

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

CHAIR — BOB PICKARD, MARIPOSA COUNTY

VICE CHAIR — LAVADA ERICKSON, SISKIYOU COUNTY

EXECUTIVE DIRECTOR — GREG NORTON



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

PROGRAM MANAGER — MARY PITTO

TECHNICAL ADVISORY GROUP CHAIR — RANDY AKANA,
SISKIYOU COUNTY

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

801 12th Street – 2nd Floor Conference Room
Sacramento, CA 95814
(916) 447-4806
Thursday, October 18, 2007

MEMBERS REPRESENTED

Jim McHargue, Program Manager
Bill Mannel, Solid Waste Manager
Steve Rodowick, Recycling Manager
Lesli Daniel, Recycling Manager
Kevin Hendrick, Solid Waste Director
Jon Souza, Public Information Officer
Mandy Kleykamp, Solid Waste Manager
Keith Quinlan, Solid Waste Manager
Steve Engfer, Solid Waste & Recycling Manager
Tracy Harper, Recycling Coordinator
Paula Wesch, Program Coordinator
Robert Perrault, Director of Public Works
Randy Akana, General Services Manager
Melissa Cummins, Solid Waste Technician
Alan Abbs, Solid Waste Director
Mark K. Potts, Solid Waste Technician
Belinda Barlow, Solid Waste Technician

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

STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager
Stacey Miner, ESJPA Program Administrator
Rachel Basore, ESJPA Program Assistant
Staci Heaton, Director of Regulatory Affairs
Paul Smith, Director of Legislative Affairs
Larry Sweetser, Consultant to ESJPA

RCRC Governmental Affairs
RCRC Governmental Affairs
RCRC Governmental Affairs
RCRC Governmental Affairs
RCRC Governmental Affairs
Sweetser and Associates

OTHERS IN ATTENDANCE:

Bill Beckman, Hazardous Substances Engineer	DTSC
Nate Gauff, IWMS	CIWMB
Jim Greco, Owner	California Waste Associates
Matt Mullinax, Hazardous Substances Engineer	DTSC
Kyle Pogue, Supervising IWMS	CIWMB
Heidi Sanborn, Co-Executive Director	CPSC
Trina Tries, Partner	Perry-Smith, LLP

MEMBERS NOT REPRESENTED

Alpine County	Colusa County	Inyo County	Imperial County
Modoc County	Mono County	Sierra County	

I. Call to Order / Determination of Quorum / Introductions

The meeting was called to order at 9:08 a.m. by Randy Akana, who was filling in for Chair Bob Pickard. Roll call was taken, self-introductions were made, and a quorum was established.

II. Public Comment

Nate Gauff, Integrated Waste Management Engineer at the CIWMB, presented information on an upcoming grant program for rubberized chip seal asphalt. The CIWMB currently has two programs for rubberized asphalt hot mix, which have not been beneficial for rural counties due to the logistics involved in making hot mix asphalt. To address this concern, the CIWMB will offer a state-wide rubberized chip seal program that is geared toward rural agencies. Of this year's proposed \$2.5 million allocation, sixty percent of funding will be reserved for rural projects. Funds will be available for first time and ongoing users and will only cover new projects. Users do not have to use all the rubberized chip seal material in the same location and can complete projects at multiple sites within their jurisdiction.

The proposed funding level is \$1 per square yard for any new user and \$0.20 per square yard for ongoing users. These offset costs are set at the same rate as the dollar per tire costs in the hot mix program. The CIWMB believes rubberized chip seal is a more affordable and superior product and wants to assist rural agencies to utilize this product. If the program is approved by the CIWMB in November, funding applications will be due in January, March, and May of 2008. Funding limits are \$150,000 for first time users and \$150,000 for ongoing users. If first time users have a large project, they can apply for the full amount as a first time user and request the remaining funding as an ongoing user. Award announcements are anticipated in March, May, and June; a lag time of about 60 days between application submittal and award. Users will have three fiscal years to use the funding and all projects must be complete by April 2010. Those with concerns about the program are invited to attend the

November 6th Market & Sustainability committee meeting or contact Nate directly. Nate can be reached at (916) 341-6686 or by email at ngauff@ciwmb.ca.gov.

Mandy Kleykamp (Glenn County) and Chuck Hamilton (Inyo County) are looking for landfill appraisers. Please contact them if you have any recommendations.

