



CHAIR – MICHAEL KOBSEFF, SISKIYOU COUNTY
VICE CHAIR – BOB WILLIAMS, TEHAMA COUNTY
EXECUTIVE DIRECTOR – GREG NORTON

TECHNICAL ADVISORY GROUP (TAG)
TAG CHAIR – KRISTINA MILLER, TEHAMA COUNTY
TAG VICE CHAIR – JIM MCHARGUE, AMADOR COUNTY
PROGRAM MANAGER – MARY PITTO

Rural Counties' Environmental Services Joint Powers Authority Board of Directors' & Technical Advisory Meeting Agenda

1215 K Street, Suite 1650 Conference Room
Sacramento, CA

Thursday, December 10, 2015 9:00 a.m. – 3:00 p.m.

Only those items that indicate a specific time will be heard at the assigned time. All other items may be taken out of sequence to accommodate the Board, the staff, and the general public. Indicated time allocations are for planning purposes only and actual times will vary from those indicated.

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

II. Business Matters

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Discussion and possible action related to the following:

- A. Approval of Minutes from the Meeting of October 15, 2015 – Supervisor Kobseff, ESJPA Chair (pp 3-8)
- B. Review and approval of the 2015 Budget – Lisa McCargar, RCRC Chief Financial Officer (pp 9-10; 10 minutes)
- C. Review and approval of the 2015 Contract Services Agreement between ESJPA and RCRC – Mary Pitto, ESJPA Program Manager (pp 11-20; 5 minutes)

III. Public Comment

Any person may address the Board on any matter relevant to the Authority's business, but not otherwise on the agenda.

IV. Presentations

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- A. 2014 Disposal-Facility-Based Characterization of Solid Waste in California - Nancy Carr, CalRecycle (pp 22-28; 20 minutes)
- B. Valley and Butte Fire Cleanup – Wes Mindermann, CalRecycle (pp 29-35; 20 minutes)
- C. Local Conservation Corp Assistance with Waste Tire, E-Waste, and Used Oil Events – David P. DeMers, Executive Director, Sacramento Regional Conservation Corp (page 37; 20 minutes)
- D. Report from CalRecycle – Joe Rasmussen, Supervisor, Materials Management and Local Assistance Program, CalRecycle (10 minutes)

- E. Privatizing Solid Waste Management – Bob Elder, Solid Waste Division Program Manager, Nevada County (20 minutes)

V. Member County Concerns/Comments

VI. Legislative Update **Supplemental Packet**

(This item may be heard at any time during the meeting depending upon the availability of staff) Discussion of Legislation - Paul Smith, RCRC Senior Legislative Advocate (15 minutes)

- A. Complete Text of Selected Bills (*Supplemental Packet pp 1-47*)
- B. Summary Listing of All Solid Waste Related Bills (*Supplemental Packet pp 49-63*)

VII. Solid Waste/Regulatory Update **Page 39**

Discussion and possible action related to the following:

- A. Air Resources Board
- Draft Cap and Trade Auction Proceeds Second Investment Plan – Mary Pitto (*pp 41-43; 5 minutes*)
 - Draft Short-Lived Climate Pollutant Reduction Strategy – Mary Pitto, (*pp 45-61; 5 minutes*)
- B. CalRecycle
- AB 1826 Mandatory Commercial Recycling – Mary Pitto (*5 minutes*)
 - AB 876 Organics Reporting Requirement – Mary Pitto (*pp 63-64; 5 minutes*)
- C. State Water Resources Control Board (SWRCB)
- Storm Water Industrial General Permit – Larry Sweetser (*5 minutes*)
- D. Extended Producer Responsibility
- CA Product Stewardship Council Update – Heidi Sanborn/Christine Flowers, Product Stewardship Council (*pp 65-70; 10 minutes*)
 - Carpet America Recovery Effort (CARE) Update – Lisa Mekis, CA Senior Associate, CARE (*pp 71-73; 5 minutes*)
 - PaintCare Update – Daria Kent, Northern California Regional Coordinator (*pp 75-77; 5 minutes*)
 - Mattress Recycling Council Update – Rodney Clara, Mattress Recycling Council (*pp 79-82; 10 minutes*)
- E. Grant Program Update – Larry Sweetser (*page 83; 10 minutes*)
- F. Highlights of October/November/December CalRecycle Meetings – Larry Sweetser (*pp 85-92; 5 minutes*)
- G. Other Regulatory Announcements/Issues of Interest
- CalRecycle Beverage Container Fraud (*pp 93-94*)
 - CalRecycle E-Waste Updates (*pp 95-96*)
 - Cal EPA CUPA Newsletters (*pp 97-104*)

VIII. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next ESJPA Board Meeting Scheduled Thursday, March 17, 2016.

- IX. Articles of Interest (pp 107-119)
- X. Presentation of a Resolution of Appreciation
- XI. Adjournment

12:00 PM Holiday Luncheon

1:00 PM

Technical Advisory Group Breakout Session

This afternoon session will be conducted as an informal workshop. The following topic is intended for robust discussion about solid waste franchise agreements. You are invited to stay and encouraged to participate in this session.

Solid Waste Franchise Agreements – Garth Schultz, R3 Consulting Group, Inc.

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please contact our offices at least 72 hours prior to the meeting by calling (916) 447-4806.

Agenda items will be taken as close as possible to the schedule indicated. Any member of the general public may comment on an agenda item at the time of discussion. In order to facilitate public comment, please let staff know if you would like to speak on a specific agenda item.

The final agenda for this meeting of the Board of Directors of the Rural Counties' Environmental Services Joint Powers Authority will be duly posted at its offices: 1215 K Street, 16th Floor, Sacramento, California at least 72 hours prior to the meeting.

Agenda Item II

BUSINESS MATTERS

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



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

CHAIR – MICHAEL KOBSEFF, SISKIYOU COUNTY
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**Minutes of the Rural Counties'
Environmental Services Joint Powers Authority
Board of Directors Meeting
1215 K Street, Suite 1650, Sacramento, CA**

Thursday October 15, 2015

MEMBERS REPRESENTED

Mary Rawson, Supervisor
Jim McHargue, Director Solid Waste
Steve Rodowick, Recycling Coordinator
Yvonne VanZee, Program Coordinator
Mike Azevedo, Assistant Director
Greg Stanton, Dep. Director Environmental Mgt
Joe Bettencourt, Admin Services Analyst
William Brunet, Director of Public Works
Paula Wesch, Program Coordinator
Greg Ollivier, Solid Waste Manager
Kevin Goss, Supervisor
Bob Perreault, Director of Public Works
John Heath, Supervising Engineer, Public Works
Arthur Boyd, Grant Recycling Coordinator
Michael Kobseff, Supervisor
Kristina Miller, Landfill Agency Manager
Karl Fisher, Supervisor
Diane Rader, Deputy Director Solid Waste
Belinda Barlow, Solid Waste Specialist

Alpine County
Amador County
Butte County
Calaveras County
Colusa County
El Dorado County
Glenn County
Imperial County
Lassen County
Mariposa County
Plumas County
Plumas County
Shasta County
Siskiyou County
Siskiyou County
Tehama County
Trinity County
Trinity County
Tuolumne County

STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager
Larry Sweetser, ESJPA Consultant
Julie Lunn
Terrance Rodgers

RCRC Governmental Affairs
Sweetser and Associates, Inc.
RCRC Staff
RCRC Staff

GUEST SPEAKERS:

Jeff Hunts, CalRecycle
Nate Gauff, CalRecycle
Joe Rassmussen, CalRecycle
Loreto Tamadong, CalRecycle

Annalisa Kihara, SWRCB
Heidi Sanborn, CPSC
Daria Kent, PaintCare
Rodney Clara, Mattress Recycling Council

OTHERS IN ATTENDANCE:

Terry Brennan, CalRecycle
Spencer Fine, CalRecycle
Daisy Kong, CalRecycle
Kerry Wicker, CalRecycle
Jeff Watson, CalRecycle
Mark Urquhart, Mark Urquhart PE Consulting

MEMBERS NOT REPRESENTED

Del Norte County, Inyo County, Madera County, Modoc County, Mono County, Nevada County, Sierra County

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

Chair Supervisor Michael Kobseff, Siskiyou County called the meeting to order at 9:02 a.m. Self-introductions were made. A quorum was determined at that time.

II. Business Matters

A. Approval of Minutes August 19, 2015. Chair Supervisor Michael Kobseff, Siskiyou County called for the approval of the minutes from the August 19, 2015 Board of Directors Meeting.

The motion to approve the minutes was made by William Brunet, Imperial County and was seconded by Mike Azevedo, Colusa County. The motion passed unanimously.

B. Approval of Shasta County joining the ESJPA and consideration of Resolution No. 15-01 to amend the Joint Exercise of Power Agreement for the Rural; Counties' ESJPA to reflect the addition of Shasta County.

The motion made by Kristina Miller, Tehama County and seconded by Arthur Boyd, Siskiyou County. The motion passed unanimously.

C. Review and approval of the 2016 Meeting Schedule.

The motion to approve the 2016 meeting schedule was made by Supervisor Mary Rawson, Alpine County and seconded by Bob Perrault, Plumas County. The motion passed unanimously.

III. Public Comment: None

IV. Presentations

A. Update on covered Electric Waste Regulations- Jeff Hunts, CalRecycle.

Mr. Hunts provided an update on the Electronics Waste program including the amounts of electronics collected and current issues. CalRecycle is considering options for management of CRT glass in landfills. Regulations were adopted to allow imposing tiered levels of civil penalties for false statements or representations. Mr. Hunts also discussed the proposed reform of the Designated Approved Collector authorizations from local governments. There have been a number of issues with oversight of this program and tracking participants. There will be

workshops scheduled with draft regulations in the near future. Other electronics waste issues are that the fund is running out of money and the covered electronics fee will likely need to be raised.

B. Rubberized Pavement and Aggregate Grant Presentation-Nate Gauff and Loreto Tamendong, CalRecycle

Mr. Gauff and Mr. Tamendong provided presentations on upcoming Rubberized Pavement and Tire-Derived Aggregate Grants including the grant criteria and funding available. Rural areas have limited participation in previous grants and CalRecycle is soliciting increased participation. The minimum amount of tires used for a grant application is 350 tons. Grants will be for a two year period. A CalRecycle video on the use of recycled tires was shown.

C. Report from CalRecycle - Joe Rasmussen, CalRecycle.

A handout was provided for this report, which is available on the ESJPA website.

D. Strategic Storm Water Initiative-Annalisa Kihara, Senior WRC Engineer. SWRCB.

Ms. Kihara provided an overview of the SWRCB's Strategic Storm Water Initiative that is developing concepts for managing storm water as a resource. The SWRCB's storm water implementation committee has proposed several regional programs for consideration.

V. Member County Concerns/Comments

Kristina Miller reported that the local Walmart was not accepting rechargeable batteries.

VI. Legislative Update

Mary Pitto, ESJPA Program Manager and Larry Sweetser, ESJPA Consultant, provided a brief update of the following bills relating to solid waste from the 2015-16 Legislative Session.

The following bills were signed by the governor:

- AB 876 (McCarty) Compostable Organics – Requires a jurisdiction's annual report to include provisions an estimate of the amount of organics waste generated in the county or region over a 15-years period and identify areas for new or expanded organics waste recycling facilities.
- AB 901 (Gordon) Solid waste: reporting requirements: enforcement – This bill revises the reporting requirements for composting and recycling facilities to report tonnages. The bill also allows for imposition of civil penalties for failure to report information.
- AB 1045 (Irwin) Organic waste: composting - This bill would require the California Environmental Protection Agency, in coordination with the department, the State Water Resources Control Board, the State Air Resources Board, and the Department of Food and Agriculture, to develop and implement policies to aid in diverting organic waste from landfills by promoting the composting of specified organic waste and by promoting the appropriate use of that compost throughout the state.
- AB 162 (Galgiani) Treated Wood Waste – This bill extends the current allowance for disposal of treated wood wastes in solid waste landfills until December 31, 2020.
- AB 199 (Eggman) Alternative energy: recycled feedstock - This bill would expand projects eligible for the sales and use tax exclusion to include projects that process or utilize recycled

feedstock, but would not include a project that processes or utilizes recycled feedstock in a manner that constitutes disposal.

- SB 225 (Wieckowski) Medical waste – This bill revises the definition of biohazard bag and requires biohazard bags to be red, chemotherapy bags to be yellow, and pathology waste to be in white bags.
- SB 489 (Monning) Hazardous waste: photovoltaic modules – this bill authorizes DTSC to adopt regulations designating photovoltaic modules as universal hazardous wastes. Regulations may take up to a year to adopt. Jurisdiction should avoid accepting these wastes and any accepted wastes should be handled as hazardous waste. Only ECS Refining in San Joaquin can accept photovoltaic panels.
- SB 612 (Jackson) Hazardous materials – This bill exempts the amount of universal waste from the calculation of hazardous waste generated in a month. This will allow more CESQGs to use HHW programs.

Ms Pitto reminded members that while Assembly Bill 1063 (Williams), the “tipping fee” bill, was pulled by the author due to last minute opposition, both CalRecycle and Administration have indicated this is still a top priority. We expect conversations to continue over the remainder of the legislative year. The State Water Board fee being incorporated into the amount to avoid the current billing system being used by the State Water Board is still a priority for RCRC/ESJPA.

This issue could resume in the 2016 legislative process or could be included in the upcoming budget process. Our concern is we will not have as much access to the budget process as we do with the legislative process.

VIII. Solid Waste/Regulatory Update

A. Air Resourced Board

- Cap and Trade Auction Proceeds Second Investment Plan Draft Concept Paper - Mary Pitto reported the draft concept paper was released on how to spend proceeds from the Cap and Trade Auctions. RCRC sent a letter including support for the comment that AB 1826 “will require a significantly larger investment in infrastructure to support resource recovery from organic waste, including production of various forms of energy, compost, and other soil amendments.” RCRC submitted comments, which were included in the packet.
Black Carbon-Methane- increasing emission control measures-ARB taking control
- Draft Short-Lived Climate Pollutant Reduction Strategy – Mary Pitto reported that this draft report was released and includes a section on methane emissions. The target is methane from landfills, organic waste, enteric fermentation from dairy cows and livestock, and fugitive emissions for oil production. RCRC will be sending comments on this draft.
- 2030 Target Scoping Plan – Mary Pitto reported that discussion for the draft 2030 Target Scoping Plan began. As part of his 2015 Inaugural address, Governor Brown committed to adopting interim greenhouse gas emissions (GHG) levels for 2030, which included five “pillars” (or components): 50% renewable electricity, 50/5 reduction in petroleum use in vehicles, double energy efficiency savings at existing buildings, carbon sequestration in the land base, and reduce short-lived climate pollutants. RCRC/ESJPA will be following this process for impacts to our members’ solid waste operations.

B. CalRecycle

- AB 1826 Mandatory Commercial Recycling -New online tools are available from CalRecycle
- CalRecycle continues to work on beverage container recycling program reform
- Compostable Materials, Transfer/Processing Regulations - CalRecycle approved the regulations on Compostable Materials, Transfer/processing and submitted the package to OAL for approval.

C. State Water Resources Control Board (SWRCB)

- Storm Water Industrial General Permit – Larry Sweetser requested if anyone had any issues with implementation of the new permit. The QISP Training is being scheduled for next spring. There was interest in future discussion on the MS4 permit possibly as a TAG topic.
- Water Quality Fees for Fiscal Year 2015-16 - WDR fees were reduced 19% for the next fiscal year. There is still intent to include this fee in future solid waste tipping fee increases.

D. Extended Producer Responsibility

- CA Product Stewardship Council Update Heidi Sanborn indicated that a CPSC has created the National Stewardship Action Council (NSAC). CPSC has created a PowerPoint presentation on Producer Responsibility. Ms. Sanborn also reported that Europe is moving away from visible fees on products and incorporating the costs in the price. The Senate Select Committee is holding a hearing on household hazardous waste in Palo Alto on November 4th. The panels will include rural and urban local government presenters as well as representatives of sharps, batteries, and paint. DTSC has determined that Thermostat manufacturers are noncompliant with the collection mandates. CPSC and others have expressed concerns with the implementation of the Carpet program. CARE will be soliciting for membership in the new Advisory Committee and is proposing a grant and loan program to promote carpet recycling. U-haul will become an outlet for refillable one pound propane cylinders. CPSC is also working on battery and propane programs in Mariposa and Tehama Counties. CPSC is also participating in discussion with the Board of Pharmacy on acceptance of pharmaceuticals,
- PaintCare Update– Daria Kent reported that PaintCare is moving forward with paint collection events in underserved areas and an increase in payments for paint reuse programs.
- Mattress Recycling Council Update – Rodney Clara reported that MRC is making progress in development of the mattress collection program and has developed two contracts to collection mattresses. The options include one to compensate for loading trailers and the other does not. MRC has developed a calculator to determine the cost reimbursement. MRC has incorporated a methodology developed by CRRC for non-compacted mattresses. MRC is also developing options for collection rates.

E. Grant Program Update-Larry Sweetser reported that the USDA training grant is complete and the final report is being prepared. During the grant terms, 350 students were trained and 12,455 miles were traveled. The average cost was \$330 per person. There are no plans for the ESJPA to submit another USDA grant this year. The Grant cycle for new USDA Solid Waste grants is open from October 1 to December 31st. Assistance was provided to Mariposa County

at the annual fair 's used oil education booth. Tire Amnesty events are being scheduled under the TA3 grant.

F. Highlights of September /October CalRecycle Meeting-Larry Sweetser
Mr. Sweetser reported that CalRecycle has scheduled a workshop on a Statewide Rate Determination for October 30th. CalRecycle has released the 2014 Waste Characterization Study that will be used for many purposes including determinations of organics in the waste stream with the potential for recycling. OPP6 awards have been approved subject to the usual October and April funds availability. Butte County received a Farm and Ranch cleanup grant in the amount of \$28,853. CalRecycle has also released the long-awaited 75% report.

G. Other Regulatory Announcements/Issues of Interest. Mary Pitto directed Members to the Board packet.

- CalRecycle Where to Recycle Map
- Institute of Local Government Resources
- Thermostat Recycling Corporation Flyer
- CalRecycle E-Waste updates
- Cal EPA CUPA Newsletters

IX. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next ESJPA Board Meeting Scheduled Thursday, December 10, 2015 –Nevada County will present.

X. Articles of Interest
Mary Pitto directed Members to the Board packet.

XI. Adjournment- 12:23 pm

Respectfully submitted,
Julie Lunn, Office Assistant RCRC

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



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

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MEMORANDUM

To: ESJPA Board
From: Lisa McCargar, RCRC Chief Financial Officer
Date: December 1, 2015
RE: ESJPA Budget – FY 2016

The proposed 2016 Environmental Services Joint Powers Authority (ESJPA) Operating Budget constitutes our continued commitment to the core functions of providing solid waste planning, solid waste services, regulatory advocacy and other environmental services. The proposed ESJPA budget for the 2016 calendar year is shown on the following page.

Summary

To better understand the budget, it is necessary to understand the inter-relationship between the ESJPA and Rural County Representatives of California (“RCRC”). ESJPA and RCRC are two separate legal entities, each with their own by-laws and Board of Directors. RCRC is a non-profit mutual benefit corporation with a Board of Directors consisting of County Supervisors who are representatives of the 34 participating counties. ESJPA, however, is a governmental agency with a Joint Powers Agreement. The Board of Directors of ESJPA consists of delegates (or designated staff “alternates”) from the 23 member counties. ESJPA does not employ staff, but instead contracts with RCRC to provide management, technical, and administrative services as directed by the ESJPA delegates. This contract is subject to annual review and follows the budget on today’s agenda.

The proposed ESJPA budget includes total revenues of \$224,900, proposed expenditures of \$221,909 and results in a budget surplus of revenues over expenses of approximately \$3,000 for the year ending December 31, 2016.

Revenues:

ESJPA’s proposed 2016 revenue includes \$124,800 in membership dues and reflect one additional member county over prior year’s budget. ESJPA’s 2016 revenue also includes grant reimbursements in the amount of \$100,000. Grant reimbursements have decreased from last year as the USDA grant was completed during 2015 and there are no longer any revenues.

The following is a list of current grant activities that are included in the CY 2016 budget.

CalRecycle Used Oil Block Grants (Alpine, Colusa, and Mariposa Counties)

ENVIRONMENTAL SERVICES JOINT POWERS AUTHORITY

FY 2015 BUDGET

January 1-December 31, 2016

	2016 Budget	2015 Budget	Change Increase / (Decrease)
Revenue:			
Member County Dues	124,800	118,800	6,000
Contracts-grants/projects	100,000	140,000	(40,000)
Contribution from RCRC	0	0	0
Interest	0	5	(5)
Miscellaneous	100	100	0
Total Revenue	224,900	258,905	(34,005)
Expenditures:			
Auditing	2,190	3,750	(1,560)
Bank Fees	0	1	(1)
Community Relations	500	400	100
Consultants	23,680	43,800	(20,120)
Conferences Attended by Staff	1,000	1,200	(200)
Contract Support Services	70,000	46,320	23,680
Delivery Services	1,200	200	1,000
Dues, Fees and Subscriptions	2,000	2,000	0
Equipment & Furniture	250	1	249
Grants and Contracts	89,050	130,345	(41,295)
Insurance	3,619	3,657	(38)
Legal Fees	1,000	1,000	0
Meetings	3,600	3,300	300
Board Member Travel and Reimburseme	1,500	1,500	0
Miscellaneous	1,000	980	20
Office Expense	500	500	0
Off-site Storage	1,320	1,320	0
Printing & Duplication	6,000	2,800	3,200
Rent	12,000	14,231	(2,231)
Training	500	300	200
Travel-Employees	1,000	1,300	(300)
Total Expenditures	221,909	258,905	(36,996)
Net Revenues Over Expenditures	2,991	0	2,991

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



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

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PROGRAM MANAGER – MARY PITTO

MEMORANDUM

To: ESJPA Board of Directors
From: Mary Pitto, Program Manager
Date: December 1, 2015
RE: ESJPA – RCRC Contract Services Agreement – CY 2016

The proposed ESJPA – RCRC Contract Services Agreement for the 2016 calendar year is shown on the following pages and is presented for your consideration and approval.

The purpose of this agreement is to provide personnel services for technical and grant-related activities. RCRC will continue to provide technical and grant-related personnel services to the ESJPA. The terms and conditions of the 2016 contract remain consistent with the 2015 contract, with the exception of the Technical Support services, as explained in the previous budget memo. The ESJPA will pay RCRC \$70,000 per year out of the membership dues for direct ESJPA activities.

The Agreement also provides that the ESJPA will pay RCRC for reimbursable grant-related activities (principally staff time) on a per hour basis calculated monthly. This amount includes direct and indirect personnel costs consistent with the terms and conditions of each grant or contract ESJPA is assigned to implement on behalf of participating member jurisdictions.

Recommendation:

It is recommended that the ESJPA Board adopt the 2016 ESJPA – RCRC Contract Services Agreement.

AGREEMENT

THIS AGREEMENT ("Agreement"), dated as of January 1, 2016, is entered into by and between the Rural Counties' Environmental Services Joint Powers Authority, a joint powers agency organized and operated under Articles 1-4 of Chapter 5 of Division 7 of Title I (commencing with Section 6500) of the California Government Code (hereinafter "ESJPA"), and the Regional Council of Rural Counties, a California nonprofit corporation (hereinafter "Contractor").

