

2009 Legislation

Position Letters Sent by RCRC on Solid Waste Related Bills

- AB 283 Chesbro Solid waste: extended producer responsibility program - support (4/16/09)
- AB 479 Chesbro Solid waste: diversion – oppose (4/8/09)
- AB 1150 Gaines Integrated Waste Management Board – oppose (4/1/09)
- AB 25 Padilla Solid Waste : diversion – concerns (1/27/09)
- SB 26 Simitian Home Generated Pharmaceutical Waste – support (4/1/09)
- SB 44 Denham Integrated Waste Management Board – oppose (2/3/09)
- SB 390 Kehoe Recycling Market Development – support (3/31/09)
- SB 730 Wiggins Solid waste: grants and loans: eligibility – oppose (3/31/09)

Alpine Amador Butte Calaveras Colusa
Del Norte El Dorado Glenn Imperial Inyo
Lake Lassen Madera Mariposa Merced



Modoc Mono Napa Nevada Placer Plumas
San Benito San Luis Obispo Shasta Sierra
Siskiyou Sutter Tehama Trinity Tuolumne

Chair - Larry Munger, Sutter County
First Vice Chair - Dave Bradshaw, Modoc County
Second Vice Chair - Diane Dillon, Napa County
Past Chair - David Finigan, Del Norte County

President and CEO - Greg Norton
Executive Vice President - Patricia J. Megason
Chief Financial Officer - Karl Dolk

April 16, 2009

The Honorable Nancy Skinner, Chair
Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

Re: AB 283 (Chesbro) California Product Stewardship Act –Support

Dear Assembly Member Skinner:

On behalf of the thirty member counties of the Regional Council of Rural Counties (RCRC), I offer our support for Assembly Bill 283 (Chesbro), which would create an extended producer responsibility program in California.

RCRC is comprised of members of the Boards of Supervisors from our thirty member counties. In addition, twenty-two RCRC member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet the state-imposed waste diversion requirements.

In 1989, the Legislature adopted AB 939, which placed responsibility for solid waste on local governments. It also established a waste hierarchy: reduce, reuse, then recycle and compost. As a state, we have focused heavily on recycling since AB 939 was first enacted and have managed to reach the 50% diversion goal. Yet waste generation in California continues to climb, making it difficult for local governments to meet any increased diversion requirements. Today, 75% of waste in the United States is from products. Local governments alone simply do not have the tools or resources to address the growing product waste problem, especially those products banned from disposal because of toxicity, which makes them very expensive to manage. AB 283 finally addresses source reduction by getting to the root of our product waste problem – the producers who design, manufacture and package products.

RCRC is partnering with California Product Stewardship Council in working towards a single mission: to shift California's product waste management system from one focused on government-funded and ratepayer-financed waste diversion to one that relies on producer responsibility in order to reduce public costs and promote environmental sustainable product design.

AB 283 will do the following:

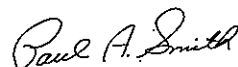
- Provide authority to the Integrated Waste Management Board to implement a statewide product stewardship program and select products that would fall under the stewardship program;
- Allow producers to design and manage the collection and recycling programs with minimal government involvement;
- Provide incentives to producers that stimulate waste reduction, pollution prevention, energy efficiency and increased secondary use of recycled and reused materials;
- Provide flexibility in a product stewardship program to address the uniqueness of each product;
- Allow the free-market to work properly and fairly, creating competition and more cost-effective and convenient recycling programs;
- Shift the cost of product waste from taxpayers/ratepayers to producers and users; and,
- Develop transparent and accountable performance goals for collection programs.

In short, AB 283 would improve product design, encourage reuse and recycling, address excessive packaging, provide convenient collection alternatives for consumers, provide incentives for producers to reduce lifecycle impacts of products and packaging, and reduce the use of toxics in products. This bill, through implementation of an extended producer responsibility program, will also drive recycling markets, stimulate the creation of green jobs, and reduce green house gas.

AB 283 envisions a program funded/operated by the private sector with limited governmental involvement, thereby saving money for both state and local governments. As such, we believe this is one of the most important pieces of solid waste legislation since AB 939.