III. Business Matters

A. Review and approval of minutes of the meeting of August 16, 2007.

The Chair called for a motion to approve the minutes of the August 16, 2007 meeting. The motion was made by Mandy Kleykamp and seconded by Jon Souza. Motion carried unanimously.

B. Adoption of Resolution Approving the Independent Auditors' Report and Financial Statements for the Year Ended December 31, 2006

Trina Tries from Perry-Smith, LLP provided an overview of the audit report. The Chair called for a motion to adopt the Resolution #07-03 approving the Independent Auditors' Report and Financial Statements for the Year Ended December 31, 2006. The motion was made by Bill Mannel and seconded by Lesli Daniel. Motion carried unanimously.

IV. Presentation Items

A. Presentation of Resolution of Appreciation for Kyle Pogue, Supervisor, Local Assistance and Market Development Division, CIWMB, in recognition for his years of assistance and support to the ESJPA

B. DTSC's New Treated Wood Waste Tracking System – Matthew Mullinax, Hazardous Substances Engineer, Department of Toxic Substances Control

C. Report from the CIWMB – Kyle Pogue, Supervisor, Local Assistance and Market Development Division, CIWMB

Kyle provided a status update on the CIWMB reorganization and referred to a recent e-mail sent to jurisdictions which addressed the reorganization and listed updated contact information. The e-mail contains a link for jurisdictions to determine their new contacts. Local Assistance & Market Development staff members are committed to complementing what jurisdictions already do and helping jurisdictions develop and meet their goals. Staff will be able to assist in data collection and analysis, provide targeted assistance, and develop models for best management practices.

The CIWMB is still undergoing a variety of staff changes, as many staff members have shifted to the Air Resources Board. Natalie Lee has moved to the DTSC Brownfield Program and Steve Sorrel will be retiring soon, leaving another opening in the northern branch. Terri

Brennan was recently hired for the north branch and comes to the position with a background in organics and food wastes. Kyle is hopeful that he could become the new CIWMB liaison for the ESJPA.

Kyle concluded by expressing his sincere gratitude for his Resolution of Appreciation. It has been his honor to serve the ESJPA and he stressed that what the ESJPA does as a collective group is very important. The ESJPA has had a significant impact on how the CIWMB thinks about rurals and Kyle promised that he will keep the perspective and values of the rural counties in mind as he moves on in his career. Kyle will always be available to support the ESJPA and he whole-heartedly thanks the ESJPA for their contributions.

D. Glenn County Landfill Tour – Mandy Kleykamp, Solid Waste Manager

V. Legislative Update

Paul Smith, RCRC Director of Legislative Affairs, provided a review of 2007-08 Solid Waste Legislation.

The 2007 legislative session adjourned in mid-September and apart from two special sessions on health care and water, the 2007 legislative session is complete. The legislature will reconvene during the second week of January. The following is an update on a variety of ESJPA related solid waste bills.

A. CA AB 67: Illegal Dumping: Assessments. Signed into law.

This bill will provide counties with monies for illegal dumping enforcement when a person is convicted of illegal dumping.

B. CA AB 1109: Energy Resources: Lighting Efficiency: Hazardous Waste. Signed into law.

This modest bill deals with light bulbs and directs the energy commission to develop standards for energy usage.

C. CA SB 966: Pharmaceutical Drug Waste Disposal. Signed into law.

This bill was significantly amended from its starting point. It will require the CIWMB to develop model programs for collection and disposal of pharmaceutical drug waste.

D. CA SB 1021: Beverage Containers: Grants. Signed into law.

This bill authorizes the DOC to provide grants for source separated beverage container recycling containers in multifamily housing.

E. Vetoed Bills:

- CA AB 48: Hazardous Waste: Electronic Equipment
- CA AB 484: Landfill Disposal: Concrete
- CA AB 546: Electronic Waste
- CA AB 548: Solid Waste: Multifamily Dwellings

F. CA AB 844: Junk Dealers and Recyclers: Scrap Metal and Alloys.

The issue of this two-year bill is expected to arise when the legislature returns in 2008. This bill is designed to create a statewide approach for metal/junk dealing recycling in an effort to reduce the stealing of metal/scrap commodities and to legitimize metal selling transaction. By creating a state-wide system however, it could interfere with measures that cities/counties have already taken to control metal theft/selling. It is also important that this bill not create an incentive for theft or reduce the value of the metal recycling market. Paul is open to suggestions from group members as to how to proceed with this bill.

