

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

II-A

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

Double Tree Hotel and Event Center
2001 Point West Way, Sacramento, CA
Thursday, December 11, 2008

MEMBERS REPRESENTED

Bob Pickard, ESJPA Chair
Jim McHargue, Program Manager
Bill Mannel, Solid Waste Manager
Steve Roderick, Recycling Coordinator
Lesli Daniel, Recycling Manager
Mike Azevedo, Program Manager
Kevin Hendrick, Director
Jon Souza, Public Information Officer
Mandy Kleykamp, Solid Waste Manager
Paula Wesch, Project Coordinator
Keith Quinlan, Solid Waste Manager
Lynn Cody, Recycling Technician
Daria Kent, Recycling Technician
Robert Perrault, Jr., Director of Public Works
Randy Akana, Director
Shannon Cash, Fiscal Technician
Kristina Miller, Solid Waste Program Manager
Beth Garibaldi, Recycling Coordinator
Barbara Rapinac, Solid Waste Analyst
Vivian Woolsey, Solid Waste Technician
Gretchen Olsen, Solid Waste Manager

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

STAFF IN ATTENDANCE:

Kim Garrett, ESJPA Program Assistant
Paul Smith, Director of Legislative Affairs
Larry Sweetser, Consultant to ESJPA
Karl Dolk
Beverley Bales

RCRC Governmental Affairs
RCRC Governmental Affairs
Sweetser and Associates
RCRC Accounting Staff
RCRC Accounting Staff

OTHERS IN ATTENDANCE:

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|---|-----------------------------------|
| William Abbott | Abbott & Kindermann |
| Curt Fujii, P.E. | Civil & Environmental Consultants |
| Terry Brennan, Supervising IWM Specialist | CIWMB |
| Jim Greco, Owner | CWA |
| Mark Rappaport, Consultant | MRC |
| Pat Sullivan, R.E.A., C.P.P., Senior Vice President | SCS Engineers |

MEMBERS NOT REPRESENTED

| | | |
|---------------|-----------------|---------------|
| Alpine County | Imperial County | Inyo County |
| Modoc County | Mono County | Sierra County |

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

The meeting was called to order at 9:01 a.m. by Chair Bob Pickard. Roll call was taken, self-introductions were made, and a quorum was established.

II. Approval of minutes from the meeting of October 23, 2008 – Bob Pickard, Chair

Mr. Pickard called for a motion to approve the minutes of the August 21st, 2008 meeting. The motion was made by Mandy Kleykamp, seconded by Bill Mannel. Motion carried.

III. Member County Concerns/Comments

Gretchen Olsen asked for members to email her the different indexes that they use for waste haulers. Jim McHargue mentioned a new rate adjustment system that Amador County has developed. He intends to provide each member county an explanation of this system.

IV. Public Comment

Kristina Miller extended her thanks to Larry Sweetser for his Load Check trainings. The counties seemed to find these trainings extremely helpful.

Members inquired as to why some RCRC member counties have opted out of ESJPA membership. They were directed to Mary Pitto for explanation.

V. Presentations

A. Landfill Closure and Post-Closure Requirements: A Realistic Perspective – Curt Fujii, P.E., Principal, Civil & Environmental Consultants, Inc.

Curt Fujii gave an informative PowerPoint presentation explaining landfill closure and post-closure requirements. During his presentation he discussed his own personal closure and post-closure experiences, public agencies' attitudes towards the issue, and the various things to consider, as well as steps to take, in the process of closure and post-closure. He provided handouts of his presentation to the group for future reference.

During the brief discussion that followed, Larry Sweetser mentioned that the CIWMB will be closely scrutinizing expenses associated with closure and post-closure activities.

Terry Brennan pointed out that the CIWMB website has excellent guidance for handling post-closure procedures.

B. AB 32 Climate Change Issues Impacting Landfills -Patrick S. Sullivan, R.E.A., C.P.P, Senior Vice President, SCS Engineers

In addition to his PowerPoint presentation, Patrick Sullivan pointed out a few important facts for the group to note. He emphasized that jurisdictions should expect many more, and more stringent, regulations in the wake of AB 32. He suggested that counties utilize the *CA Landfill Industry GHG Emissions Graph* (CARB 2007) found on slide 9 of his presentation*. He strongly recommended the methodologies outlined in slides 13-20 of his presentation.