R E C I T A L S

WHEREAS, ESJPA desires to obtain the services of Contractor; and,

WHEREAS, Contractor is competent and willing to provide such services to ESJPA,

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, ESJPA and Contractor (each a "party," or collectively, the "parties") agree as follows:

1. Contractor's Services.

Contractor shall perform the services described herein and otherwise as specified in **Exhibit A** hereto which is incorporated herein by this reference, under the supervision of ESJPA's Contract Manager. Contractor understands that ESJPA may desire Contractor to perform certain additional services related to the scope of services hereunder, and Contractor agrees to perform such additional services when requested by ESJPA in writing. All such additional services shall be performed as provided herein, unless otherwise provided by written amendment hereto, subject only to an adjustment reflecting the cost of such additional services and the time for performance.

2. Contractor's Personnel.

Contractor acknowledges that the personal services of Contractor's personnel are essential to the performance of Contractor's obligations hereunder, and that no substitution of Contractor's personnel so identified may be made without the prior written approval of ESJPA. Contractor shall not subcontract or assign any portion of the services provided hereunder without the prior written approval of ESJPA, except any subcontracted services identified in **Exhibit A**.

Contractor, and its agents and employees, in the performance of this Agreement, shall act in an independent capacity and not as officers, employees or agents of ESJPA. By initialing this Agreement in the space provided immediately below, Contractor acknowledges that this Agreement is complete, that it does not create an employer-employee relationship between ESJPA and Contractor or any person performing services hereunder on behalf of

Contractor, and that this Agreement cannot and will not be modified by any oral representation of employment.

Contractor's Initials: _____

Contractor further acknowledges that its taxpayer identification number is 94-1366200, and warrants that it is responsible for paying payroll or any other kind of taxes resulting from compensation paid to Contractor hereunder.

3. Term.

This Agreement shall cover services rendered hereunder from January 1, 2016, until the earlier of completion of Contractor's work hereunder, termination of this Agreement as provided herein, or December 31, 2016, unless the term of the Agreement is otherwise extended by mutual consent of both parties. Contractor specifically acknowledges that time is of the essence with respect to completing its obligations hereunder, and that any failure to meet deadlines provided herein will result in material damage to ESJPA.

4. Compensation.

For services described in **Exhibit A** as "Non-Grant Related," Contractor shall be paid the sum of \$5,832 per month which shall be deemed to include all reasonable actual ordinary and necessary personnel expenses incurred for work performed hereunder.

For services described as "Grant Related" in **Exhibit A**, Contractor shall be compensated in the amount of the actual cost of personnel provided, including direct salary, benefits and related overhead expenses, all as specified in Contractor's invoices. However, if a specific grant program ("**Grant Program**") that the Contractor is administering, hereunder, includes a limitation on the right of Contractor to receive compensation for overhead costs, Contractor's compensation for such overhead costs shall be subject to the limitation specified in the Grant Program. The actual overhead for each hour of work performed by Contractor under this Agreement shall be the amount determined by Contractor's auditors, as adjusted from time-to-time. Nothing herein shall preclude ESJPA from directly contacting granting authorities for each Grant Program to seek the authority to modify any limitation on overhead compensation to be charged against a Grant Program.

Contractor shall submit invoices for services rendered and reimbursable expenses incurred to date not more frequently than monthly for compensation and reimbursement of allowable expenses. Approved invoices shall be paid by ESJPA within ninety (90) calendar days of receipt of such invoices.

The fees provided in this paragraph shall be the entire compensation due Contractor for these services and ESJPA shall not be liable for additional compensation for any of Contractor's time or expense except as provided herein.

5. Work Product; Confidentiality.

Contractor understands and agrees that all documents, information and reports developed in the course of performing its obligations hereunder shall be the property of ESJPA. Contractor agrees to exert its best efforts in the production of such work product of this Agreement. Contractor may retain copies of materials collected or produced hereunder during the term hereof, but in the event of termination of this Agreement, Contractor shall promptly deliver any such materials to ESJPA without exception or reservation.

If, in the course of performing its obligations hereunder, Contractor comes into possession of information known or reasonably expected to be confidential information from any source, Contractor will respect and maintain such confidentiality, whether under state, federal or common law, and be solely liable to any injured person in the event of its wrongful distribution of such confidential material.

6. Nonassignability.

No assignment of the rights nor delegation of the duties of Contractor whether in whole or in part shall be valid unless specifically agreed to in writing by ESJPA.

7. Termination.

A. Either party may terminate this Agreement at any time in the event the other party defaults in performance, fails to perform services in a timely fashion, or otherwise fails to comply with the terms of this Agreement. Either party's default or failure to perform shall be excused if prevented by acts of God, labor disputes or strikes, or other forces beyond such party's control.

B. Either party may terminate this Agreement without cause or default after having given thirty (30) calendar days notice to the other party which indicates which services and/or expenses hereunder are suspended from the date of such notice and the date of termination. Upon such termination, Contractor shall be entitled to compensation for services not suspended and actually rendered and/or expenses allowed to the date of termination and for any unreimbursed expenses otherwise payable hereunder.

8. Attorney's Fees, Costs.

If any action at law or in equity is brought to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs, in addition to any other relief to which that party may be entitled. This provision for the recovery of attorney's fees and costs shall be construed as applicable to the entire Agreement.

9. Indemnification and Insurance.

Contractor shall indemnify, defend and hold harmless ESJPA, its officers, directors, agents, employees and attorneys, from any and all claims, causes of action, damages and losses, whether in law or equity (collectively, "Claim") arising from or related to the services performed by Contractor under this Agreement or accruing or resulting to any and all

contractors, subcontractors, materialmen, laborers and any other person, firm or corporation furnishing or supplying work, services, materials or supplies, in connection with Contractor's willful misconduct or negligent acts or omissions in the performance of Contractor's duties and services hereunder.

ESJPA shall promptly notify Contractor of any Claim made in connection with the performance of services rendered hereunder.

In order to ensure Contractor's obligations hereunder, Contractor shall maintain insurance as follows:

(1) Contractor shall maintain a commercial general liability insurance policy in the amount of not less than \$1 million per occurrence, and not less than \$2 million in the aggregate, from a carrier admitted in the State of California with a Best rating of not less than A-, VIII;

(2) Comprehensive business or commercial automobile liability coverage, including non-owned and hired automobile liability, in the amount of not less than \$1 million from a carrier admitted in the State of California with a Best rating of not less than A-, VIII;

(3) Worker's Compensation Insurance as may be required by the California Labor Code for Coverage A (statutory limits) and not less than \$1 million for Coverage B (employer liability limits) from a carrier admitted in the State of California with a Best rating of at least B+, VIII;

(4) All such policies shall remain in force during the term of this Agreement and shall be payable on a "per occurrence" basis unless otherwise accepted in writing by ESJPA, and shall be in form acceptable to ESJPA and its insurance advisers. ESJPA shall be named as an "additional insured" on any policy as may be requested by ESJPA and Contractor shall provide certificates of insurance and any endorsements required signed by Contractor's insurer prior to the commencement of Contractor's services hereunder. Any such policies or endorsements shall provide for 30 days prior notice to ESJPA in the event of any termination or reduction in coverage of such insurance.

(5) Nothing contained herein shall be construed as or constitute a limitation of Contractor's liability or Contractor's responsibility in law or equity to indemnify and hold harmless from any and all claims, damages, losses and expenses that may arise by reason of Contractor's willful misconduct or negligence, and all remedies provided hereunder shall be cumulative with all other remedies under law or equity.

10. Jurisdiction and Venue.

This Agreement shall be governed by the laws of the State of California without regard to choice of law if an action is brought in California based on activities outside California. Any action to enforce or interpret the terms of this Agreement shall be brought in Sacramento County, California.

11. Miscellaneous Provisions.

A. Partial Invalidity.

If any provision of this Agreement shall be declared invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired.

B. Contractor's Qualifications.

Contractor covenants that it is competent to provide the services required hereunder and is licensed and qualified as necessary to perform such services in California and/or as provided herein. Contractor covenants that it will comply with all applicable federal, state and local laws affecting services provided hereunder.

C. Records and Audit.

Contractor shall maintain current and complete books and records relating to this Agreement, including, but not limited to, documents supporting all bids, income and expenditures. Books and records kept shall be original entry books with a general ledger itemizing all debits and credits for work performed hereunder. In addition, where applicable, Contractor shall maintain detailed payroll records including subsistence, travel and field expenses, and canceled checks, receipts and invoices for all such items. Contractor's documents, books and records shall be retained for at least five (5) years from the date of completion of this Agreement, and Contractor shall permit access to audit its books, accounts and records relating hereto, and such records of all business entities controlled by Contractor who participated in the performance of this Agreement. Any audit by ESJPA may be conducted on Contractor's premises, or at the option of ESJPA, Contractor shall provide all such records to ESJPA for such audit elsewhere. Contractor shall refund any moneys erroneously paid; if Contractor has erroneously billed for an amount exceeding five percent (5%) of the compensation paid hereunder, Contractor shall also be liable for the cost of audit in addition to any other penalty.

D. Nondiscrimination Clause.

During the performance of this Agreement, Contractor shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, sex or sexual orientation, ancestry, physical handicap, medical condition, marital status, or age (over 40).

E. Cooperation.

The parties shall cooperate with each other in the performance of their respective obligations hereunder. ESJPA's Contract Manager shall be Mary Pitto or such other person designated in writing by ESJPA. Contractor's representative for the purpose of any approvals or requests made hereunder shall be Greg Norton.

F. Entirety, Amendments.

This Agreement supersedes any and all other agreements, oral or in writing, between the parties hereto with respect to the subject matter hereof and contains all of the covenants and agreements between the parties with respect to said matter, and each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied or referred to herein, and that no other agreement, statement, or promise not contained or referred to in this Agreement shall be valid or binding.

This Agreement is entire as to all of the performances to be rendered under it. Breach of any of the performances to be rendered by Contractor shall constitute a breach of the entire Agreement and shall give ESJPA the right to terminate this Agreement. ESJPA's breach of any of the obligations created by this Agreement shall constitute a breach of the entire Agreement and give Contractor the right to terminate this Agreement.

No amendment or modification of the provisions of this Agreement shall be valid unless made in writing and signed by the parties hereto.

G. Disclosure.

Contractor agrees to make any necessary disclosures and filings required of Contractor under the California Government Code, if applicable.

H. Notice.

Any notice, tender, or delivery to be given hereunder by either party to the other may be effected by personal delivery in writing or by mail, postage prepaid, and shall be deemed communicated as of the date of actual receipt. Mailed notices shall be addressed as set forth below, but each party may change its address by written notice in accordance with this paragraph.

To Contractor: Rural County Representatives of California
1215 K Street, Suite 1650
Sacramento, California 95814
Attn: Greg Norton, President and CEO

To ESJPA: Rural Counties' Environmental Services
Joint Powers Authority
1215 K Street, Suite 1650
Sacramento, California 95814
Attn: Mary Pitto, Program Manager

WHEREFORE, the parties hereto have executed this Agreement as of the date set forth above.

CONTRACTOR:

RURAL COUNTY REPRESENTATIVES OF
CALIFORNIA, A CALIFORNIA NONPROFIT
CORPORATION

By: _____
Greg Norton
President and CEO

ESJPA:

RURAL COUNTIES' ENVIRONMENTAL
SERVICES JOINT POWERS AUTHORITY, A
JOINT POWERS AGENCY

By: _____
Michael Kobseff
ESJPA Board Chair

EXHIBIT A

Contractor shall provide professional, technical, administrative, and related support services to the ESJPA as follows:

A. Non-Grant Related Work: For the purposes of this Agreement, "non-grant related work" shall include all services provided by the Contractor for which the ESJPA does not receive reimbursement from a grantor agency. Under the direction of the ESJPA Board of Directors, this work shall include providing advocacy services on behalf of the member county interests; providing technical support services and information distribution; organizing, scheduling, preparing agendas, and recording minutes for ESJPA Board meetings, for the ESJPA Technical Advisory Group, and for the ESJPA Legislative Task Force; representing the ESJPA at conferences, workshops, and seminars, as well as to governmental agencies, trade associations, private industry, and other organizations; facilitating coordination and cooperation between member counties; preparing reports, technical memoranda, grant applications, and other documents on behalf of the ESJPA; managing ESJPA contracts and performing associated administrative and clerical duties; and other related services and projects as may be requested by the ESJPA Board of Directors.

B. Grant Related Work: Upon request by the ESJPA and/or member counties, Contractor shall provide services for the administration and implementation of grant-related projects. Services shall be provided by the Contractor in accordance with the requirements of the grantor agency and shall be consistent with the approved scope of work as described in the grant agreement between the ESJPA and grantor agency.

Contractor may provide requested services to the ESJPA for the following grant programs:

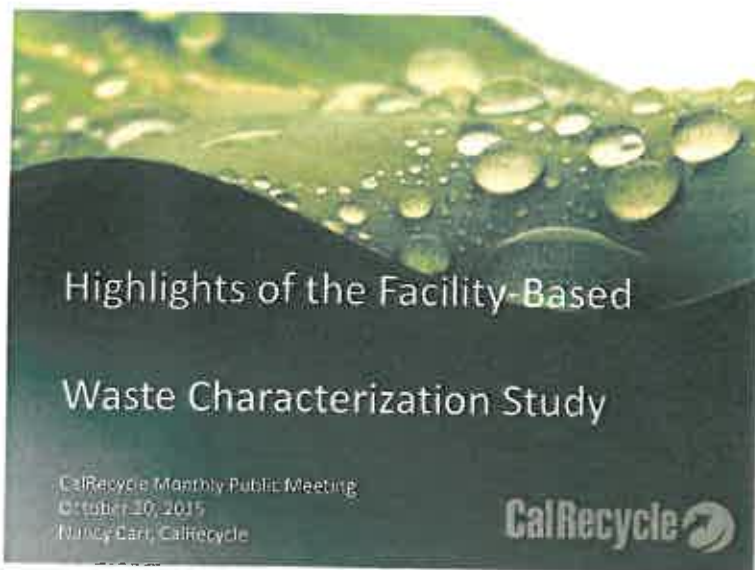
- Household Hazardous Waste Grants
- Waste Tire Grants
- Used Oil Opportunity Grants
- SB 332 City/County Recycling Programs
- USDA Universal Waste Management Training

Upon mutual agreement, RCRC may provide additional grant-related services, in accordance with the terms of this agreement, for other grant programs as may be requested by the ESJPA in writing.

C. Additional Work: Upon mutual written agreement of the parties, RCRC may provide additional services to the ESJPA beyond those specified above. The basis for compensation to RCRC for these additional services shall be as specified in writing and as agreed to by both parties.

Agenda Item IV

PRESENTATIONS



Two Large Studies

- **Presented today** - Statewide characterization of disposed waste by sector, using facility-based sampling (landfills and transfer stations), repeat of 2008 study
- Presented at May 19, 2015 CalRecycle Monthly Meeting- Generator-based characterization of the commercial waste by 16 business groups and multi-family waste, both disposal and diversion

2014 Facility-Based Statewide Disposal Characterization - Overview

- Data collected in 5 regions over 4 seasons
- 41 disposal facilities throughout the state
- 754 waste samples sorted by hand
- 7,245 vehicles surveyed for sector of origin
- Data aggregation and statistical analysis to develop statewide composition and quantities

Main Elements of Results

- COMPOSITION DATA from sorting waste samples - percent of each material type
- amounts coming from residential, commercial and self-haul sectors
- Both play a role in determining statewide percents and tons of each material in each sector

confident it is representative
Sector amounts are very different from past
need to confirm results

- 2014 data shows large increase in residential sector proportion and corresponding decrease

studies and other data

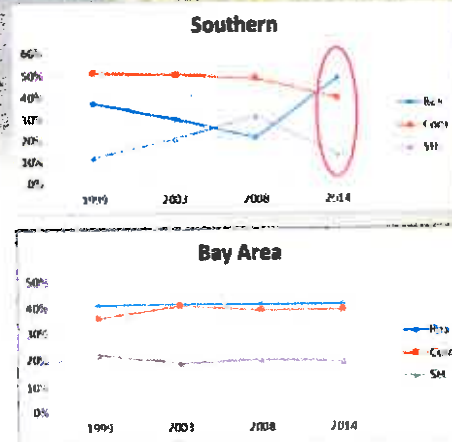
Comparing 2014 and 2008 Data

Sector	2014 Sector Proportions Est. % of Disposed Waste	2008 Sector Proportions Est. % of Disposed Waste
Franchised Commercial	38.6%	49.5%
Franchised Residential	47.0%	30.0%
Single-family residential	35.4%	21.6%
Multifamily residential	11.6%	8.4%
Self-hauled	14.4%	20.4%
Commercial self-hauled	11.3%	17.2%
Residential self-hauled	3.1%	3.3%
Totals	100.0%	100.0%

Influence of Southern Region

- influences statewide data heavily
- Southern Residential Sector Percent Increased from 24% to 48% from 2008 to 2014
- Southern Commercial Sector Percent Decreased from 54% to 39% from 2008 to 2014
- Southern Self Haul Sector Percent Decreased from 22% to 13% from 2008 to 2014
- No large shifts in population and employment that correspond to these shifts

Regional Sector Proportions Over Time for 2 Regions



Investigations into Southern Region Sector Data

- Survey sites chosen randomly; some required to be large
- Two sites that receive the majority of the City largest site in Southern Region, received large amount of commercial waste, now closed and sites that now receive this waste may not have been surveyed

Investigations into Southern Region Sector Data (cont.)

- disposal; 2014 sites received only 18% - possibly missed sites that receive large amounts of commercial waste
- Commercial waste may be going to mixed waste processing facilities that are not usually included in surveys
- Staff research did not identify corresponding Facilities, jurisdictions, LEAs all helped with information but no easy solution

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Strategy to Move Forward

- Present 2014 data as found by the study
- Recalculate 2014 results using sector proportions from 2008 study and present alongside data from study
- Continue to research southern region sector data
- Consult facilities, haulers, and jurisdictions in the southern region for advice and assistance
- Ultimately we would like to either validate the 2014 sector percentages or find more accurate sector percentages to use
- If we get additional data that changes results significantly we will publish an addendum

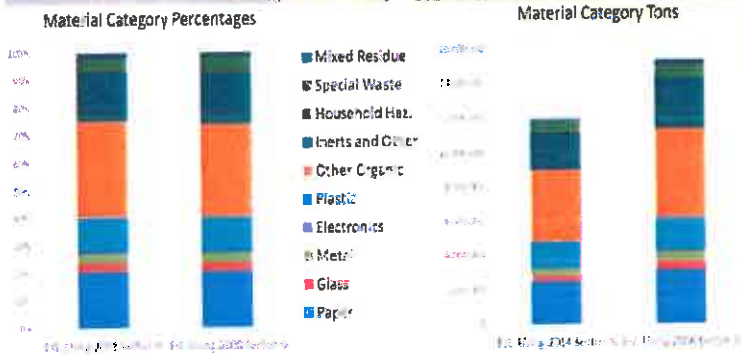
Results of the 2014 Facility-Based Waste Characterization Study

Presented in 3 sections:

- Showing results calculated two ways
 - using 2014 sector percentages applied to compositions, and
 - using 2008 sector percentages applied to compositions
- Showing more details of results using 2014
- from the 2008 statewide study

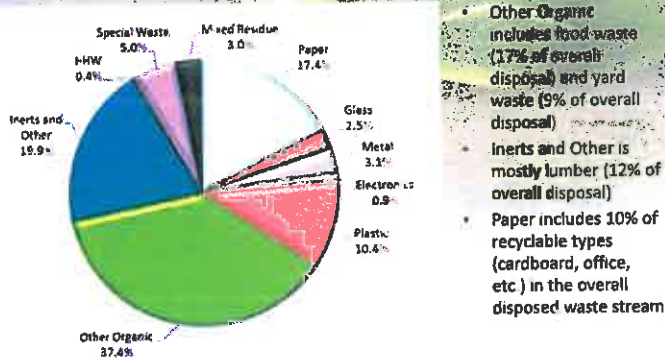
Composition - 2014 California Franchise Commercial Waste Stream

Percentage Values Similar but Tonnage Values Not Similar from the 2 Methods

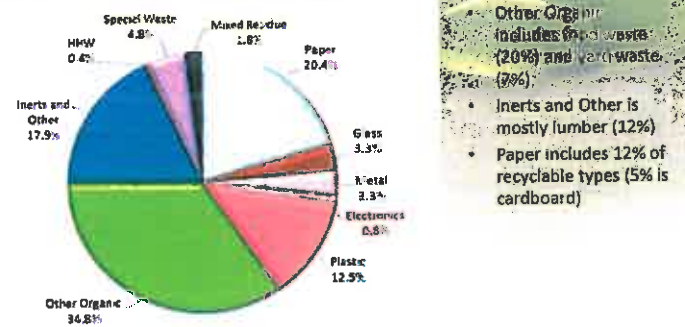


Section 2 - Results using 2014

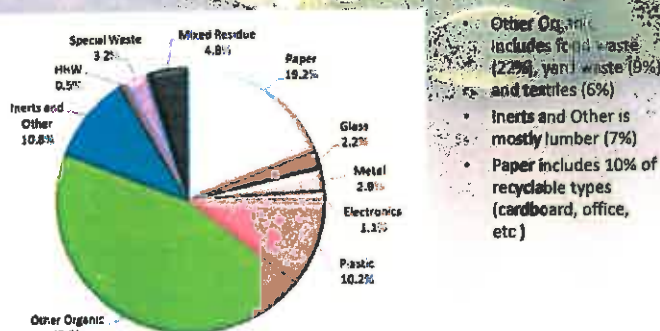
Composition Percentages for Overall Disposal (based on 2014 composition applied to 2014 sector percentages)



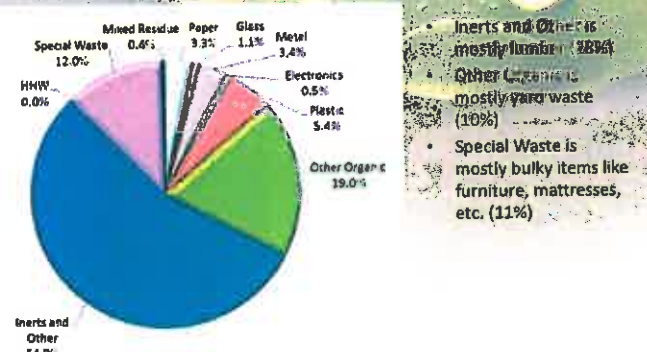
Composition Percentages for Franchised Commercial Disposal (based on 2014 composition applied to 2014 sector percentages)



Composition Percentages for Franchised Residential Disposal (based on 2014 composition applied to 2014 sector percentages)



Composition Percentages for Self-Hauled Disposal (based on 2014 composition applied to 2014 sector percentages)

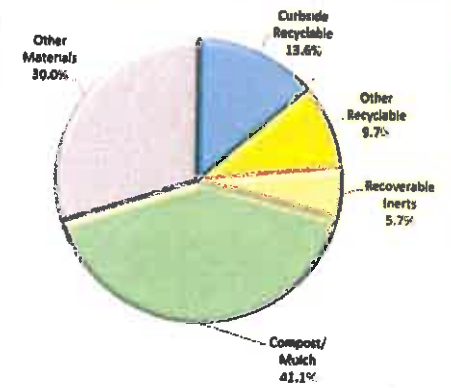


Disposed Waste Stream (based on 2014 composition applied to 2014 sector percentages)