G. CA AB 1473: Solid Waste Facility: Temporary Permits. Signed into law.

This bill will allow the CIWMB to authorize a LEA to issue a temporary solid waste facilities permit.

H. CA AB 712: Vehicle Clean Air Program.

This bill, which would have mandated an increase in the tipping fee with proceeds for ARB off-road vehicle retrofit grants, was temporarily defeated and is held in committee. Paul expects that the waste industry will be back in 2008 to continue this bill, so this issue is still pertinent.

I. CA AB 1195: Recycling: Used Oil: Payment.

This bill concerning the testing, collecting, and shipping of used motor oil was defeated in the last few weeks of session. The bill was held in committee and the author attempted to resurrect components of the bill, but was unsuccessful. Although this was a victory for the ESJPA, we were able to obtain beneficial language that would have allowed counties to tap into the oil contamination fund for a non-certified county site. Paul will spend the next few weeks with sponsors and the author to determine the prognosis of this bill as it is likely that a similar bill will arise next year.

J. CA SB 1020: Solid Waste: Diversion.

This bill went far, but ultimately stalled in the last two weeks of session. Paul provided a handout of the proposed amendments to the bill that were supposed to be formally updated, but missed the filing deadline. This language is now the starting place for when session resumes in January. Paul and Larry Sweetser plan to meet with staff in the coming weeks to discuss plans for 2008. The ESJPA and RCRC sent a letter to the author's office that they could not support the newly proposed amendments and asked that the bill be delayed for a variety of reasons. The amendments establish a diversion goal, but do not provide new tools to assist jurisdictions in meeting the goals. The new language has no extended producer responsibility component, does not address the needs for increased siting or permitting changes, and also includes a mandatory commercial recycling program for counties with a population over 200,000. The author's office has asked the ESJPA what they would like to see in the bill's language in terms of targeted waste streams or implementation tools. The author's office is particularly looking at targeting C&D and organics waste streams and it appears that product stewardship is off their "list" for now.

Steve Rodowick suggested increasing the 10% cap on biomass credits and Larry mentioned that author is open to aerobic digestion or ethanol conversion as acceptable conversions methods. Alan Abbs stated that it would be helpful if the various Water Resources Boards, ARB, and CIWMB could reach a consensus on permitting/regulations for compost, to make it easier to consider it as a diversion option. Paul reminded the group that in the bill's current form, diversion is a state-wide goal, not a jurisdiction-by-jurisdiction goal. This actually benefits rurals since their contribution to the state-wide goal is so negligible. The ESJPA needs to focus on the nuances of the bill and Paul will relay on the ESJPA to provide guidance on how to proceed with fine-tuning the bill's language.

K. CA SB 1016: Diversion: Annual Reports.

This two-year bill, which has cleared the Senate and now faces the Assembly, was an attempt to move to a disposal based diversion method. In a meeting two weeks ago with the CIWMB and the author's office, a new version of the bill was unveiled. The changes were quite a shock and the ESJPA has gone on record that they are in favor of the bill's overall concept, but many concerns need to be addressed. The new language includes some very significant diversion mandates and utilizes a 2006 base year, which is unacceptable for many ESJPA counties. From the 2006 base year, those jurisdictions disposing of 100,000 tons or more would have to achieve a 25% reduction from 2006 levels by 2012 and a 50% reduction by 2020. This 100,000 tons is the level generated for the whole county and includes cities and unincorporated areas. About ten ESJPA counties would be above the 100,000 ton level, meaning they would have to reach the new benchmarks. The tonnage number was set in recognition of rural counties, but it needs to be raised to include more ESJPA counties. Jurisdictions below 100,000 tons must still enact diversion programs and keep 2006 levels constant, but they do not have to reach the diversion reduction benchmarks. Rural jurisdictions will also be able to use an economic growth adjustment factor to correct for tonnage increases.

Similar to SB 1202, this bill offers no tools to help jurisdictions meet the diversion mandates. Both bills want to move the diversion bar, but provide no concrete methods to arrive at that point. This system still rewards those who haven't done anything to increase diversion and fails to reward those who have already exceeded a 75% diversion in their 2006 base year. Larry asked the group what it would take for jurisdictions to maintain their 2006 diversion levels and the group cited that money for programs would help keep diversion constant. Larry noted that at stakeholder meetings they have floated the idea of raising the tipping fees as a way to reach diversion levels and raise revenue. The group agreed that if the fee is going to be raised, revenues should be used for waste management purposes only.

