

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, March 20, 2008

MEMBERS REPRESENTED

Bob Pickard, ESJPA Chair	Mariposa County
Jim McHargue, Program Manager	Amador County
Bill Mannel, Solid Waste Manager	Butte County
Steve Rodowick, Recycling Manager	Butte County
Richard Dickson, Dep. Director of Public Works	Colusa County
Lesli Daniel, Recycling Manager	Calaveras County
Mandy Kleykamp, Solid Waste Manager	Glenn County
Keith Quinlan, Solid Waste Manager	Madera County
Robert Perrault, Jr., Director of Public Works	Plumas County
Paula Wesch, Program Coordinator	Lassen County
Randy Akana, General Services Manager	Siskiyou County
Melissa Cummins, Fiscal Technician	Siskiyou County
Kristina Miller, Program Manager	Tehama County
Barbara Rapinac, Solid Waste Technician	Trinity County
Gretchen Olsen, Solid Waste Manager	Tuolumne County

STAFF IN ATTENDANCE:

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

OTHERS IN ATTENDANCE:

Terry Brennan, Supervising IWMS	CIWMB
Richard Dickson, Retiring Dep. Director of Public Works	Colusa County
Howard Levenson, Program Director	CIWMB
Cara Morgan, Division Chief	CIWMB
Bill Orr, Division Chief	CIWMB
Diane Rader, Senior Accounting Tech.	Trinity County
John Smith, Branch Manager	CIWMB
Mark Urquhart, Senior Project Manager	HDR Engineering
Tiffany Yost, Recycling Coordinator	Tehama County
Stephanie Young, WME	CIWMB

MEMBERS NOT REPRESENTED

Alpine County	Del Norte County	El Dorado County	Inyo County
Imperial County	Modoc County	Mono County	Nevada County
Sierra County			

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

The meeting was called to order at 9:11 a.m. by Chair Bob Pickard.
Roll call was taken, self-introductions were made, and a quorum was established.

II. Public Comment

There were no public comments.

III. Presentations

- A. Report from the CIWMB – Howard Levenson, Program Director, Sustainability Program, CIWMB & Cara Morgan, Division Chief, Sustainability Program, CIWMB

Howard reported that the CIWMB is dedicated to promoting extended producer responsibility (EPR) and moving responsibility upstream to producers and manufacturers. The CIWMB has adopted a detailed EPR framework and is interested in having an oversight role in EPR program implementation. Howard would like to see the CIWMB have the authority to select pertinent products and then direct state agencies and local jurisdictions to work with product manufacturers for end of life management. The CIWMB has no present authority to take these actions and are merely reactionary in their approaches. Every piece of new legislation offers a piecemeal approach to hazardous product management. The intent of the framework is to create an overarching approach to product stewardship and EPR. A webpage will be posted in the following weeks to promote and provide more information on the framework.

In addition to EPR, another strategic directive of the CIWMB deals with market development. There is interest in increasing development of organics and recent summits and workshops on this topic have been successful. An issue related to markets is the siting of organics facilities. The CIWMB is struggling with what their role is in siting issues and are determining what assistance they can provide jurisdictions. Two upcoming workshops, April 16 in San Diego and April 23 in Sacramento, will seek input on siting issue. Many jurisdictions have commented that regulations surrounding organics are confusing. First, food waste does not fit clearly into CIWMB's existing regulations and second, individual air and water boards have varying standards. For example, the Central Valley Region 5 Water Board is proposing more stringent requirements on green waste disposal as there is a concern for water contamination. The ARB is also concerned about VOC emissions. In response to these concerns, the CIWMB is working on a demonstration project in Yolo County to more closely study composting. The project is using a line cell as an anaerobic digester to study how much energy can be harnessed/produced. A new project on the use of compost as landfill cover to oxidize methane is also under investigation.

Climate change is another topic the CIWMB is tasked to address by the governor's office. Last year the Climate Action team adopted several strategies that the CWIMB is responsible for: 1) increasing methane capture at landfill, 2) reaching a 50% state-wide diversion goal (already achieved), and 3) going beyond the 50% goal in terms of both diversion and its impact on climate change. The CIWMB's proposed action plans relate to their work on organics, EPR, and methane capture/monitoring and landfills.