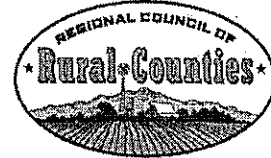
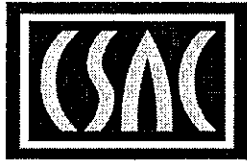
If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Sincerely,



PAUL A. SMITH
Senior Legislative Advocate

cc: The Honorable Wesley Chesbro, Member of the State Assembly
Members of the Assembly Natural Resources Committee



April 8, 2009

The Honorable Wes Chesbro
Member, California State Assembly
State Capitol, Room 2176
Sacramento, CA 95814

RE: Assembly Bill 479 (Chesbro) - OPPOSE

Dear Assemblyman Chesbro:

On behalf of the Regional Council of Rural Counties (RCRC), the League of California Cities (the League), the California State Association of Counties (CSAC), and the Solid Waste Association of North America (SWANA), we are writing to express our opposition to your Assembly Bill 479, which proposes to increase a jurisdiction's diversion requirements for solid waste and dramatically increases the state's solid waste disposal fee.

Cities and counties have made significant strides in implementing programs for the diversion of solid waste from landfills. Collectively, our state exceeds the required 50% goal that was established many years ago. Despite these efforts, we have strong concerns with proposals to further increase the diversion requirements at this time whether these new requirements are jurisdiction-by-jurisdiction or a collective statewide effort.

Much has changed from last year when our organizations considered Senate Bill 1020, which also proposed to increase the diversion requirements. By far, the most dramatic turn-of-events occurred last summer with the collapse of the recyclable materials market. Within a matter of weeks, the value of scrapped materials such as plastic, cardboard, glass, etc. dropped as much as 80%. Prior to the late summer, much of these materials were aggregated and shipped to China and recycled into packaging for products. This is no longer the case. The result is recyclers and municipalities are currently storing these materials in anticipation of price increases and/or buyers of these materials. Fortunately, the Integrated Waste Management Board (the Waste Board) recognizes this problem and is addressing the matter. However, storage is only one of the contributing factors and if the materials market does not recover within the next several months, we expect that many of these materials could be committed to landfills, thereby putting pressure on jurisdiction's diversion requirements.

Landfills throughout California are experiencing a significant decrease in disposal tonnage, in many cases over 20 percent less tonnage. This results in significant decreases in revenues to fund jurisdictions solid waste and recycling infrastructure. Increasing the disposal fee will further impair jurisdiction's programs.

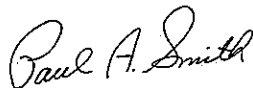
Another important aspect of this discussion concerns the implementation of Senate Bill 1016 (Wiggins). Last year, the Legislature enacted SB 1016 which recalculates the method the Waste Board uses to assess a jurisdiction's amount of waste 'diverted' from landfills. SB 1016 replaces the previous 'diversion-based' method with a 'disposal-based' accounting method so that waste is more accurately assessed. As SB 1016 was moving through the process last year, many jurisdictions were well-aware that shifting to a disposal-based method could mean a de facto increase in their diversion requirements. In other words, for a number of cities and counties, SB 1016 has the practical effect of increasing the 'diversion' threshold. Jurisdictions should have time to adjust to this new system before raising the "diversion" threshold even further.

AB 479 recognizes the need for jurisdictions to commit resources to meet these new requirements by increasing the solid waste disposal fee and returning portions of this increase to local governments. However, we have reservations with the amount of the increase and how this fee would be returned to local governments. First, the \$2.50 increase is too steep and could lead to an increase in illegal dumping. Second, we fear that much of this increase will be absorbed by the State either to address its own fiscal shortfalls, maintain the Waste Board's functions, and/or offset administrative costs to implement programs. And finally, as steep as the increase is, the amount being returned to jurisdictions is likely not to equate to the costs of meeting the increased diversion requirement, particularly for smaller jurisdictions.

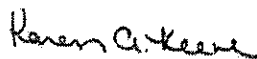
Finally, we reiterate what was conveyed throughout the 2007-08 Session as SB 1020 and other measures were being considered to increase diversion requirements. For local governments to meet any increase, we must have a variety of tools at our ready. These include: requiring product design that is more durable, create less waste and producer responsibility; meaningful market development; legislative changes to facilitate take-back programs; assistance for siting organics compost facilities; better efforts to manage organics; and efforts to enhance conversion technology. We appreciate your efforts in the area of producer responsibility. However, much more needs to be included and put into law prior to increasing the mandate upon jurisdictions.