Tracey Harper stated that another factor preventing rurals from reaching diversion rates is that they desperately need markets for waste streams like C&D. While markets for salvage can naturally arise in higher population areas, it doesn't happen in rural areas to as large an extent. Nevada County is particularly worried about their new C&D program because if material will not be accepted for ADC in the future they don't know how they'll maintain/increase diversion. Lesli Daniel noted that since the industry is moving to a landfill tarping system,

this further reduces the need for ADC. She inquired about possibly increasing the transformation percentage to gain greater diversion credits.

Paul and Larry will meet with the author's office next week and before this they hope to meet privately with Rosalie Mule and other CIWMB representative to candidly outline ESJPA's problems with SB 1016. The ESJPA does not object to the new goals, per say, as long as waivers, good faith effort, and other tools are provided.

VI. ESJPA Program Updates

A. Report on the HD-16 Grant (Del Norte)

Kevin spoke about HD 16's statewide mission to build product stewardship knowledge, help local governments create EPR ordinances, and provide training on lamp and battery management. They plan to start incurring expenses under the grant once the notice to proceed is received. In the meantime, Kevin presented an updated version of the California Product Stewardship Council's (CPSC) EPR presentation and encouraged counties to present it to their local government groups and associations. Kevin urged each individual ESJPA county to join the CPSC to increase their ability to participate in EPR action. Those counties who are unsure about joining will be added to the CPSC list serve on a trial basis, which allows them to engage in conversations between the current 109 Associates until they decide to join CPSC. Once a county becomes an Associate by adopting a Pledge of Support, they will be informed about CPSC lobbying activities and counties are encouraged to adopt a resolution of support for EPR legislation to secure advance approval to write letters in support of EPR legislation. Kevin advised counties to continue working with local retailers in take-back efforts and reminded the group to attend the CIWMB's public workshop on November 14.

Kevin also supplied data collected from a survey at the recent Del Norte County Fair. This year's survey featured a new EPR question which asked: "If a product is hazardous, what actions would you support?" Of the choices provided, 20% selected choice "a) ban it", 24.6% selected "b) manufacturer take back", 14% selected "c) collect fee to cover disposal", and 32% selected "d) both options b and c". Of all individuals sampled, only 8.4% did not answer the question. This feedback indicates that consumers are receptive to actions aimed at reducing the use of hazardous materials.

B. Grant Program Update

Larry Sweetser talked about the USDA Universal Waste Trainings and noted that the trainings have been going well and he is learning many new things to include in future trainings. As part of the grant, the "Rural Survival Guide to Universal Waste" has been revised and counties may request an updated copy. Larry also reminded the group that anyone can attend the training sessions and that they are welcome to ask him questions about the training program. Steve Engfer expressed that the October 2nd training at the Mariposa Landfill was an excellent opportunity for his facility because his safety officer was able to attend. Steve felt that the

training was very beneficial in communicating all the new requirements for u-waste and will give him some leverage in requesting operational changes.

Stacey reported that although she anticipated closing HD-14 in December 2007, she would rather make every effort to spend the remaining money then closing the grant early and giving money back to the CIWMB. As the remaining invoices from Trinity and Tuolumne counties come in, HD 14 participating counties (Inyo, Nevada, Trinity, Tuolumne) will be surveyed to determine their infrastructure needs and a grant budget modification will be submitted to the CIWMB. Stacey also passed out a draft of the 2007 rate survey and recommended that it be regularly updated every two years so that counties can keep abreast of rate changes.

As part of UOG 8, Tuolumne County has received a new oil tank at Cal Sierra Disposal and facility upgrades for two sites in Mariposa are still being negotiated with the contractor. Filter exchange events started June 30, 2007 and will continue running through late November.

ESJPA block grants are focusing on facility improvements and Amador site improvements are hinged on the Mariposa contract negotiations for UOG 8. For SB332 grants, the ESJPA has received contracts from several jurisdictions and encourages those who want to use ESJPA for SB332 services to contact her promptly. In July, the ESJPA submitted a \$110,000 grant for a bar & restaurant recycling program that we are still waiting on. Stacey directed the group to read through the grant opportunities listed in the packet and to contact her with questions. A new Coca-Cola/NRC Recycling Bin Grant Program, which supports local community recycling programs by providing selected grant recipients with containers for the collection of beverage container recyclables in public settings. On-line applications for this grant are due October 26, 2007. Stacey will email the link.

