02/24/2015 INTRODUCED.  
**Lobbyist Position Staff Subject**  
 Paul Pending (03/03/2015) Mary ESJPA

15.



**CA AB 649**

**Author:** Patterson (R)  
**Title:** Medical Waste: Law Enforcement Drug Takeback  
**Last Amend:** 04/16/2015  
**Location:** SENATE  
**Summary:** Amends the Medical Waste Management Act that regulates the disposal of medical waste, including requiring medical waste to be treated by specified methods prior to disposal. Includes among those authorized treatment methods any alternative medical waste treatment solely designated to treat pharmaceutical waste, including a pharmaceutical incinerator. Requires the method to be evaluated and approved. Authorizes a law enforcement agency's drug takeback program to use an approved incinerator.

**Status:** 05/07/2015 In ASSEMBLY. Read third time. Passed ASSEMBLY. \*\*\*\*\*To SENATE. (77-0)

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Pending (03/03/2015)	Mary	ESJPA

**16. CA AB 655**

**Author:** Quirk (D)  
**Title:** Rendering: Inedible Kitchen Grease: Additional Fee  
**Last Amend:** 04/06/2015  
**Location:** Senate Agriculture Committee  
**Summary:** Increases the additional fee charged by the Department of Food and Agriculture to not to exceed a specified amount per year per vehicle that is operated to transport kitchen grease.

**Status:** 05/07/2015 To SENATE Committee on AGRICULTURE.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Watch (03/03/2015)	Mary	ESJPA

**17. CA AB 864**

**Author:** Williams (D)  
**Title:** Solid Waste Facilities: Temporary Permits  
**Last Amend:** 04/30/2015  
**File:** 58  
**Location:** Assembly Third Reading File  
**Summary:** Relates to the Department of Resources Recycling and Recovery. Requires the department to adopt regulations to authorize an enforcement agency to issue a temporary solid waste facilities permit to a person carrying out solid waste operations at a facility that is required under the act to have a solid waste facilities permit, but for which a permit has not been obtained. Requires a local enforcement agency to notify operators of the availability of permits.

**Status:** 05/04/2015 In ASSEMBLY. Read second time. To third reading.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Pending (03/04/2015)	Mary	ESJPA

**18. CA AB 876**

**Author:** McCarty (D)  
**Title:** Compostable Organics  
**Last Amend:** 04/06/2015

**Location:** Assembly Appropriations Committee  
**Summary:** Requires each countywide siting element to provide an estimate of the total organics processing capacity that will be needed over a specified time period to safely handle organic wastes generated with the county and to identify areas for the location of organics processing facilities, if needed or desired.  
**Status:** 04/29/2015 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.  
**Lobbyist Position Staff Subject**  
 Paul Oppose (04/08/2015) Mary ESJPA

## 19. CA AB 888

**Author:** Bloom (D)  
**Title:** Waste Management: Plastic Microbeads  
**Last Amend:** 04/22/2015  
**Committee:** Assembly Appropriations Committee  
**Hearing:** 05/13/2015 9:00 am, State Capitol, Room 4202  
**Summary:** Prohibits a person from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product. Provides an exception. Makes a violator liable for a civil penalty to be assessed and recovered in a civil action brought in any court of competent jurisdiction by the Attorney General or local officials. Requires the civil penalties collected to be retained by the office that brought the action.  
**Status:** 04/28/2015 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS. (6-0)  
**Lobbyist Position Staff Subject**  
 Paul Watch (03/03/2015) Mary ESJPA

## 20. CA AB 901

**Author:** Gordon (D)  
**Title:** Solid Waste: Reporting Requirements: Enforcement  
**Last Amend:** 04/20/2015  
**Location:** Assembly Appropriations Committee  
**Summary:** Relates to the disposal, management, and recycling of solid waste. Requires recycling and composting operations and facilities to submit specified information directly to the department. Deletes references to periodic tracking surveys. Provides for civil penalties on any person who refuses or fails to submit information required by the governing regulations, and on any person who knowingly or willfully files a false report. Requires penalties be deposited in the Integrated Waste Management Account.  
**Status:** 04/29/2015 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.  
**Lobbyist Position Staff Subject**  
 Paul Support (02/27/2015) Mary ESJPA  
 Solid.Waste