*Hardcopies of Patrick's presentation were provided to TAG members at the beginning of the presentation.

C. Prop 218 and Solid Waste Fees – William Abbott, Abbott and Kindermann, LLP Attorneys at Law

William Abbott provided a legal frame of reference for understanding Proposition 218 and Solid Waste Fees.

D. Report from the California Integrated Waste Management Board – Terry Brennan, Supervising IWM Specialist, Office of Local Assistance

Terry Brennan provided members with an update on CIWMB issues. He stated that the biannual reviews went to Committee on December 9, 2008. Out of 415 jurisdictions, 340 had met their diversion goals, 55 were granted good faith efforts, 13 were under compliance orders, and 6 were being considered for compliance orders. He added that the Board would be voting on good faith efforts on December 21, 2008. He noted that the 1016 Workshop will be held on January 7, 2009 from 10:00 am to 12:00 pm in the Sierra Hearing Room of the EPA building. He noted a number of other workshops that are coming up, including the BMP workshop on December 19, 2008. He mentioned that the 2007 electronic annual reports will be available on the CIWMB website at the end of January, 2009. He said that jurisdictions should focus on the "special events" section when working on upcoming reports for 2009. He noted that the final filing date for landfill closure loans is January 15, 2009.

VI. Business Matters

- A. Review and approval of the 2008 Contract Services Agreement between ESJPA and RCRC – Mary Pitto, Program Manager

Mary Pitto was not able to attend today's meeting. However, RCRC's Karl Dolk was in attendance to discuss the contract agreement between ESJPA and RCRC, which was provided on page 11 of the Board packet. He briefly explained his role (accounting) and the relationship between RCRC and ESJPA. He explained that there would be no change in the contract from 2008 to 2009, and that all fees would remain the same. He briefly explained how funds are allocated. Motion to approve was made by Lesli Daniel, and seconded by Kevin Hendrick.

- B. Review and approval of the 2009 Budget – Mary Pitto

Karl referred to pages 21 through 23 of the Board packet when reviewing the 2009 Budget. He discussed the staff assigned to ESJPA, and explained the contract fees incurred due to Stacy Miner's departure. He noted and explained a change in the budget, which was related to the National Homebuyers Fund (NHF). Motion to approve was made by Kevin Hendrick, and seconded by Steve Roderick.

- C. Review and approval of the 2009 Meeting Schedule – Mary Pitto

Paul Smith briefly went over the 2009 meeting schedule, noting that a January meeting may be added. Due to scheduling conflicts, there was a discussion about the possibility of having an Ad Hoc or Legislative Task Force meeting instead of a traditional BOD meeting. Larry suggested a conference call BOD meeting. There was no further discussion on the issue, and the 2009 schedule was approved as is. Motion to approve was made by Mandy Kleycamp, and seconded by Gretchen Olsen.

- D. Election of the 2009 ESJPA Chair and Vice Chair – Bob Pickard, Chair

Bob Pickard postponed electing a new Chair until the next meeting.

- E. Election of the 2009 TAG Chair and Vice Chair – Bob Pickard, Chair

Jim McHargue was nominated as the new TAG Chair. The motion was made by Bill Mannel and seconded by Mandy Kleycamp.

Gretchen Olsen was nominated as the new Vice Chair. The motion was made by Mandy Kleycamp and seconded by Kristina Miller.

- F. Presentation of a Resolution of Appreciation to Supervisor Pickard – Randy Akana, TAG Chair
Randy Akana read and presented the Resolution of Appreciation to Supervisor Pickard for his dedicated service to the ESJPA.

VII. Solid Waste / Regulatory Update

A. Announcement of new Waste Board Members – Larry Sweetser, ESJPA Consultant

Larry announced the names of new CIWMB members.

B. AB 32 – Global Warming Solution Act of 2006 Update – Mary Pitto

Mary was not in attendance – no update.

C. AB 32 and Landfill Gas Control Measure – Larry Sweetser

Larry provided members with the packets that were distributed at the CIWMB meeting on December 10, 2008. He noted that landfills closed before January 1, 1977 are not subject to this new regulation. He directed members to the handout for monitoring guidelines.