The CIWMB is also working on a project with the Climate Change Action Network to fund a new study on jurisdictions that include commercial recycling in order to quantify the greenhouse gas reductions achieved. In addition to promoting the need for commercial recycling, the study will help develop specific protocols to quantify greenhouse gas reductions. In the future, these reduction credits could be sold on a carbon-trading market.

On March 24, a workshop on sharps and pharmaceuticals will be held at the CalEPA to address requirements specified under recent legislation. SB 1305 requires the CIWMB to provide information about residential sharps disposal and SB 966 authorizes the allocation of \$1 million from the HHW grant program for pharmaceutical discussions or studies. Although a working group has been established for pharmaceuticals, additional legislation is needed to clarify the bill's intentions because pharmaceuticals are not classified as HHW under CIWMB regulations.

In this legislative session there are a number of bills related to a variety of products. The CIWMB is trying to apply their EPR framework to each bill analysis so that new regulations will be consistent with the framework. The CIWMB sponsored bill, SB 1016, proposes to change from a diversion based to a disposal based system. Although another bill, SB 1020, addresses changing the diversion goal it is a completely separate piece of legislation.

Cara mentioned that biomass credit has come up in recent discussions of SB 1016, but the CIWMB does not permit or regulate traditional biomass facilities. These facilities are not part of the disposal reporting system and there is no systematic information or authority to collect data. Jurisdictions can request up to 10% additional credit for biomass, but under the new SB 1016 system, no allowance will be given for biomass credit. No extra credit will be given for composting or any other alternative diversion efforts as well. The reason for the elimination of the biomass credit stems from a CIWMB observed misconception that jurisdictions were limited in the amount of material they could divert to biomass. Under the SB 1016 proposal, jurisdictions can go over and above the 10% level, which will actually enhance their numbers because less waste is being disposed. Any amount of tonnage sent to biomass will not be reported in the disposal figure, providing a benefit to all jurisdictions. Diversion will no longer be measured so a credit for biomass diversion will not be necessary.

Bill Mannel stated that the shift to a disposal based system hurts those jurisdictions that that have been aggressive in their diversion programs and have achieved all that can be feasible done. Cara responded that this is a valid concern, but SB 1016 will ensure that those jurisdictions who have already achieved 50% will not be penalized for their hard work. The bill would make it easier for successful jurisdictions by reducing reporting requirements. The CIWMB proposes to use an average of 2003-2006 as the new base year. This change would be beneficial to jurisdictions who have worked diligently to reach diversion. Those jurisdictions that have not implemented programs and reached 50% by “luck of the calculation” would be required to produce new programs under the proposed system.

Paul Smith requested information on the CIWMB’s position in the sharps discussion pertaining to AB 501 and noted that the ESJPA would like to see producer responsibility included in this bill. Howard stated that the CIWMB has an obligation to get information out to the public and they will proceed with this course of action. The CIWMB will continue to suggest amendments at a later point to push things upstream to manufacturers. Cara noted that the upcoming cycle of HHW grants will have a broader focus that will help jurisdictions to address some of the sharps issues.

Paul also asked about the CIWMB’s position on AB 2640 (Huffman) to phase out diversion credit for ADC and the rumor that the CIWMB will phase out green diversion in general. Howard said that the CIWMB has not taken any position or formal action, but at the staff level, Howard does not think a ban makes sense.

B. Landfill Long-term Financial Assurances and Illegal Dumping Update – Bill Orr, Division Chief, Waste Compliance & Mitigation Program, CIWMB

In addition to his presentation, Bill mentioned that the CIWMB is working on a “master” Farm and Ranch Grant for June that will not require jurisdictions to submit an application for every single clean-up site. This “master grant” will allow for clean-up on sites that are

privately owned or are above the threshold level. The goal is to spread the grant funding around to get as many sites cleaned in an area as possible. Bill also reported that AB 2695 (Niello) Solid Waste: Facility: Violation is currently in spot bill form, but will become a comprehensive illegal dumping bill. It should provide a variety of tools for local government and designate the CIWMB as the lead agency in coordinating illegal dumping activities.