Material	Estimated Percent	Cumulative Percent	Estimated Tons
Food	18.1%	18.1%	5,591,179
Lumber	11.8%	30.0%	3,676,710
Remainder/Composite Paper	7.5%	37.6%	2,325,048
Bulky Items	4.4%	42.0%	1,365,340
Remainder/Composite Organic	4.3%	46.3%	1,323,465
Textiles	4.0%	50.3%	1,234,711
Other Miscellaneous Paper	3.9%	54.2%	1,215,919
Leaves and Grass	3.8%	58.0%	1,172,925
Uncoated Corrugated Cardboard	3.1%	61.1%	964,942
Prunings and Trimmings	3.1%	64.3%	962,262
Total	64.3%		19,832,501

Recoverable Materials in Overall Disposal

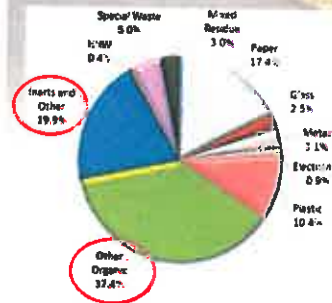
- *Cardboard
- *Recyclable Paper
- *Recyclable Glass
- *Recyclable Metals
- *Plastic Containers
- *Other Recycl. Metals; Appliances
- *E-waste
- *Film Plastic and Durable Plastic Items
- *Textiles, Carpet
- *Recoverable HHW
- Compost/Mulch
- *Food
- *Yard Waste
- *Compostable Paper
- *Clean Wood Waste
- *Concrete
- *Asphalt Paving
- *Asphalt Roofing
- *Gypsum Board
- *Rock, Soil, Fines



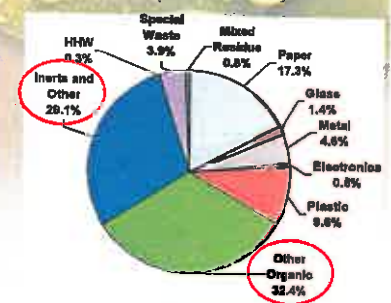
based on 2014 composition applied to 2014 sector percentages

Section 3 - Comparing results from the 2008 statewide study

Overall Disposal Composition Percentages for Broad Categories



Based on 2014 composition percentages applied to 2014 sector percentages



2008 study composition percentages

Ten Most Prevalent Material Types in California's Overall Disposed Waste Stream

2008

Material Type	%
Food	15.6
Lumber	14.6
Remainder/Composite Inerts and Other	6.6
Remainder/Composite Paper	6.2
Uncoated Corrugated Cardboard	4.8
Remainder/Composite Organic	4.3
Leaves and Grass	3.8
Bulky Items	3.6
Carpet	3.2
Rock, Soil and Fines	3.2

2014

Material Type	%
Food	18.1
Lumber	11.9
Remainder/Composite Paper	7.6
Bulky Items	4.4
Remainder/Composite Organic	4.3
Textiles	4
Other Miscellaneous Paper	3.9
Leaves and Grass	3.8
Uncoated Corrugated Cardboard	3.1
Prunings and Trimmings	3.1

Changes in Material Percentages

- Several types of recyclables decreased, some increased
 - Food and yard waste increased
 - Lumber and roofing waste decreased significantly
 - Overall per capita disposal decreased from 1.06 to 0.81 tons
- disposal decreased from about 40 million tons to about 31 million tons

Material	2008 Composition %	2014 Composition %
Cardboard	4.8	3.1
Recycl. Paper	7.4	6.6
Ferrous Metal	2.0	0.8
Plastic Cont.	1.3	1.7
E-waste	0.5	0.9
Food	15.5	16.5
Yard Waste	7.1	8.0
Lumber	14.5	11.9
Asphalt Roofing	2.8	0.8

Summary

- affects final data
- Present data now, as found in 2014 study, with alternative data for comparison
- Facility-based study to be published in early November; generator-based study to be published later in November
- Further research is needed to either validate the 2014 sector percentages or find more accurate sector percentages to use - if we get additional data that changes results significantly we will publish an addendum

Summary Sector Data From

Annual tons disposed from each sector

- Franchised single-family residential
- Franchised multi-family
- Franchised commercial
- Self-hauled (public) residential
- Self-hauled (public) commercial

Tracking of residential and commercial tonnage over time

Less specific data could still help

Potentially host field data collection

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Questions?

Nancy Carr

Policy Development and Analysis Office

CalRecycle

Nancy.Carr@CalRecycle.ca.gov

(916) 341-6216

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Disaster Preparedness and Response
2015 Valley Fire Cleanup

Current Project Status (November 14, 2015)

Forty-seven debris removal crews are working on 47 lots in the Middletown (12 crews), Hoberg (12 crews), Hidden Valley Lakes (6 crews), Loch Lomond (6 crews), Gifford Springs (5 crews), and Anderson Springs (6 crews) areas and two crews are doing community service projects like erosion control, lot scraping and creek clean out. A certified asbestos consultant is conducting visual surveys on lots for bulk asbestos and abatement teams are removing any asbestos that is found. Site documentation is being conducted on lots. Sixteen lots were completed today. See also the [commercial project status as of November 16](#).





Project Totals

	Oct 5	Oct 6	Oct 7	Oct 14	Oct 20	Oct 22	Oct 28	Nov 2	Nov 14
Right of Entry Forms Received	646	854	926	1010	1064	1064	1112	1132	1214
Sites registered for the removal project	646	854	926	1010	1064	1064	1112	1132	1214
Sites withdrawn from the program	--	--	--	--	--	--	--	68	87
Sites denied entry	6	6	6	6	11	18	18	--	--
Sites not eligible	--	--	--	--	--	--	8	8	24
Sites documented	19	26	41	136	210	246	400	550	1071
Asbestos surveys completed	45	75	290	462	500	540	765	765	1058
Sites with asbestos-containing material	20	40	40	40	40	40	57	57	57
Sites cleared of asbestos-containing material	20	35	35	35	27	27	46	46	57
Parcels with debris removal completed	0	1	2	23	50	65	112	138	307
Destroyed structures completed	0	0	2	26	53	68	115	141	110
Sites sampled	0	0	0	0	0	0	35	68	139
Sample results approved	0	0	0	0	0	0	0	0	55
Erosion control completed	0	0	0	0	0	0	0	0	0
Approved by Lake County as ready for a building permit	0	0	0	0	0	0	0	0	0

Tonnage

Material & Disposition	Week of 11/2-11/5	Total
Debris & ash disposed	7920.17	21,666.62
Metal delivered/recycled	507.50	1197.14
Concrete delivered/recycled	not available	7991.27
Green waste delivered/recycled	not available	84.25
Soil disposed	1219.01	4934.06
Total	9646.68	35,873.34

Maps and Community Plans

- [Damage Assessment Map](#)
- [Site Safety and Health Plan](#), September 2015 (PDF, 3.9 MB)
- [Community Health and Safety Plan](#), September 2015—Effective October 2015 (PDF, 509 KB)

Past Project Statuses

- **November 14.** Forty-seven debris removal crews are working on 47 lots in the Middletown (12 crews), Hoberg (12 crews), Hidden Valley Lakes (6 crews), Loch Lomond (6 crews), Gifford Springs (5 crews), and Anderson Springs (6 crews) areas and two crews are doing community service projects like erosion control, lot scraping and creek clean out. Sixteen lots were completed today.
- **November 2.** Thirty-six debris removal crews are working on 36 lots in the Middletown (14 crews), Hoberg (10 crews), Hidden Valley Lakes (6 crews), and Anderson Springs (6 crews) areas and two crews are doing community service projects like erosion control, lot scraping and creek clean out. Ten lots were completed today.
- **October 28.** Thirty-one debris removal crews are working on 31 lots in the Middletown (12 crews), Hoberg (8 crews), Hidden Valley Lakes (6 crews), and Anderson Springs (5 crews) areas. Twenty parcels were completed today. The debris removal in the Gifford Springs area is on hold due to PG&E conducting tree felling operations and are unsafe to work in at this time.
- **October 22.** Twenty-three debris removal crews are working on 23 lots in the Middletown (10 crews), Hoberg (7 crews) and Hidden Valley Lakes (6 crews) areas. Twelve parcels were completed today.
- **October 20.** Twenty debris removal crews are working on 20 lots in the Middletown (10 crews), Hoberg (5 crews) and Hidden Valley Lakes (5 crews) areas. Nine parcels were completed today. The debris removal in the areas of Anderson Springs and Gifford Springs is on hold due to PG&E conducting tree felling operations.
- **October 14.** Eleven debris removal crews continue working on 11 lots in the Middletown and Hidden Valley area. Three parcels were completed today.
- **October 5.** On Saturday, October 3, five debris removal crews began work on five lots in the Middletown and Hidden Valley area. A Certified Asbestos Consultant did a visual check on lots for bulk asbestos and an abatement team removed any asbestos that was found. Site documentation is being conducted on lots. US EPA is conducting hazardous material sweeps of lots. Water crews are prewatering lots and roadways.

Commercial Project Status (November 16, 2015)

Water crews are prewatering lots and roadways. Three debris removal divisions continued to sort and remove concrete and metals from remaining ash debris on registered lots. Primary activities are at the Middletown Manor Townhouses and the Cobb Mountain Community Church. Additional debris removal divisions will mobilize next week when released from other debris removal operation incidents. Air monitoring is being conducted on all lots.

Project Totals

	Nov 16
Right of Entry Forms Received	5
Sites registered for the removal project	5
Sites documented	3
Asbestos surveys completed	0
Sites with asbestos-containing material	1
Sites cleared of asbestos-containing material	0
Sites with debris removal completed	0
Sites sampled	0
Sample results approved	0
Erosion control completed	0

Approved by Lake County as ready for a building permit 0

Tonnage

Material & Disposition	Week of 11/9	Total
Debris, ash, & soil disposed	411.72	411.72
Metal delivered/recycled	35.68	35.68
Concrete delivered/recycled	73.31	73.31
Total	423.85	423.85

[2015 Wildfire Cleanups Home](#)

Last updated: November 20, 2015
Disaster Preparedness and Response <http://www.calrecycle.ca.gov/Disaster/>
Office of Public Affairs: opa@calrecycle.ca.gov (916) 341-6300

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**Disaster Preparedness and Response
2015 Butte Fire Cleanup**

Current Project Status (November 15, 2015)

Operational Period: 7:00 a.m. to 6:00 p.m. daily

The Department of Toxic Substance Control (DTSC) is surveying all lots for household hazardous waste. US Environmental Protection Agency (U.S. EPA) and its contractor, Parc Environmental, have demobilized. Debris removal was suspended on Nov. 15 due to rainy weather. Runoff containment operations have been suspended.



Contractors

- **Arcadis** is contracted for site documentation which includes the following: measure radiation and dust levels, take photographs, measure foundation size, measure ash/debris footprint, note any site specific anomalies.
- **NES** is contracted for worker safety, baseline air monitoring, remedial air monitoring, "triage" bulk asbestos, sampling, and surveys.
- **Sukut Construction** is the debris removal contractor for the Calaveras County Butte Fire debris removal project. Sukut has contracted with Parc Specialties for asbestos remediation.

CalRecycle Project Totals

	Oct 20	Oct 22	Oct 27	Nov 5	Nov 13
Total number of parcels assessed	439	508	610	683	802
Sites registered for the removal project. Deadline to sign up was Nov. 6.	574	598	630	698	776
Sites denied entry	0	0	0	11	1
Total number of field crews	10	12	12	18	NA
Sites documented	141	181	217	387	704
Daily tally of right of entry "hot spots" (ammunition, chemicals, areas of concern, etc.) not including asbestos	46	37	4	0	0
Asbestos surveys completed	266	317	347	392	481
Sites with asbestos containing material	11	40	12	82	108
Sites cleared of asbestos containing material	10	14	36	35	72
Parcels with debris removal completed	8	13	26	35	86
Soil samples collected	7	12	16	25	32
Soil sample results approved	1	1	3	13	13
Erosion control completed	0	0	0	0	0
Approved by Calaveras County as ready for a building permit	0	0	0	0	0
Run-off containment sites completed	6	6	22	22	22

Maps and Community Plans

- [Site Safety and Health Plan](#), September 2015 (PDF, 3.5 MB)
- [Community Health and Safety Plan](#), September 2015–Effective October 2015 (PDF, 545 KB)
- [Map of Burn Area](#) (PDF, 1 MB)

Project Status History

- **November 15.** The U.S. Environmental Protection Agency (U.S. EPA) and its contractor, Parc Environmental, have demobilized. Debris removal was suspended on Nov. 15 due to rainy weather. Runoff containment operations has been suspended.
- **October 22.** US EPA has indicated that next week they will be working with the Sheriff's Bomb Squad to detonate items determined to be too dangerous to physically transport. Notification to residents and county will occur ahead of time before detonation.
- **October 20.** The Department of Toxic Substance Control (DTSC) in conjunction with US Environmental Protection Agency (US EPA), is surveying and removing all lots for household hazardous waste. Staff continues to identify a reporting methodology for daily hazardous material site completions by DTSC and US EPA. US EPA has indicated that next week they will be working with the Sheriff's Bomb Squad to detonate items determined to be too dangerous to physically transport. Notification to residents and county will occur ahead of time before detonation.

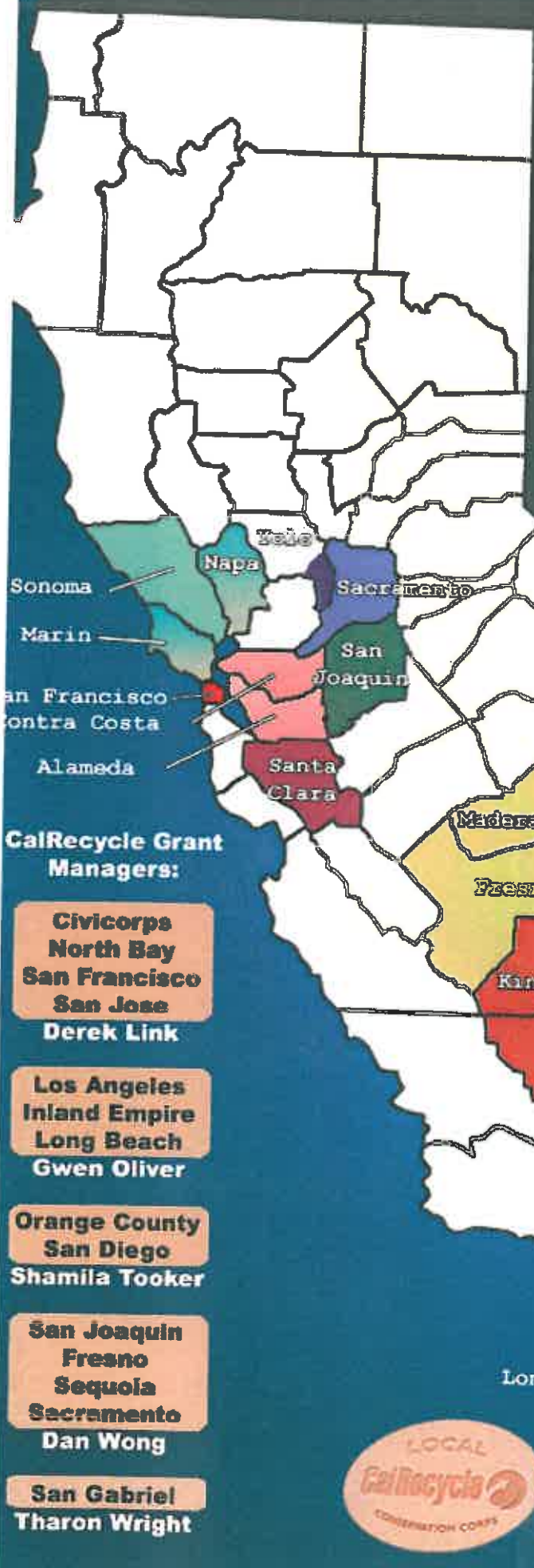
[2015 Wildfire Cleanups Home](#)

Last updated: November 20, 2015
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Office of Public Affairs: opa@calrecycle.ca.gov (916) 341-6300

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Local Conservation Corps Regional Service Areas by County

- Civicorps*
- Fresno*
- Inland Empire*
- Long Beach*
- Los Angeles*
- North Bay*
- Orange County*
- Sacramento*
- San Diego*
- San Gabriel*
- San Francisco*
- San Joaquin*
- San Jose*
- Sequoia*



CalRecycle Grant Managers:

Civicorps
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San Francisco
San Jose
Derek Link

Los Angeles
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Long Beach
Gwen Oliver

Orange County
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Shamila Tooker

San Joaquin
Fresno
Sequoia
Sacramento
Dan Wong

San Gabriel
Tharon Wright



Agenda Item VII

SOLID WASTE REGULATORY UPDATES



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

November 12, 2015

Ms. Shelby Livingston
Branch Chief, Climate Investments
California Air Resources Board
1001 I St.
Sacramento, CA 95812

RE: Cap-and-Trade Auction Proceeds Draft Second Investment Plan

Dear Ms. Livingston:

The Rural County Representatives of California (RCRC) is an association of thirty-four California counties and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties. RCRC member counties are tasked with a variety of decision-making responsibilities related to land use and development in rural California communities and are challenged with environmental stewardship, economic vitality, and social equity at the local level. We appreciate this opportunity to comment on the Cap-and-Trade Auction Proceeds Draft Second Investment Plan (Plan).

RCRC appreciates the Plan's stated goal of increasing rural community participation in the State's climate mitigation efforts by providing more opportunities for those areas to receive Greenhouse Gas Reduction Fund (GGRF) monies in the 2016-17 through 2018-19 fiscal years. Rural communities currently face many challenges accessing GGRF monies due to the use of the CalEnviroScreen tool to identify disadvantaged communities (DACs) for distribution of cap-and-trade auction proceeds. We have long been opposed to the sole use of CalEnviroScreen to define DACs, particularly since Senate Bill 535 (De León) allows for a much broader definition of DACs. The use of CalEnviroScreen effectively denies twenty-nine rural counties any chance to see those earmarked funds used for projects benefiting their communities. Many of these counties contain forested communities that are considered DACs, some severely disadvantaged, under other widely-recognized definitions used by the State including the definition in Section 75005 of the Public Resources Code.

Rural communities also generally have fewer resources to compete against urban and suburban projects for the remaining funds not reserved for DACs, all but insuring that citizens living in rural California will receive little benefit from cap-and-trade proceeds in

1215 K Street, Suite 1650, Sacramento, CA 95814 | 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 near term. While additional rural funding programs won't solve the fundamental flaws in CalEnviroScreen, those opportunities will at least help insure that rural communities, whether socioeconomically disadvantaged or not, will have the opportunity to compete for GGRFs. RCRC would support further guidance in the final Plan to agencies on carving out portions of funds in future programs for rural communities to ensure enhanced rural funding opportunities in the next three fiscal years.

RCRC supports the enhanced funding focus on natural and working lands, particularly forest lands, and the attention to improving management and restoration activities on public and private lands to improve carbon sequestration and decrease wildfire risk. RCRC member counties contain much of California's forested lands including more than 70 percent of the State's federally managed forests. Due to decades of mismanagement of our forests, California has experienced increased forest fires both in terms of acreage and intensity over the years. This year alone, California has seen three major wildfire events - the Rough Fire, the Butte Fire, and the Valley Fire -- that burned more total acreage combined than the 2013 Rim Fire, a fire with estimated greenhouse gas emissions equivalent to 2.3 million cars.

Over the past several years, changing climate and severe drought conditions have exacerbated California's wildfire risk considerably and studies predict that wildfire emissions will increase by as much as twenty-four percent over 1961-1990 levels in the next thirty years.¹ We also know that the USDA Forest Service (USFS) now annually exhausts its entire fire suppression budget early in the fire season, forcing the agency to "borrow" funds from other programs such as forest management and fuels treatment to pay for fire suppression. RCRC supports the Plan's high prioritization of funding natural and working land management projects, and recommends a stronger emphasis on projects that work with the USFS to address the need restore national forest lands within California to more resilient conditions that will maximize their sequestration potential.

RCRC also supports funding projects for clean biomass and fuel production facilities located near forest feedstock. In order to properly manage California's forest lands including reducing open pile burning and other practices that contribute to carbon emissions, it is vital to establish a network of biomass facilities to utilize forest feedstock as a source of clean energy. We acknowledge the need for more facilities to utilize dead and dying trees and other sources of feedstock, particularly as we face the dire tree mortality issue currently facing many of our counties, and that several of the facilities currently in operation are in need of modernization to be more efficient. Biomass facilities represent a vital piece of the natural and working lands management puzzle, and we fully support funding new facilities and upgrading existing ones.

¹ Matthew D. Hurteau, Anthony L. Westerling, Christine Wiedinmyer, and Benjamin P. Bryant, "Projected Effects of Climate and Development on California Wildfire Emissions through 2100," *Environmental Science & Technology*. 2014, 48, 2298-2304 DOI: [dx.doi.org/10.1021/es4050133](https://doi.org/10.1021/es4050133)

Ms. Shelby Livingston
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Additionally, RCRC strongly supports the draft investment concepts for organic waste diversion by investing GGRF funds for strategies that divert organic matter from landfills. Given the infrastructure needs already created by Assembly Bill 1826 (Chesbro, 2014), mandatory commercial organic waste diversion from landfills, significant investments to support the processing requirement will need to be made. The infrastructure necessary to process the diverted organics also produces by-products that can provide co-benefits to the Healthy Soils Initiative and Waste-to-Fuel alternatives. The proposed Draft Short-Lived Climate Pollutant Reduction Strategy only exacerbates the need for additional facilities by increasing the organics diversion goal prior to AB 1826 from being implemented.

If you should have any questions or would like to discuss our comments further, please contact me at (916) 447-4806 or sheaton@rcrcnet.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Staci Heaton", written over a light grey circular stamp or watermark.

STACI HEATON
Regulatory Affairs Advocate

cc: Mary Nichols, Chair, California Air Resources Board
RCRC Board of Directors



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

October 27, 2015

Mr. Ryan McCarthy
Science & Technology Policy Advisor
Office of the Chair
California Air Resources Board
1001 I St.
Sacramento, CA 95812

RE: Draft Short-Lived Climate Pollutant Reduction Strategy

Dear Mr. McCarthy:

The Rural County Representatives of California (RCRC) is an association of thirty-four California counties and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties. RCRC member counties are tasked with a variety of decision-making responsibilities related to land use and development in rural California communities and are challenged with environmental stewardship, economic vitality, and social equity at the local level. We appreciate this opportunity to comment on the draft Short-Lived Climate Pollutant (SLCP) Reduction Strategy, particularly as it pertains to black carbon and methane emissions reductions.

Disadvantaged Communities

RCRC appreciates the draft's inclusion of forested and rural communities in the discussion of environmental justice and disadvantaged communities (DAC). RCRC has long opposed the sole use of the CalEnviroScreen tool to identify disadvantaged communities under the mandate of Senate Bill 535 (De León), as the California Environmental Protection Agency's (CalEPA) methodology fully excludes twenty-nine of RCRC's thirty-four member counties, some of which contain communities with high rates of poverty and unemployment, from any consideration for earmarked cap and trade funds and other advantages granted by the DAC designation. We hope this acknowledgement signals willingness by the Air Resources Board (ARB) and other CalEPA agencies to look at alternate programs to aid rural and forested communities that may not qualify as disadvantaged under CalEPA's current methodology.