RCRC, the League, CSAC, and SWANA look forward to working with you and your staff to address these concerns. We recognize the need to better divert waste from current landfills and know that cities and counties have a role to play.

Sincerely,



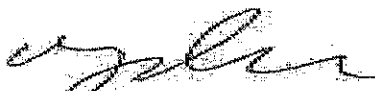
PAUL A. SMITH, RCRC
Director of Legislative Affairs



KAREN KEENE, CSAC
Legislative Representative



KYRA EMANUELS ROSS, the League
Legislative Representative



PAUL YODER, SWANA
Legislative Advocate

Alpine Amador Butte Calaveras Colusa
Del Norte El Dorado Glenn Imperial Inyo
Lake Lassen Madera Mariposa Merced



Modoc Mono Napa Nevada Placer Plumas
San Benito San Luis Obispo Shasta Sierra
Siskiyou Sutter Tehama Trinity Tuolumne

Chair - Larry Munger, Sutter County
First Vice Chair - Dave Bradshaw, Modoc County
Second Vice Chair - Diane Dillon, Napa County
Past Chair - David Finigan, Del Norte County

President and CEO - Greg Norton
Executive Vice President - Patricia J. Megason
Chief Financial Officer - Karl Dolk

April 1, 2009

The Honorable Ted Gaines
Member, California State Assembly
Room 4144, State Capitol
Sacramento, CA 95814

Dear Assemblyman Gaines:

On behalf of the Regional Council of Rural Counties, we regret to inform you of our opposition to your Assembly Bill 1150 which proposes to eliminate the Integrated Waste Management Board (the Waste Board) and shift its duties to the Department of Conservation.

RCRC is comprised of members of the Boards of Supervisors from our thirty member counties. In addition, twenty-two RCRC member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements and work closely with members and staff of the Waste Board.

The Waste Board is charged with enforcing the Integrated Waste Management Act and, as such, permits solid waste facilities, provides and oversees a variety of grants to qualified recipients to reduce and/or recycle certain waste commodities, and most importantly, ensures cities and counties meet waste reduction goals, as set by the Legislature.

There are six members of the Waste Board; one appointed by the Senate Rules Committee; one appointed by the Assembly Speaker; four appointed by the Governor - two representing the public at-large, one representing the solid waste industry, and one representing the environmental community. Each of the four gubernatorial appointments requires confirmation by the State Senate. Waste Board members currently receive an annual salary of just over \$130,000. The Waste Board is funded from a variety of legislative-imposed disposal fees, permit fees, and fines and penalties. The agency receives no State General Fund support.

Since its inception in 1989, there have been numerous calls for the consolidation of the Waste Board and other state agencies that focus on recycling. We believe it is in

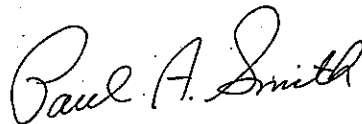
the best interest of RCRC counties to continue to have an independent Waste Board where it continues its current role for the following reasons:

- The independent state agency model has served RCRC member counties well;
- Board members and staff have been very accessible to RCRC, its ESJPA, and individual rural counties;
- Elimination/consolidation will not result in any State General Fund savings nor improve the State's fiscal condition;
- There are likely to be significant up-front costs to re-orient the Board's functions into another existing agency;
- There has been no demonstration that the Waste Board needs an overhaul or realignment or that it is failing to adequately enforce the Act; and,
- There are likely to be delays in the approval of a local government's permits and biennial reviews.

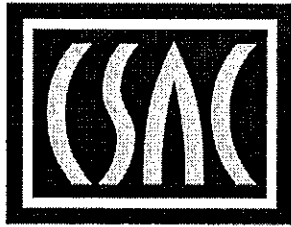
It should be noted that RCRC does not oppose the Legislature or the Administration addressing the selection process/criteria for appointment to the Waste Board or the issue of Board member compensation. Rather, our opposition to AB 1150 is based solely on the issue of the overall performance of the agency in enforcing the Act and the interaction the Board has had with rural counties and other stakeholders, which underwrite the costs of the agency.