## 21. CA AB 997

**Author:** Allen T (R)  
**Title:** Recycling: Plastic Material  
**Location:** Assembly Natural Resources Committee  
**Summary:** Relates to the California Integrated Waste Management Act of 1989. Relates to the policy goal of the State to provide that the goal is for not less than 75% of solid waste generated to be source reduced, recycled, used for power generation in dedicated anaerobic digesters as well as in modern landfills capturing methane gas, or composted by the year 2020, and annually thereafter.  
**Status:** 04/13/2015

In ASSEMBLY Committee on NATURAL RESOURCES: Heard, remains in Committee.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Watch (04/13/2015)	Mary	ESJPA

## 22. CA AB 1019

**Author:** Garcia E (D)  
**Title:** Metal Theft and Related Recycling Crimes  
**Location:** Assembly Appropriations Committee  
**Summary:** Requires the Department of Justice to establish a Metal Theft Task Force Program designed to enhance the capacity of the department to serve as the lead law enforcement agency in the investigation and prosecution of illegal recycling operations, and metal theft and related recycling crimes. Authorizes the department to enter into partnerships with local law enforcement agencies.  
**Status:** 04/22/2015 In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Watch (03/25/2015)	Mary	ESJPA

## 23. CA AB 1045

**Author:** Irwin (D)  
**Title:** Organic Waste: Composting  
**Last Amend:** 04/20/2015  
**File:** 52  
**Location:** Assembly Third Reading File  
**Summary:** Requires the Environmental Protection Agency develop and implement policies to aid in diverting a specified percentage of organic waste from landfills by a specified date by promoting composting and its appropriate usage. Requires the Department of Resources Recycling and Recovery to develop a policy that promotes the development of streamlined permitting and regulation of composting facilities while protecting air and water quality.  
**Status:** 04/30/2015 In ASSEMBLY. Read second time. To third reading.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Support (04/13/2015)	Mary	ESJPA

## 24. CA AB 1063

**Author:** Williams (D)  
**Title:** Solid Waste: Disposal Facility: Fees  
**Last Amend:** 04/20/2015  
**File:** 102  
**Location:** Assembly Third Reading File  
**Summary:** Amends existing law that requires the Department of Resources Recycling and Recovery to establish a fee on the operator of a solid waste disposal facility on the amount of all solid waste disposed of at the site. Requires the Department to hold a public hearing and workshop to develop a proposal for the Legislature regarding a new fee which would provide the Department with the revenue necessary to carry out certain actions.  
**Status:** 05/07/2015 In ASSEMBLY. Read second time. To third reading.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Support (04/23/2015)	Mary	ESJPA Solid.Waste

## 25. CA AB 1069

**Author:** Gordon (D)  
**Title:** Prescription Drugs: Collection and Distribution  
**Last Amend:** 05/06/2015  
**File:** 76  
**Location:** Assembly Third Reading File  
**Summary:** Authorizes a county-owned pharmacy participating in the medication repository and distribution program to transfer eligible donated medication to a participating county-owned pharmacy in anyother county. Authorizes medication donated to the program to be maintained in new, properly labeled containers; Prohibits donated medication from being repackaged more than twice. Makes a technical, nonsubstantive change to these provisions.

**Status:** 05/07/2015 In ASSEMBLY. Read second time. To third reading.

Lobbyist	Position	Staff	Subject
Paul	Watch (02/27/2015)	Mary	ESJPA Solid.Waste

## 26. CA AB 1075

**Author:** Alejo (D)  
**Title:** Hazardous Waste: Enforcement  
**Location:** Assembly Appropriations Committee  
**Summary:** Amends the Hazardous Waste Control Law. Requires consideration of certain violations or noncompliance as compelling cause to deny, suspend, or revoke a permit, registration, or certificate. Relates to certain hearings, civil penalties, and criminal penalties.