1215 K Street, Suite 1650, Sacramento, CA 95814 | www.rcrcnet.org | 916.447.4806 | Fax: 916.448.3154

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Forest-Related Sources of Black Carbon Emissions

Much of California's forested lands are located within RCRC member counties including more than seventy percent of the lands managed by the USDA Forest Service. RCRC has long urged the State to address the escalating wildfire problem, particularly as temperatures rise and amplify the need for better forest management practices on both state and federal lands. RCRC acknowledges the good work the State is doing on the Forest Carbon Plan to address the long term carbon storage and emission goals from California's forest lands. However, California's wildfire problem is getting worse each year, with the draft Strategy estimating a full 66 percent of all black carbon emissions in California coming from wildfires in 2013, the year of the Rim Fire.

In recent months, California has seen three major wildfire events - the Rough Fire, the Butte Fire, and the Valley Fire. Combined, those three fires burned more total acreage than the 2013 Rim Fire, a fire with estimated greenhouse gas emissions equivalent to 2.3 million cars, underscoring the dire need for California to stop merely talking about wildfires and implement concrete actions to reduce wildfire risk and eliminate the resulting emissions. In the wake of those recent severe fire events and the Administration's inclusion of SLCPs in the Governor's Climate Change Pillars, RCRC is dismayed by the omission of recommended actions, goals, and targets to address black carbon emissions from wildfires in the draft Strategy.

ARB has been given a clear mandate in Senate Bill 605 (Lara) to complete a number of actions specific to SLCPs including, but not limited to, an inventory of sources and emissions of SLCPs in the State, identifying existing and potential new control measures to reduce SLCP emissions, and providing recommendations to further reduce SLCP emissions. The draft Strategy addresses this mandate for every other category included in the draft except wildfire emissions, despite the fact that wildfires make up 66 percent of the State's total black carbon emissions. While we understand the challenges with quantifying and estimating emissions reductions, ARB was given a clear mandate to go above and beyond what is already being done in existing programs to specifically address SLCPs.

The Strategy not only excludes recommendations to reduce black carbon emissions from wildfires, but delays the discussion to the Forest Carbon Plan and Bioenergy Action Plan, neither of which will be completed before the January 1, 2016 deadline mandated in SB 605. The Strategy must do more to directly address wildfire emissions if ARB hopes to not only meet the requirements set forth in SB 605, but to make meaningful reductions in the State's total black carbon emissions in the short term. RCRC recommends ARB work with the California Department of Forestry and Fire Protection (CAL FIRE) and other state and federal partners to identify short term strategies, such as forest management and biomass utilization projects, to reduce wildfire risk and the resulting black carbon emissions from California's forest lands.

Reducing Methane Emissions

Reducing methane emissions from landfills has been the subject of greenhouse gas emissions reductions since ARB's Landfill Methane Control Measure, which was an early action measure from Assembly Bill 32. More recently, with the adoption of Assembly Bill 1826 (Chesbro, 2014), a commitment has been made to divert commercial organics from landfills beginning in 2016, phasing implementation through 2019, with the goal of reaching 50 percent organic diversion from landfills in 2020. RCRC worked with the author's office, CalRecycle, and stakeholders to craft legislation that was feasible and realistic and supported the legislation.

We understand the importance of diverting organics from landfills in reducing methane emissions; however, we oppose the new goals of 75 percent organics diversion by 2020 and 90 percent by 2025, as well as any additional regulations in the near term to accomplish these goals. The goals are unrealistic and any new regulatory action should not be considered until after the other identified actions in the SLCP Strategies have been carried out. RCRC whole-heartedly supports the other recommended actions. It is fundamental to monitor progress through annual reporting and improving understanding of landfill emissions prior to development of additional regulations. Any additional regulations should not be considered until after 2020, after evaluation of the progress of implementation of AB 1826 and a more thorough and accurate understanding of landfill emissions.

The principal focus of ARB, CalRecycle, and the stakeholders in the near term should be implementation of AB 1826 and the remaining recommended actions for organics diversion: align financial incentives with organics diversion, collaborate to overcome barriers, and to foster markets. The mechanics to divert organics from landfills is not the problem; it is the infrastructure needed to process the organics once diverted. It will be challenging enough to build the necessary facilities not only financially, but due to the constraints of the permitting process. CalRecycle estimates it will require an additional 100 facilities to process the diverted organics from AB 1826. Quite frankly, it is unrealistic to believe that 100 new facilities can be built within five years given the challenges of the permitting process. Yet this plan proposes to accelerate the existing organic diversion goal before implementation of AB 1826 has even begun.

With the additional costs associated with the State Water Resources Control Board General Waste Discharge Requirements for Composting Operations, building new facilities and retrofitting old ones makes it even more costly to build and operate new compost facilities. This is likely to have a negative effect on the pace of new facilities being constructed in the near term. Even if state agencies are able to resolve standards and compliance pathways for the public health and environmental goals, there still remains the public's perception of undesirable land uses and their ability to delay or halt progress through the required environmental review process.

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With respect to methane emissions from landfills, RCRC requests that the SLCP Reduction Strategy reinforce the goal in AB 1826 and focus on the five strategies that will aid industry and local governments in achieving that goal rather than impose additional regulations.

If you should have any questions or would like to discuss our comments further, please contact me at (916) 447-4806 or sheaton@rcrcnet.org.

Sincerely,



STACI HEATON
Regulatory Affairs Advocate

cc: The Honorable Ricardo Lara, Member of the State Senate
Mary Nichols, Chair, California Air Resources Board
RCRC Board of Directors



WESTERN PLACER
WASTE MANAGEMENT AUTHORITY



WASTE MANAGEMENT



REPUBLIC SERVICES

SANITATION DISTRICTS OF LOS ANGELES COUNTY



Converting Waste Into Resources

October 30, 2015

Mr. Michael J. Tollstrup, Chief
Project Assessment Branch
Industrial Strategies Division
California Air Resource Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95812-2815



Via: Website Post:

http://www.arb.ca.gov/lispub/comm2/bcsubform.php?listname=slcpdraftstrategy_ws&comm_period=1

Subject: Comments of the Solid Waste Industry on the Proposed Short-Lived Climate Pollutant Reduction Strategy

Dear Mr. Tollstrup:

Thank you for the opportunity review the Air Resources Board's (ARB's) proposed Draft Short-Lived Climate Pollutant Reduction Strategy (Draft Strategy) and to participate in the various public workshops the ARB has held throughout the state. The signatories on this letter represent public and private sector composting, recycling, solid waste collection, processing and disposal. We own or operate and have effectively financed and sited composting, anaerobic digestion, and organic processing facilities.

While we support the goal of removing Short Lived Climate Pollutants (SLCP) from landfills, we believe that there are several critical issues that must be addressed in the Draft Strategy.

These issues are outlined below and are discussed in more detail in Attachment A. We strongly request that the following issues be considered and addressed in the final Draft Strategy:

1. We are very concerned about the Draft Strategies requirement that CalRecycle and ARB develop regulations in 2018 that will achieve 75% organics recycling in 2020 and 90% in 2025.
2. Local governments and the solid waste industry have worked with the legislature, CalRecycle, ARB, and the Governor's Office to enact some of the most aggressive measures in the United State to increase the diversion and recycling of solid waste by local jurisdictions throughout California.
3. California has added about 13 active anaerobic digestion (AD) facilities and 169 active composting facilities in the past 20 years. At least 135-150 new facilities must be financed, sited, permitted, and built in the next four years to achieve the Draft Strategy's target of 75% organics diversion by 2020. An additional 100-150 facilities must be added in the following five years to achieve the 90% target by 2025.
4. Our extensive experience siting compost and AD facilities indicates that a new compost or AD facility takes a minimum of five years to finance, site, permit and build. That same experience shows that we simply cannot finance, site, permit and build 150 facilities in four years or 300 in nine years without historic and monumental changes to local siting processes, permitting, and CEQA!
5. The Draft Strategy calls for diversion of 75% of organics by 2020, which will require 9 million additional tons of organics diversion capacity statewide by 2020--four years from now. This equates to needing an additional 120 compost operations and 12-15 more AD facilities over the next five years. Using a low-end estimated cost of \$10 million each, those 135 facilities would cost \$1.35 billion in four years. This does not include the substantial additional costs to collect, process, and deliver the organics to the facilities. We are concerned that the Draft Strategy does not identify the source(s) of this funding or how the money will be raised in such a short time.

The Waste Sector has been at the forefront of ARB's efforts to implement Assembly Bill 32, the Global Warming Solutions Act of 2006 (AB 32). The ARB's policy initiatives in their various Scoping Plans, which we have generally supported, have increasingly pressured local governments and the waste sector to implement more programs for organics diversion to reduce methane emissions – while at the same time minimizing methane emissions from landfills.

To this latter point, the signatories worked cooperatively with the ARB and various Air Districts to implement the Landfill Methane Rule (LMR), one of the very first early action measures adopted by the ARB. This rule was designed to substantially reduce methane emissions at landfills with full implementation of that rule beginning in 2010.

Further, the solid waste industry has worked with the legislature, CalRecycle, ARB, and the Governor's Office to enact some of the most aggressive measures in the United States to increase the diversion and recycling of solid waste by local jurisdictions throughout California, including:

- AB 939 (1989) which required the diversion of 50% of all solid waste from landfills by 2000. According to CalRecycle, a 65% diversion rate is now achieved. Virtually all California jurisdictions are in full compliance with this important legislation.
- AB 341 (2011) which established a Mandatory Commercial Recycling (MCR) program throughout California. The MCR focuses on increased commercial waste diversion as a method to reduce GHG emissions. It is designed to achieve a reduction in GHG emissions of 5 million metric tons of carbon dioxide (CO₂) equivalents. This legislation established a state goal of 75% solid waste diversion by 2020. This measure has only recently been fully implemented.
- AB 1826 (2014) establishes a Mandatory Commercial Organics Recycling (MCOR) program that requires businesses to recycle their organic waste starting on April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including green wastes generated by certain multifamily residential dwellings.

These initiatives, especially AB 341 and AB 1826, were endorsed as well by ARB, CalRecycle and the Governor as milestones in the implementation of AB 32. Taken together, these policy initiatives (MCR and MCOR, etc.), over the next 5 to 10 years, will dramatically increase the amount of organics diverted from landfills and redirect those materials to organics processing facilities, composting and anaerobic digestion (AD). Taken together, these initiatives will dramatically change the solid waste industry over the next decade.

The signers of this letter include some of the state's largest compost operations and are involved in several existing food waste diversion and anaerobic digestion projects. We have added organics (food waste) processing capacity at our material recovery facilities (MRFs) and have food waste collection programs in place. In addition, we are beginning to add food waste to existing digesters at municipal wastewater treatment plants, with the goal of ramping up this effort to more fully utilize their excess digester capacity.

We all continue to plan for additional composting and organics diversion programs and truly understand the financial commitment and permitting effort that it takes to add infrastructure for organics collection, processing, and beneficial end-use as compost or as renewable energy.

We strongly support the Draft Strategies conclusion that landfills should not be placed under cap and trade. We also support the reasoned approach recommended in the Draft Strategy that a Phase 2 of the Landfill Methane Rule should not be undertaken without additional analysis. We need to know what has been accomplished from Phase 1 before determining if adding additional measures will be effective in reducing methane emissions and that any new measures are cost effective.

We only wish that this Draft Strategy had taken a similar approach in vetting the 2020 and 2025 targets to be implemented by ARB rulemaking in 2018:

- 75% diversion of organics by 2020, and
- Effectively eliminate (90% diversion) organic waste disposal in landfills by 2025.

In setting these targets, the Draft Strategy does not fully contemplate the fact that California already leads the nation in recycling programs and organics management through the passage of AB 1826. What purpose is served by promoting organics bans in other states and some European countries? In doing so, the Draft Strategy implies that nothing significant is being done in California and fails present a complete understanding of those other state's and nation's overall recycling policies and the types of bans that have been imposed.

For example, the Draft Strategy touts Vermont as an organics leader. In reality, Vermont's population is significantly smaller than San Francisco and the state is just now instituting a "pay as you throw" system in hopes of achieving 50% recycling, well below California's recycling efforts.

Sweden, as another example, claims 99% recycling, but they accomplish this by sending half it's waste to 32 Waste to Energy (WTE) plants and importing waste fuel feedstock from other European countries. Is this really the model that California wants to follow? The same is true for many east coast states that rely on WTE. California has historically discouraged WTE facilities and that policy is unlikely to change in the foreseeable future.

The solid waste and recycling industry has supported the existing CalRecycle 50% organics diversion policy (CalRecycle Strategic Directive 6.1) and the 75% recycling goal. We believe that they are responsible and achievable standards.

However, we are very concerned about the Draft Strategy's requirement that CalRecycle and ARB develop regulations in 2018 that will achieve 75% organics recycling in 2020 and 90% in 2025. This requirement falls several years before full implementation of AB 1826.

We also believe that those goals are technically and fiscally infeasible unless the state is willing to commit to major land use siting (and solving the related CEQA challenges) and permitting concessions as well as \$2 to3 billion in infrastructure funding. Yet even with those commitments, the path will be very uncertain since we will be funding unproven AD technologies and compost facilities that are historically difficult to site near large urban sources of feed stock. Mixed solid waste and organic residuals will have to be processed at great expense to remove the organic fraction and to insure that feedstock is free of contamination. A wholesale revision of California's view on conversion technologies will be required.

What do we recommend?

We believe that the existing 50% organics diversion by 2020 established in CalRecycle's Strategic Directive 6.1 is a reasonably target. Prior to considering higher goals we must first implement and assess the ambitious goals set by Strategic Directive 6.1 and the 75% goal set by AB 341.

However, even these goals cannot be achieved without more than just a commitment from agencies to cooperate on permitting and siting issues. We will need concrete support to facilitate siting and permitting at the local and state level. This cannot be accomplished without the creative input and cooperation from local government, state government, and the solid waste industry. We recommend that CalEPA, in implementing AB 1045 (Irwin), establish a workgroup specifically on the siting issue.

We also believe in a reasonable market based approach as exemplified in AB 1826. We need to focus on fully implementing the mandatory commercial organics program required by that bill. Full implementation will not be accomplished by 2018, when the SLCP Draft Strategy calls for additional regulations. Rather, we suggest that the analysis should occur once AB 1826 is fully implemented in 2020. At that point, we will know how effectively the siting and funding strategies outlined in the Draft Strategy have worked and also will know if we are on track to site, permit and build the required organics infrastructure.

We do not believe a 75% organics goal (or higher) should be set without much more analysis of AD and composting technologies. In the near term, we also need a better understanding of available capacity at municipal wastewater treatment plants.

We recommend that ARB and CalRecycle work with the appropriate local agencies to accurately determine realistic regional AD capacity at these facilities and the necessary processing requirements to insure that available food waste streams are compatible with available digester requirements.

Finally, we need surety regarding public funding. We are concerned that the rate structure set through our contracts and franchise agreements will not be revised to help fund organics infrastructure. Also \$75 million/year from Greenhouse Gas Reduction Fund (GGRF) will help, but only if that amount and more can be assured on an ongoing basis.

We worked aggressively this past session on tip fee reform. We found significant opposition and concerns. We do not believe that the controversy that will be generated by the costs of implementing a full-scale organics ban will help alleviate those concerns. These very aggressive organics recycling goals set by the Draft Strategy can only be implemented if adequate funding is committed through rate setting, GGRF funding, and tip fee reform.

Please contact any one of the undersigned if you have any questions or require further information about our comments, recommendations and concerns.

Sincerely,

Cara Martinson
Legislative Representative
CA State Association of Counties
916-327-7500, ext. 504
cmartinson@counties.org

Frank Caponi, Division Engineer
Head, Air Quality Engineering
Los Angeles County Sanitation Districts
(562) 699-7411 x2460
fcaponi@lacsdsd.org

Jason Rhine
Legislative Representative
League of California Cities
916-658-8264
jrhine@cacities.org

Marek Crabbs Region Director –
Municipal Services & Govt Affairs
Republic Services
480-477-5121
MCrabbs@republicservices.com

Bill Zimmerman, P.E.
Deputy Executive Director
Western Placer Waste Management
Authority
bzimmerm@placer.ca.gov
(530) 886-4986

Charles A. White, P.E.
Consultant
Waste Management
cwhite1@wm.com
916-761-7882

Jason Schmelzer, for
Solid Waste Association of North
America, California Chapters
Shaw / Yoder / Antwih, Inc.
jason@shawyoderantwih.com
P - 916-446-4656, ext. 1015

Mary Pitto
Regulatory Affairs Advocate
Rural County Representatives of
California
mpitto@rcrcnet.org
(916) 447-4806

Attachment A

Comments of the Solid Waste and Recycling Industry on the Proposed Short-Lived Climate Pollutant Reduction Strategy

1. CalRecycle Recent Estimates Regarding Compost and AD Capacity ("State of Recycling in California" - March 2015)

There is some very interesting information provided in CalRecycle's "State of Recycling in California" report released in March 2015. It does not appear that the Draft Strategy considers several key factors delineated in the CalRecycle report. Several key extracts of that report are included below:

Composting and AD Capacity

"If all of the currently disposed organic material were instead recycled, the state's composting, chip and grind, and AD facilities would have to process an additional 12 million tons of organic material each year. As California moves toward greater organics processing, it is critical to consider whether the state has sufficient physical infrastructure to process this additional material. Most organics processing facilities run at levels close to capacity; at most, current facilities could support an additional roughly 1.5 million tons of material per year. Figure 21 shows the estimated available capacity of composting and AD facilities across the state. Not only is capacity limited, but most of the facilities with moderate levels of additional capacity (more than 60,000 tons per year) are not located near population centers." (Page 45)

Composting

"There are currently 169 active permitted composting facilities in California that process approximately 5.7 million tons of material per. Due to updated Department estimates, the throughput of composting facilities is slightly smaller than what is reported in FacIT. The 12 largest composting facilities in California account for 50 percent of the current throughput, while roughly a third of active facilities manage 5,000 tons or less of organic material each year. Most of the high-throughput facilities are located in the Central Valley and are distant from population centers that can generate large amounts of compostable material. It is likely that some of these composting facilities also accept feedstock from agricultural sources." (Page 41)

"The total number of permitted composting facilities in California has grown substantially from fewer than 10 in 1995 to almost 250 in 2014 (only 161 of these facilities are actively operating). This growth has been steady

except for around 2006 and 2008, when existing facilities were closing at the same rate that new facilities were being added. However, it is difficult to track exactly when the composting facilities closed or to identify the reason behind their closure.” (Page 43)

Anaerobic Digestion

“California currently has 13 permitted, active facilities that process approximately 187,000 tons of material annually (see Figure 19). Another dozen or more AD facilities are planned or in the permitting process. The choice between traditional composting and AD is dependent on local regulations for facilities, type of organic material, and cost.” (Page 43)

Therefore, the important takeaway from this information is that 75% of all organics equals about 9 million tons of organics annually. The current infrastructure is woefully inadequate and is operating at near capacity but could manage an additional 1.5 million tons. Nevertheless, much of that additional capacity is located far from urban areas where most organics are generated.

In addition, existing composting and AD capacity processes less than 6 million tons/year. The existing AD and composting capacity has been added primarily since 1995. Therefore, we have added about 13 active AD facilities and 169 active composting facilities in the past 20 years.

Regarding AD facilities, we have roughly 13 facilities processing 187,000 TPY. According to CalRecycle data, there are about 12 more in various stages of siting. If we assume that all of these 12 new facilities are somehow sited, permitted and operating by 2020, we will have 25 AD facilities operating in 2020. The average processing capacity of the 13 existing facilities is about 14,400 TPY. If we assume that the average processing capacity will increase by 25% for these 25 AD facilities by 2020, then the 25 AD facilities would account for only 500,000 TPY of organics processing capacity in 2020. Therefore, by 2020, the vast majority of the 9 million tons of organics will need to be handled by new composting infrastructure.

2. Feasibility of Adding Organics AD or Composting Infrastructure

One of North America’s largest AD project is in Southern CA. The facility is not yet operating, but currently plans to have a throughput of 300,000 tpy in 2020 and near term 80,000 TPY at a reported cost of roughly \$50M.

Another “large” AD facility, ZWED in San Jose, which is operating today, has a planned throughput of 90,000 tpy.

Existing large AD facilities currently operating or under construction represent less than 200,000 TPY in capacity. This is significantly less than the total AD capacity that would be required to handle 75% of the estimated 12 million tons of organic waste currently disposed in landfills. In fact existing AD and composting capacity represents about 35% of the total AD or composting capacity that would be required to beneficially use 11 million tons of organic waste per year – necessary to achieve a 90% organic diversion capability. The Draft Strategy would require the solid waste industry to create three times that capacity in just nine years

Since other conversion technologies or incineration capacity is strongly discouraged in California, there are no other options available right now for organics processing except compost or AD. With no new technologies likely in California, particularly by 2020, the more likely outcome, if compost and AD facilities are not built, will be diversion of organics to direct land application of green materials and export of food waste and other organics for disposal to Nevada and Arizona, which should not be considered an option.

The one exception to land application and export might be the use of excess municipal wastewater treatment anaerobic digestion capacity, but progress has also been slow on that front because of concerns over the purity and uniformity of feedstock and impact on those anaerobic digesters. However, with proper investments, these facilities may be utilized to fill that early gap of needed infrastructure for organics management.

California has only added 159 new compost facilities since 1995 (10 operational facilities in 1995 to 169 operational facilities in 2015 or over a 20 year span) and those 169 facilities currently operating, process around 5.7 million tons of compost/year.

So in order to realistically implement the 75% and 90% targets in the Draft Strategy, we are looking at building on the existing 5.7 million tons/year of compost capacity with some small amount of added AD capacity.

Assuming that we can compost any amount of food waste (which is highly unlikely because of odor and compost quality issues), California must add 135-150 new composting operations in 4 years by 2020 and expect those facilities to process 8.5 million ton/year of compost (9 million minus the roughly 500,000 of organics processed by AD). Will the final SLCP Strategy be able to demonstrate and explain the feasibility of permitting and siting this level of organics processing infrastructure?

3. What is the cost of adding organics infrastructure?

The Draft Strategy calls for diversion of 75% of organics by 2020, which will require 9 million additional tons of organics diversion capacity statewide by 2020—four years from now. This equates to an additional 135-150 compost operations and 12-15 more AD facilities over the next four years. Using a low-end estimated cost of \$10 million per facility, the 135 - 165 composting and AD facilities will require an investment of \$1.35 to \$1.65 billion in four years. This does not include the substantial additional costs to collect, process and deliver the organics to the facilities. Nor does it include the \$100 million-plus in added funding that will be needed to comply with the Compost General Order (\$30 M for the current 121 facilities and \$30 M for the new capacity plus a doubling for pads.)

It is important to note that a vast majority of the costs of expanded organics infrastructure will be funded through rate increases on residential and commercial customers. The process for raising those rates is often dictated by local contracts and franchises and often takes years to accomplish. What will be the source(s) of this funding and how can the money be raised in so short a period of time?

4. SWRCB Compost General Order

Compost General Order: "The proposed General Waste Discharge Requirements for Composting Operations (Order) will impose (additional) compliance costs on the compost industry that will increase the total cost of operations and decrease net returns. The proposed Order will require initial capital investments of approximately \$25.2 million in retention ponds, monitoring wells, and drains. Annual investment costs will be about \$2.2 million, and annual monitoring and maintenance will be an additional \$1 million. Although these amounts seem large when expressed in relative terms or in units of production, the effect on compost operators will be manageable. The industry has 121 facilities subject to the proposed Order that processes about 7.8 million cubic yards of compost annually.