If you have any questions or concerns regarding our opposition to AB 1150, please do not hesitate to contact me at 916-447-4806.

Sincerely,



PAUL A. SMITH
Senior Legislative Advocate



January 27, 2009

The Honorable Alex Padilla
Member, California State Senate
State Capitol, Room 4032
Sacramento, CA 95814

RE: Senate Bill 25 (Padilla) - CONCERNS

Dear Senator Padilla:

On behalf of the Regional Council of Rural Counties (RCRC), the League of California Cities (the League), the California State Association of Counties (CSAC), and the Solid Waste Association of North America (SWANA), we are writing to express our concerns for your Senate Bill 25, which proposes to increase diversion requirements for our state's solid waste.

Cities and counties have made significant strides in implementing programs for the diversion of solid waste from landfills. Collectively, our state now exceeds the required 50% goal that was established many years ago. Despite these efforts and positive results, we have strong concerns with proposals to further increase the diversion requirements at this time whether these new requirements are jurisdiction-by-jurisdiction or a collective statewide effort.

Much has changed from last summer when our organizations considered your Senate Bill 1020, which also proposed to increase the diversion requirements. By far, the most dramatic turn-of-events occurred last summer with the collapse of the recyclable materials market. Within a matter of weeks, the value of scrapped materials such as plastic, cardboard, glass, etc. dropped as much as 80%. Prior to the late summer, much of these materials were aggregated and shipped to China and recycled into packaging for products. This is no longer the case. The result is recyclers and municipalities are currently storing these materials in anticipation of price increases and/or buyers of these materials. Fortunately, the Integrated Waste Management Board recognizes this problem and is addressing the matter. However, storage is only one of the contributing factors and if the materials market does not recover within the next several months, we expect that many of these materials could be committed to landfills, thereby putting pressure on jurisdiction's diversion requirements.

Another important aspect of this discussion concerns the implementation of Senate Bill 1016 (Wiggins). Last year, the Legislature enacted SB 1016 which recalculates the method the Waste Board uses to assess a jurisdiction's amount of waste 'diverted' from landfills. SB 1016 replaces the previous 'diversion-based' method with a 'disposal-based' accounting method so that waste is more accurately assessed. As SB 1016 was moving through the process last year, many jurisdictions were well-aware that shifting to a disposal-based method could mean a de facto increase in their diversion

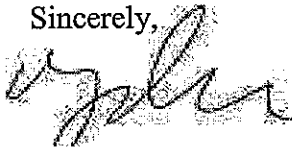
requirements. In other words, for a number of cities and counties, SB 1016 has the practical effect of increasing the 'diversion' threshold.

We recognize that SB 25, as currently drafted, does not mandate an increase upon each and every jurisdiction's diversion requirements; however, we fully expect that jurisdictions will need to commit resources to ensure a new statewide goal is achieved. This comes at a time when most cities and counties are struggling financially. It should be noted that local government costs to implement diversion programs become exponentially more expensive when attempting to exceed the 50% requirement.

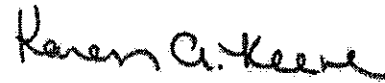
Finally, we must reiterate what we conveyed throughout the 2007-08 Session as SB 1020 and other measures were being considered to increase diversion requirements. For local governments to meet any increase, we must have a variety of tools at our ready. These include: requiring product design that is more durable, create less waste and producer responsibility; legislative changes to facilitate pharmaceutical take-back; assistance for siting organics compost facilities; better efforts to manage organics; and efforts to enhance conversion technology. Without an increase in the number of tools, the discussion moves beyond cost and borders on practicality.

RCRC, the League, CSAC, and SWANA look forward to working with you and your staff to address these concerns. We recognize the need to better divert waste from current landfills and know that cities and counties have a role to play.