- C. Draft Technologies and Management Practices for Reducing Greenhouse Gas Emissions from Landfills – Stephanie Young, Waste Compliance & Mitigation Program, CIWMB

IV. Business Matters

- A. Review and approval of minutes of the meeting of December 13, 2007 – Bob Pickard, Chair

The Chair called for a motion to approve the minutes of the December 13, 2007 meeting. The motion was made by Kristina Miller and seconded by Gretchen Olsen. Motion carried unanimously.

- B. Approval and Presentation of Resolution #08-03 in Appreciation of Richard Dickson, Deputy Director of Solid Waste for the County of Colusa, upon his retirement and in recognition of his service and commitment to the ESJPA – Bob Pickard

Bob Pickard thanked Richard Dickson for his eleven years of service and dedication to the ESJPA. The Chair called for a motion to approve the resolution of appreciation for Richard Dickson. The motion was made by Jim McHargue and seconded by Bill Mannel. Motion carried unanimously.

- C. Approval of Resolution #08-02 Authorizing the Continuous Submittal of Grant Proposals on behalf of the Members for the Purposes Set Forth in the Joint Exercise of Powers Agreement – Stacey Miner, Program Administrator

This resolution will allow the ESJPA to apply for all eligible state and federal grants for a period of five years. The Chair called for a motion to approve the resolution authorizing the continuous submittal of grant proposals on behalf of the members for the purposes set forth in the Joint Exercise of Powers Agreement. The motion was made by Bill Mannel and seconded by Gretchen Olsen. Motion carried unanimously.

- D. Ratification of Resolution #08-01 Authorizing the Submittal of the 2007/2008 Local Government Waste Tire Amnesty Event Regional Grant Proposal – Stacey Miner

The ESJPA has applied for a regional Tire Amnesty grant on the behalf of Alpine, Mariposa, Nevada, Plumas, and Tuolumne counties. As the due date for the resolution was March 14, prior to the first ESJPA meeting of 2008, Bob Pickard authorized the grant submittal resolution so that the ESJPA would not lose the funding opportunity. For this reason, the Chair called for a motion to ratify the resolution authorizing the submittal of

the 2007/2008 Local Government Waste Tire Amnesty Event Regional Grant Proposal. The motion was made by Bob Perrault and seconded by Melissa Cummins. Motion carried unanimously

E. ESJPA Executive Committee Formation – Bob Pickard

The Chair discussed the possible formation of an Executive Committee for the ESJPA composed of four members—the Chair and Vice-Chair of ESJPA and the Chair and Vice-Chair of TAG. The committee would have the power to take such actions as authorizing resolutions to apply for grants. Stacey distributed copies of the Joint Powers Agreement and directed the group to page five, section seven, item H, which reads: “The Board may establish such committees as it deems necessary for any lawful purpose; such committees are advisory only and may not act or purport to act on behalf of the Board or the Authority.”

Item G also states that: “The Board shall have the power, by resolution, to the extent permitted by the Act or any other applicable law, to exercise any powers of the Authority and to delegate any of its functions to one or more Delegates, officers or agents of the Authority, and to cause any authorized Delegate, officer or agent to take any actions and execute any documents for and in the name and on behalf of the Board or the Authority.”

Stacey stated that if the group desired to form a committee they would need to pass a resolution stating that the Executive Committee has the power to make decisions when there are gaps between meetings. The resolution would explicitly state which actions the committee could take for grant approval or regulatory issues. The ESJPA’s attorney would need to draft and review any proposed resolution.

Gretchen Olsen asked if the group was prohibited from taking votes by e-mail, but Stacey clarified that the Board is bound by public meeting laws under the Brown Act and must hold face-to-face meetings. Similar to RCRC however, the Executive Committee can meet via conference call.

Bob Perrault voiced his support for forming an Executive Committee and cited his past involvement with other boards where an Executive Committee worked fine. He recommended that Board members receive a written determination by the Chair that explains why Executive Committee action is needed.

Lesli Daniel suggested that to temper the power of the Executive Committee a 24-hour e-mail notification be provided for any action the committee is planning to take. This would maintain communication with the entire Board and allow individuals to provide comments prior to the committee taking action. Kristina Miller stated the Executive Committee agenda should be e-mailed to the Board and any comments could be incorporated into the final agenda.