VII. Solid Waste/Regulatory Update

A. Letter to CIWMB re: Waste Diversion Percentage Posted to Web – Mary Pitto, Program Manager

Mary distributed a draft of the proposed letter which will be signed by the Chair and submitted to the CIWMB. She recently checked the CIWMB website and found that it features a warning in bright red letters that states that some of the data is preliminary and subject to change. For each individual county if the data is preliminary the phrase “Preliminary Data” appears in all caps next to the county name. Now that these changes have been made, Mary inquired if the group still wanted to submit a letter. Tracey responded that even with the warning she would rather not have an incorrect number listed and suggested they instead list the diversion number that the jurisdiction submits. The CIWMB data does not include a biomass diversion credit, for which Butte, Del Norte, Nevada, and Madera rely. The group decided to still submit the letter, but will clarify that if the CIWMB posts a number they should post the number the jurisdictions submits and include biomass and other credits.

B. AB 32 – Global Warming Solution Act of 2006 Update – Staci Heaton, Director of Regulatory Affairs, RCRC

The ARB has expanded their list of early action items and those classified as “discrete early action” will be implemented by January 2010. Methane landfill gas capture has been adopted as one of these discrete early action items. The new ARB chair is under pressure to increase the list of action items and she has taken personal credit for expanding the original list of three early action items (carbon fuel standard, ban on refrigerants, and landfill gas). Recently added to the early action list are truck efficiency measures, a green port measure, tire inflation requirement for service technicians, regulations on semi-conductors, and reduction of high greenhouse gas propellants in products like silly string. Six additional items will be heard for inclusion on the list next week. The other major news is that the long-term scoping plan must be implemented by January 2011 and suggestions have been gathered from the public and stakeholders for the past month. The full list of suggestions is available on the ARB website and some suggestions include the elimination of solid waste disposal or emission measurements for landfills as part of a multi-sector cap and trade program. A workshop will be held on November 30 to address the long-term scoping plan and a sector based workshop is scheduled for December 14. A workshop to investigate the mechanisms for achieving market targets is planned for January 16, 2008 and in late March a scenario workshop will explore emission reduction categories.

C. AB 32 and Landfill Gas Monitoring – Larry Sweetser

Meetings continue on landfill gas monitoring, even though landfills have already met the 1990 emission reduction goal. The ARB is looking at not requiring standards on any landfill closed before 1998, but it will look into other closed landfills. The ARB is concerned that no gas collection is occurring over active layers of landfills and is considering requiring gas collection two years after achieving a closed level. The ARB has indicated sympathy for smaller sites, but has not defined what constitutes a “smaller landfill”. A landfill with 2.5 million cubic meters of permitted waste places a landfill under the Title 5 Federal Program, which requires gas flaring. This requirement is based on the permit capacity, not how much waste is actually accumulated in the landfill. Tehama and Butte Counties have landfills triggered by federal regulations and Madera County is going through the process of moving into that program. Under the ARB rules, exposed flaring would not be allowed.

Mary stated that there is a huge push to not give credit for ADC and there is discussion about using a mandatory tip fee increase to discourage people from using landfills. Between the legislature and AB 32, ADC is going to get hit hard and there could be a state directive to increase tip fees. Alan remarked that there is also an effort to tie greenhouse gas production to landfills and create a link between recycling and reducing one’s carbon footprint. Mary noted that the ARB and the legislature are using AB 32 to obtain what they have been unsuccessful in gaining for landfill operations in the past. If landfills are brought under state oversight, it could allow the ARB to mandate programs and expand their control. One comment heard recently was, “declare all landfills closed and use single stream recycling for

everything”. The fact that landfills only contribute to 1% of greenhouse gases has become irrelevant in the current discussion.