Sincerely,



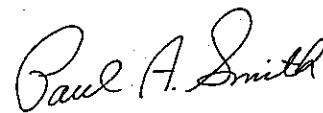
Paul Yoder
Solid Waste Association of North America
(916) 446-4656



Karen Keene
California State Association of Counties
(916) 327-7500



Kyra Ross
League of California Cities
(916) 658-8252



Paul Smith
Regional Council of Rural Counties
(916) 447-4806

Alpine Amador Butte Calaveras Colusa
Del Norte El Dorado Glenn Imperial Inyo
Lake Lassen Madera Mariposa Merced



Modoc Mono Napa Nevada Placer Plumas
San Benito San Luis Obispo Shasta Sierra
Siskiyou Sutter Tehama Trinity Tuolumne

Chair - Larry Munger, Sutter County
First Vice Chair - Dave Bradshaw, Modoc County
Second Vice Chair - Diane Dillon, Napa County
Past Chair - David Finigan, Del Norte County

President and CEO - Greg Norton
Executive Vice President - Patricia J. Megason
Chief Financial Officer - Karl Dolk

April 1, 2009

The Honorable Joe Simitian
Member, California State Senate
Room 2080, State Capitol
Sacramento, CA 95814

Dear Senator Simitian:

On behalf of the thirty member counties of the Regional Council of Rural Counties (RCRC), I offer our support for your Senate Bill 26, which addresses the issue of safely disposing of pharmaceutical waste.

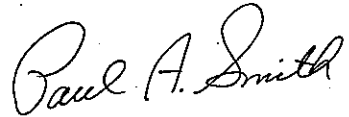
RCRC is comprised of members of the Boards of Supervisors from each of our thirty member counties. In addition, twenty-two member counties have formed a joint powers authority to address solid waste issues for our respective counties. In many cases, these counties operate or contract for collection services, transfer stations, recycling centers, municipal waste disposal landfills, and household hazardous waste collection programs.

Pharmaceutical waste continues to be a costly and difficult material for local governments to safely dispose. SB 26 would assist in providing the Board of Pharmacy with the legal authority to accept unwanted pharmaceuticals, if they are so inclined. This allowance is optional but can greatly assist local jurisdictions with a convenient disposal option and not impose the entire burden on local government for proper management of these wastes.

SB 26 is patterned after the recent measures for management of home-generated sharps by creating a parallel management system. SB 26 also provides authority for funds, from the successful grant program administered by the California Integrated Waste Management Authority, to be used for home pharmaceutical management. This is entirely appropriate given the intent to remove these wastes from the solid and water waste streams. SB 26 also allows common carriers to collect and transport these wastes, thus offering a convenient, low cost management options yet still imposes controls to protect public safety.

RCRC greatly appreciates your authorship of SB 26 and looks forward to working with you to ensure this bill is enacted into law this year. If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

Sincerely,

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

PAUL A. SMITH
Senior Legislative Advocate

cc: Members of the Senate Business, Professions & Economic Development
Committee

Alpine Amador Butte Calaveras Colusa
Del Norte El Dorado Glenn Imperial Inyo
Lake Lassen Madera Mariposa Merced



Modoc Mono Napa Nevada Placer Plumas
San Benito San Luis Obispo Shasta Sierra
Siskiyou Sutter Tehama Trinity Tuolumne

Chair - Larry Munger, Sutter County
First Vice Chair - Dave Bradshaw, Modoc County
Second Vice Chair - Diane Dillon, Napa County
Past Chair - David Finigan, Del Norte County

President and CEO - Greg Norton
Executive Vice President - Patricia J. Megason
Chief Financial Officer - Karl Dolk

February 3, 2009

The Honorable Jeff Denham
Member, California State Senate
Room 3076, State Capitol
Sacramento, CA 95814

Dear Senator Denham:

On behalf of the Regional Council of Rural Counties, we regret to inform you of our opposition to your Senate Bill 44 which proposes to eliminate the Integrated Waste Management Board (the Waste Board) and shift its duties to the Department of Conservation.

RCRC is comprised of members of the Boards of Supervisors from our thirty member counties. In addition, twenty-two RCRC member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements and work closely with members and staff of the Waste Board.