Randy Akana advised limiting the power of the Executive Committee to only approving grants, but Lesli stated her preference to grant power to act on legislation as well as grants.

The resolution of Executive Committee formation must clearly define what authority is being given to the committee.

In response to a general consensus to proceed with forming an Executive Committee, ESJPA staff will contact the attorney and present a series of proposals to the Board at the May 15, 2008 meeting. Staff will explore a variety of options and clarify the scope of the Executive Committee's power as allowed under the Joint Powers Agreement.

V. Legislative Update

2007-08 Solid Waste Legislation – Paul Smith, RCRC Director of Legislative Affairs and Mary Pitto, Program Manager

Mary directed the group to page 23 of the meeting packet which provided a summary of all bills that the ESJPA will track during this legislative session. Full text of selected bills is provided and although AB 501 was omitted from the packet the complete text was distributed to the group. The following bills were discussed during a Legislative Task Force conference call and the recommended position for each bill is listed in the summary provided by Paul.

A. AB 501 (Swanson): Pharmaceutical Devices.

This bill picks up from AB 1305 by trying to dedicate a waste stream for sharps. The bill has been all over the map since being introduced and has had seven different versions in the past 13 months. The first versions contained a strong manufacturer take back scheme imposed on all types of sharps. The bill ran into serious problems however, so the author has amended the bill to make it more palatable to manufacturers. This has created an “either-or” scenario in which manufactures can chose to provide consumers with a disposal container or direct them somewhere else for disposal. Unfortunately, this “somewhere else” will be to county solid waste facilities and health organizations. In addition, it is the consumer who has an obligation to demand disposal information. This bill is designed to impose little or nothing on the manufacturer.

The ESJPA had supported the bill, then withdrew support and is now in non-engagement. The Legislative Task Force (LTF) would like to send a letter of “support if amended” if the bill contains manufacturer imposed responsibility. Paul believes it is unlikely that an amendment in the ESJPA's favor would result, but it is important to go on record. Ultimately, the manufacturer will direct consumers to counties who will assume the role of aggregator of sharps.

B. AB 1195 (Torrico): Recycling: Used Oil: Incentive Payment.

This legislation is currently in the second year of a two year session. The deadline for new bills will occur May 30th, but those bills from last year that have cleared their house of origin do not have to be acted on until later in the year. AB 1195 is one of these bills. It technically died last year, but it is being resurrected in this session. Last session, the ESJPA successful obtained an amendment that all county collection centers would be eligible for reimbursement from the oil contamination fund. Many portions of the bill

posed problems and the author has made major changes, but nothing is final. ESJPA staff is very protective of their used oil programs and will keep this bill on the radar. The ESJPA removed their opposition position when the amendments went through last session, but we have not re-engaged because the bill is still technically dead.

C. AB 1860 (Huffman): Unsafe Products: Recall or Warning.

This recently introduced bill is slated for hearing in two weeks. It imposes EPR upon manufacturers when their products are subject to recall. The LTF recommended that the ESJPA support the bill. Paul plans to visit Huffman's office to find out the status of the bill and its opponents. Paul would not be surprised if food products are exempt from this bill since the largest volume of recalled items are food products. The ESJPA's biggest concern is to keep recalled lead products away from county facilities and ensure that another lunchbox situation (wherein the state has still not collected lunchboxes from county collection points) does not occur.

D. AB 2347 (Ruskin): Mercury-added Thermostats: Collection Program.

This bill, sponsored by the CPSC, requires manufacturers of mercury laden thermostats to bear responsibility for the end of life of their product. This bill did not make it through last year and the LTF recommends a position of support.