D. CIWMB Disposal Site Gas Monitoring and Control Compliance Deadlines – Larry Sweetser

Larry stated that standard compliance and alternative compliance information should have already been submitted to each jurisdiction's LEA. He stressed that all compliance efforts must be well-documented, since LEAs are being encouraged by the Waste Board to issue violations. Larry added that although the regulation has not yet been adopted, it can be enforced via "areas of concern" violations.

E. ARB Diesel Retrofit Update – Mary Pitto, Program Manager

Mary was not in attendance. However, Larry stated that retrofit information has been provided on pages 43 through 46 of the Board packet. He directed all questions to Mary.

F. CA Product Stewardship Council Update – Leslie Daniel, Recycling Manager, Calaveras County

Lesli informed the group that CPSC has formed a Board of Directors, and to direct any questions to either herself or Kevin Hendrick.

Bob Pickard asked if any counties have had resolutions come before their Board. Lesli responded that Nevada County has had some trouble getting a resolution passed, and that El Dorado County is currently working on getting one passed. She added that most counties either have a resolution in place, or are currently working on getting a resolution passed.

G. CIWMB Long-Term Post-closure Maintenance and Corrective Action Cost Estimates and Financial Assurances Demonstrations for Landfills - Larry Sweetser

Larry confirmed that the CIWMB is proceeding with the requirement that post-closure lasts 30 years, or until a landfill no longer poses a threat. He added that post-closure costs can be

adjusted at any time. He discussed the split-pooled fund, explaining that all jurisdictions pay into this fund, and the State makes the funds available to assist landfills without adequate funding resources. A brief discussion followed in which members expressed their concern about the appropriation of these funds. Larry provided a handout to further explain the way split-pooled funding works.

H. CIWMB Pharmaceutical Waste Model Program – Larry Sweetser

Larry informed the group that the CIWMB was required to submit a model program to the Legislature, and there was a general consensus of disappointment in what was submitted. One substantial problem that was encountered was that they are proposing to have both pharmacists and law enforcement at collection events, both of which are considered costly and unfeasible.

I. Grant Program Update – Mary Pitto

Updating on Mary's behalf, Larry mentioned that the USDA Grant is winding down and ends in December 2008; however, he is applying for an extension. He noted that Mary has provided a grant summary on pages 73 and 74 of the Board packet.

J. Highlights of November/December Waste Board meetings – Larry Sweetser

Larry presented highlights from the CIWMB site and briefly discussed the meeting on organics. He added that the CIWMB will be conducting a study of commercial recycling costs.

K. Other Regulatory Issues of Interest or Concern – None.

VIII. Legislative Update

Paul provided member with a preview of 2009/2010 Solid Waste Legislation. He acknowledged that the new Legislature has convened; however, they have been dominated by the current budget situation.

He noted the following 3 key Legislative issues of this year:

SB 25

Paul stated that this bill was purposefully written without finality, and that there is significant opposition to the bill for a variety of reasons. He mentioned that the legislation on EPR will be a framework bill, not a product-specific bill. He will seek support from the RCRC Board, and will have the Legislation ready by the next ESJPA meeting.

Pooled-Fund Legislation

Paul mentioned that he and Larry will be attending a stakeholders meeting concerning this issue in mid December, 2008. He noted that there is a general consensus that public money should not be used to fund a private expense. He added that the CIWMB is waiting for AB 2296 before moving forward on this issue.

SB 26 - Pharmaceutical Waste

Paul assured members that they are working with the Board of Pharmacy to get clarity in this law. There was some discussion that the CIWMB will be looking at funding pharmaceutical waste programs in the next HD round.

IX. Agenda Suggestions for Next ESJPA Board Meeting Scheduled March 19, 2009.

Members would like to discuss Proposition 218. Examples of case studies would be appreciated. They would also like to get back to AB 32. Members would like to consider expansion of ESJPA membership, including revenue sources, expanding into larger areas, getting more RCRC counties involved, and discussing the parameters that define "rural".

X. Articles/Items of Interest - None.

XI. Adjournment at 3:05 p.m.

Respectfully submitted,

Kim Garrett

Kim Garrett
Environmental Program Assistant
Rural Counties' Environmental Services Joint Powers Authority

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