The Waste Board is charged with enforcing the Integrated Waste Management Act and, as such, permits solid waste facilities, provides and oversees a variety of grants to qualified recipients to reduce and/or recycle certain waste commodities, and most importantly, ensures cities and counties meet waste reduction goals, as set by the Legislature. There are six members of the Waste Board; one appointed by the Senate Rules Committee; one appointed by the Assembly Speaker; four appointed by the Governor - two representing the public at-large, one representing the solid waste industry, and one representing the environmental community. Each of the four gubernatorial appointments requires confirmation by the State Senate. Waste Board members currently receive an annual salary of just over \$130,000. The Waste Board is funded from a variety of legislative-imposed disposal fees, permit fees, and fines and penalties. The agency receives no State General Fund support.

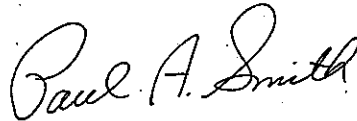
Since its inception in 1989, there have been numerous calls for the consolidation of the Waste Board and other state agencies that focus on recycling. We believe it is in the best interest of RCRC counties to continue to have an independent Waste Board where it continues its current role for the following reasons:

- The independent state agency model has served RCRC member counties well;
- Board members and staff have been very accessible to RCRC, its ESJPA, and individual rural counties;
- Elimination/consolidation will not result in any General Fund savings nor improve the State's fiscal condition;
- There are likely to be significant up-front costs to re-orient the Board's functions into another existing agency;
- There has been no demonstration that the Waste Board needs an overhaul or realignment or that it is failing to adequately enforce the Act; and,
- There are likely to be delays in the approval of a local government's permits and biennial reviews.

It should be noted that RCRC does not oppose the Legislature or the Administration addressing the selection process/criteria for appointment to the Waste Board or the issue of Board Member compensation. Rather, our opposition to SB 44 is based solely on the issue of the overall performance of the agency in enforcing the Act and the interaction the Board has had with rural counties and other stakeholders, which underwrite the costs of the agency.

If you have any questions or concerns regarding our opposition to SB 44, please do not hesitate to contact me at 916-447-4806.

Sincerely,



PAUL A. SMITH
Senior Legislative Advocate



Chair - Larry Munger, Sutter County
First Vice Chair - Dave Bradshaw, Modoc County
Second Vice Chair - Diane Dillon, Napa County
Past Chair - David Finigan, Del Norte County

President and CEO - Greg Norton
Executive Vice President - Patricia J. Megason
Chief Financial Officer - Karl Dolk

March 31, 2009

The Honorable Christine Kehoe
Member, California State Senate
Room 5050, State Capitol
Sacramento, CA 95814

Dear Senator Kehoe:

On behalf of the thirty member counties of the Regional Council of Rural Counties (RCRC), I offer our support for your Senate Bill 390, which addresses issues surrounding the Recycling Market Development Zone (RMDZ) Loan Program within California's Integrated Waste Management Board (the Waste Board).

RCRC is comprised of members of the Boards of Supervisors from thirty California counties. In addition, twenty-two RCRC member counties have formed the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) to provide assistance to solid waste managers in rural counties. These solid waste managers have been charged with ensuring that their respective counties meet state-imposed requirements to reduce the amount of waste that is disposed in California.

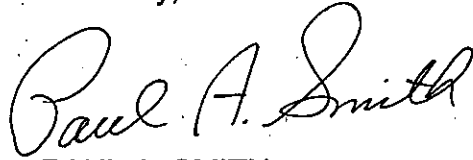
The RMDZ Loan Program has been very instrumental to a number of jurisdictions throughout California by establishing industries and markets for recyclables thus assisting in diverting solid waste from landfills. This program provides low-interest loans to businesses and organizations located in a Zone that has been designated by the Waste Board. Unfortunately, the resources available to the Waste Board are limited. At least eight RCRC/ESJPA counties have been designated as RMDZ's and an additional five RCRC/ESJPA counties desire to be included into the Program. Currently, the Waste Board is limiting new enrollment to seven new jurisdictions statewide due to the funding limitations. One aspect of SB 390 is to restructure the funding scheme, and RCRC believes that would be beneficial to all types of jurisdictions.

Furthermore, the RMDZ Loan Program is set to expire at the end of next year, and if that were to occur, a large number of jurisdictions, including those in RCRC, would lose a valuable tool for assisting new recycling enterprises. RCRC wholeheartedly supports making this program permanent to ensure that long-term

commitments can be made by businesses and other organizations and cities/counties to ensure a variety of diversion tools are in place.