E. AB 2640 (Huffman): Solid Waste: Compostable Organics Management.

This bill would phase out diversion credit for ADC and is similar to bills the ESJPA has fought in the past. It would phase out the diversion credit (rather than a complete ban) and also subject ADC to the \$1.40 tipping fee. Proceeds would go to market development for compost and other materials made with ADC. The impetus for this bill comes from a Marin County waste hauler who feels that they are competing with others for compost stock because landfills are using compostable materials as ADC. Huffman sees this as a state-wide problem and has asked local government to meet with him to talk about the issue. ESJPA staff has shared the rural perspective and cited concerns with getting products to market and being unable to reach diversion levels without ADC credit. Paul feels that this bill will probably go a little further in the legislative process and then ultimately die. There are some on the LTF who were not as troubled by this bill while others were quite concerned. Paul asked the group for their feelings on this bill and to clarify if the ESJPA should "strongly oppose" or "oppose" the bill based on the two issues that it covers.

Mandy Kleykamp, Glenn County reported that she recently viewed a CSAC presentation where Los Angeles County submitted a detailed study which demonstrated that using organics as ADC had three times the carbon reducing ability compared to compost. The study looked strictly at compost vs. ADC and Mandy recommended that the author's office should be aware of this study's results in favor of ADC.

Lesli stated that the ESJPA's position was a question of how many counties rely on ADC as a major component of their diversion numbers. The members of the LTF do not rely heavily on ADC so Mary polled the group to determine how many counties are using

ADC for diversion credit. Glenn, Lassen, Tehama, and Calaveras were identified. Of those counties, Mary asked how many would be upset if diversion credit was phased out and Glenn County signaled concern.

Paul also brought up the issue of a tipping fee being assessed for ADC, as it is an important component of the bill. This was something that was discussed heavily at a recent SWANA meeting. Mark Urquhart was concerned that after ADC they might go after other beneficial re-use items like inerts. Steve Rodowick echoed that it is a slippery slope to put ADC under the tipping fee.

Larry Sweetser reminded the group that no rural counties would benefit from the money or research that was raised by tipping fees. Lesli proposed that it be a policy of the ESJPA that if counties pay a tax it must have a rural benefit, otherwise the ESJPA will fight it. Mary clarified that the ESJPA does not have any codified actions, but working in the interest of rural benefits is the ESJPA and RCRC's underlying theme.

Lesli felt that because many counties use ADC at an appropriate level she would not want to see all of the material be eliminated from cover, especially with the potential down the road for bio covers as a green house gas solution. Bill Mannel cited three reasons why the ESJPA should oppose the bill: 1) it may be the first of many additional tipping charges, 2) vegetative waste for ADC is beneficial for soil poor sites, and 3) there is lots of discussion of banning vegetative materials from landfills in total.

As there were a couple of counties absent, who are heavy users of ADC, staff will get full feedback from the group as to how to address this issue. In the meantime, the ESJPA will take an "oppose" position and will reference concerns with the \$1.40 tip fee in the opposition letter.

F. AB 2866 (De Leon): Solid Waste: Solid Waste Disposal.

This spot bill, sponsored by Waste Management, will increase the tipping fee from \$1.40 to \$2. Paul recently had lunch with one of the lobbyist for Waste Management and was informed how the final version of the bill will appear. The \$0.60 increase will be used for the following purposes:

- a. \$0.15 for projects to make vehicle fuels from garbage
- b. \$0.15 to methane capture at landfills
- c. \$0.15 to convert from diesel to natural gas on waste hauling trucks
- d. \$0.15 for post closure financial assurances that would create a fund that can ultimately be used for any post-post closure issues

Last session, the ESJPA opposed a \$0.50 increase in the tip fee with proceeds going to ARB purposes. It is clear that the \$0.15 for post-post closure is not an acceptable use for the ESJPA's purposes. Obviously, the ESJPA cannot send an oppose letter on a bill that is not in print, but as soon as the bill is available an oppose letter will be sent out.

Until that time, Paul requested the group's input on the other three funding items proposed in the bill. He also clarified that only those transfer stations with waste going to California landfills would be subject to the increased tipping fee. Mary reminded the group that the first three funding areas deal with ARB related issues and stressed that if there is going to be an increase in fees it should go back to each county and not into a pot that rurals will not qualify for.