Coalition Letter to SWRCB: Furthermore, the economic analysis assumes "initial capital investment of approximately \$25.2 million in retention ponds, monitoring wells, and drains"; this analysis disregards the reality that a significant number of compost facilities will be required to install operating pads in order to meet water quality objectives, at a total cost many multiples higher than the low estimate provided. It is a significant oversight to have concluded that there will be no economic impact from construction of operating pads due to these new standards."

The \$28 M assumes 121 impacted existing facilities and it is fair to assume that these new standards will apply to all new facilities as well and actual costs will be significantly higher than the SWRCB analysis. Meeting a 90% reduction in landfill

organics will require approximately 100 to 300 new or expanded facilities. How will the Draft Strategy cover these additional costs will be

5. Are Suggested Methane Reduction Levels accurate and realistic?

The ARB has not been clear on what are exactly the assumptions and data that have gone into projecting the methane reduction that are anticipated due to the diversion of organics from landfills.

The ARB still appears to relay on 12-year-old assumptions that landfills, on the average, only collect 75% of the methane produced within the landfill and only 10% of the remaining 25% of uncontrolled methane gets oxidized in landfill cover and cap materials.

The 75% number is based on an informal survey of landfill operators that indicated a collection range of between 50 and 95% -- with the average being 75%. If these numbers are to be believed, it demonstrates that some landfills are able to achieve a very high degree of methane control. That is certainly the objective of the signers of this letter. It is our view that the LMR Early Action measure was intended to raise the bar on all landfills to ensure maximum control of methane.

We will be submitting for your review more recent studies on this topic and we look forward to working with ARB and CalRecycle staff to develop an updated analysis of the positive GHG impacts that have been generated by the LMR.

Assembly Bill No. 876

CHAPTER 593

An act to add Section 41821.4 to the Public Resources Code, relating to solid waste.

[Approved by Governor October 8, 2015. Filed with Secretary of State October 8, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 876, 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. On and after January 1, 2000, the element is required to provide for the diversion of 50% of the solid waste subject to the element, except as specified, through source reduction, recycling, and composting activities. Existing law requires each city, county, and regional agency to submit an annual report to the department summarizing its progress in reducing solid waste.

This bill would require, commencing August 1, 2017, a county or regional agency to include in its annual report to the department an estimate of the amount of organic waste in cubic yards that will be generated in the county or region over a 15-year period, an estimate of the additional organic waste recycling facility capacity in cubic yards that will be needed to process that amount of waste, and areas identified by the county or regional agency as locations for new or expanded organic waste recycling facilities capable of safely meeting that additional need, 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.

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

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

(a) With the enactment of the California Integrated Waste Management Act of 1989 (Division 30 (commencing with Section 40000) of the Public Resources Code), the Legislature required the Department of Resources

Recycling and Recovery and local agencies to promote recycling, anaerobic digestion, and composting over land disposal and transformation.

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

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

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

SEC. 2. Section 41821.4 is added to the Public Resources Code, to read:

41821.4. (a) Commencing August 1, 2017, a county or regional agency shall include, in the annual report required pursuant to Section 41821, the following information:

(1) An estimate of the amount of organic waste in cubic yards that will be generated in the county or region over a 15-year period.

(2) An estimate of the additional organic waste recycling facility capacity in cubic yards that will be needed to process the amount of organic waste identified pursuant to paragraph (1).

(3) Areas identified by the county or regional agency as locations for new or expanded organic waste recycling facilities capable of safely meeting the additional organic waste recycling facility capacity need identified pursuant to paragraph (2).

(b) To provide the information pursuant to subdivision (a), the county or regional agency may use existing data regarding its diversion programs and is not required to perform additional waste characterization studies.

(c) For purposes of this section, "organic waste recycling facility" has the same meaning as defined in paragraph (2) of subdivision (d) of Section 42649.82.

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

O

Mary Pitto

From: cpsc-partners-listserv@googlegroups.com on behalf of Christopher Lester [chris@calpsc.org]
Sent: Friday, November 06, 2015 1:21 PM
To: CPSC Partners (cpsc-partners-listserv@googlegroups.com)
Subject: CPSC is Working With and For You

November 6, 2015

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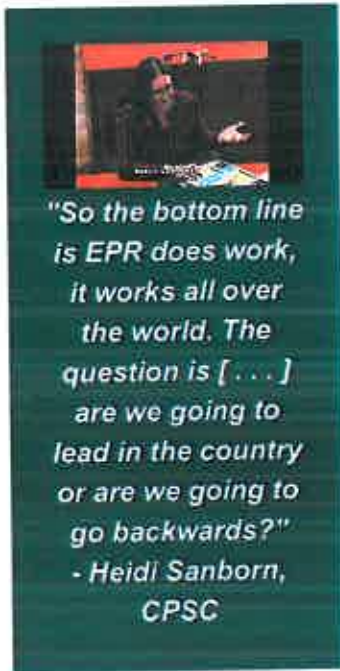
 LinkedIn

Assembly Select Waste Committee Hearing

The [California Assembly Select Committee on Waste Reduction & Recycling in 21st Century California](#) held a hearing on HHW and EPR programs on November 4th in Palo Alto and heard from diverse stakeholders on statewide efforts to manage HHW, EPR efforts at the state and local level, and current challenges and future opportunities.

donate

To continue the research, education and advocacy work we do, we need funding. Please [donate](#) now.



The [hearing agenda](#) included presentations from Debbie Raphael with [San Francisco Environment](#) (pictured above), Waymond Wong with [San Mateo County](#), Kristina Miller with [Tehama County](#), Carl Smith with [Call2Recycle](#), Michael Gross with [Greenwaste](#), and more. We strongly encourage you to watch the entire [hearing video](#) as the presentations were incredibly informative and prompted good follow up questions from the Committee and engaged public comment.

Thanks to Assemblymember Rich Gordon and his staff for assembling such a diverse group of presenters!

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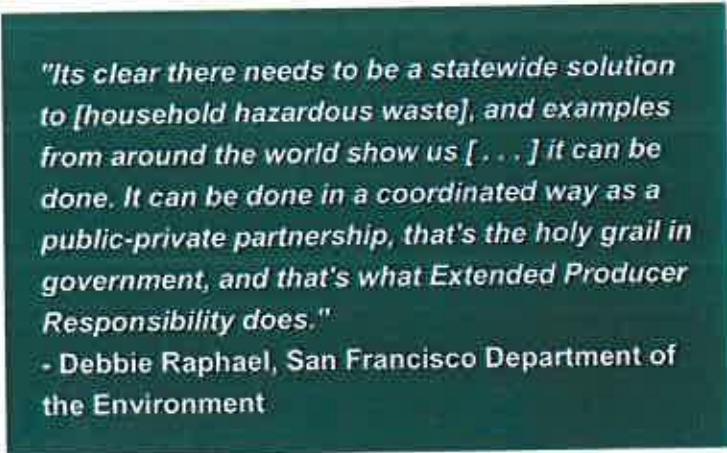


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Press

[Local Drug Take-Back Programs Could Be Pre-Empted by State Regulations](#) - George Lauer, [California Healthline](#)

Pharmacy Take-Back Regulations

The California Board of Pharmacy (Board) took up discussion of the [proposed pharmacy take-back regulations](#) at their October 28 [Public Board Meeting](#). Click the image below to watch the [meeting video](#).



"I've been a little bit stunned by the health care industry's lack of participation in this. We're trying to solve a health care problem. Why isn't the health care industry leading the charge?"
- Heidi Sanborn, CPSC

Testimony was provided by Heidi Sanborn with CPSC, Caden Hare with City of Santa Rosa, Jen Jackson with San Francisco Environment, Bill Worrell with San Luis Obispo IWMA, Burke Lucy with CalRecycle, a representative with Sharps Compliance, the CA Pharmacists Association, and the CA Retailers Association.

After considerable discussion among the Board members, the Board decided to retain language that hosting bins be voluntary. Board attorneys, when asked if the proposed language would preempt local retail take back ordinances mandating pharmacy participation, responded that **the state's authority to preempt is not clear here in the absence of statute.**



*(Pictured - CSUS
Pharmacist Janet
Dumonchelle with
medicine bin at CSUS
Student Health Pharmacy)*

The Committee voted unanimously to begin the 45 day comment period using the most recent version of the draft regulations with an amendment to remove language on use of special chemotherapy rated/signed liners and retained the preemption language which could potentially preempt locals' authority to pass or enforce mandatory retail take-back ordinances.



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Mary Pitto

To: Heidi Sanborn
Subject: RE: Northwest Product Stewardship Council - November 2015 Newsletter




Northwest Product Stewardship Council Newsletter



November 2015

Programs & News

NWPSC joins Twitter

The NWPSC recently began tweeting as [@StewardshipNW](#). We hope to broaden our engagement to new audiences and reinforce the successes of existing product stewardship programs in Washington, Oregon and elsewhere. [Follow us](#) as we join the conversation on Twitter. 

Television (CRT) glass: safe recycling preferred over safe storage

On November 5, e-Stewards and the Basel Action Network (BAN), who manage and certify the e-Stewards Standard, "the cleanest, most globally responsible standard for e-waste recycling," released their [decision about cathode ray tube \(CRT\) glass recycling](#):

"Following almost a year-long deliberation over a petition by Kuusakoski Recycling and their partner Peoria Disposal Company requesting e-Stewards to relax its standard to give greater acceptance to placing crushed and treated cathode ray tube (CRT) glass into solid waste landfill cells for possible future retrieval and recycling, the BAN Board of Directors has voted to accept the majority recommendations of the e-Stewards Leadership Council and its Technical Committee and deny the petition. This decision means that solid waste landfills will continue to not be considered a preferred destination for treated CRT glass (from old TVs and computer monitors) under the e-Stewards Standard, nor will their use be considered as recycling. However, the option of placing treated CRT glass in solid waste landfills, e.g. in retrievable storage, will remain a less preferred, conditionally allowable form of disposal, as it has been, if preferred options are unavailable."

Resource Recycling [covered news of the decision](#).

ReturnMeds, LLC stewardship program in King County to begin April 2016

Two stewardship organizations submitted revised stewardship plan proposals to the King County [Secure Medicine Return \(SMR\)](#) program for review: King County MED-Project, LLC was rejected while ReturnMeds, LLC was approved on October 16. ReturnMeds, LLC's approved plan is designated as the standard plan and the deadline to be fully implemented is April 13, 2016. Though King County MED-Project, LLC's proposal was rejected, they can resubmit within 60 days to be considered an independent plan.

Vermont to begin first primary battery EPR program January 2016

The state of Vermont [approved Call2Recycle](#) as the battery stewardship organization to implement [Vermont's primary \(single-use\) battery recycling program](#), beginning Jan. 1, 2016. Primary batteries are non-rechargeable batteries weighing two kilograms or less, including alkaline, carbon-zinc, and lithium metal batteries. Call2Recycle has voluntarily

administered a free, producer designed and financed *rechargeable* battery collection and recycling program nationwide for 21 years. Vermont and Call2Recycle expect to minimize "consumer confusion, as residents will no longer need to separate out single-use batteries when they recycle."

California Assembly hearing on EPR and Household Hazardous Waste

The California Assembly Waste Committee held an HHW/EPR Hearing in Palo Alto, CA, on November 4. The full, approximately 3-hour hearing can be seen on the [California Product Stewardship Council's YouTube channel](#). CalRecycle and three local governments spoke in the first hour about the benefits of EPR (or product stewardship) programs, reinforced by battery stewards Call2Recycle and PaintCare, but opposed by a representative from PhRMA. Waste and recycling haulers next spoke on the need for sharps stewardship legislation, and finally came public comment. One of the local government agency speakers commented on the CARE carpet stewardship program that it is a "market based approach for a product that has no market." Carl Smith, CEO of Call2Recycle, posted the [text of his testimony online](#).

Carpet stewardship, collection, and recycling

In September 2015, CalRecycle found Carpet America Recovery Effort's (CARE, the carpet stewardship organization for California's carpet EPR program) 2014 Annual Report "noncompliant because it did not demonstrate continuous and meaningful improvements toward achievement of Program goals." CalRecycle held a [public meeting on October 20](#) to consider CARE's second addendum to their California carpet stewardship plan. The [August/September issue of Floor Focus Magazine](#) quoted CARE that in 2014, total gross carpet collections were 494 million pounds and 45% of that went to landfill. The flooring industry magazine also described CARE and its Voluntary Stewardship Program outside of California, the challenges in current markets for recycled nylon, the case for upcycling carpet-derived fiber, and the proposed tactic of back-labeling carpet by fiber type.

Jobs: Oregon DEQ Materials Management

The Oregon Dept. of Environmental Quality (DEQ) is hiring 3 specialists in its Materials Management Section in Portland, serving as senior technical experts in support of *Materials Management in Oregon: 2050 Vision and Framework for Action*. For job description and details, [apply \(via GovernmentJobs.com\) for the Natural Resource Specialist 4 \(Materials Management\)](#) positions by **November 18, 2015**.

Upcoming Events

- 2015 U.S. Product Stewardship Forum (PSI) (webinar or in-person): December 8-9, Boston, MA



The Northwest Product Stewardship Council (NWPSO) is a coalition of government agencies in Washington and Oregon working on solid waste, recycling, resource conservation, environmental protection, public health and other issues. Together with non-government agencies, businesses and individuals, we form a network that supports product stewardship and extended producer responsibility (EPR) policies and programs. For more information, contact info@productstewardship.net or visit us at www.ProductStewardship.net

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CARPETAMERICARECOVEREYEFFORTSM
**Developing market-based solutions for the recycling & reuse
of post-consumer carpet**

**California Council on Carpet Recycling – California Carpet Stewardship Program
Membership Application and Instructions
CALL FOR NOMINATIONS
Release Date: November 3, 2015**

Background

CARE serves as the Carpet Stewardship Organization for the California Carpet Stewardship program. In October 2015, CARE announced plans to establish a California Council on Carpet Recycling (Council), in an effort to provide more regular feedback loop of information and input from stakeholders interested in the design and implementation of the California Carpet Stewardship Program. The Council is scheduled for initial formation in 4th quarter of 2015 with the first meeting targeted for January 2016.

Mission/Purpose/Function

Carpet recycling in California is a complex ecosystem with multiple challenges in transportation and collection, market outlets, business model viability, stakeholder awareness and buy-in. In order to benefit from the experience and expertise of a committed group of stakeholders, CARE is creating the Council to provide insights, feedback and suggestions to the California Carpet Stewardship Program. It is expected that the Council will contribute expertise from different points of view with a goal of increasing carpet diversion from landfill and raising recycling rates and volume, along with strengthening and supporting the stakeholders that are key to a stable and viable system. The Council is seen as a working body representing all stakeholders in California.

The Council provides a forum for gathering stakeholder feedback and insight on a variety of Program areas, including but not limited to:

- Incentives, grant and/or loan program offerings and analysis
- Servicing rural California
- Convenient collection
- Retailer, installer, local government, consumer engagement
- Market development and product demand generation
- Marketing, communication and outreach
- Establishing trust and increasing transparency
- Development of future California Program Plans, including the upcoming 2017 plan

The Council will provide one of several mechanisms for CARE to seek input from representative stakeholders to inform the development of the next 2017 Plan, as well as feedback input on ongoing program implementation. In addition, CARE will continue efforts to engage stakeholders on an ongoing basis, including but not limited to, annual stakeholder workshops, member communications, manufacturer and retailer interactions and local government connections.

Council Structure

Per CalRecycle's September 2015 RFA, "PRC section 42972 (d) and 14 CCR section 18943 (10) requires stakeholder consultations when developing a Plan, including, but not limited to, *other manufacturers and stewardship organizations, service providers, state and local governments, non-governmental organizations, haulers, demolition or other contractors, recyclers, retailers and wholesalers, installers, and consumers.*"

The Council will comprise representatives from across these various stakeholder pools, subject to interested applicants. The Council will provide feedback to be used by the Sustainable Plan Committee (SPC) for program growth and management. The Council will serve as an advisory body to the SPC and as such may be asked to make non-binding recommendations on program elements. The Council does not have decision-making authority. Meetings will follow Roberts Rules of Order and abide by CARE's Antitrust Policy.

Membership

The Council shall comprise no fewer than 9 and no more than 19 members, including interested parties from stakeholders including: retailers, installers, manufacturers, collector/sorters, processors, NGOs, and local government. The CARE Executive Director and the California Program Manager shall be ex officio members of the Council. CalRecycle is invited to appoint a member on the Council or to send representatives to observe all meetings. Upon launch, the Council will be led by the current Chair of the SPC, Eric Nelson of Interface. Any members of the SPC serving on the Council shall be non-voting members. CARE may hire a third party facilitator to facilitate the meetings, ensure voices are being heard and discussions are guided to productive outcomes.

Members: CARE is seeking 1-2 candidates from the following areas:

- Retailer(s)
- Installer(s)
- NGO(s) / Environmental Organization(s)
- Waste hauler(s) / transportation provider(s)
- Collection Site Operator(s) (Transfer stations, landfills, MRFs)
- State/Local Government(s) (may include Joint Powers Authorities, etc.)
- State/Local Government(s) (Staff – Recycling/Capital Projects/Building & Planning)
- Processor(s) (New, Existing, Previous Experience)
- Collector/Sorter Enterprise(s)/Service Provider(s) (New, Existing, Previous Experience)
- Secondary Product Manufacturer(s) (New, Existing, Previous Experience)
- Academic Advisor(s)
- Market Developer / Business
- Other Stewardship Organization(s)
- Manufacturer(s)
- Member at large (Consumer)
- CalRecycle Staff
- Department of General Services Staff (Procurement), CalTrans Staff
- CARE CA Staff – facilitation/support

CARE seeks representation from around the State of California, such as Northern and Southern California, rural and urban counties, inland and coastal communities. State and local government representatives will be sought from individual or multi-jurisdictional agencies, with attention to diversity of perspective from solid waste, recycling as well as general services, procurement, planning and building departments. Special agencies such as Department of General Services (DGS) and CalTrans may be invited to participate as well. CARE may from time to time invite guests with special expertise to inform the Council as program needs dictate.

Terms

Council terms shall last 2 years, with an option to be re-appointed for up to two additional consecutive terms. Councilors who have served three consecutive terms will be required to rotate off the council for at least two years. Interested applicants should contact CARE to receive further information about the selection process.

Meetings

The Council will be formed in Q4 of 2015, with 3-4 meetings per year. Council meetings may be held in various locations around the State. Interim communication via teleconference or email may be conducted as program or market developments warrant. Program funds are allocated to provide a small stipend to cover costs of travel for Council members.

Duties of Council/ Council Members

Attend 3-4 Council meetings per year. Travel compensation will be provided. Provide constructive solution oriented input on program design and implementation, including input on 2017 Plan elements.

Appointment Process/Timeline

CARE is presently accepting applications and/or nominations for members wishing to serve on the inaugural Council through December 1, 2015. Respondents are invited to apply directly or nominate a qualified applicant. CARE will appoint members to the Council.

Date	Action
October 20, 2015	CalRecycle Approval of CARE Plan Addendum #2 to Establish Council
October 30, 2015	CARE Call for Nominations Released
December 1, 2015	Applications/Nominations are Due @ 5pm PST
December/January	CARE Appoints 2016 Members
January 2016 (tentative)	1 st Meeting – CA Council on Carpet Recycling

Application Instructions

To be considered for appointment to the Council please submit a cover letter describing your interest and qualifications for the duties above to Lisa Mekis using the information provided below. All candidate submissions will be reviewed by CARE and discussed with CalRecycle. Additional information, including references, may be requested.

Letters must be submitted by **December 1, 2015 @ 5pm PST**. Late submissions will not be reviewed.

E-mail to: lmekis@carpetrecovery.org

For additional information, please contact Lisa Mekis at lmekis@carpetrecovery.org

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DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

November 16, 2015

Sent via e-mail

Marjaneh Zarreparvar
Executive Director, PaintCare
1500 Rhode Island Avenue, NW
Washington, DC 20005

Re: PaintCare 2015 California Paint Stewardship Program Year 3 Annual Report

Dear Marjaneh,

The Department of Resources Recycling and Recovery (CalRecycle) received PaintCare's 2015 California Paint Stewardship Program Year 3 Annual Report ("report") on November 3, 2015. California Code of Regulations (Title 14, Division 7, Chapter 11, Article 2, §18952(c)(2)) requires CalRecycle to determine if the report is complete and notify PaintCare within 30 days.

Staff reviewed the report for completeness within the context of the requirements in statute (Chapter 420, Statutes of 2010, Huffman, AB 1343) and the California Code of Regulations (CCR), and found PaintCare's Annual Report to be complete.

CalRecycle acknowledges that the required GIS analysis of PaintCare's progress toward reaching its density goal (i.e., the density criterion analysis) for drop-off sites was not performed for this report due to concerns with the accuracy of the GIS analysis model. PaintCare discussed this problem with CalRecycle prior to submitting the report. As soon as the validity of the current GIS model has been determined, and corrected if needed, PaintCare has agreed to submit an updated report with the density criterion analysis.

In addition to the completeness review, CalRecycle has 90 days (by February 1, 2016) in which to review the report and overall program for compliance with Public Resources Code (PRC) Sections 48700-48706 and CCR Title 14, Division 7, Chapter 11, Article 2, Sections 18950-18957 and adopt a finding of compliance, non-compliance, or conditional approval. Staff will present an analysis and recommendation regarding compliance at CalRecycle's Public Meeting on January 19, 2016.

The following topics will be of particular focus during CalRecycle's year 3 compliance review:

- Program convenience
- Baseline and recovery rate
- Paint reuse
- Program costs, including cost per gallon
- Investment of program funds
- Accumulated surplus
- Education and outreach



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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CalRecycle has requested stakeholder input by December 18, 2015, so that it can be considered during staff's year 3 compliance review.

If you have any questions, please contact Allyson Williams by email at Allyson.Williams@CalRecycle.ca.gov or by phone at (916) 341-6219.

Sincerely,

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

Howard Levenson, Ph.D.
Deputy Director, Materials Management and Local Assistance Division

Cc: Scott Smithline, CalRecycle
Allyson Williams, CalRecycle
Elizabeth Wagner, CalRecycle
Ty Moore, CalRecycle
Brenda Smyth, CalRecycle
Jeremy Jones, PaintCare
Paul Fresina, PaintCare

Mary Pitto

From: CalRecycle Paint Product Stewardship Listserv [paint@calrecycle.ca.gov]
Sent: Thursday, November 05, 2015 9:34 AM
To: Mary Pitto
Subject: Receipt of PaintCare 2015 Annual Report

The California Paint Stewardship Program Year 3 Annual Report was submitted by PaintCare to CalRecycle on November 3, 2015. CalRecycle will determine if the annual report is complete no later than December 3, 2015 and will make a subsequent determination regarding compliance within 90 days.

CalRecycle is requesting written stakeholder comments on the performance of the paint stewardship program to be submitted to the CalRecycle Paint Team at paint@calrecycle.ca.gov by **December 18, 2015**.

An electronic copy of PaintCare's Annual Report can be found on CalRecycle's Paint Stewardship Program Annual Reporting webpage at www.calrecycle.ca.gov/Paint/AnnualReport/. The report is also posted on PaintCare's website at www.paintcare.org/paintcare-states/california/#/official-docs.

To subscribe to or unsubscribe from the Paint Product Stewardship Listserv, please go to <http://www.calrecycle.ca.gov/Listservs/>.