**Status:** 04/29/2015 In ASSEMBLY Committee on APPROPRIATIONS: Not heard.

Lobbyist	Position	Staff	Subject
Paul	Pending (03/03/2015)	Mary	ESJPA

## 27. CA AB 1103

**Author:** Dodd (D)  
**Title:** Solid Waste: Organic Waste  
**Committee:** Assembly Natural Resources Committee  
**Hearing:** 05/11/2015 1:30 pm, State Capitol, Room 447  
**Summary:** Amends existing law that requires a business that generates a certain amount of organic waste to arrange for recycling services specifically for organic waste. Defines the terms food-soiled paper and food waste for the purposes of those provisions.

**Status:** 03/19/2015 To ASSEMBLY Committee on NATURAL RESOURCES.

Lobbyist	Position	Staff	Subject
Paul	Pending (03/03/2015)	Mary	ESJPA

## 28. CA AB 1108

**Author:** Low (D)  
**Title:** Beverage Containers: Recycling  
**Last Amend:** 05/05/2015  
**Committee:** Assembly Appropriations Committee  
**Hearing:** 05/13/2015 9:00 am, State Capitol, Room 4202  
**Summary:** Prohibits a certified recycling center from paying the refund value to a consumer for more than a specified weight of aluminum beverage containers or plastic beverage containers or any combination thereof, or a specified weight in glass beverage containers, submitted by the consumer to the certified recycling center in a specified time period.

**Status:** 05/05/2015

In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**Lobbyist Position Staff Subject**  
Paul Watch (03/27/2015) Mary ESJPA

### 29. CA AB 1136

**Author:** Steinorth (R)  
**Title:** Reusable Grocery Bag and Recycled Paper Bag: Fee  
**Committee:** Assembly Natural Resources Committee  
**Hearing:** 05/11/2015 1:30 pm, State Capitol, Room 447  
**Summary:** Expands the group of customers who would be provided a reusable grocery bag or a recycled paper bag at no cost at the point of sale to include a customer who is 65 years of age or older and a customer who provides proof of current attendance at a California college or university.  
**Status:** 05/05/2015 From ASSEMBLY Committee on AGING & LONG TERM CARE: Do pass to Committee on NATURAL RESOURCES. (6-1)

**Lobbyist Position Staff Subject**  
Paul Watch (03/03/2015) Mary ESJPA

### 30. CA AB 1159

**Author:** Gordon (D)  
**Title:** Product Stewardship: Pilot: Batteries and Sharps Waste  
**Last Amend:** 04/21/2015  
**Location:** Assembly Appropriations Committee  
**Summary:** Establishes the Product Stewardship Pilot Program. Requires producers and product stewardship organizations of consumer products that are home-generated sharps waste or household batteries to develop and implement a product stewardship plan to the Department of Resources Recycling and Recovery. Provides for administrative fees. Establishes the Product Stewardship Penalty Subaccount in the Integrated Waste Management Fund for deposit of fees. Requires audits and reporting requirements.  
**Status:** 04/28/2015 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS. (6-0)

**Lobbyist Position Staff Subject**  
Paul Support (04/09/2015) Mary ESJPA

### 31. CA AB 1239

**Author:** Gordon (D)  
**Title:** Tire Recycling: State Tire Regulatory Fee: Waste Tires  
**Last Amend:** 05/05/2015  
**Location:** Assembly Appropriations Committee  
**Summary:** Relates to the State Tire Recycling Management Fund. Requires a waste tire generator to pay a State regulatory tire fee. Authorizes the establishment of such fee in amount that is sufficient to costs association with regulating retail sellers. Enacts the Tire Recycling Incentive Program Act that would provide incentive payments for entities using crumb rubber. Authorizes an adjustment of such payments.  
**Status:** 05/05/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**Lobbyist Position Staff Subject**  
Paul Support (04/23/2015) Mary ESJPA