Bill Mannel mentioned that when used properly, landfills actually generate a sustainable fuel for landfill to energy products and Mary echoed this statement by reporting that the CA Energy Commission has become involved with landfill gas and is interested in co-generation possibilities. Butte County spoke about their plan for 3 mega watts of power generation, which could run a city of about 1,600 households. They currently have 45 acres closed and produce 1 million cubic feet of gas a day. The garbage has an average age of 40 years and their 180,000 tons a year composes 85% of the county’s MSW. A RFP will be released in about three weeks and a contractor will build, own, and operate the facility and the county will have royalties under the contract. The landfill will have first use of the generated power for on-site uses and the excess power will be sold through an energy broker on the grid. The energy production will be a positive revenue stream for the county and the group requested that Butte County provide a full report on their project next year. Tehama County is also planning a similar project for about 1 mega watt of power generation.

D. CIWMB Organics Summit – Stacey Miner

Stacey reported that this summit was quite interesting, as there was a very vocal group who wants ADC abolished and tip fees doubled and tripled. A moratorium on building landfills for five years was among the actions suggested. The majority of people at the summit were composters who spoke about the barriers they face in permitting and public education. The summit revealed many polarized views and future workshops will be held to help move individuals to a common solution. In December, a work plan and scope of action items will be presented to the CIWMB and they will discuss the possibility of grant funding for organics/compost at this meeting.

Lesli asked the group if anyone has discovered a market for wood, besides composting and biomass. Mandy suggested that biodiesel was a potential market. The group discussed available options for composting and pointed to Monterey’s success with colorizing chipped wood to make mulch. Tracey reported that Nevada County is interested in making a small windrow at a POTW for biosolids and having the forest service use the resulting compost. A wastewater treatment plant is permitted to handle biosolids, so they can easily make a windrow with a ratio of three to four times wood chips to Class B biosolids. Although the resulting product cannot be sold to the public, it is a class AEQ product that can be used for forest applications.

E. Product Stewardship Council Update – Leslie Daniel

The CPSC was recently pleased with the EPR policy adopted by the CIWMB in September. An important part of the policy is to craft a legislative agenda and a stakeholder meeting to generate an initial draft will be held on November 14. Lesli asked that counties become involved so that they can make comments on shaping the draft language. The intent of the EPR framework is to create an all-encompassing regulation/policy that allows individual

products to be added to the list, rather than taking a product-by-product approach to regulation. In other business, the CPSC will soon submit papers to become a 501 3(c) entity and they will also sponsor a workshop, "Listening to Local Government", on January 9 at the CalEPA to take in concerns from local jurisdictions.

On the local front, the ESJPA was approached by DTSC's Take-It-Back Program to participate in a regional collection program for lamps that would cover the central Sierra area, from Highway 50 down to Mariposa. The CPSC is assisting ESJPA in putting together this coalition and providing funding through Calaveras County's HD 15 grant. Lesli announced that if jurisdictions have outstanding HD grant monies the money can be used to support CPSC activities. Lesli also followed up on Kevin's HD 16 presentation by reminding the group that the PowerPoint presentation will be web-streamed through CPSC's website. The CPSC plans to add audio to the presentation so that jurisdictions can download it and place the presentation on local access TV.

Kevin added that the governor recently signed AB 1108, which bans phthalates from certain toys and childcare articles (pacifiers). He referred to the governor's signing statement as proof that California is heading in the right direction for banning toxic products. He quoted: "I do not believe that addressing this type of concern in the Legislature on a chemical by chemical, product by product basis is the best or most effective way to make chemical policy in California...I am looking forward to the recommendation being developed as part of the Green Chemistry Initiative led by my Secretary for Environmental Protection. I encourage the Legislature and all California stakeholders to participate in this important initiative so that we can develop policies that will again allow California to lead the nation and the world in health and environmental protection."

F. Electronic and Universal Waste Update – Larry Sweeter

Larry recently attended a household conference where there was an interesting discussion about u-wastes. One question posed was whether or not staff could break fluorescent bulbs further if they are already broken. Individuals also wanted to know if any studies have tracked the effects of mercury inhalation on solid waste handlers. Group members are asked to send any questions of this nature to Larry who will forward them to the appropriate channels. Although the DTSC did not have answers to these and other questions, they did state that they consider pulling cords off computer monitors as "treatment". Larry referred the group to a DTSC Consent Order in the meeting packet to demonstrate that the DTSC has been cracking down on enforcement. The City of Glendale was cited for failure to handle broken monitors properly, lack of training, and poor labeling. It is the DTSC who is in charge of enforcement on universal waste, not local CUPAs.