Mary Pitto

From: Mattress Recycling Council [ispa@sleepproducts.ccsend.com] on behalf of Mattress Recycling Council [ebowers@mattressrecyclingcouncil.org]
Sent: Monday, November 30, 2015 7:25 AM
To: Mary Pitto
Subject: MRC November Program Updates

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MRC Program Update



November 30, 2015

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In This Issue

- [MRC Welcomes Three New Hires](#)
- [California Program Start](#)
- [Municipal Toolkits](#)
- [Reminder: Customer Education Materials](#)

MRC Welcomes Three New Staff Members

We are pleased to announce the hiring of three new staff members to the MRC:

We welcome **Erin Bowers** as **Marketing Specialist**. She will be assisting Amanda Wall and the Marketing/Communications department within MRC. Erin recently moved to the DC metro area and is a graduate of the University of Florida. She has a bachelor's degree in English (Film and Media Studies) and most recently worked as a Marketing Assistant for Red Top Cab.

MRC also welcomes **Paris Ghoslon** as **Customer Service Specialist** and Retailer Liaison. Paris will educate retailers and consumers on the benefits of MRC. She holds a bachelor's degree in Biological Sciences from the University of Alabama-Huntsville and a master's degree in Sports Management from the University of Tennessee. She previously worked as an Assistant Program Manager for Washington Sports Club.

In addition, MRC welcomes **Fendi Nixon** as **Accounts Payable Specialist**. Fendi was born in Washington DC and raised in Maryland where she went onto study at Coppin State University. She received her bachelor's degree in Accounting in May 2013. Prior to the MRC Fendi worked as an Accounts Payable Specialist for a Government Contractor.

[Read More About Our New Staff Members Here](#)

Reminder: California Program Almost Here

California Launches December 30

The California Program start date for California Mattress Recycling Program (Known to consumers as *Bye Bye Mattress*) is nearing. The California Mattress Recycling Program will launch on December 30, 2015. The program was established by the [Mattress Recycling Council](#) (MRC) and approved by the California Department of Resources Recycling and Recovery (CalRecycle). Mattress retailers and other sellers are required to collect an \$11 recycling fee on each mattress or box spring sold to consumers.



Reminder that all mattress producers, manufacturers, importers, retailers and others selling mattresses in or into California must be registered before the program start date.

Please go to www.MRCreporting.org to register before December 30.

*This is a secure portal that also allows mattress sellers to submit monthly sales reports and remit collected recycling fees.

Any questions? Click Here [California MRC FAQs](#)

Municipal Tool Kits Available Soon

Municipal Tool Kits for California will be available in the coming weeks under the Resources section of the MRC website.



The Tool Kits provides suggested social media and communications content for California recycling organizations.

Reminder: Customer Education Materials Now Available

CUSTOMER EDUCATION MATERIALS

These resource are available to all our registered retailers at no cost. You are not required to use them. Contact Erin Bowers, MRC Marketing Specialist, at ebowers@mattressrecyclingcouncil.org.



Information Card

Include this with your customer's receipt or invoice to direct them to byebyemattress.com for assistance with their fee and program related questions. We also have a recycling locator to help them find their nearest collection site or recycling facility.

The final piece is about the size of a smartphone or index card and is diecut with rounded corners. Actual size is 3.75 inches x 5 inches.

To place your FREE order, [register here](#) or contact ebowers@mattressrecyclingcouncil.org.

There are no limits to the amount of pieces or requests. This is a free resource available to every registered retailer.

In-Store Posters Now Available

You are able to download and print this informational poster in three sizes.

[8.5x11 inches](#) (letter size)

[11x17 inches](#) (legal size)

[24x36 inches](#) (standard poster size)



Download the Customer Q&A

This document can be used by your store management and staff to answer questions a customer might ask about the fee or the recycling program. It's meant to be a resource that you can put behind the counter or use in staff training/manuals. [Download it here.](#)

Mattress Recycling Council (MRC) is a non-profit organization formed by the industry to operate recycling programs in states which have enacted mattress recycling laws. Connecticut's program launches on May 1, with California and Rhode Island expected to begin in 2016. Each state's program is funded by a recycling fee that is collected when a mattress or box spring is sold. The fees pay for the transportation and recycling of the mattresses.

[Forward this email](#)



This email was sent to mpitto@rcrcnet.org by ebowers@mattressrecyclingcouncil.org | [Update Profile/Email Address](#) | Rapid removal with [SafeUnsubscribe™](#) | [About our service provider.](#)



Mattress Recycling Council | 501 Wythe Street | Alexandria | VA | 22314

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



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

CHAIR – MICHAEL KOBSEFF, SISKIYOU COUNTY
VICE CHAIR – MARY RAWSON, ALPINE COUNTY
EXECUTIVE DIRECTOR – GREG NORTON

TECHNICAL ADVISORY GROUP (TAG)
TAG CHAIR – KRISTINA MILLER, TEHAMA COUNTY
TAG VICE CHAIR – JIM MCHARGUE, AMADOR COUNTY
PROGRAM MANAGER – MARY PITTO

MEMORANDUM

To: ESJPA Board of Directors

From: Larry Sweetser, ESJPA Consultant

Date: March 10, 2015

RE: ESJPA Grant Update

Grant Update

Used Oil Grant

The ESJPA is working on reviewing the regulatory compliance of used oil collection centers sponsored under this grant. Several sites need updated permitting to maintain operations..

Tire Amnesty Grant

Amnesty events were conducted in Tuolumne County and events are being planned for Mariposa County under the 3rd cycle grant and the ESJPA is beginning planning for the next Amnesty event cycle serving Colusa, Inyo, and, Sierra counties. The grant will cover tire amnesty events through June 30, 2017.

USDA Training Assistance Grant

The ESJPA completed this trainings grant and is preparing the final report that is due December 31st.



Monthly Public Meeting

CalRecycle

10:00 A.M., October 20, 2015
Cal/EPA Building – Byron Sher Auditorium

A. DIRECTOR'S REPORT

Presentations or discussions by the Director and/or Executive Offices regarding department matters, legislative updates, public affairs or 75% initiative/legislative report.

B. PUBLIC COMMENT*

People may speak on any matter concerning CalRecycle with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

*Please note that while CalRecycle affords members of the public the opportunity to participate by Webcast, CalRecycle strongly encourages public comments to be made in person.

C. POLICY MANDATES/WORKSHOPS/RULEMAKING PROCEEDINGS

Possible decisions or discussions by department staff regarding any order instituting a rulemaking proceeding to develop and adopt regulations and/or policy guidelines specifying the procedures to implement or revise program guidelines or requirements such as Product Stewardship, Commercial Recycling, Organics Roadmap or the 75% Initiative.

Action Items

1. Consideration of Addendum #2 to the California Carpet Stewardship Plan
Department Staff Contact: Kathy.Frevert@CalRecycle.Ca.Gov
Public Notice

Information Items

1. Highlights of the Facility-Based Portion of CalRecycle's 2014 Waste Characterization Study
Department Staff Contact: Nancy.Carr@CalRecycle.ca.gov
2. Synthetic Turf Study Public Workshop - Berkeley
November 2, 2015 6:00PM – 8:30PM
Department Staff Contact: Robert.Carlson@CalRecycle.ca.gov
Public Notice
3. Synthetic Turf Study Public Workshop – San Diego
November 12, 2015 6:00PM – 8:30PM
Department Staff Contact: Robert.Carlson@CalRecycle.ca.gov
Public Notice
4. Synthetic Turf Study Public Workshop – Webinar
November 16, 2015 1:00PM – 4:00PM
Department Staff Contact: Robert.Carlson@CalRecycle.ca.gov
Public Notice
5. Tire Recycling Program Workshop: California Tire Regulatory Fee and Waste Tire Program
December 2, 2015 1:30PM – 4:30PM
Department Staff Contact: Calvin.Young@CalRecycle.ca.gov

6. CalRecycle Packaging Workshop: Manufacturers' Challenge
Please Note: New Time and Date
January 5th, 2016 9:00AM – 4:00PM
 Department Staff Contact: Cynthia.Dunn@CalRecycle.ca.gov
Public Notice
7. Status of Quarterly Disposal Report Submittals for the Second Quarter of 2015, and the status of submittals for the 2014/2015 Quarterly Station Notification Reports.
 Department Staff Contact: Peter.Staklis@CalRecycle.ca.gov

D. BEVERAGE CONTAINER RECYCLING PROGRAM

Possible decisions or announcements regarding BCRP matters including fund condition, rates, approval of new/renewed certifications, or enforcement actions.

Action Items

No actions at this time

Information Items

1. Recycling Program Certification & Registration Report
 Quarterly Report on Branch workload metrics and key data.
 Department Staff Contact: George.Donkor@CalRecycle.ca.gov
2. Recycling Program Enforcement Report
 Quarterly Report on the Branch activities, including Probationary Reviews, Inspections, Investigations completed, and accusations filed. Updates will also be provided on Department of Justice/Office of the Attorney General interagency activities.
 Department Staff Contact: John.Halligan@CalRecycle.ca.gov
3. Recycling Program Operations Report
 Quarterly Report on the Branch activities will include a summary of Rate Determination Studies statistics, Market Information and Statistics and Update on Plastic Market Development Program for 2014.
 Department Staff Contact: Mike.Miller@CalRecycle.ca.gov
4. Review of Biannual Report of Beverage Container Sales, Returns, Redemption, and Recycling Rates
 Department Staff Contact: Mike.Miller@CalRecycle.ca.gov

E. ELECTRONIC WASTE RECYCLING PROGRAM

Possible decisions or overview regarding the reuse, recycling, and handling of covered electronic devices; including matters related to fees, recyclers, enforcement, claim reviews and adjustments.

Action Items

No actions at this time

Information Items

Nothing to report at this time

F. LOCAL ASSISTANCE

Possible approval or discussion of locally adopted planning documents, bi-annual reviews, compliance and enforcement actions, or other program-related proceedings.

Action Items

No actions at this time

Information Items

Nothing to report at this time

G. GRANT AND LOAN PROGRAMS

Possible decisions or overview regarding matters related to the used oil and household hazardous waste programs.

Action Items

No actions at this time

Information Items

1. Awards for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Farm and Ranch Solid Waste Cleanup and Abatement Account, FY 2015–16)
Department Staff Contact: Carla.Repucci@CalRecycle.ca.gov
Public Notice
2. Awards and Distribution of Payments for the Used Oil Payment Program (Used Oil Recycling Fund, FY 2015/16)
Department Staff Contact: Baljot.Biring@CalRecycle.ca.gov
Public Notice
3. Eligibility, Scoring Criteria, and Evaluation Process for the Greenhouse Gas Reduction Revolving Loan Program (Greenhouse Gas Reduction Revolving Loan Fund, FY 2015–16)
Department Staff Contact: Jim.LaTanner@CalRecycle.ca.gov
Public Notice

H. SOLID WASTE AND TIRE FACILITIES

Possible decisions or reconsiderations to petitions for a facility or landfill permit or modification; and, possible determinations of enforcement actions, clean-up requirements; or LEA training.

Action Items

1. Golden By-Products Inc. - Merced County, New Major Waste Tire Facility Permit, Action Needed Oct 26, 2015
Department Staff Contact: Margaret.Comotto@CalRecycle.ca.gov
Public Notice
2. Walker Landfill – Mono County, Modified Solid Waste Facility Permit, Action Needed October 26, 2015
Department Staff Contact: Christine.Karl@CalRecycle.ca.gov
Public Notice
3. California Waste Services – Los Angeles County, Modified Solid Waste Facilities Permit, Action Needed November 2, 2015
Department Staff Contact: Shannon.Hill@CalRecycle.ca.gov
Public Notice

4. Waste Recovery West, Inc. – San Joaquin County, Major Waste Tire Facility Permit, Action Needed November 4, 2015
Department Staff Contact: Nevin.Yeates@CalRecycle.ca.gov
Public Notice
5. California Waste Recovery Systems – Sacramento County, Revised Solid Waste Facilities Permit, Action Needed November 28, 2015
Department Staff Contact: Nicholas.Oliver@CalRecycle.ca.gov
Public Notice
6. Lovelace Transfer Station – San Joaquin County, Revised Solid Waste Facilities Permit, Action Needed November 28, 2015
Department Staff Contact: Christine.Karl@CalRecycle.ca.gov
Public Notice

Information Items

1. Waste Tire Enforcement Report
Department Staff Contact: Bill.Albert@CalRecycle.ca.gov

I. OTHER

Possible decisions or discussions regarding the development or implementation of a new or an amendment to policies and procedures for grants, loans and contracts. Please note that grants, loans, or scopes of work will be agendized specific to program area unless otherwise noted here.

Action Items

No actions at this time

Information Items

Nothing to report at this time

J. COMPLIANCE AND ENFORCEMENT HEARINGS

Hearings for Compliance and Enforcement matters and Administrative Appeals which are required to have a public hearing prior to the Department taking action

Action Items

No actions at this time

Information Items

Nothing to report at this time

We want to assure all of our stakeholders that transparency and stakeholder involvement remains a high priority for CalRecycle. In keeping with a history of providing stakeholders with information about programs, activities, and departmental decisions, CalRecycle has a public noticing site. To review Final CalRecycle Decisions and other department activities, please go to: <http://www.calrecycle.ca.gov/Actions/> or <http://www.calrecycle.ca.gov/BevContainer/Notices>. For meeting participation, listserv, and feedback information, please go to: <http://www.calrecycle.ca.gov/PublicMeeting/>.



Monthly Public Meeting

CalRecycle

10:00 A.M., November 17, 2015
Cal/EPA Building – Byron Sher Auditorium

A. DIRECTOR'S REPORT

Presentations or discussions by the Director and/or Executive Offices regarding department matters, legislative updates, public affairs or 75% initiative/legislative report.

B. PUBLIC COMMENT*

People may speak on any matter concerning CalRecycle with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

*Please note that while CalRecycle affords members of the public the opportunity to participate by Webcast, CalRecycle strongly encourages public comments to be made in person.

C. BEVERAGE CONTAINER RECYCLING PROGRAM

Possible decisions or announcements regarding BCRP matters including fund condition, rates, approval of new/renewed certifications, or enforcement actions.

Action Items

No actions at this time

Information Items

1. Informal Regulatory Workshop – Pre-Payment Controls
December 8, 2015 9:30AM – 12:30PM
Coastal Hearing Room, Sacramento
Department Staff Contact: Angelica.Ibarra@CalRecycle.ca.gov

D. ELECTRONIC WASTE RECYCLING PROGRAM

Possible decisions or overview regarding the reuse, recycling, and handling of covered electronic devices; including matters related to fees, recyclers, enforcement, claim reviews and adjustments.

Action Items

No actions at this time

Information Items

Nothing to report at this time

E. LOCAL ASSISTANCE

Possible approval or discussion of locally adopted planning documents, bi-annual reviews, compliance and enforcement actions, or other program-related proceedings.

Action Items

1. State Agency and Large State Facility AB 75 Diversion Program Compliance - 2013/2014 Biennial Report Review Findings
Department Staff Contact: Robin.Williams@Calrecycle.ca.gov
[Public Notice](#)

Information Items

1. Five-Year Review Report For The Regional Agency Integrated Waste Management Plan For The Sonoma County Waste Management Agency
Department Staff Contact: Sam.Ferrero@Calrecycle.ca.gov
[Public Notice](#)

F. GRANT AND LOAN PROGRAMS

Possible decisions or overview regarding matters related to the used oil and household hazardous waste programs.

Action Items

1. Eligibility Criteria and Evaluation Process for the Local Government Waste Tire Cleanup Grant Program (Tire Recycling Management Fund, Fiscal Year 2016–17)
Department Staff Contact: Jill.Hayashida@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Recycling Market Development Zone Loan for St. Vincent de Paul Society of Lane County, Inc. (Recycling Market Development Revolving Loan Subaccount, FY 2015–16)
Department Staff Contact: Tim.Brannan@CalRecycle.ca.gov
[Public Notice](#)

G. SOLID WASTE AND TIRE FACILITIES

Possible decisions or reconsiderations to petitions for a facility or landfill permit or modification; and, possible determinations of enforcement actions, clean-up requirements; or LEA training.

Action Items

1. SANCO Recycling – San Diego County, Modified Solid Waste Facilities Permit, Action Needed December 5, 2015
Department Staff Contact: Virginia.Rosales@CalRecycle.ca.gov
[Public Notice](#)
2. L&D Landfill – Sacramento County, Revised Solid Waste Facilities Permit, Action needed December 13, 2015
Department Staff Contact: Nicholas.Oliver@CalRecycle.ca.gov
[Public Notice](#)
3. California Waste Recovery Systems – Sacramento County, Revised Solid Waste Facilities Permit, Action Needed December 13, 2015
Department Staff Contact: Nicholas.Oliver@CalRecycle.ca.gov
[Public Notice](#)
4. Commercial Waste & Recycling, LLC – Alameda County, New Solid Waste Facilities Permit, Action Needed December 18, 2015
Department Staff Contact: Patrick.Snider@CalRecycle.ca.gov
[Public Notice](#)
5. Palomar Transfer Station – San Diego County, Revised Solid Waste Facilities Permit, Action Needed December 21, 2015
Department Staff Contact: Virginia.Rosales@CalRecycle.ca.gov
[Public Notice](#)

6. EDCO Recycling – San Diego County, Modified Solid Waste Facilities Permit, Action Needed December 22, 2015
Department Staff Contact: Megan.Emslander@CalRecycle.ca.gov
[Public Notice](#)
7. CRM Stockton – City of Stockton, Major Waste Tire Facility Permit, Action Needed April 19, 2016
Department Staff Contact: Megan.Emslander@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Approval of the Del Norte Coast Redwoods State Park Waste Tire Site Cleanup, Waste Tire Stabilization and Abatement Program (Tire Recycling Management Fund)
Department Staff Contact: Alan.Zamboanga@CalRecycle.ca.gov
[Public Notice](#)

H. POLICY MANDATES/WORKSHOPS/RULEMAKING PROCEEDINGS

Possible decisions or discussions by department staff regarding any order instituting a rulemaking proceeding to develop and adopt regulations and/or policy guidelines specifying the procedures to implement or revise program guidelines or requirements such as Product Stewardship, Commercial Recycling, Organics Roadmap or the 75% initiative.

Action Items

No actions at this time

Information Items

1. Tire Management Workshop: Increasing Recycling
December 2, 2015 1:30PM – 4:30PM
Department Staff Contact: Calvin.Young@CalRecycle.ca.gov
[Public Notice](#)
2. Synthetic Turf Study Public Workshop – Los Angeles
December 3, 2015 6:00PM – 8:30PM
Department Staff Contact: Robert.Carlson@CalRecycle.ca.gov
[Public Notice](#)
3. Covered Electronic Waste Stakeholder Workshop: Designated Approved Collectors
December 16, 2015 10:00AM – 12:00PM
Department Staff Contact: Jeff.Hunts@CalRecycle.ca.gov
[Public Notice](#)
4. CalRecycle Packaging Workshop: Manufacturers' Challenge
Please Note: New Time and Date
January 5th, 2015 9:00AM – 4:00PM
Department Staff Contact: Cynthia.Dunn@CalRecycle.ca.gov
[Public Notice](#)

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For Immediate Release
October 29, 2015
Release #2015-23

Media Contact:
[Lance Klug](#)

CHP Joins Recycling Fraud Fight: Three arrests in six weeks hit out-of-state beverage container schemes

SACRAMENTO--The Department of Resources Recycling and Recovery (CalRecycle) has enlisted the help of the California Highway Patrol in its fight against fraud in the Beverage Container Recycling Program, and the partnership is paying off.

In late August and September, CHP initiated the arrests of two truck drivers suspected of illegally hauling out-of-state used beverage containers into California for the purpose of defrauding California's Redemption Value fund. The arrests, coupled with a third interdiction early last month, helped cap off a recent surge in border busts for CalRecycle and its enforcement partners at the California Department of Justice and the Department of Food and Agriculture.

"CalRecycle's growing enforcement team scored some big wins recently in our fight against fraud in the Beverage Container Recycling Program, and we have no intention of slowing down," CalRecycle Director Scott Smithline said. "These criminal organizations, and the truck drivers they pay off to profit on fraudulent CRV claims, need to understand that CalRecycle, DOJ's Recycling Fraud Team, CDFA agents, and now the CHP are watching and waiting for the opportune time to bring them down."

California's Beverage Container Recycling and Litter Reduction Act incentivizes recycling through a CRV fee paid by California consumers at the time of purchase and refunded upon return of the empty beverage containers. Since the fee is not paid on beverages purchased outside the state, those containers are not eligible for CRV redemption.

The California Department of Justice investigates and prosecutes criminal cases on behalf of CalRecycle, which has administrative authority over the state's beverage container recycling program. In addition to CalRecycle's interagency agreements with California Department of Justice and California Department of Food and Agriculture, the department aggressively combats fraud through enhanced [precertification training](#) of recycling center owners, documentation requirements for [imported materials](#), increased scrutiny of payment claims, and [daily load limits](#) on material that can be brought in for redemption.

CHP Arrest: Aug. 21, 2015, at 8:45 p.m.

- ➔ Gamaliel Aguirre, 50, of Riverside arrives at CDFA border checkpoint in Blythe, fails to provide required documentation for load.
- ➔ Secondary inspection reveals trailer "fully occupied" with used beverage containers.
- ➔ CDFA inspector calls CHP for assistance.
- ➔ Aguirre tells officer he was approached by man in Phoenix and agreed to haul cargo of "broken pallets with empty cans" to Los Angeles.
- ➔ Aguirre's truck is impounded and Aguirre is arrested on charges of felony recycling fraud and attempted grand theft.
- ➔ Investigators determine trailer contains 1,635 lbs. aluminum and 1,985 lbs. plastic used beverage containers with a potential total CRV of \$4,905.75.
- ➔ CHP shares additional information with CalRecycle and CDOJ's Recycling Fraud Team for follow-up investigation.



CDOJ Arrest: Sept. 3, 2015, at 10:20 p.m.

- ➔ Agents with CDOJ's Recycling Fraud Team conduct surveillance at CDFA checkpoint in Blythe.
- ➔ Suspect, who resides in Mesa, Ariz., enters CDFA

checkpoint (Suspect's name withheld due to ongoing investigation).

- ➔ Secondary inspection reveals trailer filled to capacity with large plastic and canvas bags full of used beverage containers.
- ➔ Truck is impounded and suspect is arrested on charges of felony recycling fraud and attempted grand theft.
- ➔ Investigators determine trailer contains 2,280 lbs. aluminum, 546 lbs. plastic, and 2,490 lbs. glass used beverage containers with a potential total CRV of \$4,502.67.

CHP Arrest: Sept. 30, 2015, at 9:55 a.m.

- ➔ Xin Song, 51, of El Monte arrives at CDFA border checkpoint in Blythe, claims empty trailer.
- ➔ Song provides CDFA inspector with fraudulent bill of lading indicating the truck was hauling furniture.
- ➔ Secondary inspection reveals trailer filled with plastic used beverage containers.
- ➔ CDFA inspector calls CHP for assistance.
- ➔ Song's truck is impounded and Song is arrested on charges of felony recycling fraud and attempted grand theft.
- ➔ Investigators determine trailer contains 32,520 lbs. of plastic used beverage containers with a potential CRV of \$38,048.40.
- ➔ CHP shares additional information with CalRecycle and CDOJ's Recycling Fraud Team for follow-up investigation.