### 32. CA AB 1247

**Author:** Irwin (D)  
**Title:** Sales and Use Tax: Exemption: Organic Input Material  
**Last Amend:** 03/24/2015  
**Committee:** Assembly Revenue and Taxation Committee  
**Hearing:** 05/11/2015 1:30 pm, State Capitol, Room 126  
**Summary:** Provides an exemption from the sales and use taxes, the gross receipts from the sale in the State of, and the storage, use, or other consumption in the State of, defined organic input material, to be applied to land, the products of which are to be used as food for human consumption or are to be sold in the regular course of business.  
**Status:** 04/09/2015 Re-referred to ASSEMBLY Committee on REVENUE AND TAXATION.  
**Lobbyist Position Staff Subject**  
 Paul Pending (03/03/2015) Mary ESJPA

### 33. CA AB 1256

**Author:** Williams (D)  
**Title:** Solid Waste: Administration  
**Location:** ASSEMBLY  
**Summary:** Makes nonsubstantive changes to a provision establishing the Department of Resources Recycling and Recovery in the California Environmental Protection Agency.  
**Status:** 02/27/2015 INTRODUCED.  
**Lobbyist Position Staff Subject**  
 Paul Pending (03/03/2015) Mary ESJPA

### 34. CA AB 1362

**Author:** Gordon (D)  
**Title:** Local Government Assessments Fees and Charges  
**Location:** Assembly Local Government Committee  
**Summary:** Defines stormwater for purposes of the Proposition 218 Omnibus Implementation Act to mean any system of public improvements or service intended to provide for the quality, conservation, control, or conveyance of waters that land on or drain across the natural or man-made landscape.  
**Status:** 03/23/2015 To ASSEMBLY Committee on LOCAL GOVERNMENT.  
**Analyst BOARD.PACKET Lobbyist Position Staff Subject**  
 Nick APRIL2015 Kathy Support (05/04/2015) Mary ESJPA  
 MAR2015 WaterQuality

### 35. CA AB 1377

**Author:** Thurmond (D)  
**Title:** Solid Waste: Recycling: Diversion: Green Material  
**Location:** Assembly Natural Resources Committee  
**Summary:** Amends existing law which requires each city, county, and regional agency, to develop a source reduction and recycling element of an integrated waste management plan. Deletes obsolete provisions relating to the adoption of regulations.  
**Status:** 03/23/2015 To ASSEMBLY Committee on NATURAL RESOURCES.  
**Lobbyist Position Staff Subject**  
 Paul Pending (03/03/2015) Mary ESJPA

### 36. CA AB 1419

**Author:** Eggman (D)  
**Title:** Recycling Centers  
 05/05/2015

**Last Amend:**  
**Committee:** Assembly Appropriations Committee  
**Hearing:** 05/13/2015 9:00 am, State Capitol, Room 4202  
**Summary:** Authorizes the Department of Resources Recycling and Recovery to revoke a certification of a certified recycling center found to be abandoned. Provides an opportunity for a hearing on that revocation to be conducted in the same manner as a hearing for an applicant whose original application for certification is denied.  
**Status:** 05/05/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.  
**Lobbyist Position Staff Subject**  
 Paul Watch (04/23/2015) Mary ESJPA

### 37. CA AB 1420

**Author:** Salas (D)  
**Title:** Oil and Gas: Pipelines  
**Last Amend:** 04/21/2015  
**Committee:** Assembly Appropriations Committee  
**Hearing:** 05/13/2015 9:00 am, State Capitol, Room 4202  
**Summary:** Relates to facility maintenance standards for oil and gas production facilities. Requires the Division of Oil, Gas, and Geothermal Resources to prioritize the identification and testing of pipelines near sensitive areas. Requires a local health officer to direct the responsible party to notify residents affected by the leak if it is determined that the leak poses a serious threat to public health or safety. Requires operators to notify the Division and local health officer of any leak.  
**Status:** 04/28/2015 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS. (5-0)  
**Lobbyist Position Staff Subject**  
 Paul Watch (04/23/2015) Mary ESJPA