Mark noted that because the uses for each of the \$0.15 are not definite, the SWANA Local Task Force is trying to develop a list of what things the tip fee should go towards. One idea that has been suggested is putting the \$0.15 increase toward illegal dumping programs. Paul reported that SWANA staff told participants to get prepared for an increase in the tipping fee and to determine how to use the incoming funds. This situation could pose a major problem if the ESJPA does not have a consensus on how to use the tip fee monies. Paul feels that with each year it becomes harder and harder to fight a tip fee increase and the group needs to seriously consider where money should go. If the ESJPA states that they will not pay into a post-closure fund because counties have financial assurances the group has two options: 1) specify where the money goes or 2) make the tip fee \$1.85. The group should keep in mind that the League of Cities and other groups will be forming their own "ask lists" to carve out something for themselves.

Mark suggested that in choosing a use for the money the group should consider something related to greenhouse gases, since it is something counties will have to deal with in the future. It would also make the proposed suggestion more palatable to other stakeholders. Paul affirmed that in this AB 32 world, the private waste hauler is looking for avenues to finance the infrastructure they need to comply with new regulation and the tipping fee is an easy solution. Last year's tip fee increase issue was particulate matter, not AB 32, but the point is the same. Regulations are bearing down on air quality and the private sector needs a way to fund compliance. Melissa Cummins questioned if there could be a grant program for haulers to do retrofits, otherwise Siskiyou County's private haulers will go out of business.

Lesli noted that she would support using the tip fee to conduct research, since data on emerging issues is either outdated, not specific, or does not exist. Research projects could study the relation between tons in place and the affordability to put in generators, or focus on rural solutions that are efficient and cost effective. Steve suggested the tipping fee could be graded over three years to prevent greatly upsetting residents. Larry noted that the typical time for a state rate increase to take effect is about a year. Paul asked the group to consider how tip fees should be used and be prepared to provide input at the next meeting.

G. SB 1016 (Wiggins): Diversion: Annual Reports.

This bill is currently in the assembly. The bill language included in the meeting packet is not the current version. Instead, the packet contains the handouts from the Waste Board that explain how the bill will appear when it is amended. An amendment is not expected until mid-April or May.

Melissa asked if they could use a different time period than 2003-2006 to calculate the base year since the data during that time period is inaccurate. 2007 was the first year that the entire county weighed everything, so it is a much more accurate account of their disposal. Mary reported that Nevada County has a similar concern because based on the 2003-2006 span they would have a 20% diversion. Tracey Harper conducted a waste generation study that justified their programs and showed them in the high 50% for 2006 and 2007. The current CIWMB proposal doesn't take these situations into account. Bill advised counties to take a look at their diversion measure and see if that averaging method proposed in the bill actually helps them. Steve suggested that rather than give counties a full 1 to 1 biomass credit, the Waste Board could give a percentage of credit, or simply a rural exemption for Butte County.

Paul's instinct is that the ESJPA should support SB 1016 because the CWIMB is desperately searching for support on this bill (they have none) and the action of supporting the bill would buy the ESJPA a lot of political capitol. Paul will confirm on March 25th, but the way he understands it, the numbers mentioned in SB 1016 are all secondary to the intent of the bill. He has been led to believe that they want to base compliance on programs and although this is very subjective, the current system is just as subjective. Paul reminded the group of Cara's last point: they do not want to look at numbers, but at county programs and the outcomes of those programs. Paul intends to learn more at the next meeting and ESJPA staff will slate this bill for formal action in May after proposed amendments have been published.

H. SB 1020 (Padilla): Solid Waste: Diversion.

This "move the needle" diversion bill which increases the statewide diversion goal to 75% and offers limited "tools in the toolbox". Paul commented that earlier, Howard Levenson "divorced" the Waste Board from this bill, as they do not want their efforts on SB 1016 entangled with this bill. The legislature is much more sympathetic to this bill however, so it is important to watch. The version of this bill in the packet is the proposed amended bill and it is the framework under which the ESJPA is working. Paul expects amendments to arise at any day and he has been informed that there will be more "tools" provided. The ESJPA still holds an opposition position since moving to a 60% or 75% diversion still poses problems for rurals.

I. SB 1321 (Correa): School Recycling Programs.

This bill was introduced from the "there ought to be a law" contest in Correa's district and it requires school administrative offices and high school campuses to have beverage container recycling bins and to either operate their own recycling program or partnership with a recycler. This bill addresses the concern that school districts and other state facilities are not doing their part to assist jurisdictions with diversion numbers.