G. ARB Diesel Retrofit Update – Mary Pitto

Mary directed the group to information in the meeting packet about the last remaining public workshops for public on-road vehicles. Call to make reservations for workshops on October 24

in Redding or October 26 in Alameda. Workshops will soon be starting for on-road private fleets as well.

H. CIWMB Financial Assurance Mechanisms for Long-Term Postclosure Maintenance and Corrective Action at Solid Waste Landfills Study – Larry Sweetser

The CIWMB is continuing to develop a regulatory package and recently held a workshop on closure cost estimating. Comments are due on November 13 and the draft adds more factors into estimating postclosure costs such as environmental costs, upkeep costs, prevailing wages, and Cal Trans specifications. The regulations are still for 30 years, or as long as the landfill poses a threat, but some mechanism are calculated at only 30 years and others are calculated at a longer time period. For Butte County, including these new factors triples their corrective action costs, so other jurisdictions are urged to take a look at the draft and submit comments to make the CIWMB fully aware of the possible impacts.

I. Highlights of September/October Waste Board meetings – Larry Sweetser

Siskiyou, El Dorado, and Del Norte Counties received HHW grants. Separate from the CWIMB, the illegal dumping task force is meeting again and Ken Stuart from Contra Costa County has joined to help develop the task force. The group proposes creating more grants for illegal dumping and requiring state mandating on permits for local independent haulers. The task force sent out a questionnaire asking individuals to rank illegal dumping priorities and the highest ranked situation was regulating haul for hire, since these entities have the highest likelihood of dumping illegally.

Del Norte County is looking into creating their own illegal dumping ordinance and suggested that the task force could provide ordinance templates/guidelines to make the process easier. Ordinance ideas include requiring rental property owners to provide disposal services to their renters and having clean-up/junk-hauler businesses register when they dump at the landfill. The illegal dumping ordinance would also contain EPR ideas, such as charging an end-of-life disposal fee for couches and other large items.

J. Other Regulatory Issues of Interest or Concern – Larry Sweetser

As a follow up to last meeting's sharp discussion, Larry and Mary distributed a household sharp management presentation handout from Orange County. The group discussed the recall of the Department of Public Health (CDPH) vinyl lunch bags and how to handle take-back. The DTSC tested the lunch bags and determined that they are in fact hazardous. DTSC may be arranging a take-back program, so jurisdictions are encouraged not to pay for lunch bag disposal yet. The DTSC is allowing county agencies like the Health Department to act as lunch bag collection points without an ID number and counties should check to see what is being done in their jurisdiction. The CDPH requests that each local CUPA or Environmental Health Agency provide contact information about where lunch bags are being collected/stored so that CDPH can coordinate collection and disposal of the lunch bags.

The CIWMB Waste Composition study was also mentioned and the ESJPA will be meeting with the CIWMB to discuss dovetailing rural information needs with the upcoming statewide study. The current attempt is for a limited study, but the ESJPA wants to expand the scope to provide rurals with greater information and assistance. Butte, Calaveras, Lassen, Mariposa, and Nevada Counties are already listed as participants and Siskiyou and Madera expressed interest in being added to the study.

VIII. Agenda Suggestions for Next ESJPA Board Meeting Scheduled December 13, 2007.

Stacey solicited presenters for future meetings and enlisted Plumas County to give their county presentation at the December meeting. In 2008, Butte County proposed talking about their gas to energy project and Tehama County also volunteered to have the financial services representative for their project speak to the group. Nevada County plans to provide a presentation on their upcoming biosolid program during the late spring/summer. Individuals with further agenda suggestions are urged to contact Mary Pitto before the next meeting

IX. Member County Concerns / Comments

In recognition of the group's interest in illegal dumping programs, Butte County recommended that jurisdictions view Butte's ordinance on their website. They also advised jurisdictions to consider creating an illegal dumping enforcement position on their staff to take advantage of the new legislation on the books. Butte County also announced that they will host the March 19, 2008 Northern California HHW Information Exchange (HHWIE) at Sierra Nevada Brewery. They are hoping to use the HHWIE as an opportunity to focus on rural issues, so group members are encouraged to save this date and attend.

X. Adjournment at 3:02 p.m.

Respectfully submitted,

Rachel Basore

Rachel Basore
Environmental Program Assistant
Rural Counties' Environmental Services Joint Powers Authority