### 38. CA AB 1435

**Author:** Alejo (D)  
**Title:** Hazardous Waste: Toxics: Packaging  
**Committee:** Assembly Appropriations Committee  
**Hearing:** 05/13/2015 9:00 am, State Capitol, Room 4202  
**Summary:** Amends the Toxics in Packaging Prevention Act. Excludes a glass beverage container and a glass food or drink container from the definition of package.  
**Status:** 04/28/2015 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS. (7-0)  
**Lobbyist Position Staff Subject**  
 Paul Watch (04/23/2015) Mary ESJPA

### 39. CA AB 1454

**Author:** Wagner (R)  
**Title:** Water Quality: Trash: Single-Use Carryout Bags  
**Last Amend:** 04/20/2015  
**Location:** Assembly Rules Committee  
**Summary:** Suspends the operation of certain amendments to water quality control plans relating to the total maximum daily load for trash unless and until specified provisions inoperative due to a pending referendum election become effective. Requires the State Water Resources Control Board to revisit and revise the water quality control plans to address impaired water quality due to trash if the law pending referendum is defeated.

**Status:** 04/23/2015 Re-referred to ASSEMBLY Committee on RULES.  
**Position** **Subject**  
 Watch (04/22/2015) ESJPA  
 WaterQuality

#### 40. CA AB 1496

**Author:** Thurmond (D)  
**Title:** Methane Emissions  
**Last Amend:** 05/06/2015  
**Location:** Assembly Appropriations Committee  
**Summary:** Amends existing law that establishes the State Air Resources Board as the State agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the State Board to complete a comprehensive study to reduce emissions of short-lived climate pollutants in the State. Requires the State Board to take specified actions and conduct specified analyses with respect to methane emissions.  
**Status:** 05/06/2015 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.  
 05/06/2015 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.  
**Lobbyist Position Staff Subject**  
 Paul Watch (04/23/2015) Mary ESJPA

#### 41. CA SB 47

**Author:** Hill (D)  
**Title:** Environmental Health: Synthetic Turf  
**Last Amend:** 03/25/2015  
**Location:** Senate Appropriations Committee  
**Summary:** Requires the Office of Environmental Health Hazard Assessment, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, for potential adverse health impacts. Provides the information to be included in the study. Authorizes grant to crumb rubber businesses to find alternative markets.  
**Status:** 04/13/2015 In SENATE Committee on APPROPRIATIONS: To Suspense File.  
**Lobbyist Position Staff Subject**  
 Paul Watch (03/25/2015) Mary ESJPA

#### 42. CA SB 162

**Author:** Galgiani (D)  
**Title:** Treated Wood Waste: Disposal  
**Last Amend:** 05/05/2015  
**Committee:** Senate Appropriations Committee  
**Hearing:** 05/18/2015 10:00 am, John L. Burton Hearing Room (4203)  
**Summary:** Removes the limitations for treated wood waste regulation adopted by the Department of Toxic Substances Control. Expands the operation of the provisions regard treated wood waste. Requires the Department to prepare, post on its Internet Web site, and provide the appropriate policy committees of the Legislature, a comprehensive report with specified content on the compliance with, and implementation of, existing laws related to treated wood waste.  
**Status:** 05/05/2015 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.



<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Support (03/25/2015)	Mary	ESJPA

**43. CA SB 179**

**Author:** Berryhill (R)  
**Title:** Secondhand Goods: Junk Dealers  
**Location:** Senate Rules Committee  
**Summary:** Makes nonsubstantive changes to existing law that prohibits a junk dealer or recycler from possessing a reasonably recognizable, disassembled, or inoperative fire hydrant or fire department connection, a manhole cover or lid, or a backflow device, that was owned by an agency, without a written certification on the agency's letterhead that the agency either has sold the material described or is offering the material for sale.  
**Status:** 02/19/2015To SENATE Committee on RULES.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Pending (03/04/2015)	Mary	ESJPA

**44. CA SB 225**

**Author:** Wieckowski (D)  
**Title:** Recycling: Used Tires  
**Location:** ASSEMBLY  
**Summary:** Requires the Department of Resources Recycling and Recovery, when adopting the 5-year plan and expanding appropriated funds, to ensure that the expenditure of funds pursuant to the California Tire Recycling Act, reflects the California Integrated Waste Management Act's priorities for waste reduction and recycling.  
**Status:** 05/04/2015In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To ASSEMBLY. (24-11)