- J. AB 1879 (Feuer): Hazardous Materials: Toxic Substances & SB 509 (Simitian): Consumer Products: Content Information.
Lesli recommended that the ESJPA look into supporting these bills at the next meeting as the both speak directly to reducing toxic products in the waste stream.

VI. ESJPA Program Updates

A. Grant Program Update – Stacey Miner

Stacey directed the group to the grant memo on page 111 of the packet which provides a brief updated on various grants. Proposals are due for the Department of Conservation's Multifamily Beverage Container Recycling Grant on June 13 and the Coca-Cola/ NRC Recycling Bin Grant is due April 4.

VII. Solid Waste/Regulatory Update

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

The ARB is currently compiling their scoping plan and this menu of items, both regulatory and voluntary, will be developed into separate implementation processes. Staci expects to see dozens of items; possibly 50 or more measures in the final scoping plan. RCRC is involved with brainstorming the listed items and is involved with all areas of AB 32 implementation from agriculture and water to forestry and land use. The draft of the scoping plan is due in June and they expect to take the draft to the Board for approval in November so that it can be adopted by the January deadline.

B. AB 32 and Landfill Gas Monitoring – Larry Sweetser

Larry referred to the PowerPoint presentation slides from the ARB workshop on Foam Recover and Destruction and noted that while the ARB is not banning foam at this point, it is an idea under consideration. Foam recovery could potentially target something as common as foam in couch cushions, so Larry will keep the group updated on this discussion.

C. AB 2296 Financial Assurances Post closure Maintenance Workshop- Larry Sweetser

Larry has not had the opportunity to look closely at the newly proposed landfill methane emissions, but the defining point is 2,000 tons in place. The big question is how the new proposed regulations handle flaring. Larry will look into this issue and also attend a workshop on March 24 that will discuss changing the monitoring process. Currently, there is a requirement for testing every 100 feet on the surface, but there is a possibility of changing the testing requirement to every 25 feet.

D. AB 1109 Lighting Task Force Update – Stacey Miner

Due to time constraints, this item will be discussed at the May 15, 2008 meeting.

E. SB 1305 Sharps Management Stakeholders Meeting Update – Stacey Miner

Due to time constraints, this item will be discussed at the May 15, 2008 meeting.

F. Product Stewardship Council Update – Leslie Daniel

CPSC has obtained their 501(3)(c) designation and can now receive donations from private sources. As part of Del Norte's HD-16 grant Lesli passed out a sign-up sheet for counties interested in having a CPSC presentation at their Board of Supervisors meeting. Rachel Basore noted that the ESJPA has already contacted several counties to schedule presentations with them.

G. Electronic and Universal Waste Update – Larry Sweetser

Larry reminded the group that SB 20/50 is being audited much more carefully in this Net Cost Report cycle and the result of this analysis may lead to changes in future payment and fee rates.

H. ARB Diesel Retrofit Update – Mary Pitto

Due to time constraints, this item will be discussed at the May 15, 2008 meeting.

I. Highlights of January/February/March Waste Board meetings – Larry Sweetser

The City of Cerritos was recently fined \$82,000 because they delayed implementing any programs until the end of their compliance order. While this is not the first time that a jurisdiction has faced on fine for AB 939 compliance, this is a very significant fine.

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

The next round of USDA Universal Waste trainings will feature a sharps training component. Staff is working to schedule training dates and these will be e-mailed to the listserv once they are finalized.

VIII. Articles of Interest

IX. Agenda Suggestions for Next ESJPA Board Meeting Scheduled May 15, 2008.

Individuals with agenda suggestions are urged to contact Mary Pitto before the next meeting

X. Member County Concerns / Comments

XI. Adjournment at 1:35 p.m.

Following adjournment, the CIWMB Local Assistance Staff (Rick Hicks, Cindi Rumenapp, Yasmin Satter, and Alan White) conducted small group meetings with their represented jurisdictions. Terry Brennan, Steve SoRelle, and John Smith also helped facilitate a larger group discussion about the issues facing rural jurisdictions.

Respectfully submitted,

Rachel Basore

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