Connect With Us:     

###

CalRecycle is the state's leading authority on recycling, waste reduction, and product reuse. CalRecycle plays an important role in the stewardship of California's vast resources and promotes innovation in technology to encourage economic and environmental sustainability. For more information, visit www.calrecycle.ca.gov.

News Room <http://www.calrecycle.ca.gov/NewsRoom/>
 Public Affairs Office: opa@calrecycle.ca.gov (916) 341-8300

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Mary Pitto

From: CalRecycle Electronic Product Management ListServ [EWaste@calrecycle.ca.gov]
Sent: Tuesday, October 06, 2015 4:22 PM
To: Mary Pitto
Subject: California E-Waste Updates: Implementing the Electronic Waste Recycling Act

October 6, 2015

Dear Electronic Waste Stakeholder:

This electronic newsletter is an update on the implementation of California's Electronic Waste Recycling Act of 2003 (Act) and other electronic waste (e-waste) management developments in California.

In this issue:

EMERGENCY CIVIL LIABILITY REGULATIONS APPROVED BY OAL

Emergency Civil Liability Regulations Approved By OAL

Rules governing the administration and imposition of civil liabilities relative to the Electronic Waste Recycling Act and the covered electronic waste (CEW) program have been approved by the Office of Administrative Law (OAL) and took effect immediately Monday, October 5, 2015. The rules were proposed by the Department of Resources Recycling and Recovery (CalRecycle) to further implement existing statutory authority.

A copy of the approval documents can be found in the rulemaking area of the CalRecycle website at: <http://www.calrecycle.ca.gov/Laws/Rulemaking/Archive/2015/EWasteCivil/default.htm>

As authorized by Public Resources Code (PRC) section 42474(d), CalRecycle may administratively impose civil liabilities (penalties) on a person "... that makes a false statement or representation in any document filed, submitted, maintained or used for purposes of compliance..." with the Electronic Waste Recycling Act and associated regulations, including those related to the CEW program. The regulations, adopted under emergency authority (see PRC 42475.2), clarify the administrative processes of noticing violations, issuing accusations, determining penalties, holding hearings, etc.

CalRecycle currently employs a variety of tools to maintain compliance and integrity in the CEW program, including denying, suspending, or revoking approval to participate, and adjusting or denying payment on CEW claims. CalRecycle also works in close coordination with the Department of Toxic Substances Control (DTSC), the Department of Food and Agriculture Division of Measurement Standards (CDFA/DMS), and the Department of Justice Bureau of Investigations. It is anticipated that administratively pursuing civil liabilities will further serve to correct willful or reckless mismanagement of required documentation.

An unofficial copy of applicable California Code of Regulations, Title 14, sections pertaining to the CEW program, including the newly approved civil liability rules, can be found at: <http://www.calrecycle.ca.gov/Electronics/RegInfo/RevRegs.pdf>

Other Resources

Covered Electronic Waste (CEW) Recycling Program Information:
<http://www.calrecycle.ca.gov/Electronics/CEW/>

CEW Recycling Payment System Regulations (not yet updated):
<http://www.calrecycle.ca.gov/Laws/Regulations/Title14/Chap08pt2/default.htm>

DTSC Universal Waste Electronics Handler and Recycler Information:
<http://www.dtsc.ca.gov/HazardousWaste/EWaste/>

Public Resources Code (PRC), Health and Safety Code (HSC), and other statutes:
<http://www.leginfo.ca.gov/calaw.html>

USEPA Information on the Management and Regulation of CRTs:
<http://www.epa.gov/epawaste/hazard/recycling/electron/index.htm>

Please note that e-mail correspondence with the Department of Resources Recycling and Recovery (CalRecycle) related to e-waste management in general, and implementation of the Electronic Waste Recycling Act in particular, should be directed to ewaste@calrecycle.ca.gov

Also note that an archive of past distributions of this newsletter is available at:
<http://www.calrecycle.ca.gov/Electronics/NewsEvents.htm>

Thank you for your interest in shaping California's e-waste management future.

To subscribe to or unsubscribe from the E-Waste listserv or other listservs, please go to <http://www.calrecycle.ca.gov/Listservs/>. For information on California's Electronic Waste Recycling Act of 2003 (SB 20) implementation efforts, as well as other relevant developments go to <http://www.calrecycle.ca.gov/Electronics/>.



Edmund G. Brown Jr.
Governor

Matthew Rodriguez
Secretary for Environmental Protection

Unified Program Newsletter October 2015

IN THIS ISSUE:

DTSC

Senate Bill 612
Added HSC, section 25158.1
Added HSC, section 25404(c)

SWRCB

Notification of Revised Federal UST Regulations to UST Owners and Operators
CERS FAQ Update
September 2015 CERS UST Status Report
Office of Tank Tester Licensing

CAL- FIRE OSFM

Tier II Qualified Facility Spill Prevention, Control, & Countermeasure (SPCC) Plan Template

Department of Toxic Substances Control

Senate Bill 612

Senate Bill 612 was signed by the Governor on October 2, 2015. Of interest are the following two amendments to the Health and Safety Code (HSC). You can read the bill at:

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_612&sess=CUR&house=B&search_type=email

Added HSC, section 25158.1

25158.1. (a) When making the quantity determinations for purposes of Section 66262.34 of Title 22 of Division 4.5 of the California Code of Regulations, as it may be amended consistent with this code, a generator shall include all hazardous waste that it has generated in any month, except for universal wastes managed pursuant to the requirements of Chapter 23 (commencing with Section 66273.1) of Division 4.5 of Title 22 of the California Code of Regulations.

(b) By December 1, 2016, the department shall adopt regulations incorporating the instructions to hazardous waste generators in subdivision (a) into its implementing regulations.

Added HSC, section 25404(c)

The unified program shall consolidate the administration of the following requirements and, to the maximum extent feasible within statutory constraints, shall ensure the coordination and consistency of any regulations adopted pursuant to those requirements:

(1) (A) Except as provided in subparagraphs (B) and (C), the requirements of Chapter 6.5 (commencing with Section 25100), and the regulations adopted by the department pursuant thereto that are applicable to all of the following:

- (i)
- (ii)
- (iii)
- (iv)
- (v)
- (vi) Persons who receive used oil from consumers pursuant to Section 25250.11.

State Water Resources Control Board

Notification of Revised Federal UST Regulations to UST Owners and Operators

The United States Environmental Protection Agency has recently made revisions to the federal underground storage tank (UST) regulations published in the Federal Register below.
<http://www.gpo.gov/fdsys/pkg/FR-2015-07-15/pdf/2015-15914.pdf>

On August 20, 2015, the State Water Resources Control Board (State Water Board) issued a letter to UST owners and operators notifying them that they must comply with these new federal UST regulations in addition to California UST statutes and regulations. A copy of the letter is posted at the website below. http://www.waterboards.ca.gov/ust/adm_notices/fed_regs_comp_deadline.pdf

Enclosed with the letter are tables to assist UST owners and operators in determining which of the new requirements in the federal UST regulations will affect USTs operated in the State of California. The tables contain compliance deadlines and a general description of each of the new federal UST regulations that are more stringent than current California UST statutes and regulations. The State Water Board will provide more detailed guidance on how to meet the new federal UST requirements in the near future. For questions regarding the letter or the tables, contact Cory Hootman at cory.hootman@waterboards.ca.gov or (916) 341-5668.

CERS FAQ Update

The CERS FAQ titled "General Reporting Requirements for UST Sites," located on the CERS Business Portal Help page has been updated to clarify that UST submittal elements are required to be submitted when the UST permit is due for renewal or when any information has changed. It is not required annually unless an annual UST permit is issued (the default UST permit period is five years, as defined in section 2712(c) of title 23 of the California Code of Regulations. For questions regarding the FAQ, contact Gabriel Herrera at gabriel.herrera@waterboards.ca.gov or (916) 319-9128.

September 2015 CERS UST Status Report

The State Water Board has recently published the latest quarterly status reports intended for tracking progress towards entering all UST related business and compliance, monitoring and enforcement (CME) data into the California Environmental Reporting System (CERS). The "September 2015 CERS UST Status Report" can be found at the website below.

http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/qtrly_cersrpt_2015sept.pdf

The report shows 93.7% of UST sites are now in CERS. Since the first report in May 2014, there has been an increase from 33% to 61% of UST facilities that now have an accepted UST submittal and an increase from 9% to 74% that now have CME data. The report includes a breakdown by Unified Program Agency (UPA).

A new goal (Goal 4) has been added to the table that tracks the UPA's CERS related performance during the most recent CUPA evaluation. The State Water Board will use Goal 4 as a factor in its decision to allow UPA's to submit the Report 6 electronically. The next quarterly status report will be in December 2015.

Office of Tank Tester Licensing

Request for Interior Tank Lining Companies to Submit Notification of UST Lining Activities
As previously advised in the September 2015 State Water Board Monthly updates, many CUPAs have expressed significant concern regarding compatibility issues associated with aging UST infrastructure. Particularly, it has been expressed that tank lining is occurring to repair or address these compatibility issues without understanding the root cause. As a result of the significant number of tank lining events going on throughout the state and not having a clear understanding as to why the increased lining events are occurring, the State Water Board Office of Tank Tester Licensing is requesting that tank lining companies notify the State Water Board 7 days prior to commencing any tank lining activities. This request is issued in the State Water Board letter below.

http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/interior_tank_lining_notification_letter&form.pdf

CAL FIRE - Office of State Fire Marshal

Tier II Qualified Facility Spill Prevention, Control, & Countermeasure (SPCC) Plan Template

The Office of the State Fire Marshal (OSFM) has updated the Tier II Qualified Facility SPCC Plan Template, which was originally developed by the Aboveground Petroleum Storage Act (APSA) Working Group in May 2010 and modeled after the U.S. Environmental Protection Agency Tier I Qualified Facility SPCC Plan Template. In addition to general edits and updates to citations, the template now includes the following:

- Substantial harm criteria checklist;
- Requirements for qualified oil-filled operational equipment;
- Professional engineer (PE) certification and attestation (for a hybrid plan), including a table for the PE to describe the (1) alternative measures used for environmental equivalence, (2) impracticability determination and measures in lieu of secondary containment, and (3) alternative measures/procedures for produced water containers; and
- Effluent treatment facilities/systems log.

These updates were necessary to include current APSA and Federal SPCC requirements. The template may be found on the OSFM APSA website at: <http://osfm.fire.ca.gov/cupa/apsa.php>.



Edmund G. Brown Jr.
Governor

Matthew Rodriguez
Secretary for Environmental Protection

Unified Program Newsletter November 2015

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SWRCB

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California Environmental Protection Agency

CERS 3.0 Update

In June 2015, CalEPA hosted a workshop to review hundreds of suggested enhancements for the California Environmental reporting System version 2.0 (CERS 2.0). The workshop was attended by each Unified Program regulating state agency as well as the Data Steering Committee. Upon conclusion of the workshop, 110 supported enhancements for a CERS 3.0 development project were presented to the CalEPA CERS Technical Support Unit to determine the amount of time and effort necessary to complete each enhancement. CUPA data services vendors that interface with CERS were also contacted to estimate the time and effort necessary for the completion of each enhancement.

From the CERS Technical Support Unit's time and effort assessment, CalEPA was able to derive an overall cost estimate for the development and implementation of CERS 3.0 in the amount of approximately \$2 million for all 110 enhancements. This estimate does not include expenses that are likely to be incurred by local agencies as the implementation of a CERS 3.0 may affect the interconnectivity of the local reporting systems. Because of the high cost and widespread impact of these enhancements, the project must be overseen by the California Department of Technology. The California Department of Technology will require a feasibility study of the CERS 3.0 development and implementation, which can take up to 18 months, followed by about a year to put contracts into place for the project, and finally, it is estimated that actual completion of CERS 3.0 enhancements will take about two years. With these requirements, a CERS version 3.0 is not expected to be deployed until approximately the year 2020.

In the meantime, CalEPA's Technical Support Unit will be evaluating the enhancements to determine which are possible in the current CERS 2.0 system. This will improve a variety of aspects in the current system and may significantly reduce the overall cost of the CERS 3.0 development project. A summary of the workshop review of the proposed enhancements and details of each enhancement are available by using the links below:

- Summary of CERS 3.0 Enhancements Reviewed by the Data Steering Committee
<http://www.calepa.ca.gov/CUPA/EReporting/2015Workshop/Summary.pdf>
- CERS 3.0 Enhancements Supported by the Data Steering Committee
<http://www.calepa.ca.gov/CUPA/EReporting/2015Workshop/SupportInfo.pdf>

For questions regarding CERS 3.0 development and implementation, please contact CERS@calepa.ca.gov.

CERS Tips and Tricks

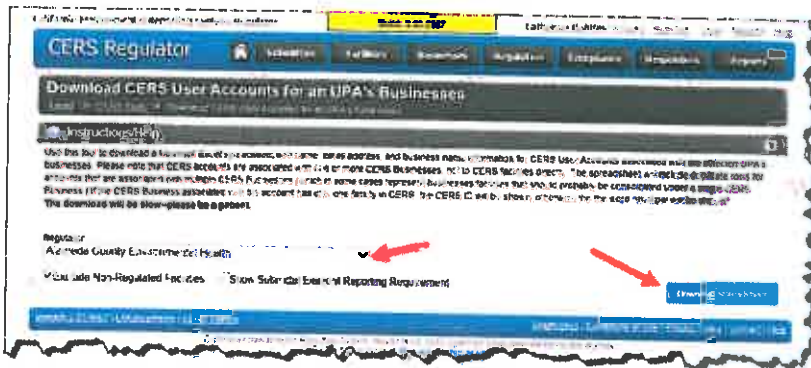
CERS Tips and Tricks include helpful explanations and resolutions regarding current issues recently received by the CERS Technical Support Team (CTST). If you have questions or concerns, please contact the CTST at cers@calepa.ca.gov.

Regulators can obtain a list of email contact information for all regulated facilities in their jurisdiction by downloading the "Business User Email Address."

- Log into the CERS Regulator portal.
- Select "Tools" in the upper right corner.
- On the right side of the screen, select "Download CERS User Accounts for an UPA's Businesses."



- Select your Regulatory agency
 - Choose to include or exclude non-regulated facilities
 - Choose to show or not show submittal element reporting requirements
- Select "Download Spreadsheet"



- The downloaded spreadsheet will display the following information:
 - First and last name of each CERS user
 - Email address, last CERS sign-in date
 - Business organization name
 - Business headquarters
 - Organization code
 - Total number of Business Users
 - CERS ID

Updated CERS Frequently Asked Questions Posted on the Regulator Portal

The following Frequently Asked Questions documents have been updated and posted at: <http://cersregulator.calepa.ca.gov/Help> in the General section. They relate to compliance, monitoring and enforcement (CME) reporting in CERS.

- Reporting Escalated Violations in CERS
- Should Enforcement be Reported in CERS for Every Violation?
- Reporting Multiple Identical Violations in CERS

These FAQs were developed in coordination with the Unified Program Administrative Advisory Group Enforcement Steering Committee. If you have questions, please contact Dan Firth at Daniel.Firth@calepa.ca.gov.

Reminder: Compliance Monitoring and Enforcement (CME) Data must be entered into CERS
Starting fiscal year 2014/2015, CME data must be submitted electronically within 30 days of each completed quarter [CCR Title 27, Division 1, Subdivision 4, §15290(b)]. Submittal deadlines are listed below:

Fiscal Year Quarterly CME Action Occurs (Including updates)	Deadline for Electronic Submittal Of Quarterly CME Data
July 1 – September 30	October 30
October 1 – December 31	January 30
January 1 – March 31	April 30
April 1 – June 30	July 30

As of August 1, 2014, CUPAs are evaluated on quarterly CME electronic reporting requirements for inspection and enforcement activities occurring on or after July 1, 2013.

All CME data must include the complete detail record fields identified in the CERS Regulator Portal (<http://cers.calepa.ca.gov/>) and defined in the Unified Program Data Dictionary (www.calepa.ca.gov/LawsRegs/Regulations/T27/DataDict.pdf).

For more information, please refer to Unified Program Guidance Letter 14-02 (<http://www.calepa.ca.gov/CUPA/Bulletins/2014/Jan17.pdf>).

Department of Toxic Substances Control

SB-14 Documentation is No Longer Required to be submitted

SB-1018, adopted in July 2012, has repealed the requirement for facilities to submit the SB-14 Pollution Prevention and Hazardous Waste Source Reduction and Management Review Act documentation to the DTSC. Facilities are still required to have an original on site for review by DTSC or CUPA inspectors. As a result, the DTSC is returning all SB-14 submissions received in 2015 to the facilities, with a letter stating the requirement to submit has been repealed. A copy of the letter is attached. Information on SB-14 can be found at https://www.dtsc.ca.gov/PollutionPrevention/SB14/SB14_Intro.cfm

Renewal of the Neutralex Treatment Technology

This treatment technology was renewed on July 13, 2015. The renewal certification can be found at <https://www.dtsc.ca.gov/TechnologyDevelopment/TechCert/upload/scigen-neutralex-cert-2015.pdf>

State Water Resources Control Board

Compliance with California and Federal UST Regulations Notification

On October 21, 2015 the State Water Board sent out notice, via Lyris, to UST owners and operators describing federal regulations they need to meet in addition to California's UST requirements. UST owners and operators must comply with the new federal UST regulations that became effective October 13, 2015. The letter informs owners and operators where they can find more information on how to meet federal UST regulations. In addition, detailed tables have been compiled to assist UST owners and operators in determining which of the new requirements in the federal UST regulations need to be met and by when. The tables contain compliance deadlines, a general description of each of the new federal regulations that are more stringent than California UST statutes and regulations, and the federal citation. A copy of the letter is posted at http://www.waterboards.ca.gov/ust/tech_notices/docs/ca_fed_regs.pdf

Updated UST Data Posted on the Web

The State Water Board has posted the following updated Report 6 related information to our website: Public Record Summary Information on Underground Storage Tanks – This page is required to be published annually by the Federal Energy Act of 2005 and shows a summary of UST facility information and a table listing the source and cause information for UST releases reported during the past reporting period. The page can be found at http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/public_record_sum_info.shtml

Report 6 Semiannual Data – This table shows the number of active UST facilities and USTs, the number of USTs that were permanently closed, the number of USTs that were installed, and inspection information for the reporting period. The table can be found at http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/docs/qtrlydata/jan_june2015.pdf

Red Tags Issued Through June 2015 – This table lists the Red Tags issued through June 2015 and is sorted by the reporting period issued and by the regulatory agency that issued them. Select "Red Tags affixed by CUPAs (listed by CUPA or Date affixed)" at http://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/index.shtml

Agenda Item IX

ARTICLES OF INTEREST

Mary Pitto

Subject:

FW: WTE v. Landfills - WSJ Article

Does Burning Garbage for Electricity Make Sense?

Nickolas J. Themelis of Columbia University says it has clear advantages; economist Jeffrey Morris says we should stick with landfills.



Garbage trucks deliver trash to a Florida waste-to-energy plant. Some European countries burn about half of their solid waste for energy, but in the U.S. the figure is much lower. *PHOTO: DANIEL ACKER/BLOOMBERG NEWS*

Nov. 15, 2015 10:11 p.m. ET
[31 COMMENTS](#)

The amount of garbage produced by the world's urban dwellers is growing at an astonishing clip. The World Bank has estimated that countries are generating 1.4 billion tons of municipal solid waste each year and forecasts that this number will double by 2025.

What is to be done with all of that stuff?

Governments and businesses have been working to change product packaging and consumer behavior to reduce the materials we throw away. In combination with recycling and composting efforts, these changes have helped significantly reduce garbage being buried in landfills.

JOURNAL REPORT

- Insights from [The Experts](#)
- Read more at WSJ.com/EnergyReport

MORE IN BIG ISSUES: ENERGY

- [Does the U.S. Need a Large Strategic Petroleum Reserve?](#)
- [The Outlook for the Energy Industry](#)
- [Solar Energy and the Tax Credit](#)
- [Time to End the Ethanol Mandate?](#)
- [Oil, Earthquakes and Liability](#)

One option for dealing with the remaining trash—burning waste to generate electricity—has been adopted in several countries but has encountered stiff opposition in the U.S., where about 12% of municipal solid waste is burned for energy.

Supporters of waste-to-energy plants say such facilities reduce the need for land for dumps, lower the cost of moving trash around the country and provide an alternative source of power.

But for opponents, burning waste to produce energy is the least desirable way to deal with garbage. Such plants pollute the air, and their high capital costs can divert resources from waste-reduction and recycling efforts, the critics say.

Nickolas J. Themelis, director of the Earth Engineering Center at Columbia University, says burning waste for energy makes sense. Jeffrey Morris, an economist and president of Sound Resource Management Group in Olympia, Wash., counters that waste-to-energy is the worst of the possible options.

YES: It's Better Than Landfills

By Nickolas J. Themelis

Waste dumps are an age-old means of disposing of municipal solid waste that in developed nations in the past few decades have evolved into sanitary landfills. However, as cities run out

of space for landfills, they have to transport their garbage to faraway sites—or find ways to produce less waste.

Many communities—in nearly 40 countries—have concluded that it makes sense to burn such waste, not only to reduce landfill space needs, but as a means of producing energy economically and with less harm to the environment than consigning garbage to landfills or burning fossil fuels.

Here are some of the reasons Germany and other nations in Europe and Asia have concluded that it makes sense to burn municipal solid waste instead of using landfills:

Land conservation: A waste-to-energy plant of one million tons capacity can be built on 20 acres and over a lifetime of 40 years or more help avoid conversion of 1,000 acres to landfills.

Preservation of nonrenewable resources: To generate 500 kilowatt-hours of electricity, the average waste-to-energy plant in the U.S. burns one ton of waste, while a coal-burning power plant must burn one-third of a ton of coal. The carbon emitted is roughly equal, but only a third of the carbon in the waste is fossil-based, so fewer nonrenewable resources are used. No one is arguing, by the way, that waste-to-energy plants should replace coal- or natural-gas-fired plants. But as power producers, they do offer benefits that landfills lack. Methane that sanitary landfills capture for energy produces a theoretical 120 kilowatt-hours per ton. The average production of electricity from all U.S. landfills is only 50 kilowatt-hours per ton of solids landfilled.

Effect on recycling: Burning waste for energy doesn't discourage recycling, as some critics have claimed. Several studies have shown that states and [countries that recycle are also big users of waste-to-energy](#). Also, 90% of postrecycling waste in the U.S. is currently landfilled, presenting a good fuel supply.

Environmental quality: A recent Columbia University [study](#) showed that total dioxin emissions of U.S. waste-to-energy plants in 2012 were 0.09% of all dioxin emissions in the U.S. Spontaneous landfill fires in the U.S. in 2012 produced more than 400 times as much dioxins. It is true that waste-burning plants require sophisticated air-pollution controls, but landfills have no such controls on the gases they emit in the atmosphere.