RCRC greatly appreciates your authorship of SB 390 and looks forward to working with you to ensure this bill is enacted into law this year.

Sincerely,

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

PAUL A. SMITH
Senior Legislative Advocate

cc: Members of the Senate Environmental Quality Committee
Ms. Carroll Mortensen, Senate Environmental Quality Committee
Members of the Integrated Waste Management Board

Alpine Amador Butte Calaveras Colusa
Del Norte El Dorado Glenn Imperial Inyo
Lake Lassen Madera Mariposa Merced



Modoc Mono Napa Nevada Placer Plumas
San Benito San Luis Obispo Shasta Sierra
Siskiyou Sutter Tehama Trinity Tuolumne

Chair - Larry Munger, Sutter County
First Vice Chair - Dave Bradshaw, Modoc County
Second Vice Chair - Diane Dillon, Napa County
Past Chair - David Finigan, Del Norte County

President and CEO - Greg Norton
Executive Vice President - Patricia J. Megason
Chief Financial Officer - Karl Dolk

March 31, 2009

The Honorable Pat Wiggins
Member, California State Senate
Room 4081, State Capitol
Sacramento, CA 95814

Dear Senator Wiggins:

On behalf of the thirty member counties of the Regional Council of Rural Counties (RCRC), I regret to inform you of our opposition to your Senate Bill 730, which would prohibit the Integrated Waste Management Board (the Waste Board) from awarding any grants, loans or other financial assistance to counties that dispose or cause to dispose their solid waste in out-of-state landfills.

RCRC is comprised of members of the Boards of Supervisors from each of our thirty member counties. In addition, twenty-two member counties have formed a joint powers authority to address solid waste issues for our respective counties. In many cases, these counties operate or contract for collection services, transfer stations, recycling centers, municipal waste disposal landfills, and household hazardous waste collection programs.

A number of counties export all of their solid waste, including counties that border other states such as Del Norte, Nevada, and Plumas. Furthermore, a number of border and other counties also send a portion of their waste out-of-state. The overwhelming reason why counties export their solid waste is due to cost and proximity. It is simply more cost-effective to export across the border especially when the nearest California landfill is further in distance. For those counties that either do not have a landfill or the landfill is reaching its capacity, creating an 'in-county' facility is extremely difficult as it can take ten years to obtain the necessary state and local permits to construct a landfill. In addition, it is completely infeasible for a small rural jurisdiction to develop new, regulatory compliant landfills. Given the time it takes to obtain permits and the relatively low-volume of waste, it does not make sense for rural counties – especially those bordering Nevada and Oregon – to do anything but export all or a portion of their waste.

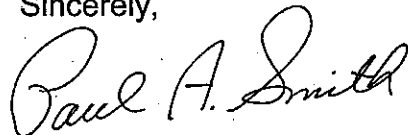
In addition we would point out a likely unintended consequence of SB 730. Currently, a number of jurisdictions receive grants from the Waste Board to ease the handling and disposal of products such as electronic wastes, sharps, batteries, fluorescent bulbs, used motor oil, and used tires. Eliminating grant funding in those

jurisdictions – because they have limited disposal options for their traditional solid waste – could result in the improper and/or illegal storing, handling, and disposing of these materials in California. Furthermore, many of these materials are classified as hazardous waste, making proper handling all-the-more-important. Illegal disposal of these wastes is already a significant problem. SB 730 would greatly contribute to this problem.

RCRC and its member counties recognize the need to reduce the amount of waste generated and disposed, whether disposal occurs in-state or out-of-state. We continue to work with the Waste Board in establishing programs to achieve these goals. However, the approach in SB 730 is not only punishing to small counties and/or those bordering on neighboring states, but it is counter-productive in ensuring certain wastes are adequately handled, of which financial assistance from the Waste Board is vital.

If you have any questions or concerns regarding our position, please do not hesitate to contact me.

Sincerely,



PAUL A. SMITH

Senior Legislative Advocate

cc: Members of the Senate Environmental Quality Committee
Ms. Carroll Mortensen, Senate Environmental Quality Committee
Members of the Integrated Waste Management Board