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Watch (04/23/2015)	Mary	ESJPA

**45. CA SB 360**

**Author:** Cannella (R)  
**Title:** Biomethane  
**Location:** Senate Energy, Utilities and Communications Committee  
**Summary:** Authorizes the Public Utilities Commission to consider providing the option to all corporations to engage in competitive bidding and direct investment in ratepayer financed biomethane collection equipment.  
**Status:** 03/05/2015To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Pending (03/03/2015)	Mary	ESJPA

**46. CA SB 423**

**Author:** Bates (R)  
**Title:** Pharmaceutical Waste: Over-the-Counter Drugs  
**Location:** Senate Environmental Quality Committee  
**Summary:** Excludes from the definition of pharmaceutical waste, for purposes of regulation under Medical Waste Management Act, any over-the-counter human or veterinary drug or dietary supplement that is, among other things, characterized and managed as a hazardous or solid waste and, with respect to an over-the-counter human or veterinary drug, is not disposed of on land within the state.  
**Status:** 03/05/2015To SENATE Committee on ENVIRONMENTAL QUALITY.

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Pending (03/03/2015)	Mary	ESJPA

47.

**CA SB 489**

**Author:** Monning (D)  
**Title:** Hazardous Waste: Photovoltaic Modules  
**Last Amend:** 04/06/2015  
**Location:** ASSEMBLY  
**Summary:** Authorizes the Department of Toxic Substances Control to adopt regulations to designate end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subjects those modules to universal waste management. Authorizes the Department to revise the regulations as necessary.  
**Status:** 05/04/2015 In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To ASSEMBLY. (35-0)  
**Lobbyist Position Staff Subject**  
 Paul Support (04/27/2015) Mary ESJPA

**48. CA SB 509**

**Author:** Hueso (D)  
**Title:** Plastic Products: Labeling  
**Location:** Senate Environmental Quality Committee  
**Summary:** Authorizes the labeling of commercial agricultural mulch film sold in the state as soil biodegradable, if it meets a specified standard for biodegradability of plastics adopted by ASTM International and that standard is also adopted by the Director of Resources Recycling and Recovery.  
**Status:** 03/12/2015 To SENATE Committee on ENVIRONMENTAL QUALITY.  
**Lobbyist Position Staff Subject**  
 Paul Pending (03/04/2015) Mary ESJPA

**49. CA SB 612**

**Author:** Jackson (D)  
**Title:** Hazardous Materials  
**Last Amend:** 04/06/2015  
**Location:** Senate Appropriations Committee  
**Summary:** Relates to requirements of the Department of Toxic Substances Control to set criteria and guidelines for determining onsite generation quantities to determine the State generator status of a person who generates hazardous waste at an individual site. Relates to aboveground petroleum storage tank facilities located on farms, nurseries, logging sites, or construction sites. Requires a spill prevention control and countermeasure plan. Relates to disposal of medical waste. Provides administrative penalties.  
**Status:** 04/27/2015 In SENATE Committee on APPROPRIATIONS: To Suspense File.  
**Lobbyist Position Staff Subject**  
 Paul Watch (04/23/2015) Mary ESJPA

**50. CA SB 625**

**Author:** Galgiani (D)  
**Title:** Water Management: Synthetic Plastic Microbeads  
**Last Amend:** 04/20/2015  
**Location:** Senate Environmental Quality Committee  
**Summary:** Prohibits the selling, or offering for promotional purposes a person care product containing synthetic plastic microbeads. Exempts from this prohibition the sale or promotional offer of a product containing a specified amount of such microbeads. Makes a violator liable for a civil penalty for each violation. Authorizes the penalty to be

increases over specified compliance periods, and to issue an analysis of the lifecycle emissions of greenhouse gases and reductions for different biogas types and end uses. Requires a renewable gas assessment.