Mitigation of climate change: [Studies by the Environmental Protection Agency](#) and academia have shown that diverting one ton of municipal solid waste from sanitary landfills

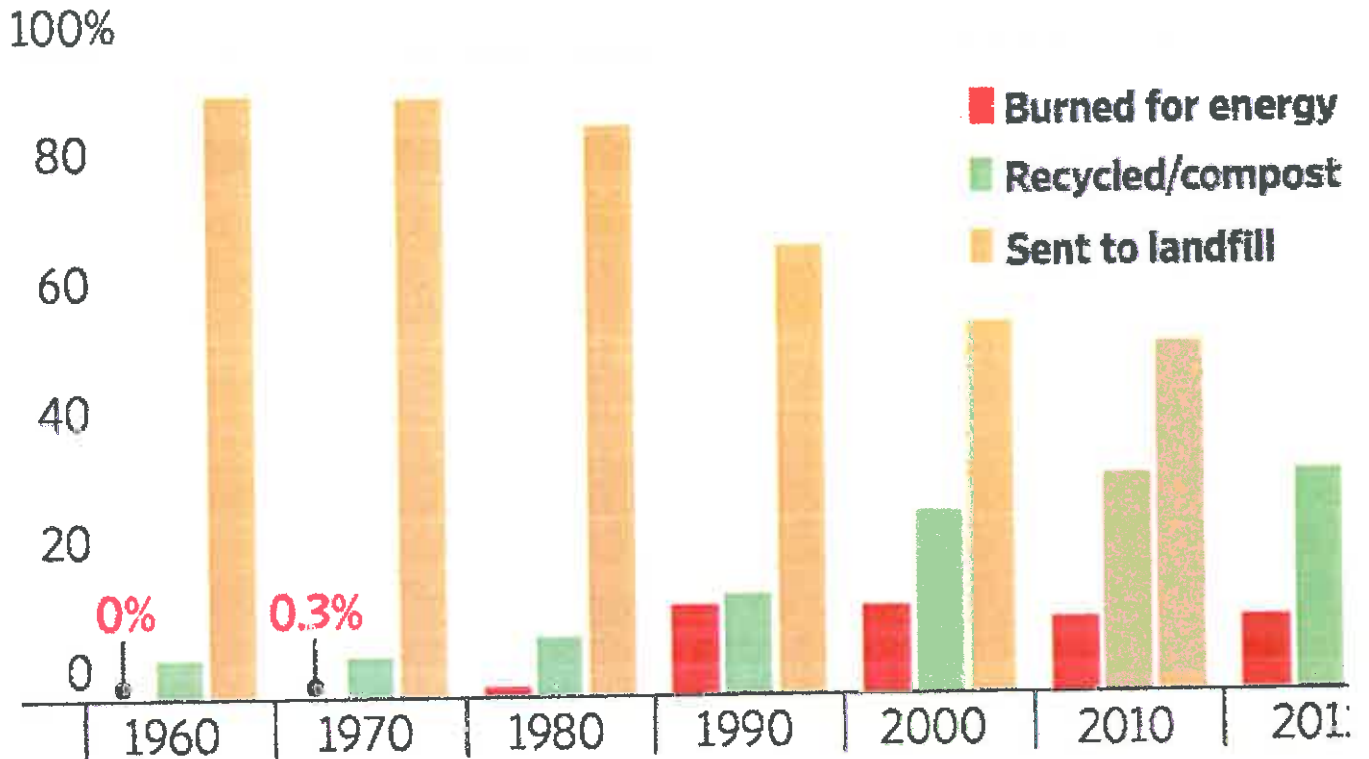
to waste-burning plants reduces greenhouse-gas emissions by at least half a ton of carbon dioxide per ton of waste.

Fiscal advantage: Waste-to-energy plants require a large upfront capital investment. But most of the hundreds of U.S. municipalities that built them two and three decades ago have benefited financially. Such plants earn higher gate fees than landfills do, and they produce electricity.

Prof. Themelis is director of the Earth Engineering Center at Columbia University. Email him at reports@wsj.com.

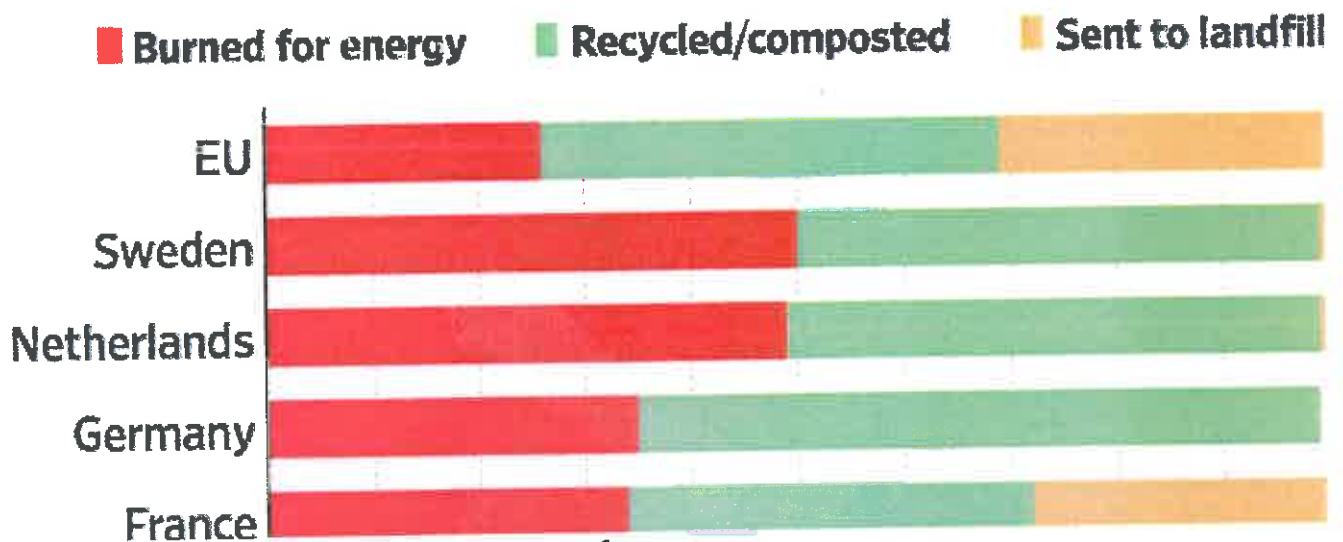
Where Garbage Ends Up

The percentage of municipal solid waste in the U.S. that is:



Note: Percentages are based on weight.
Source: Environmental Protection Agency

The percentage of municipal solid waste in the European Union overall and selected EU countries that is:



NO: The Costs Are Too High

By Jeffrey Morris

Burning garbage to produce electricity is a terrible idea, for both economic and environmental reasons—including the harm it can do to a community's efforts to recycle and compost.

Here are the main reasons why we shouldn't burn garbage for power:

It is inefficient: Incineration converts less than 25% of material energy in garbage into marketed electricity, compared with about 35% for coal and as much as 45% for some natural-gas systems. Even landfill methane **burns with about 35% efficiency**. Better still, recycling discarded items—reducing the need for manufacturing and packaging—saves three to five times as much energy as incinerating them generates.

It harms the environment: Burning garbage emits 1.5 times as much carbon dioxide per kilowatt-hour generated as coal and three times as much as natural gas. Waste-to-energy plants require costly air-pollution controls to reduce emissions of hazardous metals and chemicals. Even with such controls, garbage burning is more harmful to humans and the ecosystem than fossil fuels. Claims that waste-burning emissions contain only a small fraction of dioxins released by landfill fires are based on tests and data that are biased. Plant operators are warned well in advance of testing dates. And landfill-fire data include open, unlined dumps and landfills that do not capture explosive emissions, neither of which are representative of modern landfills.

It releases carbon, while landfills store it: Incineration spews virtually all of the carbon in burnable garbage materials into the atmosphere as carbon dioxide. **Landfills store** all of the carbon found in nonbiodegradable materials like plastics and glass, and some of the carbon in materials that break down over time: Amounts of carbon stored for biodegradable materials range from more than 80% for wood and newsprint to less than 20% for food scraps; leaves, other paper types, cardboard and grass are somewhere in between.

Modern landfills have smaller climate footprints: Studies which claim that waste-to-energy plants reduce greenhouse-gas emissions more than landfills typically don't count all of the carbon-dioxide such plants emit. They also base their comparisons, in part, on landfills that either **do not attempt to capture methane or do a poor job of it**. Newer landfills, which grab and burn methane for electricity, release less carbon than incinerating the solid waste

that generates it. Thus, communities that combine modern landfills with composting organics and recycling do less environmental harm than plants that burn solid waste for electricity.

It is more expensive than land-filling: Disposal costs for waste-to-energy plants—net of revenue from generated energy—are 35% to 50% higher than disposal costs for land-filling. Such facilities typically commit a community to throwing away a set amount of garbage each year to meet plant production requirements, thus inhibiting recycling and composting efforts. *Dr. Morris is an economist and president of Sound Resource Management Group. Email him at reports@wsj.com.*



Understanding **ORGANICS**

Many local programs can make major diversion strides by setting up collections of yard debris or food scraps. Two industry veterans lay out the basics on controlling costs and developing processing capacity.

By Lisa Skumatz and Gary Horton

Organic material is by far the largest remaining recoverable in most community waste streams – the last remaining “double-digit” item. It is the linchpin for communities that have robust (but stalled) recycling programs and are hoping to reach aggressive diversion or sustainability goals.

The numbers show that it is far more volume- and cost-effective per ton diverted to add organics collection every other week and collect recyclables every other week than to have weekly recyclables collection (see the feature “Every other week for everything” in the November 2013 edition of Resource Recycling). The programs can also make sense economically in communities with higher tipping fees (above \$45 or more per ton). In this paper, we provide data and tips for communities or haulers considering taking on organics – with or without food scraps.

The two elements a community or hauler needs to analyze are collection costs and processing capacity. The processing question is simple if facilities with capacity exist. Below, we address specifics around the costs of collection, as well as costs to build processing capacity.

Major design decisions

A handful of basic points need to be considered at the outset of program development.

The material to be included is consideration number one. Will it be yard debris only? Or will it include some or all of the vegetative, bone and dairy categories? The processing mix often benefits from the addition of bone.

Collection frequency is also key. Options include weekly, every-other-week (EOW) and seasonal collection. Seasonal may mean weekly during the summer and EOW the rest of the year, or only offering service during the growing season. If food scraps are to be included, year-round collection is desired.

Next, consider whether the program will be optional or mandatory. The lowest risk and highest diversion option is to require service of all households (having the fee embedded in trash is usually preferable to a separate fee). This makes especially good sense if your program includes food scraps. If the political will is not there for mandatory service, then an optional program may be considered with an additional dedicated fee. In the voluntary case, you may consider programs that are “opt-in” in which

Table 1 | Monthly change in tip fees when adding organics

Assumes 70 pounds per household per month. Organics tip fees are typically \$40 to \$60 per ton – bold figures show cost repercussions in that fee range.

Tip fees	\$10	\$20	\$30	\$40	\$50	\$60	\$70	\$80	\$90	\$100
\$10	\$0.00	-\$0.35	-\$0.70	-\$1.05	-\$1.40	-\$1.75	-\$2.10	-\$2.45	-\$2.80	-\$3.15
\$20	\$0.35	\$0.00	-\$0.35	-\$0.70	-\$1.05	-\$1.40	-\$1.75	-\$2.10	-\$2.45	-\$2.80
\$30	\$0.70	\$0.35	\$0.00	-\$0.35	-\$0.70	-\$1.05	-\$1.40	-\$1.75	-\$2.10	-\$2.45
\$40	\$1.05	\$0.70	\$0.35	\$0.00	-\$0.35	-\$0.70	-\$1.05	-\$1.40	-\$1.75	-\$2.10
\$50	\$1.40	\$1.05	\$0.70	\$0.35	\$0.00	-\$0.35	-\$0.70	-\$1.05	-\$1.40	-\$1.75
\$60	\$1.75	\$1.40	\$1.05	\$0.70	\$0.35	\$0.00	-\$0.35	-\$0.70	-\$1.05	-\$1.40
\$70	\$2.10	\$1.75	\$1.40	\$1.05	\$0.70	\$0.35	\$0.00	-\$0.35	-\$0.70	-\$1.05
\$80	\$2.45	\$2.10	\$1.75	\$1.40	\$1.05	\$0.70	\$0.35	\$0.00	-\$0.35	-\$0.70
\$90	\$2.80	\$2.45	\$2.10	\$1.75	\$1.40	\$1.05	\$0.70	\$0.35	\$0.00	-\$0.35
\$100	\$3.15	\$2.80	\$2.45	\$2.10	\$1.75	\$1.40	\$1.05	\$0.70	\$0.35	\$0.00

Notes: The tip fees running across the top of the chart represent fees at landfills. The tip fees running vertically along the left side represent organics tip fees. The red shaded area shows when costs overall will increase.

households sign up for service. Alternatively, a few communities have implemented “opt-out” arrangements, where the onus is on residents to remove themselves. This leads to higher participation, but could raise political complications.

Finally, there is the question of containers. Most communities will opt for residential service via 96-gallon rollcarts, which can be picked up by fully automated trucks if yard debris is included. Some communities opt for smaller containers at lower fees, but those communities will need to determine if the extra complexity is worth it. The actual cost to collect rises only slightly when a program goes from 32-gallon containers to 64 gallons and then to 96 gallons. Offering only a 96-gallon container is the most common design for programs collecting yard debris or yard debris plus food waste; smaller options may be used if only food is collected. Compostable bags may be considered, but their costs add up fairly quickly, and some processing facilities may object to their use because the plastic may not compost in one or two cycles.

Community leaders have several policy options to get a residential organics program off the ground. Options include passing an ordinance requiring haulers to offer organics collection, contracting for collection, or providing it municipally.

When an ordinance requires haulers to “offer” the service, the specifics can vary. Sometimes the ordinance requires a lower fee for organics collection than trash collec-

tion. Other times the provision mandates some sectors to receive organics service, or it mandates all businesses to receive the service (whether the cost is embedded in the trash rate is a policy decision). Overall, the biggest impact will be seen when a limited set of businesses receives service – groceries, commercial kitchens, hospitals, nursing homes, churches and restaurants. This may be more easily implemented if your community has a licensing requirement for food service, but even so, the businesses are quite distinct, and diverting the food scraps from these sectors may result in an example of the 80/20 rule – capturing 80 percent of the available material (or more) while only having to work with perhaps 20 percent of the businesses in the community.

Collection costs

You may be considering residential or commercial organics – or both. We break the cost into two pieces – the stopping cost (getting the truck and staff to the location and back) and the tipping fee, which is the only part that varies with the amount collected. In most cases, the trick to maximizing the program’s cost effectiveness is to minimize the number of collections and to spread costs across the most possible entities by maximizing participation and skipping as few customers as possible.

Let’s address the commercial side first. Commercial organics in large part translates to food scraps. A hauler’s cost for

providing collection via Dumpsters is very close to the cost of trash, varying only by the tipping fee difference between organics and trash. The stopping cost is the same. However, there are some variations due to the weight limits of trucks: A commercial organics route is shorter than a recycling route because the trucks reach weight limits more quickly. If commercial service is provided via rollcarts, the program fits well with organics in the residential sector; the trucks can route to collect both residential and commercial containers, minimizing extra costs. Some commercial trucks have wash-out and other cleaning capabilities to help address odors.

On the residential side, making the program most affordable is largely a matter of optimizing the overall number of collections per week – between trash, recycling and organics. If you currently collect recyclables weekly and trash weekly, you have two collections per week. You would lose between one and three percentage points of recycling by reducing these recycling collections to every other week (based on SERA statistical analyses), and you would gain a total of 20 or more percentage points of diversion if you change that other collection to organics (yard debris plus food scraps).

The cost of that change is quite small and the diversion gain is very large. The cost is the number of pounds transferred from trash to organics multiplied by the difference in tipping fees. In these days of

negative tipping fees at many MRFs, the incremental cost can be even lower than it used to be. The chart on page 36 shows some simple calculations of the marginal cost per month for this service difference, assuming a reasonable range for per-household diversion from an organics program. These example numbers can be scaled to values suitable to a given area.

Still, it may be that the tradeoff in collections is not so simple. If you already have recycling collected every other week, you may either add on half of a collection per week (every-other-week yard debris, for example) or reduce trash collection to every other week to make up for the additional collection. This is actually one of the best long-term models. Every-other-week trash can be effective at driving food scraps to the organics bin for those households that tend to hold out. Recycling and trash every other week and organics once weekly is probably the best model, but a system with organics every other week in this model can also work well. If organics is every-other-week, it will be necessary to explain to customers they can put food scraps in the freezer until collection week.

Pushing ahead a processing system

There are three critical elements in designing an organics diversion program on the processing side: What are your particular feedstocks like? What markets exist for the products that can be made from your feedstocks? What do the overall economics look like?

Clearly, you want to produce materials for your local market. Organic materials such as compost and wood chips are made all over the country and you cannot afford the freight to move your materials to another market that is already supplied by a local producer. Even if you do find a market that is not currently supplied by a local producer that can bear the cost of freight to move your materials to it, a local producer will likely emerge there.

Local markets can be broken down into two segments: residential and commercial. The residential market is made up of individuals who are doing small landscape projects around their homes. They buy their supplies either in small bulk quantities from landscape supply yards or in bags from

outlets such as The Home Depot. To supply that market, you will need to bag your product. You can either buy your own bagging equipment or hire someone to bag for you.

The commercial market is made up of landscapers who are installing new landscaping at homes, shopping centers and other locations. They buy their supplies from local landscape yards or directly from the producer of materials.

You need to investigate those markets and determine if there is an opportunity to supply them at prices that work for your program. Be aware that landscapers and the supply yards themselves are very leery of trying new products. If immature compost is used in a landscape project, the results can be disastrous with loss of reputation for everyone involved. When suppliers or specifiers have a dependable supplier of landscape materials they will be reluctant to change suppliers and try someone new.

On the feedstock front, a number of questions are relevant. What is the carbon/nitrogen mix in your material? If you will be making compost, the speed at which composting takes place depends upon the ratio of carbon and nitrogen in your materials. Will

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you need to supplement your feedstocks with either nitrogen or carbon? If so, where will you get it and what will it cost?

It's also important to know if you will be taking in bio-solids to provide nitrogen to your feedstocks. Will you take animal mortalities to provide nitrogen to your feedstocks? If you will be making landscape supplies such as wood chips, will you make colored chips? If so, will you buy the equipment to color mulch or will you hire a contractor to do the coloring for you?

In the South, you can expect to be collecting, processing and selling about the same quantities year-round. As you move north the growing seasons become shorter and the volumes of materials to be processed swell in the spring, taper off in the summer, swell again for a short time in the fall and finally fall to a very low level in the winter. The demand for materials made from organic materials will come primarily in the spring and summer as you move north, so you may need to stockpile finished materials. If storage of finished materials is needed, requirements vary. Colored chips or mulch could necessitate tarps or a roof, but compost or wood chips would not. Some states allow storage on pads.

Breaking down the economics

The production of materials from organics is generally not a high-profit enterprise. It is a capital-intensive undertaking that relies on selling large quantities of materials at low profit margins.

There are many ways to compost and each has its advantages and disadvantages. You want to investigate what works in your climate, in your regulatory environment and in your economic situation.

The first major consideration in this area is land. You want to start with at least 20 acres and you want to be sure you have adjacent land upon which you can expand. The land needs to be remote: Neighbors always think they can smell "something," and they can cause a lot of headaches for an operator. If you take bio-solids or animal mortalities it will make it even harder to deal with neighbors of the facility.

There's also the possibility of operating out of a building. If so, that will add a lot to your costs, and the neighbors will still likely complain. Keep in mind there are also bunker systems with air collection systems, and many other enhancements and

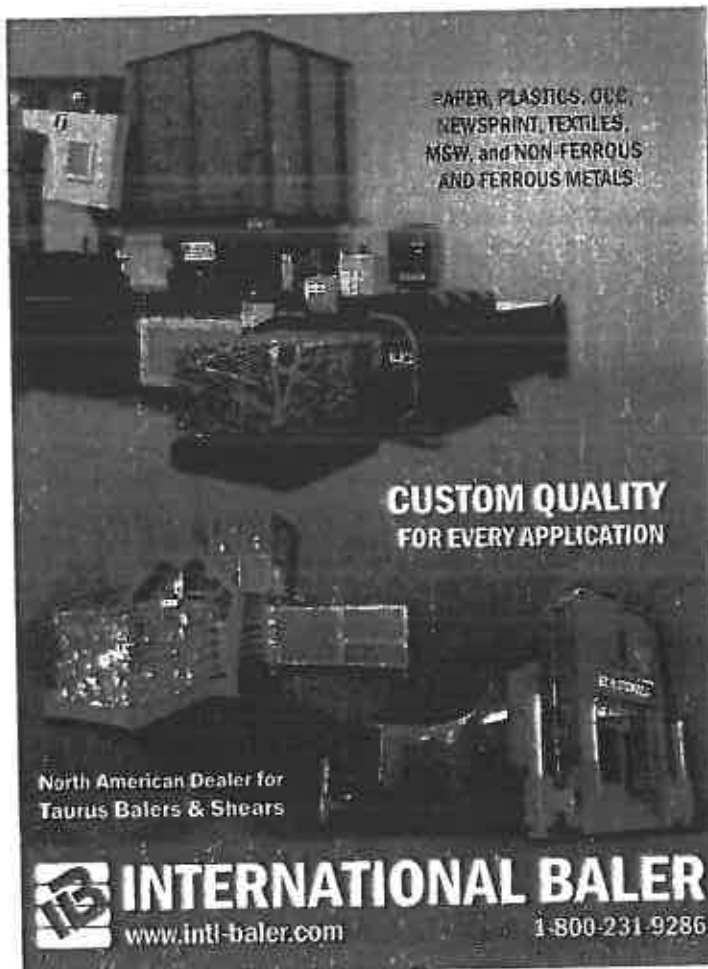
deviations from basic outdoor windrows.

In addition to land upon which to operate, you will most likely need permits from state and local government. Make sure you completely understand those requirements. Many states require that compost be produced upon an impervious pad. Constructing a concrete or compacted clay liner that covers several acres can be very, very expensive. You may also be required to do groundwater monitoring, which can also be quite expensive. Recognize that siting processes are very different between states, and that there are significant barriers in some states.

Of course, equipment is another key (and costly) element if you are creating compost or wood chips. The chart on page 39 lays out some of the needs and prices in this area.

You can see that you could have \$2 million in equipment, and another \$1 million or so in a building. Meanwhile, land at \$1.00 per square foot would add another \$800,000 plus fencing and roads. You can easily get to \$4 million or \$5 million before you make your first yard of material.

A facility of this size might require three full-time-equivalent staff, and be able



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Territory worth exploring

For many communities, an organics effort is the best remaining way to make big progress in diversion. Remember that while collection decisions are local, facilities can be used by multiple nearby communities that can join together to develop a site and share costs – as long as transportation distances and costs make sense. Communities that already have mature residential recycling programs – or want to make progress in the commercial sector – may want to examine the tradeoffs. In the end, organics may be more feasible than you think. **RR**

Lisa Skumatz, Ph.D., is an economist and principal of SERA, and Gary Horton is a

Equipment for basic facility	Typical cost
Grinder (either a tub grinder or a horizontal grinder)	\$400,000
Loader to feed the grinder and to move the ground material	\$250,000
Compost turner to turn the compost rows	\$300,000
Water truck to add water to compost rows	\$130,000
Wood chip coloring machine	\$100,000
Horizontal screen to screen finished compost and remove large un-composted components from the finished product	\$150,000
Fuel trailer	\$50,000
Pick-up trucks	\$60,000
Trailer-mounted air compressor for cleaning dust from equipment	\$50,000

former president of a hauling company and an associated consultant with SERA. Each brings nearly 35 years of industry experience. SERA is a research and consulting

firm that assists communities, states and industry by analyzing solid waste programs and policies. Contact the company at 303-494-1178 or skumatz@serainc.com.



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