**Status:** 05/05/2015 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

Lobbyist	Position	Staff	Subject
Paul	Watch (03/25/2015)	Mary	ESJPA

#### 54. CA SB 732

**Author:** Pan (D)

**Title:** Beverage Container Recycling

**Last Amend:** 04/06/2015

**Location:** Senate Environmental Quality Committee

**Summary:** Relates to the Beverage Container Recycling and Litter Reduction Act. Deletes provisions prohibiting the imposition of a processing fee on certain PET beverage containers. Prohibits a reduction of processing fee requirements for any manufacturer unless the manufacturer demonstrates that the container is manufactured at a facility that meets or exceeds a percentage of recycled content. Requires demonstration that certain containers contain not less than a certain percent of postfilled material.

**Status:** 04/15/2015 In SENATE Committee on ENVIRONMENTAL QUALITY: Failed passage.  
04/15/2015 In SENATE Committee on ENVIRONMENTAL QUALITY: Reconsideration granted.

Lobbyist	Position	Staff	Subject
Paul	Pending (03/04/2015)	Mary	ESJPA

#### 55. CA SB 742

**Author:** Hertzberg (D)

**Title:** Solid Waste: Diversion

**Last Amend:** 04/06/2015

**Committee:** Senate Appropriations Committee

**Hearing:** 05/18/2015 10:00 am, John L. Burton Hearing Room (4203)

**Summary:** Requires each state agency and large state facility to divert a specified percent of all solid waste from landfill disposal or transformation facilities through source reduction, recycling, and composting activities. Deletes an obsolete provision.

**Status:** 04/29/2015 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS. (7-0)

Lobbyist	Position	Staff	Subject
Paul	Pending (03/04/2015)	Mary	ESJPA

recovered in a civil action brought by the Attorney General. Prohibits any local ordinance, resolution, or rule relating to the sale of such microbeads.

**Status:** 04/22/2015 Re-referred to SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.

**Position**                      **Subject**  
 Watch (03/02/2015)      ESJPA  
                                         WaterQuality

## 51. CA SB 654

**Author:** De Leon (D)  
**Title:** Hazardous Waste: Facilities Permitting  
**Last Amend:** 04/21/2015

**Committee:** Senate Appropriations Committee  
**Hearing:** 05/11/2015 10:00 am, John L. Burton Hearing Room (4203)  
**Summary:** Requires the owner or operator of a hazardous waste facility to submit complete applications for a permit renewal prior to the permit's expiration date. Requires the issuance of a final permit decision within a specified time period of the permit's expiration. Provides that a facility that has not been issued a final permit within a specified timer period after the expiration of the permit's fixed term shall be deemed in violation of the hazardous waste control law.

**Status:** 04/29/2015 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS. (5-2)

<b>Lobbyist</b>	<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Paul	Watch (04/22/2015)	Mary	ESJPA

## 52. CA SB 673

**Author:** Lara (D)  
**Title:** Hazardous Waste  
**Last Amend:** 05/05/2015

**Committee:** Senate Appropriations Committee  
**Hearing:** 05/18/2015 10:00 am, John L. Burton Hearing Room (4203)  
**Summary:** Establishes the Department of Toxic Substances Control California Communities Committee to make recommendations to the Department on various aspects. Requires the Department to adopt additional criteria for use in determining whether to issue a new hazardous waste facilities permit or renewal of such permit, and develop programmatic reforms. Requires a person to pay for oversight of any corrective action required of the person with respect to hazardous waste.

**Status:** 05/05/2015 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

<b>Position</b>	<b>Staff</b>	<b>Subject</b>
Watch (03/10/2015)	Mary	ESJPA

## 53. CA SB 687

**Author:** Allen (D)  
**Title:** Renewable Gas Standard  
**Last Amend:** 05/05/2015

**Committee:** Senate Appropriations Committee  
**Hearing:** 05/18/2015 10:00 am, John L. Burton Hearing Room (4203)  
**Summary:** Requires the State Air Resources Board to adopt a carbon-based renewable gas standard that requires all gas sellers to provide specified percentages of renewable gas meeting certain deliverability requirements, to retail end-use customers for use in the state that